



Mill, Method, and the Art of Life

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Mill, Method, and the Art of Life

A dissertation presented by

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to

The Department of Government

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Mill, Method, and the Art of Life

Abstract

For John Stuart Mill, the art to which all others lie subordinate is “the Art of Life, in its three departments, Morality, Prudence or Policy, and Aesthetics; the Right, the Expedient, and the Beautiful or Noble, in human conduct and works.” Though “the reasonings which connect the end or purpose of every art with its means, belongs to the domain of Science”, he tells us, “the definition of the end itself belongs exclusively to Art, and forms its peculiar province.” This thesis uses analytical methods, *de dicto* and *de re* interpretation, and rational reconstruction, to unlock the fundamental axiological and existential premises at the heart of Mill’s Art of Life. In so doing it reveals the way in which these premises simultaneously: combine with Mill’s political science to help to produce his favored synthesis of liberalism, socialism, and democracy; threaten to destabilize this synthesis from within; and point the way towards a stable resolution.

For Mill, the Art of Life is a search for the appropriate quasi-Platonic balance between Morality, Nobility, and Prudence, with Morality leading without dominating the remainder. In consequence, an Art of Life, as thus conceived, can fail in any of three ways, corresponding to the assignment of undue scope to any one department at the expense of the others. In the case of Prudence, Mill warns that a narrow egoism can lead one to instrumentalize, and thereby become alienated from, the activities and people that give one’s life meaning. Life meaning is best found by self-improvement (Nobility) in ways which benefit others (Morality). However, for this meaning to be self-sustaining, and immune from analytical subversion, Nobility and Morality must be cultivated emotionally as well as intellectually.

Some Marxist critics have questioned whether Mill’s Art achieves such a balance, by suggesting that its high-minded Nobility and Morality is a veneer for crude class *egoism* (Prudence). By contrast, a more Nietzschean concern is that a hedonistic Art of Life falsifies the *self-interest*

(Prudence) of *suffering* creators, on the one hand, and favors painless cultural *mediocrity* (Ignobility), on the other. While Mill's qualitative ranking of *pleasures* can block the second concern, his attendant commitment to a qualitative ranking of *pains* may appear to exacerbate the first. However, it is shown that the real concern should be that these qualitative rankings generate a *de re* commitment to a quasi-Schopenhauerian, and nihilistically negative, devaluation of the world. This conclusion is reinforced by an examination of Mill's writings on religion and theodicy, which reveals Mill's *de dicto* commitment to contradictory global evaluations of the world as such.

This axiological contradiction at the heart of Mill's Art of Life raises the question of whether his system should be reconstructed so as to resolve the contradiction by *affirming* or *rejecting* the global nihilistic devaluation. It may appear that Mill's occasional optimism, and progressive political principles, require an anti-nihilistic axiological foundation. However, we see that the latter actually destabilizes his political synthesis, by generating an immanent rationale for allowing the promotion of higher culture to trump universal rights to security, thereby allowing Nobility to trump Morality in the Art of Life.

By contrast, a nihilistic resolution of the contradiction provides a surprisingly strong foundation for his progressive political philosophy, and a route to reconciling Nobility with Morality. On the one hand, Mill's theory of punishment renders a nihilistic devaluation of the world compatible with life-affirmation, and frees his Utilitarianism from having to 'pass sentence on existence'. And on the other, a nihilistic devaluation opens the door to reconciling Mill's robust defense of a universal right to security, and refusal to support slavery as a means to promoting higher culture, with his willingness to promote higher forms of life at the price of popular *discontent*, and restrictions on *majoritarian* democracy. If the highest pains outrank the highest pleasures, they devalue the world while opening the door to a form of Morality which prioritizes their minimization or elimination. However, this is also a form of Morality with the Nobility to promote the cultivation of individuals capable of the highest pleasures, when the only price to be paid consists of the ire, offense, or *ressentiment* of those Mill refers to as 'the herd'.

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Introduction

Mill's Art of Life and Systematic Thought

“The first question in regard to any man of speculation is, what is his theory of human life? In the minds of many philosophers, whatever theory they have of this sort is latent, and it would be a revelation to themselves to have it pointed out to them in their writings as others can see it, unconsciously moulding everything to its own likeness.”

John Stuart Mill, *Bentham* (CW X:94)

Few would deny that John Stuart Mill was a systematic thinker. Indeed, his students are more likely to worry that his thought is *so* systematic that his prolificacy as a writer means that the system cannot be fully understood without a lifetime of study. As a philosopher, he was one of the last to contribute to almost every sub-field of the discipline, including moral and political philosophy, logic, metaphysics, epistemology, the philosophy of mathematics, science, language, mind, and religion. The fact that a systematic study of the relation between Mill's moral and political philosophy, on the one hand, and his theoretical philosophy, on the other, requires command of his somewhat idiosyncratic *System of Logic*, and the highly abstruse *Examination of Sir William Hamilton's Philosophy*, means that very few Mill scholars have even attempted the task.¹

It has been more common for studies of Mill to be systematic in terms of exploring the relation of his moral and political philosophy to his social scientific and policy writings. One reason for this is that Mill was also one of the *first* political scientists, as that term is now understood. However, here too the sheer volume of his writings has created a challenge for scholars. After all, he was simultaneously, and somewhat revealingly, also one of the *last* political scientists to be capable of making groundbreaking contributions to each, if not all, of the sub-fields of the discipline, including normative and conceptual theory, methodology, political economy and sociology, and comparative politics.

This ‘problem of scale’ means that a great deal of Mill scholarship doesn't attempt to study his corpus systematically at all, and instead focuses on detailed studies of particular texts, the most notable being *Utilitarianism* and *On Liberty*. However, while many of these focused studies have produced works of enormous value and great insight, a consensus has emerged that one cannot fully understand these

¹ Notable exceptions include Ryan-(1987) and Skorupski-(1989).

texts without *at least* relating them to Mill's discussion of what he calls the Art of Life.² Delivered in the final pages of his *System of Logic*, Mill's conceives an Art of Life as combining axiology, a conception of the good life, and a theory of practical reason. It involves discerning the most fundamental axiological truths; recognizing the dimensions or 'departments' of the good life to which these truths are salient, defined by Mill as Morality, Nobility and Prudence; and converting these truths into principles of practical reason, designed to enable one to achieve one's ends, with the aid of the causal generalizations generated by empirical science (SL-II:943-52).

The recognition of the importance of the Art of Life to Mill's system is both exciting and daunting. It is exciting because if a few pages at the end of Mill's *System of Logic* can hold a key to the transformation of our understanding of a text like *Utilitarianism*, this suggests that there may be more such keys strewn across his corpus. This raises the possibility that we may not know Mill's most famous texts as well as we might, and that a systematic approach would open gates to new avenues of exploration. But if this is so, it can also seem daunting because it points us back towards his unmanageably large corpus, and raises the possibility that the search for the keys to understanding Mill's system is akin to a search for needles in a haystack. Indeed, that this possibility is an actuality seems to be confirmed by the way in which the most sophisticated scholars of the relation between Mill's Utilitarianism and his Art of Life, have ended up at odds over the correct interpretation of sentences in his private correspondence.³

This study of Mill is born of a recognition that, since it is undeniable that he is a systematic thinker, each of his texts have to be understood in the light of the others. However, it is also born of a recognition that it would be futile (for the author of this study at least) to try to grasp each aspect of Mill's system *to the same degree*. It treats Mill's moral and political philosophy in general, and his notion of the Art of Life in particular, as the core of the system that is to be understood in the greatest detail, while treating other areas of his system as a periphery which can shed light upon the core. In so doing, it does not assume that this choice of core and periphery is 'correct', in a sense implying that

² For instance, see the collections of papers in Part 3 of Smith (ed.) (1998-I) and Eggleston et al (ed.) (2011).

³ For example, see Brown-(1974/p.286) and D. Miller-(2010/p.84-7).

an alternative selection would necessarily lead to a distorted conception of Mill's system. For instance, it makes no objection to those who are principally interested in (say) Mill's economic thought from treating the rest of his corpus as a periphery that can shed light upon the former.

However, it does deny that the selection of the Art of Life as a core is arbitrary, in a sense implying that there is no more reason to start with the Art of Life than anywhere else. After all, there is a sense in which Mill's Art of Life purports to be foundational to, and encapsulating of, everything else that he claims to believe. For instance, while much of Mill's economic thought might be grasped independently of his moral and political philosophy, his reasons for deeming it worthwhile to engage in economic thought in the first place cannot. For Mill, the value of the discovery of economic laws is at least partly a function of the ends which they enable us to attain, and the latter receive their validation from the Art of Life. This is not to say that Mill denies that there can be value in the search for knowledge as such, but rather to say that its value is a function of the part it plays in generating a good life (UK:258). In consequence, while Mill is not opposed to abstract philosophical enquiry as such, he tends to pursue it when he takes it to have some kind of practical relevance for ethics and politics. Take, for example, his motivation for developing an empiricist alternative to the rationalist account of *mathematical* knowledge (SL-I:224-261). According to Mill, one key goal here was to undermine any credibility that was lent to rationalist accounts of *moral* knowledge, by the ability of its proponents to claim common ground with the more plausible form of mathematical rationalism. This desire to subvert moral rationalism lay, in turn, in a desire to undermine people's capacity to camouflage their unreasoned prejudices as a priori insights (A:232). In so doing, he hoped to facilitate the emergence of a new form of ethical discourse and practice, in which people defended their moral claims with reference to human welfare, and refrained from condemning, let alone prohibiting, unconventional behaviors that could not be shown to be harmful. Thus, even Mill's answer to an abstruse question in the philosophy of mathematics is systematically linked to his Art of Life.

In short, then, Mill Art of Life is central to his system in the sense that it purports to explain the value of everything else therein, including, reflexively, the capacity to consciously articulate and defend that Art of Life. By taking this fact seriously, this study acquires an unusual bent by foregrounding Mill's

account of the value and meaning of life. In so doing, it seeks to reveal how Mill's axiological and existential concerns not only shape and condition his more familiar accounts of morality, liberty, and justice, but do so in ways in which it is surprisingly easy to overlook from an alternative point of interpretive inception. When one begins with the question of what Mill takes to give life value and meaning, it immediately becomes evident that one may learn as much from his autobiographical account of his mental breakdown and subsequent life affirmation (Chapter 3), his political epistemology (Chapter 4), his religious writings on theodicy, his jurisprudential writings on when it is suitable to end a life (Chapter 5), and his opposition to slavery (Chapter 6), as from *Utilitarianism*. At the same time, certain fleeting existential declarations in the latter, such as that pertaining to the conditions in which it would make sense to engage in universal suicide (U-II:xii), take on a new significance, raising the question of how or whether Mill's answers to such a question shapes the other passages in that text to which his readers are more accustomed to attend.

However, this existential study of Mill's Art of Life is also set apart by its use of a comparative, and no doubt somewhat controversial, method which is designed to shed light on features of Mill's system which are otherwise hard-to-see. Once one opts to focus on the axiological and existential dimensions of Mill's thought, one cannot help but wonder whether the system which incorporates them, and which he maintains was designed to meet the challenges posed to a hedonistic account of life-meaning, is up to the task. The answer depends on whom one takes to offer the greatest articulation of this challenge, and it would be difficult to find a better candidate than Friedrich Nietzsche.

Nietzsche's criticisms of Normative Hedonism and Utilitarianism are much sharper than those which Mill openly contemplates in his discussions of Bentham (e.g. RB:14-17). While Mill sees that Hedonism can struggle to generate, and may even positively preclude the generation of, an answer to the question of what gives life meaning, he ultimately concluded that the problems could be solved by reforming the philosophy from within (A:145). In contrast, in *Beyond Good and Evil* we find Nietzsche declaring that:

"Hedonism, pessimism, utilitarianism, eudaimonism: these are all ways of thinking that measure the value of things according to *pleasure* and *pain*, which is to say according to incidental states and trivialities. [...] You want, if possible (and no 'if possible' is crazier) to abolish suffering. And us? – it

looks as though *we* would prefer it to be heightened and made even worse than it has ever been! Well-being as you understand it – that is no goal; it looks to us like an *end!* – a condition that immediately renders people ridiculous and despicable – that makes their decline into something desirable! [...] [T]here are problems that are higher than any problems of pleasure, pain, or pity; and any philosophy that stops with these is a piece of naivete (BGE:225).”

Part of the explanation for Nietzsche’s opposition to the alleged utilitarian goal of ‘abolishing suffering’ can be found in a passage of *The Gay Science* entitled “*On the aim of science*”:

“What? The final aim of science should be to give man as much pleasure and as little displeasure as possible? But what if pleasure and displeasure are so intertwined that whoever wants as much as possible of one must also have as much as possible of the other – that whoever wants to learn to ‘jubilate up to the heavens’ must also be prepared for ‘grief unto death?’ [...] Even today you still have the choice: either as little displeasure as possible, in short, lack of pain – and socialists and politicians of all parties fundamentally have no right to promise their people more than that – or *as much displeasure as possible* as the price for the growth of a bounty of refined pleasures and joys that have hitherto seldom been tasted (GS:12).”

Here Nietzsche acknowledges that ‘science’ *could* be directed towards achieving the goal of ‘as little displeasure as possible’ but rejects this in favor of subordinating science to what Mill would call an alternative Art of Life. This alternative is one in which Nietzsche describes the role of science (somewhat hyperbolically) as “the great giver of pain”, along with its “counterforce”, “its immense capacity for letting new galaxies of joy flare up” (GS:12).

These claims pose a stark challenge to Mill’s Art of Life. As we will see, while Nietzsche’s acknowledgment of the possibility of such pleasures might be welcome from a hedonistic standpoint, he denies that they suffice to vindicate the level of suffering either in the world as such, or the lives in which these ‘galaxies of joy’ inhere. For Nietzsche, such pessimism yields nihilism when combined with Normative Hedonism, and hence meaning and life affirmation cannot be found within a hedonistic Art of Life. This challenge to Mill is heightened by the way in which Nietzsche suggests that ‘science’ constrains one who makes an artistic affirmation of the ‘galaxy of joy’ from simultaneously embracing socialism, thereby highlighting the way in which our answers to questions of what makes life valuable and meaningful can constrain our questions to the questions of political philosophy. As we will see, elsewhere Nietzsche pushes the challenge further, by declaring that the highest forms of life are also incompatible with liberalism and democracy. And yet Mill doesn’t only aim to reconcile the best parts of liberalism, socialism, and democracy, but also wants this politico-

economic fusion to be compatible with the promotion of great individuals and the highest pleasures (Chapter 6).

Does Mill have a good response to the challenge that Normative Hedonism can yield a nihilistically negative disvaluation of life? Furthermore, if his answer involves formulating a political philosophy aimed at eliminating the *worst* forms of suffering, can it avoid generating an alternative crisis of meaning by lending support to forms of society promoting lives of painless, comfortable, and ultimately meaningless mediocrity? One intuitive response to such questions is to dismiss them as anachronistic. While Nietzsche could offer actual responses to Mill's texts because he read them quite extensively, Mill was completely unaware of Nietzsche.⁴ In consequence, if *having* a response means *making* a response, it is trivially true that Mill has no response to the criticisms and objections that Nietzsche directed at him personally, and utilitarianism generally. From this some will infer that *creating* a response on Mill's behalf would be analogous to inventing a counterfactual history, in which Nietzsche and Mill were able to converse, and such a project should not be taken seriously. However, this study is predicated on the idea that such a dismissal is too quick. In the absence of a genuine response by Mill to Nietzsche, we can still examine whether Mill's *texts* provide *us* with the resources to supply an answer. In so doing we can step beyond the discipline of intellectual history, without embracing counterfactual history, by turning to what we can call 'comparative system analysis'.

To compare Mill and Nietzsche, thus, involves moving beyond an analysis of their respective *beliefs*, including their existent or non-existent beliefs about each other, to a comparison of (i) their respective *claims*; (ii) the respective *systems* generated by the aggregation of the respective sets of claims, including the objective logical relations thereof; and (iii) the points at which these systems contradict each other. Of course, upon encountering claims made by Nietzsche in which he contradicts something that Mill says in *Utilitarianism*, it is natural to assume that one should examine *Utilitarianism* for a possible response. However, once one takes the idea that Mill is a systematic thinker seriously, one's search need no longer be thus constrained.

⁴ Brobjer-(2008/ch.9)

Indeed, in this study we will be pointing to numerous cases in which claims made by Mill in one text, which appear vulnerable to refutation by Nietzsche when considered in isolation, can be bolstered by claims made elsewhere in his corpus. Since this work operates at the level of claims, rather than beliefs or literary intentions, appeals to such ‘defensive juxtapositions’ needn’t be backed by evidence that Mill had foreseen the challenges which they enable us to deploy his system to overcome. Indeed, it will be maintained that relative detachment from Mill’s literary intentions, and a correspondingly greater focus on the objective logical interconnections between his claims, of which Mill may have been unaware, is likely to be the best methodological approach for most scholars whose *primary* interest is in the content of Mill’s philosophy as such. By contrast, for intellectual historians whose *primary* interest lies in examining the political speech acts that Mill intended to perform by making certain claims, that level of detachment from Mill’s psychology would clearly be unsuitable.

A de facto focus on claims rather than beliefs for the purpose of comparing systems of thought whose authors were separated by space, time, and even knowledge of each other’s existence, is common within academic philosophy but seldom explicitly defended. While this study doesn’t purport to offer any new methods, it may apply them more reflectively and self-consciously than is the norm. In so doing it follows Mill’s method *for studying method* when he tells us that:

“Principles of Evidence and Theories of Method are not to be constructed *a priori*. The laws of the rational faculty, like those of every other natural agency, are only learnt by seeing the agent at work (SL-II:833).”

Of course, this is not to say that once one discovers people using texts in a certain way, one has done enough to vindicate their approach. Indeed, in making the norms of certain interpretive practices explicit, we thereby render them easier to criticize. In consequence, the explanation of the interpretive methodology employed in this study that is provided in Chapter 1 is also accompanied by a pre-emptive defense against potential objections thereto. It is hoped that the taxonomy of interpretive methods provided, along with the illustrations of their applications in Chapters 2-6, will also prove to be of use to scholars whose primary interest is in other thinkers besides Mill, especially those who want to employ historical ideas in contemporary debates.

All that said, the methods outlined here are the means rather than the end. The latter is to understand the ways in which the axiological and existential considerations within Mill's Art of life serve to shape, and constrain potential redevelopments of, his broader moral and political philosophy. Given Mill's claim that the best life will be one in which Morality plays the dominant role while leaving substantial scope for Nobility and Prudence, the goal of the Art of Life translates into establishing the best possible balance between the said components. Since there are three components, all of which could potentially be given too much scope at the expense of the others, there are three ways in which an Art of Life may fail. That is, an Art of Life can fail by giving too much scope to Morality, Nobility, or Prudence. Indeed, having grasped this fact we can recast the *main* 'Nietzschean' challenge to Mill in terms of the charge that his Art of Life gives too much scope to Morality at the expense of Nobility.

Before defending this claim, however, we need to systematize the key elements of Mill's moral philosophy in their own right, and build up to the 'Nietzschean' challenge by illustrating alternative ways in which Mill's Art of Life can fail. In Chapter 2 we see that the conventional and extremely demanding form of Utilitarianism, according to which one is *always* obligated to perform the utility maximizing action, gives much greater scope to Morality within the Art of Life than Mill is willing to accept. In examining Mill's rejection of such a demanding conception of Morality we see that he was sensitive to the danger of an over-moralized Art of Life, even if he didn't believe that his own Art of Life was vulnerable to that charge.

In Chapter 3 we see that Mill's concerns about direct hedonism, and its capacity to alienate an individual from the projects required to give life meaning, can also be understood as concerns about an Art of Life which gives too much scope to the Prudential perspective. For Mill, the truly good life is prudential qua constituting a good life *for* he or she who lives it, but it doesn't follow from this that one will achieve the good life through a narrow *focus* on doing what is best for oneself. Following his mental crisis Mill insists that the best way to live a life that serves one's enlightened self-interest is to engage in activities which improve oneself (Nobility) by serving the good of others (Morality). However, he insists that one will not find meaning thereby without also forming authentic emotional

attachments to the activities undertaken and the people one's actions aim to serve. Both Morality and Nobility need to be cultivated emotionally, and not simply intellectually.

Since Mill is occasionally brutally honest about the limited capacities of the uneducated workers and peasants of Europe, it is easy to wonder whether his worldview embodies too much contempt for the masses for it to be coherently wedded to a theory of life meaning which emphasizes the importance of solidarity and mutual recognition. In Chapter 4 we see how certain objections to Mill's normative epistemology associated with Marx, to the effect that it has an ideological function in the class war, can be re-constructed in terms of a challenge to the authenticity of the balance Mill strikes between Morality, Nobility, and Prudence. As such, it is claimed that, while Mill's normative epistemology purports to provide an account of our knowledge of the rankings of pleasures, and hence the most Noble of lives, it actually serves to justify the disenfranchisement of the masses. On this view, far from being balanced, Mill's Art of Life allows Prudence to morph into crude class egoism. Against this it will be maintained that Mill's normative epistemology can survive the charge that it is egoistically ideological, and that the correct balance between Nobility and Morality does not require us to lower the standards of the good life in order to pretend that everyone lives equally well.

Chapters 2-4 thereby pave the way for our examination of the key 'Nietzschean' charge against Mill's Art of Life in Chapters 5-6. In Chapter 5 we see that Nietzsche exaggerates the level of suffering that any given individual must endure in order to live a good life. This means that Mill's Normative Hedonism doesn't preclude his Art of Life from correctly accounting for the true interests of those with the best lives. That is, it doesn't devalue their Nobility by generating a distorted conception of Prudence according to which their suffering gives them sufficient reason to nihilistically devalue their lives. Grasping Nietzsche's exaggeration of the level of suffering required to live well also enables us to block the charge that Mill's axiology gives insufficient scope to Nobility when it comes to evaluating societies. If nihilistic levels of suffering are unnecessary to allow some to live the best lives, Mill can also attribute greater value to a society of a few great individuals, than to a society consisting of a mass of Nietzsche's 'last men'. The aggregated contentment of the latter will not outweigh the higher pleasures of the former.

However, we also see that, once one applies qualitative rankings to pains as well as pleasures, Mill's Qualitative Hedonism does entail one nihilistic conclusion, namely, that the world has an overall disvalue in virtue of generating more suffering than pleasure. After all, even if Nietzsche is wrong to claim that a given individual must endure the worst forms of suffering in order to experience the greatest forms of pleasure, it can still be true that the worst forms of suffering experienced by *some* people outweigh the best forms of pleasure experienced by *others*. This raises the question of whether an Art of Life, such as Mill's, which treats Morality as its most important component, is inconsistent with the kind of life-affirming attitude encouraged by Nietzsche, in virtue of requiring people to "pass sentence on existence (WP:6)". Here the systemic approach enables us to bolster Mill's Art of Life with his theory of punishment, with a view to reconciling the former with such a life affirming attitude. Mill's system implies that if there is insufficient reason to punish life affirmation despite the world's horrors, it cannot be wrong to affirm life.

In the final chapter we transition to adapting Mill's system with a view to eliminating some of its inconsistencies. While some would no doubt wish to remove the 'globally nihilist' implication, that the world has net disvalue, we argue that this implication is worth retaining because it flows from the qualitative ranking of pains, and the latter can justify some of the compromises and trade-offs that Mill makes in his political philosophy. Mill wants to reconcile a robust defense of individual rights to security with a role for the state in promoting higher culture, and it is easier to achieve this if the global nihilist premise is true.

The reason for this stems from the fact that the removal of the global nihilist implication would require claiming that the highest pleasures outweigh the highest pains. In this case, Mill's Utilitarianism would open the door to a defense of Nietzschean aristocracy with hedonistic foundations, and close the door to a defense of a universal right to security. By contrast, the premise that the highest pains outweigh the highest pleasures can ground Mill's defense of a universal right to security with reference to the need to prevent the highest pains even if they are instrumental in yielding high pleasures. In consequence, a deeply pessimistic and yet hedonistic outlook can support Morality in the way that Nietzsche suggests and laments.

Nevertheless, contra Nietzsche, a political philosophy which aims at eliminating the highest pains so far as is possible is consistent with a relatively elitist form of liberalism, such as Mill's, which prioritizes the promotion of higher pleasures, not just over the promotion of lower pleasures, but also over the prevention of lower forms of suffering. Mill's Art of Life is thus deeply Moral, insofar as it aims at the elimination of the worst forms of suffering attendant upon injustice, but this can be reconciled with Nobility, by promoting a form of culture which steels people against the lower forms of suffering which are necessary for higher culture to thrive.

Mill acknowledges that "most kinds of pain and annoyance appear much more unendurable to those who have little experience of them, than to those who have much", and "little needs to be expected from the men of today", who "cannot bear pain", let alone "seek it". However, he maintains that the modern world is not incompatible with "the heroic": "in being ready for a worthy object, to do and to suffer, but especially to do, what is painful or disagreeable", as is essential if one is to attain "a great character" (CV:131). In consequence, by interpreting Mill systematically, and using Nietzsche's concerns about Utilitarianism to shine a spotlight upon features of the system with axiological and existential import, we are able to acquire a new perspective on the balance that Mill strikes between the departments of the Art of Life. While some of the existential 'costs' of sustaining that balance, such as facing up to the global nihilism implication, were no doubt unbeknownst to Mill, they constitute the flip-side of the more optimistic, life-affirming and yet simultaneously humane, features of his political philosophy. By examining the fundamental claims pertaining to axiology and life-meaning that lie at the heart of Mill's Art of Life, then, this thesis aims to shine a light upon the way in which they shape the contours of the more familiar parts of his moral and political philosophy.

Chapter 1: Methodological Introduction

Historical Philosophy and the Art of Interpretation

“A man must now learn, by experience, what once came almost by nature to those who had any faculty of seeing; to look upon all things with a benevolent, but upon great men and their works with a reverential spirit, rather to seek in them for what *he* may learn from *them*, than for opportunities of shewing what they might have learned from him; to give such men the benefit of every possibility of their having spoken with a rational meaning; not easily or hastily to persuade himself that men like Plato, and Locke, and Rousseau, and Bentham, gave themselves a world of trouble in running after something which they thought was a reality, but which he Mr. A. B. can clearly see to be an unsubstantial phantom; to exhaust every other hypothesis, before supposing himself wiser than they; and even then to examine, with good will and without prejudice, if their error do not contain some germ of truth; and if any conclusion, such as a philosopher can adopt, may even yet be built upon the foundation on which they, it may be, have reared nothing but an edifice of sand.”

John Stuart Mill, *Use and Abuse of Political Terms* (CW XVIII:7)

“Is pessimism *necessarily* a sign of decline, decay, degeneration, weary and weak instincts—as it once was in India and now is, to all appearances, among us ‘modern’ men and Europeans? Is there a pessimism of *strength*? An intellectual predilection for the hard, gruesome, evil, problematic aspect of existence, prompted by well-being, by overflowing health, by the fullness of existence?”

Friedrich Nietzsche, *The Birth of Tragedy* ‘Attempt at a Self-Criticism’, 1

Introduction: From Art of Life to Interpretive Method

This a thesis about the ways in which Mill’s Art of Life shapes the contours of his broader moral, political, and social philosophy; the ways in which his fundamental axiological judgements can be seen to implicitly guide the trade-offs he makes when confronted with tensions between competing social goods; the ways in which they inform his theory of life meaning, allowing him to provide an answer to the question of how people might affirm their lives in times of existential crisis; and the ways in which society might be best shaped, in turn, so as to facilitate such affirmation. As such, it is not a thesis about any one of Mill’s texts, but rather about many, if not most, of them.⁵ In consequence, it must also be a thesis about the method that one opts to apply when attempting to view a corpus (or a substantial subset thereof) as a single systematic whole.

While heeding Skinner’s warnings about the dangers of *assuming* that the claims made in one text cohere with those made in another, the project pursued in these passages uses Mill’s references to the

⁵ The significant text on which I draw the least is *An Examination of Sir William Hamilton’s Philosophy*.

trajectory of his intellectual development to guide its construction of his system. Similarly, while heeding the *rationale* for the oft-endorsed prohibition upon attributing thinkers with *beliefs* which they could not have consciously avowed, the project presses ahead by systematizing Mill's *claims*, and in so doing constructs a system which can be conceived as an abstract object, the properties of which Mill may have been unaware or even mistaken.

In consequence, there can be no question of calling what follows *pure* intellectual history, for it is *fundamentally* analytical philosophy. However, it is less clear that it thereby makes a clean break from intellectual history, as Skinner once suggested that a project of this sort must if it is to avoid misinterpretation and anachronism.⁶ It seems more accurate to describe the space that it occupies as the intersection between intellectual history and philosophy. We will refer to this intersectional domain as 'historical philosophy', and argue that any appearance that historical philosophy as such is methodologically unsound derives from the frequent failure of its practitioners to distinguish between what we will refer to as *de dicto* and *de re* attributions of beliefs (or claims) to past thinkers, on the one hand, and system *construction* and *reconstruction*, on the other.⁷

When properly pursued, historical philosophy and the attendant methods of attribution just cited, combine intellectual history's attempt to understand the ideas of past thinkers accurately with philosophy's subjection of those ideas to logical analysis and philosophical critique.⁸ While the methods will receive technical definitions of greater accuracy below, *de dicto* system construction can be understood, very roughly, as establishing the potentially unforeseen implications that would follow from a thinker's claims if they were true. By contrast, *de re* system construction takes the further step of establishing the implications that would be generated by the truth of a thinker's claims when they are combined with further facts of which the thinker may have been oblivious.

In applying these methods to Mill's texts we will step beyond treating his claims in isolation from those of other thinkers, for this is not just a thesis about Mill, but also about the relationship between

⁶ Skinner-(1969/p.52)

⁷ The *de dicto* and *de re* distinction is taken from Brandom-(2002). See (B) below.

⁸ For a survey of work carried out in a kindred spirit, see Reck (2013a).

Mill's system, on the one hand, and certain claims associated with Nietzsche, and to a lesser extent Marx, that bear upon its philosophical evaluation, on the other. More specifically the claims at issue raise questions about the viability of Mill's system and the Art of Life which animates it. However, while these claims appear as threats, the insight which led to their employment was forged in the fires of Mill's claim that, when left unsubjected to critical examination, "doctrines intrinsically fitted to make the deepest impression upon the mind may remain in it as dead beliefs (L:248)." In other words, these interlocutors have been specifically chosen for the way in which they simultaneously challenge, and yet ultimately reanimate Mill's system. We will see many examples of how attendance to their worries can highlight apparent weaknesses in his system but which, upon further scrutiny, reveal an implicit wisdom for which Mill may have been given insignificant credit. We will see that, in critiquing Mill from, and seeking to pull him in, conflicting directions, the juxtaposed critiques can appear to highlight the internal tensions, or even contradictions, in his project. However, upon further examination, what they really reveal is its capacity to combine the human need for inspiration, meaning, and grandness of vision, with the cautious, and yet fundamentally humanistic, common sense needed to save mankind from its greatest possible follies.

Nevertheless, we will see that Mill's system cannot be critically examined in the light of Nietzsche's concerns about Hedonism, and survive the ordeal unscathed. Nietzsche's diagnosis of the philosophical elements of Schopenhauer's 'nihilism' is well known.⁹ If one adopts a hedonistic evaluation of life or the world, and a pessimistic assessment of the balance of pleasure and pain therein, one can be left with a negative evaluation or devaluation thereof. Reginster calls this form of nihilism, nihilism-as-*despair*, to contrast it with nihilism-as-*disorientation*, the meta-ethical thesis that there are no objective values to guide us.¹⁰ While we will see that Nietzsche's views about the possibility of attaining happiness vary over time, the moral he draws from the Schopenhauerian case

⁹ For some salient passages in Nietzsche's works see (GS:48. 357), (BGE:39, 44, 56, 186). For useful discussions in the secondary literature see Janaway-(1999), Soll-(1994)-(1986), Reginster-(2006/ch.4). It should be noted that we will focus on Nietzsche's middle and, to a greater extent, late works. For a useful account of how Nietzsche's response changed over time see Young-(2003/ch.4 & 7).

¹⁰ Reginster-(2006/p.8). For a selection of papers on Nietzsche's meta-ethics see Leiter & Sinhababu (ed.) (2007).

is as follows: since Schopenhauer's pessimistic premise is undeniable but his nihilistic conclusion is unacceptable, hedonism must be rejected.

Since Schopenhauer's hedonistic pessimism stemmed from the specific features of his conception of the will, and this conception is not shared by Mill, few seem to have considered the question of whether Mill's system leads to the same nihilistic conclusion.¹¹ This is surprising because it is easy to construe Mill's account of his mental crisis as an episode in which he sat on the precipice of nihilism-as-despair. Since Mill came back from the brink, and re-affirmed his commitment to hedonism in a modified form, one might think that this settles the matter. But a key premise of the argument defended here is that this is far from the case because qualitative hedonism renders a hedonistically pessimistic, and thereby nihilistic, evaluation of the world almost unavoidable. While this is compatible with qualitative hedonism enabling particular individuals, such as Mill, to positively evaluate, and hence affirm, *their lives*, it raises a number of questions as to whether Mill's moral, political and social philosophy, which is to say, the rest of his system, is compatible with a nihilistic evaluation of *the world*, conceived as the totality of sentient life.

A second central premise of the argument is that, when we examine Mill's texts on theodicy and religion, in the light of the question of whether he has an explicit or implicit commitment to such 'global nihilism', we find that he makes claims yielding positive and negative answers. As such we reveal a hidden axiological contradiction within Mill's system, which allows us to infer that its tenability rests upon the possibility of revising it so as to render it consistent. This brings us to the methodological distinction between system *construction* and *reconstruction*. While the former examines the properties of Mill's system *as it is*, the latter offers ways of altering the system so as to *improve it*.

¹¹ For an examination of the how Schopenhauer's conception of the will leads him to pessimism, see Janaway-(1999).

This raises a number of questions. What is the point of rational reconstruction? What is its relation to intellectual history? And if a system is contradictory, why not simply move on, and think for oneself?¹² Nietzsche gives *part* of the answer when he tells us that:

“The philosopher believes that the value of his philosophy lies in the whole, in the building: posterity discovers in it the bricks with which he built and which are then often used again for better building: in the fact, that is to say, that the building can be destroyed and *nonetheless* possess value as material (HH-II:201).”

We need a historically accurate interpretation of Mill’s system in order to be able to make philosophically accurate judgments as to its adequacy as a ‘building’. However, the role of intellectual history does not end there, for while the task of ‘rebuilding’ the system is a philosophical task, we do not necessarily need to raise the building to the ground and start afresh. In other words, the system we will build is a reconstruction of an existing (historically created) construction,¹³ and we will be mindful of the axiological priorities that guided the construction of Mill’s original system when making our choices about how it ought to be reconstructed.¹⁴

There is thus a sense in which the reconstruction of Mill’s system constitutes the strongest form of defense that one can offer *having already rejected it*.¹⁵ However, there is more than one way to reconstruct a system, and in the case at hand we can reconstruct Mill’s system so as to make it consistently supportive of, or consistently opposed to, global nihilism. As such the most controversial

¹² The advice that Skinner once offered to philosophers interested in, but in his view fundamentally abusing, historical texts. See Skinner-(1969/p.52). Cf. John’s Searle’s potentially apocryphal self-introduction to a historically-minded continental philosopher: “I am an analytic philosopher. I think for myself (Reck-(2013b/p.2)).”

¹³ I take no stand on the nature of ‘abstract objects’ but a defense of the claim that they can be historically created can be found in Simmard-Smith & Moldovan (2011/§7).

¹⁴ Cf. Simmons-(1992/p.6): “Where Locke’s claims are unconvincing or incomplete, and where his arguments are antiquated or otherwise philosophically suspect, I try to develop the Lockean position in ways consistent with Locke’s ambitions. My aim is always the presentation of the most plausible, philosophically respectable Lockean stance, driven by a desire to do the best that can be done for Locke – that is, an elaboration and improvement of his ideas that will put Lockean insights in a fair light for contemporary eyes.”

¹⁵ Cf. the ‘defense’ of Marx in Cohen-(2000/p.xxiv): “The analytical Marxist impetus is, in the first instance, not to revise, but to defend inherited theory. But its defense often requires extensive reconstruction: inherited theory gets transformed when it is made to measure up to analytical standards of criticism. This has meant that a great many of the theses of Marxism have been dropped: our movement today, while preserving the foci and preoccupations, and the aspirations and values, of traditional Marxism, has rejected many of its classical theses. But, so we would contend, what survives, both from the original and as a development from the original, is the stronger for its having gone through the corrosive acid of analysis, and what has been dropped could not in all intellectual conscience have been kept, except at the cost of relaxing the rule of reason, which is not an acceptable cost.”

claim to be defended in these pages is that the rational reconstruction should be undertaken to render Mill's system consistently nihilist rather than consistently anti-nihilist. For we will see that if we reconstruct the system in an anti-nihilist direction, the axiological foundations of Mill's system would cease to support his modestly egalitarian defense of liberal democracy, and would realign the system in the direction of Nietzsche's aristocratic radicalism. By contrast, when we reconstruct the system in a nihilist direction, the axiological foundations map onto, and thereby support, the trade-offs between social goods that can be found in Mill's political philosophy, and his contention that Morality is the central component of the Art of Life. While some might liken such a project to an attempt to re-vivify Mill by making him drink poison, we will see that his Art of Life provides the resources to prevent the resulting nihilism from meriting the label nihilism-as-*despair*.

Here is Nietzsche again:

“Not that a man sees something new as the first one to do so, but that he sees something old, familiar, seen but overlooked by everyone, *as though it were new*, is what distinguishes true originality (HH-II:200).”

If there is anything meriting the label ‘originality’ in the project, then, it lies in revealing something that has hitherto been overlooked; namely, that if we examine Mill's system through ‘Nietzschean’ eyes, the possibility presents itself of replacing a few of Mill's ‘bricks’, and thereby creating a new, darker, more tragic, and yet nevertheless life-affirming system of thought, built upon a “pessimism of strength” (BT-‘Criticism’:1).

Part I: Methodological Prolegomena

In part I we begin the task of locating historical philosophy in relation to conventional intellectual history, by distinguishing between two forms of the latter which we will refer to as first- and second-order intellectual history. The *primary* focus of first order history can be either the *claims* of past thinkers which they put forward for serious consideration, or the *beliefs* which may or may not correspond to those claims.¹⁶ The historical philosophical project to be pursued here builds upon the

¹⁶ What is sometimes called the history of ideas can then be understood as the history of the *uptake, rejection* and *transmission* of claims and beliefs.

first order history of Mill's *claims*, and section (A.1) explains the rationale for that methodological choice.

Skinner's classic paper 'Meaning and Understanding in the History of Ideas' presented what we can refer to as a Claim Attribution Principle.¹⁷ According to this principle, we should not make third-person attributions of claims to past thinkers in terms which they could not have personally avowed. Since the historical philosophical project to be pursued here will be attributing claims in a way which violates this principle, section (A.2) explains why the latter is incoherent and hence invalid. (However, in so doing, it also notes the coherence of a close relation of the principle, which we refer to as the Transparency Constraint upon claim attributions. The validity of a variant of this constraint principle will subsequently be defended for the realm of second order history.) In (A.3) we turn to Rosen's refutation of a close relation of the Claim Attribution Principle which we will refer to as the Belief Attribution Principle. If the arguments in (A.2-3) are sound, Skinner's prohibitions are invalid for the attribution of both claims and beliefs.

This result may leave the reader thinking that if (1) the defense of historical philosophy depends upon the defense of a particular conception of first order intellectual history, and (2) the latter implies that Skinner's methodological constraints are *entirely* mistaken, then (3) perhaps that is a sign that there must be something wrong with that conception of first order history, and hence historical philosophy, after all. In consequence, (A.4) turns to the task of rejecting (2) by demonstrating that, while Rosen's refutation of the Belief Attribution Principle is sound for the attribution of first-order beliefs, it overlooks its much greater plausibility when applied to the attributions of second-order beliefs. This allows us to open the door to applying a variant of the Transparency Constraint to second-order beliefs, and conceiving the study of the latter as second order history. We see that, while people may be mistaken about what they believe, they cannot be mistaken about what they occurrently believe that they believe. In consequence, a quasi-Skinnerian Transparency Constraint gets the correct result at the second-order level because a third-person second-order attribution *will* be falsified if it conflicts with a sincere first-person second-order attribution. This allows us to conclude that first order history,

¹⁷ Skinner-(1969)

and the historical philosophy which can spring from it, needn't be viewed as competitors to second order history, and are compatible with allowing many methodological flowers to bloom. Moreover, with Skinnerian objections side-lined, we find ourselves methodologically entitled to commensurate the ideas of Mill with those of Marx and Nietzsche, using terms which they do not themselves employ.

Having laid the groundwork for historical philosophy in section A, sections B-C set out its methods. Historical philosophy involves two kinds of system construction, *de dicto* (B.2) and *de re* (B.3). These rest in turn on the idea that the meaning of a claim is (at least partly) a function of its implications (or inferential significance) but these implications can only be derived in conjunction with further claims (or inferential context) (B.1). One engages in *de dicto* system construction by taking one claim made by an author and deriving its inferential significance using his other claims as inferential context. As we repeat the process, we churn out a series of interconnected theses constituting a *de dicto* system. In contrast, a *de re* system is constructed by taking the claims of an author, and deriving their inferential significance using claims which the constructor believes to be true but which the author may not. If the constructor takes the *de dicto* system to be inconsistent, or the *de re* system to be more plausible than the *de dicto* system, this is a sign that the constructor must either reject the *de dicto* system, or opt to alter it to make it more plausible. Guidelines for undertaking the latter project of system *reconstruction* are set out in section C.

(A) First- and Second-Order Intellectual History

(A.1) The Belief-Claim Distinction

The term 'claim' displays what Grice referred to as the 'act-object' ambiguity.¹⁸ It can refer to the basic illocutionary act of making a claim (or assertion), or to the proposition which is asserted.¹⁹ The term 'belief' displays a similar ambiguity, potentially referring to *the fact* that x believes that P, on the one hand, or the proposition, P, on the other. When we refer to beliefs and claims in this section, we

¹⁸ Grice-(1957/p.380)

¹⁹ I set aside the distinct senses of 'claim' through which a demand is made or an entitlement is posited.

will be employing the terms in the first senses of these terms. While claiming and believing, in these senses, are clearly related in practice, neither is sufficient for the other, and this has some important implications for the practice of interpretation.

In a debate in 1826 Mill responded to the ‘theory’ that Britain is uniquely wealthy because it has a unique constitution as follows:

“I too have a theory, and it is this: that the commercial prosperity of London is owing to the Monument by which it is overlooked (BC:362).”

This is an assertive *claim* but it is clearly not indicative of a belief, not simply because he withdraws the claim sentences later but because the assertion is intended to be taken as a joke:

“I do not think that it [the monument] has done any harm, nor is it at all probable that our commercial prosperity would have been greater, if the Monument had been built in a different shape, or of different materials. But there are persons who think that with a Constitution of different shape and of different materials, we should have been more prosperous (BC:362).”²⁰

This is an example of how claiming that P is insufficient for believing that P (*claim-belief insufficiency*) due to the possibility of *insincere assertion*. Claim-belief insufficiency can also be generated in cases of *defective assertion*, which is to say cases where speakers unintentionally makes assertions which are at odds with their beliefs. For instance, reflecting on a claim that he made twenty years earlier, Skinner concedes the falsehood of his claim as follows: “I agree that I misstated my point”.²¹ Here we have a distinction between what Skinner claimed, P, on the one hand, and his belief (or ‘point’), Q, on the other, which leaves open the possibility that Skinner’s belief, Q, was true even though the claim that he used while *trying* to express it, P, was false. Some cases of defective assertion can also demonstrate *belief-claim insufficiency*. For instance, in the case at hand, the fact that Skinner believed Q was insufficient for him to claim that Q. Belief-claim insufficiency can also arise due to *non-expression*. For instance, someone could believe in God without ever claiming to do so, and without engaging in non-verbal behavior which would make this belief evident to others.

²⁰ Cf. the Defoe example in Skinner-(1969/p.52)

²¹ Skinner-(1988)

The belief-claim distinction will prove to have implications for the question of the extent to which Skinner's Attribution Principle should guide belief attributions in (A.2). For now it is worth noting a bad reason for thinking that the claim-belief distinction is less relevant when one is interpreting past thinkers than when one is interpreting contemporary thinkers. In the latter case, the possibility exists of achieving clarification which, absent insincerity, or further failed- or non-expression, can allow one to corroborate that someone believes what she claimed. In contrast, if an intellectual historian is dealing with a past thinker, that kind of interactive corroboration is clearly impossible. While one's inability to engage in interactive corroboration of beliefs *could* understandably lead one to feel (epistemically) justified in simply assuming that an individual's claims correspond to her beliefs, it *should* not as this would amount to taking the absence of means of corroboration for corroboration.

This problem is less of a concern for the subset of intellectual historians who are *primarily* concerned with the *meanings of claims* in classic texts (for which knowledge of the authors and their historical contexts can provide some evidence), rather than the *beliefs* of those who made the claims (for which the claims made in the texts can provide some evidence).²² For instance, Eric Nelson has recently argued that not only did many American patriots of the 1760s and 1770s make *claims* supporting a Royalist conception of the English constitution but that they did so because they *believed* in that conception.²³ While Nelson can rely on textual analysis to defend the former claim, he has to delve much more deeply into the political activities of the patriots to defend the latter.²⁴ In his critique of Nelson's position, Gordon Wood appears to grant that some of the patriots *appealed* to this Royalist conception while denying that they *believed* in it.²⁵ For Wood such appeals were merely strategic.

²² Here the term 'primarily' is intended to highlight the fact that the taxonomy of types of historical claim presented here is intended neither to prescribe engagement in one kind at the expense of another, nor to box the work of particular intellectual historians into any one category. In practice intellectual historians and philosophers are likely to have at least some interest in both claims and beliefs. The main value in articulating the taxonomy in practice is that clarity about the status of the claims yields clarity about the evidence required to support them, on the one hand, and helps to prevent pseudo-debates born of miscommunication, in which claim attributions are challenged with evidence better designed to refute belief attributions (and vice versa), on the other.

²³ Nelson-(2014)

²⁴ Nelson-(2014/p.23-7) links the belief-claim distinction to debates over the methodological propriety of appealing to beliefs in order to explain actions

As this example illustrates, for intellectual historians studying past thinkers, the methodological entitlement to refrain from doing whatever is within their power to show that there is no (evidence of a) discrepancy between the authors' claims and beliefs, comes at the 'price' of framing attributions at the level of the authors' claims rather than their beliefs. In consequence, to the extent that this thesis deals in intellectual history, its relatively analytical approach makes it sensible to adopt this precautionary practice.²⁶ Of course, *given* the plausible assumption that philosophers' claims *tend* to correspond to their beliefs, works such as this one that focus on claims can provide a lot of evidence about authors' beliefs. In consequence, Chapters 2-4 in particular, which focus on drawing out many of the implications and implicit assumptions of Mill's explicit claims, may still be of use to historians whose primary interest is in uncovering Mill's beliefs.²⁷

(A.2) Belief and Claim Attribution

(A.2.A) sets out and refutes Skinner's Claim Attribution Principle, thereby opening the methodological door to a form of the first order intellectual history of *claims* which operates in violation of his prohibitions.²⁸ It also notes the greater consistency, if not plausibility, of what we will refer to as a Transparency Constraint on claim attributions, a variation upon which will subsequently be shown to be defensible in the realm of second order history in (A.3). (A.2.B) notes Rosen's refutation of a kindred Belief Attribution Principle, thereby revealing that Skinner's prohibitions on attribution are also invalid for (first-order) belief attributions.

²⁵ Nelson-(U:8-9) suggests that Wood didn't always accept that such appeals were made.

²⁶ Of course, this would be consistent with claiming that even those intellectual historians who do everything in their powers to determine whether there are discrepancies between an author's claims and beliefs, do not possess the said entitlement either, due to the limitations of their (epistemic) powers. However, in many cases at least, intellectual historians who have perused all the evidence that could suggest a discrepancy and found it insufficient, may claim an entitlement to abductively infer that there is no discrepancy. Surely there are some limits to insincerity and failure of expression.

²⁷ Although they need to be as cautious with Mill as with anyone else. Priestley-(1969/p.xxxvi-xxxviii) provides some useful examples of cases where Mill makes a particular criticism of Bentham and then criticizes Anti-Utilitarians when they make the same point against Bentham. When Mill appears to contradict himself in this way it appears to indicate that he is less interested in providing the reader with a complete picture of his own views, and more concerned to 'manage' the decline in Bentham's intellectual standing in such a way that it serves his alternative Utilitarian cause rather than that of the Anti-Utilitarians.

²⁸ I offer a much more thorough critique of Skinner's Attribution Principle in Beaumont-(A). Other useful critiques can be found in Boucher-(1985) and Bevir-(2011).

(A.2.A) Skinner on Claim Attribution

According to Skinner's Claim Attribution Principle:

“[i]The relevant logical consideration is that no agent can eventually be said to have meant or done something which he could never be brought to accept as a correct description of what he had meant or done.

[ii] This special authority of an agent over his intentions does not exclude, of course, the possibility that an observer might be in a position to give a fuller or more convincing account of the agent's behavior than he could give himself. (Psychoanalysis is indeed founded on this possibility.)

[iii] But it does exclude the possibility that an acceptable account of an agent's behavior could ever survive the demonstration that it was itself dependent on the use of criteria of description and classification not available to the agent himself.”²⁹

As thus stated, the Attribution Principle pertains to the attribution of *claims* and *deeds* rather than *beliefs*, although it can be adapted to deal with the latter (see A.2.B below). One question that can be raised is the logical relation between sections (i-iii). For instance, are they independent claims, or are (ii) and (iii) supposed to be implications of (i)? If the former, there is a problem generated by the prima facie inconsistency of (ii) and (iii). The criteria and classifications of psychoanalysis can either be used to provide a better account of (say) Hobbes' behavior than Hobbes could provide himself *despite* the fact that he lacked these criteria and classifications (ii), or it cannot (iii). If the claims here are independent, Skinner can't reduce the counter-intuitiveness of (iii) by merely decreeing its compatibility with (ii).³⁰

So perhaps (ii) and (iii) are supposed to be implications of (i)? The precise extent to which (i) limits the claims that can be attributed to a thinker depends on disambiguating the sense of 'could' it employs. At one extreme, we could treat 'could' as placing an empirical restriction on the scope of the principle to those cases in which (a) an author made an assertive utterance, (b) was presented with an interpretation thereof by others, and yet (c) explicitly resisted their interpretations of his claim. Thus construed, the principle would provide clear guidance but it couldn't claim to be infallible. After all, authors can have good practical reasons (e.g. pertaining to fear of persecution) for explicitly denying

²⁹ Skinner-(1969/p.28)

³⁰ Unless the claim is that psychoanalysts *can* have a special authority *but only when* psychoanalyzing other psychoanalysts *who share their concepts and classifications*.

that they have claimed what they have actually claimed.³¹ Moreover, thus understood, while it would be compatible with (ii), it wouldn't support (iii).

At the other extreme, we could treat (i) as a logical (or metaphysical) thesis according to which we cannot attribute a claim to an author unless there is a possible world in which he will accept the attribution. While this may avoid the problem of 'false denials', it is falsified by a kindred problem of 'false acceptances'. After all, there will always be a possible world in which an author has good reason to accept (or take credit for) a false attribution. Moreover, this implies that the principle would place no restriction on attributions, and hence would be of little use, in practice.

To avoid these problems the principle would need to be refined, perhaps beyond recognition, so as to focus, not on what one *could* get the author to accept given his foibles, imperfect rationality, and (potentially sufficient) practical reasons to deny that he claimed what he actually claimed, but on what he (epistemically) *should* accept that he claimed given a full understanding of the meaning of his claims and the goal of speaking truthfully. Thus revised, the practical implications for claim attributions generated by section (iii) would depend on whether there are cases where the following conditions hold:

- 1) x makes some claims, $C_{1...n}$ using terms, T_1 , from a natural language, L_1 .³²
- 2) y attributes a claim, C_{n+1} , to x on the basis of $C_{1...n}$, using terms, T_2 , which are from L_1 but which are alien to T_1 and were unknown to x.
- 3) If x were to have been presented with this attribution and an explanation of the alien terms, x would have had sufficient *epistemic* reason to have accepted the veracity of y's attribution.

