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# J. S. Mill's Conception of Utility

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Mill's most famous departure from Bentham is his distinction between higher and lower pleasures. This article argues that quality and quantity are independent and irreducible properties of pleasures that may be traded off against each other – as in the case of quality and quantity of wine. I argue that Mill is not committed to thinking that there are two distinct kinds of pleasure, or that 'higher pleasures' lexically dominate lower ones, and that the distinction is compatible with hedonism. I show how this interpretation not only makes sense of Mill but allows him to respond to famous problems, such as Crisp's Haydn and the oyster and Nozick's experience machine.

Mill identifies himself as a utilitarian, in the tradition of his father and Jeremy Bentham, but departs from and modifies their doctrines in many ways. One of his most radical revisions is the distinction between higher and lower pleasures, which I attempt to make sense of here. What follows is merely an attempt at interpretation; I endeavour to show that my reading can be supported by Mill's texts, but concede that other remarks may seem to contradict the reading offered here. Ultimately, the truth may be that Mill never perfectly reconciled his Benthamite and non-Benthamite influences into a fully consistent system.<sup>1</sup>

## I. TERMINOLOGY

I take utilitarianism to be that form of consequentialism that aims to promote (usually, but not necessarily, to maximize) happiness. So defined, utilitarianisms form a subset of consequentialist theories, but there is room for variation not only between, for example, act-, rule- and motive-utilitarianisms but also different conceptions of happiness or well-being. (By 'happiness' I intend a place-holder, like the Greek *eudaimonia*, which is equivalent to well-being and not biased towards hedonistic interpretations.)

The three most prominent theories of well-being, each itself admitting numerous variations, are (i) hedonistic theories, (ii) desire-satisfaction theories and (iii) objective-list (perfectionist) theories. Thus it is possible to be, for example, a hedonistic utilitarian – like

<sup>1</sup> Tensions between 'Benthamite' and 'Aristotelian' influences are noted by Andrew Levine, *Engaging Political Philosophy: From Hobbes to Rawls* (Malden, Mass., 2002), pp. 142–3; Stephen Darwall, *Philosophical Ethics* (Oxford, 1998), p. 118.

36 Bentham – or a utilitarian subscribing to a desire-satisfaction view, as  
 37 suggested by Ayer,<sup>2</sup> or a perfectionist about individual well-being. To  
 38 say that Mill is a utilitarian therefore leaves open his understanding  
 39 of pleasure and happiness.

## 40 II. HEDONISM AND PLEASURE

41 Mill explicitly associates himself with Bentham's hedonism, declaring  
 42 that 'By happiness is intended pleasure, and the absence of pain'.<sup>3</sup>  
 43 I argue that this is merely verbal agreement, for Mill actually had  
 44 a very different understanding of pleasure to Bentham's, even before  
 45 introducing his famous distinction between higher and lower pleasures.

46 For Bentham, the principle of utility or greatest happiness meant  
 47 promoting the balance of pleasures over pains. Bentham understood  
 48 pleasures and pains as mental states or, as he puts it, 'interesting  
 49 perceptions'<sup>4</sup> which are distinct from their causes.<sup>5</sup> Thus it is, for  
 50 example, that he distinguishes four sources of pleasure – physical,  
 51 political, moral and religious<sup>6</sup> – and notes that fecundity and purity  
 52 (two elements of his *Felicific Calculus*) 'are in strictness scarcely to be  
 53 deemed properties of the pleasure or the pain itself. . . [but] properties  
 54 only of the act, or other event, by which such pleasure or pain has  
 55 been produced'.<sup>7</sup> It is easy to see how assessing actions by the pleasure  
 56 and pain produced is evaluating them by their consequences and why  
 57 Bentham famously held that, when the value of pleasure produced is  
 58 the same, pushpin is as good as poetry.<sup>8</sup>

59 This is Bentham's understanding of pleasure, but the term 'hedonism'  
 60 comes from the Greek *hedone*<sup>9</sup> and, in the Greeks, we find a different  
 61 idea of pleasure – not a mental state that is consequent upon action  
 62 but the pleasurable action itself. For instance, in Glaucon's typology of  
 63 goods in Book II of Plato's *Republic* he lists, as examples of things good  
 64 *in themselves*, 'joy and harmless pleasures',<sup>10</sup> meaning that pleasurable  
 65 activities, such as reading, are seen as intrinsically good, rather than

<sup>2</sup> A. J. Ayer, 'The Principle of Utility', *Philosophical Essays* (London, 1954), pp. 264–7.

<sup>3</sup> J. S. Mill, *Utilitarianism*, ed. Roger Crisp (Oxford, 1998), II.2.4–5. References to *Utilitarianism* are by chapter, paragraph and line numbers.

<sup>4</sup> Jeremy Bentham, *An Introduction to the Principles of Morals and Legislation [IPML]*, ed. J. H. Burns and H. L. A. Hart (Oxford, 1996), V.1, p. 42.

<sup>5</sup> Bentham, *IPML*, VI.1, p. 51.

<sup>6</sup> Bentham, *IPML*, III.2, p. 34.

<sup>7</sup> Bentham, *IPML*, IV.6, p. 39.

<sup>8</sup> J. S. Mill, 'Bentham', *The Collected Works of John Stuart Mill*, ed. J. M. Robson (Toronto, various dates) X.113. All references to Mill's works, other than *Utilitarianism*, are by chapter and paragraph (where relevant) and to the volume and page number of this edition.

<sup>9</sup> Roger Crisp, *Mill on Utilitarianism* (London, 1997), p. 21.

<sup>10</sup> Plato, *Republic*, trans. G. M. A. Grube, rev. C. D. C. Reeve (Indianapolis, 1992), 327b.

66 merely instrumentally productive of pleasure. Similarly, in Aristotle,  
 67 we learn that *eudaimonia* or happiness consists in virtuous or excellent  
 68 activity and 'pleasures . . . are activities, and an end [in themselves]'.<sup>11</sup>

69 Both senses of 'pleasure' survive in English: we can say either  
 70 'punting gives me pleasure' or 'punting is one of my pleasures'.<sup>12</sup>  
 71 The former construes pleasure as Bentham did, as a mental state  
 72 consequence of the activity, while the latter identifies pleasure with the  
 73 activity itself. If Mill adhered strictly to his Benthamite upbringing,  
 74 then we may expect him to have shared Bentham's mental state  
 75 conception of pleasures; but we already know that Mill broke from  
 76 the Benthamite hedonism he had inherited and the fact that he was  
 77 clearly influenced by his classical Greek education makes it plausible  
 78 that he could have meant the latter.<sup>13</sup> The next section concerns what  
 79 Mill may have meant by pleasure.

