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How Bentham's Utilitarianism influences on prostitution

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Abstract:

Utilitarian principles and their influence in determining morality and values in our society cannot be underestimated. So many philosophers have projected the utilitarian theory as one that favors the happiness of the greater number; Thus avoiding what leads to pain. Hence, happiness is the determining factor that many would subscribe to as the moral compass for their many good deeds. It is indeed a lot of commercial sex workers who make their living because they see their business as the basis of their basic human rights as drawn from utilitarian moral theory. This paper explores Jeremy Bentham's utilitarian principles regarding the moral foundations of human rights. The paper argues that utilitarian theory does not constitute the ethical and moral foundation of human rights. In doing so, the paper also argues that the implications of utilitarian policies on commercial sex workers as a viable means of economic value are subject to philosophical analysis. Therefore, in x-raying the morality of the rights of commercial sex workers, the paper considers the morality of their activities questionable despite their contribution to the underground economy. The paper's research method is Interpretive through qualitative research instruments as the basis for the analysis of topics.

Keywords: utilitarianism, commercialism, prostitution, human rights, ethics.

Introduction: The foundation upon which principles of human rights are built and formed is the moral concept of rights.¹ What constitutes human rights is not determined by the context of popularity; Moral goodness for human beings demands that we exercise our positive freedom to realize the values necessary for us and to develop into the persons we are.² There is no concept that is as commonly misunderstood, misdirected, misrepresented, misconstrued, misapplied, misconstrued and misunderstood as the concept of human rights; Especially when its foundation is built on a meta-ethical theory that is popular and almost universally accepted. One of the most commonly accepted metatheories is the principle of utilitarianism. The principle(s) of utilitarianism can easily justify and almost accept actions that are not moral (immoral) and reduce one's duty to self and others in society. One of these social abuses and misunderstandings of human rights that project freedom of

association is the right of commercial sex workers to freely associate. This means that they must exercise their freedom based on the fundamental human rights principles set out in the Universal Declaration of Human Rights. Freedom of association is one of the most fundamental rights enjoyed by human beings. The concept of freedom of labor relations means that workers can form, join or join a trade union and engage in collective bargaining. It also implies that workers have the right to go on strike if necessary.

This interpretation of freedom of association contained in the Universal Declaration of Human Rights is extended to commercial sex workers. Therefore, it is against this context that this paper interrogates the ethics of commercial sex workers. In doing so, the following research questions are raised, but not limited to the following: What constitutes work as an activity? How much do commercial sex workers contribute to the underground economy? Does the basic human right accept wrong as right? Do job titles matter to commercial sex workers? Should commercial sex work be based on utilitarianism? What is the moral value of prostitution? This paper will attempt to answer these questions as it calls for an interpretive and analytical framework of research methodology to understand how Jeremy Bentham's theory of utilitarianism has influenced the misinterpretation of human rights as it has contributed to advancing commercial activities Sex worker.

Utilitarian: Utilitarianism is “an ethical theory according to which an action is right if and only if it is consistent with the principle of utility”. Utilitarianism seeks to “replace reliance on God, tradition, common sense, or intuition with reasoning about facts and their consequences. Utilitarianism is “one of the most powerful and persuasive approaches to normative ethics in the history of philosophy. It is generally thought that the morally right action is the action that produces the greatest good. One point to note is that the theory is a form of “consequentialism”. The right action is understood in terms of the consequences produced as a whole. For utilitarians, “one should maximize the overall good, that is, the good of others should be taken into account. As well as your own good”.³

The human rights concept ‘right’ has two main meanings which are reflected in the following sentence: It is right for us to claim our right (morally good, worthwhile, important, valuable) to achieve a further value). Both meanings derive from the same basic concept, the moral concept of duty. Right actually means something that is straight, not crooked, as opposed to wrong, which is worse or crooked than straight. Rights are associated with a norm and ideal and square with the ideal of morality and thus morally good. Right is also used to explain an equitable law, just deed, just debt, just claim, that which is owed; and, it has to do with duty. As such, it is a ‘human right’ defined within a particular philosophy in terms of the natural law tradition.⁴ and holds that certain things should never be done to humans and certain other things should be done.⁵ Therefore, for the purposes of this study, human rights are rights that Which is humane to our nature and helps us live a dignified life so that we can be prosperous and happy.

