

Sadism in the Bedroom: Metaethical Reasons to Prefer Kantianism to Utilitarianism



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Abstract

Through the consideration of sadistic sex acts between consenting parties, a case can be constructed which shows the inability of Utilitarianism to accommodate some acts even when all affected parties are consenting and acting rationally. This may be cause to favor Kantianism as a moral theory.

I. Introduction

Identifying *the* True Moral Theory is in many ways the quintessential goal of moral philosophy. To this end there are many metaethical tools available for trying to identify what moral principles may be “true” from the perspective of the universe (if any). One such tool is the use of moral intuition to evaluate the implications of applying a given moral theory. If moral intuition and the casuistry of applying an ethical principal are in conflict, then there is cause to scrutinize both the principal and the intuition. It stands to reason that the more robust of the two is likely to be closer to the truth. These dilemmas can be operationalized through the careful construction of case studies which highlight the incongruities therein.

Something like a Kantian or neo-Kantian view of morality might more accurately describe what is moral from the perspective of the universe than a Utilitarian moral theory. To demonstrate this, we can first apply Kant’s usage of rational thought to identify that which is right and wrong to further clarify personal duties that exist for individuals, insofar as they are a member of a larger subset of all moral agents. By exploring the personal duties of lovers, a case can be constructed in which, assuming a condition of consent is satisfied by all parties, Utilitarianism is unable to permit actions which are both permissible under Kantianism and agreeable to all affected parties. Such a case highlights the limitations of acting to maximize utility in the face of contraindications from potential moral duties. The case described examines an explicit exchange of pain for pleasure with a net loss of utility as may result from a sexual encounter between a sadist and a non-masochist.

II. Kant and Personal Duties

Kant asserts that morality proceeds from acting in accordance with our duties. Duty, as Kant describes, is what we ought to do such that our behavior is

rationally consistent⁹⁸. A meaningful conception of duty, however, could be extended in accordance with an agent's identity. In other words, a rationally consistent world may entail the establishment of a distinction between the duties of agents in accordance with what might reasonably be expected of them. Acting according with *universal* duty compels us to act in accordance with *personal* duty. The duties of a parent, a physician, an employee, as examples. We inherit additional duties in our various roles dictated by our relationships to others, and when we consent to taking on a new role, we necessarily consent to taking on the duties contained therein.

Personal duties are context dependent – they are those things for which it would be rationally consistent for all agents with a shared identity to similarly do. The duties of a parent are those which all parents ought to do. The duties of a physician are those which all physicians ought to do⁹⁹.

Another key aspect of Kant's ethical teaching is that an agent must never treat another person as a mere means. The word "mere" is doing a great deal of work in this phrase, and a tremendous amount of proverbial ink has been spilled debating the precise meaning of this word. Operationally for our purposes here, the distinction between "means" and "mere means" can be summarized as follows: an agent, A_s , is being treated as a means in any such transaction as they are acting in service to another agent, A_a , but they are not merely a means if this action is undertaken by A_s willfully in accordance with their personal duties or A_s has consented to engage in this transaction with A_a because it fulfills some end of A_s 's.

⁹⁸ Rational consistency is a condition that may apply to an action or belief. Rational consistency is judged on the basis of several conditions. The most relevant for our purposes are Kant's maxim of Universalizability. If an action continues to be meaningful if everyone did it all the time then it is a rationally consistent act. (Kant)

⁹⁹ We might refer to this as the "Any True Scotsman" test. If all the elements of a set share a property, then every individual element of the set must necessarily possess that property. Consider the personal duties of a judge as an example. Any duty which is the duty of all judges, such as being apprised of the law, must therefore be the duty of every judge. That which is a duty of any true Scotsman is the duty of every true Scotsman.

A child that eats the food provided by their parents without “contributing” is not using their parents as a mere means because it is the personal duty of a parent to support their child, and these parents have willfully done so. Alternatively, the barista at one’s local coffee shop is not a being used as a mere means because while the customer uses the barista as a means to acquire their order, the barista uses the customer as a means to remain employed (presumably among the barista’s goals).

III. What Kant Can Teach Us About Being Ethical Lovers

Let us now consider the personal duties that accompany the role of lover¹⁰⁰. Specifically, in the context of a sexual relationship, a lover has a duty to their partner or partners. I propose the personal duty of a lover is as follows:

PDL1: A lover has a Kantian duty to satisfy their partner(s).

