

Recent Critics of Mill's Qualitative Hedonism

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Abstract

Two recent critics of Mill's qualitative hedonism, Michael Hauskeller and Kristin Schaupp, argue that Mill's distinction between higher and lower pleasures was largely unsuccessful. They allege that Mill failed to demonstrate that some pleasures are lexically preferred to others, and indeed that this can be shown false by the fact that most people would not renounce supposedly lower pleasures, such as chocolate or sex, even for greater amounts of higher pleasures, such as reading or opera. I respond that many of these criticisms rest on uncharitable assumptions or interpretations of Mill's position. We need not suppose that Mill was even trying to do the things he supposedly failed to do. However, considering these objections may lead us to a more plausible interpretation of Mill's views, according to which the quality of pleasures, along with their quantity, contributes towards happiness. There is no need to suppose that 'higher pleasures' must be lexically preferred to lower ones, or even to be dogmatic about which pleasures are higher.

Mill's distinction between higher and lower pleasures occupies only a few paragraphs in chapter two of his *Utilitarianism*, yet it has generated a vast scholarly literature. In the late 19th and early 20th century, reactions – from the likes of T. H. Green, F. H. Bradley, H. Sidgwick, and G. E. Moore – were largely critical. But, since the latter half of the 20th century, other commentators have sought to show that, while Mill's brief remarks are not entirely perspicuous, a more charitable interpretation – or reconstruction – of his doctrine is possible.¹ The debate between critical and sympathetic interpreters continues today. I place myself on the side of those sympathetic to Mill and I have proposed my own reading of Mill's qualitative hedonism elsewhere.² It is not my purpose, here, to offer a novel interpretation of Mill's views. Rather, my aim is to provide further support for my

¹ For example, Rex Martin, 'A Defence of Mill's Qualitative Hedonism', *Philosophy* 47 (1972), 140–51, and Henry R. West, 'Mill's Qualitative Hedonism', *Philosophy* 51 (1976), 97–101.

² Ben Saunders, 'J. S. Mill's Conception of Utility', *Utilitas* 22 (2010), 52–69. See also Ben Saunders, 'Reinterpreting the Qualitative Hedonism Advanced by J.S. Mill', *Journal of Value Inquiry* 45 (2011), 187–201 and 'Mill's Conception of Happiness', in C. Macleod and D. E. Miller (eds) *A Companion to Mill* (Wiley-Blackwell, 2017), 313–327.

understanding of Mill by considering two recent critics of his qualitative hedonism, namely Michael Hauskeller and Kristin Schaupp.

Though there are important differences between them, both Hauskeller and Schaupp claim that ‘Mill fails to achieve what he set out to achieve’³ for ‘Although Mill purports to have shown decisively that people prefer pleasures resulting from their higher faculties, he is unable to do so with the evidence he uses’.⁴ There is nothing particularly novel about these conclusions; the interest lies in the arguments that Hauskeller and Schaupp offer, which are more sophisticated than those of Mill’s earlier critics. Nonetheless, I contend that their criticisms fail. In several cases, I believe that they criticize Mill for failing to demonstrate things that he never set out to demonstrate and would even have denied. A more charitable interpretation of Mill’s views emerges largely unscathed from these criticisms. I do not mean to be dismissive: both Hauskeller and Schaupp are correct on some points and, even where they are wrong, I believe their criticisms are instructive.⁵ If I can show that my alternative reading of Mill’s qualitative hedonism rebuts many of these charges, while remaining faithful to Mill’s text, then reasons of charity compel us to prefer this interpretation. Thus, objections to an alternative reading of this doctrine should lead us to question whether it was really Mill’s position, before concluding that he was confused or mistaken.

1. Mill’s Aims

Before we can judge whether or not Mill succeeded in achieving his aims, we must say something about what he set out to achieve. Mill’s stated purpose, in writing *Utilitarianism*, was ‘to contribute something towards the understanding and appreciation of the Utilitarian or Happiness theory, and towards such proof as it is susceptible of’.⁶ The ‘proof’ offered in chapter four is, of course, notorious in its own right, but Mill did not appear to consider that his main

³ Michael Hauskeller, ‘No Philosophy for Swine: John Stuart Mill on the Quality of Pleasures’, *Utilitas* **23** (2011), 428–46, at 428.

⁴ Kristin Schaupp, ‘Books before Chocolate? The Insufficiency of Mill’s Evidence for Higher Pleasures’, *Utilitas* **25** (2013), 266–76, at 268.

⁵ That falsehoods can lead to a better appreciation of the truth is, of course, part of Mill’s case for free discussion. See *On Liberty*, reprinted in J. M. Robson (ed.) *The Collected Works of John Stuart Mill*, vol. XVIII (Toronto: Toronto University Press, 1977), 243ff.

⁶ *Utilitarianism*, reprinted in J. M. Robson (ed.) *The Collected Works of John Stuart Mill*, vol. X (Toronto: Toronto University Press, 1969), 207.