Commercial sex workers: Commercial sex workers, also known as prostitution, are a long-standing profession. Nevertheless, for the purposes of this work researchers will try to

define it as engaging in sexual activity in exchange for money, goods or other negotiation items. The main event is that someone engages in sexual activity for the same core.

Basis of Human Rights: Human rights are also known as inalienable rights.⁶ the term inalienable rights simply stand for natural rights. This therefore implies that human rights are not only positive laws; but, these are laws that are ontological to our being. It is not given to us by an international organization; but given by virtue of our human nature as humans. Therefore, arguing against the existence of natural law means that human rights law need not exist. According to Milton Gonsalves, since natural rights are God-given through natural law, they cannot be taken away by human authority, and in this sense they are inalienable. He also said: There is a natural moral law which imposes obligations on all men to conform their conduct to the ideals of morality as the purpose for which they exist as human persons, and as the only means of achieving this purpose. But people cannot have such obligations unless they have a right to fulfill them, and consequently a right to prevent others from interfering with the fulfillment of these obligations. All rights I think are obligations not to interfere with the exercise of my rights in others, that is, obligations to respect my external freedom (from liberty) as well as my internal freedom (liberty). The right to fulfill the obligations imposed by the natural moral law presupposes both my freedom from external forces and my inner freedom to fulfill the purpose for which I exist. Therefore, there are rights that derive from natural law, and by definition they are natural rights.⁷ In F.O.C Njoku's thought, human rights are conceptualized within the natural law tradition; and they are called universal. They are universal in the sense that all human beings possess human rights by the mere fact of human existence. In this sense, human rights constitute the minimum conditions for a dignified life as opposed to inhuman conditions.⁸

Human rights mean doing what is right at all times and under all circumstances. Human rights dictate duty for duty's sake.⁹ in the realization of a morally founded sense of responsibility. Human rights are designed for the moral order of society. Our actions must, along with moral imperatives, realize moral values, because what we do expresses the unique personality of each of us. The use each of us makes of his personal positive freedom is the true work and further development of each of our hearts. As an individual self, I should act in ways consistent with that self's moral development, and others should act in ways consistent both with me and as a morally developing person. Therefore, we have rights against injustice; and rights in relation to duties. Therefore, human rights should be interpreted within the confines of morality; otherwise such rights may be deemed null and void. The rights of human society and their accompanying duties are not reducible to material cooperation and physical prosperity. The rights and duties of the natural/human order are shared values that enhance human embodiment in the world.¹⁰

A Brief History of Jeremy Bentham: Jeremy Bentham (1748–1832) was “an English utilitarian philosopher and social reformer. Bentham's campaign for social and political reform in all areas, especially criminal law, had its theoretical basis in his utilitarianism.¹¹ He produced the first systematic account of utilitarianism. Jeremy Bentham was a classical

utilitarian who identified the good with pleasure. He thought that we should maximize the good, that is, bring the greatest amount of good to the greatest number. The key insight is motivational. The theory is that morally appropriate behavior should not harm others. Rather increase happiness or utility. His basic motivation behind the development of classical utilitarianism was the desire to see useless, corrupt laws and social practices changed. Essentially the practice of providing sex Money. In most cases, women are on the receiving end of what is known as commercial sex workers; but, those (Men) sponsoring them is often exempt from this term. For Bentham, what made laws bad was their lack of utility, their tendency to lead to unhappiness and misery without compensating happiness. If a law or a work does no good, it is no good. Jeremy Bentham, "jurist and political reformer, is the philosopher whose name is most closely associated with the foundational period of the modern utilitarian tradition. Bentham made utilitarian philosophy an important tool for moral and legal philosophy and political and social improvement. In 1776, he wrote in a volume on Government, Conduct and First announced himself to the world as an advocate of utility as the guiding principle of law: in an introduction to the principles of ethics and law, as a preliminary to the development of a theory of penal law which elaborated the fundamental elements of the classical utilitarian theory.¹² would form a whole body of law based on the principle of utility, the development of which was to engage Bentham in a task. Lifetime work and included civil, procedural, and constitutional law".