³¹ These practical reasons can also pertain to the literary intention for using particular terms. Dishonest authors can have good practical reasons to falsely deny that the philosophical content of their arguments are captured by an alternative exposition because (say) the latter is clearer and thereby helps to expose a gap in the reasoning, or is less rhetorically forceful and thereby highlights the extent to which the persuasiveness of the former depends upon its literary qualities.

³² We need the reference to L_1 to block the terms being 'alien' in virtue of their coming from a different language, L_2 . This would allow the conditions to be satisfiable in virtue of y's attribution consisting of a translation of x's claim into a new *natural* language rather than a translation of the new claim into new terms of the *same* natural language. Skinner doesn't want to block *all* of such attributions.

We can refer to the claim that there are *no* cases in which (1-3) are collectively satisfied as the Universal Transparency Constraint. We will refer back to this in (A.3) below.

(A.2.B) Belief Attributions and Metaphysical Interpretationalism

The preceding suggests that Skinner's Claim Attribution Principle is unsuitable for dealing with attributions of claims (and deeds), and would need to be thoroughly revised in order to do the kind of work for which it was designed. Would it fare any better as a guide to the attribution of beliefs? In order to answer this question we need to begin by considering how beliefs are normally attributed outside the realm of textual interpretation.

According to Dennett, to adopt the 'intentional stance' towards a particular being or entity is to explain its *behavior* by attributing it with *beliefs* and *desires*, and showing that the former is the rational product of the latter. For instance, if we adopt the intentional stance with respect to a chess playing computer we will attribute it with a desire to attain check-mate, with beliefs about how this can be achieved, and then explain its moves by pointing to their rationale given these desires and beliefs.³³ Few contemporary philosophers would deny the predictive value of adopting such a stance with respect to the chess playing computer. Moreover, perhaps only a slightly greater number would deny that if attributing a particular set of beliefs and desires, S_1 , to a complex entity allows one to capture the pattern of its behavior, this constitutes defeasible evidence that it really has those beliefs and desires. However, Dennett goes further by making two stronger claims.

Metaphysical Interpretationalism: if an entity's behavioral pattern is adequately captured by attributing it with a set of beliefs and desires, S_1 , this is sufficient to show that it *really* has the said desires and beliefs.

Plurality Thesis: an entity's behavioral pattern can be adequately captured by the attribution of more than one conflicting set of beliefs and desires, S_1 and S_2 .³⁴

³³ Dennett-(1991/p.41)

³⁴ Dennett-(1991/p.48)

Most philosophers who are confronted with cases in which the Plurality Thesis holds, which is to say cases where there are two or more empirically adequate but logically incompatible explanations for the same data, will infer that it is a case in which the truth is underdetermined by the evidence. That is, they will conclude that, since at most one of the conflicting explanations can be true (Explanatory Monism), but each is compatible with the evidence, they aren't positioned to know which is true. For instance, suppose we see a human being who is running while being chased by a dog. One possible explanation from the intentional stance is that the runner *believes* that the dog is trying to bite her and she *wants* to get away. Another is that the runner believes that the dog will enjoy chasing her and she wants to provide the dog with that enjoyment.³⁵ In most cases we will, of course, be able to find additional evidence which renders one explanation more plausible than the other. For instance, we might look to the runner's facial expression (e.g. does she look scared?), or consider other contextual factors (e.g. do people who run from dogs usually do so for fun or out of fright?) in order to break the under-determination. However, if there really is no further evidence to be found, Explanatory Monism will lead us to remain agnostic about which is true.

However, Dennett's Metaphysical Interpretationalism has the effect of converting what is intuitively a case of the underdetermination of truth by evidence into a case in which there is what we can call *conflictual over-determination* of the truth by two incompatible but empirically adequate theories.³⁶ This is not (necessarily) to say that Dennett is a dialetheist who believes in true contradictions.³⁷ It is rather to say that he takes explanations made from the intentional stance to be analogous to the conflicting interpretations of patterns such as the duck-rabbit in Figure 1 below.³⁸

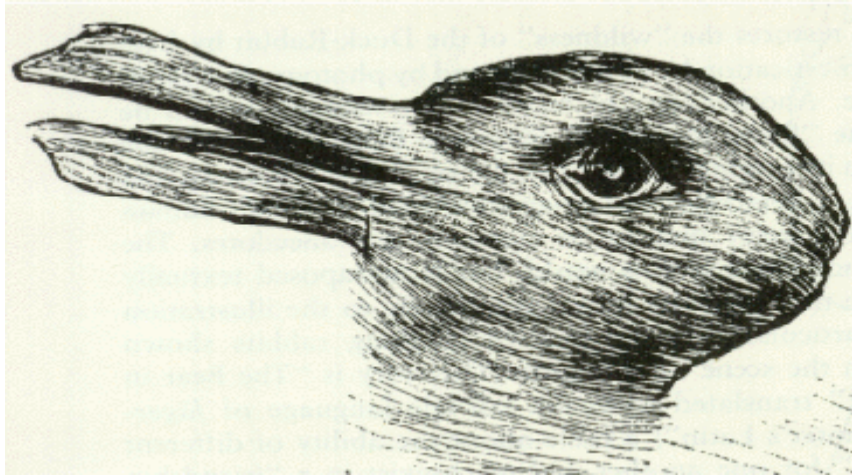
³⁵ To clarify, in this case the runner does not believe the dog is trying to bite her.

³⁶ To clarify, this stands in contrast to standard cases of over-determination where more than one piece of evidence is sufficient to conform the truth of *one and the same* claim or explanation.

³⁷ For an account of Dialetheism, see Priest & Berto (2013).

³⁸ This image can be found in the public domain at : https://en.wikipedia.org/wiki/Ambiguous_image#/media/File:Duck-Rabbit_illusion.jpg. Cf. Wittgenstein-(1958:II.xi)

Figure 1:



Just as we can see this pattern as a duck or a rabbit but not both at once, Dennett's position implies that there will be cases where we can explain a behavioral pattern through attributing a belief in P, or explain it by attributing a belief that not P, but not be able to explain it by attributing both beliefs at once. When there is conflicted over-determination Dennett says that neither theory is 'more true' than the other, and the third party attributor can choose which belief to attribute.³⁹ The true explanation is thereby subject to *conflicted over-determination*, in the sense that there is more than one conflicting perspective that one could adopt, and yet *indeterminate*, in the sense that the telos of true belief does not dictate the adoption of any one belief by the third party observer.

Perhaps unsurprisingly Dennett's Metaphysical Interpretationalism has proven extremely controversial.⁴⁰ For representationalists such as Jerry Fodor, the single, correct third-person belief attribution to the runner may be underdetermined by the behavioral evidence but could be established *in principle* by determining which mental representations are physically embodied in her brain as sentences in the 'language of thought'.⁴¹ This is somewhat analogous to finding the truth about the 'true nature' of the duck-rabbit by cutting it open to determine whether it *is* a duck that *looks* like a rabbit or vice versa. From a different perspective, Crispin Wright has questioned whether Dennett's

³⁹ Dennett-(1991/p.49)

⁴⁰ See Schwitzgebel-(2015) for a useful survey of alternative accounts of the nature of belief.

⁴¹ Dennett-(1991/p.45), Aydede-(2015)

thesis is coherent when applied to first-person belief attributions.⁴² Wright departs from the interpretation of Dennett set out above by taking him to be a non-cognitivist about propositions which appear to make truth-apt belief attributions to third parties. He then notes that when we self-attribute a belief that *we are attributing beliefs to some third party* (through the intentional stance), it makes no sense to adopt non-cognitivism with respect to these self-attributions. However, Wright argues, if we cannot avoid cognitivism with respect to self-attributions, this undermines the rationale for non-cognitivism with respect third-party attributions.

While it is not clear that Wright is correct to attribute this non-cognitivism to Dennett, a parallel concern arises with the cognitivist reading of Dennett's claims adopted above.⁴³ After all, if we self-attribute a belief that (say) the runner believes the dog wants to bite her, it would be odd to be told by Dennett that since our (externally observable) behavior is compatible with our self-attributing a contrary belief from the third person perspective, it will be indeterminate which belief we self-attributed until the third party decides to interpret us one way or the other. (This would be analogous to our telling the duck-rabbit that it cannot believe itself to be one thing or another until some third party has settled on a perspective.) However, if it is *possible* to employ our asymmetric, privileged and yet no doubt defeasible access to our own inner mental life in order to establish that we believe that *the runner believes that the dog wants to bite her*, we concede the same capacity to the runner along with other third parties. In so doing, we undermine the rationale for claiming that her behavioral ambiguities generates a conflicted over-determination of true explanations of her behavior, and concede that these ambiguities are really cases of under-determination.

One reason that the debate over Metaphysical Interpretationalism is relevant to textual interpretation stems from the fact that there is almost always more than one reasonable way to read a complicated

⁴² Wright-(2002/p.212)

⁴³ Wright acknowledges this himself in footnote 9. The question of whether Dennett-(1991) is a non-cognitivist with respect to belief attributions is somewhat obscured by the fact that he claims to sit somewhere between realism and instrumentalism, and that his own description of his position sheds more light than labelling it as one or the other (p.51). However, Dennett proclaims the proximity of his own position to that of Davidson's cognitivism (see Davidson-(1991)), and does not reject the cognitivism when he sets out the differences between them (p.46).

philosophical text. This means that if we use such texts as a basis for attributing their authors with beliefs, Metaphysical Interpretationalism will generate a conflicted over-determination of true sets of belief- attributions to the author in question. To illustrate, we can consider some methodological guidelines which have recently been defended by Michael Rosen, in response to the limitations of Skinner's Attribution Principle as adapted to guide attributions of beliefs rather than claims and deeds (call this the Belief Attribution Principle).

The part of Rosen's account that is most relevant for our purposes begins with his observation that *there can be true* attributions of propositional attitudes, such as beliefs, to beings that lack the linguistic capacity to consciously contemplate the proposition which they are said to believe.⁴⁴ For instance, while many would resist attributing beliefs to Dennett's chess-playing computer, they would agree with Quine that the behavior of certain animals justifies us in attributing them with beliefs and desires. After all, in the case of the ambiguous behavior of the runner, there seems little reason to deny that the dog believes that the *lady is ahead* and wants *to chase her*. Rosen notes that since we can attribute beliefs to certain non-human animals despite their lack of linguistic capacities, and hence despite their lack of familiarity with the terms employed to describe such propositional content, the Belief Attribution Principle (or section (iii) thereof) is false.

For Rosen, just as we take the pattern of the behavior of a dog as the best evidence we have for attributing it with beliefs of a particular content, the same will be true in the case of human beings. This means that when that behavior includes writing texts, our attributions will be based on the patterns thereof. As Rosen puts it:

“[R.1] someone who believes in legal positivism will show that in the things that she says about the law: that law and morality are different things, for example; that we can identify the law without using normative concepts, and so on. Perhaps she will say explicitly that she is a positivist; perhaps not, and it will be up to the interpreter to show the *presence* of that belief by the pattern that is to be found in what she says elsewhere. *In any case, it is the pattern of the text that is the final arbiter.*”⁴⁵

⁴⁴ Rosen-(U:31)

⁴⁵ Rosen-(U:10-11) In other words, if it is the *pattern* of the text that is the final arbiter, rather than the precise terminology employed, then (contra the Attribution Principle) the author's non-possession or use of the terminology employed in the attribution cannot suffice to falsify the attribution.

“[R.2] The suggestion that we can describe a pattern accurately only by using an agent’s own terminology -- his own “criteria of description and classification”, as Skinner has it -- appears to presume [falsely] that what we are after is some kind of reconstruction of the contents of the author’s mind.”⁴⁶

(R.1) suffices to falsify the Belief Attribution Principle as such. Moreover, if ‘final arbiter’ is read epistemically rather than metaphysically, it seems to capture the standard evidential norms that non-Skinnerian philosophers employ when attributing past thinkers with beliefs on the basis of their texts. What such philosophers need to guard against is accepting a metaphysical version of the claim that the text is the ‘final arbiter’ of a thinker’s beliefs. Those who do so will be led down the path of accepting the kind of conflicted over-determination of true sets of belief attributions described above.⁴⁷

While (R.2) is true insofar as it deals with belief attributions as such, one might worry that it shares in Metaphysical Interpretationalism’s failure to do complete justice to the phenomenological significance of the possibility of self-attribution. The possibility that Rosen appears to overlook is that, while the Belief Attribution Principle is too strong when applied to *all* belief attributions, it may be more plausible when applied to the attribution of particular *kinds* of belief. In the next section we will see that, once we distinguish between these kinds of belief, and note the potential relevance of these distinctions to the intellectual historian, there *is* a sense in which a *certain kind* of intellectual history *can* aim to ‘get into the mind’ of particular authors, without thereby committing what Rosen calls the “‘Cartesian’ mistake”.⁴⁸

(A.3) Behavioral Patterns and Kinds of Belief

To see why, we can begin by noting that, while the running dog example requires us to reject (1) below, it leaves it an open question whether we should accept (2):

⁴⁶ Rosen-(U:25)

⁴⁷ Rosen seems undecided about which we to go. The claim that the pattern can indicate the “presence” of a belief suggests the epistemic reading. However, shortly before this Rosen also says that “beliefs *are* [...] governing patterns which govern the patterns of texts” (my italics) which suggests the metaphysical reading.

⁴⁸ Rosen-(U:32)

- (1) An occurrent, conscious, linguistically mediated thought (judgment) that P (or a disposition thereto) is necessary for a belief that P.⁴⁹
- (2) If an agent has the mental capacities for an occurrent, conscious, linguistically mediated thought that P (or a disposition thereto), then such a thought is *necessary* for a belief that P.

One (misleadingly) intuitive response to the claim that true belief ascriptions to non-human animals falsifies the Belief Attribution Principle would be to appeal to (2). After all, one could then maintain that the satisfaction of the truth conditions of *human* belief attributions requires such occurrent avowal. One motivation for such a response in the context of intellectual history is that, unlike dogs, great thinkers are unusually articulate and self-aware, and have a creative capacity to produce texts which yields strong evidence of their capacity to represent the ideas therein in linguistically-mediated occurrent thought. However, such a response would conflate the *epistemic* grounds for attributing particular beliefs to human beings with the truth-conditions of such attributions. There is, of course, an asymmetry between human and non-human cases. While it would *not* make sense for a skeptic regarding a particular attribution to a dog to ask, ‘if it believed that, why didn’t it say so?’, it *would* make sense in the case of a great thinker. However, all this shows is that the conditions in which we are *epistemically* justified in attributing non-articulated beliefs changes when we are dealing with *articulate* beings.

In the context of interpreting arguments, the claim that they are unavoidably enthymematic will only go so far.⁵⁰ It is one thing for an author to refrain from stating *every* presupposition and corollary of his argument (many of which will be good candidates for once occurrent or at least dispositional beliefs), and quite another to refrain from articulating substantial theses on which the intelligibility of a text can be shown to depend, such as legal positivism. If we want to be able to attribute beliefs of

⁴⁹ As we will use the terms, to say that ‘x occurrently thinks (judges) that P at t’ is to say that that x is having a conscious, linguistically mediated thought (judgment) that P at t. To say that ‘x dispositionally thinks that P at t’ is to say that x can be prompted into experiencing the occurrent thought or judgment that P without (further) *extensive* persuasion or manipulation at t. (So this is compatible with the disposition being brought about by prior extensive persuasion or manipulation.) To say that ‘x *once* occurrently thinks that P at t’ is to say x dispositionally thinks that P at t, and this disposition has been triggered prior to t.

⁵⁰ Rosen-(U:12) emphasizes the importance of the enthymematic nature of arguments.

the latter variety, we are going to have to specify that we are not simultaneously attributing second order beliefs to the author, which is to say occurrent beliefs about his beliefs. That is, we will have to claim either that the author was not aware (or did not once occurrently believe) that he believed everything he actually believed, or that the author didn't occurrently believe what he believed he believed. In the first case, the set of his second-order beliefs – his once occurrent beliefs about his beliefs – was *incomplete*.⁵¹ In the second case, the set of his second-order beliefs was *unsound*.⁵²

Both of these moves involve doubling-down on the claim that it is the complete behavioral pattern, including the complete verbal behavioral pattern and the complete pattern of the texts, which provide the *evidence* for belief attribution. If one wants to engage in the first and show that an author's second-order beliefs were *incomplete*, this is likely to involve revealing the implicit commitments which appear to shape and structure the author's *occurrent* thoughts and beliefs, without the author being fully cognizant of this fact. To illustrate, consider the following (logical) commitment which will be attributed to Mill on the basis of his *claims* in Chapter 3:

The Feedback Thesis (FT): If an activity, *a*, with an *initial* intrinsic (dis)value, INT_{a1} , has a *positive* instrumental value (qua causal means to some intrinsically valuable end), the presence of this positive instrumental value can create a *feedback* phenomenon, in which INT_{a1} is increased to the (*final* intrinsic value of) INT_{a2} (where $INT_{a2} > INT_{a1}$).

Did Mill believe FT? It would be absolutely implausible to say that he ever entertained this thesis in thought, and there is little more reason to think that he would have been disposed to accept it if it had been presented to him in this form. All of which is to say, he certainly didn't occurrently believe that he believed it, and if he nevertheless believed it, it would have taken the kind of work to be found in Chapter 3 to demonstrate this to him.

⁵¹ I.e. having a (first order) belief that P didn't guarantee that he had a (second order) belief that he believed that P, as not all of his first order belief were recorded by his second order beliefs.

⁵² I.e. having a (second order) belief that he believed that P didn't guarantee that he actually had a (first order) belief that P, as some of his second order beliefs are false.

Since the interpretive work carried out in this thesis will be framed in terms of *claim* and *commitment* attributions rather than *belief* attributions, it will not purport to show that Mill believed in FT. However, insofar as intellectual historians are in the business of attributing *theoretically substantial* implicit beliefs to thinkers on the basis of the patterns of their texts, FT would be a *legitimate* candidate. This is because Mill offers an explicit defense of many of the individual components of FT, the intelligibility of his account of Utilitarianism in the *Autobiography* hinges upon it (Chapter 3), and it has ramifications which can be traced into other areas of his moral and political philosophy (Chapters 4-6). In short, it is the *only* principle that *completely* captures the pattern of the text.

If one wants to engage in the second move described above, and show that an author's second-order beliefs are *unsound*, one must show that there are cases in which she doesn't believe something which she believes herself to believe in. The possibility of doing so may sound counter-intuitive because it clashes with the conviction, which is strong on the part of many, that self-attributions of belief are indefeasible. After all, one might ask, can't I provide a true self-ascription of a belief by simply faithfully reporting the contents of my mind as it appears in my flows of consciousness? If so, where is the room for error?

In fact, it is easy to find examples of such errors in real life. Some of these cases involve beliefs the content of which is not entirely transparent to the believer. For instance, people can believe that they believe in all of the doctrines of the Catholic Church, and then discover the falsehood of this belief when confronted with the full list. Other cases may involve clashes between a particular belief attribution, and someone's behavior or motivation. For instance, take the debate between Moral Motivation Internalism and Externalism.⁵³ The Internalist believes and the Externalist denies that 'x believes that Θ -ing is wrong' implies that 'x has at least some motivation to refrain from Θ -ing'. If the Internalist is correct, there will be cases where she can say to the (Act Utilitarianism 101) Externalist: 'you believe that you believe that it is wrong not to perform the act which maximizes utility, but you have no inclination to perform such acts (even though you know exactly what they are), so you don't *really* believe it is wrong to perform them'.

⁵³ For one account, see Rosatti-(2014/§3.2)

Of course, in the realm of intellectual history, second-guessing the truth of an author's self-attributions *can* lead to all kinds of mischief and distortion in practice.⁵⁴ However, when this is so, it is not the second guessing as such which is problematic, but the fact that it is done in ways which can't be supported by the evidence. In the case of Mill, reasonable cases have been made to the effect that, while he believed that he believed in Hedonism, this belief was falsified by the collective weight of such things as his appeal to *higher* pleasures, the *goodness* of virtue, and the apparent centrality of individuality and autonomy in his political theory.⁵⁵ Similarly, Gerald Cohen has built a reasonable case that, while Marx believed that he didn't believe in justice, he actually believed in justice.⁵⁶

The preceding suggests that we should reject, not just (2) above, but also:

- (3) An occurrent, conscious, linguistically-mediated thought (judgment) that P (or a disposition thereto), is *sufficient* for a belief that P.

However, in rejecting (3) we can nevertheless endorse (4) below on the grounds that, whatever functional role is played by (occurrent) second-order beliefs, their reflexive nature means that *they* can be *accurately* self-attributed despite being false:

- (4) An occurrent, conscious, linguistically-mediated thought (judgment) that P (or a disposition thereto), is necessary and sufficient for a (second-order) *belief that* one (first-order) believes that P.

If one resists the rejection of (3) qua intuiting that second-guessing the self-attributions of first-order beliefs contradicts a genuine capacity to make *indefeasible* self-attributions, (4) reconciles the latter intuition with the rejection of (3) by showing that the said indefeasibility can be preserved at the

⁵⁴ For instance, it has been claimed that, notwithstanding all of his claims to the contrary, Nietzsche believed in democracy. See Clarke-(1999) for a heroic attempt to defend this thesis. I provide arguments to the contrary in Beaumont-(B).

⁵⁵ Two notes.

- (1) For examples of arguments which either support, or could be pressed into supporting, such conclusions, see Anderson-(1991/p.190-4), Berlin-(2002), Bradley-(1962/p.116-22), Capaldi-(2004/p.74, 261), Downie-(1966/p.96), Green-(1969/p.169-74), Moore-(1993/ch.3), Sidgwick-(1907/p.94, 121).
- (2) The kind of argument to be considered in (1) should be distinguished from a speech act analysis according to which Mill didn't even have a second-order belief in Hedonism, and simply used the Utilitarian label as a cover for espousing Anti-Hedonistic ideas. The possibility of making such an argument helps to reinforce the rationale for the methodological choice to deal with claims and commitments rather than beliefs.

⁵⁶ Cohen-(2014/ch.11)

second-order level. After all, the sentence *I believe in all of the doctrine of the Catholic Church* can be defeasible qua demonstrably false, while the sentence *I believe that I believe in all of the doctrines of the Catholic Church* can be indefeasibly true. Here the indefeasibility arises from the fact that second-order beliefs are reducible to reports about how people's beliefs either appear, or are disposed to *appear*, to them at a given moment, on the one hand, and there is no room for error there from the first person perspective, on the other.

All this indicates that there may be a kernel of wisdom in the Belief Attribution Principle after all. It is true that, since the principle tracks what an author thought, or was disposed to think, it doesn't unfailingly track first-order beliefs, as the latter needn't feature in the author's thought or her dispositions thereto. However, this doesn't preclude it from accurately tracking an author's second-order beliefs. After all, the fact that these are occurrent or dispositional in nature means that, if we want to accurately capture what an author believes that he believes, it is a condition of the truth of a second-order belief ascription that it be phrased *in the same terms* in which the author is disposed to express it in occurrent thought or speech.

What needs to be stressed here is that, while many philosophers and intellectual historians are primarily interested in first-order beliefs, there is nothing methodologically misguided about taking the inner mental life of a thinker, including her second-order beliefs, as one's primary object of enquiry.⁵⁷ This is what Mill calls the power, possessed by certain historians, of:

“throwing his mind, and of making his readers throw theirs, into the minds of and into the circumstances of persons who lived far off and long ago; of making us see things as those persons saw, or might have seen them; of making us feel with them, and, in some measure, to understand them (WLP:459).”

What matters from a methodological perspective is (a) keeping claims about first- and second-order beliefs distinct, and (b) recognizing the impossibility of *fully* understanding an author's mental life in the sense of being able to simulate every detail thereof in one's own mind. After all, the latter would require the scholar of Machiavelli to achieve the impossible feat of *becoming* Machiavelli.

There is an inevitable tension, then, and hence an inevitable compromise needed, between wanting to view *another's* 'world' and yet wanting to do so through one's *own* 'eyes'. It requires a bifurcation of

⁵⁷ As Rosen-(U:32) appears to suggest.

the self in which one part plays the role of ‘other’, simulating the author’s thought process in such a way as to allow the remaining non-alienated part of the self to monitor it. As such it requires intellectual agility, leaps of empathy and imagination, as well as accurate information on which these capacities can feed. While we cannot achieve a fully realistic simulation of another’s mind, we can certainly make it more or less realistic, depending on our aims and purposes. For instance, if we insist upon articulating Machiavelli’s beliefs in Italian using concepts which we know he was inclined to use, this injects greater realism than if we ‘translate’ him into a new language, on the one hand, and use concepts which would have been alien to him even if had known English, on the other.

In consequence, the more concerned an intellectual historian is with recovering *something like* an author’s mental life, the more the former will stick to describing the latter’s second order beliefs rather than his first order beliefs. After all, when we seek to characterize second-order beliefs, which have a characterization of first order beliefs as their content, analytical clarity will require us to reproduce whatever distortions and unclarity existed in the said characterization. In contrast, if we want to report the author’s first-order beliefs accurately, we may need to eliminate the distortion introduced by the author’s unsound or incomplete second-order beliefs.

This means, in turn, that while the Universal Transparency Constraint from (A.2.A) is unacceptable when applied to first-order beliefs, we can construct an analogous Transparency Constraint on Second-Order Belief Ascriptions according to which the following conditions cannot be mutually satisfied:

- 1) x sincerely self-attributes a first-order belief, $B_{1\dots n}$ using a set of terms, T_1 , thereby presenting others with evidence that she second-order believes that she first-order believes $B_{1\dots n}$.
- 2) y attributes a second-order belief, B_{n+1} , to x on the basis of $B_{1\dots n}$, in terms, T_2 , which were alien to T_1 and unknown to x.
- 3) If x were to have been presented with this attribution and an explanation of the alien terms, x would have had sufficient epistemic reason to have accepted the veracity of y’s attribution.

After all, in this new case, x will have sufficient reason to reject y’s redescription of her second-order beliefs even if she has sufficient reason to accept that the redescription adequately captures her first-

order beliefs. In so doing, x can concede that y has revealed what she (y) really believed, when making her self-attribution, but not that she *believed that* she believed that when making her self-attribution.

(A.4) Ideational Commensurability

Recall that according to the Universal Transparency Constraint on Claims of (A.2.A) the following conditions are never mutually satisfied:

- (1) x makes some claims, $C_{1...n}$ using terms, T_1 , from a natural language, L_1 .⁵⁸
- (2) y attributes a claim, C_{n+1} , to x on the basis of $C_{1...n}$, using terms, T_2 , which are from L_1 but which are alien to T_1 and were unknown to x.
- (3) If x were to have been presented with this attribution and an explanation of the alien terms, x would have had sufficient *epistemic* reason to have accepted the veracity of y's attribution.

If this had been true, we would have been forced to accept the:

Incommensurability Thesis: if two thinkers make distinct singular philosophical claims using distinct technical terms unknown to the other, the two claims could not share the same conceptual content, and hence could not be said to be either consistent or inconsistent with each other.

This, in turn, would have methodologically invalidated a practice which is taken for granted by most philosophers, and will be employed in this project, namely, that of treating the claims made by past philosophers, who don't necessarily use the same technical terms, *as if* they provide competing answers to the same question.⁵⁹ However, the invalidation of this constraint opens the door to taking Mill's claims, as they are delivered in the course of first order history, and then embarking upon the

⁵⁸ We need the reference to L_1 to block the terms being 'alien' in virtue of their coming from a different language, L_2 . This would allow the conditions to be satisfiable in virtue of y's attribution consisting of a translation of x's claim into a new *natural* language rather than a translation of the new claim into new terms of the *same* natural language. Skinner doesn't want to block *all* of such attributions.

⁵⁹ 'As if' because two thinkers may make conflicting claims while intending to answer distinct questions. Nevertheless, if a philosopher, X, claims that P while trying to answer a question, Q_1 , and a philosopher, Y, claims that P is false while answering a distinct question, Q_2 , they are committed to rejecting each other's answers even if they have never considered each other's respective questions.

historical philosophical task of logically commensurating them with claims made by, or associated with, Marx and Nietzsche.⁶⁰

(B) Historical Philosophy I: System Construction

We have vindicated the possibility of a first order History of Mill's claims which is unconstrained by either Skinner's Claim Attribution Principle, or the Universal Transparency Constraint, and thereby vindicated the possibility of logically commensurating Mill's claims with those of the claims of different philosophers. This allows us to turn to the methodology of historical philosophy proper, and the nature of system construction.

(B.1) Brandom on Inferential Significance and Context

To grasp the nature of system construction we need to grasp Brandom's distinction between the inferential *significance* and inferential *context* of the set of a thinker's claims:

“the inferential significance of a claim – [defined as] what follows from it – depends on what other claims one can treat as auxiliary hypotheses in extracting those consequences. Different sets of collateral premises [i.e. different inferential *contexts*] will yield different consequences.”⁶¹

To use an example relevant to this thesis, *suppose* (for now) that we have good reason to attribute Mill with the following claim:

Hedonism: The ‘good’ is pleasure and the ‘bad’ is pain.

Now consider the inferential significance of treating *either* (exclusive ‘or’) of the following theses or (‘auxiliary hypotheses’) as supplying the inferential context:

Anti-Nihilism: It is good that the world came into being because it has produced more good than bad; *or*

Hedonistic Pessimism: There is more pain than pleasure in the world.

⁶⁰ Strictly speaking the Incommensurability Thesis could be true even if Skinner doesn't provide good reasons for accepting it. A refutation by reductio ad absurdum can be found in Beaumont-(A).

⁶¹ Brandom-(2002/p.95)

The mutual incompatibility of the three theses means that if we take Anti-Nihilism to supply the inferential context, the negation of Hedonistic Pessimism will be included in the inferential significance. Conversely, if we take Pessimism to supply the inferential context, the negation of Anti-Nihilism, or *Nihilism*, will be included in the inferential significance.

Since our understanding of the meaning of a claim made within a text depends upon our capacity to grasp what inferential significance it would have relative to a number of different intellectual contexts, including those not provided by the text itself, the phenomenon of inferential significance reveals that (Skinner is correct to claim that) a text can never be a self-sufficient object of enquiry.⁶²

The inferential significance of a claim is *part* of its meaning but no text can provide an explicit and exhaustive account of its own inferential significance. Moreover, the fact that the logical properties of a singular assertive utterance are part of its meaning, on the one hand, but its inferential significance (the way in which these powers are ‘realized’) depends upon the inferential context, on the other, reveals the kernel of wisdom in Skinner’s apparent opposition to attributing the same claims to thinkers from a different epoch. After all, if we attribute one and the same claim to different authors, the different inferential contexts supplied by their other respective claims will mean that the same attribution will yield different inferential significance. The mistake is to confuse the very real differences in inferential significance and context with differences in the meaning of the singular claims.

The fact that the inferential significance of a claim will vary from one inferential context to another raises the question of which inferential context one *ought* to employ when interpreting it, and the answer depends on one’s interpretive goals.⁶³ *Not all* self-identifying intellectual historians will have a *philosophical* interest in the inferential significance of a particular *claim* made by a past thinker, as they may be more interested in what the author (first- or second-order) *believed* than what else would be true if her claims (or beliefs) were true. However, even these historians *may* have an instrumental

⁶² Skinner-(1969/p.4)

⁶³ Cf. Brandom-(2002/p.95): “Abstractly, nothing privileges any of these contexts over any others; each highlights a genuine aspect of the overall inferential role played by that text, the contribution it makes to the goodness inferences.”

interest in exploring the inferential significance of an author's claims (or second-order beliefs) relative to the inferential context supplied by her other claims, as this can provide (as Brandom puts it) defeasible evidence of "what the author took it that she was committing herself to by making a certain claim, what she would have regarded as evidence for it or against it, and so on."⁶⁴

The reason that such evidence is defeasible is that an author may have a false belief about what she has claimed, on the one hand, or a false belief about its inferential significance, on the other. For instance, suppose that we have sufficient evidence to attribute Mill with having made claims supporting both Hedonism and Anti-Nihilism (as defined above), and we are seeking to explore the inferential significance of the former using the latter as inferential context. Given the meanings of the terms, the logical consequences which would follow from the truth of these claims (in this case, the *negation* of Hedonistic Pessimism (or 'Hedonistic Optimism')) is a matter of objective fact about which Mill could have had mistaken beliefs. That is, he *could* have accepted Hedonistic Pessimism despite the fact that he was logically committed to rejecting it. To register this fact we can speak of the inferential significance of Mill's claims as his *commitments*, thus leaving it open whether or not we can attribute Mill with a *belief* in those commitments.

(B.2) De Dicto System Construction

(B.2.A) The Corpus as Inferential Context

Once we grasp that the same claim can be legitimately interpreted in relation to distinct inferential contexts, we can generate a taxonomy of different kinds of interpretation corresponding to the different inferential contexts employed. The most important form of interpretation for the purpose of this thesis is that which enables us to construct a de dicto interpretation of Mill's system out of a number of his de dicto attributed claims. According to Brandom:

"[Q.1] Drawing the auxiliary hypotheses [i.e. the 'inferential context'] for extracting inferential consequences [i.e. the 'inferential significance' of (B.1)] from a claim from other commitments by the same author, or from the same work, is one natural way to privilege a class of inferential contexts. When such an interpretation of a conceptual content is made explicit in an ascription of a propositional attitude, it takes the form of a de dicto specification of the content of the attributed commitment."

⁶⁴ Brandom-(2002/p.96)

“[Q.2] The idea of de dicto specifications of conceptual content is for the ascriber to use words that in her mouth express the same content that the words the target did use or would have used to express.”⁶⁵

If the considerations from section (A.3) above were sound, the de dicto content specifications of the second quotation (Q.2) would have to correspond to the contents of de dicto second-order beliefs. In consequence, since our construction of Mill’s system is going to be based on an interpretation of his *claims*, which may or may not correspond to his first- or second-order beliefs, we will not be bound by the constraint of specifying the content of those claims in the terminology which would be proper for a characterization of his second-order beliefs. We will characterize the content of the claims upon the basis of the collective evidence provided by the pattern of Mill’s texts, but will remain agnostic as to whether the *claims* revealed by these patterns also reveal first-order *beliefs*.

However, given that Brandom’s claim in quotation (Q.2) above emphasizes that de dicto specifications are aimed at drawing out the inferential significance of a claim made by an author *in the light of his other claims*, there is still a sense in which a system constructed from Mill’s claims alone will merit the ‘de dicto’ label. After all, the inferential significance of any one claim made by Mill can be constructed into a system using the *rest of his claims*, whether they be implicit and explicit, as inferential context. In consequence, we can think of Mill’s de dicto system (at a time) as the totality of his implicit and explicit claims, and the resulting logical commitments (at a time). Since the content of Mill’s claims can be accurately described in non-Millian terminology, the same will be true of his commitments. Moreover, since Mill could have been mistaken about his commitments, on the one hand, and oblivious to some of his own deep presuppositions, on the other, there is no incompatibility between attributing the system to him, and acknowledging that he would probably have found it somewhat alien.

However, while a de dicto system construction can legitimately involve the characterization of claims and commitments in terms which are alien to their author, it cannot (with one exception to be discussed below) legitimately *remove* (serious) claims attributable to the author from the system

⁶⁵ Brandom-(2002/p.96)

(‘subtraction’).⁶⁶ For the determination of the inferential significance of any claim made by the author to be truly systematic, all of his other claims must be included in the inferential context. Similarly, a de dicto system constructor cannot *introduce* claims, which cannot be attributed to the author, to the system on the grounds that (say) the constructor finds them independently plausible (‘addition’). In de dicto system construction, the goal is to highlight the objective semantic and logical properties of the author’s actual system, but not to make any ‘improvements’ which go beyond analytical clarification.

The aforementioned exception to the prohibition against subtraction stems from the fact that, while it is theoretically possible to explore the inferential significance of one of an author’s claims using *all* of the claims that she has ever made as inferential context, a de dicto system is unavoidably synchronic in character. In other words, in a de dicto interpretation of a system of thought *at a given time*, the claims that should be factored into the inferential context are all and only those to which the thinker in question was actually committed at that time.⁶⁷ This is necessary to avoid the oddity that would be involved in (say) deriving the inferential significance of the *early* Wittgenstein’s picture theory of meaning using the *later* Wittgenstein’s comments on the relationship between meaning and use as inferential context.

In consequence, the de dicto system to be constructed in this thesis focuses on the claims which can be attributed to Mill from 1840 onward, the point at which his *Autobiography* declares that there were “no further mental changes to tell of, but only, as I hope, a continued mental progress [...] best found in my writings (A:229)”. This allows for the inclusion of claims made in earlier texts, especially when (as is the case with the *Principles of Political Economy* and the *System of Logic*) the texts are reaffirmed with renewed publications. Texts from before 1840 are appealed to only when there is no evidence of subsequent rejection. In the relatively rare cases where Mill explicitly changes his mind on philosophical matters after 1840, we follow a principle analogous to that of Islamic abrogation, in

⁶⁶ Of course, in the light of the Monument example of (A.1), the constructor can extract claims which were clearly not intended to be taken seriously. This involves some very minimal speech act analysis.

⁶⁷ In consequence the synchronic system reconstruction to be pursued here differs from what Beaney- (2013/p.253) refers to as “dialectical reconstruction”. The latter aims to provide diachronic accounts of the *evolution* of thinkers’ systems of thought, pointing to the rational impetus for changes, such as thinkers’ coming to be aware of new problems and objections, and make revisions accordingly.

which the second view is taken to replace the first, thereby acquiring the ‘right’ to accommodation within the system.⁶⁸

(B.2.B) The Role of Formal Argumentation

In (A.2.A) we distinguished between the practical and epistemic reasons that thinkers might have for resisting translations of their claims into a new vocabulary. This distinction is also crucial for understanding the methodologies which are employed in constructing formalized arguments in historical philosophical projects.

Since system construction can involve deriving the inferential significance of a claim *in one text* using claims from *other texts* as inferential context, it can be helpful to present the process in the form of a formalized deductive argument. To intellectual historians interested in second- or first-order beliefs, this practice can appear deeply distorting. After all, the authors of the works in question may not believe that they believe in the argument as thus presented, on the one hand, and the absence of a sequential presentation of the premises of the argument in the texts may mean that the latter do not present enough of a pattern to warrant attributing the authors with beliefs in the arguments, on the other.⁶⁹

The first thing to note here is that once we focus on generating commitments (as opposed to beliefs) on the basis of claims, worries about whether the authors believed the arguments (in some sense) can be set aside. The logical relations that exist between the claims obtain independently of the authors’ psychological processes. In this sense, the approach adopted here bears a family resemblance to the methods adopted by early philosophers of science whose primary interest lay more in the logic of scientific justification than in the potentially illogical causal process of discovery.⁷⁰ Where it differs is that, while those philosophers of science tended to focus almost exclusively on the possibility of formulating principles which would have generated such discoveries in a purely rational way, system

⁶⁸ Cf. “Whatever communications We abrogate or cause to be forgotten, We bring one better than it or like it.” Surah 2:106 translated by Shakir: <http://www.usc.edu/org/cmje/religious-texts/quran/verses/002-qmt.php>

⁶⁹ For example, see the concerns in Rosen-(U:17).

⁷⁰ For discussion, see Beaney-(2013/p.234-7).

construction takes us beyond the claims the truth of which a given author claimed to ‘discover’, to the further logical commitments generated by such claims. Here the closer analogue is the method of naturalistic philosophers of physics or psychology, who take a given scientific claim and then consider its implications for philosophical questions of which scientists may be entirely uninterested.⁷¹

The second thing to note is that authors can have good *practical* reasons for falsely resisting formalized versions of their positions because the latter may have much less *persuasive* force, even if the formalization appears to generate a valid (or even sound) argument. For instance, while it is perfectly possible to discern logical relations between the aphorisms in Nietzsche’s texts, he might well have resisted a formalization of his views, which juxtaposed them like premises in an argument, because of his deep skepticism about the powers of *rational* persuasion (BGE:291).⁷² The moral here is that the fact that the mode of presentation of philosophers’ ideas differs from, and is maybe even antithetical to, their own mode of presentation, does not automatically imply that it issues in distortion. Of course, if we stick with the Nietzsche example, he might also have resisted a formalization, less because this would involve representing his views in the form of an argument, and more because it would require the re-expression thereof in a less rhetorically powerful form of prose. However, as Leiter notes, scholars of Nietzsche needn’t write their commentaries in Nietzsche’s literary style any more than scholars of Yates need to write their commentaries in poetical form.⁷³

The third thing to note is that we can find the employment of formalized arguments in plain language useful without claiming that texts can be *reduced* to such arguments without epistemic loss. There have, of course, been projects within analytical philosophy that aim at such reductions. For instance, the logicist projects of Frege and Russell aimed to show that number statements could be translated into statements about the extensions of concepts, and that knowledge of the latter would encompass

⁷¹ For examples of this approach, see Sklar-(1992) and Churchland-(2013).

⁷² For discussion of the psychological rationale for Nietzsche’s style of writing, see Janaway-(2007/p.4, 95-8).

⁷³ Leiter-(2015/p.xvi).

all of the truths of the former.⁷⁴ However, the use of formalized arguments as such in no way commits one to such claims. The perspective they provide can be viewed as *supplementary* rather than *exclusionary* of all other perspectives. As such they can be viewed as a map, which highlights some of the logical properties of a system, by foregrounding some claims, and backgrounding others. However, it should be noted that in (B.3.B) we will highlight the fact that deductive arguments have a property called *transformability* which implies that there can be more than one map of the logical relationship between a set of claims.

From the preceding we can conclude that, while Mill's relatively accessible style of writing, and his relatively sequential presentation of his ideas, can make it easier to formalize his arguments than it is in the case of Nietzsche, this does not mean that it is methodologically legitimate to do so in Mill's case but not in that of Nietzsche.⁷⁵ While some might think so poorly of Mill's literary style that they take his arguments to be thus reduced without any kind of loss, Mill claimed that writers should seek to make "men feel truths as well as see them (B:114)", and any reader of *On Liberty* would find it difficult to deny that he aims to achieve this. Similarly, in Mill's discussion of *The Gorgias* he tells us that:

"The love of virtue, and every other noble feeling, is not communicated by reasoning, but caught by inspiration or sympathy from those who already have it; and its nurse and foster-mother is Admiration [...] [T]he present writer regrets that his imperfect abstract is so ill fitted to convey any idea of the degree in which this dialogue makes the feelings and course of life which it inculcates commend themselves to our inmost nature, by associating them with our most impressive conceptions of beauty and power (G:150)."

In other words, Mill takes himself to be able to convey some of Plato's ideas, without being able to convey to the reader the sense of admiration that is Plato's due. For the latter one must read him oneself. Likewise, the formal arguments employed here will be used to *help* us *see* whether the claims which Mill claims to *feel* to be true are really so, rather than designed to *inculcate* the feeling, the task of which is best left to the texts, or other secondary scholars who are better suited to the task. In Chapter 3 we will see that Mill praised analysis, on the one hand, but worried about its potentially

⁷⁴ For discussion, see Beaney-(2013/p.234-7) and Tennant-(2014).

⁷⁵ Cf. Rosen-(U:17)

deleterious effects, on the other. As such he would have been better positioned than most to acknowledge both the value and the limits of formalization.

(B.3) De Re System Construction

Having outlined the first form of interpretation and system construction in which we will be engaged, we can now turn to the second.

(B.3.A) De Re Attribution

We have seen that when determining the de dicto inferential significance of a claim, we employ an inferential context composed of other claims which are embraced by the claimant. The net result is to treat all of an author's claims (at a time) as a single conjunction from which we can derive further commitments from the logical relationships between the claims. In other words, we suppose that the claimants claims are true, and then ask what else would be true under these hypothetical conditions. In contrast, Brandom notes that:

“[Q.3] In the [...] de re case, one draws the auxiliary hypotheses for these multipremise inferences from the facts that determine what actually follows from what. That is to say that each ascriber draws those auxiliary hypotheses from the facts as she takes them to be”.⁷⁶

To draw out the contrast, let us return to the set of inconsistent claims considered in section (2.A) above: Hedonism, Anti-Nihilism, Hedonistic Pessimism. Suppose that Mill's de dicto claims entitle us to attribute Hedonism and Anti-Nihilism to him. We will then know that he has a de dicto commitment to rejecting Pessimism, which is to say that his de dicto system includes the rejection of Pessimism (or the embrace of Optimism), even if he didn't believe this to be the case. In contrast, in the case of de re commitment attributions, we would only need to suppose that Mill's claims entitle us to attribute him with a commitment to one claim, which we can suppose is Hedonism. In the de re case, the constructor can test the significance of a claim using facts (rather than the author's claims) as inferential context. In consequence, if we suppose that it is a fact that Hedonistic Pessimism is true, we would then be able to say that Mill's Hedonism generates a de re commitment to Nihilism,

⁷⁶ Brandom-(2002/p.101)

irrespective of whether he makes the further claims required to generate a de dicto commitment thereto.⁷⁷

Part of the value of such an approach is that it allows the de re practitioner to build a model of what the system of a given thinker would look like if some of its allegedly obsolete elements were brought up to date. For instance, we might be interested to enquire into the effect upon Mill's system of holding his normative principles fixed while updating his economic theory. This would give us a sense of what it would mean to be a 'Millian' today. Similarly, given the way that some of Nietzsche's claims at least appear to rest on anti-Darwinian biology, one might wish to examine how his system would fare with an updated biological perspective.⁷⁸

(B.3.B) Cohen on Field Analysis and Philosophical Disagreement

In his important but relatively unknown paper 'How to do Political Philosophy' Gerald Cohen claims that philosophers need to be able to see the reasonableness of many *different* perspectives. His explanation for this is as follows:

“[Q.1] But why is it so important to understand the possibility of another point of view in philosophy? It is because so many philosophical problems are problems only because they arise on the ground of clashes of radically opposed points of view. And the significance and interest of at least many philosophical claims are discerned with particular clarity within a field of apparently inconsistent propositions among which we must choose, where the relevant claim is one contestable option.”

“[Q.2] Very often in philosophy, moreover, each of the partisans on the opposite sides of a question not only think those on the other side wrong, but think them *obviously* wrong. And each set of partisans, we can infer, is mistaken, because if the other point of view were *obviously* wrong, then it wouldn't have been occupied, as it in fact is, by many deeply reflective people, after a couple of thousand years of widespread reflection.”⁷⁹

If we eliminate the word 'apparently' from quotation (Q.1), we can adapt its meaning so as to allow us to define a 'field' more formally as follows:

⁷⁷ In Chapter 6 we will see that Nietzsche is best understood as making such a claim when he refers to hedonists as nihilists.

⁷⁸ For discussion of Nietzsche's views on Darwinism, see Emden-(2014/ch.3) and Johnson-(2010).

⁷⁹ Cohen-(2011/p.232)

‘Field’_{Def}: a set of propositions $p_1 \dots p_n$ (where n is ≥ 3) is a field (F) if, and only if, $p_1 \dots p_n \vdash \perp$.⁸⁰

While Cohen offers many of his own examples, we can stick with our now familiar trio: Hedonism, Anti-Nihilism, and Hedonistic Pessimism (call it Field 1 or F_1). One important property of fields (thus defined) is that they have the property of *transformability* into arguments. That is, if we take any member of an F, call this member p_x , and subtract it from F to leave the rest of the members forming the subset F^* , it will be true that: $F^* \vdash \sim p_x$. For instance, in the case of F_1 , if any two members are true, the third member can be deduced to be false as follows:

- (i) Anti-Nihilism & Hedonism \vdash Anti-Hedonic Pessimism (or ‘Hedonic Optimism’)
- (ii) Hedonism & Hedonic Pessimism \vdash Anti-Anti-Nihilism (or Nihilism)
- (iii) Anti-Nihilism & Hedonic Pessimism \vdash Anti-Hedonism.⁸¹

We can then say that whatever the content of people’s de dicto claims, they have a de re commitment to the falsehood of at least one member of each possible field, including F_1 .

Of course, if one claims that *more than* one of the premises in F_1 is obviously false, its transformability into the arguments (i-iii) will be relatively uninteresting, as one’s reason for rejecting the elements that one rejects will be independent of their incompatibility with the other elements. However, if one finds all of the propositional elements *except one* to be plausible, the fact that the field can be transformed into an argument against that element *may* be interesting in virtue of revealing one of the reasons why one finds it worthy of rejection.⁸²

⁸⁰ Note that each proposition of a field has to be logically consistent with every other when taken in isolation. If we were to include a proposition and its negation within the same field, the claim that philosophical debates can be construed as debates over which element of a field to reject would become trivially true. Once the constraint that any two propositional elements of a field must be consistent with one another is in place, it follows trivially that no field can have less than three propositional members.

⁸¹ This will be false if Dialetheism – the claim that some contradictions can be true - is true, so here we assume that it is false. For an account of Dialetheism, see Priest & Berto (2013).

⁸² ‘May’ because it is possible to find a field in which one only wants to reject one element for reasons which are *completely* independent of their incompatibility with the other elements. For instance, today many would reject Hedonism in Field 1 because of considerations generated by thought experiments such as the ‘experience machine’ (Nozick-(1974/p.42-5)) and the ‘happiness pill’ (Berlin-(2002/p.177-8)), rather than because accepting it commits one to adopting some position vis-à-vis Pessimism or Nihilism. However, in Chapter 6 (B) we will see that analogues of F_1 can be formulated using non-hedonistic conceptions of the good.

Drawing on the second Cohen quotation (Q.2) above we can now define a ‘*philosophical field*’ as follows:

‘Philosophical Field’_{Def.}: F is a philosophical field (PF) if, and only if, all members of F are philosophical claims, and for any member of F, p_x , there exists a valid argument with *plausible* premises of which p_x is the conclusion.

While the transformability of fields as such indicates one reason why philosophical puzzles are linked to arguments, the preceding definition reveals a further reason for this association. When each of the elements of a field can be defended independently with *reasonable* arguments, as some might believe it to be the case with respect to F_1 , it will not be *obvious* (as Cohen puts it) which element to reject.⁸³ In consequence, it will not be *obvious* which transformation of the field yields the sound argument that resolves the philosophical problem.⁸⁴

One reason that the production of good philosophy tends to require a thinker to have knowledge of a wide range of philosophical positions, including the positions defended by past philosophers, and to be able to see what is plausible in each position, is that this will help the thinker to navigate a coherent path through a number of interconnected philosophical fields. The best philosophy doesn’t simply provide a seemingly compelling reason to resolve the problem represented by *one* field in a particular way, but to navigate a compelling and coherent path through a number of interconnected

⁸³ Note that if we interpret ‘x rejects P’ as ‘x attributes falsehood to P’, the idea that one must reject at least one of the propositional elements in a field does not beg any questions against dialectic political philosophers, such as Hegel and Marx on certain interpretations of their dialectical method (see Priest-(1989)-(1990)). After all, even if dialectic philosophers claim that *all* of the mutually incompatible propositional elements in the field are true, they must still decide which one is *also* false (i.e. the dialetheia).

⁸⁴ One reason that philosophy can become so complex and abstract is that philosophers are pushed to find ever more rarefied reasons for accepting or rejecting a proposition in their search to break the deadlock between the elements of a field. For instance, a philosopher who favors option (iii) above may offer independent arguments (α_1 and α_2) for accepting Anti-Nihilism and Pessimism respectively, which will in turn translate into arguments for opting for the transformation of Field 1 which treats Anti-Nihilism and Pessimism as premises and Anti-Hedonism as the conclusion. This philosopher may then back-up α_1 and α_2 with *further* arguments (α_3 , α_4 etc) which yield the premises of the former as conclusions, and so on. When the terms in which these further arguments are expressed become far removed from the terms in which the elements of the philosophical field were originally expressed, it can be difficult for outsiders to see the link between the former and the latter, and hence to understand why the latter are of any interest. One reason that so many people are alienated from the analytic tradition is that they cannot see how the abstruse technical debates in (say) the Philosophy of Language and Logic can have any bearing on the ethical or metaphysical questions which directly interest them. This can draw towards alternative traditions which may address the questions that interest them more directly, albeit in what is often a more superficial way.

philosophical fields. This provides the sense, or at least one sense, in which it is true that the best philosophy *has* to be systematic.⁸⁵

(C) System Reconstruction

(C.1) From System Construction to System Reconstruction

In (B.2) we saw that we can build a de dicto model or interpretation of Mill's system (at a time) by taking the set of his implicit and explicit claims (at a time), and then deriving their logical consequences with a view to building up a more complete picture of his political and philosophical commitments. We can now consider how one can use the idea of de dicto and de re commitment attributions, in conjunction with philosophical fields, to transition from system *construction* to system *reconstruction* (or improvement). One engages in system reconstruction when one adds or subtracts claims from the de dicto system. The main motivation for doing so is likely to be to construct a new, but kindred, system that avoids certain problems with the original. However, even if the de dicto system in question is viable, one could still conceivably wish to improve it by combining it with additional claims not endorsed by its creator.