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contribution. In Mill's estimation, 'the chief obstacle which impedes [utilitarianism's] reception' was 'the very imperfect notion ordinarily formed of its meaning'.⁷

Throughout *Utilitarianism*, Mill is primarily concerned to rebut misunderstandings that he regarded as potential obstacles to the acceptance of utilitarianism. For instance, in chapter two he argues against the accusation that utilitarianism is godless,⁸ in chapter four he argues that utilitarianism is compatible with recognizing virtue as desirable in and for itself,⁹ and in chapter five he argues that utilitarianism is not in conflict with justice.¹⁰ In each case, Mill considers an objection commonly levelled against utilitarianism and then argues that the intuition of the objectors can in fact be accommodated by a sufficiently sophisticated utilitarianism. In this, Mill demonstrates his conviction that a synthesis can often be found that incorporates the insights of two 'partial truths' while correcting for their one-sidedness.¹¹ The doctrine of higher pleasures, I believe, is developed in the same spirit.

According to Mill, many of his contemporaries regarded the doctrine that life has no higher end than pleasure as 'worthy only of swine'.¹² Mill does not name particular objectors here, but it is frequently assumed that he is responding to Carlyle, who ridiculed 'pig philosophy' in his *Latter-Day Pamphlets*.¹³ Whether or not Carlyle was the chief target, Mill presumably has others in mind also, since he refers to 'German, French, and English assailants' of utilitarianism.¹⁴ In any case, Mill's aim is to respond to those who think that a truly good life must contain nobler ends than mere pleasure.

One response to such an objection would be to deny the claim that nobler ends are inherently more valuable than base pleasures, arguing that this is either mere prejudice or grounded in their circumstantial advantages. This would be the Benthamite response and it is worth emphasizing that Mill considers such a response entirely successful in justifying the superiority of mental pleasures over bodily ones.¹⁵

⁷ Op. cit. note 6, 208.

⁸ Op. cit. note 6, 222.

⁹ Op. cit. note 6, 235.

¹⁰ Op. cit. note 6, 259.

¹¹ Op. cit. note 5, 252ff.

¹² Op. cit. note 6, 210.

¹³ E.g. Alan Ryan, *J.S. Mill* (London: Routledge, 1974), 97, and Roger Crisp, *Mill on Utilitarianism* (London: Routledge, 1997), 23.

¹⁴ Op. cit. note 6, 210.

¹⁵ Op. cit. note 6, 211.

One could still argue that poetry is preferable to pushpin simply on the grounds that it usually produces *more* pleasure, especially when we take into account that people are less likely to tire of poetry and do not need a companion to enjoy it. However, Mill thinks that more can be said than this.

As when considering other objections, Mill concedes that his interlocutors' intuition carries genuine force: 'Human beings have faculties more elevated than the animal appetites, and when once made conscious of them, do not regard anything as happiness which does not include their gratification'.¹⁶ He responds, not by denying this insight, but by arguing that a sophisticated utilitarian can indeed recognize and accommodate the intrinsic – and not merely circumstantial – superiority of certain 'nobler' pleasures, chiefly those of the intellect, over others. Thus, Mill maintains that 'It is quite compatible with the principle of utility to recognize the fact, that some *kinds* of pleasure are more desirable and more valuable than others'.¹⁷ He goes on to suggest that the more valuable pleasures are those that involve exercise of our higher faculties.

2. Are Certain Pleasures Superior to Others?

Schaupp submits that commentators have overlooked the question 'was Mill successful in his attempt to prove that most people prefer pleasures involving the higher faculties to those we share with animals?'¹⁸ However, the reason why commentators have not asked this question is that, so far as I can see, Mill never actually attempted to *prove* this; he simply took it for granted, because it was the position of those that he was arguing against, or close enough to it. (I say 'close enough' because some of Mill's interlocutors might have rejected this as a characterisation of their views; some presumably held not only that certain pleasures are more valuable than others, but that there are more valuable things than pleasure – for instance, they might regard achievement as valuable in itself, independently of any resultant pleasure.¹⁹ In so far as Mill responds to these objections, I believe we must look to chapter four of *Utilitarianism*, where he argues that

¹⁶ Op. cit. note 6, 210–11.

¹⁷ Op. cit. note 6, 211.

¹⁸ Op. cit. note 4, 267.

¹⁹ Cf. Robert Nozick, *Anarchy, State, and Utopia* (Oxford: Basil Blackwell, 1974), 42–5.

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whatever is desired for itself is thereby part of happiness.²⁰ It seems that Mill is prepared to call whatever is valued as an end part of happiness and whatever is part of happiness a pleasure.²¹)

If someone denies that certain pleasures are more valuable than others, then they have no reason to object to Bentham's purely quantitative hedonism. Mill's aim, in introducing the qualitative distinction, is to respond to those who did think that certain pleasures, such as those of poetry or philosophy, are more valuable than others, such as that of a foot rub. Thus, he does not need to argue that this *is* the case, but only to show that this admitted fact is not fatal to hedonistic utilitarianism, at least in his favoured version.

It is a common and legitimate dialectical move to grant one's opponents their premise but then to show that their conclusion does not follow anyway. Consider, for instance, Thomson's famous defence of abortion, in which she allows that the foetus is a person, but argues that the mother nonetheless has the right not to provide it with life support.²² No one should criticize Thomson for failing to *show* that the foetus is a person, since this was never her aim. Her point is that, *even if the foetus is a person* with a corresponding right to life, this does not show that abortion is impermissible, given the burdens that pregnancy places on the mother. Similarly, it is mistaken to complain that Mill fails to show that most people prefer higher pleasures, since he took this for granted. What he tried to show was that this general preference for higher pleasures – assuming there is one – could be reconciled with hedonistic utilitarianism.