### 80 III. DID MILL UNDERSTAND PLEASURE AS A MENTAL 81 STATE OR ACTIVITY?

82 Having noted the same ambiguity, Roger Crisp tentatively concludes  
 83 that Mill intended by 'pleasure' the pleasurable experience, or mental  
 84 state, of punting, as opposed to the pleasurable activity (or 'pleasure  
 85 source') itself. I grant that there is textual support for this reading,  
 86 most notably, as Crisp points out, Mill's tendency to contrast pleasures  
 87 to pains.<sup>14</sup> Crisp contends that 'you may say that punting is one of your  
 88 pleasures, but not that housework is one of your pains'<sup>15</sup> and, since  
 89 'pains' only covers the mental state but not the activity or experience  
 90 itself, he concludes that 'pleasure' is presumably used in the same way.  
 91 Given Mill's ambiguity, I can be no more confident in my interpretation  
 92 than Crisp, but I am inclined to read Mill the other way. As we can  
 93 say either that punting *is* a pleasure or that it *gives* us pleasure, so we  
 94 can say (as Crisp notes) that housework *is* a pain or *causes* us pain.  
 95 That we do not tend to say 'housework is one of my pains' may be  
 96 no more than a curiosity of the English language – I would certainly  
 97 understand a foreigner who said it and, perhaps, not even consider his  
 98 unusual expression wrong.

99 It is far from clear that Mill meant to refer only to mental states, as  
 100 opposed to pleasurable activities, and other readers seem to favour

<sup>11</sup> Aristotle, *Nicomachean Ethics*, trans. T. Irwin (Indianapolis, 1985), 1153a9-11.

<sup>12</sup> This is noted by Crisp, *Mill on Utilitarianism*, p. 26.

<sup>13</sup> See Geraint Williams, 'The Greek Origins of J. S. Mill's Happiness', *Utilitas* 8 (1996); Jonathan Riley, 'Millian Qualitative Superiorities and Utilitarianism, Part I', *Utilitas* 20 (2008), pp. 271–5.

<sup>14</sup> Mill, *Utilitarianism*, e.g. II.4, 8 and 12, and IV.5 and 10–11.

<sup>15</sup> Crisp, *Mill on Utilitarianism*, p. 27.

101 the activity interpretation.<sup>16</sup> Immediately after subscribing himself  
 102 to the view that happiness consists in pleasure and the absence of  
 103 pain, Mill cautioned that ‘much more needs to be said; in particular,  
 104 what things it includes in the ideas of pain and pleasure’,<sup>17</sup> thereby  
 105 warning his reader that he may be about to break from the Benthamite  
 106 position he had seemingly endorsed. Mill adds that all desirable  
 107 things ‘are desirable either for the pleasure inherent in themselves,  
 108 or as means to the promotion of pleasure and the prevention of  
 109 pain’.<sup>18</sup> This distinguishes things that are desirable in themselves,  
 110 because of the pleasure inherent in them, from those that are merely  
 111 instrumental to the promotion of pleasure. The latter category is  
 112 familiar and might include, for example, education which, though not  
 113 intrinsically enjoyable, allows us later to enjoy the pleasures of poetry.  
 114 The implication, however, is that some activities may be desirable other  
 115 than instrumentally – so punting, unlike education, may be desirable  
 116 because it is itself a pleasure. If one conceives of pleasure as a mental  
 117 state, then all activities would be desirable only instrumentally; but  
 118 then it would be odd to say that pleasure is desirable because of the  
 119 pleasure inherent in it. It seems the best way to interpret this passage  
 120 is to assume Mill holds certain activities intrinsically desirable because  
 121 they are pleasures (i.e. for the pleasure inherent in them, as opposed  
 122 to the mental state produced by them).

123 This interpretation seems further supported by what Mill says in his  
 124 ‘proof’, where he remarks that:

125 The ingredients of happiness are very various, and each of them is desirable in  
 126 itself, and not merely when considered as swelling an aggregate. The principle  
 127 of utility does not mean that any given pleasure, as music, for instance, or any  
 128 given exemption from pain, as for example health, are to be looked upon as  
 129 means to a collective something termed happiness, and to be desired on that  
 130 account. They are desired and desirable in and for themselves; besides being  
 131 means, they are a part of the end.<sup>19</sup>

132 Here, Mill speaks of music as a pleasure, rather than merely a  
 133 cause of pleasurable experiences. Moreover, it seems more plausible  
 134 to think that various different activities or experiences, each desirable  
 135 in themselves, may unite to constitute a happy life, than to say this  
 136 of pleasurable mental states, which it may be more natural to suppose

<sup>16</sup> E.g. David Brink, ‘Mill’s Deliberative Utilitarianism’, *Philosophy & Public Affairs* 21 (1992), pp. 72–8 (though he restricts hedonism to mental state accounts of pleasure); John Rawls, *Lectures on the History of Political Philosophy* (Cambridge, Mass., 2007), p. 259; Levine, *Engaging Political Philosophy*, pp. 141–2.

<sup>17</sup> Mill, *Utilitarianism*, II.2.6–7.

<sup>18</sup> Mill, *Utilitarianism*, II.2.12–14.

<sup>19</sup> Mill, *Utilitarianism*, IV.5.19–25.

137 homogeneous.<sup>20</sup> The same analysis could be applied to virtue, although  
 138 Mill actually says only that the 'consciousness of it is a pleasure'<sup>21</sup>  
 139 (which not only suggests a mental state conception of pleasure but also  
 140 seems unlikely to satisfy his opponents who insisted that virtue itself  
 141 was a good).

142 I believe that this interpretation of pleasures, as describing  
 143 pleasurable activities, rather than mere mental states, better makes  
 144 sense of Mill's understanding of pleasure and happiness as a whole, as  
 145 will, I hope, become clear through the remainder of this article. I think,  
 146 for example, that we can better understand Mill's distinction between  
 147 higher and lower pleasures and remarks about various pleasures if  
 148 'pleasures' refers to different activities, rather than merely mental  
 149 states.<sup>22</sup> Moreover, this interpretation is plausible because it is true  
 150 to Mill's Greek influences and charitable because – as I will argue  
 151 below – it appears to overcome some common objections to hedonism  
 152 (although not ones that Mill himself considered). None of these reasons  
 153 offer conclusive evidence for my interpretation, but it is at least  
 154 possibly what Mill had in mind, if he meant anything consistently.  
 155 I hope that, if the following remarks make sense of Mill's thought  
 156 consistently with this reading, that offers further support for it; but  
 157 the below arguments do not depend on any particular understanding of  
 158 pleasures.