⁸⁵ The fact that philosophical fields are inevitably interconnected, and hence the best philosophy has to be systematic, can be demonstrated from the definition of a philosophical field provided above. If there is at least one philosophical field, PF_x , then by definition this will have at least three propositional elements (P, Q, R), each of which are the conclusions of valid arguments (α_p , α_Q , α_R) with at least two plausible premises ((D,E), (F,G) and (H,I) respectively).

I.e. $PF_x = (P, Q, R)$, where P is supported by $\alpha_p = D \ \& \ E \vdash P$, Q is supported by $\alpha_Q = F \ \& \ G \vdash Q$, and R is supported by $\alpha_R = H \ \& \ I \vdash R$.

Given the deductive validity of α_p , α_Q , and α_R , we cannot reject any of P, Q, or R without also rejecting at least one of the premises in their respective supporting arguments. But given the plausibility of each of the premises in (D,E), (F,G) and (H,I), we cannot reject one of them without creating a *new* philosophical field. After all, if a philosophical field can be transformed into a set of arguments, a deductive philosophical argument with plausible propositional elements (i.e. premises and conclusion) can be reverse-transformed into a philosophical field. For instance if we opt to reject P, we must deny the soundness of $\alpha_p = (D \ \& \ E \vdash P)$, but in doing that we are presented with a new philosophical field $PF_p = (D, E, \sim P)$. Thus, we see that in granting the existence of one minimally complex philosophical field, we have to posit at least three other inter-related philosophical fields.

The fact that we can formulate numerous philosophical fields corresponding to debates in *each* sub-area of philosophy, on the one hand, and that these philosophical fields tend to proliferate and interconnect, on the other, suggests that ordinary language is infused with philosophical meaning and significance (for a defense of this claim see Beaumont-(A)). After all, the preceding suggests that if one has at least one de dicto claim of philosophical interest, one will inevitably acquire a de re commitment placing constraints on the ways in which each of a number of interconnected philosophical fields are resolved. Moreover, insofar as one purports to speak truthfully using ordinary, but philosophically contestable, terms one acquires de re commitments to whichever philosophical theories account for such usage. These de re commitments multiply and one's everyday claims and discourse come to embody a set of de re philosophical commitments.

For the purposes of this thesis, two reasons for reconstructing a de dicto system will be particularly salient. The first is when the supposition that all of a thinker's claims are true reveals that her de dicto commitments are contradictory. In this case the constructed system will include a philosophical field in need of transformation, and the reconstructor can compare the different reconstructed systems that would result from transforming the field in one way rather than another, in order to determine which transformation (and hence reconstruction) is the best. Given the interconnections between philosophical fields, the decision to transform the particular field in one way rather than another can have huge knock-on effects for the de re commitments of endorsing the new system.

The second set of cases are those in which the reconstructor has sufficient reason for thinking that one of the thinker's de dicto claims is false (independently of generating contradictory de dicto commitments). For ease of reference, we will call the set of de dicto claims, C ; the single false claim, c ; and the set of the remaining claims combined with $\sim c$, C^* . The acceptability of the commitments generated by C , does not guarantee the acceptability of the commitments generated by C^* . Moreover, even if the commitments generated by the latter are acceptable, they can still be quite different from those of C . Either way the job of the reconstructor will be to determine the significance of reconstructing C into C^* . If C^* is unacceptable because it is intrinsically contradictory, or generates false or contradictory de re commitments when combined with further facts, this will necessitate further reconstructive revisions and choices.

To provide an example of the first case, we will be arguing that the available textual evidence suggests that Mill's system is best construed as dealing with Field 1 by transforming it into the following (consistent) set of beliefs:

Set 1: Hedonism, Hedonistic Optimism, Anti-Nihilism.

However, we will also see that when you examine his comments in detail, he also says things which would make it more plausible to embrace Hedonistic Pessimism. In consequence, his de dicto commitments are inconsistent, and his system needs reconstruction to resolve the contradiction.

To provide an example of the second case, even if we set aside Mill's conflicting claims regarding Hedonistic Optimism and Pessimism, there are independent grounds for thinking that his qualitative version of Hedonism generates a *de re* commitment to Hedonistic Pessimism, and hence Nihilism (Chapter 5). This means that the simplest and least radical reconstruction of his system, which eliminates the contradiction in the *de dicto* claims by eliminating those which support Hedonistic Pessimism, will not generate a tenable system. To achieve the latter goal the reconstruction must involve a transformation of Field 1 which attributes Mill with a belief in the following set of claims:

Set 2: Hedonism, Hedonistic Pessimism, Nihilism.

Of course, given the interconnection between philosophical fields, one might worry that transforming Field 1 by reconstructing Mill's system so as to commit it to Set 2 will make that system untenable in other ways. However, using further field analysis, we will see that the reverse is true. The reason for this stems from the fact that Set 1 is a subset of:

Field 2: Hedonism, Hedonistic Optimism, Anti-Nihilism, Utilitarianism, Rights.

Where Rights stands for Mill's *de dicto* liberal politico-philosophical commitment to the claim that: people have a universal right to security, and hence, it is morally impermissible to violate these rights as a means to promoting higher culture. In other words, if we deal with Field 1 by embracing Set 1, the new system would have to eschew either Utilitarianism or Rights, two key features of Mill's original system. The rationale for resisting such large-scale changes is captured by the principle which will guide us in the reconstructive part of the thesis. We can call this the:

Reconstruction Principle:

Ceteris paribus, a rational reconstruction of a system should aim to:

- (a) make the reconstruction as philosophically plausible as possible (Plausibility Condition), while
- (b) changing as few of the system's core *premises* as possible, and retaining as many of the system's core *conclusions* as possible (Parsimony Condition).

If we deal with Field 2 by embracing Set 1, we will find ourselves in deep violation of the Parsimony Condition because the reconstructed system will be either Anti-Utilitarian or illiberal qua rejecting Rights.

In contrast, the following set, which results from transforming Field 2 in a nihilist direction and then combining it with an additional premise called *Culture*, is not a field:

Set 3: Hedonism, Utilitarianism, Hedonistic Pessimism, Nihilism, Rights, Culture.

Here Culture stands for Mill's key de dicto commitment that a liberal state and society should prioritize the promotion of higher culture after it has guaranteed everyone's security and freedom from social tyranny.⁸⁶ In consequence, using field analysis, we can demonstrate that the best way of rationally reconstructing Mill's System, in such a way as to support two of his key liberal commitments (thereby meeting the Parsimony Condition), hinges on resolving Fields 1-2 in a nihilistic way, even though this would be far from evident to the average reader of *On Liberty* or *Considerations on Representative Government*.

When we rationally reconstruct Mill's system we can refer to the products as 'Millian systems'. They cannot be attributed to Mill but they bear a sufficient family resemblance to his own system to bear his name.⁸⁷ In general, there is nothing historically inaccurate about rational *reconstruction*, as thus defined, so long as one is careful not to misrepresent it as rational *construction*. The key moral here is that, while it is perfectly legitimate to ask questions such as 'what would Locke's system look like without theism?', 'how much of Kant's moral theory is tenable without Transcendental Idealism?', or 'might Marx's system be improved by removing the labor theory of value and the dialectics?', we cannot attribute the reconstructed Lockean, Kantian and Marxian systems that we need to create to answer such questions to the authors who bear their name.

(C.2) Evaluating Reconstructions

⁸⁶ Part of Chapter 5 will be devoted to showing that Set 3 is not a de facto field by showing that Mill has grounds for thinking that such a society can be something other than a society of 'last men'.

⁸⁷ Cf. the "Lockean theory of rights" presented by Simmons-(1992/p.6), and the distinction between Kant's and Kantian thought in Wood-(2008/p.1).

It will be worth providing some examples of cases in which debates about interpretation have been obscured, if not entirely derailed, by the participants' failure to pay sufficient attention to the distinction between construction and reconstruction. Sometimes scholars engaged in an interpretative project fail to distinguish between constructive and reconstructive projects, and end up trying to do both at once. Alternatively, they may be clear about what they are intending to do but fail to convey this to their readers, thereby leaving the latter unclear about whether they are being presented with construction, reconstruction, and if both, where the former ends and the latter begins. Conversely, critics of interpretive projects may pay insufficient attention to the nature of the project. This can lead them to criticize a construction on grounds which would show it to be a poor reconstruction, or to criticize a reconstruction on grounds which would show it to be a poor construction. It may be hoped, then, that greater attention to the construction-reconstruction distinction may lead to greater clarity in communication, and fruitfulness of debate.

For an example of an interpretive project which is presented as a construction but which at least appears to slip into reconstruction, we can consider what is probably the best book on Nietzsche's *On the Genealogy of Morals*, namely, Brian Leiter's *Nietzsche on Morality*. Leiter emphasizes that this text cannot be understood in abstraction from Nietzsche's other writings, on the one hand, and warns against whitewashing Nietzsche as a "benign secular humanist", on the other.⁸⁸ However, while Leiter is careful to explain the systematic interrelation between Nietzsche's ethics, on the one hand, and his theoretical philosophy, on the other, he is deeply resistant to integrating Nietzsche's political claims into his construction of Nietzsche's system. The latter are presented as mere "implications", "scattered remarks", and "parenthetical outbursts".⁸⁹

While many of Leiter's readers may find Nietzsche more palatable when his position is thus presented, and while the resulting position may even be a more plausible reconstruction of Nietzsche's own, it is highly doubtful that it can be plausibly attributed to Nietzsche. One way of

⁸⁸ Leiter-(2015/p.xiii, 233).

⁸⁹ Leiter-(2015/p.234). Cf. the (2008) anthology of Nietzsche's writings edited by Cameron and Dombowsky. For his part, Schacht tells us that his own construction overlooks "Nietzsche's frequent rhetorical excesses, and the ill-considered shots he so often takes at various targets along the way (1983/p.xv)." It is not clear how much of Nietzsche's political thought, if any, he deems to be rhetorical excess.

seeing this is to note Leiter's own distinction between Bernard Williams as a critic of over-demanding *moral philosophy* and Nietzsche as a critic of (egalitarian) *moral culture* as such.⁹⁰ Here Leiter's distinction is sound but he seems to overlook its significance for his own interpretation of Nietzsche. While Williams effectively calls for a revaluation of values that will defend people against guilt for failing to live up the ideals of philosophers like Peter Singer, Nietzsche calls for a much more radical revaluation of values in order to defend his 'higher types' against guilt for (among other things) engaging in forms of self-development contingent upon the domination of the masses (see Chapter 6.A.4 below).

The reason that Nietzsche needs a much more radical revaluation of values than Williams is that Nietzsche's social theory implies that the cultivation of higher types presupposes some form of slavery (BGE:257-60). In other words, Nietzsche's ethical thought is as much an implication of his social and political theory as vice versa, so if one subtracts the latter from his system, one will distort its ethical content. Indeed, we can see the effects of this in Leiter's otherwise exemplary account of Nietzsche's ethical thought. Having subtracted Nietzsche's social and political theory from his system, Leiter is left attributing Nietzsche with a level of opposition to moral *culture* that is hard to distinguish from that of Williams, thereby making a mystery of the fact that Nietzsche's attack on morality is much more ferocious.⁹¹ If this analysis is plausible, one way of resolving the 'debate' between political and apolitical interpretations of Nietzsche's philosophy lies in the possibility that the former are correct when it comes to constructing Nietzsche's system, and the latter are correct when it comes to reconstructing his system.⁹²

For an example of the way in which criticism of an interpretive project can become derailed by a failure to pay sufficient attention to whether the project is intended to be constructive or reconstructive, we can take the case of Michael Rosen's criticisms of Allen Wood's work on Kant.

⁹⁰ Williams-(1985/p.212, NB.7), Leiter-(2001), Singer-(2011) & (1972).

⁹¹ Leiter-(2014/p.239-43).

⁹² For an example of these debates see the exchange of ideas in Brobjer-(1998) (which is referenced by Leiter-(2015)), Dombowsky-(2001), and Brobjer-(2001).

Wood has defended a construction, entitled *Kant's Ethical Thought*, and a reconstruction, entitled *Kantian Ethics*.⁹³ In the former, Wood both presents but expresses skepticism regarding Kant's idea of noumenal freedom, and in the latter, he tries to reconstruct and defend a great deal of Kant's ethical theory without it.⁹⁴

In one set of criticisms of the reconstructive project Rosen suggests that it makes it difficult to see why subsequent German Idealists took the idea of noumenal freedom to be important, and asserts that the fact that Wood finds the idea of noumenal freedom to be indefensible doesn't mean that Kant shared the same view.⁹⁵ However, it should be clear that, while these objections would be relevant if Wood had excluded the idea of noumenal freedom from his *construction*, they are irrelevant to an evaluation of Wood's *reconstruction*.⁹⁶ If one is to criticize a *reconstruction* of Kant's moral philosophy for excluding the idea of noumenal freedom, there are three available options. Firstly, one could provide a philosophical defense of the idea of noumenal freedom, thereby showing that the reconstructor is wrong to claim that he must reject it in order for his reconstruction to satisfy the Plausibility Condition. Rosen forgoes this option. Secondly, one could argue that, while the idea of noumenal freedom is implausible, the rest of the system becomes even less plausible without it, and hence its subtraction makes it even harder to meet the Plausibility Condition. While Rosen remains silent as to whether the idea of noumenal freedom should be rejected, he suggests that the rationale for Kant's absolutist prohibition on lying, which Wood also wants to subtract, would be even less plausible without it. However, rather than concluding that this is a sign that Wood is wise to subtract that prohibition from his reconstruction as well, Rosen criticizes him for allegedly failing to see that Kant's commitment to noumenal freedom translates into an unavoidable commitment to an absolute prohibition on lying.⁹⁷

⁹³ Wood-(1999) and (2008)

⁹⁴ Wood-(1999/p.171-82), Wood-(2008/p.138)

⁹⁵ Rosen-(U:16, 34)

⁹⁶ Rosen-(2008/p.8) notes the difference between these two kinds of project.

⁹⁷ Rosen-(2008/p.9)

Finally, one could argue that any reconstruction which subtracts the idea of noumenal freedom would fail to meet the Parsimony Condition. That is, one could argue that any reconstruction which subtracts the idea of noumenal freedom will bear so little family resemblance to that of Kant that it would fail to merit the ‘Kantian’ label. In his critique, Rosen provides very strong reasons for thinking that a reconstruction that subtracted the idea that the fundamental requirement of morality is to respect personhood would not merit the ‘Kantian’ label. He also explains why *Kant* took that conception of morality to presuppose the idea of noumenal freedom, and to entail the absolute prohibition on lying. In so doing he provides grounds for thinking that a *construction* of Kant’s system which failed to explain this would be defective.⁹⁸ However, to explain why Kant believed this is not the same as showing that Kant was right to do so.⁹⁹ In consequence, it is also insufficient to show that Wood is mistaken to believe that one can reconstruct a Kantian ethics based on the fundamental value of respect for persons without also attributing them with a noumenal being, on the one hand, and denying that lying is always disrespectful of personhood, on the other.

(C.3) System Reconstruction and ‘Man’s Preciousness to Man’

The last of the possible modes of criticizing a reconstruction raises an interesting question: what is the value of reconstructing the flawed system of a past thinker when one could create a system of one’s own? One possible answer is that, while it is indeed better to create a new system (*ceteris paribus*), most people can’t do it. On this view, the next best option, and for mediocre minds the only option, is to engage in reconstruction. While there is an *element* of truth in this answer, stemming from the fact that the *greatest thinkers* have generally succeeded in presenting us with a highly distinctive way of understanding the world, we should guard against conflating originality of this sort with that which we might expect to find within the *community of scholars*.

It is particularly important to guard against a false contrast between scholars who work on and fetishize the ideas of past thinkers, on the one hand, and scholars who are more focused on

⁹⁸ Ibid.

⁹⁹ Although note that Wood-(2008/ch.14) rejects this interpretive claim.

contemporary literature, and are *therefore* more original qua ‘thinking for themselves’, on the other. One reason for this is that reconstruction, as we have defined it, is *incompatible* with fetishism because one cannot justify a reconstruction without criticizing the original system.¹⁰⁰ Another is that many philosophers who work on contemporary philosophical literature are also engaged in reconstruction. Of course, one might think that working on developing the research programs of the likes of Davidson or Quine is fundamentally different from working on developing those of Kant or Hume. After all, one might think, haven’t the latter been *decisively* refuted, and doesn’t this mean that working on their projects is analogous to tinkering around with Newtonian physics or Phlogiston Theory?¹⁰¹ However, while there is no doubt progress in analytical philosophy - in terms of the development of increasingly clear distinctions between conceptions of concepts, awareness of the range of possible answers to individual problems, and the logical inter-relation between answers to distinct problems – such progress is yet to generate substantive agreement regarding the solutions to philosophical problems. In consequence, simply dismissing the reconstructive research projects that are based upon the ideas of thinkers from the more distant past would appear to be dogmatic, on the one hand, and expose contemporary philosophers to the danger of being robbed of potential insights, on the other.

A more plausible contrast to draw between reconstructive and non-reconstructive work will acknowledge that originality tends to be relative rather than absolute. In drawing the contrast thus it is also easier to see that the prescription to ‘think for oneself’ would have very little to recommend it if it meant refraining from accepting *any* ideas which have already been defended by others. While there *may* be certain philosophical figures, such as Socrates or Plato, who really created extraordinary systems *ex nihilo*, this is the exception rather than the norm, and such exceptions have, and will

¹⁰⁰ There may be a greater danger fetishism in purely constructive projects but this can be avoided if the constructor takes it upon herself to show why critics of the system to be constructed are wrong to deem it implausible or in need of reconstruction.

¹⁰¹ Of course, Kant’s system left him uncomfortably wedded to Newtonian physics. However, there is now a research program which examines the possibility of reconstructing his system so as to reconcile it with modern physics. See Bitbol et al (2009).

continue to, become harder and harder to replicate over time because of the accumulation and cross-fertilization of ideas.

In consequence, as we noted in the introduction, Nietzsche was correct to claim that today originality is more likely to consist in the capacity or insight to see how disparate ideas can be combined together. For instance, while Marx didn't invent Hegelian philosophy, French communism, or British political economy, he combined them in a unique way that most would consider to be a mark of genius. A more useful contrast to draw, then, is that between (1) building a 'new' system of thought with ideas drawn from a sufficiently wide range of sources, including other 'pre-assembled' systems, that it would make no sense to identify the system *as a whole* as a continuation of *any one* of its sources; and (2) rebuilding or repairing an 'old', 'pre-assembled' system of thought, by subtracting some of its ideas and replacing them with new ones, without changing the system so much that the 'old' appears to be more an appendage to the 'new' than vice versa.

And yet at least one question remains. Since our *construction* will be one of claims rather than beliefs, on the one hand, and the *reconstruction* thereof will take us beyond Mill own system, on the other, one might wonder whether the new system will inevitably lack vitality for having never been embraced by a great thinker. In his meditations upon the *Writings of Junius Redivivus* Mill tells us that:

“[i] Let the word be what it may, so it be but spoken with a truthful intent, this one thing must be interesting in it, that it has been spoken by man – that it is the authentic record of something which has actually been thought or felt by a human being. Let that be sure, and even though in every other sense the word be false, there is a truth in it greater than that which it affects to communicate: we learn from it to know one human soul. [ii] ‘Man is infinitely precious to man [letter from Carlyle to Mill],’ not only because where sympathy is not, what we term *to live* is but to *get through* life, but because in all of us, except here and there a star-like, self-poised nature, which seems to have attained without a struggle the heights to which others must clamber in a sore travail and distress, the beginning of all nobleness and strength is the faith that such nobleness and strength have existed in others, how few soever and how scattered (WJR-I: 369-70).”

In section (i) Mill touches on an issue which is closely related to that raised by Skinner when he observes that awareness of *other people's* conceptions of the world and forms of life can be “a key to *self-awareness*”.¹⁰² Skinner seems to deny the possibility of adopting, and even estimating the truth-

¹⁰² Skinner-(1969/p.53)

value, of certain worldviews when one is extricated from the forms of life in which they originated. However, he maintains that historical insight into those forms of life give us an insight into what kinds of worldviews are “viable”, in the sense of enabling people to find intelligibility and meaning in the world.¹⁰³

Similarly, in (i) Mill acknowledges that the fact that we know a given system was actually embraced by a human being tells us something profound about the potentialities of human nature even if - and here Mill is more resistant to relativism than Skinner - the system itself is definitively false. However, when we are considering whether to embrace a worldview, we may want to know, not simply whether it is viable as such, but whether it is viable for a great intellect. After all, while a simple mind may be satisfied with a simple worldview, we may not be satisfied by the thought of settling into a perspective that greater beings have discarded.

While section (ii) speaks directly to Mill’s theory of how to find meaning in life, through improving oneself in ways which promotes the creation of other progressive beings (see Chapter 3), it also speaks indirectly of the human need to feel solidarity, not simply with other people as such, but with people worthy of great admiration. There is a sense in which it can be *epistemically* reassuring to know that one’s worldview was shared by a being with greater intellect and insight than oneself. However, in light of Mill’s distinction between *knowing* something to be true and *feeling* something to be true (B.2.B), we can also see that part of the power of the really great thinkers lies in their capacity, not just to demonstrate the epistemic warrant of their views, but to convey their vision to their readers in such a way that it *becomes* a viable option for them, allowing them to live and breathe in the light of the philosophy.

All of this suggests that it will be much harder to feel the truth in a *reconstruction*, which lacks a great thinker to defend it. However, if one *begins* with the original texts, and builds a *construction* from them in such a way that one can continue to *feel* the elements of truth therein, it may be possible to transfer the viability of the latter as a system of value, practical reason, and Art of *Life* to the

¹⁰³ Skinner-(1969/p.52)

reconstruction. In the case of our reconstruction the transmission of the sense of viability may also be facilitated by the fact that it is implemented by colliding Mill's system into that of Nietzsche. This method of creative destruction is designed to prove to the reader that something in Mill's system has to give. However, it may also have the welcome side effect of entitling the reader to the "faith" ((ii) above) that, while the resulting system is embraced by neither thinker, it *could* have been produced by their interaction.¹⁰⁴

All that said, since this is ultimately a work of philosophical argument rather than an attempt to convey a vision or prove the viability of a worldview, it shouldn't be evaluated in terms of the latter. Moreover, since it is written in a critical and anti-fetishistic spirit, the claim that the reconstruction may be viable should be treated as a concession to psychological realism, an acknowledgment of the fact that very few people will accept an ethical system if it cannot be rendered inspiring, as opposed to an epistemic appeal to authority.¹⁰⁵ One further reason that judging its arguments in terms of the viability of the system they generate might be over-demanding is that, while we may want a plausible philosophical system to be viable, there is no a priori reason for assuming that it must be. As Nietzsche notes, "Life is not an argument; the conditions of life might include error (GS:121)."¹⁰⁶ That is, it may well be that the most plausible philosophical outlook doesn't correspond to a viable form of life. If we need to believe certain falsehoods, this doesn't convert them into truths; and if we need to steer clear of certain truths, that doesn't render them false. In consequence, the fact that one would not want to live by the worldview presented in the reconstruction is insufficient to falsify it, any more than the fact that we simply cannot live like philosophical skeptics shows that we have good reasons to reject philosophical skepticism.

¹⁰⁴ But recall, from the Introduction Chapter, that the goal is not to discover the system that *would* have been produced by their interaction.

¹⁰⁵ See (BGE:41) for Nietzsche's warning against slavish attachment to those one "loves best". It may be worth noting that both Mill and Nietzsche went through the transition from eager discipleship of their 'master educators' (for Mill, these were Jeremy Bentham and James Mill; for Nietzsche, they were Arthur Schopenhauer and Richard Wagner), to silent but brooding discontent and disagreement, to an eruption of rebellion and rejection. See Breazeale-(1997) and Priestley-(1969).

¹⁰⁶ Cf. (BGE:2, 4)

At the same time, the precise extent, if any, to which we need false beliefs is very much an open question. While Nietzsche would not have liked the reconstruction on offer here – he would no doubt have seen its repair work as insufficient, and as involving a volte-face at the first signs of danger – he might at least have liked the idea of exploring how far we can push Mill’s system in his direction before we feel the urge to turn back.¹⁰⁷ If seeing the world from another’s perspective is a means to self-awareness, the same can be true of the discovery of a perspective which we find false for reasons that had never previously occurred to us, or the existence of which we would even have preferred to remain blind. Of course, in the latter case, such discoveries can come too late for the discoverers to prevent their occurrence, so the spirit of exploration is not without its dangers. As Nietzsche memorably put it:

“All those brave birds which fly out into the distance, into the farthest distance – it is certain! Somewhere or other they will be unable to go on and will perch on a mast or a bare cliff face – and they will even be thankful for this miserable accommodation! But who could venture to infer from that, that there was *not* an immense open space before them, that they had flown as far as one *could* fly! [...] Other birds will fly farther! [...] flocks of birds which, far stronger than we, still strive whither we have striven, and where everything is sea, sea, sea! – And whither then would we go? Would we cross the sea? [...] Will it perhaps be said of us one day that [...] it was our fate to be wrecked against infinity? Or, my brothers. Or? (D:575)”

Part II: Thesis Summary

In Part I we vindicated the methodological *validity* of two kinds of system *construction*, de dicto and de re, along with the idea of system *reconstruction*. However, in showing that such (re)constructions don’t necessarily issue in interpretive distortion, we have not thereby shown that they are of any *value*. To that end, section (A) of Part 2 will set out how the methods will be employed in each chapter of the thesis, and to what end. Section (B) will then summarize the key conclusions that we will aim to draw pertaining to the role of the Art of Life in systematizing Mill’s philosophy.

(A) Methodological Applications

Chapters 2 to 4 exemplify the value of de dicto construction. In Part I (A.3) we saw that second order interpretation, which deals in attributions of second-order beliefs to authors, or beliefs about what

¹⁰⁷ In (BGE:210) Nietzsche says that his “future philosophers” are unlikely to have the “intention to reconcile ‘Christian feelings’ with ‘ancient taste’ or with anything like ‘modern parliamentarianism’.” Mill was certainly trying to effect such a reconciliation, and while my reconstruction may be less ‘Christian’, it seems likely that Nietzsche would still have viewed it as such.

they believe, must abide by a Transparency Constraint on Second-Order Belief Attribution. That is, if we want to attribute (say) Mill with a second order belief that P, or a belief that he believes that P, a precondition of the accuracy of that attribution is that we characterize P in terms which Mill himself employed. In contrast, we are going to engage in first order historical interpretation which attributes Mill with claims and commitments, and this form of history is unbounded by such a constraint. The only constraint that will bind us in attributing Mill with a *de dicto* commitment is whether he would have had sufficient epistemic reason to accept that he is committed to it on the basis of what he has said. In so doing we will see how operating outside the Universal Transparency Constraint on Claim Attribution can help us to acquire a better understanding of Mill's philosophy than would be possible if we *only* engaged in second order interpretation.

Mill gives us an indication of one of the dangers of such an approach when he notes that:

“Modern books do not shew us the Greeks and Romans; they tell us some modern writer's opinions about the Greeks and Romans. Translations are scarcely better. When we want really to know what a person thinks or says, we seek it at first hand from himself (IA:227).”

Lest it need to be said, then, Chapters 2 – 4 do not purport to provide a superior, alternative way to understand Mill's texts than can be achieved through their direct study. They aim instead to supplement the understanding of one who is already conversant with those texts, and is seeking to explore the system of thought which they collectively comprise.

When it came to such supplementation Mill was himself a great enthusiast, claiming that one could not really be said to understand a text unless one could explain it to others (A-I:25, 35; cf. RR:323), on the one hand, or without considering objections thereto, on the other (L:252; AI:230).¹⁰⁸ However, Mill also posited a further role for the would-be supplementary scholar:

“The proper office, we should have conceived, of a clear thinker, would be to make other men's thoughts clear for them, if they cannot do it for themselves, and to give words to the man of genius, fitted to express his ideas with philosophical accuracy. Socrates, in the beautiful dialogue called the *Phaedrus*, describes his own vocation as that of mental midwife (UAPT:6)”.

While one might think that the ‘if they cannot do it for themselves’ clause would render it presumptuous to try to play the role of ‘mental midwife’ for Mill, this passage is preceded by another

¹⁰⁸ Hence the many volumes of analytical exposition of other thinkers' works that are bequeathed to us in Mill's *Collected Works*.

from which one who seeks to supplement Mill's texts, with an analysis aiming for greater 'philosophical accuracy', can take heart:

"Mankind have many ideas, and but few words [...] Two consequences follow from it; one, that a certain laxity in the use of language must be borne with, if a writer makes himself understood; the other, that, to understand a writer who is obliged to use the same words as a vehicle for different ideas, requires a vigorous effort of co-operation on the part of the reader. These unavoidable ambiguities render it easier, we admit, for confusion of ideas to pass undetected: but they also render it more difficult for any man's ideas to be expressed that they shall not appear confused (UAPT:6)".

Since there is no denying that many have claimed to 'detect' a 'confusion' in Mill's texts that 'lay undetected' by Mill himself, it is at least less presumptuous for a scholar to seek to 'co-operate' with him in order to reveal to his critics that there is, at the very least, far less confusion than many of them have claimed.¹⁰⁹

One of the aims of the de dicto constructions in Chapters 2-4, then, will be to act as 'midwife', serving to disambiguate and lend greater analytical precision to Mill's texts where it has subsequently become evident that it is needed. Echoing Mill's point that there are often "multifarious" "properties and distinctions to be marked" but "few words to mark them with", Chapter 2-4 break free of the Universal Transparency Constraint and introduce *more words* with a view to clarifying some of the key philosophical claims in *Utilitarianism* and the *Autobiography*.

Chapter 2 breaks down Mill's Utilitarianism into its constituent elements, thereby revealing that Normative Hedonism and the Art of Life which stem from it have a more dominant role in Mill's system than the idea of the moral *permissibility* of utility maximization. It is shown that Mill uses both 'right' and 'wrong' in more than one philosophical sense, and that 'marking the distinction' removes a great deal of possible confusion about the demandingness of Utilitarian morality, and its

¹⁰⁹ Nevertheless, it is not a task to be taken lightly. Having dismissed Blakey's ability to understand the texts of past thinkers better than their authors - "Anything like this we were not entitled to expect from Mr. Blakey; it supposes a philosopher, and such Mr. Blakey is not" - Mill continues as follows: "But if this were impossible, the next thing to it in usefulness, though at a vast distance, would have been a condensed view of each system, not as it appears to a higher intelligence, but as it appeared to its author; such a statement of the author's train of thought, of the series of his premises and his conclusions, as would be conveyed by a well-made abstract of his principal works, or as would be given by an intelligent disciple thoroughly conversant with his master's doctrines. Mr. Blakey's summaries by no means come up to this idea; they are vague and sketchy, and not only do not, to those who knew the doctrines before, exhibit them in a new light, but give no sufficiently distinct conception of them to those who knew them not. Often the conclusions are exhibited almost without the premises: on the whole there is little to be learnt even from the merest tyro in philosophy, from these volumes, except a few generalities, and a few forms of expression (BH:22)."

place in Mill's Art of Life. If Mill's aim in writing *Utilitarianism* was to popularize his ideas by writing a text which was accessible to, and written in a style designed to please, a mass audience, the greater technicality of the account provided in Chapter 2 would leave much to be desired if it were written for the same purpose. However, it may yet satisfy its own purpose, which is to reveal that there is more 'philosophical accuracy' and less confusion in *Utilitarianism* than is often supposed.¹¹⁰

In contrast, the analysis of Mill's account of his mental crisis in Chapter 3 aims to *highlight* some extremely confusing aspects of Mill's explanation that have largely been overlooked in the secondary literature. However, once again, the goal is not to charge Mill with confusion, for as he puts it:

"Such men are not refuted because they are convicted of using words occasionally with no very definite meaning, or even of founding an argument upon an ambiguity. *The substance of correct reasoning may still be there, although there be a deficiency in the forms.* A vague term, which they may never have given themselves the trouble to define, may yet, on each particular occasion, have excited in their minds precisely the ideas it should excite. The leading word in an argument may be ambiguous; but between its two meanings *there is often a secret link of connexion, unobserved by the critic but felt by the author, though perhaps he may not have given himself a strictly logical account of it;* and the conclusion may turn not upon what is different in the two meanings, but upon what they have in common, or at least analogous (UAPT:7)."¹¹¹

In Chapter 3 we see that when Mill speaks of the 'end' or the 'object' of an action, his explanation of why he became an Indirect Hedonist would be incoherent unless he is read as switching between using these terms in distinct but related *axiological* and *psychological* senses.¹¹² Here we follow Mill's prescription to the "logician" to use his tools to reveal wisdom *as well as* folly (UAPT:7), and to use "logical forms" to "throw meaning into distinct propositions", and "reasoning into distinct

¹¹⁰ Having noted that the formalized *arguments* are not supposed to provide reductions without epistemic loss above, it is worth noting here that the formalized definitions of what we will refer to as Mill's Wrongdoing, Injustice (Chapter 2), and Harm Principles (Chapter 6) are designed to be both sound and complete. Here there is a *family resemblance* to Frege's attempt to elucidate fundamental concepts. For discussion see Beaney-(2013/p.232-7).

¹¹¹ My italics.

¹¹² Similarly, in Chapter 6 we will see that one can find order within the apparent chaos of Mill's explanation if one posits a 'secret link of connexion' between Mill's theory of the good life and his much criticized 'proof' of the Utility Principle.

steps” (IA:239).¹¹³ Here the goal is to render “us conscious of all implied assumptions on which we are proceeding, and which, if not true, vitiate the entire process (ibid)”.

While *de dicto* construction seeks to clarify what is said through conceptual analysis, on the one hand, and revealing implicit assumptions, on the other, it also involves drawing out what would follow from what is said if the latter were true. Here the rationale for the undertaking of such a task by one who is relatively sympathetic to the thinker in question, on the one hand, and able to contextualize particular passages of a text by spelling out their logical relations to other claims in the thinker’s corpus, on the other, is once again supplied by Mill. For instance, in his discussion of Coleridge Mill observes that:

“In truth, a system of consequences from an opinion, *drawn by an adversary*, is seldom of much worth. Disputants are rarely sufficiently masters of each other’s doctrines, to be good judges [of] what is fairly deducible from them, or how a consequence which seems to flow from one part of the theory may or may not be defeated by another part. To combine the different parts of a doctrine with one another, and with all admitted truths, is not indeed a small trouble, nor one which a person is often inclined to take for other people’s opinions (C:128).¹¹⁴

In Chapter 4 we encounter an ‘adversary’ of Mill, Richard Miller, who draws on some passages from Marx in order to highlight the possibility of subjecting Mill’s normative epistemology to a *reductio ad absurdum*. In this case Miller’s attempt to derive a ‘system of consequences’ from Mill’s ‘opinion’ turns out to be of ‘much worth’. However, we see that the real value of his analysis lies, not in providing a successful refutation of Mill, but rather in highlighting the importance of certain of his other commitments which are seldom, if ever, noticed. In this case we see that the fact that Mill is committed to qualitatively ranking *pains* as well as pleasures serves to nullify Miller’s critique while opening the door to a critique of the way that Mill applies his normative epistemology in political practice.

The latter critique assumes that Mill’s position could have consequences that he did not himself foresee, and Mill implicitly acknowledges this possibility in his own critique of Blakey’s Divine Command Theory of ethics:

“Mr. Blakey is evidently quite unconscious of these consequences of his theory. But, that they are legitimate consequences who can doubt? (BH:27)”

¹¹³ Cf. (A:323)

¹¹⁴ My italics.

However, as we saw in Part I (B) of this chapter, when we attribute implications to a theory we must be clear about whether the implications in question are de dicto or de re (or both). For instance, when Mill says that Whewell's moral philosophy "is the very Hobbism which he [Whewell] reprobates", he means that if what Whewell says is true *this would suffice* to make 'Hobbism' true *and* false (WMP:188). In consequence, Whewell has a dicto commitment to the contradictory claim that 'Hobbism' is true and false, even though Whewell is only *explicitly* committed to the claim is that it is false.

In contrast, de re implications are attributed on the basis of what people say, implicitly and explicitly (i.e. de dicto), *in conjunction with* some alleged facts posited by the attributor which the author in question may herself reject. Mill implicitly acknowledges the de dicto and de re distinction when he expresses his reservations about granting Comte the truth that it is "presumptuous" and "blameable" for non-scientists to question the verdicts of scientists:

"All this is, in a sense, true: but we confess our sympathy with those who feel towards it like the man in the story, who being asked whether he admitted that six and five make eleven, refused to give an answer until he knew what use was to be made of it. The doctrine is one of a class of truths which, unless completed by other truths, are so liable to perversion, that we may fairly decline to take notice of them except in connexion with some definite application (ACP:302-3)."

Here Mill concedes the truth of Comte's premise while worrying about the false implications that *he* (Comte) will derive from it when *he* combines it with further premises which *he* takes to be true but Mill deems to be false. In other words, Mill worries that Comte has a mistaken view of the de re implications of the truth in question.¹¹⁵

In Chapter 5 we examine some claims made by Nietzsche in which he either attributes, or could at least be plausibly interpreted as attributing, some worrying de re implications to Hedonism and Utilitarianism. Here the following observation by Mill turns out to be extremely relevant:

"Were we to search among men's recorded thoughts for the choicest manifestations of human imbecility and prejudice, our specimens would be mostly taken from their opinions of the opinions of one another. Imputations of horrid consequences ought not to bias the judgments of any person capable of independent thought (C:188)."

¹¹⁵ In this case Comte is combining the said truth with further claims, which Mill deems to be false, concerning the legitimacy of legally proscribing such 'presumptuous' dissent (ACP:302).

Here we will see that *most* of the ‘horrid consequences’ which Nietzsche attributes, or appears to attribute, to Hedonism are not genuine de dicto or de re implications of Mill’s version thereof. However, we will also see that one of the attributions sticks, namely, that Mill has both a de dicto and a de re commitment to Global Nihilism, the view that it would have been better if the world never came into being.

Since Chapter 5 *also* reveals that Mill has a de dicto commitment to *rejecting* Global Nihilism, it follows that he is ‘guilty’ of the charge that he directs at Whewell, namely, of having contradictory de dicto commitments. This implies that Mill’s system needs rational reconstruction in order to be rendered coherent. Here we must heed Mill’s response to Sedgwick’s critique of Locke:

“The question is, not what Locke has said, but what would he have said if he had heard all that has since been said against him? (SD:48)”

Although, since we are not engaging in counterfactual history, our main interest is in what Mill *could* or *should* have said, rather than what he *would* have said. We will see that the most explicit of the claims which generate Mill’s contradictory de dicto commitments with respect to Global Nihilism indicate that his immediate response would probably have been to declare that his system needs to be rationally reconstructed in such a way as to make it *consistently opposed* to Global Nihilism. However, we will argue with Nietzsche that Global Nihilism is a de re implication of Normative Hedonism. In consequence, any rational reconstruction of Mill’s system that is designed to retain Mill’s key premises, and thereby designed to generate a new system that retains a recognizably ‘Millian’ character, will have to be consistently Globally Nihilist.

With Chapter 5 having shown that Mill is in error and needs rational reconstruction, Chapter 6 can follow his prescription:

“to examine, with good will and without prejudice, if their error do not contain some germ of truth; and if any conclusion, such as a philosopher can adopt, may even yet be built upon the foundation on which they, it may be, have reared nothing but an edifice of sand (UAPT:7).”

While Chapter 5 shows that Global Nihilism lacks some of the ‘horrid’ de re implications that some might associate with it, Chapter 6 shows how much of Mill’s moral and political philosophy actually turns out to be more defensible when it is combined with Global Nihilism.

(B) The Role of Mill's Art of Life

This brings us to the substance of this particular piece of historical philosophy, which has as much of a story to tell as any conventional piece of intellectual history. Our story, which the preceding methodological applications are designed to draw out, is that of the advantages and disadvantages of Mill's Hedonism for life. In Chapter 2 our analysis of Hedonism allows us to see it grow from a theory of psychological motivation, to a theory of value, to a theory of practical reason, in which the Art of Life is to achieve happiness by balancing a quasi-Platonic trio of virtues: Prudence, Nobility and Morality. With each chapter we see different problems that the Art of Life must try to resolve, each of which issues from one of the virtues acquiring undue weight with respect to the others, and thereby transforming itself into a vice.

Mill himself says that Morality is the most important of these virtues but insists that it must leave plenty of room for the others. The first challenge to preventing Morality from becoming overwhelming that we encounter in Chapter 2 stems from a misunderstanding of the Utility Principle, in which supererogatory acts of utility maximization are conflated with acts of duty. Such an error can lead Morality to morph into the vice of Moralism, with Prudence drowned out by "moral intoxication", and Nobility devalued into a mere means to moral ends (ACP:235).

The second set of challenges described in Chapters 3-4 stem from the fact that grounding an Art of Life on a theory of welfare, such as Normative Hedonism, can lead one to adopt a mindset in which Prudence dominates Morality and Nobility. We see that since Mill thinks that we have a genuine welfare-interest in retaining the Moral and Noble dimensions of our lives, a mindset which leaves us excessively focused on Prudence can be extremely counter-productive. In the case of Chapter 3 we see that Mill's account of the cause of his mental crisis highlights the way in which accepting the Normative Hedonist account of the axiological grounds of practical reason can lead one to slip into an alienated mindset in which everything appears to one as a mere means to one's own pleasure. This atomistic alienation can, in turn, cut one off from the Moral pleasures of benevolence, and the Noble pleasures of cultivating personal excellence, and leave one's life devoid meaning. Mill's Indirect Hedonism is designed to restore the balance. However, we also see that Mill's *Autobiography*

provides an account of how Nobility can be developed in lop-sided ways, that the cultivation of the feelings is as important as the cultivation of the intellect, and it is the importance of the moral feeling of benevolence to the good life that explains why Mill's Art of Life gives pride of place to Morality.

In Chapter 4 we see that in the public sphere the virtue of Prudence becomes political, and that according to a variation of Miller's 'Marxian' critique of Mill's normative epistemology, Mill's purportedly high-minded Morality and Nobility is actually an ideological veneer for a theory of class egoism (or distorted Prudence). However, we defend Mill against this charge, arguing that, while Mill does have a theory of unequal political competence, that is potentially open to ideological misuse, it is distinct and cannot be straightforwardly derived from his experiential theory of hedonic judgment. Moreover, Mill's view that less than universal suffrage can be defensible when the population is uneducated is grounded in legitimate concerns about populist tyranny, on the one hand, and is not designed to keep people uneducated, and hence lacking suffrage, on the other.

Chapter 5 explores the 'Nietzschean' charge that Mill's Art of Life allows Morality too much influence with respect to Nobility. We see that, while Normative Hedonism does entail Global Nihilism, and hence does devalue the world overall despite mankind's aesthetic and cultural achievements, Mill's Art of Life gives enough weight to Prudence to allow one to affirm life in spite of this devaluation. In other words, Mill's Art of Life provides one with the resources to make a realistic appraisal of the horrors of the world, and yet affirm life despite of them. As such it deserves to be recognized as what Nietzsche refers to as a "pessimism of strength" (BT-Attempt:1).

Similarly, in demonstrating the possibility of a consistently Global Nihilist rational reconstruction of Mill's system in Chapter 6, we see that this reconstruction also facilitates the formulation of an Art of Life with a stable and mutually reinforcing balance between Prudence, Nobility, and Morality. The reason that Normative Hedonism generates a de re commitment to Global Nihilism is that it generates a commitment to Qualitative Hedonist (QLH) Pessimism, the view that the highest pains outweigh the highest pleasures. Once Mill's implicit commitment to QLH Pessimism is made explicit, it can be appealed to as an additional premise in his Utilitarian argument that the right to security *from these highest pains* is the most fundamental of all the rights. This in turn renders the resulting Utilitarianism

less susceptible in principle than Mill's own to sanctioning the sacrifice of the masses for the higher pleasures of the few. Moreover, it aligns with Mill's defense of a transition to universal democratic rights, on the one hand, and to a market socialism based on workers' cooperatives, on the other. The checks provided by these institutional reforms provide the masses with protection against the worst forms of abuse of power by government and capital respectively.

At the same time, however, the consistency of QLH Pessimism with the claim that governments should promote higher pleasures over lower pleasures *when it is feasible and effective to do so* (State Perfectionism), means that the revised Utilitarianism would retain the robustness of Mill's Utilitarianism when it comes to resisting policies which serve to level down welfare *when this is unnecessary to prevent great evils*. In other words, it is consistent with Mill's defense of proportional representation with weighted voting for the highly educated, as the latter can be used to implement policies promoting the intellectual and cultural development of the nation. As such the universal right to democratically enforced security would not collapse into equal rights to determine the allocation of resources for the promotion of the good life.

The resulting State Perfectionism would thus be comprehensive in the Rawlsian sense of remaining unshackled by a commitment to teleological neutrality.¹¹⁶ However, when combined with Mill's characteristic skepticism about the actual effectiveness of government promotion of the good life, it would remain a *Liberal* State Perfectionism, according to which the state is *entitled* to promote higher culture but may only opt to exercise this right in a light-handed way in practice. Moreover, given Mill's goal of levelling-up, as material welfare improves, and his claim that democratic participation in the workplace and politics increases people's competence to judge higher culture for themselves, the rationale for retaining political inequality would either weaken or cease to apply.

To return to the Art of Life, then, a 'Millian' Utilitarianism built on QLH Pessimism, and hence implying Global Nihilism, would be better able to safeguard rights, and hence better fulfil Mill's claim that Morality should be the first of the virtues. At the same time, this Morality would not be so overreaching or demanding on the cultural elite that it would require them to sacrifice the call for

¹¹⁶ Rawls-(2005/p.128-9), cf. Skorupski-(1998b/p.26-7)

Nobility when the masses prefer something lower. It would instead require them to uphold the rights of the masses while facilitating their ascension to the Noble. Mill considers the synthesis of Nobility and Morality, the cultivation of one's higher capacities with a view to promoting the good of others, to constitute enlightened self-interest or Prudence. From this it follows that the elite who promote this cause would find *themselves* achieving the triadic balance of the Art of Life, as they promoted that achievement for *others*. But since it is QLH Pessimism that would allow them to find that balance, it also provides the ground for reasonable optimism, and a *humane* form of life-affirmation in the face of horror, that is the essence of the Art of Life.

Chapter 2: De Dicto System Construction I

The Elements of Mill's Teleological Ethics

“The historian of moral philosophy must himself have a philosophy of morals; must have surveyed the field of ethics extensively enough, and with sufficient power of concatenation, to have arranged its truths (or whatever present themselves to his mind as such) into a connected series, following and flowing out of one another”.

John Stuart Mill, *Blakely's History of Moral Science* (CW:X:21)

Introduction

Our de dicto construction of Mill's system begins with a de dicto construction of a subset thereof that we can refer to as his (teleological) ethical system. This de dicto construction consists in turn of breaking down the ethical system into its core elements with a view to exploring their logical relations. Since it is Mill's ethical system, in conjunction with his social theory and philosophy of social science, that constitutes the foundation for his political philosophy, an awareness of the logical elements of the former can help us to discern the normative grounds for Mill's practical political judgement. The core elements to be explored here pertain to Mill's theory of human nature and motivation, on the one hand, and his axiology, theory of practical reason, and the normative epistemological grounds thereof, on the other. These elements collectively generate Mill's Hedonism, with its complementary descriptive (or motivational) and normative components, from which he derives his general principle of Teleology, his Art of Life, and Utilitarian theory of morality.

Section A begins by noting that Hedonism can be understood as either a theory of what *motivates* human (or nonhuman behaviour), a theory of human (or nonhuman) *welfare*, or both. Section B then elaborates on Mill's Motivational Hedonism, distinguishing the form thereof that he endorses, namely Desire Hedonism, from the kindred thesis of Will Hedonism. While the former claims that all of an agent's desires and intentions are ultimately *causally explicable* in terms of the agent's fundamental desire to maximize his or her own net balance of pleasure over pain, the latter claims that all of an agent's actions are ultimately *intended* to maximize his or her own net balance of pleasure over pain.

Section C distinguishes between forms of Normative Hedonism which purport to provide a theory of (dis)value, and forms which purport to provide a *mere* theory of welfare. While the former tell us that

all pleasures (and pains) are intrinsically good (bad), and *only* pleasures and pains are intrinsic good (bad), the latter restrict the scope of these claims to what is good and bad *for* human beings (or other sentient creatures). This distinction will be of relevance to Chapter 6 because, while Mill seems to commit himself to Value and Welfare Hedonism, the latter alone would be insufficient to generate Global Nihilism. Section C also introduces the idea of Felicific Hedonism, that *all* pleasures (and pains) and *only* pleasures (and pains) contribute to human happiness. The fact that Mill rejects the former (universal) conjunct, on the one hand, and only endorses the latter (monistic) conjunct, on the other, is important to understanding his account of his mental crisis (Chapter 3), and his defense against the charge that his Art of Life devalues Nobility (Chapter 5).

Claims to the effect that one thing is intrinsically good or bad, or that one thing is better or worse than another, raise epistemic questions about how they can be justified. In consequence, section D provides an analysis of the foundational claims underpinning Mill's normative epistemology, and explains how he uses Motivational Hedonism to ground Normative Hedonism. With an account of the fundamentals of Mill's normative epistemology, and its route to Normative Hedonism *as such* in place, we turn to the distinction between Quantitative and Qualitative Hedonism, and the way that Mill applies his epistemology to ground qualitative comparisons between kinds of pleasures. In the course of doing so, we note that Mill implies (de dicto) the possibility (and indeed the necessity) of qualitatively ranking *pains* as well as pleasures. By extension, this means that Mill also has a de dicto commitment to the possibility of trading off pains (or pleasures) of one quality against pleasures (or pains) of another quality. This fact, seldom if ever noticed in the secondary literature, will turn out to be crucial in both Chapter 4 and 5. It will help to shield Mill from Richard Miller's epistemological critique in the former, and expose Mill to the Global Nihilism charge in the latter.

Having reached this point, we will have seen that Mill's Motivational Hedonism tells us that all actions are ultimately explicable in terms of our fundamental desire for pleasure. When combined with Mill's normative epistemology, this allows us to derive Normative Hedonism, and thence Qualitative Hedonism. In theory, the latter implies the possibility of a relatively exact qualitative ranking between particular pleasures and pains. However, in real life, short-term episodic experiences

of particular pleasures or pains are often outgrowths of longer-term ways of life or modes of being, and these are also amenable to comparison in terms of Mill's normative epistemology. Nevertheless, in section F we see that Mill denies that judgements of the latter sort can be turned into anything like an exact science.

In consequence, his guidance when it comes to formulating an Art of Life is far more general. For Mill, we should seek to be Moral first but balance this with the two other key virtues of Prudence (which becomes that of the Politic in the social realm) and Nobility. The general principle which is to guide us in finding the balance is that of seeking to promote the general happiness, but the place of Nobility and Prudence in the Art of Life indicate that the former is not necessarily to be achieved by a sacrifice of our true interests or at the expense of the cultivation of our higher faculties. This is confirmed in section G, where we examine the moral expression of Mill's general principle of Teleology in *Utilitarianism*, and note the misinterpretation involved in reading that text as if it empties the category of the 'supererogatory' of content, by equating duty with *short-term* utility maximization. It is then reconfirmed in section H, where we see how Mill's theory of justice and rights balances the Moral and Political departments of the Art of Life.