To be sure, there is one significant difference between Mill and Thomson. Thomson need not sincerely believe that the foetus is a person, if she grants this merely for the sake of argument, whereas Mill's belief, that some pleasures are more valuable than others, appears genuine. Certainly, he placed much higher value on pleasures of the intellect and imagination than Bentham.²³ Thus, Mill himself

²⁰ Op. cit. note 6, 235ff.

²¹ Op. cit. note 6, 210.

²² Judith Jarvis Thomson, 'A Defense of Abortion', *Philosophy & Public Affairs* 1 (1971), 47–66.

²³ See 'Bentham', reprinted in J. M. Robson (ed.) *The Collected Works of John Stuart Mill*, vol. X (Toronto: Toronto University Press, 1969). Mill criticizes Bentham's narrow view of human nature, 92–6, and remarks on Bentham's distrust of poetry, CW X, 113–14.

For Mill's own appreciation of poetry, see *Autobiography*, reprinted in J. M. Robson and J. Stillinger (eds) *The Collected Works of John Stuart Mill*, vol. I (Toronto: Toronto University Press, 1981), 148–53. See also Elizabeth Anderson, 'John Stuart Mill and Experiments in Living',

might be numbered amongst those who rejected Benthamite utilitarianism on the grounds that it did not properly value higher ends. However, even if this is Mill's own view, it is still unfair to criticize him for failing to show that this is the case if he never intended to do so. Presumably Mill saw no need to defend a premise that was common ground with his opponents.

3. Are Higher Pleasures Lexically Superior?

Even if Mill is committed the view that some pleasures are intrinsically more valuable than others, as I believe he was, he need not be saddled (as he is by some commentators) with the extreme view that so-called 'higher pleasures' are *always* infinitely more valuable.²⁴ In an oft-quoted passage, he remarks that 'If one of the two [pleasures] is, by those who are competently acquainted with both, placed so far above the other that they ... 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'.²⁵

Schaupp criticizes Mill for not justifying the antecedent of this conditional, and thereby leaving the consequent unsupported.²⁶ This assumes, however, that he sought to justify the consequent, but I see no reason to think Mill committed to this; again, he merely allows for the possibility. Thus, if someone such as Carlyle were to claim that no amount of pushpin pleasure can ever equal that of reading poetry, Mill could reply that his utilitarianism can accommodate this position, but it is not one that Mill himself must defend.

Furthermore, even if there are *some* cases in which a great difference in quality trumps quantity, there is no reason to think that this is generally true of all qualitative differences. In fact, Mill suggests that a balance or trade-off is possible, when he says that quality can be

Ethics **102** (1991), 4–26, at 17–18, and Liz McKinnell, "A Medicine for my State of Mind": The Role of Wordsworth in John Stuart Mill's Moral and Psychological Development', *Utilitas* **27** (2015), 43–60.

²⁴ Richard Bronaugh, 'The Quality in Pleasures', *Philosophy* **49** (1974), 320–22, at 321.

²⁵ Op. cit. note 6, 211.

²⁶ Op. cit. note 4, 276.

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measured against quantity.²⁷ While Schaupp is right that Mill does not justify this claim, there is no reason to see that as a shortcoming on his part. It would be a failing if he sought to justify it and was unsuccessful, but he never actually attempted to justify it. We should not suppose that Mill was committed to something that he did not argue for, and then criticize him for this lack of argument, when we can interpret him more charitably as not arguing for such a claim because he was not committed to it to begin with.

Whatever Mill's own views on these matters, where he differed from Carlyle was that he saw no need to jettison utilitarianism entirely; instead he believed that utilitarianism could be modified to incorporate the insight that the pleasure of poetry is more valuable than the pleasure of pushpin. As far as Mill is concerned, the claim that poetry is more valuable than pushpin represents data to be explained, rather than a hypothesis to be proven. His distinction between higher and lower pleasures is not, therefore, intended to prove that the pleasure of poetry is more valuable than the pleasure of pushpin. Mill took this to be obvious and uncontentious; his aim was to show that a utilitarian can consistently recognize this intrinsic superiority without giving up on a form of hedonism.

4. What Makes Higher Pleasures Better?

Now that we have a better understanding of what Mill sought to achieve by distinguishing between higher and lower pleasures, we are better able to judge whether he was successful. Both Schaupp and Hauskeller criticize the distinction on various grounds, arguing that it is unclear and unsupported by the evidence that Mill adduces. To examine these claims requires further interpretive work.

Hauskeller objects that Mill's talk of higher pleasures is vacuous, for quality is a mere placeholder for being more valuable, and Mill never explains what makes them more valuable.²⁸ It is certainly true that Mill could have been clearer. We might expect an account of higher pleasures to follow when Mill says, 'If I am asked, what I mean by difference of quality in pleasures, or what makes one pleasure more valuable than another, merely as a pleasure, except its being greater in amount, there is but one possible answer'.²⁹ Instead, what Mill offers (the decided preference criterion) seems to be a test for

²⁷ *Op. cit.* note 6, 214.