We can verify this with a rational test under the condition of universalizability. It is rationally consistent to suppose that all lovers ought to sexually gratify their partners. Ought implies can, of course, so the burden might be reduced to the statement that “all lovers ought to *try* to sexually gratify their partners” instead. In this form the duty of a lover can be reformulated as follows:

PDL2: A lover has a Kantian duty to try to satisfy their partner(s) in a sexual capacity.¹⁰¹

This is to say their actions should be motivated in accordance with their sense of duty. Consent becomes an essential component of appraising the morality of actions in this context. While it is perhaps a duty of lovers to try to be the best lover that

¹⁰⁰ “Lover” is a loaded term. Here I am using the title to denote an appropriate and enthusiastic sexual partner to someone in which the relationship between them (or some facet of it) centralizes sexual desires. Being a lover neither entails nor precludes having other relationships with the same individual. Two agents can be spouses without being lovers, two agents can be both lovers and friends, two agents can be strictly lovers. In this paper it will be used to signify two agents who are routinely engaged in sexual relations, independent of other roles they may play in each other’s lives.

¹⁰¹ This is not to say that all people ought to be having sex all the time. This is a much weaker claim. All this says is that when one agent enters into a relationship with another such that they are now that agent’s lover they assume additional responsibilities which follow from the personal duty, PDL2.

they can be with their partner, should the partner push them to do something to which they do not consent¹⁰² the partner is now using their lover as a mere means – merely a means for their own sexual gratification. The Kantian understands that the partner has done wrong, they have acted unethically.

Proceeding only from a Kantian framework it can be reasoned that ethical behavior in sexual relationships must feature at least two elements: one being consent and the other being an earnest attempt on the part of lovers to satisfy the desires of their partners. A dutiful lover (and crucially, an ethical lover) does not simply phone it in.

IV. The Sadist and The Good Sport

Consider the following case. Two parties have entered into a relationship. Sam (the sadist) and Winnie (the willing one) are in a very happy romantic relationship. So happy, in fact, that neither one of them sees sex as registering even a slight factor on the quality of their relationship. They are going to continue to be together faithfully and happily, come what may. That being said, they both enjoy sex with each other and derive pleasure from sex acts. Sam and Winnie do not, however, have the same sexual preferences. Sam derives pleasure from sadistic acts. If Sam inflicts pain on Winnie in the bedroom Sam will increase their own personal satisfaction. Winnie is not a masochist and derives no pleasure from having pain inflicted upon them. Winnie is, however, a happy participant in Sam's desires because Winnie seeks to be the best lover they can be. Winnie needs no coercion, no duress, and feels completely at liberty to refuse Sam's requests (perhaps even does refuse them periodically).

¹⁰² Consent cannot be so weakly defined as affirming a willingness to do something. Consent is a robust and multifaceted condition. An agent under duress or similarly pressured to act a certain way is not satisfying an authentic condition of consent. There also exist epistemic conditions to consent – an agent cannot consent to an act about which they have limited or false information. Hereon the word “consent” indicates a broad and authentic condition of consent in which all parties are informed and earnest in their willingness.

A Utilitarian sees a very simple mathematical problem here. Sam will gain pleasure by inflicting pain (P_S), Winnie gains no pleasure, nobody loses their autonomy so it cannot be said that some abstract harm associated with the violation of consent enters into the calculus, and Winnie experiences physical pain (N_W). Assuming that Sam proposes a sadistic sex act, Winnie can either approve or disapprove (simplified to a binary set of responses for the purposes of this argument). So long as $|P_S| - |N_W| > 0$ the addition of this sadistic action will cause a net increase in the pleasure derived from sex between Sam and Winnie. Should $|P_S| - |N_W| < 0$ then there is a net decrease in the pleasure derived from such a sex act. Therefore, the Utilitarian says, the action is easily morally evaluable – so long as Sam gains more pleasure than Winnie experiences pain this is a good action. If Winnie experiences more pain than Sam experiences pleasure, then it is a bad action.

This last statement proves troubling. Winnie may consent to a sex act that they fully know will cause marginally more pain than Sam will gain pleasure (perhaps this knowledge comes from past experiences). Why then would Winnie agree to such an act? Well, Winnie might reason, this does hurt them, but not terribly so and not such that they have ever felt or expect they ever will feel unsafe. Moreover, they think it is right to do all that one *reasonably* can as a lover to please their partner. Winnie is a Kantian and believes PDL2 is indeed true. The Utilitarian is now left claiming an act to which all impacted parties are assuredly consenting is immoral.