#### 159 IV. HIGHER AND LOWER PLEASURES INTRODUCED

160 Mill's most famous departure from Bentham is his qualitative  
 161 distinction between pleasures. Bentham held that all activities are to  
 162 be assessed by the quantity of pleasure produced, a factor of their  
 163 intensity and duration, and thus, when the quantity of pleasure is  
 164 the same, pushpin is as good as poetry – the source of the pleasure  
 165 making no difference to its value. In fact, Bentham was no great fan  
 166 of poetry,<sup>23</sup> whereas Mill – who regarded its appreciation as one of  
 167 the key factors in his recovery from depression<sup>24</sup> – was and wanted  
 168 to defend it as more valuable than the mere bodily sensations or

<sup>20</sup> Mill, *Utilitarianism*, II.8.11–12 insists that 'Neither pains nor pleasures are homogeneous'. Of course, it is possible that pleasurable mental states might be heterogeneous, for instance if they shared some quality that made them pleasant but others that distinguished them. Nonetheless, one could suppose (falsely I believe) that there is some particular mental state common to all activities we call pleasant. It seems more obvious that pleasurable activities differ in kind.

<sup>21</sup> Mill, *Utilitarianism*, IV.8.6.

<sup>22</sup> Of course, a certain mental state may also be necessary. Reading or punting could hardly be classed as a pleasure if one did not enjoy it. Cf. Brink, 'Deliberative Utilitarianism', pp. 74–6.

<sup>23</sup> Rawls, *Lectures*, p. 261. Cf. Mill, 'Bentham', *Collected Works*, X.113.

<sup>24</sup> J. S. Mill, *Autobiography*, V, *Collected Works*, I.149–57.

169 pleasures enjoyed by children and lower animals and, thereby, show  
 170 that hedonistic utilitarianism was not merely a ‘doctrine worthy only  
 171 of swine’<sup>25</sup> but capable of incorporating the ‘finer things’ in life.<sup>26</sup>  
 172 Mill’s solution to these problems was that we may prefer a lesser  
 173 amount of the pleasure of poetry to a greater amount of pushpin-  
 174 pleasure because the former is superior in kind or quality, i.e. a ‘higher  
 175 pleasure’.

176 The first thing to stress is that Mill does *not* say there are two kinds of  
 177 pleasure, ‘higher’ and ‘lower’.<sup>27</sup> What he says is that one pleasure may  
 178 be superior in quality to another and that we prefer pleasures that  
 179 involve our higher faculties. This does not imply any sharp dividing  
 180 line between those pleasures that employ higher faculties and those  
 181 that do not – there can be a continuum of pleasures, according to a  
 182 continuum either of faculties or of differences in the extent to which  
 183 our higher faculties are involved in any activity. Thus, rather than  
 184 thinking of higher and lower as denoting two kinds of pleasures, it  
 185 is more useful to think of them as comparative terms, like taller or  
 186 shorter. (An important difference is that there is only one way in which  
 187 one thing may be taller than another, whereas there may be different  
 188 ways for one pleasure to be higher than another – employing different  
 189 higher faculties. Nonetheless, the point here is that we cannot, strictly,  
 190 speak of pleasures as ‘higher’ or ‘lower’ in isolation; we always need  
 191 another to compare to.) For any two persons, we can usually say that  
 192 one is taller than the other (or that they are about equal) and, though we  
 193 can loosely categorize people as simply ‘tall’ or ‘short’, we can always  
 194 say that a tall person is shorter than an even taller person. So it is,  
 195 I contend, with pleasures. Chess is higher than draughts (checkers),  
 196 which in turn is higher than pushpin; or poetry may be called a  
 197 higher pleasure, but philosophy still higher. Many questions remain  
 198 about this doctrine, including whether it is compatible with hedonism  
 199 (an issue addressed below). More immediately, however, we want to  
 200 know what makes one pleasure higher than another and how it is  
 201 that we know; the following section tackles these questions in reverse  
 202 order.

<sup>25</sup> Mill, *Utilitarianism*, II.3.5.

<sup>26</sup> Mill, *Utilitarianism*, II.1; compare IV.5–8. ‘Fine’ or ‘noble’ often translate the Greek *kalon*, which combined both moral and aesthetic ideals.

<sup>27</sup> This interpretation is also offered by Crisp, *Mill on Utilitarianism*, p. 30, but contradicts that of Rawls, *Lectures*, pp. 259–63. Rawls’s lectures date from 1994, so do not reflect recent scholarship. Nor should his undergraduate lectures be taken as his final thoughts on these topics. Nonetheless, on this point they seem clearly wrong, and it is a mistake often made by undergraduates. I also reject the claim of Jonathan Riley, ‘Is Qualitative Hedonism Inconsistent?’, *Utilitas* 11 (1999), p. 355 that there are two *or more* discrete classes of pleasure.

203

## V. COMPETENT JUDGES

204 On the epistemological question, Mill appeals to the preferences of  
205 competent judges:

206 On a question which is the best worth having of two pleasures, or which of two  
207 modes of existence is the most grateful to the feelings, apart from its moral  
208 attributes and from its consequences, the judgment of those who are qualified  
209 by knowledge of both, or, if they differ, that of the majority among them, must  
210 be admitted as final.<sup>28</sup>

211 I believe it is fruitful to compare this to what Hume says about  
212 aesthetic matters in his essay 'Of the Standard of Taste'. There Hume,  
213 a forerunner to Mill in both the utilitarian and empiricist traditions,  
214 observes that, despite variety of tastes:

215 Whoever would assert an equality of genius and elegance between OGILBY and  
216 MILTON, or BUNYAN and ADDISON, would be thought to defend no less an  
217 extravagance, than if he maintained a mole-hill to be as high as TENERIFFE,  
218 or a pond as extensive as the ocean. Though there may be found persons, who  
219 give preference to the former authors; no one pays attention to such a taste;  
220 and we pronounce without scruple the sentiment of these pretended critics to  
221 be absurd and ridiculous.<sup>29</sup>

222 Hume therefore sets out to find 'a rule, by which the various sentiments  
223 of men may be reconciled; at least, a decision, afforded, confirming one  
224 sentiment, and condemning another'.<sup>30</sup> Hume holds that:

225 Though it be certain that, beauty and deformity, more than sweet and bitter,  
226 are not qualities in objects, but belong entirely to the sentiment, internal or  
227 external; it must be allowed, that there are certain qualities in objects, which  
228 are fitted by nature to produce those particular feelings.<sup>31</sup>

229 And:

230 Though some objects, by the structure of the mind, be naturally calculated to  
231 give pleasure, it is not to be expected, that in every individual the pleasure will  
232 be equally felt.<sup>32</sup>

233 This is why we face such diversity of opinion, so recognition of true  
234 beauty (or its causes) comes about only over time<sup>33</sup> or from competent  
235 critics. As Hume remarks on the latter:

236 [A] true judge in the finer arts is observed, even in the most polished ages, to  
237 be so rare a character; Strong sense, united to delicate sentiment, improved by

<sup>28</sup> Mill, *Utilitarianism*, II.8.2–6.

