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Studies in the History of Ethics

J.S. Mill's Test for Higher Pleasure

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In *Utilitarianism*[1] (II, 5), John Stuart Mill maintains that "some *kinds* of pleasure are more desirable and more valuable than others," thereby making differences in the qualities of pleasures as well as in the quantities of pleasure relevant to moral deliberations. The standard reading of Mill's test for pleasures of higher quality is as follows: One pleasure is of higher quality than another if and only if most people who have experienced both pleasures always prefer the first to the second regardless of their respective quantities.[2] The standard reading suffers from two problems.

First, the standard reading results in a lexical ordering of pleasures, as no amount of a lower pleasure could ever trump even a tiny amount of a higher pleasure. For example, in no case can the mild physical enjoyment of eating a hamburger trump the enjoyment of reciting Homer. This categorical result (which conjures images of Kant) cuts against Mill's modest goal of providing rules of thumb, or as Daniel Jacobson recently put it, a "general approach to ethics."[3] The problems are magnified if one takes Mill at his word when he states that "[t]o do as

one would be done by, and to love one's neighbour as oneself, constitutes the ideal perfection of utilitarian morality."[4] (II, 18) While it may be merely counterintuitive that in no case can a large quantity of lower pleasure morally trump a tiny quantity of higher pleasure, it becomes entirely unworkable to require one to forego all lower pleasures whenever doing otherwise would cause someone else to enjoy a reduced quantity of higher pleasure. A basic cannon of interpretation requires placing a high evidentiary burden on any reading with such results.

Second, the standard reading appears to commit Mill to making a metaphysical distinction between types of pleasures based upon their different qualities. Such a reading, however, would commit Mill to recognizing mysterious inherent qualities to pleasures, a metaphysical position Mill is unlikely to have taken.

This paper advances an alternative reading of Mill that avoids both of these problems while remaining faithful to Mill's texts. The standard reading interprets Mill's test for higher pleasure as comparing two kinds of pleasure. This is incorrect. Mill's test for higher pleasure is intended to compare the capacity to experience one pleasure with any quantity of second pleasure that one could experience in virtue of having the capacity to experience the second pleasure. Properly understood, Mill's test makes an epistemological and normative

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distinction between pleasures, not a metaphysical one. Once Mill's test is understood properly, it becomes apparent that Mill is committed neither to a lexical ordering of pleasures nor to recognizing inherent qualities in pleasures. Call this the "capacity reading."

The best way to illuminate the capacity reading is by contrasting it with two recent interpretations of Mill provided by Christoph Schmidt-Petri and Jonathan Riley.[5] Schmidt-Petri rejects the standard reading and interprets Mill's test for higher pleasure as follows: "If some pleasure will be chosen over another available in larger quantity, then we are justified in saying that the pleasure so chosen is of higher quality than the other".[6] On the Schimdt-Petri reading, Mill is merely making an epistemological claim about how to tell which pleasures are higher, not a metaphysical claim about qualitative relations of pleasures. The Schmidt-Petri reading commits Mill neither to a lexical ordering of pleasures nor to a position about what property is denoted by the concept of "quality."

Riley rejects the Schmidt-Petri reading and defends a version of the standard reading. Riley's attack on Schmidt-Petri is two-fold: the Schmidt-Petri reading is (i) textually implausible when we examine carefully what Mill says about higher pleasures and (ii) philosophically implausible because it is incompatible with any credible version of hedonism. Riley argues that the Schmidt-Petri reading is textually implausible for two reasons. First, it ignores the fact that Mill identifies

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higher pleasures as those which people "would not resign for *any quantity* of a lower pleasure." (II, 5). Second, it conflicts with Mill's description of the difference between higher and lower pleasures as a difference "in kind" that assumes "that character of absoluteness, that apparent infinity, and incommensurability with all other considerations." (II, 8; V, 25). Riley also claims that the Schmidt-Petri reading is philosophically implausible because it "affirms that a rational hedonist can and should prefer *less pleasure to more pleasure measured in the same units,*" and yet ethical hedonism states that one always should prefer more pleasure and psychological hedonism holds that people always do prefer more pleasure.[7]

While Schimdt-Petri is correct that Mill is drawing an epistemological[8] distinction between pleasures, Riley is correct to criticize Schmidt-Petri for failing otherwise to provide a plausible interpretation of Mill's texts. A closer examination of Mill's texts reveals where Schmidt-Petri has gone wrong.