The Utilitarian has several options on how they might proceed:

1. *No clarification is needed! This action is immoral, what's the issue there?*
2. *Consent is necessary, sure, but it is not a sufficient condition for moral permissibility.*

3. *This case is fundamentally flawed! A rational agent would surely not consent to their own harm unless they benefit in some other way. Details are being left out somewhere.*

Each of these responses fail to account for general moral intuitions. Allow me to work through them in order.

Perhaps the problem with the first response from a Utilitarian is clear enough on its face. That response is truthfully the Orthodox Utilitarian view in which dispassionate calculations of pain and pleasure are not just guides for comparing choices, but rather that calculus is strictly and singularly an arbiter of moral rightness. Consent is irrelevant to questions of right and wrong. Under this view operations like genocide and slavery are not just permissible, they may be obligatory in certain cases¹⁰³. These conclusions seem repugnant on their faces¹⁰⁴.

A more charitable interpretation might look like some kind of satisficing form of Utilitarianism. The Utilitarian putting forward the second response concedes that the violation of consent is wrong (maybe even strictly wrong), but that's because there are greater pains associated with one's consent being violated. Physical pain, the Utilitarian may argue, is paltry compared with the suffering of losing autonomy. That being said, just because affected parties are willing to engage in an action does not mean that action is right. Consent – for the proponent of the second argument – does not make otherwise wrong things right.

This view is substantially more robust. Surely some things are wrong *prima facie* and no amount of enthusiasm on behalf of those involved can make things otherwise. There exists a pragmatic problem with this conception of rightness and

¹⁰³ Such a case would have to produce sufficient utility for those perpetrating atrocities to offset the disutility associated with those who are suffering. Aristotle's description of the leisurely life serves as an example. (Aristotle)

¹⁰⁴ It is beyond the purview of this paper to demonstrate that genocide and slavery are strictly immoral. That being said, if the claim that a moral theory permitting – and even requiring – slavery and/or genocide might be flawed is a contentious one, then it may be beyond my ability to convince you of anything in a succinct form.

wrongness. One of the major appeals of Utilitarianism is the consideration of the suffering of victims of bad actions. Too much suffering because of a largely good act is reason for pause on behalf of the Utilitarian. Bad situations are often not made easier for victims of good intentions gone awry, and the Utilitarian completely accounts for this suffering. In many ways the Utilitarian view seems compassionate in such cases, it concerns itself with the experiences of victims.

The problem for Utilitarian thinking in the case of Sam and Winnie is that there are no victims. Sam is certainly benefitting from the inclusion of sadistic acts, and Winnie is by no means a victim. What can be said of Winnie is that they are experiencing pain. Winnie being in pain, however, does not make Winnie a *victim*. This is just as a surgical patient is not a victim of the surgeon's - even when the surgery is unsuccessful and the Utility is strictly negative the word "victim" is not applied. If the Utilitarian wants to argue that consent is not a sufficient right making feature about an act that they have deemed wrong, then the Utilitarian must first demonstrate that there is a victim of said wrongdoing. If they cannot identify a victim then "wrongness" in such a case is purely abstract, verging on inconsequential (a conundrum for the Utilitarian) – and moreover Sam and Winnie would probably find it distressing to be told that their consensual sexual practices are "wrong".

The psychology of someone like Winnie seems inscrutable. The Utilitarian proposing the third response is fixating on the irrationality of an agent consenting to their own harm if it really is a net negative. Winnie must derive some other benefit not previously described.

Utilitarianism will still come up short in this case, but let us now modify the equation $|P_S| - |N_W| = \sum_U$ and add additional terms accounting for the benefits to Winnie so as to come up with $|P_S| + |P_W| - |N_W| = \sum_U$. Here the new term, $|P_W|$, indicates the utility value of Winnie's benefits. The Utilitarian could rely on benefits that are

psychological. These benefits could be the empathetic joy received from causing a loved one pleasure, or perhaps the sense of security gained from doing an act that contributes to the maintenance of a relationship that one finds beneficial.

Winnie's consent (a necessary condition for their not being a "victim") must indicate that $|P_W| - |N_W| \geq 0$ and therefore $\sum U \geq |P_S|$. Any other explanation must mean Winnie is willing to consent to a state in which they are worse off. That would appear to be irrational.