<sup>29</sup> David Hume, 'Of the Standard of Taste', *Essays: Moral, Political and Literary*, ed. E. F. Miller (Indianapolis, 1985), pp. 230–1.

<sup>30</sup> Hume, 'Standard of Taste', p. 229.

<sup>31</sup> Hume, 'Standard of Taste', p. 235.

<sup>32</sup> Hume, 'Standard of Taste', p. 234.

<sup>33</sup> Hume, 'Standard of Taste', p. 233.

238 practice, perfected by comparison, and cleared of all prejudice, can alone entitle  
 239 critics to this valuable character; and the joint verdict of such, wherever they  
 240 are found, is the true standard of taste and beauty.<sup>34</sup>

241 While Mill says little to elaborate on his idea of competent judges, it is  
 242 reasonable to assume he had something similar in mind – they must  
 243 be ‘equally acquainted with, and equally capable of appreciating and  
 244 enjoying, both’<sup>35</sup> of the pleasures and unprejudiced, for example, by  
 245 ‘any feeling of moral obligation’.<sup>36</sup>

246 It should be noted that Mill’s criterion is not one of what economists  
 247 call ‘revealed preference’. The mere fact that we sometimes choose one  
 248 pleasure over another does not suffice to show that it is higher or,  
 249 since we sometimes choose poetry over pushpin and sometimes pushpin  
 250 over poetry, the relation ‘higher than’ would be symmetrical! What  
 251 matters is a ‘decided preference’<sup>37</sup> or judgement, not a choice made  
 252 from ‘infirmity of character’,<sup>38</sup> which may be for an acknowledged lesser  
 253 good. Thus Mill can accept that even competent judges, when they are  
 254 tired of poetry, may turn to pushpin. Indeed, it is necessary for one to  
 255 be a competent judge that one has ample experience of both pleasures  
 256 to compare.

257 Both Hume’s and Mill’s judges play only an epistemic or evidential  
 258 role.<sup>39</sup> It is by their verdict that we can *know* one pleasure higher than  
 259 another, but it is not their verdict that *makes* it so. The appropriate  
 260 model is what Rawls calls an ‘imperfect procedure’, such as a jury  
 261 trial, in which there is an independently right answer that the judges  
 262 try to identify.<sup>40</sup> For Hume, what makes one piece of art better than  
 263 another is that it is better fitted to produce pleasure in the human  
 264 mind. For Mill, something similar is true. He supposes it is simply ‘an  
 265 unquestionable fact that those who are equally acquainted with, and  
 266 equally capable of appreciating and enjoying, both [pleasures], do give  
 267 a most marked preference to the manner of existence which employs  
 268 their higher faculties’.<sup>41</sup> This comes very close to what Rawls calls  
 269 the Aristotelian Principle, which states that ‘other things being equal,  
 270 human beings enjoy the exercise of their realized capacities (their  
 271 innate or trained abilities), and this enjoyment increases the more the

<sup>34</sup> Hume, ‘Standard of Taste’, p. 241.

<sup>35</sup> Mill, *Utilitarianism*, II.6.1–2.

<sup>36</sup> Mill, *Utilitarianism*, II.5.5–6.

<sup>37</sup> Mill, *Utilitarianism*, II.5.5.

<sup>38</sup> Mill, *Utilitarianism*, II.7.4.

<sup>39</sup> This is also the interpretation of Brink, ‘Deliberative Utilitarianism’, p. 80.

<sup>40</sup> John Rawls, *A Theory of Justice*, rev. edn. (Cambridge, Mass., 1999), pp. 74–5.

<sup>41</sup> Mill, *Utilitarianism*, II.6.1–4.

272 capacity is realized, or the greater its complexity'.<sup>42</sup> For Rawls, this is  
 273 simply a natural fact of human psychology, confirmed by observation,  
 274 and so it is for Mill, though he connects it to 'a sense of dignity'.<sup>43</sup> If  
 275 this is what makes one pleasure higher than another, then it is possible  
 276 that even competent judges can be wrong – something Mill explicitly  
 277 allows for, when he says we must accept a majority if they disagree.<sup>44</sup>  
 278 It is possible that even the *majority* of such judges could be wrong; Mill  
 279 does not say that they are necessarily right, merely that 'there can be  
 280 no appeal'<sup>45</sup> – as it is in the highest court.

## 281 VI. IS MILL STILL A HEDONIST?

282 It is now clear, I hope, what Mill meant by higher and lower pleasures,  
 283 but not whether he could consistently maintain such position while  
 284 remaining a hedonist. Of course, Mill will not count as a hedonist,  
 285 on my reading, if we restrict hedonism to the view that only mental  
 286 states can be of intrinsic value.<sup>46</sup> Given that the English 'pleasures' may  
 287 naturally refer to activities, rather than mental states, I see no reason  
 288 for such a restriction. In any case, my concern here is not whether Mill's  
 289 general conception of pleasure is genuinely hedonistic, but whether he  
 290 can consistently distinguish higher and lower pleasures without appeal  
 291 to some other value.

292 Many critics attacked Mill on this point, starting with the earliest  
 293 receptions of Mill's distinction. Bradley, for instance, remarked:

294 If you are to prefer a higher pleasure to a lower without reference to  
 295 quantity – then there is an end altogether of the principle which puts the  
 296 measure in the surplus of pleasure to the whole sentient creation. It is no  
 297 use saying all pleasures are ends, only some are more ends . . . Given a small  
 298 quantity of higher pleasure in collision with a large quantity of lower, how can  
 299 you decide between them? To work out the sum you must reduce the data to  
 300 the same denomination. You must go to quantity or nothing; you decline to go  
 301 to quantity, and hence you can not get any result.<sup>47</sup>

<sup>42</sup> Rawls, *Theory*, p. 374. Rawls only calls the principle *Aristotelian*, rather than Aristotle's, but his footnote also acknowledges how close Mill comes to expressing the same idea.