Pleasure and Pain: Jeremy Bentham made a famous declaration that underscores the primacy of pain and pleasure in utilitarian theory: Nature has placed mankind under two sovereign masters, pleasure and pain. They alone dictate what we should do as well as determine what we do. The standard of justice and injustice on the one hand, and the chains of cause and effect on the other, enthroned them. All we can do to give up our submission will serve to demonstrate and confirm. In other words, a man may pretend to abandon their empire, but in reality he will always be subject to it. The principle of utility recognizes this subjection and assumes it as the foundation of that system, whose object is the fabric of pleasure in the hands of reason and law. "It is implied by the principle of utility" that principle which approves or disapproves of every action, according as it tends to increase or decrease the happiness of the party whose interest it calls into question: or, in other words, to promote or oppose that happiness.¹³

Furthermore, Jeremy Bentham formulated the "Principle of Utility, which authorizes an action insofar as the action has an overall tendency to promote happiness to the greatest extent. Happiness is characterized by the absence of pleasure and pain. Utility is "the property in any object, by which it benefits, tends to prevent the occurrence of benefit, pleasure, good, or happiness or unhappiness, pain, evil or unhappiness. We want to avoid pleasure and pain, even though both control us in what we do, what we say, and what we think. He "promotes the principle of utility as the standard of right action on the part of governments and individuals, actions permissible when they promote happiness or pleasure, and when they tend to cause unhappiness or pain." Bentham identifies motives of action as

self-willed. But its Ethical decision-making seems to contradict its own specification of a method that is not focused on self-interest. People should act with the overall good of humanity in mind. Because Bentham was greatly interested in social reform. In fact, what is morally problematic about law and policy? His reflection influenced his thinking about utility as a value. Bentham considered an action or trait to be morally good, right, or virtuous in terms of its consequences, and the pleasure or utility it produces, in terms of our response to the trait. Can be completely independent. People may not respond to the good qualities of the action, they may not perceive the good effects. But as long as those good effects are on balance, any alternative is better than the effects of the action, then the action is right. Humans often have reactions to certain actions, pleasure or disgust. Utility is “promoted when pleasure is promoted and unhappiness is avoided.” Bentham’s commitment to hedonism meant that goodness is the increase of pleasure, and evil or unhappiness is the increase of pain or the decrease of pleasure.¹⁴

Bentham’s hedonism is a very straightforward hedonism. He holds that an intrinsic good is pleasure, and that what is bad is pain. We must promote pleasure and work to reduce pain. When called upon to make a moral decision, the value of an act is measured in terms of pleasure and pain according to the following seven dimensions: “intensity (how strong is the pleasure?), duration (how long will the pleasure last?), certainty or uncertainty (likelihood of the pleasure occurring how likely or unlikely?), propinquity or distance (how soon will the pleasure occur?), volatility (will the proposed action cause more sensations of the same type, how likely is it, either pleasure or pain?), purity (will it be followed by the opposite type of sensation ?Will pain be followed by pleasure or by pleasure followed by pain?), extent (and how many people will be affected?)”. There are two forms of hedonism expressed in the passage: psychological hedonism, which holds that all motives for action are based on fear of pain or desire for pleasure, and moral hedonism, which holds that pleasure is the only good and that actions are right insofar as they tend to produce pleasure or avoid pain.

The Influence of Jeremy Bentham’s Utilitarian Ethics on prostitution: The Influence of Jeremy Bentham’s Utilitarian Ethics on Commercial Sex Workers accounts for the fact that commercial sex workers have a huge profitability for themselves and the economy. According to Timothy Dokpesi Adidi and Noel Michael Buki, “Prostitution is often illegal in most countries and legal in some countries; and in some cases the government is silent on the matter. This means it is neither legal nor illegal; and a true prostitution contributes to the underground economy.¹⁵ Utilitarian ethics claims that based on a thought that has a universal appeal, especially when it is profitable, and judges an action from the consequences of taking into account their contribution to the welfare of the actions intended for profit. Commercial sex workers are the beneficiaries of Jeremy Bentham’s utilitarian principles because They earn their livelihood to solve economic problems; since sex gives pleasure and the product of such pleasure brings monetary value which ultimately brings the greatest happiness to the number of individuals who indulge in it. Commercial sex workers who indulge in such hedonistic activities forget that an act is not necessarily good because it

brings pleasure or creates financial value for those who engage in it. Suffering in the pursuit of something good does not make us unhappy. Happiness is not the result of what we achieve by what we do; but it is a product of quality on what we hold as quality. Hence, according to F.O.C Njoku, happiness is a response that we have to achieve something that we recognize independently and as good in their own right and as what makes us happy may not necessarily be good for someone. "It is a matter of debate whether 'happiness' and 'good' are always the same thing; or whether all kinds of happiness are equally good".¹⁶