²⁸ *Op. cit.* note 3, 431ff.

²⁹ *Op. cit.* note 6, 211.

how we might know, or justifiably believe, one pleasure to be higher in quality than another.

To be sure, at least one interpreter takes seriously the idea that the verdict of competent judges plays a constitutive role, literally being what makes some pleasures better than others.³⁰ However, Hauskeller, rightly in my opinion, rejects this possibility.³¹ Ordinarily, we suppose that competent judges prefer X to Y because they recognize that it is better, independently of their judgement, rather than their preference being what makes it so. While Mill's remarks about judges 'determining' or 'deciding' which of two pleasures are more valuable can indeed be read in a constitutive fashion (the verdict of the judges makes it the case that one pleasure is better than another), they can also be read as evidential (the judges are pronouncing on some prior matter of fact).³²

Simply to say that judges prefer one pleasure to another, because they think it better, is hardly informative. This leaves unexplained what exactly judges are responding to. However, Mill addresses the *reasons* why one may refuse to surrender higher pleasures in the next paragraph, suggesting that it is due to pride or a 'sense of dignity... [so] strong, that nothing which conflicts with it could be, otherwise than momentarily, an object of desire to' us.³³ We might, momentarily, succumb to the temptation of a base pleasure but, on reflection, we consider it beneath us. Thus, our decided preference may be for reading poetry over playing childish games because we consider it a nobler, and thus more valuable, form of pleasure, not because we consider it to produce a greater amount of pleasure.³⁴

How, though, are we to understand the claim that nobler pleasures are better *as pleasures*? Hauskeller observes that 'Normally, when we talk about the quality of things in an evaluative sense, we can account for alleged differences in quality by referring to differences in quantity (in a wide sense). For instance, a car can be said to be of a higher quality than another if it lasts longer, is more robust or elegant, faster, easier to handle, safer, etc. This means that we can spell out what makes it a better car'.³⁵

³⁰ Elijah Millgram, 'Mill's Proof of the Principle of Utility', *Ethics* **110** (2000), 282–310, at 297. For a critical response, see Dale E. Miller, 'On Millgram on Mill', *Utilitas* **16** (2004), 96–108, especially 107.

³¹ Op. cit. note 3, 433.

³² Op. cit. note 6, 213.

³³ Op. cit. note 6, 212.

³⁴ Op. cit. note 3, 441.

³⁵ Op. cit. note 3, 431.

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I am not convinced that we can always quantify what makes one object better than another of the same kind. Can we say how *much more* elegant one car is than another, or put a number on how easy to drive each car is? But, even if we can, these numbers relate to something else than the quantity of car. If you prefer a Toyota to a Hyundai, it is not because the former is *more* car, whatever that means, but because it is a *better* car.³⁶ Perhaps this evaluative judgement can be explained or cashed out by appeal to *something else* that can itself be quantified, but the quantity here is not the quantity of cars. That the quality of some X can be measured in quantitative terms does not show that it ceases to be distinct from a quantitative judgement about the amount of X.

5. Distinguishing Quality and Quantity as Two Dimensions of Value

The distinction between quality and quantity may be clarified by an analogy. Consider the example of wine.³⁷ Assume that I like wine so, other things being equal, prefer more wine to less. Obviously, in real life, people do not always prefer more wine to less, but this shows only that wine is not actually the only thing that we care about. The present example abstracts from this. Given this stipulation, when faced with a choice between two quantities of *the same wine*, such as 250 ml or 125 ml, I will *always* opt for the larger amount. This holds true so long as the wine is the same, but not all wines are the same.

Suppose that you see me given the choice between 125 ml of wine X and 250 ml of wine Y and, in this case, I choose wine X. Why is this? Since, other things equal, I always prefer more wine to less, it must be that other things are not equal here. The explanation, presumably, is that I prefer wine X to wine Y, for reasons other than its quantity. That is, I judge wine X to be of a sufficiently higher quality to compensate for its lesser quantity.

Let me pre-empt one misunderstanding here. Schaupp is critical of Schmidt-Petri for using just such an example: 'Schmidt-Petri uses

³⁶ This example comes from Christoph Schmidt-Petri, 'On an Interpretation of Mill's Qualitative Utilitarianism', *Prolegomena* 5 (2006), 165–77, at 166.

³⁷ This example is used in Christoph Schmidt-Petri, 'Mill on Quality and Quantity', *The Philosophical Quarterly* 53 (2003), 102–4, and Ben Saunders, 'J. S. Mill's Conception of Utility', *op. cit.* note 2.

examples which involve the *same* kind of pleasure, e.g. two bottles of wine or two cars. This is misleading since both examples, while involving a clear difference in quality, still involve the same *type* of pleasure.³⁸ What we are comparing here, however, is not *the pleasure of drinking* wine X with *the pleasure of drinking* wine Y. Rather, we are comparing the wines themselves. When choosing between two wines, we consider both the quantity and the quality (where quality might, but need not, relate to how much pleasure we get from drinking a unit of that wine). The example is meant to be an illustrative analogy, with the wine standing in place of pleasure. If, in the case of wine, our choice depends on both quality and quantity, then why not also in the case of pleasure?³⁹

Perhaps wine is not the best example though, since it invites this sort of misunderstanding, and the objection that one may reasonably prefer less wine, for instance to avoid a hangover. Therefore, let me offer another example.