<sup>43</sup> Mill, *Utilitarianism*, II.6.26.

<sup>44</sup> Mill, *Utilitarianism*, II.8.6. Since they are, by hypothesis, competent judges, we can assume Condorcet's Jury Theorem applies.

<sup>45</sup> Mill, *Utilitarianism*, II.8.1–2.

<sup>46</sup> Brink, 'Deliberative Utilitarianism', p. 71.

<sup>47</sup> F. H. Bradley, *Ethical Studies*, 2nd edn. (Oxford, 1927), p. 119. It may be reasonable to suppose that you need some exchange rate to adjudicate between quantity and quality, but it is unreasonable to assume that must be quantity, since this neglects quality altogether.

302 While Carritt asserted that:

303 [F]or those who maintain that pleasure alone is in any sense ‘good’, to  
 304 distinguish some pleasures as bad is a manifest absurdity. ‘Superior pleasure’  
 305 either means greater quantity of pleasure or it implies some quality other  
 306 than pleasantness as the standard of selection . . . [which] is no better than  
 307 to say, ‘I care for nothing but money, but it must be honestly come by’. The  
 308 only consistent hedonist is one who seeks pleasures solely according to their  
 309 quantity . . . acknowledging that the objects which afford them are irrelevant.<sup>48</sup>

310 And:

311 If pleasure is the only thing we owe to others, then it is its quantity only  
 312 and not its quality which we must consider. We ought only to spread a taste  
 313 for music and poetry, instead of beer and skittles, so far as we are assured  
 314 that the aesthetic pleasures are keener, less mixed, and more permanent. If  
 315 the utilitarian grants that to enjoy Homer and Shakespeare is ‘better’ than to  
 316 enjoy the serio-comic and the moving pictures, he seems to admit a ‘good’ which  
 317 he ought to produce but which is assessed by something else than an amount  
 318 of pleasure.<sup>49</sup>

319 It should be noted that there have been more sympathetic com-  
 320 mentators, who have pointed out that pleasures may differ, just as  
 321 colours differ in shade.<sup>50</sup> My aim in this section is to show that there is  
 322 indeed room for one to care only about pleasures, but still distinguish  
 323 between them according to quality.

324 It will be helpful to begin with an analogy. Consider what I call a  
 325 *Bacchant*, i.e. someone who cares only about wine. It is important to be  
 326 aware that this person cares about wine *in itself* and not consequent  
 327 pleasure, so is undeterred by, for example, the prospect of a hangover.  
 328 Such a person cares about the quantity of wine – that is, they always  
 329 want more wine rather than less, *ceteris paribus* – but they also care  
 330 about its quality. (I assume that their tastes track an objective feature  
 331 of the wine, which I think is more analogous to Mill’s view, but this is  
 332 not necessary for my present purposes – ‘quality’ can be understood as  
 333 referring to subjective preference.) Although, other things being equal,  
 334 they always prefer more wine to less, if we offer them a choice between  
 335 a bottle of inferior wine and a glass of superior wine, it is possible that  
 336 they will prefer the glass of superior wine. This does not seem strange  
 337 and, as Mill observes, ‘It would be absurd that while, in estimating all  
 338 other things, quality is considered as well as quantity, the estimation

<sup>48</sup> E. F. Carritt, *The Theory of Morals* (London, 1928), p. 21.

<sup>49</sup> Carritt, *Theory*, p. 43.

<sup>50</sup> E.g. C. D. Broad, *Five Types of Ethical Theory* (London, 1930), p. 232; Riley, ‘Is Qualitative Hedonism Inconsistent?’, p. 354. Cf. Guy Fletcher, ‘The Consistency of Qualitative Hedonism and the Value of (at Least Some) Malicious Pleasures’, *Utilitas* 20 (2008), pp. 465–6.

339 of pleasures should be supposed to depend on quantity alone.<sup>51</sup> It is  
 340 worth noting that even Bentham was happy to speak of both quality  
 341 and quantity in relation to knowledge and punishment.<sup>52</sup>

342 Let us now consider the famous 'Haydn and the oyster' example.<sup>53</sup>  
 343 In this somewhat fanciful case, an angel offers you the choice between  
 344 the life of the composer Haydn or that of an oyster, capable of no more  
 345 than the basest pleasures, but will allow you to live as an oyster for as  
 346 long as you like. Since Haydn will live only seventy-seven years, and  
 347 thus experience only a finite amount of pleasure, if you care only about  
 348 quantity of pleasure, then at some point the life of the oyster – which  
 349 accumulates pleasure at a much slower rate – will eventually seem  
 350 preferable. Note that it is no solution to say we prefer the life with the  
 351 highest average, rather than total, for that faces a reverse problem –  
 352 it would imply that we would prefer to be Haydn for a second than an  
 353 almost-equally gifted composer who lives for one hundred years.

354 To illustrate the problem with wine, suppose that Haydn's glass is  
 355 filled quickly (mirroring the intensity of pleasure in his life), while  
 356 wine drips very slowly into the oyster's – if you pour the oyster wine  
 357 over a much longer duration, it will eventually come to have a greater  
 358 quantity. However, if we suppose Haydn not only gets poured wine  
 359 more quickly, but gets poured *better* wine, then it may be rational to  
 360 prefer Haydn's glass, even if the quantity is less. So it is with pleasure –  
 361 if Haydn gets a superior quality of pleasure, then it may be rational –  
 362 even for someone who cares only about pleasure – to prefer that smaller  
 363 quantity of higher pleasure to a larger quantity (in terms of intensity  
 364 and duration) of inferior pleasure. Just as one can be a Bacchant while  
 365 caring about quality as well as quantity of wine, so one can still be a he-  
 366 donist while caring about quality as well as quantity of pleasure. As Mill  
 367 says, 'It is quite compatible with the principle of utility [and hedonism,  
 368 which he does not clearly distinguish] to recognise the fact, that some  
 369 *kinds* of pleasure are more desirable and more valuable than others.'<sup>54</sup>

370 It should be clear that *quality* is a genuinely different scale than  
 371 *quantity* and not simply to be reduced to the latter,<sup>55</sup> even in infinite  
 372 amounts.<sup>56</sup> It may, of course, be thought that higher pleasures will

<sup>51</sup> Mill, *Utilitarianism*, II.4.28–30.