I

It is easy to understand why Mill is typically read as being committed to a lexical ordering of pleasures. In *Utilitarianism*, Mill explains how to identify higher pleasures in a way that suggests a lexical ordering:

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> 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. (II, 5)

As Riley points out, the phrase "would not resign it for any quantity of the other pleasure" suggests a lexical ordering. Mill's further claim that the superior quality only renders the quantity "of small account" may suggest otherwise, but this language is at least consistent with a lexical ordering. Perhaps Mill means that we should attend to lower pleasures to decide among possible actions whenever consideration of the relevant higher pleasures is not decisive.

Further evidence that Mill endorses a lexical-ordering reading comes from Mill's description of the difference between satisfying a requirement of justice (a higher pleasure for Mill) and enjoying an ordinary pleasure. Mill describes this difference as a "real difference in kind" that assumes "that character of absoluteness, that apparent infinity, and incommensurability with all other considerations, which constitute the distinction between the feeling of right and wrong and that of ordinary expediency and inexpediency." (V, 23) Thus, there is

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ample evidence to suggest that Mill's test entails a lexical ordering of higher and lower pleasures.

II

Nonetheless, when we examine Mill's argument more closely and compare it to his other texts, we can see that Mill is not committed to a lexical ordering of higher and lower pleasures. There are four considerations in favor of this claim. The first two considerations come from a closer reading of *Utilitarianism*, and the final two emerge by comparing Mill's test for higher pleasures with passages from both *The Subjection of Women* and Mill's discussion of free will in *System of Logic*.

The first reason to reject the lexical-ordering reading is that the four examples Mill uses to illustrate the distinction between higher and lower pleasures do not support such a reading. Mill points out that (i) "[f]ew human creatures would consent to be changed into any of the lower animals," (ii) "no intelligent human being would consent to be a fool," (iii) "no instructed person would be an ignoramus," and (iv) "no person of feeling and conscience would be selfish and base". (II, 6) All of these examples involve a person choosing whether to give up the *capacity* for experiencing higher pleasures for enjoying any quantity of pleasure one could experience in virtue of having a capacity to experience lower

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pleasures. None of these examples involve, as Schmidt-Petri and Riley claim, a person's choosing between enjoying some quantity of a higher pleasure or enjoying a greater quantity of a lower pleasure. These considerations suggest that the "it" quoted in the passage outlining Mill's test for higher pleasures that the judges would not resign for any quantity of the lower pleasure refers not to a pleasure but rather to a *capacity* to enjoy a pleasure. Mill simply does not compare quantities of two pleasures in his examples.

This may explain why Mill never addresses what is an obvious objection on the standard reading, namely that because no one has been both a lower animal and a human being, no one is "competently acquainted with both" to compare the two. If Mill is referring to capacities instead of individual pleasures, however, the objection never materializes. While we may not know what it would be like to be a lower animal, we are acquainted with the capacities that we would have to give up. This view is consistent with Candace Vogler's solution to this objection.[9] Vogler argues that higher pleasures are blended states of mind, and because we all begin with unblended pleasures, we can compare our current state with our former state and thereby know what it would be like to give up the blended pleasure.