In the literal understanding sexual (marital) intercourse: revolution means change, i.e. a movement away from bringing about something new by means of conflict or force or weapon. Although, conflict may not require revolution, it can also be non-violent and comes through ideas and adaptations. "Revolution" was a development of various forms in the 17th century; Political, economic, sexual etc. Therefore, for the sake of this paper, the revolution is contextualized within the framework of a sexual revolution that challenges traditional understandings of sex and marital union. The sexual revolution can be identified with the commercial sex workers who now run their businesses and are part of the foundation of human rights guarantees. The sexual revolution as a social movement challenged traditional codes of conduct regarding sexuality and interpersonal relationships throughout the United States and spread rapidly to almost all of Africa; Hence, the thriving state of prostitution. Although prostitution is as old as humanity, the resurgence and acceptance of this practice today is alarming. Because of the distortion it portrays against the purpose and consummation of sexual (marital) intercourse, it is of moral concern. According to F.O.C Njoku human actions are those that proceed independently of a person's will; Therefore, morality or ethics is "interested in providing guidance for the actions of the individual, the spiritual subject in which human nature subsists and to whom, in the final analysis, these actions are responsible. The purpose and end of procreation through conjugal union. Also in this respect ethical based on the Thomistic tradition of natural law. Conduct is governed by conduct. The morality of an act is made up of three factors, namely: object, motive and circumstance. The object of an act is the source of moral action. ; it is what a person chooses to do. It is the choice of action that makes one a good or bad person. .To give moral merit to an action, one is expected to consider the agent's perspective.¹⁷

But acting is actually a freely chosen type of behavior. It conforms to the order of reason, it is the cause of the good of the will; It perfects us morally, and disposes us to recognize our culmination in the perfect good, primordial love ... that object is the proximate end of a willful decision which determines the willing action on the part of the actor. It is a development of Aristotle's concept of the good: "The good is that which seeks all things". He also said, "Good deeds must be done and followed and evil must be avoided". The good of sexual and conjugal love is progeny; As such every act of sexual love should open towards procreation because it is good to achieve it. Procreation is a feature of the continuation of the human race through sexual love for the purpose and end of conjugal activity. Therefore, we must investigate the forces, drives, and emotions we find

at work in humans. At first glance we notice in him the instinct of self-preservation, of feeding, the urge to secure a livelihood, to provide for the future; sexual instinct, parental instinct; motivation towards family and social intercourse, motivation to expand experience; A penchant for beauty; desire the respect of others; the urge to maintain an orderly relationship with the Supreme Being; and the instinct of happiness, which involves all other instinctive ends.” In all these tendencies toward the good, commercial sex workers should question the ends of their work and the purpose of their work; commercial sex workers are often referred to in contemporary discourse with morality and ethics in mind in providing guidance for action. Controversial analysis takes into account the world's unemployment rate and economic recession. Various ethical theories project services as morally right, and theories for others project it as morally wrong. Motives are often considered the determining basis for commercial sex workers to consider their services as moral. Immanuel Kant believed that people have a ‘duty’ to act morally and have good intentions and that this will lead to moral consequences.¹⁸ of fundamental concern is the philosophical question of what makes prostitution sexual. According to Bruno Russell, many have condemned prostitution for devaluing sex, seeing it as removing the emotional or consensual elements that should be present during intercourse.

Conclusion: Jeremy Bentham's classical utilitarianism was profound, not only in moral philosophy, but also in political philosophy and social policy. His contribution to utilitarianism is outstanding. He wants every man to seek pleasure and avoid pain; and the happiness sought must give the greatest good to the majority. The point is to act ethically to promote the greatest happiness for the greatest number of people. Promoting utility in terms of pleasure is permissible and diminishing utility should be denied. It has really promoted the services of commercial sex workers and made the business so viable that morality based on utility has been destroyed.

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