<sup>52</sup> Bentham, *IMPL*, VI.11, p. 55 and XIV.22, p. 171.

<sup>53</sup> Crisp, *Mill on Utilitarianism*, p. 24.

<sup>54</sup> Mill, *Utilitarianism*, II.4.26–8.

<sup>55</sup> Ayer, 'The Principle of Utility', p. 252; cf. Bradley, *Ethical Studies*, pp. 118–19  
 '[S]ince the moral "higher" is here, as we see, the more pleasurable or the means to the  
 more pleasurable, we come in the end to the amount, the quantity of pleasure without  
 distinction of kind or quality; and having already seen that such an end is not a moral  
 end, we get nothing from the phrases "higher" and "lower" unless it be confusion'].

<sup>56</sup> The view that superiority in quality amounts to an infinite (or indefinite) superiority  
 in quantity is defended by Jonathan Riley, 'On Quantities and Qualities of Pleasure',

generally be more intense or productive of future pleasures. One might, for example, have many good extrinsic reasons to prefer poetry to pushpin – for instance, because it can be enjoyed alone and one is less likely to tire of it. Mill notes that previous utilitarian writers have successfully established the superiority of mental over bodily pleasures on grounds of safety, permanence, etc.,<sup>57</sup> but he aims to offer a more principled defence, abstracting from these circumstantial advantages (much as Plato strips justice of its circumstantial advantages – such as reputation – in the *Republic*). If the advantages of higher pleasures lay simply in such matters as their permanence or future effects, then one would have no reason to prefer poetry to pushpin the night before one’s execution, if the quantity of pleasure was the same. Mill, however, would say that poetry is intrinsically preferable because, whatever the amount of pleasure involved, it is a better-quality pleasure.<sup>58</sup>

On this reading, quantity and quality are two independent properties of pleasures that must be traded off (as I show below) when choosing between pleasures. Scarre objects to Donner’s similar view, pointing out that we don’t think a fine claret better than a mediocre one because it possesses more of some good-making property ‘quality’.<sup>59</sup> Quality is not, however, some basic good-making property. Rather, it is a conclusion of our evaluative judgements; when we judge one thing’s natural properties make it a better instance of its kind, according to the appropriate standards, we attribute superiority in quality. Thus, one wine is not better than another because it possesses some peculiar property ‘quality’, but calling it higher quality is shorthand for saying that it has other properties that would make us prefer it, even in smaller quantities. Similarly, one pleasure is higher than another not because it possesses some general property ‘quality’ but because it better contributes to a eudaimonistic conception of happiness, and thus we attribute higher quality to it. This could be called a ‘buck-passing’ account of quality.<sup>60</sup>

Mill’s qualitative distinction between pleasures solves problems of the Haydn and the oyster sort, and I shall argue below that it also solves at least one other well-known difficulty for hedonism, but that does not imply that it is not genuinely a form of hedonism. Nor, of course, is it to say that all the distinctive problems with Mill’s own

*Utilitas* 5 (1993), pp. 291–5; ‘Is Qualitative Hedonism Inconsistent?’, pp. 347–51; ‘Qualitative Superiorities, I’, pp. 269–71. This also has obvious implications for the trade-off between higher and lower pleasures.

<sup>57</sup> Mill, *Utilitarianism*, II.4.20–25.

<sup>58</sup> I thank Chris Brooke for prompting me to stress this point.

<sup>59</sup> Geoffrey Scarre, ‘Donner and Riley on Qualitative Hedonism’, *Utilitas* 9 (1997), pp. 354–5.

<sup>60</sup> After T. M. Scanlon, *What We Owe to Each Other* (Cambridge, Mass., 1998), pp. 95–100.

408 version of hedonism have been – or can be – solved. In particular, it  
 409 remains to be seen whether we can distinguish intensity and quality  
 410 and how we can balance between them.

#### 411 VII. BALANCING HIGHER AND LOWER PLEASURES

412 Mill defends his appeal to competent judges by noting that even those  
 413 who do not distinguish higher and lower pleasures will need, ultimately,  
 414 to make similar appeals:

415 [T]here needs be the less hesitation to accept this judgment respecting the  
 416 quality of pleasures, since there is no other tribunal to be referred to even on  
 417 the question of quantity. What means are there of determining which is the  
 418 acutest of two pains, or the intensest of two pleasurable sensations, except the  
 419 general suffrage of those who are familiar with both?<sup>61</sup>

420 If this were so, then it would be difficult or impossible to tell whether  
 421 competent judges had preferred one pleasure because they thought  
 422 it simply more intense (greater in quantity) or superior in kind  
 423 (qualitatively higher). With wine, we can easily observe quantity, so  
 424 if someone chooses a smaller quantity we must suppose it is because  
 425 she thinks it a better wine. With pleasures that others enjoy, we can  
 426 only observe their duration, and thus have no good idea of either total  
 427 quantity (which depends also on intensity) or quality. It may seem,  
 428 therefore, that Mill has no way to distinguish his quality criterion  
 429 from simple intensity; however, perhaps intensity is not something  
 430 that needs to be judged by others – maybe each person can be taken as  
 431 an infallible judge of the intensity of his or her own pleasure – while  
 432 judgements of quality depend on the cultivation of higher faculties, so  
 433 people may be mistaken. Put another way: I cannot be mistaken about  
 434 what I like, but I can be about what is actually better for me.

435 In any case, the question still arises how to balance higher and lower  
 436 pleasures. This problem for Mill is, in some respects, similar to the  
 437 controversy over 'dominant end' and 'inclusive end' interpretations of  
 438 Aristotle's *eudaimonia*.<sup>62</sup> The question is whether higher and lower  
 439 pleasures can be traded off against each other or we always want more  
 440 of the highest good, such that it exhibits lexical dominance<sup>63</sup> over the  
 441 lower. This means that the highest good is to be maximized before the  
 442 lower comes into play, as a tie-breaker between activities that are equal  
 443 at first. Rawls's example of lexical ordering is words in a dictionary, but

<sup>61</sup> Mill, *Utilitarianism*, II.8.7–11.

<sup>62</sup> E.g. Thomas Nagel, 'Aristotle on *Eudaimonia*', *Phronesis* 17 (1972); J. L. Ackrill, 'Aristotle on *Eudaimonia*', *Proceedings of the British Academy* 60 (1974).