(A) What is Hedonism?

The term 'hedonism' can be used to refer to a number of theses united by the overarching disjunctive idea that pleasure and the absence of pain are the two things which are *always* and *only either*:

- a) subjectively valued by human beings (and perhaps other creatures capable of experience) *as a matter of descriptive fact; or*
- b) good *for* (or constitutive of the welfare of) human beings (or other creatures capable of experience) *as a matter of normative judgment.*

This disjunctive definition reflects the first and most fundamental analytical division within the family tree of hedonistic ideas, namely, that between *Motivational* and *Normative* Hedonism respectively.¹¹⁷

¹¹⁷ I take this distinction from A. Moore (2011).

While the disjunctive nature of this distinction means that they are logically distinct, we will see that the former can support the latter.

(B) Motivational Hedonism

Motivational Hedonism is the thesis, most commonly associated with Bentham, that human beings (or other creatures capable of purposeful activity) are always and only *fundamentally motivated* to:

- (i) increase the amount of pleasure they experience; and
- (ii) reduce the amount of pain they experience.¹¹⁸

Ceteris paribus, (i) will translate into a motivation to *maximize* pleasure, and (ii) will translate into a motivation to *minimize* pain.¹¹⁹ However, things aren't always equal and thus (i-ii) may conflict. That is, maximizing pleasure may be instrumental in increasing pain, and minimizing pain may be instrumental in reducing pleasure.

The first step that Motivational Hedonists take in rendering (i-ii) compatible is to adopt the following thesis:

Commensurability Thesis: pleasures and pains are positive and negative units (respectively) of a common evaluative currency (utility), and hence one can be traded off against the other.¹²⁰

The implications of the Commensurability Thesis for human action will then depend on whether the Motivational Hedonist takes the motivations referred to in (i-ii) to carry *equal* weight. Let us call the claim that they do the:

Symmetry Thesis: an agent's motivation to maximize his or her own pleasure is the same strength as his or her motivation to minimize his or her own pain.¹²¹

¹¹⁸ Bentham-(1948/I:I)

¹¹⁹ Bentham-(1948/I:II)

¹²⁰ Bentham-(1948/IV:IV)

This implies that people are as concerned to avoid pain as they are to experience pleasure. The conjunction of Motivational Hedonism, the Commensurability Thesis and the Symmetry Thesis then entail:

Maximizing Motivational Hedonism: human agents (or other creatures capable of purposeful activity) are always and only *fundamentally* motivated to maximize their own utility.¹²²

This maximizing thesis implies that people will be motivated to accept either large amounts of pain, or the complete absence of pleasure, if this is a precondition of maximizing their overall balance of pleasure over pain (utility).¹²³

At this point it is worth noting the significance of the term ‘fundamentally’ in the definition of Maximizing Motivational Hedonism. The qualification is designed to accommodate the thesis to the phenomenological truism that we can be motivated to attain goals which are either (a) *causally* conducive to pain when considered in isolation, or (b) *conceptually* disconnected from pleasure. In the case of (a) Maximizing Motivational Hedonism implies that if an agent, α , is motivated to achieve a goal, G_1 , which α believes will be painful overall, this motivation must be explicable in terms of α ’s deeper (i.e. more fundamental) motivation to maximize his or her net pleasure. For instance, perhaps G_1 is a means to a further goal, G_2 , which α believes will maximize his or her net pleasure, even after the painfulness of attaining G_1 is taken into account. In the case of (b), α may be motivated to attain G_1 even though the *proposition* ‘ α attains G_1 ’ does not *logically* entail ‘ α maximizes his or her own pleasure’. In this case the Maximizing Motivational Hedonist will insist that the said *logical* disconnect, between α being motivated to attain G_1 , and α being motivated to maximize his or her own pleasure, is not the sign of a *causal* disconnect, as the former motivation will ultimately be *causally explicable* in terms of the latter.

¹²¹ Bentham-(1948/IV:VII)

¹²² Bentham-(1948/I:I)

¹²³ Note that maximizing one’s own utility may mean minimizing one’s own disutility when all of one’s options will yield disutility.

Since Mill distinguishes between two kinds of motivation, *desiring* and *willing* (U-IV:xi), it is worth making a corresponding distinction between two kinds of (Maximizing) Motivational Hedonism, Desire Hedonism and Will Hedonism:

Desire Hedonism: all of an agent's desires and intentions are ultimately *causally explicable* in terms of the agent's fundamental desire to maximize his or her own net balance of pleasure over pain.¹²⁴

Will Hedonism: all of an agent's actions are ultimately *intended* to maximize his or her own net balance of pleasure over pain.

While Mill accepts that it is initially a precondition of intending to achieve some goal that we desire to do it, he endorses the former thesis but rejects the latter. In his view, once we form the habit of desiring, and thence intending, to achieve some goal, the will can build up a momentum of its own, allowing us to intend to achieve a goal even though the suffering this causes us gives us an aversion to, and hence a desire to refrain from, doing so (U-IV:xi).

However, it is also important to be clear that in endorsing Desire Hedonism Mill is not suggesting that a claim of the form ' α desires that \emptyset ' is true only if ' \emptyset ' stands for ' α 's pleasure or happiness' (RB:12).¹²⁵ That is, Mill is not saying that all we consciously desire or care about is *our own* happiness or pleasure. Mill insists that it could be true that α is *caused* to desire \emptyset by the pleasure, P_\emptyset , that she takes in (the expectation of) \emptyset without it being true that \emptyset is itself a pleasure to be experienced by α . In other words, \emptyset could be something which α has come to *view* as a good in its own right, which can include the pleasure or happiness of others (RB:13-14).¹²⁶ In this case α would then be moved to act by the conscious desire to produce happiness *for others*. In consequence, the cognitive content of a particular conscious desire (i.e. the \emptyset of ' α desires that \emptyset ') is not necessarily given by the content of the most fundamental desires for happiness or pleasure which causally explain our particular desires. For Mill, the truth of Motivational Hedonism is consistent with people being

¹²⁴ I now drop the 'Maximizing' appellation from 'Motivational Hedonism' for the sake of convenience.

¹²⁵ Cf. Berger-(1978/p.118-121, 124)

¹²⁶ Cf. Brink-(2014/§2.1)

barely aware of their most fundamental desires, and hence being unaware of the truth of Motivational Hedonism. In Chapter 3 we will see that this point is important to Mill's account of how he overcome his mental crisis.

(C) Normative Hedonism I: Value, Welfare, and Happiness

Motivational Hedonism is a descriptive thesis in the sense that it purports to tell us what *actually* motivates human beings. Its validity does not hinge on the nature of the good as such, or even the good life *for* human beings. This implies, in turn, that it does not depend upon the *evaluative* claim that it is *good* (or bad) to be motivated to maximize one's own utility, or the *prescriptive* claim that one *ought* (or ought not) to be motivated to maximize one's own utility. In contrast, all forms of Normative Hedonism positively evaluate pleasure and the absence of pain, or prescribe forms of life in which they are pursued.

To fix terms, it will be useful to make some distinctions between different kinds of Normative Hedonism, as they will aid us in the interpretation of Mill later on. The first distinction within Normative Hedonism to be considered is that between Value Hedonism and Welfare Hedonism.

(C.1) Value Hedonism and Welfare Hedonism

Value Hedonism and Welfare Hedonism both consist of two sub-theses which are listed in turn:

Universal Value Hedonism: pleasure is *always* intrinsically good, and pain is *always* intrinsically bad.

Monistic Value Hedonism: pleasure is the *only* intrinsic good, and pain is the *only* intrinsic bad.

Universal Welfare Hedonism: pleasure is *always* intrinsically good *for* (or increases the welfare of) its subject, and pain is *always* intrinsically bad *for* (or decreases the welfare of) its subject.

Monistic Welfare Hedonism: pleasure is the *only* thing which is intrinsically good *for* its subject, and pain is the *only* thing which is intrinsically bad *for* its subject.

The first thing to note is that, whereas Value Hedonism is a theory about the good *per se*, Welfare Hedonism restricts itself to claims about what is good for, or constitutive of the welfare of, individuals, where ‘welfare’ refers to the quality of their lives. This means that Welfare Hedonism doesn’t entail Value Hedonism, as someone could agree that pleasure and pain are the only constituents of welfare, whilst either denying that welfare is good *per se*, or at least denying that welfare is the *only* good.¹²⁷ This result will turn out to be significant because it means that Welfare Hedonists who think that the amount of welfare in the world is *one* factor which is relevant to the latter’s evaluation needn’t claim that this is the only, or even the most important, factor (see Chapter 6).¹²⁸

Does Value Hedonism *entail* Welfare Hedonism? One might think that, strictly speaking, someone *could* consistently claim that pleasure is intrinsically good *per se* whilst denying that it is good for people. However, it is difficult to see how this position could be maintained. After all, if pleasures are good, and pleasures are experiences, it is difficult to avoid the conclusion that pleasures are good experiences. This means that to endorse Universal Value Hedonism without Universal Welfare Hedonism, one would have to endorse the paradoxical claim that good experiences needn’t be good for their subjects.

It is easier to see why someone might endorse Monistic Value Hedonism without Monistic Welfare Hedonism. After all, one might think that pleasure is the only thing that is good *per se* whilst maintaining that there are a plurality of things which are good for sentient creatures. However, this thought seems to trade on an equivocation between intrinsic and instrumental goods. Few will deny that (say) health is good for sentient creatures. But if one endorses the Value Hedonist claim that pleasure is the only *intrinsic* good *per se*, it is difficult to see why health would be *intrinsically* good for sentient creatures (in the sense of improving their quality of life) unless it is either instrumental in

¹²⁷ For instance, someone might claim that pleasure is subjectively good for human beings while denying that what is subjectively good for human beings is good *per se*.

¹²⁸ Hence, a Welfare Hedonist could claim that beautiful trees have objective value independently of their effect on the welfare of sentient creatures but a Value Hedonist could not. Such a Welfare Hedonist would then be committed to the view that, *ceteris paribus*, a world with beautiful trees but no sentient creatures would be better than a world with neither beautiful trees nor sentient creatures.

yielding pleasure, or pleasurable in its own right. All this seems to suggest that Value Hedonism commits one to Welfare Hedonism but not vice versa.

We will have reason to return to the question of whether Mill *should* have embraced Welfare Hedonism without Value Hedonism when we rationally reconstruct Mill's system in chapter 6. However, Mill himself shows no tendency to make the distinction himself, and hence no tendency to embrace Welfare Hedonism without Value Hedonism, so it is reasonable to attribute him with a commitment to both.¹²⁹

(C.2) Felicific Hedonism

Felicific Hedonism is a sub-category of Normative Hedonism which is compatible with either Value or Welfare Hedonism. However, since our exposition of Mill will assume that he embraces Value Hedonism, we will cash out Felicific Hedonism in such a way that it presupposes that doctrine.

Setting aside the Value and Welfare Hedonism controversy for now, Mill tells us that the only good and bad, whether it be the good and bad *as such* or the good and bad *for* sentient beings, is happiness and unhappiness. The reason he is nevertheless a Normative Hedonist is that he tells us that:

“By happiness is intended pleasure, and the absence of pain; by unhappiness, pain, and the privation of pleasure (U-II:ii).”

In other words, Mill *appears* to endorse what I will call Felicific Hedonism, which consists of the following sub-theses:

*Universal Felicific Hedonism: all pleasurable experiences are intrinsically good because they all increase the happiness of the experiencing subject, and all painful experiences are intrinsically bad because they decrease the happiness of the experiencing subject.*¹³⁰

¹²⁹ Bentham-(1948/IV:IV) equates the *value* of a pleasure with the *interest* that an agent has in experiencing it, thereby implying that he endorses both forms of Hedonism.

¹³⁰ The term ‘intrinsic’ signifies that the pleasure or pain is not simply instrumental in yielding happiness but rather constitutive of it.

Monistic Felicific Hedonism: pleasurable experiences are the *only* thing which intrinsically increases the happiness of the experiencing subject, and painful experiences are the *only* thing which intrinsically decreases the happiness of the experiencing subject.

However, in Chapters 3 and 5 we will see that this appearance is an illusion, and that Mill's considered view is best construed as rejecting the Universal claim and endorsing the Monistic claim.

(D) Mill's Normative Epistemology

Mill follows Bentham in claiming that the truth of Normative Hedonism is explicable in terms of the truth of Motivational Hedonism.¹³¹ Mill tells us that "Questions about [what] ends" we have reason to pursue are "questions [about] what things are *desirable*", where the latter phrase is to be understood in the normative sense of what things *we have reason to desire* in and of themselves (U-IV:ii).¹³² Given Mill's teleological approach to ethics (SL:949-50), his welfarist view of ends (C.1 above),¹³³ and his assumption that first principles of practical reason will have a universal form, it *follows* that candidates for such first principles will be expressible in either of two (supposedly) *equivalent* forms:

Evaluative: for all beings, $\alpha_{1\dots n}$, γ is always, and would always be, intrinsically good (or bad) for them under conditions C.

Prescriptive: for all beings, $\alpha_{1\dots n}$, there is always sufficient reason for them to desire γ (or its absence) under conditions C.¹³⁴

Since all practical reasoning *presupposes* normative first principles, Mill denies that such principles admit of *direct* proof through an *antecedent* chain of deductive reasoning. That is, he thinks that, since any *practical reasoning* must employ *claims* of the form ' α has sufficient reason to desire δ ', and any *deductive argument* with a *conclusion* of the form ' α has sufficient reason to desire δ ' must employ a *premise* of the form ' α ought to desire γ ' (where δ is either identical to γ , α means to γ , or a 'part' of γ

¹³¹ Bentham-(1948/I:I)

¹³² The italics in the quotation are my own.

¹³³ That is, his belief that ' x is *good*' if, and only if, ' x is *good for*, or contributes to the welfare of, some being'.

¹³⁴ In other words Mill treats *evaluation* as equivalent to *desirous prescription*.

(U-IV:v-viii), all practical reasoning must ultimately rely on *at least one* (evaluative or prescriptive) premise, the epistemic justification of which cannot be established through a deductive proof (U-IV:i).¹³⁵

For some, the need to employ non-deductively provable premises in practical reasoning is a reason to infer either that (i) even if there are correct, universal first principles, we cannot achieve a justified belief as to what they are (Skepticism); or (ii) different, *mutually contradictory* principles can be ‘true for’ different individuals, and hence the practice of seeking to justify one’s first principles to others is misguided in virtue of presupposing a false universalism (Relativism). While Mill doesn’t distinguish between these two challenges, he effectively dismisses both of them, claiming that we can use an *indirect* or *non-deductive* proof to achieve a *defeasibly* justified belief that there is one, universal, first principle of practical reason. This principle is the *prescriptive* correlate of the *evaluative* or axiological thesis of Value Hedonism set out above, and can be formulated as follows:

Prescriptive Hedonism: for all beings, $\alpha_{1\dots n}$, there is *always* sufficient reason for them to desire pleasure and the absence of pain as ends in themselves, and *only* ever sufficient reason for them to desire pleasure and the absence of pain as ends in themselves (U-II:ii, IV:iii).¹³⁶

¹³⁵ Cf. Bentham-(1948/I:XI)

¹³⁶ Here three points of clarification are necessary.

Firstly, this is formulated in such a way as to incorporate the universal (‘always’) and monistic (‘only’) components of Normative Hedonism described in (C.1) above.

Secondly, I have dropped the ‘under condition C’ clause, as Mill deems there to be no need for such a qualification. Against this some might claim that his Qualitative Hedonism introduces a clause of the form ‘only if the pleasure flows from virtue or excellence’. This would make it easier to ground a common critique of Mill, namely, that his Qualitative Hedonism *cannot* be genuinely hedonistic because it renders the value of pleasure dependent on some other values (see Crisp-1997/p.32 for a list of people who make this objection). I see no textual evidence to support a reading of Mill which makes pleasure’s possession of value contingent on it being pleasure taken in virtue, excellence, or anything else. (In this respect he agrees with Bentham. See e.g. Bentham-(1948/IV:VI & IX) for cases of there being value in pleasures taken in potentially harmful drives, such as the desire for power or feelings of malevolence.). What is true is that Mill thinks that pleasure *in* virtue, excellence etc., has more value than pleasure *in* vice, mediocrity etc., *for the people who experience these pleasures* (and hence independently of their instrumental value in promoting pleasure for others). The question of whether this position is hedonistic then becomes the question of whether Mill thinks that pleasure in virtue is more valuable than pleasure in vice *because* virtue is more pleasurable than vice (Qualitative Hedonism) or *because* virtue has a value independent from its pleasurable which vice lacks (Anti-Hedonism). I follow Crisp-(1997/p.31-5) in taking the text to support the former reading, and thus reject interpretations which claim that Mill abandons (as opposed to *should* abandon) his Qualitative Hedonism either explicitly or implicitly.

So how is this answer to the question ‘what is there sufficient reason to desire in and of itself?’ to be defeasibly justified? Or, to rephrase the question, how is this answer to be indirectly or non-deductively proven?

Here a brief detour through Mill’s theoretical epistemology is necessary, as he also employs an indirect proof of the first principle of theoretical reason. Mill’s epistemology is empiricist, and he takes empiricism to *justify* a naturalistic *conception* of human nature in which the human *conceiver* and the humans *conceived* lack transcendental or supernatural capacities (EWHP:II-III). This has two key implications. Firstly, it implies that the conceiver must be able to attribute reasons to believe to *other* people without thereby attributing them with non-natural capacities. Secondly, and more importantly, it implies that the conceiver must be able to *self*-attribute sufficient reason to believe in empiricism without thereby contradicting his or her empiricism. That is, the conceiver’s justified belief in empiricism must be the kind of justified belief that is recognized by empiricism.

The latter requirement generates a difficulty. After all, the normative proposition ‘ α has sufficient reason to believe in empiricism’ doesn’t *appear* to be either analytic *a priori* or synthetic *a posteriori*. If it were neither of these, this would leave two possibilities. Firstly, the empiricist could deny that it is a genuine proposition in virtue of lacking cognitive content, and hence a truth-value. However, this would imply that it is not true that one has sufficient reason to be an empiricist, which means that empiricism would lose any interesting prescriptive content about how we ought to form beliefs. Secondly, and alternatively, the empiricist could claim that the proposition is genuine, possesses cognitive content, and hence has a truth-value, in virtue of being justifiable synthetic *a priori*. However, this would reduce empiricism to absurdity, as the empiricist claim that there are *no* synthetic *a priori* propositions would itself be a (false) synthetic *a priori* proposition.

Thirdly, I am using the term Prescriptive Hedonism rather than Utility Principle because *at this point* I want to retain the analytical distinction between Mill’s claim that we have sufficient reason to seek pleasure and the absence of pain, on the one hand, and his moral principle that the morally *best* act is always that which promotes the maximum net good (Maximizing Principle). When Mill speaks of the Utility Principle he means *the conjunction* of Prescriptive (or Value) Hedonism and the Maximizing Principle (U-II:ii). While this analytical distinction is a little foggy in *Utilitarianism*, Mill spells it out himself in an earlier discussion of Bentham (WMP:176).

Mill's solution to these difficulties effectively amounts to falling back on the claim that normative propositions are in fact knowable synthetic *a posteriori*.¹³⁷ For this to be true, facts about how we *ought*, or have sufficient reason, to form beliefs must ultimately be facts about how we *do* form beliefs (SL-I:318-20).¹³⁸ According to Mill, critical reflection upon our belief-forming practices reveals that we – meaning all human beings of basic cognitive competence - have a primitive disposition to reason inductively upon the basis of data from memory and present sensory experience. To call the inductive disposition *primitive* is to say that it is *natural*, in the sense of being innate and instinctive rather than learned, and *basic*, in the sense of being neither reducible to, nor a sub-component of, another, more fundamental disposition, such as the disposition to engage in deductive or abductive inference.¹³⁹

While the claim that the inductive disposition is natural would need support from standard empirical science, the claim that it is basic involves a logical analysis of the *relationship between* different kinds of reasoning. For Mill, formal principles of inductive and deductive inference are simply rigorous and critically refined articulations of our dispositions to engage in these kinds of inference, both by ourselves, and within the context of shared social practices. As such they are formulated through introspecting, and reflecting upon those dispositions, on the one hand, and refining one's view of their nature through dialogue and discussion (with people who are presumed to share the same basic dispositions in virtue of their shared human nature), on the other (SL-I:318-20). According to Mill, reflection on the presuppositions of inductive and deductive inference reveals that deductive inference presupposes the justification of inductive inference rather than vice versa (SL-I:209). In consequence, the inductive disposition is judged to be basic and the deductive disposition to be non-basic (SL-I:283).

¹³⁷ Mill suggests that moral claims have satisfiable truth conditions in (LL-II:423) and SL-(II:949) quoted below.

¹³⁸ My understanding of the relationship between Mill's theoretical and normative epistemology is strongly indebted to Skorupski-(1998/p.6-16) and Skorupski-(1989/ch.1), although he would no doubt reject some of what follows.

¹³⁹ Cf. Skorupski-(1998/p.8-10)

Given that human beings also have a disposition to reason *badly*, and this bad reasoning includes bad *inductive* inferences, one might wonder why it is the Principle of Induction, as opposed to some intuitively less compelling principle, which gives the true articulation of our primitive belief forming disposition. Mill's answer is that the recognition that we can reason badly presupposes recognition of a correct principle, on the one hand, and that clear-sighted reflection reveals this to be the Principle of Induction, on the other (SL-I:320-22). While we can recognize that memory, sensory experience, and induction are all fallible, this recognition occurs through *further* uses of memory, sense experience, and induction. Given the unavoidability of employing these as our yardsticks for the justifiability of our other beliefs, Mill concludes that, if the notion of justification is to have any practical meaning at all,¹⁴⁰ we must be justified in employing the Principle of Induction (SL-I:318-20). That we have sufficient reason *to reason* in conformity with the Principle of Induction, is thus deemed to be a first principle of theoretical reason, which is justified synthetic *a posteriori*.

This method of indirect proof is reapplied in order to determine the first principle of *practical* reason.¹⁴¹ This is framed in terms of reasons for *desire*, as Mill thinks that it is desires which guide our actions. According to Mill, critical reflection upon our desire-forming and desire-revising practices reveals that we – meaning all human beings of basic cognitive competence - have one, and only one, primitive disposition to desire, and this is to desire pleasure and the absence of pain (U-II:ii; & IV-iii).¹⁴² Once again, the primitiveness of this disposition implies that the desire for pleasure is *natural*, in the sense of being innate and instinctive rather than learned, and *basic*, in the sense of being neither reducible to, nor a sub-component of, some other more fundamental disposition (RB:6), such as the disposition to desire power posited by Nietzsche.¹⁴³ And once again, while the claim that

¹⁴⁰ As is presupposed by any form of Skepticism which takes it to be possible to show that people *ought* to become Skeptics.

¹⁴¹ Skorupski-(1998/p.13)

¹⁴² The question of whether Mill's normative epistemology actually supports value pluralism rather than hedonism is not a question to be pursued here.¹⁴² What is more significant for our purposes, and particularly those of Chapter 4 below, is that Mill thinks that critical reflection upon our desires will eventually reveal, not simply a primitive desire for pleasure and the absence of pain, but a primitive desire for pleasures and the absence of pains *in accordance with a rough ordinal ranking reflecting their respective qualities* (U-II:v).

the desire for pleasure is *natural* is to be determined by empirical science, the claim that it is *basic* requires introspecting and reflecting upon our desires, on the one hand, and refining our view of their nature through dialogue and discussion (with people who are presumed to share the same basic dispositions in virtue of their shared human nature), on the other (U-IV:iv-x).¹⁴⁴

For Mill, then, Prescriptive Hedonism is intended to represent a rigorous, and critically refined, articulation of the foundational drives which guide human *behaviour*, and thereby supplies it with the rationality required to raise it to the status of *action*. This doesn't mean that we cannot criticize our desires, including desires to experience particular pleasures, and to avoid particular pains,¹⁴⁵ but it does mean that these criticisms must be made from a standpoint which presupposes that we have sufficient reason to desire pleasure and the absence of pain.¹⁴⁶

For Mill, the primitiveness of the desire for pleasure, in conjunction with the (supposed) fact that we have no other primitive desires, has two key implications. Firstly, its naturalness means that it is unavoidable.¹⁴⁷ Secondly, this unavoidability, in conjunction with the (supposed) fact that the desire for pleasure is the *only* basic desire, means that it is the only possible measure of the rationality of our other desires. On this view, if the notion of justification is to have any practical significance at all, our desire for pleasure and the absence of pain must be the self-validating foundation of practical reasoning.¹⁴⁸ That we have sufficient reason to desire pleasure and the absence of pain, and to act in accordance with these desires, is thus deemed to be *the* first principle of practical reason (SL-II:951-2), justifiable synthetic *a posteriori*.

¹⁴³ For Nietzsche's claim see (BGE:13) among other passages. Cf. Bentham-(1948/I:XII): "By the natural constitution of the human frame, on most occasions of their lives men embrace this [utility] principle without thinking of it".

¹⁴⁴ Cf. Mill's IA-(226)

¹⁴⁵ Pace MacIntyre-(1998/p.236). See the section of (SL-II:949-50) quoted in part (F) below.

¹⁴⁶ Cf. Bentham-(1948/I:XIII)

¹⁴⁷ Cf. Bentham-(1948/I:XIII)

¹⁴⁸ Cf. Wilson-(2007/§3): "This principle that *must implies ought* is the converse of the well-known Kantian principle that *ought implies can*. It is justified by the argument that where there is something we must be then it is unreasonable to propose that something else be required. This principle permits one to infer an *ought* from an *is*, to move from the realm of fact to the realm of justification."

From the preceding we can see that Mill's response to Skepticism with respect to practical reason is to seek to ground first principles in primitive dispositions. Having done so, he can then sidestep the threat of Relativism by claiming that the hedonistic disposition is universal.¹⁴⁹ Of course, Mill was well aware that not everyone agreed that critical reflection on their primitive dispositions revealed a fundamental desire to seek pleasure and avoid pain before anything else (U-II:iii & IV:iv).¹⁵⁰ Mill's claim that the Hedonism Principle could be refined so as to reflect the distinction between the quality and quantity of a hedonic experience, was at least partly designed to persuade others that certain apparent dispositions to seek other things besides pleasure, such as virtue or excellence, were actually dispositions to seek *particular kinds* of pleasure. The idea is that if excellence is valuable because of its pleasurable or enjoyable nature, and is therefore a part of happiness, it may be possible to persuade those who oppose Normative Hedonism, on the grounds that it devalues excellence, that this rejection is misplaced, as their concerns are accommodated once it is qualitatively construed.

(E) Normative Hedonism II: Qualitative and Quantitative Value Hedonism

Before explaining how Mill used his normative epistemology to defend Qualitative Hedonism, with its account of how we can be justified in believing that some pleasures are of a higher qualitative rank than others, it makes sense to provide a formulation of the Quantitative Hedonism it was designed to replace.

(E.1) Quantitative Hedonism

According to the form of Quantitative Hedonism (QNH) that Mill discusses in *Utilitarianism*, the hedonic value or utility of an experience is determined purely by the quantity of pleasure and pain borne by the experience, where 'quantity' is a technical term meaning the mathematical product of the

¹⁴⁹ The fact that he claims that it is the only primitive disposition is also important here. If there were multiple competing dispositions and different people had each to different degrees, the Subjectivist-Relativist could argue that the best way of trading-off the corresponding goods and bads is relative to the individual.

¹⁵⁰ He acknowledges the possibility of someone employing his normative epistemology to ground a value pluralist position in (RB:6).

intensity (I) and *duration (D)* of the pleasure or pain in question.¹⁵¹ QNH thus draws on the Commensurability Thesis (see section B above) insofar as it presupposes that, in principle, it makes sense to speak of *units* of pleasure or pain.¹⁵² If we represent a single unit of pleasure as having a value of (1), and a single unit of pain as having a (dis)value of (-1), the *hedonic value or utility of an experience (U)* can then be represented by the equation,

$$U = (1/-1)(I)(D),$$

with a positive number denoting a pleasure, and a negative number denoting a pain.¹⁵³

In Mill's view, we cannot know the utility of an experience with mathematical precision (U-II:viii).¹⁵⁴ After all, we are incapable of ascribing a precise *numerical* value to the intensity of a pleasure or pain, and lack a clear and common understanding of what counts as a *unit* of pleasure or pain. However, he endorses QNH and the Commensurability Thesis insofar as he suggests that it makes sense to speak of *quantities* of pleasure and pain which are *roughly* determined in the way just described. That is, he thinks we can all (a) tell the difference between a pleasure and a pain; (b) judge the temporal dimension of utility (e.g. make judgements like 'ceteris paribus, one minute on the rack involves less pain than ten minutes'); and (c) judge the intensity dimension of utility (e.g. make judgements like 'ceteris paribus, five minutes of swimming is more/less pleasurable than five minutes of reading Sartre').

Of course, (c), in particular, raises questions about the objectivity of our judgements concerning the quantity of pleasure and pain involved in a particular experience. Here Mill notes that QNH (as well as Qualitative Hedonism) can draw on the Competent Judge Epistemology outlined above:

¹⁵¹ Bentham-(1948/IV:II-III) lists six dimensions of evaluation: (1) intensity, (2) duration, (3) certainty or uncertainty, (4) propinquity or remoteness, (5) fecundity, and (6) purity. He then dismisses (5-6) on the grounds that they are "in strictness scarcely to be deemed properties of the pleasure or pain itself; they are not, therefore, in strictness to be taken into account of the value of that pleasure or pain." Mill probably ignores (3-4) as, while they are certainly relevant to a decision over which of two pleasures (or pains) one might try to pursue or avoid, they are as irrelevant qua criteria of the intrinsic value (or disvalue) of the pleasure (or pain) as (5-6).

¹⁵² Bentham-(1948/IV:VII) speaks of "denominations".

¹⁵³ Where *I* and *D* are always greater than or equal to 0. Cf. Crisp-(1997/p.21-3).

¹⁵⁴ Cf. Bentham-(1948/IV:VII)

“On a question which is the best worth having of two pleasures [...] the judgement of those who are qualified by knowledge of both, or, if they differ, that of the majority among them, must be admitted as final (U-II:viii).”¹⁵⁵

To be clear, Mill is not making the *metaphysical* claim that the “verdict of a competent judge (U-II:viii)” *makes* it the case, or *constructs* the fact, that (say) ‘*x* is more pleasurable than *y*’. Nor is he making the *semantic* claim that ‘*x* is more pleasurable than *y*’ *means* ‘(a majority of) the competent judges agree that *x* is more pleasurable than *y*’. He is simply making the *epistemic* point that the consensus of the competent judges is the best *evidence* at our disposal for judging such claims.¹⁵⁶

(E.2) Mill’s Qualitative Hedonism

So what is Qualitative Hedonism (QLH)? Mill tells us that Normative Hedonists can and should:

“recognise the fact, that some *kinds* of pleasure are more desirable and more valuable than others (U-II:iv).”

For example, the hedonist can and should ascribe:

“pleasures of the intellect, of the feelings and imagination, and of the moral sentiments, a much higher value as pleasures than to those of mere sensation (U-II:iv).”

It is important to note that to posit the “superiority of mental over bodily pleasures (U-II:ii)” is not to denigrate the body as such. This is because (1) to say that bodily pleasures are less valuable than mental pleasures is not to say that they have no value; and (2) bodily pleasures can be more or less integrated with mental pleasures (see below).¹⁵⁷ Nor, for the reason just stated, is it to say that there are simply two kinds of mutually exclusive pleasures: mental and bodily.

For Mill, there seems to be no limit to the number of kinds of pleasure possible (A:121). It is thus more accurate to think of the kinds of pleasures as existing within a (potentially infinite) ordinal hierarchy, in which the less mental (i.e. ‘bodily’) pleasures tend to be nearer the ‘bottom’, and the more mental pleasures tend to be closer to the ‘top’.¹⁵⁸ The view that (a) bodily-induced and mentally-induced pleasures can be integrated; and (b) there is a potentially infinite number of kinds of pleasure;

¹⁵⁵ Riley-(2003/p.412)

¹⁵⁶ Crisp-(1997/p.36)

¹⁵⁷ After all, as a naturalist, Mill can’t take mind and body to be metaphysically distinct, and as an experiential hedonist, he must take bodily pleasures to be ‘mental’ in the sense that they are consciously experienced.

¹⁵⁸ Riley-(2004/p.413)

flows from Mill's Psychological Associationism. For Mill, the relatively low pleasures can combine with each other, in such a way that they yield a pleasure whose kind and hedonic value is greater than the sum of its parts. They can also become associated with the relatively high pleasures, such as when a particular sensation prompts one into (say) a (higher) state of emotion or recollection of beauty (APM2-XXI:2:48).¹⁵⁹

Mill also takes the same possibilities of combination and association to obtain between distinct kinds of mental pleasures, in such a way that the pleasures attained become higher and higher.¹⁶⁰ For instance, we can imagine an artist surveying an old battle field near Flanders, appreciating the aesthetic combination of the silence, the colors, the stillness, and the breeze. To the artist's experience we might add a further, more cognitive, dimension; for instance, the awareness of the global historical significance of the scene before her eyes. To this we might add a sense of poignancy, born of the artist's own personal relation to the actors who gave the place its historical significance. And to this, we might add the sense of energy and elevation as the artist responds to these disparate and, in some ways conflicting, pleasures through the creation of her work (and so on) (APM2-XXI:2:47).

Mill also applies Competent Judge Epistemology to QLH.

“[a] If I am asked, what I mean by difference of quality in pleasures, or what makes one pleasure more valuable than another, merely as pleasure, except its being greater in amount [as per QNH], there is but one possible answer. [b] 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. [c] If one of the two 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 (U-II:v)”.¹⁶¹

The relation of the section labelled (a) to the sections labelled (b) and (c) is potentially confusing. After all, while (a) says that “there is but one possible answer” to the question of what is meant by differences of quality, sections (b) and (c) could be read as providing slightly different, and hence

¹⁵⁹ APM1-(III:28); APM2-(XXI:5:26); SL-II:852-5).

¹⁶⁰ Riley-(2004/p.414)

¹⁶¹ The italics and the section divisions (a-c) are my own.

competing, answers. In consequence, in order to take Mill at his word, it seems best to read (b) and (c) as providing a single complementary list of criteria.¹⁶² On a first, *provisional* reading, U-(II:v) then tells us that the *joint* satisfaction of the following conditions is *sufficient* for one pleasure, P₁, to be considered of a higher quality than another, P₂:

- (i) all, or almost all, people who have experienced P₁ and P₂ prefer any amount of P₁, however small, to any amount of P₂, however large;
- (ii) the preference cited in (i) is not contingent on a sense of being morally obliged to prefer P₁ to P₂ (because, say, preferring (or choosing) P₂ would lead to (greater) harm to others);
- (iii) the preference cited in (i) holds even if P₁ will be attended by more ‘discontent’ than P₂.¹⁶³

Provisional criterion (i) captures the radical departure from QNH. It implies that to speak of ‘kinds’ of pleasures is to posit a third value-making dimension, over and above QNH’s two dimensions of quantity (intensity and duration), which is far more important in determining a pleasure’s overall hedonic value.

The radical implication(s) of this move can be seen in Table 1 below.

Table 1:

Pleasurable Experience	Quality	Intensity	Duration	Quantity (as per QNH)	Hedonic Value
X	3	1	1	1	(3,1)
Y	2	3	5	15	(2,15)
Z	1	10	7	70	(1,70)

X, Y, and Z are distinct pleasures of different levels of quality. X has the highest quality of the three, represented with the ordinal value (3), and Z has the lowest quality of the three, represented with the

¹⁶² Cf. D. Miller-(2010/p.58) who calls this reading a misreading. Miller takes Mill’s “one answer” to the question of what constitutes a *difference* in quality to be given by (b). He then takes section (c) to provide a criterion for one pleasure having much *greater* quality than another. However, note that the criterion in section (b) merely shows that one pleasure is more “desirable” than another, and one pleasure can be more desirable than *another of the same quality* in virtue of having greater quantity (as per QNH). Section (b) is more plausibly read as introducing a necessary but insufficient condition, with (c) providing the sufficient condition.

¹⁶³ Conditions (i) and (iii) come from (b), and condition (ii) comes from (a).

ordinal value (1).¹⁶⁴ In contrast, in terms of the cardinal values of intensity and duration, the product of which determines the quantity (as per QNH), *X* comes in the smallest quantity (1) and *Z* comes in the highest quantity (70). One might think that the high quantity of *Z* could make it reasonable to prefer *X* despite the latter's higher quality, but this is explicitly ruled out by the quotation above. QLH implies that *X* could only be reasonably abandoned for a pleasure of the same quality but higher or equal quantity, or else a pleasure of a higher rank altogether.

In consequence, our provisional criteria allow us to see that QLH implies that if Bentham's notorious 'pushpin experience' has a rank ordering of (1), but the experience of understanding Goethe has a rank ordering of (3), then (contra Bentham *as presented by Mill*) no matter how long or how intensely someone enjoyed playing pushpin, she could never derive as much utility from it as from the 'Goethe experience'.¹⁶⁵ In fact, the Goethe experience would always be *infinitely* more valuable. After all, in increasing the intensity or duration of one's pleasurable pushpin experience one would simply raise the quantity of a 'level 1' quality pleasure, but this alone will never raise the quality of that experience to a higher level.¹⁶⁶

However, we can see that (i-iii) can only be taken as provisional by pondering the question of how we should understand the term 'discontent' in (iii). Given that 'discontent' is a form of pain, should we read the term "amount" in U-(II:v) as being a function of the mere product of its intensity and duration, as per QNH, or should we also take Mill to be supposing that pains have qualities as well as quantities? On the one hand, Mill never uses the term 'quality' to describe a pain, so we might feel unjustified in extending the notion of quality to this domain. But on the other, Mill claims that the relative disvalue of pains is to be judged in the same way that we judge pleasures, without specifying that these judgments will only uncover differences of quantity and not quality (U-II:viii). Moreover,

¹⁶⁴ Here I draw on Crisp-(1997/p.31-2)

¹⁶⁵ The unfairness of Mill's presentation of Bentham's position is emphasized by Harrison-(1983/p.5).

¹⁶⁶ This means that, if we adopt QLH, it is best to redefine the meaning of 'quantity' to factor in all three of the value-making dimensions. That way, we can reconcile the hedonist claim, that more pleasure is always preferable to less, with the fact that one pleasure could be longer and/or more intense than another without being of a higher quality, through the further claim that, *if a pleasure X is of a higher quality than a pleasure Y then X is more pleasurable than (or yields a greater quantity of pleasure than) Y*. Cf. Martin-(1972/p.99-102).

without a rank ordering of pains, the intelligibility of QLH would be cast into doubt. After all, how would a quantity of pain as determined by QNH commensurate with a quantity of pleasure as determined by QLH? Without an answer to this question, it seems that when Mill suggests that the best evidence for “deciding whether a particular pleasure is worth purchasing at the cost of a particular pain” is the “feelings and judgments of the experienced (U-II:viii)”, the most charitable reading is to take Mill as claiming that these judgments reflect the quality of the pain as well as its quantity (as per QNH).

Of course, given that QLH is a form of Normative Hedonism, a pleasure will always be better than a pain, so if we opt to speak of a particular pleasure being higher than a particular pain, or vice versa, we will not want this to signify the mere truism that the pleasure is preferable to the pain. The qualitative ranking will instead signify whether a pleasure of a given quantity (as per QNH) is *worth* the price of a particular pain of the same quantity (as per QNH). That is, assuming that a given pleasure and a given pain come in the same quantity (as per QNH), the qualitative ranking will tell us whether the pleasure is worth enduring the pain, in which case the pleasure will be higher than the pain, or whether the pain is sufficiently bad that avoiding it is worth foregoing the pleasure, in which case the pain will be higher than the pleasure.

One way to represent this idea is through the concept of an absolute ordinal value, as in Table 2 below.

Table 2:

Hedonic Experience	Quality	Intensity	Duration	Quantity (as per QNH)	Hedonic Value
Pleasure A	5	1	1	1	5, 1
Pain B	-4	1	2	2	-4, 2
Pleasure C	3	2	3	6	3, 6
Pain D	-2	3	4	12	-2, 12
Pleasure E	1	5	5	25	1, 25

Here the fact that Pain B is higher than Pain D is represented by its higher absolute value in the quality column. However, the negative sign signifies that, in contrast to the case of pleasures, where a

higher pleasure is *better* than a lower pleasure, a higher pain is *worse* than a lower pain. In addition Pleasure A's higher absolute value than that of Pain B, on the one hand, and Pain B's higher absolute value than Pleasure C, on the other, means that Pain B is worth enduring for Pleasure A (despite Pleasure A's lower quantity) but not for Pleasure C (despite its higher quantity). In such cases we can say that Pleasure A *trumps* Pain B, and Pain B trumps Pleasure C.

The preceding allows us to see that (i-iii) above can only provide a provisional account of the criteria for judging quality. After all, the qualitative ranking of pleasures in (iii) must presuppose a *prior* qualitative ranking of the preferred pleasure and the 'discontent' which attends it (i.e. the judgment that the preferred pleasure has a higher quality than the painful discontent). As such it cannot provide a non-circular criterion of qualitative rank. We can see this by cashing out (iii) as follows:

(iii-revised) IF Pleasure- α is attended by Pain- α , and Pleasure- β is attended by Pain- β , where either the quality of Pain- α is higher (i.e. worse) than that of Pain- β , or their qualities are the same and the quantity of the former is higher (i.e. worse) than that of the latter, THEN if a competent judge chooses Pleasure- α over Pleasure- β then Pleasure- α has a higher (i.e. better) quality than Pleasure- β .¹⁶⁷

Since this criterion relies on the notion of quality it cannot provide a non-circular definition of quality. In consequence, (iii) is better understood as a *corollary* of the idea of qualitative ranking rather than as a *definition* of quality.

What we need, then, is to be able to rearticulate Mill's account of the sufficient conditions for one hedonic experience being higher than another - whether these be two pleasures, two pains, or one of each - in such a way that it provides a criterion of ranking which does not presuppose a prior ranking.

The following definition seems more adequate:

¹⁶⁷ The inverse corollary for ranking the relative quality of two pains is as follows: IF Pain- α is attended by Pleasure- α , and Pain- β is attended by Pleasure- β , where either the quality of Pleasure- α is higher (i.e. better) than that of Pleasure- β , or their qualities are the same and the quantity of the former is higher (i.e. better) than that of the latter, THEN if a competent judge chooses Pain- α over Pain- β then Pain- α has a higher (i.e. worse) quality than Pain- β .

For any two hedonic experiences, P_1 and P_2 , if any of the following conditions (a-c) is satisfied (where one of the said conditions is satisfied if, and only if, each of its sub-conditions is satisfied), P_1 has a higher quality than P_2 :

- (a) IF P_1 and P_2 are both pleasures, experienced by a single competent judge, who feels no moral obligation to prefer one over the other, THEN (ceteris paribus) if the competent judge prefers any amount of P_1 , however small, to any amount of P_2 , however large, then P_1 has a higher (i.e. better) quality than P_2 .
- (b) IF P_1 is a pleasure and P_2 is a pain, both of which are experienced by a (single) competent judge, who feels no moral obligation to endure P_2 , THEN (ceteris paribus)
 - (i) if the competent judge prefers any quantity of P_1 , however small, attended by any quantity of P_2 , however large, to no amount of P_1 or P_3 , then P_1 has a higher (i.e. trumping) quality than P_2 ; and
 - (ii) if the competent judge prefers to forego any quantity of P_1 , however large, when it will be attended by any amount of P_2 , however small, then P_2 has a higher (i.e. trumping) quality than P_1 .
- (c) IF P_1 and P_2 are both pains experienced by a single competent judge, who feels no moral obligation to endure either, THEN (ceteris paribus) if the competent judge prefers any quantity of P_1 , however large, to any quantity of P_2 , however small, then P_2 has a higher (i.e. worse) quality than P_1 .

While the question of whether Mill is committed to a qualitative ranking of *pains* has been largely ignored by the secondary literature, the rest of this thesis will illustrate why it is difficult to exaggerate the importance of this point for understanding Mill's system.

To conclude, then, Mill claims that critical reflection upon our desires reveals, not simply a primitive desire for pleasure and the absence of pain, but a primitive desire for pleasures and the absence of pains *in accordance with a rough ordinal ranking reflecting their respective qualities* (U-II:v). As a psychological associationist, Mill claims that the human mind is malleable enough for us to be able to learn to take pleasure or pain in a broad range of capacities and activities. However, he also claims

that experience reveals our nature to be such that we experience the *most* pleasure from cultivating our higher, distinctively human capacities. Given the assumption that (almost) everyone develops their lower capacities but only a relatively few develop their higher capacities, Mill follows Plato in claiming that the key empirical evidence required to evaluate his thesis will come from the preferences and life choices of those who have cultivated their higher *and* lower faculties (U-II:viii). Since we have a range of higher capacities, this opens the door to the possibility of ranking ways of life which employ these higher faculties in different ways. He claims that, judging from the limited data of his own experience, and that of others who appear to have lived well, he can inductively infer that a life in which one cultivates personal excellences as part of projects aimed at promoting the happiness of mankind (conceived as progressive beings) is that which brings the greatest happiness to the individual (A:143; L:70; U-II:xiii).¹⁶⁸

(F) The Art of Life

Mill tells us that, while there is a sense in which normative propositions “do not assert anything that is, but enjoin or recommend that something should be”, it is also true that:

“in the largest sense of the words, even these propositions assert something as a matter of fact. The fact affirmed in them is, that the conduct recommended excites in the speaker’s mind the feeling of approbation. This, however, does not go to the bottom of the matter; for the speaker’s approbation is no sufficient reason why other people should approve; nor ought it to be a conclusive reason even with himself. For the purposes of practice, everyone must be required to justify his approbation: and for this there is need of general premises, determining what are the proper objects of approbation, and what the proper order of precedence among those objects (SL-II:949).”

In other words, while one can make indefeasible judgments of fact about one’s own feeling of approbation at any given time, these only amount to defeasible judgments about whether one’s judgement aligns with the “general premises” concerning “the proper order of precedence among [...] objects (ibid.)” The strength of the justification of one’s belief that one’s judgments are in such an alignment is in turn determined by the Competent Judge Epistemology set out above.

Mill also tells us that:

“These general premises, together with the principal conclusions which may be deduced from them, form (or rather might form) a body of doctrine, which is properly called the Art of Life, in its three

¹⁶⁸ This paragraph will receive further defense and elaboration in the Chapter 3.

departments, Morality, Prudence or Policy, and Aesthetics; the Right, the Expedient, and the Beautiful or Noble, in human conduct and works (SL-II:949)".¹⁶⁹

We can refer to these three 'departments' of life as the Moral Life, the Prudential Life (which can extend into the Political Life), and the Aesthetic Life respectively, and call their corresponding virtues those of Morality, Prudence, and Nobility. Mill goes on to claim that, while some of his rationalist or intuitionist epistemic opponents claim to be able to provide an account of the norms of the Moral Life through *a priori* reasoning, this would leave them dependent on his own empiricist normative epistemological account of justified practical reasons in the realm of the Prudential and Aesthetic (SL-II:951).

We have already seen how Mill's Prescriptive Hedonism implies that the defining characteristic of Prudence is acting in such a way as to promote *one's own* happiness. Moreover, we have seen that when Prescriptive Hedonism is expressed in terms of QLH, it can potentially reconcile the Life of Prudence and the Life of Aesthetics, which is to say the virtue of Prudence with that of Nobility, by pointing to the ways in which the development of our higher aesthetic capacities is highly conducive to our own welfare. In consequence, Mill concludes that rather than seeking an account of the Moral Life elsewhere, and thereby generating an account of the Moral Life which potentially sets it at odds with the Prudential and Aesthetic Lives, it makes sense to ground them upon the same hedonistic foundation. As he puts it:

¹⁶⁹ Two notes.

Firstly, in (SL:951) he refers to the aesthetic dimension as that of "Taste".

Secondly, an earlier version of this tripartite distinction can be found in (B:112), where Mill says that each action has three aspects: moral, aesthetic, and sympathetic (as opposed to prudent). "The first addresses itself to our reason and conscience; the second to our imagination; the third to our human fellow feeling." One possible explanation for the transition is as follows. Firstly, Mill came to believe that morality grows out of, and hence is not genuinely distinct from, sympathy (as it is in, say, the moral philosophy of Kant) (U-III:x). Secondly, he came to worry that the desire to be accepted, combined with the difficulty of being accepted unless one socially conformed, could lead to the suppression of individuality (L:264-70). This may have led him to *weaken* his early opposition to Bentham's emphasis on self-interest, as this provided a useful counterweight to the kind of excessive moralism, and demands for conformity, that he claimed to find in Comte (ACP:332; U-III:x). Finally, he felt that introducing self-interested prudence as a 'department' of life in its own right needn't render his Art of Life excessively egoistic, provided that it was balanced by the other departments (L:263). Thus conceived, self-interest is enlightened (U-III:x), and individuals who act in their enlightened self-interest simultaneously act in the interest of mankind, conceived as a species of progressive beings (L:224).

“the general principle to which all rules of practice ought to conform, and the test by which they should be tried, is that of conduciveness to the happiness of mankind, or rather, of all sentient beings: in other words, that the promotion of happiness is the ultimate principle of Teleology (SL-II:951).”

This is the principle that Mill thinks that Competent Judges would converge upon as the best guide in the Art of Life.

(G) Utilitarianism and the Life of Morality

Mill’s Art of Life is thus designed to reconcile the *lives* of Prudence, Aesthetics, and Morality, or, to put it more accurately, the *virtues* of Prudence, Nobility and Morality within a single life. He claims that, where Bentham failed, both philosophically and in his own life, to achieve the correct balance between these virtues, by overplaying Prudence with respect to Morality, and almost ignoring Nobility entirely, he wants to find the correct balance (B:96-99).¹⁷⁰ In Mill’s judgment, the Artist of Life should deem Morality the most important of the virtues without deeming it to dominate the others. This raises the question of how the principle of Teleology set out above can give Prudence (achieving one’s own happiness) and Nobility (cultivating individual excellence or the higher faculties) their due when it is framed in terms of the happiness of *mankind* rather than the happiness of the *individual* whose action is supposed to be guided by the principle. What if the happiness of mankind can be best promoted by sacrificing one’s own happiness, and the cultivation of one’s higher faculties? Wouldn’t prioritizing Morality over Prudence and Nobility then leave one utterly bereft of the latter two virtues?

Such worries can be reinforced by the way that Mill rearticulates the general principle of Teleology in terms of Morality in *Utilitarianism*:

“The creed which accepts as the foundation of morals, Utility or the Greatest Happiness Principle, holds that actions are right in proportion as they tend to produce happiness, wrong as they tend to produce the reverse of happiness (U-II:ii).”

¹⁷⁰ According to Mill, Bentham’s mistake was to see Morality as the *only* virtue, on the one hand, but to adopt an overly Prudential conception thereof, on the other. That is, he claims that Bentham believed that ideally acts would have the effect of maximizing utility, but that the only intentions that could be called upon pertained to self-interest, the implication being that a system of carrots and sticks had to be implemented to ensure selfishness produced utility maximization (RB:12-15).

Here the demands of Morality can appear to have become all encompassing, so it is necessary to analyse the passage carefully, in order to see how much room Morality leaves for Prudence and Nobility.