The closest Mill comes to discussing a choice between quantities of higher and lower pleasures is his examples of men who postpone a higher pleasure for a lower one. (II, 7) In these examples, Mill is answering an objection that when

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Mill's test for higher pleasures is applied, as a matter of fact, what Mill takes to be lower pleasures turn out to be higher pleasures. After all, many people consistently forgo higher pleasures for lower ones. Mill's response is that this occurs only when one has lost the *capacity* to enjoy the higher pleasure:

> Capacity for the nobler feelings is in most natures a very tender plant, easily killed, not only by hostile influences, but by mere want of sustenance; and in the majority of young persons it speedily dies away if the occupations to which their position in life has devoted them, and the society into which it has thrown them, are not favourable to keeping the higher capacity in exercise. (II, 7)

In *Utilitarianism*, Mill simply is not concerned with preferences between particular quantities of higher and lower pleasures.

The second reason to reject the lexical-ordering reading is that Mill expressly denies satisfying the requirements of justice and enjoying ordinary pleasures are lexically ordered in particular cases. Because Mill describes the difference between these two as a "real difference in kind" that assumes "that character of absoluteness," they should be lexically ordered if anything is. Yet at the end of *Utilitarianism*, Mill begins with the same strong language concerning satisfying the requirements of justice and enjoying ordinary pleasures, but then denies that these pleasures are lexically ordered in particular cases:

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> Justice remains the appropriate name for certain social utilities which are vastly more important, and therefore more absolute and imperative, than others are as a class (though not more so than others may be in particular cases). (V, 37)

In this passage, Mill expressly denies that satisfying the requirements of justice and enjoying ordinary pleasures are lexically ordered in particular cases. Instead, Mill has only been comparing certain considerations of justice "as a class."

The fact that Mill is discussing the capacity to enjoy certain pleasures explains why Mill sometimes refers to tendencies to produce pleasure. J. O. Urmson takes such references as evidence that Mill is a rule utilitarian.[10] On the capacity reading, such language is not necessarily evidence that Mill is a rule utilitarian.[11]

The third reason to reject the lexical-ordering reading comes from the final paragraph of a different essay, *The Subjection of Women*, where Mill describes the relationship between a restraint of a freedom (a violation of a requirement of justice) and happiness. Mill claims that "every restraint on the freedom of conduct of any of their human fellow creatures (otherwise than by making them responsible for any evil actually caused by it), dries up *pro tanto* the principle fountain of human happiness." (*Subjection* IV, 22) If satisfying the requirements of justice and the enjoyment of lower pleasures are lexically ordered in particular cases, then

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Mill's use of "*pro tanto*"—which means "for so much; for as much as may be; as far as it goes"—would require an immediate explanation, which is not forthcoming. But if Mill is referring to capacities to experience different pleasures, then it is possible for a great quantity of lower pleasure to trump a requirement of justice in a particular case, thereby making Mill's word choice appropriate and consistent with the previous quote from the end of *Utilitarianism*.

The fourth reason to reject the lexical-ordering reading comes from Mill's discussion of free will. In *System of Logic*, Mill states that acting freely requires that a person who is "desirous of altogether throwing [habits and temptations] off, [does not require] a stronger desire than he knows himself to be capable of feeling." (VI, II, 4). For "we must feel that our wish, if not strong enough to alter our character, is strong enough to conquer our character when the two are brought into conflict in any particular case of conduct, [therefore,] none but a person of confirmed virtue is completely free" (VI, II, 4). In this passage, Mill claims that a virtuous person has no wish that she cannot overcome "in any particular case." When combined with the standard reading of Mill's test for higher pleasures, which interprets Mill as comparing pleasure preferences in particular cases, Mill's views on free will produce the following very odd result.

Recall that Mill's test for a higher pleasure is whether most people "prefer it, even though knowing it to be attended with a greater amount of discontent, and

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would not resign it for any quantity of the other pleasure." (II*, 5*). If it is a particular instance of a pleasure that most people "would not resign," then it is the preferences of non-virtuous people that determine which pleasures are higher pleasures. Only a non-virtuous, unfree person would not be able to give up a pleasure that she knows to be attended with a "greater amount of discontent." Whether Mill's views on free will are correct, they should be read as consistent with his other views.