6. Philosophical Quality

Imagine that you are on a committee tasked with evaluating two philosophers' publications. Of course, decisions on hiring, tenure, awards, or whatever may depend on factors besides research, such as teaching and administrative service, and even your assessment of research may depend on factors besides publications, such as grants won or research impact. Set aside these other considerations, however, and assume that, for the time being at least, you are concerned only with ranking the publication records of these two philosophers. How should you proceed?

An obvious starting point would be to look at how many articles each candidate had published. However, this is surely not all that we care about. Suppose that the Dean (a non-philosopher) sees that Alpha has twelve publications on her CV, while Beta has only eight on his. The Dean may conclude that Alpha has the better publication record. But not all publications are of equal value. Imagine yourself in this conversation:

Dean: It seems to me that Alpha clearly has the better publication record, since she's published 50% more than Beta in a comparable period of time. Are we all agreed?

³⁸ Op. cit. note 4, 274.

³⁹ Op. cit. note 6, 211.

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You: You can't simply assume that these publications are equivalent. Dean: Hmm, looking more closely, you're right. Alpha has twelve publications, but some of her papers are very short. Beta's papers are much longer. Perhaps we'd better consider not only the number of papers, but also the length of each paper. Counting the number of pages, or better yet the number of words, will give us a more accurate idea of each candidate's publication record than simply looking at the number published papers.

There is indeed a difficult issue here. Should a 3,000-word paper count equally to a 12,000-word paper of similar quality? Probably not. But how should we compare four 3,000-word papers and a single 12,000-word paper? I am not sure. This shows that even quantitative comparisons can be difficult, mirroring the difficulty, present even in quantitative hedonism, of comparing a short but intense pleasure with a longer but less intense pleasure.

Nonetheless, by focusing only on the length of the papers in question, the Dean has missed the point here. Looking at word, or page, counts is still only to compare the quantity of output. Words, pages, or number of papers all measure volume. But, when we seek to compare philosophers, or their publication records, we are not usually interested in who is more prolific. We are normally interested not only in the quantity of their output, but in its *quality*. Two papers, each of similar length, may differ markedly in the philosophical virtues that they exhibit. We ordinarily judge one philosopher better than another, not because she has written more, but because what she has written is better (more original, interesting, rigorous, etc.). Even if we can assign numerical scores to these properties, these numbers are measures of quality, not quantity.

Once quality and quantity are distinguished, it becomes an important issue how we are to make trade-offs between them. Suppose one of the philosophers we are comparing is Edmund Gettier. Gettier's 1963 *Analysis* paper on justified true belief is clearly an important and influential contribution to epistemology.⁴⁰ However, he published nothing else of note in his career. The committee might prefer a more productive philosopher to Gettier, even if the former's publications (taken individually) were never quite of the quality of Gettier's 1963 paper.⁴¹ If so, this shows that quality does

⁴⁰ Edmund L. Gettier, 'Is Justified True Belief Knowledge?', *Analysis* 23 (1963), 121–3.

⁴¹ Of course, the committee's preferences may be affected by institutional incentives. For instance, as of 2014, the UK's periodic 'Research Excellence Framework' (REF), which both allocates government research

not lexically dominate quantity here. When comparing Gettier to a candidate whose publications are only slightly worse in quality, but much greater in number, it is reasonable to prefer the latter.

However, if one compares Gettier to someone whose papers are *much* worse – the level, say, of an average sophomore undergraduate – then it would surely be reasonable to prefer Gettier, no matter how many papers of similar quality the latter wrote. We would rank Gettier’s research output more highly overall because, though much less in volume, it is far superior in quality. If one agrees with this, then one judges that, when it comes to philosophical writing, there is ‘a superiority in quality, so far outweighing quantity as to render it, in comparison, of small account’.⁴²

7. Pleasure Again

In the previous section, I suggested that judgements of philosophical merit are responsive both to the quantity and quality of a philosopher’s publications, with neither consideration strictly dominating the other. Similarly, we may prefer a vast quantity of lower pleasure to a smaller amount of an only slightly superior one, because the difference in quantity here outweighs the small difference in quality.

It may be objected that this is not Mill’s view, because Mill supposedly holds that we should always prefer higher pleasures, whatever the respective quantities involved. But this is not so. Mill says, ‘If one of the two [pleasures] is, by those who are competently acquainted with both, placed so far above the other that they ... 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’.⁴³ This is a conditional: *if* competent judges prefer X to any amount of Y, then we are justified in

funding and features in numerous league tables, considers only four outputs from each researcher in each assessment period. For this purpose, someone with four 3* articles and nothing else is preferable to someone with three 3* articles and any number of 2* articles. However, given that 2* work is still ‘recognised internationally in terms of originality, significance and rigour’ (<http://www.ref.ac.uk/panels/assessmentcriteriaandleveldefinitions/>), it is not obvious that the former is a better philosopher, even though they score more highly in the REF.

⁴² Op. cit. note 6, 211.

⁴³ Op. cit. note 6, 211.