The first thing to note in order to understand the passage above is that Mill speaks of a ‘tendency’ to produce happiness and its reverse because one and the same act can produce good and bad consequences in varying proportions.¹⁷¹ In consequence an act will have a *tendency* to produce happiness (or pleasure) if, and only if, it produces *more* happiness (or pleasure) than unhappiness (or pain). This means that the ‘in proportion as’ clause of Mill’s definition allows one to read the ‘right’ and ‘wrong’ predicates in a *comparative* and a *superlative* sense.¹⁷² In the former sense, the claim that ‘x is the right act, and y is the wrong act’ could be read as ‘x is *more* right than y, and y is *more* wrong than x’.¹⁷³ In terms of virtue, this would translate into the claim that ‘x is *more* moral than y, and y is *less* moral than x’. In the second sense, the claim that ‘x is the right act, and y is the wrong act’ could be read as ‘x is the *most* right act, and y is the *most* wrong act’. In terms of virtue, this would translate into the claim that ‘x is the *most* moral act, and y is the *most* immoral act’. In other words, while the first sense of ‘right’ and ‘wrong’, and by extension ‘moral’ and ‘immoral’, implies that the predicates can apply as a matter of *degree*, the second sense implies that there is an ‘upper’ or ‘lower’ *limit* to the rightness or wrongness, and by extension the morality or immorality, of an act.¹⁷⁴

To complicate matters further, Mill also tells us that:

“We do not call anything wrong [immoral], unless we mean to imply that a person ought to be punished in some way or other for doing it; if not by law, by the opinion of his fellow creatures; if not by opinion, by the reproaches of his own conscience (U-IV:xiv).”

¹⁷¹ As Brink-(2014/§2.8) notes, this seems to be the most natural reading of Bentham’s use of tendency in Bentham-(1948/I:I-IX). Cf. Urmson-(1953/p.247-8).

¹⁷² For potential objections to such a move see Railton-(1983/p.110).

¹⁷³ Or, alternatively, that ‘x is less wrong than y, and y is less right than x’.

¹⁷⁴ Here Mill’s dual usage reflects that found in Bentham-(1948/I:IX): “Of an action that is conformable to the principle of utility one may always say that it is one that ought to be done, or at least not one that ought not to be done. One may also say, that it is right that it should be done; at least that it is not wrong that it should be done: that it is a right action; at least that it is not a wrong action.” Here Bentham notes two ways of conforming with the utility principle, namely, performing the action which it deems best, and performing an action which it does not prohibit, without implying that any action but the best is prohibited.

This allows us to attribute Mill with a de dicto commitment to the following:

Wrongdoing Principle: If an agent, α , acted wrongly (immorally) by \emptyset -ing then there is:

- (i) *sufficient* reason for α to punish himself by blaming himself for \emptyset -ing;
- (ii) *defeasible* reason for others to punish α for \emptyset -ing by *openly* blaming him for \emptyset -ing (and potentially also applying other kinds of non-legal social sanctions, such as ostracism); and
- (iii) *defeasible* reason for the state to punish α for \emptyset -ing through the application of legal sanctions.¹⁷⁵

How does the sense of ‘wrong’ (immoral) employed by this principle relate to the comparative and superlatives senses above? On the one hand, it seems to be compatible with the superlative sense of ‘wrong’ (immoral), as if any wrongdoing (immorality) were to generate reasons to feel guilt, it would presumably be the worst forms of wrongdoing (immorality). But on the other, it seems to be incompatible with the comparative sense of wrong (immoral) unless Mill rejects the notion of supererogation. If Mill were read as rejecting supererogation, he would have to be read as taking us to have sufficient reason to feel guilt for performing anything but the best (i.e. *most* right or moral) action.¹⁷⁶ After all, in the comparative sense of ‘wrong’ we can say that the second best action is *more wrong* than the best action, so the Wrongdoing Principle would imply that the applicability of the term ‘wrong’ here implies sufficient reason for guilt. It is at this point that we would have to conclude that Mill takes Morality to completely eclipse Prudence and Nobility.

However, Mill makes it very clear that, as far as he is concerned, the category of supererogatory acts is *far* from empty:

¹⁷⁵ That is, on the assumption that the prior passage should be read conjunctively rather than disjunctively. In the former case, if there turns out to be sufficient reason for the wrong doer to be sanctioned by the opinion of others, this will be in addition to the wrong doer having sufficient reason to punish himself; and if the state has sufficient reason to apply legal sanctions, this will be in addition to there being sufficient reason for social- and self-sanctioning. On the disjunctive reading, by contrast, Mill would be leaving open the possibility of (say) the state having sufficient reason to apply legal sanctions, and there being insufficient reason for either social or self-sanctions. While there are ethical cases which some may take the latter position to be more plausible (e.g. jay walking), everything in Mill’s texts suggests that he should be read in the first way.

¹⁷⁶ I.e. the least wrong or least immoral action. This is the standard view of utilitarianism.

“There are [...] things [...] which we wish that people should do, which we like or admire them for doing, perhaps dislike or despise them for doing, but yet admit that they are not bound to do; it is not a case of moral obligation; we do not blame them, that is, we do not think that they are proper objects of punishment (U-V:xiv).”

“There is a standard of altruism to which all should be required to come up, and a degree beyond it which it is not obligatory, but meritorious (ACP:337).”¹⁷⁷

Here an act is ‘right’ in a sense implying that it would be wrong (immoral) *not to do it*,¹⁷⁸ and wrong (immoral) if *performing* it gives the agent sufficient reason to feel guilt. Since only a proper subset of the non-best acts are sufficiently bad to be labelled ‘right’ or ‘wrong’ in *this* sense, we can think of this as the *threshold* sense of these predicates. The *superlative* sense of ‘wrong’ (immoral) will then be a limiting case of the threshold sense of ‘wrong’ (immoral), and the *superlative* sense of ‘right’ (moral) will be excluded from the threshold sense of ‘right’ (moral).¹⁷⁹

It is unfortunate that Mill used the ‘right’ and ‘wrong’ predicates in so many different ways without proper explanation, as it has led to enormous debate and confusion.¹⁸⁰ For the sake of clarity, the following de dicto systematization of his views will use ‘right’ and ‘wrong’ (‘moral’ and ‘immoral’) in the *threshold* sense of these terms as featured in the Wrongdoing Principle (unless otherwise stated). We can then refer to the *superlatively* right and wrong acts as the *morally best* and *worst* acts, and the *comparatively* right and wrong acts as the *morally better* and *worse* acts.

The preceding suggests that Mill’s Utilitarianism implies that:

- (i) the morally best actions are those which maximize net utility;
- (ii) the morally worst actions are those which maximize net disutility;

¹⁷⁷ Also, (TLC:651).

¹⁷⁸ Which means that one would have sufficient reason to feel guilt for the ‘act’ of omission. For confirmation, see the following passage: “we say that it would be right to do so and so, or merely that it would be desirable or laudable, according as we would wish to see the person whom it concerns, compelled, or only persuaded and exhorted, to act in that manner (U-V:xiv)”.

¹⁷⁹ Because it is not wrong in the threshold sense of ‘wrong’ to fail to perform the right act in the superlative sense of ‘right’. This is the sense of ‘right’ which Mill is employing in the following claim: “the happiness which forms the utilitarian standard of what is right in conduct, is not the agent’s own happiness, but that of all concerned. As between his own happiness and that of others, utilitarianism requires him to be as strictly impartial as a disinterested and benevolent spectator (U-II:xviii).” That is, here Mill tells us that the perfect Moral Life would require total impartiality. However, as the rest of the text makes clear, Mill doesn’t think it is immoral to have a less than perfect Moral Life.

¹⁸⁰ See the discussion of the secondary literature in the concluding chapter.

(iii) the morally right acts are those the omission of which have a sufficiently bad effect on net utility to generate sufficient reason for the agent to feel guilt; and

(iv) the morally wrong actions are those the performance of which have a sufficiently bad effect on net utility to generate sufficient reason for the agent to feel guilt.

(iii-iv) are sufficiently ambiguous for scholars to have disagreed over *exactly* how much Mill's utilitarian morality is supposed to demand of us.¹⁸¹ For instance, *how much* potential net utility must one's actions fail to create vis-à-vis one's other options, or *how much* net disutility must one's actions create vis-à-vis one's other options, before there is *sufficient* reason for one to feel guilt for one's action? On this question, (iii-iv) remain silent and the answer is not derivable or deducible from other premises in Utilitarian *theory* as such. In consequence, Mill leaves an irreducible role for judgment in determining what would constitute an encroachment of Morality onto Prudence and Nobility, and hence leaves open the possibility of disagreement between 'Millian' Utilitarians.¹⁸² This reflects his view that the Art of Life cannot be converted into an exact science (SL-II:946-7).¹⁸³

(H) Mill's Formal Theory of Justice and Rights

¹⁸¹ They are also sufficiently ambiguous to leave it an open question whether the morally worst act is always wrong. One reason we might think not is that there may be cases where the worst act is only *marginally* worse than all of the other options. If this is the case, and there is insufficient reason to think that any of the acts except the worst is wrong, one might also deny that there is sufficient reason to call the worst act wrong. Perhaps all acts become permissible in such circumstances and the best is supererogatory.

To provide an example, imagine a trolley problem in which an agent faces a choice between letting himself be killed by a trolley and redirecting the trolley onto someone else along with his pet dog. Many would say that the latter option is permissible despite being worse because the first option would be supererogatory. These considerations suggest that a reconstruction of Mill's view might introduce a clarification clause making it explicit that the worst act is not necessarily wrong.

¹⁸² One case where we see Mill making a concrete judgement is in *The Subjection of Women* where he suggests that men should be more self-sacrificing than they were in his time and women less (SW:293).

¹⁸³ If this account is correct, that found in D. Miller-(2010/p.82) misrepresents Mill by making him excessively demanding when it comes to the Moral department of the Art of Life. On Miller's account each department generates its own rules, and these rules generate moral, aesthetic, and prudential reasons for action respectively. The primacy of Morality is then taken to show that moral rules always trump aesthetic and prudential rules. From this Miller infers that "if an agent has a reason derived from the department of Morality to choose one course of action and a reason derived from that of Prudence (or Aesthetics) to choose another, in Mill's view he or she is on balance rationally required to choose the former." However, note that the inference is only valid given the false assumption that the reasons issuing from the department of Morality are exhausted by the reasons issuing from its moral *rules*. This assumption is false because Mill makes it clear that we can have genuinely moral reasons to act in supererogatory ways without being rationally required, or being bound by a moral rule, to act in supererogatory ways.

The preceding ambiguities also carry over into Mill's theory of rights. Mill tells us that:

“To have a right, then, is [...] to have something which society ought to defend me in the possession of. If the objector goes on to ask why it ought, I can give him no other reason than general utility (U-V:xxv).”

Here the Prudential Life extends itself into the Political Life because of the way that the individual can only ‘defend’ her interests if society cooperates by sanctioning violations of the proposed right. However, as thus formulated, the claim to a right balances the Political with the Moral by calling for the cooperation, not in the name of the individual's interest alone, but in the name of ‘general utility’. Mill says that when thus balanced, the call for a right will be a call for cooperation in the implementation of a rule “common to all mankind, and intended for their good (U-V:xxiii)”, which is to say a rule that would promote the common good when applied impartially.

Since Mill thinks of injustice as involving rights violations (U-V:xv), on the one hand, and as a form of wrongdoing (U-V:xiv), on the other, the Wrongdoing Principle can be adapted into the:

Injustice Principle: If α violated someone's moral rights by \emptyset -ing then there is:

- (i) *sufficient* reason for α to punish himself by blaming himself for \emptyset -ing;
- (ii) *sufficient* reason for others to punish α for \emptyset -ing by *openly* blaming him for \emptyset -ing (and potentially also applying other kinds of non-legal social sanctions, such as ostracism);¹⁸⁴ and
- (iii) *defeasible* reason for the state to punish α for \emptyset -ing through the application of legal sanctions (cf. UAPT:8-9).¹⁸⁵

¹⁸⁴ Here two points are necessary.

Firstly, once again I opt for an inclusive reading of the sanctions which need to be applied in the case of the rights violation. That is, the application of legal sanctions is recommended in addition to, rather than instead of, social and self-sanctions.

Secondly, this formulation of the Injustice Principle is only suitable for dealing with rights violations committed by sub-state actors. In the case of (moral) rights violations by the state each of the clauses would need to be written in terms of the kind of reason generated and the kind of actions those reasons recommend. While clause (ii) would likely need to posit a sufficient reason for public disapproval and/or other form of legal protest (with some qualifying assumption that this would not generate certain kinds of retaliatory costs to those who express disapproval), clause (iii) would likely need to posit a defeasible reason for extra-legal forms of protest and/or rebellion.

By comparing the Wrongdoing and Injustice Principles we see that the main difference lies in clause (ii). Whereas wrongdoing as such only implies that there is a sufficient reason for the wrongdoer to engage in *self*-blame, the specific form of wrongdoing we refer to as *injustice* (or the violation of moral rights) *also* implies that there is sufficient reason for *others* to implement social sanctions against the wrongdoer. However, just as the fact that an act is a wrongdoing is insufficient to warrant state intervention, the fact that an act is a violation of a *moral* right is insufficient to warrant the establishment of a positive *legal* right to protection from such actions. This is because Mill believes that it is not *always* “expedient” for moral rights to be enforced through penal sanctions,¹⁸⁶ not least because of the dangers of “trusting the magistrate with so unlimited a power over individuals (U-V:xiii)”. In other words, Prudence should constrain Morality, as everyone has an interest in the latter being enforced in ways that do not produce more than good.

As in the case of general wrongdoing, the formalism of the account leaves it open exactly *how much* utility must be at stake in people having *x* for them to be said to have a *moral right to x*,¹⁸⁷ and how much utility must be at stake in people having their moral right to *x* *treated as a legal right* for it to be wrong to fail to treat the moral right as a legal right. The most we can say informally is that, *ceteris paribus*, the worse the consequences of not recognizing something as a moral right (or not legally enforcing a moral right) the more reasonable it will be to judge that it is a moral right (or that it is a moral right that should be legally enforced).

However, the possibility of *supererogatory* government policy (or societal collective action) means that Mill’s theory of rights doesn’t entail the minimal *positive* claim that if the establishment of a legal right to *x* would lead to *maximal net utility*, there would be sufficient reason to think that individuals have a *moral* right to *x*, let alone a moral right which it would be wrong to fail to convert into a legal

¹⁸⁵ Cf. (L:276)

¹⁸⁶ In the case of rights to the provision of certain goods, as opposed to rights to protection from certain bad acts, this point can be rephrased as the claim that it is not necessarily expedient for the state to be the provider of these goods.

¹⁸⁷ As we will see, Mill does provide us with some concrete guidance but he does not *deduce* this guidance from the theory without the aid of judgment. Once we look at Mill’s concrete proposals for rights in Chapter 6, we will be able to see how he balances the Moral and the Political with the Noble.

right. This is analogous to the claim, made at the level of general wrongdoing, that the best action is not necessarily right (in the threshold sense) as it is not necessarily wrong (in the threshold sense) to fail to perform the (morally) best action.

As Mill puts it:

“[I]f a moralist attempts, as some have done, to make out that mankind generally, though not any given individual, have a right to all the good we can do them, he at once, by that thesis, [mistakenly] includes generosity and beneficence within the category of justice [...] Whenever there is a right, the case is one of justice, and not of the virtue of beneficence: and whoever does not place the distinction between justice and morality in general *where we have now placed it*, will be found to make no distinction between them at all, but to merge all morality in justice (U-V:xv).”¹⁸⁸

In other words, Mill’s theory of rights does not *entail* that there are moral rights, whether properly legally enforceable or not, to the implementation of policies which yield maximum net utility (call these acts and policies *optimal*), as it leaves it an open question whether such policies are required by justice or some higher form of non-obligatory benevolence.

¹⁸⁸ My italics.

Chapter 3

De Dicto System Construction II:

Mill's Philosophy of his Mental Crisis

“A man of clear ideas errs grievously if he imagines that whatever is seen confusedly does not exist: it belongs to him, when he meets with such a thing, to dispel the mist, and fix the outlines of the vague form which is looming through it.”

John Stuart Mill, *Bentham* (CW X:91)

“I have learned from Wordsworth that it is possible by dwelling on certain ideas to keep up a constant freshness in the emotions which objects excite and which else they would cease to excite as we grew older – to connect cheerful and joyous states of mind with almost every object, to make every thing speak to us of our own enjoyments or those of other sentient beings, and to multiply ourselves as it were in the enjoyments of other creatures: to make the good parts of human nature afford us more pleasure than the bad parts afford us pain – and to rid ourselves entirely of all feelings of hatred or scorn for our fellow creatures.”

John Stuart Mill, *Wordsworth and Byron* (CW XXVI:441)

Introduction

In this chapter we will see how de dicto system construction can be used to dissolve a paradox in Mill's account of his mental crisis which he presents in his *Autobiography*. Using the method of formally analysing his arguments and explanations, we will uncover his implicit commitment to three key theses: the Finitude, Feedback, and Significance Theses. This allows us to see the underlying coherence in what can appear to be a rather muddled account of the philosophical lessons he drew from his crisis. Having uncovered these commitments we will be able to explore their broader inferential significance for his de dicto system in later chapters.

Section (A) engages in a close reading of some passages from Mill's account of his crisis with a view to exposing some doubts about their collective intelligibility. A key puzzle arises from the fact that (i) Mill claims to draw two lessons from his mental crisis, which we can call Anti-Instrumentalism and Practical Anti-Hedonism; (ii) this *would* be readily intelligible if he had also rejected Normative Hedonism in response to his crisis; but (iii) he continued to accept Normative Hedonism after his crisis. How, then, do we explain his adoption of Anti-Instrumentalism and Practical Anti-Hedonism in response to his crisis?

Given that section (A) raises doubts about the philosophical intelligibility of Mill's account of his crisis and the lessons thereof, a historical philosopher will wish to examine the texts in close detail, with a view to determining whether a philosophically rigorous analysis thereof can be used to reveal their underlying intelligibility. Before we apply the historical philosophical method, however, section (B) notes some alternative methodological approaches to reading Mill's account of his mental crisis, and shows that they do not provide an *ex ante* rebuttal of the historical philosophical treatment of the salient texts. On the contrary, Mill's employment of philosophical ideas within his *Autobiography* provides a reason for treating them as if they purport to bear the weight of philosophical scrutiny. With the said method thus validated, the value of its application can be determined by an *ex post* analysis of the results thereof.

Having raised an interpretive puzzle in (A) and set aside the methodological obstacles to a historical philosophical solution to that puzzle in (B), we can turn to providing and clarifying its solution in (C-E). Section (C) raises and solves a second interpretive puzzle pertaining to Mill's claims about the relationship between enjoying the *pursuit* and *attainment* of goods. We see that Mill commits to the Finitude Thesis, according to which our capacity to enjoy the pursuit of an end can be diminished by an awareness that the enjoyment of its attainment will be finite, and that the pattern of his reasoning reveals this to be explicable in terms of his implicit commitment to two further theses: the Feedback and Significance Theses.

The Feedback Thesis posits a 'feedback' phenomenon whereby the intrinsic value of an act for an agent can increase when it is instrumental in yielding intrinsic value for others. The phenomenon takes its name from the way in which the intrinsic value generated for others appears to feed back into the act which produced it, thereby benefitting its agent. The Significance Thesis claims that the proportion of the overall intrinsic value of an act which is due to such feedback will be higher when the act's initial intrinsic value (i.e. the value it would have without instrumental value for others, and hence without feedback) is less than its actual instrumental value for others.

We show that Mill's implicit commitment to these theses allows him to claim that an individual's sympathy for the common good of mankind can allow her to take *endless* pleasure in forms of

excellence which contribute to that end. This means that, provided that we can establish the appropriately progressive institutions, which allow individuals to cultivate such excellences, the *attainment* enjoyment of those institutions will also be potentially *infinite*. In consequence, Mill can present his recovery as triggered through the realization that he would be able to take pleasure in the *pursuit* of those institutions despite the truth of the Finitude Thesis. Conversely, given the Feedback and Significance Theses, Mill can also explain his crisis-driven inability to enjoy activities undertaken in the *pursuit* of certain ends in terms of his reduced ability to assign value to their *attainment*. A reduction in the value of the latter will reduce the meaningfulness of their pursuit to the agent, and this will either reduce or eliminate the amount of value that can feed back into the activity undertaken when pursuing the end.

Having resolved the puzzle raised in section (C), and thereby revealed Mill's implicit commitment to the Finitude, Feedback and Significance Theses, in section (D) we turn to deploying these theses to solve the original puzzle set out in section (A). That is, we can show how Mill's commitment to the said theses allows him to draw the Anti-Instrumentalist and Practical Anti-Hedonist lessons from his crisis despite his continued acceptance of Normative Hedonism.

The first step is to use the method of formal argumentation to deduce Anti-Instrumentalism and Practical Anti-Hedonism from the Feedback and Significance Theses (along with some background auxiliary hypotheses). The second step applies the method of formal analysis to the concept of pleasure. This allows us to reveal the capacity of Mill's Anti-Instrumentalism to occupy a consistent position in logical space, when it is paired with a conception of pleasure as a dyadic relation, holding between an agent and a (pleasurable) object.

The third step is to use the methods we will refer to as Determinative Interpretation and Explanation to show that the textual gaps in Mill's account can be filled out in a coherent way. The key idea here is that (i) sometimes the total set of claims made within a text underdetermine how a subset thereof are related, and (ii) it is legitimate for an interpreter engaged in system construction to show that the lack of detail is unproblematic because it can be supplied. Using this method we see how the notions of 'meaning' and 'purpose', which Mill employs but does not fully explain, can be integrated into his

Qualitative Hedonism so to explain his differential usage of the terms ‘happiness’ and ‘pleasure’. From here we can show why Mill should be interpreted as rejecting Universal Felicific Hedonism but endorsing Monistic Felicific Hedonism (as defined in Chapter 2 (C.2)). Similarly, Determinative Interpretation and Explanation is used to show how Mill’s rejection of Anti-Instrumentalism and Practical Anti-Hedonism can be explained as a rational response to his crisis, by relating their unwelcome hedonic effects to those Mill associates with self-analysis.

Finally, section (E) qualifies the last point by noting that Mill’s opposition to self-analysis should not be taken to be complete or absolute. For Mill, those who cultivate strong feelings for their objects, and include individual excellence and the common good therein (as prescribed by the Feedback and Significance Theses), will be able to analyse those feelings without destroying them. This opens the door to a life which brings forth the highest forms of happiness precisely because it is (i) philosophically reflective, as opposed to predicated upon self-delusion, and (ii) predicated on a solidaristic awareness of one’s relation to others, rather than a socially atomistic self-conception. Section (F) concludes by showing how Mill’s philosophical account of his mental crisis sheds light on his Art of Life.

(A) Doubts about the Intelligibility of Mill’s Initial Account of his Mental Crisis

In this section we will see that serious doubts can arise regarding the intelligibility of Mill’s account of his mental crisis in his *Autobiography*. In (A.1) we define the Individual Nihilism Objection to Normative Hedonism, one version of which can be called the Excellence Objection. In (A.2) we see that Mill makes certain statements which appear to commit him to the Excellence Objection’s premises; that he draws certain inferences (i.e. to Anti-Instrumentalism and Practical Anti-Hedonism) which would be straightforwardly explicable if he also accepted its conclusion (i.e. the falsehood of Normative Hedonism); and yet he insists that he does not reject Normative Hedonism, and therefore cannot accept the Excellence Objection.

This raises the question of how Mill can take his mental crisis to have provided support for his Anti-Instrumentalist and Practical Anti-Hedonist conclusions. The difficulty of finding an answer is

heightened by the fact that Mill is committed to denying that he took happiness to be a *direct* object of action prior to his mental crisis, as this appears to suggest that he already had objects which he didn't views as mere instruments for (or means to) happiness before his crisis. Supposing that the latter appearance was veridical, it raises the question of how Mill could take the adoption of a non-instrumental attitude towards objects other than happiness to be the key lesson to be drawn from that experience.

(A.1) The Individual Nihilism Objection to Hedonistic Monism

For present purposes we can define Mill's Normative Hedonism in such a way that it presupposes the Value Hedonism of Chapter 2 (C.1) but remains neutral with respect to the truth of the Felicific Hedonism of Chapter 2 (C.2):

Universal Hedonism: happiness or pleasure is *always* intrinsically good, and unhappiness or pain is *always* intrinsically bad.

Monistic Hedonism: pleasure or happiness is the *only* intrinsic good, and pain or unhappiness is the *only* intrinsic bad.

The rather ambiguous relationship between pleasure and pain, on the one hand, and happiness and unhappiness, on the other, needn't concern us here. (It will be clarified in section (D)). For now we can simply treat them as equivalent.

Most objections to Normative Hedonism purport to show that one of its sub-theses is false. One can refute Universal Hedonism by showing either that there are *some* pleasures that are not intrinsically good, or that there are *some* pains that are not intrinsically bad. And one can refute Monistic Hedonism in either of two ways. Firstly, one can show either that there is more than one kind of thing *in addition to* pleasure which is intrinsically good (Value Pluralism), or more than one kind of thing *in addition to* pain which is intrinsically bad (Disvalue Pluralism).¹⁸⁹ And secondly, one can try to show

¹⁸⁹ Technically speaking, one can be a Value Pluralist while denying that pleasure is one of the intrinsic goods, and be a Disvalue Pluralist while denying that pain is one of the intrinsic bads. However, we can ignore these rather implausible forms of (Dis)Value Pluralism for the purposes of this chapter. We will have more to say about them in Chapter 6.

that either the one kind of thing which is good *is not pleasure* (Anti-Hedonist Value Monism), or the one kind of thing which is intrinsically bad *is not pain* (Anti-Hedonist Disvalue Monism).

One objection to Hedonistic Value Monism, which can take either a pluralistic or (anti-hedonistic) monistic form, is what we can call the Individual Nihilism Objection. According to this objection, Hedonistic Monism is false because its sole focus on pleasure and pain leads it to (nihilistically) devalue *all* individual lives which contain a negative hedonic balance (i.e. more pain than pleasure).¹⁹⁰ Note that to refute Hedonistic Monism the objector needn't deny that *some* lives with a negative hedonic balance have net intrinsic disvalue and *aren't* worth living for their own sake. The objector only needs to show that at least some lives with a negative hedonic balance have net intrinsic value and *are* worth living for their own sake because of some other value they embody. According to one version of the objection (call this the Excellence Objection), excellence is an intrinsic good and some lives which embody excellence are intrinsically valuable and worth living despite yielding a negative hedonic balance.

(A.2) The Spectre of Nihilism in Mill's Account of his Mental Crisis

The first puzzle generated by Mill's account of his mental crisis is that of why it didn't lead him to embrace the Excellence Objection to Hedonistic Monism. The reason that this is a puzzle can be brought out by attending to the following passage of Mill's *Autobiography* in which he begins to account for his crisis:

“It was in the autumn of 1826. I was in a dull state of nerves, such as everybody is occasionally liable to; unsusceptible to enjoyment or pleasurable excitement; one of those moods when what is pleasure at other times, becomes insipid or indifferent [...] In this frame of mind it occurred to me to put the question directly to myself, ‘Suppose that all your objects in life were realized; that all the changes in institutions and opinions which you are looking forward to, could be completely effected at this very instant: would this be a great joy and happiness to you?’ And an irrepressible self-consciousness distinctly answered, ‘No!’ At this my heart sank within me: the whole foundation on which my life was constructed fell down. All my happiness was to have been found in the continual pursuit of this end. The end had ceased to charm, and how could there ever again be any interest in the means? I seemed to have nothing left to live for [...] In vain I sought relief from my favourite books; those memorials of past nobleness and greatness, from which I had always hitherto drawn strength and animation. I read them now without feeling, or with the accustomed feeling *minus* all its charms; and I

¹⁹⁰ We will deal with this objection directly in Chapter 5.

became persuaded, that my love of mankind, and of excellence for its own sake, had worn itself out (A:137-9).”

On the basis of this passage there are several reasons that one might expect Mill to be very sympathetic to the Excellence Objection. Firstly, if happiness were Mill’s sole “object” before his crisis, as one might well suppose it to have been given his commitment to Normative Hedonism, it would make sense that his concern for progress in “institutions and opinions” waned and his “love of mankind, and of excellence for its own sake” “ceased to charm”, *once he came to the conclusion that they were not a means to his happiness*. Secondly, since Mill takes their ‘ceasing to charm’ to be a bad thing, one might infer that he is taking his commitment to Normative Hedonism to be a bad thing qua part of the cause of the breakdown in which his “love of mankind, and excellence for its own sake” disappeared (ibid.). Thirdly, Mill draws two practical lessons which appear to correspond to the two preceding points:

Anti-Instrumentalism: there are some valuable ‘objects’, besides happiness or pleasure, the value of which is not a function of their being a *mere* means to happiness or pleasure (or the avoidance of suffering).

Practical Anti-Hedonism: *ceteris paribus*, one is better off not aiming for happiness or pleasure as such, but rather for objects the value of which is not a function of their being a *mere* means to happiness or pleasure (as described by Anti-Instrumentalism).

Mill’s Anti-Instrumentalist conclusion *would* be an intelligible response to his grasping of the Excellence Objection, as the latter purports to show that great individuals must assign non-instrumental value to other objects besides happiness (such as excellence). Similarly, Mill’s Practical Anti-Hedonist conclusion would clearly be an intelligible response to the belief that the Excellence Objection refutes Normative Hedonism. After all, if Normative Hedonism were false, it would at least undermine the claim that one should aim for happiness *alone* (i.e. the Hedonistic Monism of (A.1).

However, contrary to first appearances, Mill does not reject Normative Hedonism. Indeed, he maintains that his breakdown never led him to waver “in the conviction that happiness is [...] the end of life (ibid)”. This leaves us with the task of trying to understand why Mill thinks that his Anti-

Instrumentalism and Practical Anti-Hedonism are a logical response to the experience described in (A:137-9) *given that he did not think that his experience refuted Normative Hedonism*. That is, since (1) Mill embraced Anti-Instrumentalism and Practical Anti-Hedonism *in response to his breakdown*; (2) if Mill had rejected Normative Hedonism in response to his breakdown, this *would* have explained the fact that (1); but (3) Mill *says* that he did *not* reject Normative Hedonism *at all* (let alone in response to his breakdown); we must (4) find some rationale, other than the rejection of Normative Hedonism, for the fact that (1); and (5) this rationale must be consistent with Mill's *continued* commitment to Normative Hedonism.

In setting out to find an answer we should begin by noting why Mill's own account of his experience precludes him from taking it to support the Excellence Objection. One way of articulating the latter using Mill's terminology of 'objects' is as follows:

- (I) If happiness as such were the appropriate object of great or excellent individuals then, *ceteris paribus*, if all they could attain was unhappiness (or a negative hedonic balance), their lives would have net intrinsic disvalue.
- (II) (But) *Ceteris paribus*, a great or excellent individual will have a life of net intrinsic value even if she has a life of net hedonic disvalue (or a negative hedonic balance).
- (III) (So) Happiness as such is not the appropriate object of great individuals.

We have seen that, while Mill purports to take his mental crisis to demonstrate the truth of the Anti-Instrumentalist conclusion (III), he is committed to rejecting this *reasoning* because (II) is incompatible with Normative Hedonism.¹⁹¹ However, it is also crucial to note that Mill's account of his crisis would appear to preclude him from *consistently* taking his experience to exemplify the truth of (I) because the "objects" he refers to in (A:137-9) do not and could not include happiness. After all, if happiness were included in the category of "objects", his crisis-stricken claim that *he would be unhappy even if he realized his objects* would amount to the contradiction that *he would be unhappy*

¹⁹¹ Mill implicitly agrees that nobility as such is insufficient to give one a life worth living in U-(II:ix), where he considers a supposedly counterfactual scenario in which people are made unhappy by their own nobility. His defense of nobility in this scenario is not that it gives the noble person a good life despite its negative hedonic affects but that *morality* would give the noble person a reason to carry on living *despite having a bad life* because his or her nobility would improve the lives of *others*.

even if he were happy. But if Mill did not take happiness to be a direct object before his crisis, how could he take the latter to provide evidence that it is a mistake to make happiness one's object (Practical Anti-Hedonism)?

(B) Alternative Methodological Approaches for Interpreting Mill's *Autobiography*

Section (A.2) has cast serious doubt on the intelligibility of Mill's account of his mental crisis and the rationale it provides for his Anti-Instrumentalist and Practical Anti-Hedonist conclusions. In sections (C) we will see how an extremely close reading of this part of the *Autobiography*, employing hypotheses about Mill's implicit assumptions, can yield an intelligible interpretation of Mill's account which also integrates with, and aids the systematisation of, Mill's other late moral and political texts.

However, some scholars may wonder why a *prima facie* lack of intelligibility in Mill's account calls for such treatment, and others may wonder why it makes sense to integrate ideas that Mill articulates in response to his *personal* experiences into those pertaining to his *general* philosophy. After all, why should we expect a first-personal account of a mental *crisis* or *breakdown* to make sense in the first place? And what reason can there be for thinking that ideas found in an autobiography should be integrated into a *de dicto* system of thought, the primary source of which is academic texts and journal articles? In short, what reason could there be *ex ante* for seeking out a more systematic explanation for Mill's account of his mental crisis in his *Autobiography*?

(B.1) examines and rejects some possible reasons for thinking that a systematic analysis of Mill's account of his mental crisis is either methodologically flawed (B.1.A) or devoid of philosophical value (B.1.B). (B.2) then outlines Eisenach's reasons for thinking that the *Autobiography* should be treated as part of Mill's political theory, and highlights the reasons which are most consonant with the historical philosophical rationale for integrating Mill's *Autobiography* into our *de dicto* construction of his system.

(B.1) Reasons for Methodological Skepticism

(B.1.A) The Historical Unreliability of the *Autobiography*

One reason for denying the significance of Mill's account of his mental crisis stems from doubts about the historical accuracy of the *Autobiography*. Suppose that our interest in solving the puzzle in (A.2) derived from an interest in explaining the occurrence of Mill's mental crisis as a *historical event*. Evidence that Mill's account is unreliable might then lead us to dismiss the puzzle as a red herring. After all, if we have good reason to think that Mill's mental crisis did not unfold as he claims in the *Autobiography*, making sense of those claims will not help us to explain the mental crisis itself (supposing it actually occurred).

The historical reliability of the *Autobiography* has been questioned by both Robert Cumming and William Thomas.¹⁹² Cumming notes that Mill switches between referring to the crisis as an episodic moment of realization, on the one hand, and a drawn out period of his life lasting several years, on the other.¹⁹³ This means that even if we were to suppose that Mill's account of his thought process during his crisis was accurate, we might wonder how much of it actually unfolded in an episode in the Autumn of 1826.

More worryingly, perhaps, Cumming notes the discrepancy between Mill's account of his activities in Chapter IV ('Youthful Propagandism') and Chapter V ('A Crisis in My Mental History').¹⁹⁴ In the former, Mill recounts his debating activities in 1826-7 (A:127-33) but in the latter he says that, due to the depression he experienced at that time, he can "remember next to nothing (A:143)". Mill also quotes lines from Coleridge to describe how he felt during his depression even though he only became acquainted with those lines much later in his life (A:145).

Fortunately, we needn't evaluate the preceding objections to treating the *Autobiography* as a reliable source of information for explaining Mill's crisis as we are not aiming to provide such an explanation. Qua Historical Philosophers our interest lies in the content, coherence, and inferential significance of Mill's claims about his mental crisis, rather than whether they accurately describe a particular episode

¹⁹² Cumming-(1998) and Thomas-(1998)

¹⁹³ The source for this paragraph is Cumming-(1998/p.151-4).

¹⁹⁴ It should be noted that these chapters were divided, and the separate headings provided, by Helen Taylor after Mill's death. See Thomas-(1998/p.180)

or period in his life. In discussing his crisis Mill draws broad lessons of relevance to politics and philosophy which can be factored into his system even if the crisis did not occur exactly as he describes.

(B.1.B) The ‘Joint Authorship’ of the *Autobiography*

The preceding suggests that the Historical Philosopher can bracket the question of the historical accuracy of Mill’s account of his mental crisis. This means that doubts about the historical accuracy of the *Autobiography* don’t provide us with a reason to set aside potentially puzzling philosophical and psychological claims therein.

However, if we want to factor the more general claims that are made in the *Autobiography* into a de dicto construction of Mill’s system, we need to be sure that they are at least attributable to Mill. It is thus of potentially great consequence when the literary critic, Jack Stillinger, makes the startling claim that:

“If we define authorship as creation of the wording of a text, the *Autobiography* in its first printed form had no fewer than seven authors.”¹⁹⁵

Stillinger notes that the first manuscript which Mill wrote in 1853-4 contains Harriet Taylor’s suggested changes in the marginalia, most of which Mill took up in the second manuscript of 1861. Upon Mill’s death in 1873 this manuscript went through a number of error-importing transcriptions, substantial editing and alteration by Helen Taylor, and then further ‘corrective’ alterations by Alexander Bain.¹⁹⁶ This means that if Mill scholars only had the first printed edition at their disposal, they would have strong reason to worry about the precise extent to which the content of the text can be attributed to Mill. Moreover, this would provide an especially strong reason not to place a great deal of emphasis on any particular puzzling remark lest it have been introduced by someone else.

Fortunately, we *do* have copies of each of the various versions of the *Autobiography*, and can therefore correct for the alterations made after 1861, on the one hand, and distinguish between the first ‘uni-authored’ draft and the second ‘dual-authored’ draft, on the other. This means that, insofar

¹⁹⁵ Stillinger-(1998/p.193)

¹⁹⁶ Stillinger-(1998/p.193-5)

as the *Autobiography* is a product of joint authorship, we can reduce the number of its authors down from seven to two.¹⁹⁷ Moreover, as Stillinger acknowledges, even if Mill was telling the truth when he wrote that from the late 1840s his ideas were “largely and in their most important features the direct product of her own mind (234)”,¹⁹⁸ Harriet’s suggestions in the manuscript are mostly stylistic and designed to present Mill’s personality in a better light. None of them alter the content of his ideas.¹⁹⁹

In consequence, even if the *Autobiography* is jointly authored, and even if intellectual historians can only explain Mill’s possession of certain ideas with reference to the influence of Harriet Taylor, there is no problem in attributing the *Autobiography*’s ideational claims to Mill. Moreover, this is especially true of the passage referring to Mill’s mental crisis highlighted above in (A.2), as it was already present in the first draft (A:136-8).

(B.2) *Autobiography* as Political Theory

In Eldon Eisenach’s study of the relationship between Mill’s *Autobiography* and his political theory he offers his readers four “provisional assurances” that this venture will be worthwhile:

“(1) he [Mill] sees his autobiography containing lessons of political importance for his age; (2) his collected journalistic essays are republished with autobiographical justifications; (3) he often treats ideas about politics and culture through the medium of the ‘minds’ of others and locates those minds in history; and (4) his most reflexive and historical work contains some of the same language and logic used in his most abstract, objective and ahistorical essay, *Utilitarianism*.”²⁰⁰

The first of these reasons appeals to Mill’s literary intentions. If Mill intended the *Autobiography* to have political significance, we can hope to profit from reading it that way as well. While this is a perfectly legitimate reason to read it politically, we have seen that the Historical Philosopher can deny the converse claim, that one can *only* attribute political significance to the *Autobiography* on the condition that Mill intended it to be read as a political text (Chapter 1, Part I (A)). One’s words and actions can bear political significance even if one does not intend them to do so.

¹⁹⁷ Cf. Stillinger-(1998/p.195)

¹⁹⁸ Cancelled text.

¹⁹⁹ Stillinger-(1998/p.203)

²⁰⁰ Eisenach-(1998/p.214)

This can also be seen with respect to Eisenach's fourth reason, which is the key justification from the perspective of Historical Philosophy. The fact that Mill is a theorist of Hedonism and Utilitarianism suggests the possibility that puzzling claims about what ends people ought to pursue are likely to be more than throwaway comments, and may even bear theoretical insights when subjected to analysis. This provides us with the requisite *ex ante* reason for digging deeper even though it does not guarantee that the project will bear fruit. However, we will see that the hypotheses about implicit assumptions which can render the *Autobiography* coherent and intelligible can be fruitfully extended to *Utilitarianism* and other texts. The *Autobiography* provides a key to unlock the deep structure of Mill's philosophy even if he didn't intend it to do so.

Turning to Eisenach's second reason, does Mill's decision to reprint certain essays without changes in order to provide a record of his mental transformation provide certain challenges to a Historical Philosopher engaged in *de dicto* system construction?²⁰¹ In Chapter 1 we noted that, since Historical Philosophy must construct systems diachronically, Mill's system must be composed of claims which he endorsed contemporaneously. Usually one can take the publication of a text at a particular time as a sign that its claims are endorsed at that time. However, once an author says that he is republishing material to evidence his mental *transformation*, his continued commitment to the republished material cannot be taken for granted. This means that, given our goal of constructing Mill's *later* system, we must be very careful about which early material, if any, is drawn upon to supplement the account. However, this particular worry is irrelevant in the case of the *Autobiography* itself, as it constitutes a late work.

Finally, Eisenach's third reason, that Mill "often treats ideas about politics and culture through the medium of the 'minds' of others and locates those minds in history", is also salient for the Historical Philosopher. Here the fact that Mill's academic works include intellectual portraits of thinkers such as Bentham and Coleridge becomes salient. In the case of Bentham, Mill evaluates his ideas, not simply in terms of their rational intelligibility, but also in terms of the positive and negative effects on Bentham's life (B:89-94). Since Mill claims to have been an apostle of Bentham before his crisis

²⁰¹ Ibid. p.221

(A:69), we therefore have a further reason *ex ante* for treating his claims about the intellectual sources of his mental crisis with philosophical seriousness.

Indeed, we will see that Mill's account of the causes and resolution of his own mental crisis provides the rationale for his prescriptions about how individuals should seek meaning, purpose and development in the modern world. This in turn will provide a politico-philosophical rationale for adopting institutions which allow for the universalization of that way of life. While the value of taking Mill's claims about his mental crisis seriously must ultimately be proven by the results of the undertaking, the preceding should give some indication as to why it is not unreasonable to treat the claims in Mill's account as if they purport to be philosophically robust enough to withstand analytical scrutiny.

(C) Mill on the *pursuit and attainment* of goods

Section (B) has shown that, certain methodological doubts notwithstanding, there is sufficient reason *ex ante* for attempting to find a systematic interpretation of Mill's account of his crisis which will resolve the problems highlighted in (A.2). However, that puzzle is best resolved indirectly via a solution to a distinct problem pertaining to Mill's claims about the relationship between means and ends. Mill explains his crisis-driven inability to derive happiness or pleasure from the *continual pursuit* of his objects (i.e. individual excellence and progressive institutions) as a consequence of his 'realization' that the *attainment* of his objects would not make him happy (A:137-9). How do we make sense of this explanation?

(C.1) uses the analogy between eating and fullness to show that the fact that an end is not enjoyable does not imply that the means to that end cannot be enjoyable. This raises questions about the validity of Mill's explanation of his inability to enjoy the continual pursuit of his objects (individual excellence and progressive institutions) in terms of the 'fact' that he would not enjoy their attainment.

(C.2) explores two hypotheses concerning Mill's implicit assumptions when providing this explanation. The goal is to find implicit assumptions which would break the analogy between eating and fullness, on the one hand, and the pursuit and attainment of individual excellence and progressive

institutions, on the other, in such a way as to reveal how Mill's explanation pertaining to the latter could be logically valid. (C.2.A) explores the first hypothesis that while the activity in which one pursues excellence is the same one in which one attains it, the activity which renders one full is not the same activity one engages in when one has attained fullness. We see that this hypothesis fails and in so doing note Mill's commitment to the Finitude Thesis, according to which awareness of the finitude of the enjoyableness of an activity can render it unenjoyable. (C.2.B) then defends a second hypothesis according to which, while eating can be valued as a purely *causal* or *instrumental* means to being full, Mill presents the activities involved in the pursuit of individual excellence and progressive institutions as *normative* means, in the sense that they have intrinsic value in their own right. More specifically, he treats them as normative means the quantity of the intrinsic value of which is dependent upon their being directed at an even higher end.

(C.3) refines and formalizes the hypothesis defended in (C.2.B) into the Feedback and Significance Theses. The former posits a feedback phenomenon whereby the intrinsic value of an act for an agent can increase when it is instrumental in yielding intrinsic value for others. The phenomenon takes its name from the way in which the intrinsic value generated for others appears to feed back into the act which produced it, thereby benefitting its agent. The second claims that the proportion of the overall intrinsic value of an act which is due to such feedback will be higher when the act's initial intrinsic value (i.e. the value it would have without instrumental value and hence without feedback) is less than its actual instrumental value for others.

(C.4) then demonstrates how the deep structure provided by the Feedback and Significance Thesis explains Mill's valuation of excellence *and* the common good. Mill's principal concern is to promote the cultivation of individuals whose actions are not merely instrumental in promoting value for others (i.e. mere causal means), and thereby embodiments of self-sacrifice (in the sense of having the non-performance of self-regarding acts as their opportunity cost), but rather embodiments of excellence which yield intrinsic value for their agent *as well as* for others (i.e. normative means).

For Mill, it is our sympathies for the common good of mankind which allow us to take *endless* pleasure in forms of excellence which contribute to the common good. This means that, provided that

we can establish the appropriately progressive institutions, which allow individuals to cultivate such excellences, the attainment enjoyment of those institutions will also be potentially *infinite*. In consequence, Mill can present his recovery as triggered through the realization that he would be able to take pleasure in the pursuit of those institutions despite the truth of the Finitude Thesis. (C.5) translates the preceding into the language of Qualitative Hedonism, by noting that the ‘higher’ meaning that can be attached to activities that serve the common good could raise the quality of the pleasures that one would experience when engaging in them for that purpose.

Finally, (C.6) shows how the attribution of the Feedback and Significance Theses to Mill allows us to explain how he can take his crisis-driven inability to assign value to the *attainment* of progressive institutions to *imply* a reduction in his ability to assign value to forms of excellent activity *in pursuit* of that end. If the value of the attainment of progressive institutions were to be *reduced*, this would be equivalent to a reduction in the instrumental value of the activities directed at that end, which would in turn reduce the potential for feedback. Given the Significance Thesis, this would be especially true if the reduction in the value of the attainment of progressive institutions were so large, that the initial intrinsic value of acts aimed at their attainment came to outweigh their instrumental value for others. At this point the agents would be likely to feel that they are primarily serving themselves by aiming to build such institutions, thus generating a hedonically-reducing loss of meaning that can be invested in the act.

(C.1) The Eating-Fullness Analogy

Mill’s inference, from his crisis stricken ‘realization’ that the *attainment* of his objects (individual excellence and progressive institutions) would not make him happy, to his conclusion that he could not derive happiness or pleasure from the *continual pursuit* of those objects (A-V:137-9), *would* make sense if the following reasoning were valid:

- (1) E is not pleasurable.
- (2) M is (among other things) a means to E.
- (3) (So) M is not pleasurable.

However, the argument is invalid because M could be a means to pleasure *as well as* a means to (the non-pleasurable) E. We can see this from the following model of the argument in which the premises are (or could be) true and the conclusion false:

(1*) Being full (of food) is not pleasurable.

(2*) Eating food is (among other things) a means to being full.

(3) (So) Eating food is not pleasurable.

In other words, it is not *always* true that if an agent, α , cannot derive happiness from an object, O (such as satisfying hunger), *after O has been realized*, α cannot derive happiness from the “continual pursuit” of O *prior to its realization*. If this is so, why does Mill think it is true when O is the attainment of excellence (at some activity), on the one hand, and the attainment of progressive institutions, on the other?

One answer is that Mill is relying on a stronger premise than (2):

(1**) Being excellent at θ -ing (or living with progressive institutions) is not pleasurable.

(2**) M is a means to nothing else but being excellent at θ -ing (or the establishment of progressive institutions).

(3) (So) M is not pleasurable.

Replacing (2) with (2**) renders the argument valid because if M really were a means to *nothing else but* being excellent at θ -ing (or progressive institutions), it could not also be a means to pleasure. However, (2**) secures validity at the price of falsifying the premise for most genuine means to being excellent at θ -ing (or progressive institutions), as they are unlikely to be means to nothing else besides. For instance, finger exercises may be a useful but insufficient means to excellence at playing the piano but they may also be a means to avoiding arthritis. Similarly, for a unionist, learning to negotiate with management may be a necessary means to achieving the goal of a just workplace but those negotiation skills can also be used to achieve other goals besides. In consequence we cannot defend Mill’s inference with reference to (2**) either.

(C.2) Seeking a Disanalogy

How, then, do we make sense of Mill's inference, that '*if the attainment of either excellence at some activity or the establishment of progressive institutions would not make him happy, then nor would the pursuit of these ends*'? What we need to find is the salient respect in which the relationships between the means (i.e. the activities involved in the pursuit of excellence or progressive institutions) and the ends (i.e. the excellence or progressive institutions attained) at hand are disanalogous to the relationship between means and end in the case of eating and fullness.

(C.2.A) Attempt 1

So how is the pursuit and attainment of fullness disanalogous to the pursuit and attainment of *excellence*? One answer stems from the fact that the activity one engages in when pursuing excellence tends to be the same activity in which one attains excellence. For instance, if one's primary object is excellence at playing the piano, the primary means to pursue this goal will be playing the piano. Similarly, if one's primary object is excellence in philosophical thought, one's primary means will be engagement in philosophical thought (which partly occurs through reading and hence thinking through other people's philosophical thought).

In contrast, to be full of food is not equivalent to having attained excellence at the activity of eating. This is partly because being full is *not the same activity* as eating, and partly because being full is *not an activity at all* but rather a condition. Once we note this disanalogy we might think that Mill's implicit premise, which explains his inference from the non-enjoyableness of an excellence *once attained* to the non-enjoyableness of its pursuit, is *simply* that 'if doing an activity well is non-enjoyable then doing *that same activity* less well will also be non-enjoyable'. After all, with this qualification, he could avoid commitment to the eating-fullness fallacy set out above. However, even if the said premise will be plausible in certain cases, there are two reasons why ascribing it to Mill is inadequate to explain, and may even conflict with, what he actually says.

Firstly, the said disanalogy reveals that the relationships that hold between the pursuit and attainment of *excellence*, on the one hand, and eating and fullness, on the other, are fundamentally different.

However, it does not show that the relationships that hold between the pursuit and attainment of *progressive institutions*, on the one hand, and eating and fullness, on the other, are fundamentally different. After all, while the pursuit of progressive institutions involves certain activities, the attainment (as opposed to maintenance) of such institutions is more of an event than an activity. Since Mill thinks that the disvaluation of the attainment of *both* individual excellence and progressive institutions can undermine the value of their pursuit, it follows that if the two claims are built on a common rationale, as Mill's exposition seems to indicate, the rationale cannot be found in the explanation above, as it would only explain the former case.

Secondly, there are textual reasons for thinking that the explanation derived from the disanalogy is unsatisfactory. Mill tells us that during his crisis he was "tormented" by the thought that the pleasures we take in certain kinds of excellence might be finite and exhaustible (A:149). Taking music as his example, he suggests that:

"The octave consists only of five tones and two semitones, which can be put together in only a limited number of ways, of which but a small proportion are beautiful: most of these, it seemed to me, must have been already discovered, and there could not be room for a long succession of Mozarts and Webers, to strike out as these had done, entirely new and surprisingly rich veins of musical beauty. This source of anxiety may perhaps be thought to resemble that of the philosophers of Laputa, who feared lest the sun should be burnt out (A:149)."

Here the relevant thought is not that it will be unenjoyable to pursue forms of excellence that have *never* been enjoyable once attained, as one would expect if the proffered explanation was Mill's own. It is rather that new forms of excellence may be unattainable, on the one hand, and, more saliently, that existing forms of excellence may *cease* to be enjoyable, on the other.²⁰²

This tells us two things. First, that while the proffered explanation (for how the disvaluation of an end can lead to a disvaluation of its means) restricts itself to cases where the form of excellence (the end)

²⁰² While we are searching for disanalogies between the eating-fullness relationship and the pursuit-attainment relationships, this thought actually reveals a way in which the relationships are analogous. Mill worries that, just as the enjoyment we take in eating can disappear once we reach fullness, the enjoyment we take in the pursuit and attainment of excellence can wither once that excellence has been explored.

was *never* enjoyable, Mill's explanation must be different qua applicable to a broader range of cases, including those where the form of excellence was *once* enjoyable.²⁰³

Second, if we read the claim in (A:139), that the *pursuit* of an end can become unenjoyable when one anticipates that the attained *end* will be unenjoyable, in the light of (A:149) above, it may be that the former claim has to be interpreted in an even stronger way. That is, if we call the enjoyment of pursuing a goal 'pursuit enjoyment' and the enjoyment we get from the goal once attained 'attainment enjoyment', Mill is embracing the following:

Finitude Thesis: one's pursuit enjoyment can disappear as a result of one's acknowledgment that its corresponding attainment enjoyment is finite.