The capacity reading of Mill avoids this odd result. There is no lexical ordering of pleasures because the "it" that most "would not resign" is a capacity rather than a particular pleasure. There is no friction between Mill's test for higher pleasure and Mill's discussion of free will because it is compatible with having a virtuous character to fail to give up a *capacity* for one pleasure for any quantity of second pleasure that one could experience in virtue of having the capacity to experience the second pleasure. In other words, a virtuous person could refuse to give up the capacity to read Homer for any quantity of pleasure she could experience in virtue of having the capacity to enjoy eating a hamburger.

The language that suggests a lexical ordering is better explained as referring only to capacities for higher pleasures and capacitates of lower pleasures fully utilized. There simply is no evidence that Mill believes pleasures are lexically ordered in particular cases, and, in fact, his texts suggest otherwise. This can be

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seen from (i) Mill's examples, all of which involve capacities; (ii) Mill's denial at the end of *Utilitarianism* that satisfying the requirements of justice and enjoying ordinary pleasures are lexically ordered in particular cases; (iii) Mill's use of the term "*pro tanto*" in the final paragraph of *The Subjection of Women*; and (iv) Mill's discussion of free will in *System of Logic*.

Like the Schmidt-Petri reading of Mill's test for higher pleasure, the capacity reading advanced here avoids viewing Mill as committed to a lexical ordering of pleasures. However, unlike the Schmidt-Petri reading, the capacity reading is consistent with Mill's texts and therefore avoids Riley's criticism of Schimdt-Petri.

III

The capacity reading of Mill also is consistent with hedonism without committing Mill to making metaphysical claims about the qualities of pleasures. Mill's test for higher pleasures does not commit him to a certain view regarding what property is denoted by the concept of "quality." Instead, Schmidt-Petri is correct that Mill is merely making an epistemological (and normative) claim about how to tell which pleasures are justifiably considered higher, not a metaphysical claim about relations of pleasures. In *Utilitarianism*, Mill is primarily concerned with providing an account of ethical hedonism not psychological hedonism. To

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provide such an account, Mill need only provide, as he does, a test to identify which pleasures we are justified in *ascribing* a superiority in quality.[12]

In other words, Mill is not committed to the view that people prefer one pleasure to another because it has a higher quality. Instead, Mill is committed only to the view that one pleasure is higher than another because people "would not resign [the capacity for this pleasure] for any quantity of the other pleasure." (II, 5) When a pleasure passes this test "we are justified in *ascribing* to [it] a superiority in quality." (II, 5; my italics) Mill need not claim that people prefer some pleasures because they are higher; instead, he need only claim, as he does, that some pleasures are higher because people prefer them in the way his test describes. While Mill's test for higher pleasures is *consistent* with recognizing inherent qualities in pleasures, it does not *commit* Mill to such a view.

Riley argues that the Schmidt-Petri reading of Mill, which mistakenly interprets Mill as comparing individual pleasures, is incompatible with hedonism. Riley argues that because Schmidt-Petri does not recognize different qualities of pleasures, when the moral judge chooses one pleasure in lesser quantity instead of another pleasure in greater quantity, she is choosing less pleasure; and thus Mill, insofar as the results of this test identify higher pleasures, tells us that we should choose less pleasure. Riley argues that such a result is inconsistent with both ethical hedonism and psychological hedonism.

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The capacity reading of Mill avoids this result. Riley provides an account whereby differences between pleasures considered to be different in quality are ultimately reducible to differences in quantity when we compare different pleasures in the same "units".[13] The capacity reading is neither inconsistent with nor requires Riley's account of how pleasures have different qualities for Mill. Instead, because Mill's test for higher pleasures does not involve comparisons of individual pleasures, it is consistent with every version of hedonism that entails the possibility that those unacquainted with some pleasures should experience them even though they are currently not inclined to do so. Mill's test assumes those acquainted with a higher and a lower pleasure will typically choose the higher one, and merely informs those unacquainted with what turns out to be the higher pleasure to do the same unless there is a sufficiently large quantity of the lower pleasure at stake. The capacity reading of Mill does not require any further explanation regarding the referent of the concept "quality." Thus, it is consistent with, but does not require, Riley's account of quality.[14]