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concluding that X is vastly superior to Y in quality. As Schmidt-Petri observes, the conditional does not tell us that higher pleasures are always preferred, irrespective of quantity, but only that what is preferred, regardless of quantity, must be preferred on account of its quality.⁴⁴ The illustrations above show that, in other cases, we consider both quality and quantity. Since Mill motivates concern for quality by appeal to other cases,⁴⁵ it seems we should consider both relevant in this case also, and this is further supported by Mill's reference to measuring quality against quantity.⁴⁶ To think only quality important would, in most cases, be as absurd as to think only quantity matters.

Once we recognize this, Mill need not be embarrassed by the fact, assuming it is a fact, that few people would resign the pleasure of reading for any amount of the pleasure of eating chocolate cake.⁴⁷ When deciding whether to read or eat chocolate cake, it is perfectly consistent with Mill's qualitative hedonism for us to consider the amount of pleasure that we will get, as well as its quality. We may rationally prefer the lower quality pleasure of eating chocolate cake, if we think that we will get much more pleasure that way. The amount of pleasure we derive from any particular activity is, in general, likely to decline over a sustained period of time. Even if the first few hours of reading poetry produce great amounts of higher pleasure, eventually one will tire of reading and, at that point, the greater pleasure that can be easily derived from eating chocolate cake may become the rational option, even if it is a pleasure of a lower quality.

Of course, Schaupp is surely right to add that most of us value a variety of pleasures.⁴⁸ Again though, Mill recognized this, when he wrote that happiness consists in 'an existence made up of few and transitory pains, *many and various pleasures*, with a decided predominance of the active over the passive'.⁴⁹ It is certainly not Mill's view that the happiest life consists in identifying the single highest form of pleasure that one is capable of and devoting oneself to securing as much of that as possible, to the exclusion of all others.⁵⁰ Variety is

⁴⁴ Op. cit. note 37, 103.

⁴⁵ Op. cit. note 6, 211.

⁴⁶ Op. cit. note 6, 214.

⁴⁷ Op. cit. note 4, 270. The example is originally from Anderson, op. cit. note 23, 9.

⁴⁸ Op. cit. note 4, 272–3.

⁴⁹ Op. cit. note 6, 215, emphasis added.

⁵⁰ Although his defence of individual freedom also allows for this; no one should be forced to experience a variety of pleasures, if they choose to devote themselves as wholly as possible to one. Although, for an account

valuable, at least in part, because both individuals and societies are only able to find what is truly valuable through experimentation.⁵¹ Without experience of different pleasures, one will not be qualified to judge their comparative worth. Further, if we assume that different higher faculties are exercised and developed by different activities, it seems to follow that we will need to engage in a variety of pursuits in order to grow and develop on all sides.⁵² (I leave aside, for now, the question whether variety is a further good-making property of pleasures, alongside quantity and quality.)

To be sure, Schaupp is also right that one reason why those of normal intellect may be unwilling to resign their higher faculties, for the life of a contented fool, is that they are able to experience a wider variety of pleasures, both intellectual and bodily. Certainly we cannot conclude, from the mere fact that someone who derives pleasure from both reading and eating would not give up the former for any amount of the latter, is that they regard the former pleasure as qualitatively superior. It may simply be that they prefer some of each pleasure to any amount of either one. However, this criticism implicitly supposes that Mill's judges are asked to choose between some amount of X and Y, or a larger amount of Y alone. This, as Schaupp rightly observes, would not be a good way to test the value that they place on X, because we could not be sure whether they were responding to the value of X itself or to the value they placed on variety. And, indeed, this comparison may be suggested by some of Mill's remarks, such as his claim that 'no intelligent human being would consent to be a fool, [and] no instructed person would be an ignoramus',⁵³ since these comparisons would involve a loss of variety. However, the true test involves judges comparing some amount of pleasure X against some amount of pleasure Y, not against the possibility of having both X and Y. 'Of two pleasures, if there be one to which all or almost all who have experience of both give a decided preference, irrespective of any feeling of moral obligation to prefer it, that is the more desirable pleasure'.⁵⁴

of Mill's harm principle that permits some interference with self-regarding choices, see Ben Saunders, 'Reformulating Mill's Harm Principle', *Mind* (forthcoming).

⁵¹ See Anderson, op. cit. note 23, and Ryan Muldoon, 'Expanding the Justificatory Framework of Mill's Experiments in Living', *Utilitas* 27 (2015), 179–94.

⁵² Cf. op. cit. note 5, 263.

⁵³ Op. cit. note 6, 211.

⁵⁴ Op. cit. note 6, 211.

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Thus, despite his somewhat careless later remarks, Mill's test does not mistake a preference for variety with a preference for higher pleasures.

8. Intellectual and Bodily Pleasures

These same considerations also provide a response, *mutatis mutandis*, to Hauskeller's objection that most people would not give up the pleasure of sex for any amount of the pleasure of opera.⁵⁵ However, there is more to say on this point. Hauskeller assumes, firstly, that the distinction between higher pleasures and lower pleasures is the same as that between intellectual and bodily pleasures⁵⁶ and, secondly, that sexual pleasure is clearly a lower pleasure.⁵⁷ Neither assumption is required by Mill's text.