This is what we see in Mill's explanation for his crisis-driven cessation of valuing the pursuit of progressive institutions:

"I felt that the flaw in my life, must be a flaw in life itself; that the question was, whether, if the reformers of society and government could succeed in their objects, and every person in the community were free and in a state of physical comfort, the pleasures of life, being no longer kept up by struggle and privation, would cease to be pleasures (A:149)."²⁰⁴

According to Mill's account, his temporary inability to answer this question in the affirmative led him to be incapable of pursuit enjoyment, as one would expect from the Finitude Thesis.

We will return to dwell on the broader significance of the preceding passage shortly (C.3). Before doing so, however, we need to complete our search for the salient respect in which the relationship between the means (i.e. the activities involved in the pursuit of excellence or progressive institutions) and the end (i.e. the excellence or progressive institutions attained) at hand, are disanalogous to the relationship between means and end in the case of eating and fullness.

(C.2.B) Attempt 2

²⁰³ Cf. (A:139): "The end had *ceased* to charm, and how could there ever again be any interest in the means? I seemed to have nothing left to live for [my italics]."

²⁰⁴ However, Mill also introduces a new idea here. While the first passage says that existing sources of enjoyment can run dry and we may not be able to replace them with new sources of enjoyment, the latter says that non-accompaniment by striving and struggle is one reason that an existing source of enjoyment can run dry. The latter is consistent with, rather than a competitor to, the Finitude Thesis, which deals with the relation between attainment and pursuit enjoyment, rather than the causes of the decline of attainment enjoyment.

A more salient respect in which they are disanalogous lies in the possibility of scenarios where fullness is a (potentially valued) by-product of achieving the primary object of eating. Here eating is a means to being full in a *causal* sense, implying that the eating will lead one to be full, but not in a *normative* sense, implying (at the very least) that the eating is *either* not valued at all, valued less than being full, *or* valued only on the condition that it leads to being full.²⁰⁵ This conceptual relationship can be stated more formally as follows: *If* x is a causal means to y *then* x is also a normative means to y if either:

- i) x has *no* intrinsic value (i.e. x is a *mere* means to y),
- ii) x has *less* intrinsic value than y (i.e. x is a *lesser* means to y),
- iii) x only has intrinsic value *on the condition* that it is a causal means to y (i.e. x is a *conditional* means to y); or
- iv) x only *fully realizes* its intrinsic value on the condition that it is a causal means to y (i.e. x is an *actualizing* means to y).²⁰⁶

This allows us to see a disanalogy between the means to fullness (eating) and certain kinds of activity pursuing *either* excellence *or* progressive institutions. While eating *can be* valued as a causal but non-normative means to its ‘end’,²⁰⁷ Mill presents his crisis-stricken self as implicitly assuming that the value of activities aimed at excellence or progressive institutions will either disappear or diminish along with the value of their ends because these activities are necessarily valued as *normative* means. More specifically, the asymmetry can be set out as follows. On the one hand, there *will be* cases where the utility represented by the full realization of the non-instrumental value of eating (‘means’) outweighs the utility represented by the full-realization of the non-instrumental value of being full (‘end’). But on the other hand, there *will not be* cases where the utility represented by the *full realization* of the non-instrumental value of *pursuing* either excellence or progressive institutions

²⁰⁵ There are even cases where the agent may value eating and yet assign negative value to being full, such as that of the gorging bulimic.

²⁰⁶ So (i-iv) outline the different ways in which x can be a normative means to y.

²⁰⁷ No doubt there are plenty of cases where eating *is* valued as a normative means to being full (in one or more of the ways described).

(‘means’) outweighs the utility represented by the *full realization* of the non-instrumental value of *attaining* either excellence or progressive institutions (‘end’).²⁰⁸ Mill reasons as if the utility of the latter will always outweigh the utility of the former because he implicitly assumes that the activities involved in the pursuit of excellence or progressive institutions are properly thought of as *lesser* or *actualizing* (normative) means.²⁰⁹

(C.3) The Feedback and Significance Theses

To sharpen the preceding claim about how Mill reasons even further, and to make sense of the idea that an activity has a *potential* intrinsic value that it can realize to different degrees, we need to distinguish between the utility represented by the *initial* intrinsic value of an act and the utility represented by the *final* intrinsic value of an act. We can think of the former as the *intrinsic* (i.e. non-instrumental) value the act would realize if it had no instrumental value, and the latter as the intrinsic value the act would realize if it *also* had instrumental value.

With this conceptual framework in place, we can then capture the pattern of Mill’s reasoning by attributing him with an implicit commitment to two theses. Firstly, there is:

The Feedback Thesis: If an activity, *a*, with an *initial* intrinsic (dis)value, INT_{a1} , has a *positive* instrumental value (qua causal means to some intrinsically valuable end), the presence of this positive instrumental value can create a *feedback* phenomenon, in which INT_{a1} is increased to the (*final* intrinsic value of) INT_{a2} (where $INT_{a2} > INT_{a1}$).²¹⁰

For instance, if an activity, such as playing the piano, has intrinsic value (because it cultivates some form of *enjoyable* excellence in the agent), this intrinsic value could be increased by the fact that the

²⁰⁸ Later on we will distinguish between two different kinds of intrinsic value in an act and this will require us to qualify this statement.

²⁰⁹ In fact, as we will see, Mill actually needs to rely on an additional premise to defend this asymmetry.

²¹⁰ Where the subscript ₁ indicates that it is the *initial* intrinsic value, and the subscript ₂ indicates that it is the *final* intrinsic value.

Cf. "There is no reason to assume that our sense of justice can be adequately characterized by familiar common sense precepts, or derived from the more obvious learning principles. A correct account of moral capacities will certainly involve principles and theoretical constructions which go much beyond the norms and standards cited in everyday life (Rawls-(1999:41))."

cultivation of this excellence has instrumental value qua contributing to some further object, such as delivering a profound aesthetic experience to an audience.²¹¹

We can refer to the difference between INT_{a2} and INT_{a1} (i.e. $INT_{a2} - INT_{a1}$) as the (hedonic) *size of the activity's feedback*, and the ratio of INT_{a2} to INT_{a1} (i.e. $\frac{INT_{a2}}{INT_{a1}}$) as the (hedonic) *significance of the activity's feedback*. The latter measures the proportion of the *final* intrinsic value of the activity that is due to its feedback-inducing instrumental value. This leads us to the second thesis:

The Significance Thesis: the significance of the feedback will be higher in cases where *the instrumental value of the activity in question is larger than its initial intrinsic value* (i.e. where $INS_a > INT_{a1}$, and hence INT_{a1} is a *lesser normative means*) than it is in cases where *the instrumental value of the activity is smaller than its initial intrinsic value* (i.e. where $INS_a < INT_{a1}$, and hence INT_{a1} is *not a lesser normative means*). In other words, if we let the subscripts x and y designate distinct activities with *feedback creating* instrumental value, the Significance Thesis can be stated formally as the claim that:

$$(xy) (((INS_x > INT_{x1}) \& (INS_y < INT_{y1})) \rightarrow (\frac{INT_{x2}}{INT_{x1}} > \frac{INT_{y2}}{INT_{y1}})).^{212}$$

To render the thesis concrete and intuitive, we can imagine two cases of playing the piano, x and y , where the following conditions obtain:

- (a) both have the same *initial* intrinsic value (i.e. $INT_{x1} = INT_{y1}$); but
- (b) sufficiently distinct feedback creating instrumental values (i.e. $INS_x > INS_y$); that
- (c) the initial intrinsic value of x is smaller than its instrumental value (i.e. $INS_x > INT_{x1}$);
- (d) the initial intrinsic value of y is greater than its instrumental value (i.e. $INS_y < INT_{y1}$); and
- (e) the ratio of the final intrinsic value of x to its initial intrinsic value is greater than the ratio of the final intrinsic value of y to its initial intrinsic value (i.e. $(\frac{INT_{x2}}{INT_{x1}} > \frac{INT_{y2}}{INT_{y1}})$).

²¹¹ This is distinct from claiming that: if an activity has instrumental value, it has intrinsic value.

²¹² ST is about significance rather than size because if we have two acts, α and β , such that $INT_{\alpha1} > INT_{\beta1}$ and $INT_{\alpha2} > INT_{\beta2}$, but $INT_{\alpha1} > INS_{\alpha}$ and $INT_{\beta1} < INS_{\beta}$, and hence $\frac{INT_{\alpha2}}{INT_{\alpha1}} < \frac{INT_{\beta2}}{INT_{\beta1}}$.

To illustrate, (a) would be true if x and y realize the same level of musical talent. (b) would be true if, whereas the pianist in y was playing for a couple of tone deaf but modestly appreciative listeners, the pianist in x was playing for a rapt and musically sophisticated audience in a huge concert hall. (c) would be true if the pianist would get less enjoyment from merely exercising his talents in solitude than his listeners get from listening to him play. (d) would be true if the pianist in y would get more enjoyment from merely exercising his talents in solitude than his audience get from listening to him play. Finally, (e) would be true if the ratio of *the total enjoyment the pianist in x gets when playing to the audience to the enjoyment he would have got from merely exercising his talents without an audience* is higher than the ratio of *the total enjoyment the pianist in y gets when playing to the audience to the enjoyment he would have got from merely exercising his talents without an audience*. In other words, (e) would be true if the proportion of the total enjoyment value that x gets from the (appreciative) presence of the audience is higher than the proportion of the total enjoyment that y gets from the presence of the (unappreciative) audience.²¹³

(C.4) The Role of Excellence and the Common Good

While the Feedback and Significance Theses imply that people can increase their welfare through activities that promote the welfare of others, they do not suffice to imply either:

The Saint Thesis: the acts with the greatest total intrinsic value for the agent are those with the *greatest instrumental value* in terms of producing intrinsic value for others (cf. ACP:338); or

The Feedback-Welfare Thesis: the acts with the greatest total intrinsic value for the agent are those with the *most significant feedback*.

²¹³ To provide a second example suppose that someone is working on a cure for cancer. Then (a) would be true if x and y realize the same level of scientific talent. (b) would be true if the scientist in x was simply finding a cure in order to explore his scientific interests but the scientist in y also wanted to share his discovery so that patients could be cured. (c) would be true if the scientist would get less enjoyment from merely producing a cure than the collection of patients would get from being cured. (d) would be true if the scientist would get more enjoyment from merely finding a cure than the collection of patients would get from being cured. Finally, (e) would be true if the ratio of *the total enjoyment the scientist in x gets when providing the cure to the enjoyment he would have got from merely finding a cure* is higher than the ratio of *the total enjoyment the scientist in y gets when providing the cure to the enjoyment he would have got from merely finding a cure*. In other words, (e) would be true if the proportion of the total enjoyment value that x gets from being able to help others is higher than the proportion of the total enjoyment that y gets from being able to help others.

After all, the claim that ‘*some* activities will only fully realize their potential intrinsic value to the agent when they are lesser means to ends which benefit others’ is consistent with the claim that ‘the said activities are not the activities with the highest potential intrinsic value to the agent’.²¹⁴ The fact that they do not imply the Saint Thesis is welcome from an interpretive perspective. While Mill certainly thinks that there can be *some cases* in which acting to maximally aid others will also maximally aid oneself, he rejects the claim in its universal form, and would no doubt have associated that form with the Comtean ‘moral intoxication’ of Chapter 2 (G).

However, Mill also reasons as if he endorses the following theses the conjunction of which *do* imply the Feedback-Welfare Thesis:

The First Progressive Thesis: the acts with the *highest feedback* (i.e. in terms of size) are those which combine excellence with enlightened concern for the good of mankind (conceived as a species of progressive beings).

The Second Progressive Thesis: the acts with the *greatest intrinsic value* for the agent combine excellence with enlightened concern for the good of mankind (conceived as a species of progressive beings).²¹⁵

For example, Mill tells us that:

“All those to whom I looked up, were of opinion that the pleasures of sympathy with human beings, and the feelings which made the good of others, and especially of mankind on a large scale, the object of existence, were the *greatest* and surest source of happiness (A:143).”

“A cultivated mind [...] finds sources of *inexhaustible* interest in all that surrounds it; in the objects of nature, the achievements of art, the imaginations of poetry, the incidents of history, the ways of mankind past and present, and their prospects in the future [...] [provided that it has a] moral or human interest in these things, and has [not] sought in them only the gratification of curiosity (U-II:xiii).”²¹⁶

²¹⁴ Cf. Aristotle’s NE-(I:VII:1097a) which seems to imply that the activities with the highest intrinsic value to the agent must lack instrumental value: “Happiness in particular is believed to be complete without qualification, since we always choose it for itself and never for the sake of anything else.”

²¹⁵ Note that the former thesis helps to explain the latter. The bracketed qualification stems from well-known aspects of Mill’s liberal political philosophy which we are yet to examine.

²¹⁶ My italics.

Recall that the Finitude Thesis tells us that ‘pursuit enjoyment’ can disappear as a result of the acknowledgment that it’s corresponding ‘attainment enjoyment’ is finite (C.2.A). A-(143) maintains that it is nevertheless the case that cultivating feelings of sympathy for “mankind on a large scale” is the “greatest” source of happiness.²¹⁷ This is then partly explained by U-(II:xiii), which tells us that it is the said sympathies which prevent the well of excellence from drying up as a source of higher pleasures. That is, it is our sympathies for the common good of mankind which allow us to take *endless* pleasure in forms of excellence which contribute to the common good; this means that, provided that we can establish the appropriately progressive institutions, the attainment enjoyment of those institutions will effectively be *infinite*; and this explains why Mill can present his crisis-stricken self as coming to realize that he can take pleasure in the *pursuit* of those institutions despite the truth of the Finitude Thesis.²¹⁸ While U-(II:xiii) sheds light on A-(143), the latter also sheds light on the former by indicating that excellence will be at its *most* enjoyable when it is directed and motivated by concern for the good of mankind.

(C.5) Feedback, Higher Pleasure, and Meaning in Life

The last point indicates how the preceding theses relate to Qualitative Hedonism (QLH) but more needs to be said. The combination of the Feedback Thesis with QLH suggests that the size of the feedback (represented by $INT_{a2} - INT_{a1}$) can represent a rise in the *quality* of the enjoyment of the activity (as the quality of INT_{a2} could be higher than that of INT_{a1}). The Significance Thesis then tells us that the *proportion* of the final intrinsic value of an activity that is added by its feedback (i.e. $\frac{INT_{a2}}{INT_{a1}}$) will be higher if the utility value of INT_{a1} would render it a *lesser* means to INS_a (i.e. if $INT_{a1} < INS_a$).

²¹⁷ One key issue here is the relation between pity and sympathy. If the latter includes the former, Nietzsche’s objections to pity become salient. According to Nietzsche, pity “increases the amount of suffering in the world [...] Supposing it was dominant even for a single day, mankind would immediately perish of it (D:134).” (This is qualified by the claim that our instinct for cruelty can allow us to derive some happiness from the suffering of others (D:136).) We will have more to say on this objection to Mill in chapter 6.

²¹⁸ Describing the post-crisis therapy he found in Wordsworth’s poems, Mill tells us that: “They seemed to be the very culture of the feelings, which I was in quest of. In them I seemed to draw from a source of inward joy, of sympathetic and imaginative pleasure, which could be shared in by all human beings; which had no connexion with struggle or imperfection, but would be made richer by every improvement in the physical and social condition of mankind. From them I seemed to learn what would be the perennial sources of happiness, when all the greater evils of life shall have been removed. And I felt myself at once better and happier as I came under their influence (A:151).”

In qualitative hedonist terms, this implies that the *qualitative* rise in the agent's enjoyment of the activity (that is induced by the feedback) will be larger if the quality of the enjoyment represented by the activity's initial intrinsic value is lower than the quality of the enjoyment it is instrumental in yielding for others.

Why would this be true? Given QLH, claim (i) below translates into claim (ii):

- (i) the more an agent's life is characterized by enjoyable excellence *conducive to the good of mankind*, the more conducive it will be to the *greatest* possible happiness for that agent;
- (ii) the quality of the pleasures an agent takes in her own excellent activity will rise when that excellence is directed at the good of mankind.

This indicates how the quantitative relations posited by the Feedback and Significance Theses reflect, not just a mutually supportive relationship between happiness, excellence, and serving the common good, but also between these and finding meaning in life more broadly. After all, Mill seems to be telling us that for an individual to achieve the greatest amount of personal happiness, it is not enough for her to achieve excellence, as the excellent activity must also be directed at a project the significance of which is much greater than her own life.²¹⁹

(C.6) The Solution to the Pursuit-Attainment Puzzle

The preceding also allows us to see why Mill presents his crisis-driven inability to assign value to the *attainment* of progressive institutions as implying a reduction in his ability to assign value to forms of excellent activity *in pursuit* of that end. If the value of the attainment of progressive institutions were to be *reduced*, this would be equivalent to a reduction in the instrumental value of the activities directed at that end, which would in turn reduce the potential for feedback. Given the Significance

²¹⁹ In (D.4.B) we will see that one reason for the existence of this relationship is that happiness has a sense of purpose as one of its parts, and excellent activity directed at the good of others is the surest source of a sense of purpose. In (ch.6) we will see that, in liberal utilitarian terms, this greater goal, which provides a grander narrative to contextualize and lend meaning to the narrative of the life of the individual, is the pursuit of the maximal good for mankind when conceived as a species of progressive beings (cf. The Second Progressive Welfare Thesis of (C.4)).

Thesis, this would be especially true if the reduction in the value of the attainment of progressive institutions were so large, that the activities directed to that end ceased to be *lesser* means (C.2.B).

Similarly, if the value of the attainment of progressive institutions were to be totally *eliminated*, this would also eliminate the potential for *any* instrumental feedback whatsoever. Moreover, if Mill saw some of the activities involved in the pursuit of such institutions as *conditional* means, as opposed to *lesser* or *actualizing* means, the elimination of the value of the end would also eliminate any value in those activities. One reason for thinking that *some* of these activities would be conditional means is that the *meaning* of such activities might disappear once they cease to be directed at a valued end.

For instance, take an act by Mill requiring excellent powers of analysis and oration, such as making a speech at a debating society. It seems intuitive to think that, notwithstanding the excellence of the act, it could feel rather pointless, and hence much less satisfying, if it were carried out without concern for its impact on policy. One might even claim that loss of belief in the broader goal would change the nature of the act by changing its meaning. After all, if Mill were making a speech defending reforms he might be described accurately as both ‘making a speech’ and ‘struggling for the greater good’, but it would be more difficult to describe the act in the latter way if he either doubted the efficacy of the reforms, on the one hand, or had ceased to care about the greater good, on the other.²²⁰

(D) Mill’s Anti-Instrumentalism & Practical Anti-Hedonism

In (A.2) we saw that *if* Mill had believed that (a) happiness was his object before his crisis; (b) this led him to devalue other goods such as human excellence and progressive institutions; and (c) this devaluation in turn inappropriately undermined his will to live; then (d) Anti-Instrumentalism vis-à-vis goods such as excellence and progressive institutions would be an intelligible response to his crisis. However, we also saw that Mill does not assert (a) and thus we need an alternative account of the Anti-Instrumentalism upon which his Practical Anti-Hedonism is based.

²²⁰ Cf. Mill’s description of “the melancholy winter of 1826-7. During this time I was not incapable of my usual occupations. I went on with them mechanically, by the mere force of habit. I had been so drilled in a certain sort of mental exercise that I could still carry it on when all the spirit had gone out of it. I even composed and spoke several speeches at the debating society, how, or with what degrees of success I know not. Of four years continual speaking at that society, this is the year of which I remember next to nothing (A:143).”

Having resolved the puzzle of why Mill thinks that awareness of the finitude of attainment enjoyment can undermine pursuit enjoyment in (C), and thereby revealed Mill's implicit commitment to the Feedback and Significance Theses, we can now deploy the latter to resolve the puzzle outlined in (A.2). That is, we are now positioned to reveal how Mill's explanation of his crisis supports his Anti-Instrumentalist and Practical Anti-Hedonist conclusions.

(D.1) provides an example of a constructed argument for Mill's Anti-Instrumentalism which is consistent with his text and is built using his own claims. We see that the argument rests on the claim that there is valuable activity that is a *mere* means neither to the agent's happiness nor to the happiness of others *because* it has intrinsic hedonic value and is thus a part of the agent's happiness in its own right. We evaluate an objection to this claim, according to which its explanatory clause generates a contradiction, and use some formal apparatus to reveal that there is a genuine logical space for Mill's Anti-Instrumentalism to occupy. The upshot is that Mill's conception of pleasure is best conceived as one of a dyadic relation, in which an *agent* takes pleasure in an *object*, rather than a monadic relation, in which an agent simply experiences, and is thus related to, some kind of brute feeling called 'pleasure'. If pleasure is best conceived in the former sense, objects in which pleasure is taken are constituent parts of the pleasure relation and cannot be reduced to a means to pleasure as such.

(D.2) then explains how the Feedback and Significance Thesis (from C.3), Mill's Anti-Instrumentalism, and the conception of pleasure as a dyadic relation, can be used to directly deduce Mill's Indirect Hedonism (D.2.A). According to the latter, one is more likely to achieve the greatest happiness or pleasure possible if, rather than aiming for happiness or pleasure as such, one aims for objects the value of which is not a function of their being a *mere* means to happiness or pleasure, such as excellence directed at the common good. With this positive conclusion concerning what one *should* aim for in place, Mill's negative Practical Anti-Hedonist conclusion, concerning what one *should not* aim for, follows directly from Normative Hedonism. (D.2.B) shows that the formal apparatus that was developed in (D.1) - with a view to demonstrating that Mill's Anti-Instrumentalism occupies a non-contradictory logical space - can also be applied to his Indirect Hedonism and Practical Anti-

Hedonism. The upshot is that Mill is best interpreted as prescribing an agent to aim neither for brute pleasures (as if pleasure was best conceived as a monadic relation), nor the pleasure relation as such without regard for the identity of the object in which pleasure is to be taken, but rather for pleasure in particular, precisely defined objects.

In (D.3) we see that, once we have a formally clarified distinction between an Instrumentalist and Anti-Instrumentalist mode of *aiming* for pleasurable objects, we can use this to draw a line between the way in which Mill presents himself as approaching such objects *before* and *after* his crisis. Mill is most charitably interpreted as presenting his pre-crisis self as treating objects as a mere means to the pleasure relation, and presenting his post-crisis self as seeing that his objects were a constituent part of that relation.

(D.4) deals with a textual objection to the claim that Mill should be interpreted as prescribing aiming for pleasure in objects. According to the objection, since Mill appears to *equate* happiness and pleasure in certain passages of *Utilitarianism*, on the one hand, and says that people should aim for objects other than *happiness* in the *Autobiography*, on the other, he must be read as prescribing that people aim for objects other than *pleasure*. However, says that objector, this is incompatible with prescribing that people aim for pleasure in objects, so the interpretation offered in (D.3) would render Mill's account inconsistent.

(D.4.A) shows that there is only genuine inconsistency here if we read 'other than' in an *exclusive* rather than an *inclusive* way, and that we need to read Mill in the latter way in order to make sense of other claims in *Utilitarianism*. (D.4.B) then indicates ways in which Mill's apparent equation of 'happiness' and 'pleasure' belies subtle differences in his usage of the two terms, which make it possible to claim that there is a sense in which he thinks that we can pursue pleasure (generically conceived) more directly than happiness (conceived as a sub-species of pleasure).

Given the gaps in detail and general under-determination of Mill's account, there is an opportunity to employ the method of Determinative Interpretation and Exposition described in the Introduction. It is shown that, given Mill's claims about the importance of a sense of purpose for welfare, we *can*

interpret him as treating a sense of purpose as a part of happiness, and doing so would enable us to supply an explanation for why Mill reasons as if pleasure can be pursued more directly than happiness despite appearing to equate them in certain passages of *Utilitarianism*.

(D.5) completes the answer to the question of how Mill can present his adoption of Anti-Instrumentalism and Practical Anti-Hedonism as a rational response to his crisis by examining the reasons he presents for thinking that they could help to cause a crisis. (D.5.A) notes the reasons that Mill has supplied for thinking that followers of Instrumentalism and Practical Hedonism are likely to fail to achieve happiness independently of any greater tendency on their part to engage in hedonically counter-productive self-analysis. (D.5.B) then turns to Mill's explanation for why self-analysis can be hedonically counter-productive. Given the gaps in Mill's account, it provides some independent reasons for thinking that Instrumentalists and Practical Hedonists would be more prone to such analysis, by comparing the normative effects of 'Millian analysis' to those of Cartesian doubt.

Earlier sections of (D) will have explained how Mill's account of his adoption of Anti-Instrumentalism and Practical Anti-Hedonism in response to his crisis can be rendered rational and coherent. In so doing they will have revealed the reasons that Mill supplies for thinking that acting on them will fail to make one happy. Moreover, they will have revealed how Mill's account of the potential hedonically detrimental effects of self-analysis translates into an account of the potential hedonically detrimental effects of Instrumentalism and Practical Hedonism. Section (5.B) thus concludes by tying these claims together, noting that if those who are committed to Instrumentalism and Practical Hedonism are more prone to such self-analysis, in virtue of their greater commitment to calculating what will make them happy, they will also be more prone to its hedonically negative effects. Mill's discussion of analysis thus reveals that, while Cartesian doubts about one's beliefs needn't necessarily preclude one from knowing that they are true, doubts about one's happiness can suffice to make one unhappy.

(D.1) The Logic of Anti-Instrumentalism

We are now in a position to construct an argument for Mill's Anti-Instrumentalism from explicit and implicit premises in his own system. In so doing, we can set aside the question of whether Mill intended his claims to be understood in this way, or was even conscious that an argument of for Anti-Instrumentalism could be logically constructed from his premises with this level of formal rigor. As historical philosophers we are interested in the objective logical properties of Mill's system rather than his view thereof.

The argument is as follows:

- (1) The most pleasurable activity is excellent activity which generates feedback in virtue of being directed at the common good (from C.4-5).
- (2) If (1), the most pleasurable activity (i.e. the activity with the highest *final* intrinsic value) has an *initial* intrinsic value and an instrumental value such that it is a *lesser* and *actualizing* means to the common good.
- (3) If (2), there is valuable activity that is a *mere* means neither to the agent's happiness nor to the happiness of others (because it has intrinsic hedonic value in its own right).
- (4) So, Anti-Instrumentalism is true: there are some valuable 'objects' (e.g. excellent activity), besides happiness or pleasure, the value of which is not a function of their being a *mere* means to the happiness or pleasure of the agent (from 1-3).²²¹

One key objection to this argument is that the bracketed explanatory clause in the consequent of premise (3) contradicts the rest of the consequent which precedes it.²²² After all, if the excellent activity in question is not a *mere* means (to the agent's happiness) as it has more than merely instrumental value for the agent; it has more than instrumental value because it has intrinsic value for the agent; and it has intrinsic value for the agent because it is pleasurable; is it not still a *mere* means to pleasure qua only valuable qua pleasurable?

²²¹ Or the avoidance of suffering.

²²² Here the motivation behind the objection needn't be to refute the conclusion so much as to deny that Mill has the resources to support the conclusion.

If pleasure were some kind of brute unanalyzable experience, the objection might be sound. However, pleasurable experiences can be complex and analyzable dyadic relations which take a desired object as one of their relata. Since relata are *constituent parts* of a relation, objects can be constituent parts of the ‘pleasure relation’, and thus cannot be reduced to a mere means to pleasure. As historical philosophers, this is an opportune time to use some formal terminology to highlight the fact that there is a genuine logical space for Mill to occupy here, even though it can be very difficult to see this without that apparatus.

To elaborate, the pleasure relation has the form ‘ α takes pleasure in (or enjoys) O ’ (formalized as $P\alpha O$), where α is a stand-in variable for some precise agent, $\alpha_{1\dots n}$, and O is a stand-in variable for a precise object, $o_{1\dots n}$. As a Normative Hedonist, Mill is committed to claiming that: if some O , o_1 , is valuable then there is some α , α_1 , for which it is true that α_1 takes pleasure in o_1 ($P\alpha_1 o_1$). However, as an Anti-Instrumentalist, Mill is also committed to the claim that there exists some proper subset of O , O_p , the members of which ($o_{p1\dots n}$) are not valuable *merely* as a means to pleasure (for the specific α in question). While the objection notes that what distinguishes O_p from the rest of O is that the former are pleasurable and the latter are not, the proposed response insists that, so long as the said Normative Hedonist and Anti-Instrumentalist claims are compatible, the objection misses its mark.²²³

The reason that they are said to be compatible is that the fact that α_1 only values o_{p1} on the condition that it is a relatum in a realized pleasure relation (as required by Mill’s Normative Hedonism), does not mean that o_{p1} is thereby reduced to a *mere* means to the pleasure relation (as claimed by the objection) as *it is also a constituent part* of the pleasure relation, $P\alpha_1 o_{p1}$. In other words, it is claimed, Normative Hedonism does not reduce the desired object to a means to some further object, pleasure, because the term ‘pleasure’ does not refer to an independent object and cannot be abstracted from the experience of the object as such.

(D.2) The Logic of Practical Anti-Hedonism

²²³ Note that the formal machinery still allows us to make sense of the idea that *some* objects *should* be treated as mere means (which is also clearly endorsed by Mill). After all, the members of the proper subset of O which are not members of O_p , i.e. O_{-p} , *are* mere means to O_p , even though O_p is not a mere means to the realization of the pleasure relation, of which its members are constituent parts.

With the logic of Ant-Instrumentalism in place, we can use this as a foundation to construct an argument for Indirect Hedonism, from which Mill's Practical Anti-Hedonism will also follow (D.2.A). We can then apply the formal apparatus developed in (D.1) to Mill's Indirect Hedonism and Practical Hedonism with a view to lending formal precision to Mill's positive and negative hedonistic prescriptions (D.2.B).

(D.2.A) The Argument

With the logic of Ant-Instrumentalism in place, we can use this as a foundation to develop the logic of Mill's Practical Anti-Hedonism as follows:

- (1) Anti-Instrumentalism: There are some valuable 'objects', besides happiness or pleasure as such, the value of which is not a function of their being a *mere* means to happiness or pleasure, or the avoidance of suffering (from D.1 above).
- (2) In order to take full pleasure in such objects, one must treat them in accordance with their normative nature. That is, one must treat them as intrinsically pleasurable rather than treating them as if they are mere means to either some further pleasurable object, or the 'object' of happiness or pleasure as such (A:146-7).
- (3) In order to treat an object as intrinsically pleasurable one must aim for it as an end in itself (A:146-7).
- (4) (So) There are some valuable 'objects', besides happiness or pleasure as such, in which we can only take full pleasure if we aim for them as ends in themselves (from premises 1-3).
- (5) The said objects include the greatest source of happiness or pleasure, namely, excellence directed at the common good (from the Second Progressive Thesis from C.4 above).
- (6) (So) Indirect Hedonism: one is more likely to achieve the greatest happiness or pleasure possible if, rather than aiming for happiness or pleasure as such, one aims for objects the value of which is not a function of their being a *mere* means to one's own happiness or pleasure, such as excellence directed at the common good (from premises 4-5).
- (7) (So) Practical Anti-Hedonism: *ceteris paribus*, one is better off not aiming for happiness or pleasure as such, but rather for objects whose value is not a function of their being a *mere*

means to one's own happiness or pleasure (as described by Anti-Instrumentalism) (from 6 in conjunction with Normative Hedonism as an account of welfare).

The hitherto unexamined premises here are (2-3). Besides the autobiographical sources cited above, we can find evidential support for ascribing them to Mill in the following passage of *Utilitarianism*:

“The principle of utility does not mean that any given pleasure, as music, for instance, or any given exemption from pain, as for example health, are to be looked upon as a means to a collective something termed happiness, and to be desired on that account. They are desired and desirable in and for themselves; besides being means, they are part of the end (U-IV:v).”²²⁴

If pleasure is always relational, in the sense of it involving an agent taking pleasure in an object, it makes sense to think that an agent is less likely to establish such a relation if (s)he adopts an instrumental attitude towards the object rather than treating it as valuable in its own right. After all, if the agent instrumentalizes the object by seeing it either as a causal trigger for some kind of non-relational (and hence illusory) *brute pleasure*, or as a mere means *to some further pleasurable experience*, his mind will be fixed on something other than the object, thus reducing the pleasure that can be taken in it. The last line of the passage is particularly relevant for premise (3), and bridges the gap between treating something as intrinsically valuable, and treating it as something which should be consciously desired as an end in itself.

(D.2.B) Formal Analysis

The Practical Anti-Hedonist and Indirect Hedonist theses above can be understood as (a) *denying* that it is hedonically optimal to aim for pleasure or happiness *in abstraction from* the precise objects in which one will take pleasure; and (b) *asserting* that it is hedonically optimal to aim for *pleasure in specific objects*.

To state (a) more precisely in the formal terminology developed above, what is *denied* is that α_1 should simply aim for either:

²²⁴ Cf. “Happiness is not an abstract idea, but a concrete whole; and these [objects] are some of its parts (U-IV:vi).”

(i) pleasure as a brute sensation, detached from experience of any particular object, as if pleasure were an object rather than a relation (we could symbolize this as the aim to satisfy ‘ $P\alpha_1$ ’, defined as ‘ α_1 has mere pleasure or pleasure as such’); or

(ii) the mere realization of the pleasure relation, $P\alpha_1 O_{Px}$, without concern for the exact identity of the pleasurable object, O_{P1} , for which O_{Px} stands.

Turning to (b), what α_1 *should* aim for, on this interpretation, is *the realization of the pleasure relation with a determinate member of O_P , O_{P1}* . That is, where the imagined opponent, the ‘Practical Hedonist’, would claim that α_1 should aim for pleasure *as such*, where this is conceived of either as being subject to a brute feeling ($P\alpha_1$) or a pleasure relation with an indeterminate object ($P\alpha_1 O_{Px}$), the interpretation defended here suggests that Mill’s Practical Anti-Hedonism claims that α_1 should aim for *pleasure in particular objects* ($P\alpha_1 O_{P1}$).

(D.3) Mill’s Anti-Instrumentalism & Practical Anti-Hedonism as a Response to his Crisis: A Provisional Explanation

Supposing that the arguments for Anti-Instrumentalism and Practical Anti-Hedonism set out above can be attributed to Mill, this still leaves the question of how Mill’s explanation of his crisis presents them as attributable to him qua conclusions *drawn from his crisis*. To find the answer we must ask the further question of how he presents his former self as having conceived happiness and the path thereto before his crisis, and how he presents his crisis as having led him to reject this conception in favour of that set out above.

One puzzle here lies in the apparent tension between Mill’s explanation of his crisis, on the one hand, and the Practical Anti-Hedonist lesson that claims to draw from it, on the other. In (A.2) we saw that Mill says that his crisis was triggered when:

“it occurred to me to put the question directly to myself, ‘Suppose that all your objects in life were realized; that all the changes in institutions and opinions which you are looking forward to, could be completely effected at this very instant: would this be a great joy and happiness to you?’ And an irrepressible self-consciousness answered, ‘No!’ (A:139)”

We also saw that if happiness were included in the category of “objects”, his crisis-stricken claim that *he would be unhappy even if he realized his objects* would amount to the contradiction that *he would be unhappy even if he were happy*. In consequence, in order to make sense of Mill’s explanation of his crisis we have to suppose that Mill was aiming for objects such as “changes in institutions and opinions (ibid.)” *before* his crisis.

However, this generates a potential tension with the following Practical Anti-Hedonist lesson he drew from his crisis:

“I *now* thought that this end [happiness] was only to be attained by not making it the direct end. Those only are happy (I thought) who have their minds fixed on some object other than their own happiness; on the happiness of others, on the improvement of mankind, even on some art or pursuit, followed not as a means, but as itself an ideal end. Aiming thus at something else, they find happiness by the way (A:145-7) [my italics].”

If Mill was aiming for other objects besides happiness *before* his crisis, in what sense was he not already a Practical Anti-Hedonist when his crisis occurred?²²⁵

One potential answer to this question lies in the formal analysis of (D.2.B), which indicated that the post-crisis Mill advocates aiming for *pleasure in particular objects* ($P\alpha_1O_{P1}$) rather than aiming for brute pleasures as such ($P\alpha_1$), or pleasure accurately conceived as relational in nature but without concern for the exact identity of the objects in which it is found ($P\alpha_1O_{Px}$). Since (A:139) above makes clear that Mill had quite specific objects in mind when he entered his crisis, the formal analysis suggests that the most charitable way to interpret him is as presenting his pre-crisis self as conceiving pleasure in a non-relational manner. This would mean that he viewed his objects as mere means to pleasure, the folly of which he presents his Anti-Instrumentalist post-crisis self as having come to acknowledge.

(D.4) Mill on the Relationship between Happiness, Pleasure, and Objects

The fact that the explanation in (D.3) is incomplete can be seen by considering an objection to the effect that this interpretation of Mill’s presentation of his post-crisis self in the *Autobiography* would

²²⁵ Cf. Mill’s claim that his crisis led him to “adopt a theory of life, very unlike that on which I had before acted (A:145)”

contradict his theoretical claims in *Utilitarianism*. Given that Mill equates happiness with “pleasure, and the absence of pain” (U-II:ii), how is his post-crisis claim that “Those only are happy [...] who have their minds fixed on some object *other than* their own *happiness* (A:145)²²⁶ consistent with the interpretational claim at hand, that the post-crisis Mill advocates aiming for *pleasure* in particular objects?

The answer to this question comes in two parts. The first part (D.4.A) points to the fact that (a) there is only an inconsistency here if we read ‘other than’ in an *exclusive* rather than an *inclusive* way; and (b) we need to read Mill in the latter way in order to make sense of what he says elsewhere. The second part of the answer (D.4.B) indicates ways in which Mill’s equation of ‘happiness’ and ‘pleasure’ in U-(II:ii) belies subtle differences in his usage of the two terms, which make it possible to claim that there is a sense in which he thinks that we can pursue pleasure (generically conceived) more directly than happiness (conceived as a sub-species of pleasure).

(D.4.A) Pleasure in Objects

Turning to the first part of the answer, if we read the ‘other than’ of (A:145) *inclusively*, Mill is saying that one shouldn’t *merely* aim for pleasure, as one should also be aiming for some (specific) object besides pleasure. This is compatible with the interpretation at hand, as aiming for the realization of the pleasure relation involves aiming for an object (distinct from pleasure) which is a constituent part of that relation (see section (C.) above).

In contrast, if we read the ‘other than’ of (A:145) *exclusively*, Mill is saying that one shouldn’t be aiming for pleasure in any shape or form but rather for some (non-pleasurable) object. This reading *would* contradict the interpretation at hand but there are at least two reasons for thinking it is a misreading. Firstly, it is not at all clear how we could reconcile the claim that Mill thinks that people should aim for non-pleasurable objects with his Normative Hedonism. After all, while the claim that *people will be best off aiming for pleasurable objects for some reason other than that they are pleasurable because this motivation is instrumental in yielding greater pleasure* is consistent with

²²⁶ My italics.

Normative Hedonism (see 5.D.2 below), the claim that *people are best off aiming for non-pleasurable objects* is not compatible with Normative Hedonism.

Secondly, the exclusivist reading is incompatible with Mill's Motivational Hedonism, according to which:

“Whatever is desired otherwise than as a means to some end beyond itself, and ultimately to happiness, is desired as itself a part of happiness, and is not desired for itself until it has become so (U-IV:viii).”

In other words, we cannot read (A:145-7) as implying that people should desire objects *instead of* happiness (as required by the exclusive reading) as opposed to desiring objects as a part of happiness (as suggested by the inclusive reading) because he explicitly denies that the former is possible in U-IV:viii).²²⁷

(D.4.B) Aiming for Pleasure in Objects without Aiming for Happiness

The first part of the answer has thus shown that, even if Mill equates happiness and pleasure, his claim that “Those only are happy [...] who have their minds fixed on some object *other than* their own *happiness* (A:145)”²²⁸ is consistent with the interpretational claim at hand (i.e. that he advocates *aiming for pleasure in particular objects*) as the latter requires people to have their minds fixed on some *object* other than their own *pleasure*. The second part of the answer, to which we now turn, is designed to *reinforce* this conclusion. It does so by pointing to the fact that, in practice, Mill (i) doesn't treat the terms ‘happiness’ and ‘pleasure’ as synonymous; and hence (ii) thereby leaves *some* scope for having one's mind (or intentional focus) fixed on *pleasure* in objects, without thereby having one's mind fixed on one's own *happiness*.

Claim (i) is evidenced in the passage under discussion. If Mill treats ‘happiness’ and ‘pleasure’ as synonyms, when he says that “[t]hose only are happy [...] who have their minds fixed on some object other than their own happiness”, he would have to mean that ‘those only are experiencing pleasure (at t_1) who have their minds fixed on some object other than their own pleasure (at t_1)’. While we have

²²⁷ This flows from the Desire Hedonism of Chapter 2 (B).

²²⁸ My italics.

just seen that there is an inclusive sense of ‘other than’ in which Mill takes this claim to be true, it does not follow that the meanings of the statements are identical. Moreover, it would be odd if their meanings were identical as one might expect Mill to recommend mindful attendance to pleasurable experiences. After all, the higher pleasures have cognitive and affective dimensions which could be lost without higher-order reflection.²²⁹

That the statements have distinct meanings is also indicated by the fact that there is a sense of ‘x is a happy person’, to which Mill is far from oblivious, the truth-value of which is a function of x’s *experiences, attitudes and dispositions towards life over relatively broad stretches of time*, rather than a function of whether x is experiencing *pleasure at a given moment* (U-II:xii).²³⁰ It is this sense of ‘happiness’ which a Normative Hedonist can ascribe to someone who is experiencing a preponderance of suffering at a given moment without falling into contradiction. This is partly because a preponderance of suffering experienced in a short time interval (t_{3-5}) can become a preponderance of pleasure in a longer time interval (t_{1-10}), where the former is a proper subset of the latter. However, it is also because *certain kinds* of pleasure and suffering run *deeper* into the fabric of one’s psychological well-being than others.

In what does such *depth* consist? We cannot claim that Mill provides a complete answer but we can demonstrate the coherence of his suggestions through Determinative Interpretation and Explanation. To be sure, such depth is partly a matter of being the kind of pleasure or suffering that is *necessarily* stable and enduring, as opposed to fluctuating and ephemeral (cf. U-II:iv). A backache can be enduring but it is not so in virtue of the *kind* of pain that it is. In contrast, while the pleasurable sense

²²⁹ As Feldman-(2004/ch.4) notes, we can distinguish between *sensory* pleasure, on the one hand, and *attitudinal* pleasure, on the other. (This roughly corresponds to Mill’s distinction between physical and mental pleasure in U-(II:4)). The former take sensations, and the latter take states of affairs, as their object. For instance, while the pleasant *feeling* of imbibing a cool drink could be a *sensory* pleasure, the pleasurable *attitude* that one takes in *the fact* that one is imbibing a cool drink could be an *attitudinal* pleasure. As this example indicates, attitudinal pleasures can take pleasurable sensations as their object because the fact that one is experiencing a particular sensation is itself a state of affairs. However, the fact that one is experiencing an attitudinal pleasure is also a state of affairs, thus implying that one can take attitudinal pleasure (p1) in the fact that one is experiencing attitudinal pleasure (p2). This is what I mean by the possibility of higher order pleasures.

²³⁰ “A state of exalted pleasure lasts only moments, or in some cases, and with some intermissions, hours or days, and is the occasional brilliant flash of enjoyment, not its permanent and steady flame. Of this the philosophers who have taught that happiness is the end of life were as fully aware as those who taunt them (U-II:xii).”

of virtue or dignity may be acutely heightened at particular moments, they are necessarily long-term pleasurable experiences qua supervenient upon an agent's *slow-changing* sense of her own character and identity.

However, such *depth* is also partly a matter of being the kind of pleasure or suffering which the agent *feels* to be closer to being part of his or her subjectivity itself than to being an object towards which the agent relates as subject. To elaborate, if the 'is' of 'x is suffering' is understood as that of predication, the phenomenology is that of being subjected to a passing pain, but if the 'is' is one of identity, the agent will feel like suffering is part of his very being.²³¹

To say that Mill, like anyone else, uses the terms 'happiness' and 'pleasure' in different ways is not to say that he reneges on Normative Hedonism. After all, 'happiness' could still refer to *certain kinds* of pleasure. Consider the following passage:

"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 (U-II:iv)."

Here Mill is not saying that the gratification of animal appetites fails to generate *any kind* of pleasure. He is instead pointing out that we reserve the term 'happiness' for a special subset of relatively high pleasures.²³²

We have thus established claim (i), according to which Mill does not treat the terms 'happiness' and 'pleasure' as synonymous. We can now turn to claim (ii), according to which he thereby leaves some scope for having one's mind fixed on *pleasure* in objects, without thereby having one's mind fixed on one's own *happiness*. Consider the following passage:

"*The enjoyments of life (such was now my theory) are sufficient to make it a pleasant thing, when they are taken en passant, without being made a principal object. Once make them so, and they are immediately felt to be insufficient. They will not bear a scrutinizing examination. Ask yourself*

²³¹ Mill distinguishes the 'is' of existence from that of predication in (SL-I:78). For criticism of Mill's account see Skorupski-(1989/p.69-71).

²³² Cf. "The character itself should be, to the individual, a paramount end, simply because the existence of this ideal of nobleness of character or of a near approach to it, in any abundance, would go further than all things else towards making human life happy; both in the comparatively humble sense, of pleasure and freedom from pain, and in the higher meaning, of rendering life, not what it now is almost universally, puerile and insignificant – but such as human beings with highly developed faculties can care to have (SL-II:952)."

whether you are happy and you cease to be so. *The only chance is to treat, not happiness, but some end external to it, as the purpose of life* (A:145-7).²³³

Setting aside the non-italicized parts of this passage for now, the italicized parts indicate that, while Mill thinks that what ultimately matters is happiness, he also thinks that we cannot aim for happiness directly, as it must be found through the achievement of a sense of purpose (among other things). However, it also indicates that a sense of purpose cannot be pursued directly either but must instead be achieved through fixing one's mind on specific objects.

To explain why a sense of purpose cannot be pursued directly we must resort to Determinative Explanation. While having a sense of purpose requires one to be motivated by what one takes to be a worthwhile goal, there is a non-reflexivity constraint on the kind of goals that can satisfy this condition. That is, there is a constraint which precludes the worthwhile goal of *having a sense of purpose* from constituting the goal which generates one's sense of purpose.²³⁴ In other words, while the goal of having a goal *is* a goal qua second-order goal, a sense-of-purpose-generating goal must be a first-order goal.²³⁵

We have already seen that Mill thinks that happiness is achieved indirectly through the pursuit of specific objects, so (A:145-7) reveals that the relationship between achieving happiness and aiming for objects is at least partly mediated by the hedonic value of a sense of purpose, on the one hand, and the role of objects in delivering that sense of purpose, on the other. Moreover, once we see that Mill treats a sense of purpose as a part of happiness, and that the nature of having a sense of purpose precludes it from being a self-generating goal, we see that his conception of the nature of happiness implies that it is impossible (and not simply unwise) to aim for it directly. Since the nature of pleasure as such generates no analogous constraint on its direct pursuit, the asymmetry between the pursuit of happiness and pleasure as such is established.

²³³ My italics.

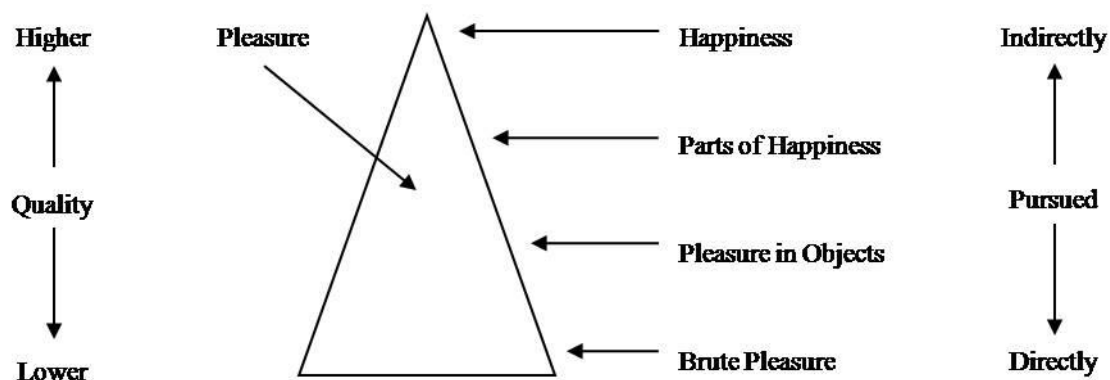
²³⁴ This is not to say that there is no difference between someone who lacks a sense of purpose but wants to find one, and someone who lacks a sense of purpose and has given up looking for one. The former will have hope and the latter will be on the brink of suicide.

²³⁵ This implies that the goal of finding meaning in life cannot give meaning to one's life, as you can only search for what you haven't found. However, it does not imply that the meaning of *one's* life couldn't be to find *the* meaning of life (if one believes such a thing exists).

It is also worth noting that while we can accurately describe having a sense of purpose as pleasurable, and lacking a sense of purpose as painful, one's sense of purpose or the lack thereof runs much deeper into the fabric of one's psychological well-being than the ephemeral sensations of a pleasant massage or stubbing one's toe. While one's sense of purpose or lack thereof *can* be acutely heightened at certain *moments* of one's life - leading to a profound sense of fulfilment or love of life, on the one hand, or existential despair, on the other – it principally stems less from what one is doing at any given moment and more from whether or not one's life is coherently ordered so as to achieve (what one perceives to be) important objects or goals. This sense of purpose can then pervade one's psychological state of being in such a way that it conditions and encompasses all shorter term experiences. In this respect, Mill's treatment of the sense of purpose is similar to his treatment of the sense of dignity or virtue. These can also be heightened at particular moments but if they are to be construed as experiences, they must principally be viewed as stable and enduring experiences of one's state of being, thereby encompassing the ephemeral flux of more mundane pleasures and pains.

The preceding Determinative Interpretation and Explanation suggests that Mill's Qualitative Hedonism posits the pyramid of pleasure presented in Figure 2 below.

Figure 2:



On the one hand, Mill distinguishes between different qualities of pleasure existing on a spectrum ranging from what we can call roughly the 'higher' to the 'lower'. On the other hand, he distinguishes between pleasures in terms of the degree to which they can be pursued more or less directly. While one might imagine these distinctions constituting two distinct axes - thereby creating the category of

higher direct, higher indirect, lower direct, and lower indirect pleasures - Mill seems to think that the two distinctions are extensionally equivalent, and therefore assumes that the higher the pleasures the more indirectly they must be pursued.

In consequence, if there is such a thing as brute pleasure which does not require an object, it will be the kind of pleasure which can be pursued most directly.²³⁶ In contrast, more complex relational pleasures, which require an object and can be sensory or attitudinal in nature, must be pursued more indirectly by being pursued through the pursuit of the object. Sensory pleasures, which are pleasures taken in physical sensations, can be pursued more directly than attitudinal pleasures, which are pleasurable attitudes that we have towards perceived states of affairs.²³⁷ This is because it is harder to distinguish the pleasure we take in a sensation from the sensation itself, than it is to distinguish the pleasure we take in a state of affairs from the state of affairs itself. This means that when we aim for a sensation our volitional focus is more directly fixed on its pleasurable nature than when we aim for a state of affairs.

In achieving pleasurable objects, especially those which require the cultivation of higher faculties, one might then thereby attain indirectly the further pleasures corresponding to what Mill calls the parts of happiness, such as dignity and virtue (as well as sense of purpose). Rather than constituting specific accomplishments, such as winning a race or writing a book, they are instead stable and enduring aspects of one's character, or way of being, which might emerge from dedicating oneself to a plurality of such objects.