Firstly, constructing the case mathematically is trivially easy. It is a given that sex has no bearing on the security of Sam and Winnie's relationship. Winnie is therefore only deriving additional pleasure insofar as they can find pleasure in satisfying Sam. Even then, this is not the only way to satisfy Sam. If Winnie can pleasure Sam (albeit to a lesser degree) in a manner such that they are also sexually gratified without experiencing any pain and find pleasure in that (albeit to a similarly reduced degree) the net utility would still be higher. We can conclude then that $|P_W|$ is relatively trivial compared to $|P_S|$ and the case can be reformulated endlessly to increase the value of $|N_W|$ (one more stroke of a whip, one more poke of a pin, etc., until $|P_S| + |P_W| - |N_W| < 0$).

If such a case is constructed, we may be inclined to regard Winnie as an irrational agent. Why would any agent knowingly enter into an agreement in which they are decidedly worse off with no hope for future gain? I propose that they are acting in accordance with their duty.

Suppose a stranger hands a dollar to an unhoused individual asking for spare change. That stranger certainly has no expectation that she will be later rewarded for this. She likely acted on instinct, doing what she believes to be the right thing to do, and will not dwell on this interaction as she goes about the rest of her day. Her behavior

need not rely on some kind of internal psychology that rewards her. A sense of gratification is not a requirement for explaining her behavior as completely rational¹⁰⁵.

Her willingness to do right acts, even at strictly personal cost, should not be a sign to us she acts irrationally, rather that she has a well developed sense of moral duty. Not all actions in the world need to be transactional, sometimes we may simply do right things because they must be done. This is true for Winnie as well. Their willingness to engage in sex acts that are strictly for the benefit of another is not a sign that Winnie is irrational. They may consider it a part of their duty, as Sam's lover, to facilitate Sam's sexual gratification however best they can. Here our case leaves us with a set of actions that rational agents could consent to from which there are no victims, even though the action produces less utility than inaction. Utilitarianism, as it is most traditionally explained, would appear deficient in its ability to make sense of this dilemma. Kantianism, from which an understanding of personal duty and the inherent value of consent arises, makes such victimless actions such as these clearly defensible.

V. Conclusions on Kant, Consent, and Kink

A single hypothetical case does not disqualify an entire moral theory. What is evident, however, is that Utilitarianism does not seem a sufficient moral theory in a reasonably plausible case as the one above. Utilitarianism, even in a satisficing form with a stipulation that consent is necessary or otherwise intrinsically valuable, prohibits or discourages certain sex acts even if all parties are happily participating while fully consenting and fully able to consent. This is true even when there are no identifiable victims who would consider themselves harmed. It seems counterintuitive to claim that when all agents – acting rationally in accordance with their own duties – affected by a

¹⁰⁵ Kant observes that while it is perhaps ideal for someone to enjoy and feel good about acting rightly, an agent's feelings on the matter are ultimately immaterial. The moral law is strict and acting rightly is not governed by feelings on the matter. Charitable giving, for example, continues to be right (and rational) whether or not the giving agent feels positively about their charitable act.

given choice or set of choices fully consent to those choices and have no regrets after seeing the outcome of those choices they can still have somehow acted wrongly.

Kant's moral theory, that right acts are those taken in accordance with our duties, neatly accounts for the general intuition that consent is valuable, and coercion is wrong without requiring any qualifications. It can also explain why someone might act righteously even at personal cost without needing to claim some deficiency of reason or rationality on behalf of the agent. While this by no means demonstrates Utilitarianism is categorically false, the fact that cases in which apparently nothing immoral is occurring can be flatly impermissible by Utilitarianism would indicate some fundamental flaw(s) in the theory – or at least a major blind spot.

Works Cited

Aristotle. *Aristotle's Politics*. Oxford :Clarendon Press, 1905.

Kant, Immanuel. *Groundwork of the Metaphysics of Morals*. 1785.

Kneller, Jane. "Kant on sex and marriage right." Guyer, Paul. *The Cambridge Companion to Kant and Modern Philosophy*. New York: Cambridge University Press, 2006.

Varden, Helga. "Kant on Sex. Reconsidered. -- A Kantian account of sexuality: sexual love, sexual identity, and sexual orientation." *Feminist Philosophy Quarterly* (2018).



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