<sup>63</sup> This phrase comes from Rawls, *Theory*, pp. 37–8, and is used by Crisp, *Mill on Utilitarianism*, p. 40.

another might be football league tables – positions are determined by points scored and then goal difference, and points lexically dominate goal difference, since the latter only ever breaks ties and can never overcome a difference in points.

Some construe Mill's doctrine lexically; that is, as saying that any amount of higher pleasure is always to be preferred to any amount of lesser pleasure.<sup>64</sup> He does indeed say that 'It is better to be a human being dissatisfied than a pig satisfied; better to be Socrates dissatisfied than a fool satisfied',<sup>65</sup> which lends credence to such an interpretation. Mill's doctrine is that the pig or fool is content merely because he does not know his imperfections or the higher things that the intelligent man desires, but this mere subjective contentment is not to be confused with true happiness, which involves the exercise and realization of one's higher faculties.<sup>66</sup> If this was so, however, it might lead to somewhat bizarre conclusions, such as that the ideal life involves putting aside not only bodily pleasures – at least, so far as humanly possible – but even poetry in preference to maximizing one's philosophical fulfilment. This would seem not only counter-intuitive to us but also to conflict with Mill's liberal commitments to diversity and experiments in living.<sup>67</sup>

It is not obvious that Mill had such lexical dominance in mind. The plausibility of such a reading is, I think, weakened by the recognition that higher and lower pleasures are ordered along a scale of quality, rather than being two (or more) distinct kinds of pleasure. Moreover, what Mill actually says is that:

*If one of the two [pleasures] is, by those who are competently acquainted with both, placed so far above the other that they prefer it, even though knowing it to be attended with a greater amount of discontent, and would not resign it for any quantity of the other pleasure which their nature is capable of, we are justified in ascribing to the preferred enjoyment a superiority in quality, so far outweighing quantity as to render it, in comparison, of small account.*<sup>68</sup>

Whether such a discontinuity is possible has been the focus of much discussion;<sup>69</sup> my aim is not to defend its truth, but merely to offer the most plausible and consistent interpretation of Mill – which requires only that *some* pleasures *may* be like this, and not that all higher

<sup>64</sup> E.g. Brink, 'Deliberative Utilitarianism', pp. 72 and 92; Riley, 'On Qualities and Quantities', pp. 295–6 and 'Qualitative Superiorities, I', p. 269; Rawls, *Lectures*, pp. 261–3.

<sup>65</sup> Mill, *Utilitarianism*, II.6.40–42.

<sup>66</sup> Mill, *Utilitarianism*, II.6.33–34.

<sup>67</sup> J. S. Mill, *On Liberty*, III.1, *Collected Works*, XVIII.261.

<sup>68</sup> Mill, *Utilitarianism*, II.5.6–13. Emphasis added.

<sup>69</sup> Jesper Ryberg, 'Higher and Lower Pleasures – Doubts on Justification', *Ethical Theory and Moral Practice* 5 (2002); Wlodek Rabinowicz, 'Ryberg's Doubts About Higher and Lower Pleasures – Put to Rest?', *Ethical Theory and Moral Practice* 6 (2003); Gustaf Arrhenius and Wlodek Rabinowicz, 'Millian Superiorities', *Utilitas* 17 (2005).

478 pleasures are incommensurably superior to lower ones. Though saying  
 479 that lower pleasures are of 'small account' is consistent with their  
 480 lexical domination (as goal difference is of small account compared  
 481 to points scored in football leagues), Mill does not say that this is  
 482 *always* the case or, indeed, that it is *ever* so. I think the attention that  
 483 has been given to cases concerning infinite amounts<sup>70</sup> is misplaced,  
 484 since Mill only says 'any quantity of the other pleasure which *their*  
 485 *nature is capable of*',<sup>71</sup> and finite human beings are obviously not  
 486 capable of infinite amounts of pleasure. All Mill actually requires  
 487 is that the pleasure of reading poetry would always outweigh any  
 488 amount of pushpin-pleasure one was capable of, given the natural  
 489 limits of human lifespan and attention. This does not commit him to  
 490 saying that the poetry-pleasure would outweigh an infinite amount of  
 491 pushpin-pleasure, were that possible. One may still find it implausible  
 492 that five minutes of reading Shakespeare's sonnets could really be  
 493 better than any amount of pleasure that one could get from a whole  
 494 lifetime of playing pushpin (though this will presumably be limited, as  
 495 diminishing returns set it), but this is Mill's view – it is better to enjoy  
 496 some realization of one's higher faculties than to live like a contented  
 497 pig or child.<sup>72</sup>

498 Mill's statement about higher pleasures trumping lower ones is a  
 499 hypothetical, merely allowing for the *possibility* that one pleasure is so  
 500 superior to another as to render quantity irrelevant. He never says that  
 501 all differences in quality are so great as to render quantity irrelevant.  
 502 It is therefore no embarrassment to his view that, as Ryberg notes,  
 503 we also have preferences that do not exhibit this discontinuity.<sup>73</sup> Mill's  
 504 allowance that great differences in quality *may* trump any difference in  
 505 quantity has seemingly misled many commentators into supposing that  
 506 *all* differences in quality do so, thereby producing a lexical hierarchy  
 507 of pleasures,<sup>74</sup> but this is plainly not Mill's intention. Moreover, since  
 508 he motivates the qualitative distinction by analogy to other cases, we  
 509 should remember that lexical dominance is not the usual pattern.  
 510 Perhaps we may prefer any (small) quantity of a fine pre-phylloxera  
 511 claret to any (large) amount of cheap plonk, but ordinarily there will  
 512 come a point where we prefer more of a lesser wine to any given amount

<sup>70</sup> E.g. Riley, 'On Qualities and Quantities'; Scarre, 'Donner and Riley', pp. 355–9; Riley 'Is Qualitative Hedonism Inconsistent?'; Ryberg, 'Doubts on Justification'.

<sup>71</sup> Mill, *Utilitarianism*, II.5.10. Emphasis added. Ryberg, 'Doubts on Justification', pp. 422–3, notes that it is unrealistic to assume away diminishing marginal utility, but does so anyway.

<sup>72</sup> I thank Roger Crisp for pressing me on this point.

<sup>73</sup> Ryberg, 'Doubts on Justification', p. 419.

<sup>74</sup> E.g. Riley, 'On Qualities and Quantities', pp. 291–6.

513 of a better one, as is evident if we compare a thimble-full of the good  
 514 wine to a bottle of wine that is only slightly worse in quality.