On this account, these parts of happiness have a greater significance for the hedonic quality of one's existence than the more ephemeral enjoyments one might experience when pursuing such objects, even though the latter may be profound and intense at times. When the individual parts of happiness are attained collectively, the pleasures of the resulting mode of being embodying such qualities as

²³⁶ Smart's discussion in Smart-&-Williams-(1973/p.19) of giving someone pleasure by stimulating the appropriate part of her brain electrodes may be an example of a brute pleasure, although it is unclear what the phenomenology would be like. Presumably this would still be pleasure taken in some sensation.

²³⁷ For this distinction, see Feldman-(2004/ch.4) and note 27 above.

dignity, virtue and sense of purpose are then referred to as happiness.²³⁸ Since happiness emerges indirectly from its parts which are in turn pursued indirectly through objects, happiness encompasses the most indirect form of pleasure as well as the highest. Furthermore, since happiness encompasses a subset of pleasures, it follows that one can pursue other forms of pleasure more directly than one can pursue happiness. If this account is correct, Mill embraces Monistic Felicific Hedonism but rejects Universal Felicific Hedonism (Chapter 2 (C.2), because he accepts that *only* pleasures can contribute to happiness while denying that *all* pleasures do so.²³⁹

(D.5) Instrumentalism and Practical Hedonism as Causes of the Crisis

In (D.3) it was suggested that Mill is most charitably interpreted as presenting himself as having transitioned from viewing his objects as a mere means to pleasurable experiences *before* his crisis to constituent parts of pleasurable experiences *after* his crisis. On this account, Mill would be presenting his pre-crisis self as having rejected the Anti-Instrumentalist premise of the argument for Practical Anti-Hedonism (D.2). This would allow him in turn to present his post-crisis self as rationally concluding that he had mistakenly adopted a greater intentional focus on happiness (in some misconceived form) or pleasure than on the objects through which happiness and higher pleasures must be attained. If the analysis of (D.4.B) is correct, the pre-crisis Mill is also presented as having been less inclined to distinguish between the concepts of *happiness* and *pleasure* (in practice). This would mean that if he felt that pleasure could be pursued directly before his crisis, he would have felt the same way about happiness.

²³⁸ Martin-(1972/p.108) seems to detect the fact that the plausibility of QLH partly hinges on the way in which we individuate experiences when he distinguishes between pleasurable experiences (narrowly construed), on the one hand, and pleasurable kinds of life, on the other. However, he is mistaken to conclude that, while the former construal is compatible with Hedonism, the latter is not. Hedonists can agree that experiences are the bearers of pleasure and pain, while disagreeing over whether experiences should be broadly or narrowly construed, while agreeing that what make experiences (dis)valuable is their pleasurableness (painfulness). Cf. West-(1976/p.112).

²³⁹ However, in attributing Monistic Felicific Hedonism to Mill, I continue to reject the position found in Berger-(1978/p.126). According to the latter, Mill claims that “it is pleasure *in so far as it is a constituent of a person’s happiness which has value*”. If this is supposed to imply that pleasures which do not rise to that level have no value at all, it conflicts with the Universal Hedonism of Chapter 2 (C.1). This would preclude Mill from assigning *any* value to the pleasure of non-human animals which are incapable of happiness. While Mill may share Bentham’s view that our principal concern with respect to animal’s is that they should not suffer, he takes their pleasures to have value (WMP:185-6; cf. U-II;x).

These two factors would help to explain why Mill embraced Practical Hedonism in response to his crisis but they are still insufficient. When Mill presents himself as asking whether he would be happy if his objects were realized, the fact that he answered in the negative is crucial, not just to the fact that he *had* a crisis, but to the explanation for why he adopted Practical Anti-Hedonism *in response* to his crisis. After all, if he had been able to answer his question in the affirmative *despite* instrumentalizing his objects and pursuing happiness directly, the wisdom of these approaches to life would not have been called into question. In short, for Mill's Anti-Instrumentalism and Practical Anti-Hedonism to be a logical response to his crisis, he must also present himself as viewing his prior commitment to their anti-theses to be part of the cause of his crisis.

There are at least two ways in which Mill's claims could imply that a commitment to Instrumentalism and Practical Hedonism helped to cause his crisis. The first are reasons for thinking that if one embraces Instrumentalism and/or Practical Hedonism, the objective answer to the *unposed* question 'am I happy?' (A:147) is more likely to be negative. Here the explanation for this would be that embracing the said theses will have a negative effect on one's hedonic balance because they lead one to pursue pleasure (and avoid pain) in inefficient or ineffective ways. Since the question 'am I happy?' is stipulated to be unposed, the particular negative effect that is referred to here is independent from any hedonic effect generated by *posing the question to oneself*, on the one hand, and thereby *bringing its answer to the forefront of one's consciousness*, on the other (see (D.5.A) below). The second set of reasons are reasons for thinking that if one embraces the said theses, one is more likely to pose the said question to oneself, and the posing of the question is itself causally efficacious in raising the probability (or maybe even ensuring) both that the answer is negative and that one is aware of this (see (D.5.B) below).

(D.5.A) Hedonic Ineffectiveness

Turning to the first kind of reason that Mill could offer for the claim that his pre-crisis commitment to Instrumentalism and Practical Hedonism helped to cause his crisis, we can begin by noting that the post-crisis Mill clearly takes the direct pursuit of happiness to be less effective at yielding happiness than the indirect pursuit of happiness. If he is right about this, it would follow that if people pursue

happiness directly, there is a higher probability that the *objective* answer to both of the following questions will be negative:

- (a) Am I happy now (at t_1) (A:147)?
- (b) If my objects were realized (at t_2), would I be happy (A:139)?²⁴⁰

Part of the explanation for such hedonic ineffectiveness stems from (D.1-2), where we noted that if the more sophisticated forms of pleasure involve a pleasure relation, in which an agent takes pleasure in an object, it makes sense to think that an agent is less likely to establish such a relation if (s)he instrumentalizes the object rather than treating it as valuable in its own right.

The analysis in (D.4) means that this explanation can be extended to explain why the post-crisis Mill would think it would be harder for Instrumentalists and Practical Hedonists to achieve the states of being and character traits he associates with the parts of happiness. As the analysis indicated, these parts include such things as excellence in certain activities, as well as a sense of dignity, virtue and purpose. In the case of excellent activity, the telos of the activity will not be most aptly described as that of *generating pleasure*, even if this is a by-product of the activity, on the one hand, and what ultimately explains the activity's value, on the other.²⁴¹ In consequence, if one treats the teloi of such activities as pleasure generation, one will be less likely to achieve the teloi which generate the pleasure.

The analysis also indicated that, since happiness includes a sense of purpose, the goal of happiness cannot provide one with a sense of purpose any more than the second-order goal of finding a sense of purpose can provide the sense of purpose which it itself seeks. People who set out to do this would therefore be doomed to failure, and their hedonic balance would suffer accordingly. Similarly, since

²⁴⁰ It is worth noting that the two questions are logically distinct. After all, a happy person might lose his happiness when his objects are realized, and an unhappy person could become happy when his objects are realized. The reason that Mill jumps between the two despite their logical distinctiveness is that he claims that in the case of his own crisis it was consciousness of a negative answer to (b) that led to consciousness of a negative answer to (a).

²⁴¹ For example, the principal telos of the 'art' of goalkeeping is to *prevent goals from being scored*. One must direct oneself to achieving excellence in that activity if one is to experience its greatest pleasures. However, in (SL-II:944) Mill makes clear that achieving such excellence does not involve contemplating the telos as such but rather to the 'scientific' means of preventing goals from being scored.

the development of a sense of dignity and virtue can't be generated by simply trying to maximize one's pleasure as such, a life which focused on such maximization would fail to develop the parts of happiness which generate that maximization.

(D.5.B) Hedonic Counter-productiveness – the ‘Danger’ of Analysis

The second set of reasons for thinking that Instrumentalism and Practical Hedonism lead to a less than optimal outcome flows from what Mill takes to be (i) their tendency to lead people to *think about* whether they are happy, and (ii) the tendency of this form of self-conscious questioning to undermine happiness.

The rationale for (i) is straightforward. Since Instrumentalists view all objects besides happiness or pleasure as a mere means to happiness or pleasure, they are bound to reflect more on whether they are happy, as it is their only criterion for judging the success of their actions. In contrast, the Non-Instrumentalist has a range of objects which, while only valuable qua pleasurable or as parts of happiness, are not necessarily conceived as such. For instance, a Non-Instrumentalist might derive much enjoyment from creating a piece of art whilst judging the success of the endeavour in terms of the quality of the production, and without thinking of this activity as a part of her happiness even if this is what it is. Similarly, since Practical Hedonists are constantly aiming for happiness, it would be remarkable if they did not think more about whether they have achieved this goal than people whose minds are fixed on other ends.

This takes us to (ii). To return to a passage quoted above, Mill tells us that:

“The enjoyments of life (such was now my theory) are sufficient to make it a pleasant thing, when they are taken en passant, without being made a principal object. *Once make them so, and they are immediately felt to be insufficient. They will not bear a scrutinizing examination. Ask yourself whether you are happy and you cease to be so.* The only chance is to treat, not happiness, but some end external to it, as the purpose of life (A:147).”²⁴²

The newly italicized part of (A:147) indicates that posing question (a) above (i.e. ‘am I happy?’) to oneself can itself induce unhappiness even if the answer would have been positive if it had been left unposed. Why would this be true?

²⁴² My italics.

We can find the answer by piecing together several of the passages which precede it. Firstly, there is Mill's psychological associationist claim that:

“all mental and moral feelings and qualities, whether of a good or a bad kind, were the results of association; that we love one thing and hate another, take pleasure in one sort of action or contemplation, and pain in another sort, through the clinging of pleasurable or painful ideas to those things, from the effect of education or experience (A:141).”

If this is correct, the pleasure we take in objects and the higher states of being corresponding to the parts of happiness “are not connected to them by any natural tie (ibid.)” and are contingent on the establishment of a durable association.

Secondly, there is Mill's claim about the dangers of analysis:

“For I now saw, or thought I saw, what I had always before received with incredulity – that the habit of analysis has a tendency to wear away the feelings: as indeed it has when no other mental habit is cultivated [...] Analytic habits may [...] tend to weaken those [associations] which are, to speak familiarly, a mere matter of feeling. They are therefore (I thought) [...] a perpetual worm at the root both of the passions and the virtues; and above all, fearfully undermine all desires, and all pleasures, which are the effects of association, that is, according to the theory I held, all except the purely physical and organic; of the entire insufficiency of which to make life desirable, no one had a stronger conviction than I had (A:141-3)”

Here the term ‘analysis’ includes reference to, among other things, an activity of mentally separating the passions that one feels for one's goals from the goals themselves, thereby revealing the contingency of the association. However, the activity goes beyond this qua presupposing a mind-set in which one adopts an explanatory and non-normative stance to one's own normative dispositions.²⁴³

While there is no logical inconsistency in believing that *one ought to x*, on the one hand, and believing that *there is an explanation for why one holds the said belief*, on the other, if the explanation is not simultaneously a justification, which it is unlikely to be when it has a causal form, one can be left feeling that the explanatory stance has explained *away* the normative stance, thereby reducing the motivational power of the latter.²⁴⁴

For instance, if the explanation of one's passionate belief that *one ought to x* demonstrates that it is the contingent product of features of one's psychological history, and one would have attached this passion to a conflicting belief under alternative material conditions, this might itself result in a

²⁴³ I take the language of ‘stances’ from Dennett-(1987).

²⁴⁴ Cf. Blackburn-(1997/p.168-76); Skorupski-(1998b/p.8-13)

weakening of the said passion, due to the conviction that it reflects factors which are not trackers of normative truth. To be clear, the claim is not that the fact that *normative beliefs can be explained* automatically shows that they are false, nor is it that they can *only* be redeemed if the explanation for their existence is simultaneously a justification. It is rather the psychological point that the process of adopting an explanatory stance vis-à-vis one's own normative stance can distance one psychologically from the convictions and the passions that animate one while in the latter.

While the first passage indicated that feelings are the product of association, and the latter indicated that such associations can be undermined by analysis, the third passage indicates that the cultivation of the feelings is necessary for happiness:

“[After the crisis] I, for the first time, gave its proper place, among the prime *necessities* of human well-being, to the internal culture of the individual [...] The cultivation of the feelings became one of the cardinal points of my ethical creed (A:147).”²⁴⁵

The claim that *asking oneself whether one is happy leads one to be unhappy* is thus best understood as the product of the conjunction of two further claims. The first is the more general claim that *asking oneself why one feels any way at all while performing a given activity can lead one to disassociate the feeling from the activity* (from psychological associationism). The second is the claim that *one cannot tell oneself **whether** one is happy without telling oneself **why*** (*Felicific Reflection Thesis (FRT)*).

The rationale for FRT would be that, while working out whether one is experiencing certain kinds of lower pleasures or pains is merely a matter of reporting on one's basic introspective states, determining whether one is happy requires one to adduce *reasons* for or against thinking oneself to be in a condition which merits that label. Since happiness is not ephemeral, it requires reflection upon one's life activities. This reflection then opens the door to analysis of the contingency of the feelings one associates with those activities, which in turn yields doubts about the validity of the reasons one has for feeling good about them or calling oneself happy.²⁴⁶ As mentioned above, such doubts may weaken the feelings, thereby removing them as a source of hedonic value. Moreover, to weaken the

²⁴⁵ My italics.

²⁴⁶ If those feelings are negative, one might benefit from their being weakened, although the resulting numbness might also generate further negative feelings.

positive feelings that one associates with one's life activities is also to undermine one's sense of purpose. Since Mill takes this to be a key part of happiness, we can see the analytical chain through which asking oneself whether one is happy can lead to one's lacking happiness.

An alternative way of grasping this point is to compare the process of Cartesian doubt to that of Millian analysis. While Cartesian skepticism reveals that one's non-a priori beliefs genuinely lack *internalist* justification, in the sense of revealing our inability to justify our belief in the accuracy of our mental representation of the world, by ruling out the possibility of the inaccuracy thereof, Millian analysis can reveal the genuine fragility and vulnerability of one's happiness.²⁴⁷ However, supposing *externalist* epistemology to be correct, while our inability to overcome Cartesian doubt doesn't actually eliminate the justification of our beliefs, Millian analysis *can* actually eliminate our happiness. This is because, while externalist epistemology implies that the basis of *justified* belief is mind-transcendent, happiness is a genuinely internal phenomenon, on the one hand, and requires a sense of its own security, on the other.

The first of these explanans means that, while (internal) doubt about the justification of one's beliefs is *not* equivalent to having unjustified beliefs, doubts about one's own happiness *are* equivalent to not being fully happy. The second explanans means that, while the external basis of the justification of beliefs shields them from their lack of internal justification *even if the believer fails to see this*, the interiority of happiness means that, no matter how bad one's reasons for feeling unhappy, there is no such thing as a false belief in *one's own* unhappiness.

(E) Qualifying Mill's Practical Hedonism and Opposition to Analysis

Section (E) qualifies the preceding account by noting that we should not interpret Mill as being *completely* opposed to self-analysis. The claim that it is *always* imprudent to engage in self-analysis is false (E.1.A). It is also incompatible with Mill's further claims that one can be happy despite engaging in self-analysis (E.1.B), on the one hand, and despite not being self-deluded (E.1.C), on the other. (E.2) shows that, in fact, Mill takes some degree of philosophical self-analysis to be a precondition of

²⁴⁷ For the Internalist-Externalist distinction see Pappas-(2014).

the highest forms of happiness. Provided that one cultivates strong feelings for one's objects, such as individual excellence and the common good, one will be able to analyse those feelings without destroying them. This opens the door to a life which brings forth the highest forms of happiness precisely because it is philosophically reflective and not predicated on self-delusion.

(E.1) Reasons for Interpretive Caution

Mill's claim that *asking oneself whether one is happy leads one to be unhappy* is an extraordinarily sweeping claim which needs to be treated with interpretive caution for three reasons (E.1).

(E.1.A) Falsehood

The first reason for interpretive caution is that the claim that *asking oneself whether one is happy leads one to be unhappy* seems to be an overgeneralized falsehood. After all, it seems to be extremely unlikely that no self-conscious and analytically-minded person has asked herself whether she is happy and been able to give a sincere affirmative answer. This suffices to raise the question of whether Mill should be interpreted as making such an obvious mistake, or whether a more charitable interpretation can be found.

(E.1.B) Can people not be both happy and analytical?

Secondly, if we take Mill's claim too literally, along with his warnings about the dangers of analysis and "self-consciousness" (A:145), it would be difficult to avoid the (apparently absurd) conclusion that his crisis led him to become *completely* opposed to analytical self-reflection. We would be committed to this, for instance, if we thought that his view could be summarized as the following without qualification: (i) positive feelings and a sense of purpose are necessary for happiness; (ii) analysis is sufficient to eliminate positive feelings and a sense of purpose; so (iii) analysis is sufficient to preclude happiness.

(E.1.C) Does Mill recommend self-delusion?

Thirdly, if we interpret his advocacy of pursuing happiness indirectly too strongly, we will be forced to conclude that his Practical Anti-Hedonism translates into the view that people are better off not

believing in Normative Hedonism. After all, since believing that Normative Hedonism is false might encourage one to focus oneself on pursuing objects besides happiness, and Practical Anti-Hedonism implies that this is the best way to achieve happiness, one might conclude that Mill is committed to the view that: (a) Normative Hedonism supports Practical Anti-Hedonism, (b) Practical Hedonism recommends believing that Normative Hedonism is false, and hence (c) Normative Hedonism supports belief in its own falsehood. On this view, people are best off when they are happy but they will be happier if they are deluded into thinking that there is some higher good for them to achieve. This would imply that the happiest and best-off people hold the deluded belief that happiness is not the highest value, whereas those who see the truth of Normative Hedonism are inevitably worse off than those who achieve happiness by way of their delusion.

(E.2) Qualifying Mill's Practical Anti-Hedonism

There is no contradiction in claiming that (i) Normative Hedonism is true, and (ii) the life which is best according to its criteria is one in which the agent believes that Normative Hedonism is false. After all, while the claim that (iii) happiness can't depend on false beliefs, is incompatible with (ii), it is not implied by (i). Nor is (iii) an *a priori* truth. However, Mill must reject (ii) because he does endorse (iii):

“If we would know whether or not it is desirable that a proposition should be believed, is it possible to exclude the consideration of whether or not it is true? In the opinion, not of bad men, but of the best men, no belief which is contrary to the truth can really be useful (L:233-4)”.

In consequence, in order to avoid attributing Mill with a contradictory view, we need to interpret him as claiming that a self-conscious Normative Hedonist can be happy, on the one hand, and can consistently embrace the Practical Anti-Hedonist position, on the other.

We can see how he can defend this position by turning to the interpretive worries raised by (E.1.B).

Lest we take him to be an opponent of analysis as such, Mill tells us that:

“I never turned recreant to intellectual culture, or ceased to consider the power and practise of analysis as an essential condition both of individual and of social improvement (A:147).”

One way to reconcile this passage with his claims about the dangers of analysis for happiness is to read it as implying that “self-consciousness, your scrutiny, your self-interrogation (A:147)” should

only be directed at “some end external” to happiness. However, this would leave the problem from (E.1.C) unresolved. After all, how could someone embrace Normative Hedonism without consciously embracing the goal of happiness?

An alternative reading is that Practical Anti-Hedonism recommends that one *principally* directs one’s self-consciousness, scrutiny and self-interrogation to objects other than happiness. Setting aside the texts, this position seems more philosophically plausible qua leaving room for *veridical* philosophical reflection about the nature of the good life *within the good life*. Moreover, it leaves room for Normative Hedonism to guide the overall shape of one’s life (the ‘macro’), while leaving Practical Ant-Hedonism to guide one’s day to day activities (the ‘micro’). It thus allows us to make sense of the thrust of Mill’s warnings about the dangers of *excessive* self-consciousness and analysis, without precluding the possibility of their having a proper place within the good life and their affording the liver of the good life with a philosophical understanding of what makes a good life good.

However, this alternative reading is not simply more plausible philosophically; it is also a more plausible reading of Mill’s position. Mill tells us that the reason that analysis helped to generate his own crisis lay in defects in his education, which heightened his capacity for analysis, on the one hand, while generating only weak associations of positive feeling and passion for his objects, on the other. This imbalance of strength between his analytical and emotive faculties led the former to wear down the latter:

“I was thus, I said to myself, left stranded at the commencement of my voyage, with a well-equipped ship and rudder, but no sail; without any real desire for the ends which I had been so carefully fitted out to work for: no delight in virtue or the general good, but also just as little in anything else (A:143).”

In consequence, in those moments where Mill makes his more sweeping claims, such as that happiness is incompatible with analytical reflection upon happiness, he is best understood, not as expressing the lessons of his crisis but as misrepresenting them. After all, one of his main lessons is that happiness requires the maintenance of “a due balance among the faculties (A:147)”. This prescription for balance contradicts the kind of prescription for lurching from excessive analysis to a

deficit, or from one form of imbalance to another, which is what one might take Mill to be making when he makes his more sweeping rhetorical claims.

If the preceding account is accurate, Mill's more qualified position can be represented in the following formalization:

- 1) If we are happy, our life activities are associated with certain positive feelings and emotions (A:147).
- 2) If we engage in analysis then (i) if our life activities are *weakly* associated with positive feelings and emotions, the association will be broken (A:143)); and (ii) if our life activities are *strongly* associated with positive feelings and emotions, the associations will survive (A:153).
- 3) (So) *If we are happy then* if we engage in analysis, our emotions and feelings are strongly associated with our life activities (1-2).
- 4) If we are happy, we engage in analysis (A:147).
- 5) (So) If we are happy, our emotions and feelings are *strongly* associated with our life activities (3-4).

The premise on which we have touched least in this chapter is (4). Mill's commitment to it is evidenced, not just by the fact that he claims that analysis of some sort is required for happiness, but in the way his own philosophical practice relies upon reflecting upon, distinguishing between, and questioning his deepest motivations (e.g. U-IV:iii-viii). For Mill, this practice is not a threat to but rather a part of happiness, once the required balance between the analytical and emotional faculties is achieved. Indeed, this is summed up succinctly in his remarks on the help he received from Wordsworth's poetry during his crisis:

"I needed to be made to feel that there was real, permanent happiness in tranquil contemplation. Wordsworth taught me this, not only without turning away from, but with a greatly increased interest in, the common feelings and destiny of human beings. And the delight which these poems gave me, proved that *with culture of this sort, there was nothing to dread from the most confirmed habit of analysis* (A:153)."²⁴⁸

²⁴⁸ My italics.

(F) Mill's *Autobiography* and his Art of Life

In Chapter 2 (F) we saw that Mill claims that (1) the Art of Life requires one to balance Prudence, Nobility and Morality, and (2) the optimal balance is one in which Morality takes precedence over Prudence and Nobility without dominating them. Part of the philosophical value of the *Autobiography* stems from the light it sheds on these relatively opaque claims, by providing us with examples of successful and unsuccessful attempts to satisfy these criteria in practice. From a philosophical perspective, it is relatively unimportant whether Mill's account of his crisis and subsequent discovery is true, because we can still use his account to clarify the dangers of an imbalance, and why the correct balance must give Morality pride of place.

One way to construe Mill's contrast between a discontented Socrates with a contented pig in terms of the Art of Life is to treat the example as showing the limits of Prudence when it isn't enlightened by Nobility. Mill's account of his mental crisis reinforces this point by explaining how the adoption of an instrumentalist attitude towards life activities limits the scope of one's enjoyment to the cruder sensual pleasures. Mill's account of the dangers of analysis then takes us one step further, indicating that it is not enough to balance Prudence with Nobility, as Nobility itself has multiple dimensions which stand in need of a mutual balance. Mill attempts to show that, while a one-sided development of one's powers of intellect may make one excellent, without the cultivation of the emotions and feelings one will derive little (prudential) benefit. At best one will end up like his father, judging life to be a "poor thing" (A:49), and at worst one will end up like the presentation of his crisis-stricken self, thinking that there "is nothing left to live for" (A:136).²⁴⁹

However, Mill also goes on to indicate that even a form of Nobility that cultivates the intellect, the imagination, and the emotions is insufficient for enlightened Prudence. The Finitude Thesis indicates that, while one might derive profound enjoyment from synthesizing the said powers, one requires the special development of one feeling in particular if this particular well of higher pleasures is not to eventually run dry. For Mill, it is the feeling of benevolence and concern for others that keeps the higher pleasures flowing, by allowing one to direct the cultivation of one's capacities towards projects

²⁴⁹ Mill presents his father as if he lives because he has a duty to do so rather than from a genuine love of life.

that transcend one's own life, including the ennoblement of others. Moreover, the synthesis of Nobility and Morality opens up new dimensions for the cultivation of Nobility (or excellence), by extending the requirements of Prudence into those of the Politic. This opens the door to the forms of excellence required by the Political Life, which calls for the employment of one's higher capacities to promote institutions fit for progressive beings.

Chapter 4: De Dicto System Construction III

Miller's 'Marxian' Critique of Mill's Normative Epistemology

“I have repeatedly heard it advanced as matter of reproach against that respectable class of society the country gentlemen, that some of them betray a stronger attachment to the innocent amusement of foxhunting, than is consistent with the ideas which some persons entertain of perfect wisdom. But I hold these strictures to be extremely illiberal: for I declare on my conscience that I never heard of any person taking to foxhunting as an occupation, who appeared to me to be fit for any other: and if the case be so, they are surely deserving of commendation rather than of blame, in having selected for themselves the only employment, to which the wisdom of their Creator had adapted them. An employment, too, so admirably fitted to keep their constitutions in repair,—and themselves out of mischief: for I am persuaded that the whole Society will agree with me in the opinion, that it is much better they should torment foxes, than men; and that hunting is a far more proper pastime for such persons, than judging or legislating.”

John Stuart Mill, *Influence of the Aristocracy* (CW XXV:327-8)

Introduction

In his insightful text, *Analyzing Marx*, Richard Miller argues that Marx provides a decisive refutation of Mill's normative epistemology.²⁵⁰ According to Miller, in *The German Ideology* Marx endorses what *we* can refer to as the Non-Existence Thesis, according to which there is *no* ranking of pleasures which all people would accept upon a suitable degree of reflection. This is claimed to create a dilemma for Mill by implying that his epistemology is either 'ineffective', in virtue of seeking to explain the justification of hedonic beliefs in terms of a ranking which does not exist, or based on 'class bias', in virtue of tracking the hedonic ranking subjectively endorsed by the socioeconomic elite, and ideologically misrepresenting it as the 'objective' hedonic ranking. On this view, since a plausible normative epistemology should be neither biased nor ineffective, Mill's normative epistemology should be abandoned.

This chapter examines Miller's claim in detail and argues that:

- (1) There are several ways of interpreting the Non-Existence Thesis, some of which render the thesis plausible and some of which render it implausible.

²⁵⁰ Miller-(1984)

(2) It is only the *implausible* versions of the Non-Existence which would challenge Mill's normative epistemology, and if these implausible versions were true, they would also subvert some of Marx's own normative claims.

(3) So, Miller does not, and Marx cannot, provide us with sufficient reason for denying that the objective hedonic ranking posited by Mill exists *in the sense required* for his epistemology to be 'effective'. In consequence, the dilemma represented by Miller's Marx is false, as Mill's epistemology can be effective without being based on class bias (from 1-2). This means, in turn, that Miller's critique cannot be used to show that Mill's epistemology faces a corresponding dilemma between either being ineffective, on the one hand, or lending too much weight to (class-centric) Prudence, on the other.

(4) However, there is some truth to Miller's thesis as, while Mill's normative epistemology *could* be applied without class bias, Mill *does not* apply it in a way which is free of class bias *against the poor*. In consequence, Mill's personal attempt to implement his idea of a balanced Art of Life can be seen to have given too much weight to (class-centric) Prudence in practice.

In so doing it illustrates the ways in which de dicto construction can be used to commensurate Mill's claims with those of Marx *as he is interpreted by Miller*. That is, using the account of Mill's normative epistemology set out in Chapter 2 as a reference point, we examine ways of translating claims which Miller wants to attribute to Marx into the terms of Mill's system with a view to highlighting points of possible agreement and disagreement.

However, since the authorship of *The German Ideology* is contested - it being unclear whether it was written by Engels, Marx, or Engels and Marx - we will remain agnostic regarding the intellectual historical question of whether Miller is entitled to seek to integrate its claims into his own de dicto construction of Marx's system. Instead of asking whether the claims which Miller attributes to Marx are really the latter's, we will ask whether they can be integrated into a system containing other claims which are clearly attributable to Marx, and whether this system (which we can describe as that of 'Miller's Marx') would actually pose a challenge to that of Mill in the way that Miller claims. In so

doing we will see that the process of exploring potential objections to Mill's system is a useful heuristic device for highlighting features of Mill's system which might otherwise remain hidden.²⁵¹

The chapter is structured as follows. Sections (A) presupposes the de dicto construction of Mill's empiricist theory of justified normative beliefs set out in Chapter 2 (D). Recall that according to Mill, ascriptions of *value* or *disvalue* to some Θ are coextensive with ascriptions of *reasons* to agents to *pursue* or *avoid* Θ , and evidence to support the latter must be grounded in ascriptions of *primitive dispositions* to pursue or avoid Θ . Since facts about our primitive dispositions can be divided into facts about how we are *actually* disposed to behave or respond under certain conditions, and how we *would* be disposed to behave or respond under certain conditions, it follows that evidence for reason ascriptions can be found in evidence of actual *and* hypothetical behaviour and responses. On the assumption of shared human nature, we can take evidence of how one person *actually* behaves or responds under a given stimuli in particular conditions as *defeasible* evidence of how another *would* behave or respond in the same conditions. From this it follows that one person can acquire defeasible evidence of the correct ranking of particular 'goods' and 'bads' which she has *not* experienced, from the testimony of others who have experienced them and *responded* by forming informed preferences. In consequence, different degrees of experience, including experience modified through the critical refinement of the faculties of experience, can generate different degrees of competence at judging such rankings.

One implication of this view is that for a belief in a particular ranking to have the *fullest* justification possible, it would have to be based on experience which is *universal in its range*, on the one hand, and *maximally refined in its form*, on the other. Since evidence of the latter would consist of evidence that someone has critically refined his experiences of these goods and bads in the light of the experientially-informed and critically refined views of others, it follows that the most justified belief on a particular ranking is that upon which *universally experienced judges would rationally converge* (Competent Judge Epistemology). While no one can hope to become an *ideal* judge, in the sense of

²⁵¹ Cf. Mill's claim that grasping why the objections to a position are answerable is a precondition of fully understanding the rationale for adopting that position (L:252; IA:230).

having universal experience in the maximally refined form, people can *approach* the ideal by expanding their experiences and engaging others in critical dialogue. When they do so they increase their *competence* to judge. When a non-ideal judge claims that she has sufficient reason to think that a particular ranking is correct, she is claiming that her ranking would be part of the consensus of the ideal judges.

Section (A) presents a key passage from *The German Ideology* that Miller claims poses a challenge to Mill's normative epistemology. We see that, while the attribution of this passage to Marx, as opposed to Engels, *could* be deemed problematic from an intellectual historical perspective, the historical philosophical approach allows us to bracket such concerns. From the latter perspective, we can ask the more abstract philosophical question of how the claims in this passage *could* be integrated into the rest of Marx's system, on the one hand, and how the system thus understood might pose a challenge to Mill's system, on the other.

In so doing we see that Mill is immune from the charge of ignoring the fact that socioeconomic factors can influence which activities people *actually* enjoy; that his political epistemology is well-equipped to accommodate this fact; and that, in consequence, a Marxian refutation of Mill's normative epistemology would need to do more than deny the preceding. Section (B) then introduces Miller's more sophisticated critique of Mill based on his interpretation of the said passage. According to Miller, Marx endorses what we can call the Non-Existence Thesis, which in turn implies that Mill's normative epistemology is either ineffective or based on class bias.

Section (C) constitutes the heart of the chapter and explores four possible interpretations of the Non-Existence Thesis. According to the first interpretation, people have *not yet* rationally converged on a *complete* ranking of goods; and according to the second, no rational convergence on a *complete* ranking *will ever* be achieved. Both of these claims are plausible but since Mill's epistemology doesn't require him to posit ideal judges in the present or the future, but rather requires him to posit facts about what ideal judges would agree upon if they existed, these versions of the Non-Existence Thesis would only trouble him if he claimed that his epistemology could show that we can have an *indefeasibly* justified belief that a particular ranking is correct. However, Mill claims that his

normative epistemology reveals the unavoidable *fallibility* of our hedonic beliefs. In consequence, in the absence of an argument that the ‘effectiveness’ of a normative epistemology is conditional upon its delivery of infallible hedonic beliefs, these versions of the Non-Existence Thesis do not trouble Mill

According to the third interpretation, there is no such thing as the *correct* hedonic ranking. We see that one rationale for this claim could be a Hedonic Error Theory, according to which all evaluative claims are false. However, Miller doesn’t want to defend this claim and Marx cannot endorse it as he needs to appeal to evaluative claims himself. An alternative rationale can be found in an Indeterminacy Thesis, according to which *some* hedonic evaluations are neither true nor false. We see that one could try to ground the Indeterminacy Thesis in an antecedent Nature Thesis, on the one hand, or a Development Thesis, on the other.

According to the Nature Thesis, people are *primitively* disposed to pursue and avoid *different* goods and bads, and hence would not converge on the same ranking given universal and maximally refined experience. We see that Mill is not troubled by the Nature Thesis, and his politico-philosophical prescription for experiments in living actually rests upon it. This is because Mill can posit a *determinate* ranking of *types* of pleasure on which ideal judges would converge without claiming that their views would converge when it comes to comparing particular *tokens* of types of pleasure. This generates enough determinacy to create a correct ranking which our hedonic beliefs can target, while leaving enough indeterminacy for competent differences of taste among ideal judges. This means that Mill’s system implies that even a state populated with ideally competent judges would need to assign them the liberal rights and freedoms to pursue their *distinct* paths to the good life.

According to the Development Thesis, people’s psychological development generates path dependencies which would preclude people from converging on the type-rankings posited above no matter how many layers of experience and critical refinement were to shape them thereafter. We examine textual evidence which shows that, while Marx may emphasize the importance of social conditioning in shaping our hedonic preferences, he takes them to be far more malleable than the Development Thesis would suggest, and hence couldn’t consistently challenge Mill on these grounds.

According to the fourth interpretation, there is no ranking on which ideal judges would rationally converge because there is no such thing as *rational* convergence. We see that if Marx endorsed this view, he would have to deny that the consensus upon the communist conception of the good life, which he seems to claim will emerge under communism, would not be the product of rational convergence. While one can find some textual reasons for ascribing such a view to Marx, it would problematize his position so much that it is ultimately uncharitable to read him this way. It is more charitable to read him as claiming that the optimal institutional and material conditions for a rational convergence to take place are those provided by communism *rather than* Mill's liberal democratic market socialism. However, if this is his view, the critique pointed to by Miller cannot amount to a refutation of Mill's *epistemology* as such, and is better construed as an objection to Mill's *political application* of that epistemology.

Section E concludes by arguing that, while Mill is free from the dilemma presented to him by Miller's Marx, Mill's presentation of his normative epistemology does overlook the fact that it implies inequalities of *doloric* competence, as well as hedonic completeness. Since he notes that the rich are more likely to have *doloric* competence than the poor, he should have noted that the poor are more likely to have *doloric* competence than the rich. However, it resists the conclusion that this imbalance generates a class bias against the poor by feeding into Mill's theory of unequal political competence, as Mill uses education rather than hedonic competence as such when weighting people's votes in his ideal representative democracy. This means that, while Mill's Art of Life may appear to be skewed towards an excessively egoistic Prudence, or a class centric form thereof, his claim that the political competent should have more voting power is really designed, not to facilitate the domination of the mass, but to prevent the mass from dominating everyone else. This conclusion is reinforced in Chapter 6.

(A) *The German Ideology* and the 'Philosophy of Enjoyment'

Building upon the account of the normative epistemology which Mill takes to govern the justification of hedonic beliefs, we can now turn to a passage in *The German Ideology* which Miller takes to constitute an objection thereto. While certain scholars have raised questions about how much, if any,

of that text can be attributed to Marx as opposed to Engels,²⁵² we can bracket that question for our own historical philosophical purposes. Since our main interest is in Mill's system, what concerns us is the claims which can be attributed to him, on the one hand, and the *content of the claims* which Miller attributes to Marx, on the other. After all, we can consider the question of whether the claims of Miller's Marx pose a problem for Mill while remaining agnostic as to whether Miller's Marx is the real Marx.²⁵³

According to *The German Ideology*:

“[a] The philosophy of enjoyment was never anything but a clever language of certain social circles who had the privilege of enjoyment. [b] Apart from the fact that the manner and content of their enjoyment was always determined by the whole structure of the rest of society and suffered from all its contradictions, [c] the philosophy became(a mere *phrase* as soon as it began to lay claim to a universal character and proclaimed itself the outlook of life of society as a whole (GI:417) [...] [d] It was only possible to discover the connection between the kinds of enjoyment open to individuals at any particular time and the class relations in which they live, and the conditions of production and intercourse which give rise to these relations, [e] the narrowness of the hitherto existing forms of enjoyment, which were outside the actual content of the life of people and in contradiction to it, [f] the connection between every philosophy of enjoyment and the enjoyment actually present and the hypocrisy of such a philosophy which treated all individuals without distinction – [g] it was of course, only possible to discover all this when it became possible to criticise the conditions of production and intercourse in the hitherto existing world (GI:418-9).”²⁵⁴

This dense passage contains a number of claims which could contradict the Hedonism Principle and only some of them pertain to the normative epistemology which Mill appends to it. However, it is the latter on which we will focus.²⁵⁵

In order to do so it will be helpful to begin by extracting the following thesis from section (GI:417b):

Social Determination of Pleasure Thesis (SDPT): the set of activities (S) which an agent, α , actually enjoys is determined (or at least circumscribed) by α 's socio-economic position or class (C).

²⁵² Carver-(1988), (2010)

²⁵³ Note that this kind of move is standard in analytical philosophy. For instance, note the use of the portmanteau 'Kripkenstein' to refer to the position that Kripke (1982/p.5) claims *may* be attributable to Wittgenstein (on the relation between meaning and rule following).

²⁵⁴ This passage is also quoted by Miller-(1984/p.32-3). The brackets and lettering are my own.

²⁵⁵ Note that if we read (c) outside the context of the other claims it might be more plausible to read it as simply denying that pleasure is the highest good:

- (i) as such;
- (ii) for all people; or
- (iii) for all time.

Given the fact that people occupy *different* socio-economic positions or are members of different classes, the author(s) seems to infer the:

Non-Universal Pleasures Thesis (NUP): the set of activities, S_1 , which members of a particular class, C_1 , find pleasurable is distinct from the set of activities, S_{2-n} , which members of distinct classes, C_{2-n} , find pleasurable.

To see that it would be puzzling to think that these passages could constitute an objection to Normative Hedonism or Qualitative Hedonism (QLH) it suffices to note the *prima facie* consistency between the former and the latter. After all, neither imply that what people *actually* find pleasurable is unaffected by their socio-economic position or class. More specifically, Mill accepts the claim that the activities which people actually find pleasurable can depend on which activities are “open (GI:418d)” to them, and that this can in turn depend on their class.

Suppose, for instance, that we read ‘open’ socio-economically in such a way that ‘a set of activities, S , is *open* to an agent, α ’ implies that:

- (i) α has the *formal* opportunity to engage in S , in the sense that there are no legal restrictions on α engaging in S ; and
- (ii) α has the *material* opportunity to engage in S , in the sense of having the requisite resources, financial or otherwise, to act on this formal opportunity (we can call the combination of formal and material opportunity *effective* opportunity).²⁵⁶

Far from denying that these can affect what people take pleasure in, Mill appeals to these factors himself. For instance, when trying to explain why the fact that *some people who have experienced pleasure in both their higher and their lower faculties focus on the latter* doesn’t refute his thesis that more pleasure can be derived from exercising the higher faculties, he tell us that:

“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 society into which it has thrown them, are not favourable to keeping that higher capacity in exercise*. Men lose their high aspirations as they lose their intellectual tastes, *because they have not time or opportunity for indulging them*; and they addict themselves to inferior pleasures, not

²⁵⁶ Cf. Rawls-(1999/p.63)

because they deliberately prefer them, but because they are either *the only ones to which they have access*, or the only ones to which they are any longer capable of enjoying (U-II:vii).²⁵⁷

The last line of this passage also suggests the possibility of giving ‘S is open to α ’ a *capacity oriented* interpretation. It could then imply that either:

- (i) α has the *potential* to develop the capacities, whether physical or psychological, to engage in S, and thereby experience the enjoyment thereof; or
- (ii) α has *actually developed* the capacities, whether physical or psychological, to engage in S, and thereby experience the enjoyment thereof.

In the case of (ii), Normative Hedonism generates no reason to deny that socio-economic factors affect the development of one’s capacities, and the passage above makes it clear that Mill affirms the existence of such effects. In the case of (i), Mill does deny that one’s potential is determined by one’s class, but presumably the same is true of the author(s) of *The German Ideology*. Indeed, the author(s) and Mill surely agree that the fact that one’s physical and psychological *potential* is not determined by class origin is part of what makes it objectionable that class origin can be such a big determinant of whether that potential *will be fulfilled* (CS:709-10; U-II:xiv).²⁵⁸

While QLH as such commits one neither to denying nor affirming the possibility that socio-economic factors can influence one’s hedonic beliefs, Mill’s affirmation of this fact is highly relevant to the normative epistemology he adopts for evaluating such beliefs, as it helps to shape the latter’s implications for the conditions in which people’s hedonic beliefs can be considered justified.²⁵⁹ Given Mill’s recognition that his own view of the relative qualities of distinct pleasures rests on an inductive inference from limited data, he also recognizes that the justification for this belief will increase if new data from ‘competent judges’ is consistent with his hypothesis rather than refuting it. For the relevant data set to expand, along with the justification of his belief, other people’s competence to make

²⁵⁷ My italics. Cf. Bentham-(1948:VI).

²⁵⁸ For Marx see: CAPI-(IV:xv:§9; VII:xxv:4); AD-(III:iii/p.277-82)

²⁵⁹ My understanding of the relationship between Mill’s normative epistemology and political philosophy is indebted to Skorupski-(2006/ch.1).

comparative evaluations of activities must also increase.²⁶⁰ While Mill doesn't always make the distinction fully explicit, it is useful to think of competence as such increasing along with increases in what we can call the *breadth* and *depth* of people's hedonic experiences.

The *breadth* of people's experience increases as the *range* of activities that is *open* to them increases *and* they seize on their opportunities to gain these experiences. Since it is difficult to judge the quality of the pleasures that an activity can generate without experiencing it oneself,²⁶¹ the more pleasurable activities that one is acquainted with the better qualified one becomes to make comparative hedonic evaluations of the respective activities. To the extent that socio-economic factors can influence the openness of activities to people, and thereby the breadth of their experience, Mill is committed to the view that socioeconomic factors can affect people's capacities to acquire justified hedonic beliefs.

While the breadth of one's experience will increase when one tries *many* different activities, one may be more familiar with some activities than others, so the term *depth* is designed to measure the extent of one's familiarity. While one's familiarity with an activity can be increased through experiencing it multiple times, depth also refers to the way that one experiences an activity. It is also useful to distinguish between three additional depth-increasing moments of one's exploration of an activity, which we can refer to as exploration in a *reflective*, *energetic*, and *leisurely* way.

To experience an activity *reflectively* people must explore it with an open and yet critical mind because uncritical acceptance or rejection of an activity, or other people's judgments thereof, preclude

²⁶⁰ This doesn't mean that everyone needs to be raised to the level of a perfect judge. Mill thinks that people's natural capacities differ, so conditions of equal effective opportunity will still generate judges of unequal competence. However, it remains the case that if social conditions are precluding people from realizing their potential, this robs society of the most competent judgments that it could deliver, thereby raising questions about whether the dominant viewpoints would have survived these judgments.

Mill's recognition that the realization of the potential of would-be competent judges is dependent on the realization of the potential of other would-be competent judges thus parallels his insight that the potential of would-be good political leaders depends on the realization of the potential of would-be good citizens (L-:80, 107-8; CRG-II:390). One way that the political leader becomes a good leader is by helping the citizens to become good citizens. In parallel, one way that the best of judges proves herself to be such is by helping others to raise their level of independent thought to a sufficient height to be able to challenge that of their teachers.

²⁶¹ Which is not to say that it is impossible to make a defeasible judgment based on what one has good reason to believe are similar experiences. For example, someone who has played rounders but not baseball, and who has some knowledge of their similarities, would have at least *some* standing to make what would obviously be a defeasible judgment about what it would be like to play the latter.

one from estimating and experiencing its true worth (L:262). The reflectiveness which one brings to bear on an activity can be increased by articulation of one's judgments, consideration of others judgments, and potentially moving on to critical dialogue. In consequence, to the extent that socio-economic and political factors can affect the free exchange of considered views, they will also affect the justification of people's hedonic beliefs. While Mill's belief in free speech rests on a number of foundations, its role in facilitating the justification of hedonic beliefs is one of them.

To experience an activity *energetically* and *leisurely*, people must invest sufficient energy and time respectively in order to be able to make an educated judgment concerning its hedonic potential. The idea here is that there are many activities, such as reading Hegel or cross country skiing, which aren't going to reveal their full worth when they are only undertaken briefly, or under conditions of physical fatigue, ill health, or mental torpor (L:263; U-II:vii). Since socio-economic and political factors can clearly influence the amount of time and energy that people can dedicate to non-work activities, they will also affect the depth of people's experiences of particular activities, and hence the degree of justification of their hedonic judgments of those activities.

(B) Miller's Interpretation of Marx

Having established the *prima facie* consistency of QLH with the Non-Universal Pleasures Thesis, we can turn to Miller's interpretation of GI-(417-9) in order to gain greater insight into why Miller's Marx could take it to be a problem for the likes of Mill.

According to Miller, Marx's key claim is what I will refer to as the Non-Existence Thesis:

*"No ranking of all important goods, including, say, leisure as against material income, the enjoyment of competitive striving as against the enjoyment of cooperation, and the chance to occupy the top of hierarchies as against the guarantee of a secure, moderately comfortable life, is faithful to the needs or the reflective desires of all – industrial workers, farmers, investment bankers, housewives, shopkeepers and professors alike."*²⁶²

Miller then claims that the Non-Existence Thesis generates a dilemma for Mill:

"If we seek a ranking that all would accept if they had the relevant data, we are pursuing what does not exist. If we adopt the ranking of those who have actually tasted all kinds of pleasure, we show bias toward the upper strata who are able to practice such connoisseurship. In short, Mill's proposal to

²⁶² Miller-(1984/p.32). My italics.

weigh different kinds of experience impartially, by relying on the experience of those who have experienced all the kinds in question, is either biased or ineffective."²⁶³

We will deal with each of the horns of this 'dilemma' in turn.

(C) The Non-Existence Thesis: Is Mill's Normative Epistemology 'Effective'?

Is Mill's Marx's Non-Existence Thesis true and, if so, would it imply that Mill's epistemology is "ineffective"? The answer depends on the way that we interpret the thesis. In this section we will distinguish between four different ways of interpreting the claim and determine their distinct implications for Mill's normative epistemology.

Interpretation 1. A *universal* rational convergence of opinion on the correct ranking of pleasures has not occurred *yet* because not enough people have acquired the necessary breadth and depth of experience. However, the convergence of opinion upon the correct ranking of pleasures might be achieved one day when more people have acquired the necessary breadth and depth of experience.

This would not pose a problem for Mill. When Mill defends the combination of liberal-democratic political institutions with a market socialist economy (PPE-II:775-96), one goal is to provide people with the formal and material opportunities *to increase* the breadth and depth of their hedonic experiences (TPR:322-3; CRG:411).²⁶⁴ This means that he acknowledges that a convergence of opinion on the correct ranking of pleasures is far from complete, and reforms are needed to pave the way for more rational convergence to take place. While the absence of a rational convergence of opinion in the here and now would imply that people can have less confidence in their existing hedonic beliefs than they could under Mill's preferred system, if Mill is right about the latter's conduciveness to the promotion of breadth and depth of experience, this will be a plausible implication.

Interpretation 2. A *universal* rational convergence of opinion on the correct ranking of pleasures *will never occur* because, in reality, people will *never* be able to acquire the necessary breadth and depth of experience. However, if people *were* to continue to acquire breadth and depth of experience indefinitely, the convergence would occur at some point at or before an infinite limit.

²⁶³ Ibid. My italics.

²⁶⁴ Also CL-(385-6); CS-(737); SMWC-(415); PPE-(I:792-6)).

To evaluate this claim we need to distinguish between a *complete* and *incomplete* ranking of pleasures. Given the set of possible pleasures, $P = p_1 \dots p_n$, for each possible dyadic pairing, p_x and p_y , one of the following *comparative relations* could obtain: p_x could be *more* pleasurable than p_y ($p_x > p_y$), p_x could be *less* pleasurable than p_y ($p_x < p_y$), or p_x could be *equally* pleasurable to p_y ($p_x = p_y$). We can call a rank ordering of P *complete* if, and only if, the ranking assigns one, and only one, of the said comparative relations to every possible dyadic pairing between its members. Any other ranking will be incomplete.

If Interpretation 2 amounts to the claim that no person, let alone all people, could achieve the necessary breadth and depth of experience in their lifetime to make an informed, complete rank ordering of P , it is surely true. After all, absent radical enhancements in life-extension and the invention of Nozickian experience machines, the breadth and depth of people's experiences are inevitably constrained by the length of a normal life-span, on the one hand, and the social and cultural experiences within the spatio-temporal reach of their lifetime, on the other. For instance, no one can currently tell what pleasures (or pains!) might accrue to one who devoted 300 years to deciphering Hegel's *Science of Logic*, and no one has had the experiences of living through both the birth of philosophy in Ancient Greece and the Italian Renaissance.

However, the practical possibility of a single individual being able to make an informed, complete ranking of pleasures is not necessary for Mill's normative epistemology to be 'effective'. If a complete ranking exists *in principle*, because there are facts about what ranking people with a given biological potential would rationally converge upon if they had sufficient breadth and depth of experience, there is a *telos* for which Mill's normative epistemology can aim and which our judgments can be better or worse at approximating (call this the *final* ranking).

Given this, the question of effectiveness reduces to the question of whether Mill actually delivers an accurate account of what could justify us in believing that the particular ranking we presently affirm is either the same as the final ranking or at least closer to it than some alternative. If rational convergence on the *complete* final ranking is practically impossible, the epistemology will imply that it is practically impossible to achieve an *indefeasibly* justified belief that one's ranking is correct.

However, Mill affirms this fallibilist implication of his own epistemology and it is no *reductio ad absurdum* (L:230).

Of course, if an individual can only formulate an incomplete ranking, one may wonder what sense it makes to ask whether it corresponds to the much broader (qua complete) final ranking. The answer is that if an individual has an incomplete ranking of $P = p_1 \dots p_n$, he will nevertheless have a complete ranking of a proper subset of P (call this $P_1 = p_x, p_y, p_z$, etc.). The accuracy of P_1 can thus consist in whether or not the ordering of p_x, p_y, p_z , etc., in P_1 is identical to their ordering in P . After all, the ordinal ranking of the following set of natural numbers $\{2, 6, 32\}$ is correct despite its incompleteness because 2 comes before 6 and 6 before 32 in the complete set of natural numbers from 1 to 100.

Mill also acknowledges that, while direct experience of an activity is the best way for an individual to evaluate its hedonic worth, we can also treat the testimony and customs of others as a weaker form of indirect evidence (L:262). As usual, the reliability of other people's testimony and customs as a guide to the hedonically best way of life is judged inductively. That is, the more one finds that they have spoken truthfully about activities that one has experienced for oneself, the more justified one will be in believing that they speak truthfully about activities with which one is unfamiliar. However, since one judges their reliability by evaluating their judgments about the activities that one has experienced for oneself, the epistemic value of custom and testimony is conditional upon one's maintaining an independent and critical mind.

Interpretation 3. A universal rational convergence of opinion on the correct ranking of pleasures will never occur because *there is no such thing as **the** correct ranking of pleasures*.