There may be some legitimate basis for questioning how much Mill himself valued sexual pleasures. The one true love of his life, Harriet, was for a long time married to another man. Though Mill and Harriet were later to marry, by this time they were both older and in ill-health. It has been suggested that their marriage may never have been consummated.⁵⁸ However, there is little evidence to support this speculation. Whatever the truth on this matter, it is plausible to suggest that Mill did not attach great value to sexual pleasure in his own life. However, this does not mean that its importance is necessarily diminished within his theory.

The proper test, when comparing two pleasures, is not Mill's personal predilections, but the verdict of all competent judges, or a majority among them.⁵⁹ If Mill was indeed inexperienced, then his judgement would count for little and, even if he was, his opinion may be a minority one. Thus, even if Mill attached less value than most people to sexual pleasure, this is not an implication of his theory, but a matter of personal prejudice. Let us set aside speculation

⁵⁵ Op. cit. note 3, 434.

⁵⁶ Op. cit. note 3, 438.

⁵⁷ Op. cit. note 3, 442.

⁵⁸ E.g. Josephine Kamm, *John Stuart Mill in Love* (London: Gordon & Cremonesi, 1977), 39–43. Kamm claims it is the 'accepted conclusion' that Mill and Harriet were 'not lovers in the full sense of the word' (39) and that 'it seems almost certain that they were not' 'man and wife in the full sense of the term' (42). She also suggests that Mill may have been impotent (41). I thank Helen McCabe, who disagrees with Kamm's conclusions, for comments and suggestions on this point.

⁵⁹ Op. cit. note 6, 213.

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about Mill's own attitudes and focus on the account of higher pleasures that he offers in chapter two of *Utilitarianism*.

Mill introduces qualitative hedonism in order to explain 'the superiority of mental over bodily pleasures',⁶⁰ but it is no part of the definition of higher pleasures that they are mental. We need not assume that every mental pleasure is superior to every bodily pleasure. Indeed, though we might intuitively categorize many pleasures as either mental or bodily, it is not easy to separate them into two distinct categories. Pleasure is usually taken to be a mental state, so all pleasures are in some sense mental. The intended difference, presumably, is between those that are the result of some bodily stimulation, such as a pleasure that results from a massage, and those that are 'purely' mental. However, few if any pleasures are purely mental. Reading or hearing poetry, for instance, relies on the bodily sense organs. Perhaps one can experience new pleasure by recollection of past experiences, or imagination of possible experiences, but even here it seems that some initial sense experience is necessary, at least for an empiricist like Mill. Thus, most, if not all, pleasures involve some mixture of bodily and mental elements.

Furthermore, any particular pleasure might be enjoyed in different ways. For instance, one person might enjoy a sparkling wine simply because they like the sensation of the bubbles in their mouth and the light-headed feeling that they get after a couple of glasses, while another might drink the wine slowly, savouring its bouquet and delicate blend of flavours, while contemplating the ideal menu for it to accompany. Both derive pleasure from drinking wine, but the latter seems to involve much greater exercise of higher faculties and therefore might be a qualitatively different pleasure. Thus, any attempt to draw a sharp distinction between mental and bodily pleasures faces difficulties.

It might be replied that sex is clearly a bodily pleasure, but it is almost certainly a mistake to assume that all sexual pleasure is of the same kind. There may be a world of difference between a one-night stand and sex as an expression of intimacy within a committed, long-term relationship. The former is arguably no more than a physical, or animalistic, pleasure, whereas the latter plausibly does involve and develop higher faculties. Thus, it may make little sense to ask, in the abstract, how valuable sexual pleasure is. To do so may be like asking how valuable the pleasure of reading is, without distinguishing between reading great literature and children's stories. Perhaps there simply is no answer to such a vague question.

⁶⁰ Op. cit. note 6, 211.

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These considerations may suggest the impossibility of categorizing all pleasures as either 'lower' or 'higher'. This need not embarrass Mill either. Some commentators attribute to Mill the view that there are two kinds of pleasures: higher pleasures, which involve our intellectual faculties, and lower pleasures, which do not (or not very much). There is, so far as I am aware, no textual warrant for this. When we make qualitative judgements about anything else, we do not usually suppose that there are only two qualities (good and bad, or good and better, as is allegedly the case here).

Quality, like quantity, is a continuous variable. We can compare any two pleasures and, often, judge that one is superior to the other (setting aside cases of exact equality or incommensurability), but it does not follow that it makes any sense to speak of one as 'higher' or 'superior' without at least an implicit comparison. Thus, we ought not to say, for instance, that 'poetry is a higher pleasure'. It may be superior to pushpin, but it is possibly inferior to some other pleasure that involves greater exercise of one's higher faculties, such as philosophy perhaps. These considerations suggest that no pleasure is simply 'higher' or 'lower'; such judgements make sense only when we compare two pleasures. Sexual pleasure, like any other, may be superior to some pleasures and inferior to others.

It is certainly possible that competent judges would attach more value to certain sexual pleasures than to many other pleasures.⁶¹ Thus, there is nothing in Mill's account that commits him to saying that we would be well-advised to resign sexual pleasure for the pleasures of opera. To be sure, he does not rule this out, but the final opinion on which is the more valuable of two pleasures must be given by a panel of those experienced in both. If we are competent judges, and we are confident that we would not resign sexual pleasure for opera, then there is no reason to believe that this would be the outcome of Mill's theory.