The capacity reading of Mill's test for higher pleasures does not commit Mill to a lexical ordering of pleasures, and yet remains consistent with (and indeed is required by) a close reading of Mill's texts. It also does not commit Mill to mysterious inherent qualities, and yet remains consistent with hedonism. For these

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reasons, the capacity reading has all the advantages of the Schmidt-Petri reading and Riley's version of the standard reading, but avoids the problems with each.[15]

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NOTES

[1] All references to *Utilitarianism, The Subjection of Woman,* and the *System of Logic* are to chapter and paragraph numbers.

[2] For a list of those advocating some version of the standard reading, which includes D. Brink, J. Riley, G. Scarre, and R. Crisp, see C. Schmidt-Petri, "Mill on Quality and Quantity," *The Philosophical Quarterly*, 53 (2003), p. 102 n.1.

[3] D. Jacobson, "J.S. Mill and the Diversity of Utilitarianism," *Philosopher's Imprint*, 3 (June 2003), p. 1.

[4] For different interpretations of this passage see D. Jacobson, "J.S. Mill and the Diversity of Utilitarianism," *Philosopher's Imprint*, 3 (June 2003), p. 1 and R. Crisp, *Mill on Utilitarianism* (London : Routledge, 1997), p. 120.

[5] C. Schmidt-Petri, "Mill on Quality and Quantity," The Philosophical Quarterly, 53 (2003), pp. 102-4; J. Riley, "Interpreting Mill's Qualitative Hedonism," The Philosophical Quarterly, 53 (2003), pp. 410-8.

[6] Schmidt-Petri, "Mill on quality and quantity," p. 103.

[7] Riley, "Interpreting Mill's qualitative hedonism," p. 415.

[8] Mill is also drawing a normative distinction. Mill's test is designed not only to identify higher pleasures, but also to identify higher pleasures as those pleasures with greater normative significance. There is nothing in the Schmidt-Petri reading inconsistent with this.

[9] Candace Vogler, *John Stuart Mill's Deliberative Landscape*, (New York: Garland Publishing, 2001), pp. 80-84.

[10] Urmson, J. O., "The Interpretation of the Moral Philosophy of J. S. Mill," reprinted in *Mill: A Collection of Critical Essays*, ed. Schneewind, J. B., (New York: Doubleday & Co., 1968).

[11] Ville Kilkku rejects Urmson's rule-utilitarian reading of Mill and provides a more plausible interpretation of Mill's discussion of tendencies. V. Kilkku, "The Significance of Tendencies and Intentions in the Moral Philosophy of J.S. Mill." *Utilitas*, 16 (March 2004), pp. 80-95. The capacity reading advanced here is consistent with Kilkku's interpretation.

[12] It is not obvious that a proper understanding Mill's test for higher pleasures reveals a better ethical theory in *Utilitarianism*. For instance, it remains unclear how one should decide whether

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to eat a hamburger or read Homer. Thus, for now, the capacity reading of Mill outlined here merely provides an account more faithful to Mill's texts and demonstrates how Mill's test for higher pleasures does not have the two problems commonly associated with it. The one thing that does appear certain, however, is that there will be fewer higher pleasures on the capacity reading because the test for higher pleasure involves giving up an entire capacity for a certain pleasure.

[13] Riley, "Interpreting Mill's qualitative hedonism," pp. 415-16.

[14] It is also consistent with non-hedonistic interpretations of Mill, as it could permit one to choose a smaller quantity of one pleasure instead of a larger quantity of another in the same "units," as Riley puts it. However, the fact that the capacity reading is consist with a non-hedonist approach does not detract from the fact that it is consistent with nearly every version of hedonism. The author thanks an anonymous reviewer for encouraging him to address this point.

[15] The author would like to thank Ram Neta, Elijah Millgram, Leslie Francis for helpful comments, as well as Cindy Holder for comments on an earlier version presented at the 2004 meeting of the American Philosophical Association, Pacific Division.

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