515 VIII. ADVANTAGES OF MILL'S ACCOUNT

516 I have already shown one advantage of Mill's qualitative distinction,  
 517 namely that it can distinguish between poetry and pushpin and thus  
 518 resolve 'Haydn and the oyster'-style problems. I want to suggest that  
 519 Mill's understanding of utility is also immune to one other well-known  
 520 objection to hedonism, namely Nozick's experience machine.<sup>75</sup> Nozick  
 521 asks us to imagine that 'super-duper neuroscientists' can plug us in to  
 522 a virtual reality machine so perfect we can have any experiences we  
 523 want – from writing a great novel to scoring the winning touchdown  
 524 in the Superbowl – with the only drawback being that none of these  
 525 experiences actually happen. The mental state hedonist is presumably  
 526 committed to saying it would be better for you to plug into the  
 527 experience machine, provided you could be suitably assured that it  
 528 would continue to produce experiences at least as pleasurable as those  
 529 you would expect from real life. Nozick argues that our intuitive  
 530 reluctance to plug into such a machine shows that there is something  
 531 else besides our subjective experiences that matters to us – we really  
 532 care, for example, about how the world actually is.

533 Mill has, I think, at least two responses to such an objection. Firstly, if  
 534 he understands 'pleasure' to include an activity and not only a mental  
 535 state, then he can reject the experience machine from the start. It  
 536 may give you the illusory, subjective experience of punting, but if the  
 537 pleasure is (or includes) the activity, rather than just the mental state,  
 538 it cannot give you the *pleasure* of punting. This seems rather austere,  
 539 if only because, however unattractive the experience machine may  
 540 seem all things considered, I believe there is something to be said  
 541 for it. Even if 'pleasure' is understood to include the activity or source,  
 542 however, it need not be particularly 'active' in the ordinary sense of  
 543 that word – watching television or reading a book is an activity, and  
 544 so being plugged into the experience machine also counts as a kind of  
 545 pleasurable activity, but a very different one from actually punting. It  
 546 is enough for Mill to say that, while being plugged in to the experience  
 547 machine constitutes a pleasurable experience, it is not the same as that  
 548 of punting.

549 Second, even if Mill did understand pleasure as simply a mental  
 550 state, and so something that could in principle be provided by either  
 551 a veridical experience or the experience machine, he could say that  
 552 these experiences differ in kind. Recall that what makes one pleasure

<sup>75</sup> Robert Nozick, *Anarchy, State, and Utopia* (Oxford, 1974), pp. 42–5.

553 higher than another is its exercise and realization of higher, human  
 554 faculties. It is reasonable to suppose that there are higher faculties  
 555 that we exercise only in real life and would not develop in an experience  
 556 machine. Moreover, the way we know one pleasure to be higher than  
 557 another is by appeal to competent judges. While the 'decided preference'  
 558 criterion is not satisfied by a mere intuitive repulsion to the experience  
 559 machine, and there are in fact no judges acquainted with both reality  
 560 and the experience machine, it is also reasonable to suppose that, if  
 561 we had chance to try an experience machine, we might still exhibit  
 562 a 'decided preference' for the pleasures of real activities, thus giving  
 563 us grounds to believe them higher.<sup>76</sup> Of course, as we might prefer an  
 564 inferior wine, if it was not much worse and there was enough of it, there  
 565 may be real lives so wretched that the experience machine would be  
 566 preferable, but for most of us reality would be better. That is, to adapt  
 567 Mill's comparison between Socrates and the fool, it is better to live a  
 568 real life dissatisfied than an illusory one contented.

569

## IX. CONCLUSION

570 I have offered an interpretation of Mill which argues that his hedonism  
 571 actually has more in common with Aristotle than with Bentham. I  
 572 suggested, tentatively, that he understands pleasures not simply as  
 573 mental states or internal experiences, but as activities that include  
 574 their source – so it would be truer to Mill's understanding to say  
 575 'poetry is one of my pleasures', rather than 'poetry gives me pleasure'.  
 576 I have outlined an understanding of higher and lower pleasures that,  
 577 in particular, emphasizes: the epistemic role of judges; that these are  
 578 not two kinds of pleasure, but rather relative comparison of any two  
 579 pleasures (which need not fit on a complete ordering); and that higher  
 580 pleasures do not always dominate lower pleasures. I have argued that  
 581 this is compatible with hedonism, because one who cares only about  
 582 any particular X (e.g. pleasure) need not care only about the quantity  
 583 of that X, if it also varies in quality, and that it solves several well-  
 584 known problems that afflict cruder forms of hedonism.

585 Although I cannot argue it here, I believe this interpretation of Mill  
 586 is conformable with his wider moral and political theory, including his  
 587 preference for liberal institutions.<sup>77</sup> If what actually best promotes our  
 588 well-being is an objective matter, and the verdict of even competent

<sup>76</sup> Such a response is suggested by Darwall, *Philosophical Ethics*, pp. 116–18, though he suggests that because Mill values objects rather than mental states his doctrine is hedonism in name only.

<sup>77</sup> For an illuminating account of how Mill's understanding of happiness fits his wider political theory, see Brink, 'Deliberative Utilitarianism' (though I do not agree with it in all aspects).

589 judges in our own time is merely evidential, then Mill's worries about  
590 fallibility<sup>78</sup> militate against imposing what we take to be higher  
591 pleasures on others. Just as Hume observes that the people of one  
592 age may be caught up in some temporary vogue, and so the true test  
593 of beauty is the test of time,<sup>79</sup> so what best serves the interests of man  
594 as a progressive being can be established only by leaving people free to  
595 live as they will and observing which activities are deemed worthy of  
596 choice by people in all ages.

597 I do not pretend that this interpretation is wholly without difficulties,  
598 or that Mill does not in places say seemingly contradictory things,  
599 but as he says: 'The beliefs which we have most warrant for, have no  
600 safeguard to rest on, but a standing invitation to the whole world to  
601 prove them unfounded.'<sup>80</sup> In that spirit, I await falsification by better  
602 interpretations.<sup>81</sup>

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<sup>78</sup> Mill, *On Liberty*, II.3–20, *Collected Works*, XVIII.229–43.

<sup>79</sup> Hume, 'Standard of Taste', p. 233.

<sup>80</sup> Mill, *On Liberty*, II.8; *Collected Works*, XVIII.232.

<sup>81</sup> I thank Chris Brooke, Krister Bykvist, Roger Crisp, Helen McCabe, Dominic Wilkinson, as well as two audiences in Oxford (convened by Chris Brooke and Julian Savulescu) and one in Sheffield (convened by Robert Stern) and two anonymous referees, for their helpful comments.