Conclusion

It would surely be absurd to think that we should give up chocolate for the sake of reading books, or sexual pleasure for the sake of listening to opera. However, this should give us reason to question whether Mill's theory is really committed to such claims. My charge, in effect,

⁶¹ It is worth noting that Harriet Taylor regarded sex as manifesting what is highest and best in human nature; see Helen McCabe 'Harriet Taylor Mill' in C. Macleod and D. E. Miller (eds) *A Companion to Mill* (Wiley-Blackwell, 2017), 112–125, at 119.

is that many of the criticisms that Schaupp and Hauskeller level against Mill miss the target, for the positions that they attack are not ones that Mill actually held, or at least were not ones he was committed to. A more charitable reading of his discussion of higher pleasures renders the doctrine much more plausible. Let me recap some of the main points of this interpretation.

Different pleasures vary not only in quantity (amount) but also quality (value per unit of quantity). While Bentham invoked intensity in order to explain that we may get more pleasure per unit of time from one activity than another, Mill's distinction allows us to say that Socrates is *happier* in virtue of participating in higher pleasures, though it would seem wrong to say that he experiences more pleasure than the fool. Mill's solution is that the fool has more pleasure, of a lesser kind, whereas Socrates has less pleasure, of a better sort. A follower of Bentham would reject this preference for intellectual pursuits as mere prejudice, but Mill held that intellectual pleasures really are (in general) better than bodily or animal ones, and sought to show that this insight could be reconciled with utilitarianism, by adopting a more sophisticated understanding of its end.

It was not Mill's aim to *prove* that certain pleasures are more valuable than others. This, he would have insisted, could only be shown by experience. Nonetheless, he considered it 'an unquestionable fact that those who are equally acquainted with, and equally capable of appreciating and enjoying, both ['intellectual' and 'bodily' pleasures], do give a most marked preference to the manner of existence which employs their higher faculties'.⁶² That is, he considered this to be an established datum that his theory needed to accommodate, rather than a conclusion to be derived from the theory itself. It is, therefore, a mistake to criticize Mill for not proving that some pleasures are preferred to others. Nor is Mill committed to the view that higher pleasures ought always to be lexically preferred to lower ones. A smaller amount of higher quality pleasure *might* contribute more to our happiness, but sometimes it will be rational to prefer greater amounts of lower pleasures. Whatever we judge, when confronted with two pleasures, such as reading and chocolate, our choice can always be accommodated by Mill's theory.

This does not show that Mill's remarks are entirely unproblematic. The two situations to be compared in his decided preference test are not carefully specified, but one must indeed construct the example so as to ensure a 'fair test', or else the resulting preference might indeed be due not to a qualitative difference in the pleasures but to some

⁶² Op. cit. note 6, 211.

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other factor such as a preference for variety.⁶³ It was perhaps a mistake for Mill to slide from comparing two pleasures to comparing two modes of existence.⁶⁴

Further, we might question whether Mill's views, so interpreted, are consistently hedonistic. Hauskeller apparently accepts that many people would rather be Socrates than a fool, and attributes this to something like nobility or dignity, but insists that this cannot be incorporated into hedonism, construed as the view that only the quantity of pleasures matters.⁶⁵ If we accept this characterization of hedonism, then Mill abandoned hedonism the moment he declared that, for pleasures as with other things, 'quality is [to be] considered as well as quantity'.⁶⁶ However, it is evident that Mill's view was not Bentham's purely quantitative hedonism. Nonetheless, he still committed himself to the view that happiness consists in pleasure and absence of pain.⁶⁷

Mill did not see any contradiction in holding that the contribution a given pleasure makes to one's happiness may depend upon properties such as its nobility, as well as its quantity. Still, nobility is only a good-making feature of pleasures, not (on its own) of lives. Consequently, the only things that make someone's life better are pleasures.⁶⁸ Whether we call the resulting theory hedonistic or not seems little more than semantics.⁶⁹

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⁶³ Op. cit. note 4, 272.

⁶⁴ Op. cit. note 6, 211–2.

⁶⁵ Op. cit. note 3, 445–6. Hauskeller appears to treat 'pleasure' and 'happiness' as interchangeable, but Mill would insist that the fool's life – even if more pleasant – is not actually happier, only more content (op. cit. note 6, 212). The truly happy life is the one we should want for ourselves, which may be the more dignified or nobler one. Cf. John Finnis's characterization of happiness as signifying a fullness of life, in *Natural Law & Natural Rights*, 2nd edition (Oxford: Oxford University Press, 2011), 96.

⁶⁶ Op. cit. note 6, 211.

⁶⁷ Op. cit. note 6, 210.

⁶⁸ Cf. Roger Crisp, 'Hedonism Reconsidered', *Philosophy and Phenomenological Research* 73 (2006), 619–45, at 622–3.

⁶⁹ I thank Dale Miller and Chris Macleod for stimulating me to revisit these issues, and for their comments on related earlier work, Helen McCabe for discussions of Mill's relationship with Harriet, and Chris Armstrong for helpful prompting.