This could be true for two mutually incompatible reasons. Firstly, it could be true because there aren't *any* objective facts about which pleasures are more valuable than others. This would generate the error-theoretical conclusion that all propositions positing an (objective) comparative relation between members of P is false (call this the Hedonic Error Theory). Secondly, it could be true because we have good reason to believe that, while *some* propositions asserting (objective) comparative relations between pleasures (i.e. members of P) are true and some are false (and hence the Hedonic Error

Theory is False),²⁶⁵ there are others which are neither true nor false. This could be because no actual *or* hypothetical increase in the breadth and depth of people's experiences would lead to a convergence of opinion on which of the pleasures in question is more valuable (call this the Indeterminacy Thesis).²⁶⁶

a) *The Hedonic Error Theory*

With respect to the Hedonic Error Theory, it would indeed be problematic for Mill if there were no objective facts about which pleasures are more valuable than others, but it is not clear that it would be any less problematic for Marx.²⁶⁷ While Marx can be interpreted plausibly as rejecting the Value Monism of QLH and replacing it with Value Pluralism,²⁶⁸ he cannot be interpreted plausibly as excluding pleasure (and pain) from his list of goods (and bads).²⁶⁹ For example, when Marx says that “*Religious* distress is at the same time the *expression* of real distress and also the *protest* against real distress [...] To abolish religion as the *illusory* happiness of the people is to demand their *real* happiness (CCHPL:176-7)”,²⁷⁰ it is difficult to avoid the conclusion that he thought that, *ceteris paribus*, suffering is bad and happiness is good.

In consequence, a Marxian error-theoretical critique of Mill's theory of welfare would inevitably infect Marx's own theory of welfare and self-actualization.²⁷¹ That is, if the Error Theory is true, any

²⁶⁵ Along with Non-Cognitivism.

²⁶⁶ Cf. Miller-(1984/p.32): “No ranking of *all* important goods [...] is faithful to the needs or reflective desires of all.” My italics.

²⁶⁷ Cf. Mill's criticism of Hamilton: “if Sir W. Hamilton can only seize upon something which will strike a hard blow at an opponent, he seldom troubles himself how much of his own edifice may be knocked down by the shock (EWHP:160).”

²⁶⁸ For example, he critiques “the apparent stupidity of merging all the manifold relationships of people in the *one* relation of usefulness (GI:409).” Cf. Miller-(1984/p.32). The italics in the quotation are included in the now digitalised Soviet edition of *The German Ideology* that I am using but I don't know whether the term ‘one’ is actually highlighted in the original manuscript. If not, this passage could be interpreted as rejecting *Hedonistic* Value Monism rather than Value Monism as such. However, Wood-(2004/p.128-32) makes a strong case for interpreting Marx as a Value Pluralist.

²⁶⁹ See Wood-(p.128-32)

²⁷⁰ Marx's italics.

²⁷¹ On which see Wood-(2004/ch.2).

claim that *something* would improve human welfare is false. From this it would follow that any claim that *particular socio-economic conditions* would improve human welfare is false, and hence that the Marxian claim that *communism* would promote the welfare of the proletariat is false (CGP-I:88).²⁷² In short, then, Marx could not consistently target Mill's normative epistemology with the Hedonic Error Theory without abandoning his own political philosophy.²⁷³

b) *The Indeterminacy Thesis*

Turning, then, to the Indeterminacy Thesis, if we assume that Mill is correct to claim that all people have one primitive desire and that is the desire for pleasure,²⁷⁴ there are two *potential* reasons why there could be some cases where no actual or hypothetical increase in the breadth and depth of people's experiences, however large, would lead to a convergence of opinion on which of two pleasures is more valuable. The first is that, while we are all hard-wired from birth to have the primitive desire for pleasure, the precise activities or capacities that we are hard-wired to take the *most* pleasure in varies from person to person (call this the Nature Thesis).²⁷⁵ The second is that, to the extent to which we are hard-wired to take like pleasures from like activities and capacities *under optimal conditions*, these optimal conditions include a particular developmental path. The opinions of those who develop under optimal conditions might then never converge with those who develop under suboptimal conditions, even if the latter were subsequently able to enjoy the optimal conditions for an indefinite amount of time (call this the Development Thesis).

²⁷² *The German Ideology* insists that "Communism is for us not a *state of affairs* which is to be established [...but rather] the *real* movement which abolishes the present state of things (GI:50)". However, Marx also communism to be a mode of production, so it makes sense to attribute him with the claim that the communistic mode of production will be better for most people than then capitalist mode of production (CGP-I:88).

²⁷³ Which also includes such pronouncements as "'Enjoyable idleness', too, belongs wholly to the most trivial bourgeois outlook (GI:218)."

²⁷⁴ Recall that the question to be explored here is that of whether Mill's normative epistemology is effective as an account of justified normative beliefs, not whether he is mistaken in his claim that the normative belief which it justifies is belief in the Hedonism Principle as opposed to some alternative Value Pluralist position. The latter question ultimately turns on the plausibility of Mill's claim that our spontaneous desire for other candidates for objective or intrinsic goods can all be construed plausibly as desires for the 'parts of happiness' (U-IV:viii).

²⁷⁵ Of course, from the fact that we are hard-wired in such a way as to be disposed to take the greatest pleasure in some activity it would not follow that we would actually discover or encounter this activity in life. Our 'calling' may go undiscovered.

i) *The Nature Thesis*

The truth of the Nature Thesis would only be a problem for Mill if he defined the capacities and activities which are to be hedonically ranked in a more specific or fine-grained way than is warranted by his epistemology itself. After all, we may be able to get convergence of opinion on a claim of the form ‘all activities of type A are more pleasurable than activities of type B’, without getting convergence of opinion on a claim of the form ‘this token of A is more pleasurable than that of token of A’.²⁷⁶ This may explain Mill’s tendency to restrict himself to predicting the convergence of opinion on quite general claims, such as that “the pleasures of the intellect, of the feelings and imagination, and of the more moral sentiments” are superior to those of the “animal appetites” and “mere sensation” (U-II:iv), or that the best life will balance Morality, Prudence, and Nobility. In this respect Mill could not be accused of going further than Marx, whose theory of species-being leads him to claim that all people have a need to objectify their species life through labor without claiming that the particular kind of labor will be the same for all people (EPM-I:277).

When Mill speaks of ‘pleasures of the intellect’ this could potentially include anything from solving cross word puzzles to proving Fermat’s Last Theorem. If we have good reason to believe that competent judges would converge upon the view that the pleasures of the latter are superior – because, say, almost everyone who is now able to do both share this view – Mill’s epistemology will be capable of delivering more fine-grained rankings than his own cautious examples suggest. However, the precise degree of specificity of the final rankings will not be revealed *ex ante* but *ex post*. What we can say *ex ante* is that the level of specificity of the final rankings will depend on the potential sophistication of our discriminatory powers, the full story of the development of which is yet to be told. This generates a further parallel with Marx who is reluctant to make specific predictions about how people will choose to spend their free time in the higher stage of communism.

²⁷⁶ Of course, whether a reference to an abstract pleasure, p_x , is best thought of as a reference to a pleasure-token or a pleasure-type will depend on the nature of the pleasure, p_y , with which it is being compared. For instance, while **pleasure-in-Plato’s-Republic** would be a pleasure-type relative to **pleasure-in-tennis**, it would be a pleasure-token (of the pleasure-type **pleasure-in-Plato’s-works**) relative to **pleasure-in-Plato’s-Laws**.

In consequence, non-convergence on rankings *beyond a certain degree of specificity* does not so much pose a problem for Mill as pose a problem for those who want to claim that they are justified in believing in the objective validity of rankings which go *beyond* that degree of specificity. If *everyone* is equally acquainted with two pleasures, p_1 and p_2 , but there is substantial disagreement over which is preferable, everyone will lack sufficient reason to believe that p_1 is objectively superior to p_2 or vice versa. If everyone nevertheless agrees that p_1 and p_2 have objective value, they will also have good reason to infer, not that it is indeterminate which of the two is superior (as claimed by the Indeterminacy Thesis), but rather that they have *roughly equal* objective value (call this the Competent Disagreement Thesis).²⁷⁷

One might worry that if we deny that people can have a justified belief in the objective superiority of either p_1 or p_2 in such a case, it would then follow that some agent, α_1 , would have the same strength of reason to pursue p_1 as another agent, α_2 , even though α_1 prefers p_1 and α_2 prefers p_2 . However, this would be a mistake. What actually follows is that α_1 has more reason to pursue p_1 , and α_2 has more reason to pursue p_2 , but neither has good reason to infer that he derives more enjoyment from his preferred experience than the other. To be entitled to make the latter inference one of them would need good reason to doubt what we have assumed *ex hypothesi*; namely, that they are *equally* competent to judge both pleasures.

In consequence, the fact that we can derive the Competent Disagreement Thesis from Mill's epistemology shows that Mill is incorrect to claim that the latter requires a *significant* minority of competent judges to defer to the judgment of an equally competent majority of competent judges when their preferences conflict (U-II:viii).²⁷⁸ While disagreement with a seemingly competent majority might give one reason to doubt that one is equally competent after all, if one has sufficient reason to believe in one's equal competence, Mill's epistemology generates no reason for such deference.

²⁷⁷ For problems with judging two goods to be precisely equal see Parfitt-(2011, vol. II:555-9).

²⁷⁸ What he should have said is that when an incompetent judge encounters a disagreement between two *apparently* competent judges, the incompetent judge will have more reason to think that the majority are competent than the minority and hence have greater reason to believe the majority.

One reason this matters is that Mill's political philosophy is *more* intelligible if the Competent Disagreement Thesis is true than if he is right to suppose it to be false. But to see why, we should first note that if the Competent Disagreement Thesis is true, it also raises a puzzle about how the cases to which it applies differ from those in which all (or nearly all) *agree* that two pleasures are of equal value. After all, if *agreement* on the *equality* of two pleasures is evidence of their equal value in the latter case, why should *disagreement* about which of two pleasures is *superior* count as evidence of their equal value in the former cases?

The answer stems from the Nature Thesis itself. We have already seen that this thesis is not a problem for Mill, but we can now see how Mill implicitly relies upon it, along with the Competent Disagreement Thesis, in his hedonic defence of individuality. It may not be obvious that he relies upon it because he occasionally makes statements which could be construed as implying that, contrary to the Nature Thesis, even the most fine-grained hedonic disagreements would be eliminated in a final ranking. For instance, Mill tells us that:

“It still remains to speak of one of the principal causes which make diversity of opinion advantageous, and will continue to do so *until mankind shall have entered a stage of intellectual advancement which at present seems an incalculable distance* (L:252).”

“As it is useful that while *mankind are imperfect* there should be different opinions, so it is that there should be different experiments of living; that free scope should be given to varieties of character, short of injury to others; and that the worth of different modes of life should be proved practically, when anyone thinks fit to try them (L:260).”²⁷⁹

When considered in isolation these passages might be taken to imply that there cannot be differences of taste without at least one of the parties being in error, on the one hand, and that the *only epistemic* value in allowing people to pursue different paths is to provide evidence of *the* precise set of activities which mankind will engage in once it has reached perfection. Given Mill's epistemology, this could only be true if the Nature Thesis is false, with all members of mankind being hard-wired to find their highest forms of enjoyment in *exactly* the same activities.

²⁷⁹ My italics.

However, when read in the context of other passages, it is clear that Mill's liberalism rests on the conjunction of the Nature Thesis and the Competent Disagreement Thesis. For instance, he tells us that:

“A person whose desires and impulses are his own – are the expressions of *his own nature*, as it has been developed and modified by his own culture – is said to have a character (L:264).”

“To give any fair play to the *nature of each*, it is essential that different persons should be allowed to lead different lives (L:266).”²⁸⁰

While Mill takes human nature to be such that all competent judges would converge on the belief that the highest forms of enjoyment are to be found in the cultivation of individual excellences which serve the good of mankind, he also takes our natures to be sufficiently individuated to ensure that two equally competent judges of two activities which satisfy the preceding criteria may have different preferences. Thus, when the preferences of all competent judges converge, this is best construed as a response to aspects of our nature which are universal, and when they do not converge, this is best construed as a response to aspects of their nature which are non-universal.

Mill's recognition that the fact of individuality means that conflicting tastes are not *necessarily* a sign of error or incompetence is reflected in his liberal politics. While Mill's defense of the freedom to engage in experiments of living is partly predicated on the enjoyment we take in autonomy itself (L:261), it is also predicated on the claim that they are necessary to allow individuals to discover the precise activities which will bring them the most enjoyment *given the peculiarities of their own nature* (L:270).²⁸¹

Thus, the rationale for the liberal culture which Mill hopes to promote, in which people are encouraged to respectfully challenge each other but even a competent majority is expected to acknowledge that a competent minorities may know better what is good for themselves, is more plausibly interpreted as embracing the Competent Disagreement Thesis than rejecting it. Moreover, since individual peculiarities will persist beyond the 'perfection' of mankind's capacities (L:260-1), Mill thinks that the epistemic argument will continue to apply as well. This implies that, insofar as

²⁸⁰ My italics.

²⁸¹ Note that we might enjoy freedom even if these peculiarities in our nature did not exist.

liberal institutions are required to sustain such experiments, they are not merely a ladder to 'utopia', to be kicked away upon reaching the destination, but a part thereof.

Thus far we have assumed equal biological potential to acquire equal competence in different activities with a view to exploring the epistemic significance of disagreement under such conditions. However, in practice, the Nature Thesis can imply, not that a disagreement is a sign of non-convergence despite competence, but rather that it flows from unequal natural potential for competence.²⁸² There will be cases where two agents, α_1 and α_2 , can both engage in two activities, x_1 and x_2 , but α_1 has a greater natural potential to acquire competency at both. This may mean that if α_1 fulfils this potential, α_2 will be unable to achieve the same level of competency at hedonically comparing two activities. This opens the possibility of cases where α_1 prefers x_1 to x_2 and α_2 prefers x_2 to x_1 because x_2 is preferable to x_1 when these activities are only undertaken at α_2 's inferior level of competence but x_1 is preferable to x_2 when pursued at α_1 's superior level of competence.

However, such cases of non-convergence would not so much pose a problem for Mill as highlight the fact that the claim that equally competent judges would converge on a (suitably fine-grained) ranking does not imply that everyone can be equally competent judges. For instance, many people lack the natural talent to understand and hence take pleasure in the most difficult forms of mathematics, and this will preclude them from competently comparing those pleasures to some other variety with which they are competently acquainted. This doesn't leave it indeterminate which are superior, but rather implies that the best evidence that we have of the determinate answer is the judgment of the few who can experience both.

ii) *The Development Thesis*

If the Indeterminacy Thesis cannot be supported by the Nature Thesis, can it be supported by the Development Thesis? Mill himself seconds Aristotle's claim that, in practice, an unfortunate upbringing can preclude someone from living the best life. As he puts it:

²⁸² Mill is aware that this renders the Nature Thesis open to ideological abuse (SW:278-80).

“both kings and parents would enjoy greater happiness on the whole, if they could learn to find it in the happiness of those under their charge. But this is a capacity seldom acquired after an early age; and those who have not acquired it, would not gain the pleasures of benevolence, even were they to forego those of selfishness. If a father be by character a bad and selfish man, it is not true that his happiness may not be promoted by tyrannizing over his children (RR:28).”²⁸³

Here Mill acknowledges that the developmental path of the selfish man may lead him to take some kind of ‘happiness’ in such tyranny, and yet maintains that his ‘happiness’ would have been ‘greater’ if he had been fortunate enough to have been raised to take pleasure in benevolence.²⁸⁴ The question this raises is that, if the developmental path of those who are taught to take pleasure in benevolence also precludes them from taking pleasure in such tyranny, how could Mill justify his belief that it is the pleasures of benevolence which are greater, and that it is the development conducive to pleasure in selfishness which is suboptimal?

The answer is that, in claiming that those who are raised to take pleasure in tyranny ‘seldom’ learn to take pleasure in benevolence, Mill implies pragmatically that at least some make the transition from the former to the latter, thereby acquiring the competence to hedonically compare both ways of being. Thus, if Mill’s claim is justified, the justification will rest on the true nature of the preferences of this group of people, as well as those who have developed in such a way as to be able to experience pleasure in benevolence and selfishness more or less contemporaneously. Some may recoil at this conclusion because it seems to imply that one must experience being evil to have full *knowledge* of the pleasure of being morally good. However, we should note that one can accept this *epistemological* claim without accepting the further *moral* claim that one must experience being evil in order to *be* morally good.

Of course, Miller *might* take this example as a softball and claim that the point of the Social Determination of Pleasures and Non-Universal Pleasures theses of (GI:417-9) is that once we have adopted a particular socio-economic position, this fixes our hedonic preferences so rigidly that we

²⁸³ The point is repeated in (CRG:444) with the difference that the later Mill does not speak of the selfish man as having happiness. Instead he is said to take “pleasure”, or be made “happier”, from such pleasures. This transition aligns with the thesis defended in chapter 2, that the later Mill makes a stronger distinction between happiness and mere pleasure, and takes the former to require the cultivation altruistic motives.

²⁸⁴ Mill also emphasizes the role that a negative developmental path can have on capacities for higher pleasures in (SW:305).

could not take pleasure in the activities which are open to people occupying distinct socio-economic positions. He could then claim that this renders it indeterminate whether someone whose hedonic preferences are fixed to the capitalist mode is better off than someone whose hedonic preferences are fixed to communist mode.

However, this would run contrary to the position defended in *The German Ideology* according to which:

“[i] ‘Enjoyable idleness’, too, belongs wholly to the most trivial bourgeois outlook. But the crowning point of the whole statement is the artful bourgeois scruple that he [Stirner] raises against the communists: that they want to abolish the “well-being” of the rentier and yet talk about the ‘well-being of all’. [ii] Consequently, he believes that in communist society there will still be rentiers, whose “well-being” would have to be abolished. [iii] He asserts that ‘well-being’ *as rentier* is inherent in the individuals who are at present rentiers, that it is inseparable from their individuality, and he imagines that for these individuals there can exist no other ‘well-being’ than that which is determined by their position as rentiers (GI:218).”

At first sight section (ii) looks unfair to Stirner. After all, if Stirner embraced the claims of GI-(417-9) under the rigid interpretation that is now in question, his point could simply be that once an individual’s hedonic preferences are fixed to those of a rentier, communism’s elimination of that socio-economic position would also eliminate his capacity to achieve well-being. But once we factor in section (iii), we see that the objection to Stirner actually amounts to an objection to the position of GI-(417-9) *thus construed*. In other words, the passage is claiming that the fact that the rentier achieved well-being (of some sort) as a rentier does not preclude him from adapting so as to achieve well-being (of another, presumably superior sort) while occupying a different socio-economic position under communism. If this adaptation is possible, the author(s) of *The German Ideology* cannot rule out the kinds of experiential comparisons that Mill suggests are the key to justified hedonic rankings of different activities and ways of life.²⁸⁵

²⁸⁵ A variation on this objection can be found in McPherson-(1982/p.145-50) and Thompson-(1976/p.58). They worry that if people transition from experiencing a supposedly low pleasure, such as pushpin, to a supposedly higher pleasure, such as poetry, the process of cultivation required to enjoy the latter will preclude them from synchronically comparing the pleasures of pushpin with an *uncultivated* mind to the pleasures of poetry with a *cultivated* mind. All they will be able to do is make the diachronic comparison of their memory of pushpin with an uncultivated mind to their current experience of poetry with a cultivated mind. However, it is unclear why this is supposed to refute Mill’s account as a theory of the best evidence available, as opposed to a theory of how we can form indefeasible judgments. Moreover, Mill’s epistemology as such is compatible with a ‘tragic’ scenario in which one judges that one’s prior experiences were superior to those of one’s present but that the former are no longer replicable. In other words, Mill’s epistemology needn’t imply that once we have

Of course, this is not to imply that the position defended in *The German Ideology* takes the adaptation of the rentier to be any easier than Mill implies it will be for the selfish man. At any rate, one way in which *Marx* makes his commitment to the difficulty of such adaptation crystal clear is in his acceptance of Mill's claim that it is unfeasible to transition *directly* from capitalism to advanced communism (CS:740, 748).²⁸⁶ For instance, Marx claims that the form of communism which "emerges from capitalist society" will "still [be] stamped with the birth-marks of the old society from whose womb it emerges": "in every respect, economically, morally and intellectually" (CGP-I:86). Marx thus acknowledges that it is unrealistic to expect *all* of the members of this new society – especially, but not exclusively, those who were privileged in the old – to be able to act and derive well-being in the same way as people who have lived under communism for much longer, and hence achieved the benefits of "all-round development" (CGP-I:88).²⁸⁷

The preceding indicates that Marx accepts that we are sufficiently malleable to be able to take pleasure in the activities available to us in *consecutive* modes of production, and this is enough to ground Mill's claim that we can make hedonic comparisons thereof. However, Miller could argue that this leaves room for Marx to deny the possibility of comparing the enjoyments available to people in *non-consecutive* modes of production, such as capitalism and *advanced* communism. If this is to count as an objection to Mill by grounding the Indeterminacy Thesis, the claim would have to be that the impossibility of making such comparisons reflects the absence of facts about which enjoyments are superior.

One problem with this move would be that it would contradict Marx's apparent claim that communism will open up the possibility of higher forms of enjoyment. Another problem is that if there are determinate facts about whether the enjoyments available in one mode of production are superior or inferior to those available in consecutive modes of production, one can't deny that such

determined which the highest pleasures, we can simply stick or return to those. Physical as well as psychological constraints may well bar the way.

²⁸⁶ Which is not to say that Marx accepts Mill's socialistic critiques of communism as they can be found in (CS:745-9)

²⁸⁷ Cf. Mill's claims about the kind of people that communism would need to function in CS-(745, 748).

facts obtain in the case of non-consecutive modes of production without denying transitivity. If the enjoyments available to people under capitalism are inferior to those available under lower communism, and the enjoyments available under lower communism are inferior to those under advanced communism, *it will be a determinate fact that* the enjoyments available to people under advanced communism will be superior to those available under capitalism. In consequence, we have found no Marxian foundation for a critique of Mill's epistemology along the lines of Interpretation 3.²⁸⁸

Interpretation 4. A rational convergence of opinion on the correct ranking of pleasures will never occur because, while there is a correct ranking convergence upon which is possible, *there is no such thing as rational convergence.*²⁸⁹

If there were no such thing as *rational* convergence, Mill's epistemology might be said to be 'ineffective' in virtue of generating the sceptical conclusion that the conditions of justified normative belief can never be met. However, for the proponents of this objection to claim that these sceptical implications refute Mill's epistemology, they would have to provide an alternative account of the conditions of justified belief which allows them to be satisfied by *some*, on the one hand, while making it impossible for them to be satisfied by *all*, on the other. Since there are multiple possible rationales for endorsing the claim presented in Interpretation 4, we will deal with each of them in turn.

Interpretation 4.A. There could not be a *purely* rational convergence of opinion on the correct ranking if this were meant to imply that the expansion of people's breadth and depth

²⁸⁸ There is an alternative version of this objection open to a Marxist which would not support the Indeterminacy Thesis but could be taken to show that Mill's epistemology leads to an implausible scepticism. We can imagine a Marxist arguing as follows: (1) people living under the advanced stage of communism could have a justified belief that they have better lives than people living under capitalism; but (2) no one living in the advanced stage of communism will have experienced life under capitalism; so (3) if Mill's epistemology were true, (1) would be false; so (4) Mill's epistemology is false.

In response we should note that since Mill can assign epistemic weight to the indirect evidence of testimony and the historical record, it is not true that (3) follows from (1-2). Moreover, even if (3) followed from (1-2), one would only have sufficient reason to accept (4) rather than rejecting (1) if Marx could provide an alternative epistemological account of the truth of (1). Marx does little to provide such an alternative but see Wood- (2004/ch.12).

²⁸⁹ Given that this objection allows for the existence of a correct ranking and we have already dealt with Error Theory and Non-Cognitivism above, we can assume that the objection is not directed at the possibility of true normative claims. In addition, since the ranking is granted to be true, we will assume that the reason it is said not to command rational convergence of opinion is not that it is excessively fine-grained (see Interpretation 3 above). Finally, we will assume that the scope of the phrase 'convergence of opinion' is to be restricted to the opinions of people with normally functioning mental capacities.

of experience, which is required for rational convergence of opinion, lacks non-rational (i.e. material and institutional) preconditions.

We have seen that Mill acknowledges that the extension of people's breadth and depth of experience has material and institutional preconditions, and that his defense of liberal democratic institutions combined with a market socialist economy is partly designed to bring those conditions into being. This means that Interpretation 4.A is not an objection to Mill as he also denies that there could be a purely rational convergence of opinion on the correct ranking *in its sense*.

Interpretation 4B. Even if the material and institutional conditions which are optimal for maximizing people's breadth and depth of experience were in place (whether these be capitalist, socialist, communist, liberal etc.) and a universal convergence of opinion on the correct ranking subsequently occurred, this convergence would not and could not be *rational* convergence.

To endorse this Marx would have to claim that the optimal material and institutional conditions, which maximize the extension of people's breadth and depth of experience, the cultivation of their rational faculties, and also generate a normative consensus, *does not generate the latter through the former*. Call this claim Non-Rationalism. We will see that, while one can *imagine* reasons that Marx might have for wanting to endorse Non-Rationalism, his endorsement of those reasons would do far more damage to his own position than that of Mill. In consequence, it seems more charitable to interpret him as rejecting Interpretation 4B, and agreeing with Mill that normative consensus can be achieved through rational processes provided that the optimal material and institutional conditions are in place.

Non-Rationalism might seem to align well with Marx's functional conception of ideology. After all, Marx *seems* to indicate that the prevalence of a given normative belief is best explained, not by its being true or on the basis of its rational merits, but by its functional role in supporting the relations of production, which are in turn functional for realizing the productive potential of the existing forces of production (CCPE-I:264).²⁹⁰ A proponent of the Non-Rationalism interpretation could take this as a foundation for taking Marx to claim that (a) the admittance of a normative consensus to true functional explanation is sufficient to ensure that it is not produced rationally, and hence (b) a normative consensus on the truth of the communist conception of the good life (under the communist

²⁹⁰ Cf. Cohen-(1982/p.483-6)

mode of production) is not the product of whatever collective rational reflection would be facilitated by communist society.²⁹¹ We can begin by examining what form the argument for (a) could take before examining whether Marx would really want to endorse (b).

To defend (a) Marx would have to claim that the truth of a functional explanation of the form ‘ α has a belief, b , because b is functional for the existing relations of production’ is *sufficient* to show that b did not emerge from a rational belief-forming process. Marx could *not* maintain this on the grounds that admittance of true functional explanation guarantees b ’s falsehood. After all, he is committed to the *possibility* of b being both functional and true because he thinks this situation will arise when people believe in the communist conception of the good life while living under communism.

However, Marx *could* appeal to the following claims:

Reliabilism.: If α ’s true normative belief, b , is justified then b was generated by a reliable (or truth-tracking) belief-forming process.²⁹²

Ideational Functionalism: In all possible societies people’s normative beliefs *tend* to be (or track) the normative beliefs which are functional for the relations of production of that society, and such ‘functional beliefs’ tend to be false (cf. GI:60).²⁹³

Hence:

²⁹¹ I avoid the term ‘institutions’ as Cohen-(2000a/p.131-3) takes Marx to deny that will be any such thing as *communist* institutions.

²⁹² This is only one possible variant of Reliabilism. For a survey see Goldmann-(2008). Note that Mill claims that one can reveal a normative consensus that women are inferior to men by revealing the genealogy of the belief and thereby showing that it was not produced through a truth-tracking belief-forming procedure (SW:264).

²⁹³ Two notes.

Firstly, there can be fine grained variations of the functional beliefs, so this premise doesn’t imply that everyone tends to believe *exactly* the same thing. For example, for a Marxist, the commonalities between the beliefs of Republicans and the Democrats in the USA, or between those of the Conservatives and Labour in the UK, are more striking than the differences.

Secondly, at times Mill makes an analogous claim to the effect that the dominant positive morality tends to reflect the narrow interests of the dominant class (L:221). While Mill welcomes the decline of this phenomenon he worries that people’s values will come to track the customs of the mass instead (L:261). The implementation of the Harm Principle is designed to prevent this outcome. See Chapter 6 (B).

Functionalist Subversion: In all possible societies peoples' normative beliefs *tend* to lack justification. The reason for this is that, in tracking the *functional* normative beliefs, they do not track truth, and hence emerge from an unreliable belief-forming process.²⁹⁴

To achieve the desired conclusion he would then need to appeal to the following lemma:

Lemma: If people's normative beliefs tend to lack justification in virtue of being produced by an *unreliable* belief-forming process, they must *tend* not to be produced by a *rational* belief-forming process.

From which it would follow that the production of a normative consensus on the correct conception of the good life under optimal material and institutional conditions (whether these be liberal, communist, etc.,) could not be produced by a rational process.

Even if this argument delivered the 'desired' conclusion, it would surely be a pyrrhic victory for Marx to refute Mill's epistemology while simultaneously showing that any consensus on a correct conception of the good life under communism would be non-rational. It is more plausible to think that Marx would want to endorse a variant of this argument which exempts communism from the conclusion, even if the price of winning this exemption is *acceptance* of *most* of Mill's epistemology.

To see why we should begin by noting that whatever plausibility there is in attributing the Ideational Functionalism premise to Marx is contingent on its inclusion of the word 'tends'. After all, if it were excluded, Marx wouldn't merely have to reject the possibility of *universal* rational convergence on the correct conception of the good life, but also the possibility that he and Engels had rationally converged upon it. This has several key implications. Firstly, if Marx and Engels claim to have rationally converged on the correct normative view, they cannot deny the possibility of rational convergence as such. Secondly, given that they would have come to hold these normative beliefs *under capitalism*, they must at least ascribe themselves with the capacity to generate rationally

²⁹⁴ See Blackburn-(1997) and Skorupski-(1998/p.12-3) for discussions of when and why explanations of normative beliefs are subversive of our justification for believing them.

justified *non-functional* beliefs *under sub-optimal conditions*.²⁹⁵ Finally, if they take the said belief to be rationally justified when it is non-functional, they must reject Functional Subversion. After all, the latter would imply the apparent absurdity that their rationally justified non-functional belief in the correctness of the communist conception of the good life would lose its justification upon becoming functional after the revolution *despite continuing to be correct*.²⁹⁶

The preceding reasoning reflects the fact that the inference from Reliabilism and Ideational Functionalism to Functional Subversion is actually invalid. If Marx and Engels take their rational capacities to be capable of normative success under suboptimal conditions, it seems reasonable to infer that they take the (socio-economic) functionality of a *short supply* of fully-functioning rational capacities to explain the tendency towards false normative beliefs under capitalism. Of course, this would still leave open the possibility that the convergence of opinion on the correct view under communism is functional *rather than* rational. However, if they believe it will be (socio-economically) functional for communism to have a *universal* supply of fully functioning rational capacities, this would negate the *exclusiveness* of the disjunction between people's normative beliefs being either functional *or* rational. As such it would remove any reason for Marx to deny that the tendency to converge on the functional beliefs precludes (universal) rational convergence on those views *under communism*.

This reading is supported by the following passage on religion:

“In the last analysis, the material life conditions of the persons inside whose heads this thought process goes on determine the course of the process, which of necessity remains unknown to these persons, for otherwise there would be *an end to all ideology* (LFGP:IV).”²⁹⁷

²⁹⁵ Consider the following passage: “Blanc has a good nose and, despite all the lunacy, the scent he is on is by no means bad. Yet he will get no further than the point he has already reached, being 'rooted to the spot by a spell' – ideology” (Letter from Engels to Marx [Paris,] Tuesday, 9 March [1847] CW XXXVIII p.116.). In claiming that Blanc is under the spell but he is not, Engels ascribes himself with the rational autonomy to refrain from tracking the functional ideological beliefs.

²⁹⁶ I.e. this is not a case where someone is rationally justified in believing in the communist conception of the good life despite the latter's falsehood, and then (say) loses this justification once the revolution reveals the belief to have been misguided.

²⁹⁷ My italics.

Here Engels suggests that the preservation of a prevailing belief in a (socio-economically) functional *falsehood* requires the functionality to be disguised from the believers. This could be because the functionality of such beliefs in stabilizing the productive relations ensures that they simultaneously promote the (narrowly defined) interests of the ordinate class at the expense of the subordinate classes. The more obvious this becomes to the members of the subordinate class, the more likely they will be to scrutinize the rationales offered to them for accepting such beliefs.²⁹⁸ And since these rationales are supposed to be weak, this weakness would be exposed and the beliefs undermined by the increased scrutiny. In contrast, in the case of belief in functional *truths*, the transparency of the way in which the forces and relations of production help to explain the beliefs will not subvert, and if anything will reveal, their justification. For Marx and Engels, then, it seems that true functional beliefs do not disappear when their functionality is exposed to the light, as they serve no sinister interest and are not ideology *in the pejorative sense* (LFGP:IV).²⁹⁹

The preceding suggests that Marx takes the mechanism which *generates* the functional normative consensus under communism to be the collectively rational convergence which is itself facilitated by the establishment of communist forces and relations of production.³⁰⁰ Even if we set aside the problems with the Non-Rationalism interpretation discussed above, its proponents would still need to posit an alternative mechanism which Marx could take to explain the emergence of the functional normative consensus under communism. While it is possible to think of Non-Rationalist mechanisms, they do not seem attractive.

²⁹⁸ “The class which has the means of material production at its disposal, consequently also controls the means of mental production, so that the ideas of those who lack the means of mental production *are on the whole subject to it* (GI:60).” My italics.

²⁹⁹ This term is adapted from Leiter’s “‘morality’ in the pejorative sense” (2015/p.59).

³⁰⁰ While Cohen-(1982) and Elster-(1982) disagree over the conditions (if any) in which a functional explanation is methodologically valid both agree that the truth of a *functional* explanation would imply the truth of a *non-functional* explanation (causal or intentional) the explanandum of which is the *truth* of that *functional* explanation. See Cohen-(1982/p.490).

One possibility could be that Marx thinks that people's normative beliefs will converge through a collective fideistic faith that no better life can be found.³⁰¹ One reason this would be unsatisfactory pertains to the fact that, on the one hand, Marx's prediction of an *imminent* communist revolution in the *advanced* industrial countries was erroneous (GFRC:88), and on the other, the failed twentieth century experiments in building communism carried out in Marx's name have done his cause a great deal of damage. While the former fact renders it doubtful that the communist conception of the good life will ever be realized, the latter renders it doubtful whether that conception is even correct. At this juncture in history, then, proponents of Marxism need to do what Marx deemed it unnecessary to do, and provide the *normative* case for pursuing communism. An appeal to *faith* in communism (or its inevitability in history) will not satisfy this demand.³⁰²

Another possibility would be to read Marx through the lenses of twentieth century communism and interpret him as believing that the normative consensus under communism, that its conception of the good life is correct, would have to be effected through the use of manipulation, indoctrination, coercion, or violence against the masses. However, it would hardly be charitable to read Marx in this way as it would make a mockery of his claim to be forwarding an emancipatory project. Moreover, it is difficult to see why he would have taken such measures to be necessary if the communist conception of the good life were actually correct.³⁰³

Interpretation 4C. The socioeconomic conditions which are necessary and optimal for maximizing people's breadth and depth of experience are those generated by communism. In consequence, a universal rational convergence of opinion on the correct hedonic ranking (or the correct conception of the good life) could only occur under communism and hence Mill is wrong to think that it could occur under liberal democratic market socialism.

If it is more plausible and more charitable to read Marx as claiming that the convergence of opinion on the correctness of the communist conception of the good life will be a rational convergence, we are yet to find an interpretation of Miller's Marx's Existence Thesis which would actually undermine

³⁰¹ Cf. Skorupski-(2006/p.6)

³⁰² Cf. Cohen-(2000b/p.x, 114-5)

³⁰³ Another possibility, which could be endorsed by communitarians, is that shared culture is necessary for agreement about the relative value of certain goods. However, if this is true, Mill's epistemology will simply imply that we need to learn anthropological skills in order to make confident judgments about the comparative value of the goods pursued in different cultures.

Mill's normative epistemology. However, if Marx endorses Interpretation 4C, he could be interpreted as disagreeing with Mill over the precise nature of the socioeconomic conditions which are optimal for generating a rational convergence without denying the possibility of universal rational convergence as such (and hence without endorsing the Non-Existence Thesis). This means that, while Marx couldn't refute the 'effectiveness' of the epistemology, he could claim that Mill *applies* it 'ineffectively' insofar as he takes it to provide us with epistemic reasons to favour his own synthesis of liberal democratic political institutions with market socialism rather than Marxian communism.

To see the plausibility of this claim with respect to the author(s) of *The German Ideology* consider the following infamous passage:

“[i] as soon as the division of labour comes into being, each man has a particular, exclusive sphere of activity, which is forced upon him and *from which he cannot escape*. He is a hunter, a fisherman, a shepherd, or a critical critic, and must remain so if he does not want to lose his *means of livelihood*; [ii] whereas in communist society, where nobody has one exclusive sphere of activity but each can become accomplished in any branch he wishes, society regulates *the general production* and thus makes it possible for me to do one thing today and another tomorrow, to hunt in the morning, fish in the afternoon, rear cattle in the evening, criticise after dinner, just as I have a mind, without ever becoming hunter, fisherman, shepherd or critic (GI:48).”³⁰⁴

This passage highlights the importance of several key *early* Marxian or Engelian claims about capitalism: (a) that its division of labor is rigid; (b) that its general production is all-encompassing, leaving the masses with limited time to devote to leisure activities; and (c) that human self-actualization will be achieved *primarily through* a humanized form of general production (EPM:274-8).³⁰⁵

Given (c), the early Marx seems to take (a) to be a bigger problem than (b). In epistemic terms, dealing with (a) by creating maximal flexibility in the division of labor would allow for a maximal expansion of people's breadth of experience of different kinds of work, and the early Marx seems to deny that this would require trade-offs in the depth of these experiences. Given (c), this would

³⁰⁴ My italics and roman numerals.

³⁰⁵ Of course, Carver-(1988) has called Marx's endorsement of this passage into question. If Carver is right in claiming that this passage was only endorsed by Engels (before Marx's criticism), Miller's 'Marxian' critique of Mill's epistemology may also only be attributable to Engels. Alternatively, if Marx endorses the epistemic critique from GI:417-9 but not the alternative epistemic proposal I am about to derive from GI:48, we might simply have to infer that Marx made the error of endorsing one of the versions of the Non-Existence Thesis set out above.

translate into maximal breadth and depth of experience of the most valuable forms of human activity. In consequence, Marx's early position seems to imply that the material and institutional conditions which Mill claims will be epistemically optimal for generating competent judges, and hence rational convergence, are flawed as they fail to maximize flexibility in the division of labor.

Mill's worker cooperatives could go some way towards reducing the rigidity of the division labor as workers who own and manage their own workplace can democratically implement role rotation within their cooperatives as they see fit. However, it is difficult to see how workers could be assured of the level of flexibility demanded by Marx without state collectivization of all industries.³⁰⁶ Given Mill's fears about the dangers posed by a large state, he is unwilling to support such collectivization (CC:1180, CS:245-6). However, given his rejection of (c), for Mill it is not the rigidity of work roles but the all-encompassing nature of work that is the main problem with actually existing capitalism.

For Mill, the existing level of production in the advanced industrial countries is sufficient to provide people with all the material goods that they need to experience the highest forms of enjoyment. His solution to (b) thus lies in finding ways to redistribute wealth, on the one hand, and to use technology to "abridge labor" (PPE-II:756), on the other. Worker cooperatives have the potential to achieve both because worker *ownership* of the means of production allows them to acquire more wealth, while worker *management* of the means of production would allow them to choose to forgo additional profits in exchange for reducing the working day.

One might object here that if we must inevitably trade off the possibility of a broader range of work experiences against the possibility of a broader range of leisure experiences, and that the rationale which Marx and Mill can offer for their respective trade-offs reflects their prior commitments to particular conceptions of the good life, Mill's epistemology cannot be applied in such a way as to be

³⁰⁶ Rotation from one cooperative to another could only be ensured without state appropriation and management if the workers in every cooperative *always* consented to allow people to rotate into their workplace. If those who rotated in were denied ownership and managerial rights, the institution would cease to be a cooperative. Conversely, if people were *always* allowed to rotate in and were guaranteed ownership and managerial rights, market competition between cooperatives would collapse.

genuinely neutral with respect to Mill's and Marx's conceptions of the good life.³⁰⁷ However, while it is true that we can only implement so many different socio-economic systems at once, and this inevitably limits our knowledge of ways of life which are only possible in one and not the other, it remains true that some systems can allow for a broader range of experimentation than others. In this respect, the balance Mill's system strikes between variety of work *and* leisure seems to be a more plausible way to implement experimental open-mindedness than the (early) Marxian focus on providing the widest possible variety of work. After all, if Mill's system allows for greater time and leisure, people will be free to devote it to new forms of production. By contrast, if people have to consume most of their time and leisure on different forms of production, they will have less ability to experiment with non-productive activities.

A similar point can be made concerning the epistemic rationale for Mill's favouring socialistic reforms over Marxian revolution. When Mill defends worker cooperatives, one of his motives is to see if workers actually prefer working in democratically organized workplaces, on the one hand, and whether they can be run in an efficient and viable way, on the other (LTR:81).³⁰⁸ While worker cooperatives are qualitatively different to national communist collectives, Mill thinks that we can learn more about the latter from the former than we can through speculative philosophical anthropology. This means that even if the communist conception of the good life were correct and people were to converge upon it *under capitalism*, Mill would deny that these judgments could be fully *justified* in the absence of more thorough experiments with workers cooperatives and kindred economic forms (CS:737). In comparison to this experimental approach, there is an epistemic recklessness in Marx's confident dismissal of the idea of setting up worker cooperatives *with state finance* (CGP:93) along with his call for a revolution with an immediate nationalization of key industries and the elimination of markets or "commodity exchange" (CGP:87).³⁰⁹

³⁰⁷ Cf. Miller-(1984/p.32)

³⁰⁸ Cf. (PPE-II:213-4) and CS-(745-6).

³⁰⁹ The immediate elimination of markets is not envisaged in *The Communist Manifesto*. See Moore-(1993/ch.1) for a useful discussion of the differences between CM and CGP. Mill claims that revolutionary communists

While the early and late Marx agree in opposing market socialism *as an end*, the later Marx moves closer to Mill in terms of seeing the shortening of the working day as more important than reducing rigidity in the division of labor:

“Freedom in this field [i.e. “the sphere of actual material production”] can only consist in socialised man, the associated producers, rationally regulating their interchange with Nature, bringing it under their common control, instead of being ruled by it as by the blind forces of Nature; *and [i] achieving this with the least expenditure of energy and [ii] under conditions most favourable to, and worthy of, their human nature.* But it nonetheless still remains a realm of necessity. Beyond it *begins* that development of human energy which is an *end in itself*, the true realm of freedom, which, however, can blossom forth only with this realm of necessity as its basis. The shortening of the working day is its basic prerequisite (CAP-III-VII:xlviiii/p.808).”³¹⁰

While clause (ii) implies that communist relations of production will treat flexibility of work role as a good to be promoted, clause (i) implies that it is a good that can be potentially traded off against the good of saving labor and time.³¹¹ This transition seems to reflect a greater scepticism about the idea that all work can be made enjoyable or fulfilling,³¹² on the one hand, and greater sensitivity to the fact that the broadness of the Marxian conception of self-actualizing *labor* and the “all-rounded individual” (CGP:88) means that self-actualizing labor doesn’t need to be, and indeed couldn’t plausibly be, restricted to labor undertaken in general production.

The upshot of this transition for our purposes is that a later Marxian critique of Mill’s conception of the optimal epistemic conditions would have to focus less on the fact that these conditions allow for the possibility of a broader range of *leisure* experiences at the expense of a narrower range of *work* experiences, and more on the *market* socialist mechanism for achieving the increase in leisure time.

(D) Is Mill’s Normative Epistemology Based on Class Bias?

Having examined a number of ways of interpreting Miller’s Marx’s Non-Existence Thesis, we have seen that in each case it is either compatible with Mill’s normative epistemology or fails to provide a

have a “serene confidence in their own wisdom on the one hand and a recklessness of other people’s sufferings on the other (CS:737)”.

³¹⁰ My italics and roman numeration.

³¹¹ Elsewhere Marx says that in the higher stage of communism “the *enslaving subordination* of the individual to the division of labour, and thereby also the antithesis between mental and physical labour, has vanished (CGP:88 – my italics)”. The division of labor can cease to be enslaving without being maximally flexible.

³¹² Cohen-(2000a/p.324)

plausible challenge to it. In consequence Miller's Marxian dilemma dissolves. Since a correct hedonic ranking exists in principle, Mill's epistemology can be effective without being *automatically* based on class bias. However, since we have just seen that Marx could concede that the epistemology is potentially effective as a theory but insist that it is ineffectively applied by Mill in practice, it is worth exploring whether Mill applies his epistemology in a way which reflects class bias.

According to Mill:

"The rich have advantages in their leisure, and command of the means of instruction, which will render it easy for them, whenever they exert themselves, to be the ablest men in the community (RR:35)."

If Mill is right about this then Miller's Marx is also right to think that *in practice* Mill's epistemology will imply that the rich are *more likely* to be competent at judging pleasures than the poor. After all, under actually existing capitalism it is the rich who are best positioned, in terms of access to leisure and resources, to be able to extend the breadth and depth of their experiences, and thereby become the most competent judges, of different kinds of pleasure. Is there anything wrong with this implication?

The answer has two parts. Firstly, since Mill was fully aware that not all rich people take these opportunities, it is clear that he didn't take wealth to be sufficient for hedonic competence in theory or practice (RR:30). Moreover, while poverty makes it *harder* to increase one's hedonic competence, Mill was fully aware that being poor was not sufficient to preclude one from *becoming* hedonically competent in theory or practice.³¹³ In consequence, if Mill were to be accused of class bias in the sense of using wealth as a crude evidential proxy for hedonic competence, the accusation would be unfair. Moreover, the practical implication of Mill's epistemology, that if the socially privileged *take full advantage* of their greater opportunity to access a broad range of pleasures, they are *likely* to be the best judges of various kinds of pleasures, is plausible. After all, if it were really true that (say) the rich read more philosophy and listened to more music than others, why would it be reasonable to think that others would be more competent to judge their relative hedonic merits? We can maintain that there is no good answer to *that* question while also endorsing the moral claim that all people

³¹³ For some interesting insights into the intellectual life of the British working classes, see Rose-(2010). On the phenomenon of 'missionary aestheticism' or 'cultural philanthropy', see Maltz-(2006).

should have the effective opportunity to experience, and hence learn to judge, a broad range of such activities.³¹⁴ Moreover, Mill's epistemology implies that if one wants to have justified belief then, *ceteris paribus*, one ought to want as many others as possible to acquire competence, as testing the convergence of one's views with those of other competent people is the only way to fully test their justification.

The second part of the answer rests on highlighting the fact that, while the principle subject of this chapter has been the epistemology of judging the relative ranks of *pleasures*, the fact that Mill deems pleasures and pains to be commensurable means that he also has to apply his epistemology to qualitatively evaluating pains (see Chapter 2 (E.2)). When Miller claims that "Mill's proposal to weigh different kinds of experience impartially, by relying on the expertise of those who have experienced all the kinds in question" can lead to class bias, he is assuming that the experience in question is pleasurable, on the one hand, and that socio-economic privilege affords one greater access to pleasurable experiences, on the other.³¹⁵ This is understandable given Mill's *focus* on ranking pleasures rather than pains, and on answering the objections of the Value Pluralist (who thinks that pleasure is not the only good) rather than the Disvalue Pluralist (who thinks that pain is not the only bad).³¹⁶ However, once we acknowledge that Mill's epistemology must also apply to judgments of pains, we see that it implies that people can also have different degrees of what we can call *doloric* competence. If socioeconomic advantage tends to make it easier, and socioeconomic disadvantage tends to make it harder, to acquire hedonic competence, what effects do socioeconomic advantage and disadvantage tend to have on doloric competence?

At first sight, given that Mill associates the higher pleasures with the higher faculties, we might think that the qualitatively highest (i.e. worst) pains also stem from the cultivation of the higher faculties. If this were true, one *advantage* of poverty would be that in making it harder to acquire education, it

³¹⁴ As Mill does when he argues that women should be given the same opportunities as men to engage in higher pursuits (SW:278, 314).

³¹⁵ Miller-(1984/p.32)

³¹⁶ He mentions that someone might think *vice* intrinsically bad (U-IV:iv) but only attempts to refute this position by showing that virtue is a part of happiness (U-IV:v-viii).

would also reduce one's chances of experiencing the highest pains. Conversely, it would also imply that, while socioeconomic advantage would make it easier to experience the highest pleasures, it would have the downside of increasing the chances of experiencing the highest pains. Hedonic competence and doloric competence would then tend to be correlated with one another.

However, we must remember that Mill's claim that the highest pleasures are generated by the higher (i.e. distinctively human) faculties is supposed to be an empirical observation about informed preferences rather than an analytic truth.³¹⁷ This means that, even if Mill is right to think that as a matter of fact the hedonically competent will converge upon the view that the pleasures of the higher faculties are the best, it does not automatically follow that the dolorically competent will converge upon the view that the pains of the highest faculties are the worst. It may well be that (say) the *sensory* pain induced by torture is worse than the *attitudinal* pain of extreme depression.³¹⁸ Only the experienced could judge.³¹⁹

If hedonic competence and doloric competence are not necessarily correlated, and the highest pains are not necessarily those attended by the cultivation of the higher faculties, Mill's epistemology leaves open the possibility that the hardships and sufferings of socio-economic disadvantage mean that the poor tend to have greater doloric competence than the rich. To determine whether this possibility is an actuality would require hard empirical evidence, comparing the forms of hardship which those of socio-economic advantage and disadvantage tend to have experienced. However, the *prima facie* rationale for thinking that the poor will tend to be more dolorically competent than the rich is as strong as that for thinking that the rich will tend to be more hedonically competent than the poor. After all, one of the advantages of wealth is that it can shield one from a *large* number of evils. If there is a class bias in Mill's epistemology, then, it lies not in the theory as such but in Mill's one-

³¹⁷ Contra Gibbs-(1986/p.165) when he claims that the "higher pleasures are so called because they belong to the higher faculties." But cf. the apparent backtracking on p.174.

³¹⁸ An attitudinal pain is a propositional attitude with (something like) the following form: x feels pain that y (where x is an agent and y is a proposition representing a possible fact). Examples could be x feels guilty that y, is sad that y, or is depressed about y. See Feldman-(2004/ch.4). The example is not intended to deny the obvious truth that torture can also include attitudinal pain.

³¹⁹ We will return to this in the discussion of QLH Pessimism in Chapter 5.

sided application thereof. Having taken it upon himself to note that the rich are more likely to be hedonically competent than the poor, he should also have acknowledged the converse implication, that it renders it probable that the poor tend to be more dolorically competent than the rich.

Of course, the story doesn't end here as Mill's epistemology also implies that a well-rounded competent axiological judge is one who can compare particular *pleasures with pains*, judging when it is worth enduring a pain for the sake of experiencing a pleasure (U-II:viii). If it turns out to be true that socio-economic advantage and disadvantage tend to support different forms of axiological competence, hedonic and doloric respectively, it will follow that there is likely to be a shortage of people with both hedonic and doloric competence in practice. In consequence, there would be few people who can judge which of the evils of socio-economic disadvantage are worth enduring for the pleasures afforded by greater wealth.

This problem is complicated further still by the fact that Motivational and Normative Hedonism imply that, *ceteris paribus*, the acquisition of hedonic competence is desirable but the acquisition of doloric competence is undesirable.³²⁰ If it is true that, *ceteris paribus*, (1) those who have not experienced a certain kind of suffering are less competent at evaluating it than those who have, and (2) we do not want people to be acquiring such competence, what follows for utilitarian morality? One conservative ethical upshot could be that any non-reckless form of Utilitarianism has to prioritize eliminating what appear to be the worst forms of suffering over promoting the highest pleasures. In Chapter 6 we will see that this is actually Mill's position.

For now we can note that lack of complete axiological expertise is likely to have its greatest moral significance in practice in cases where the hedonically competent judge that they are entitled to impose a certain kind of suffering on others as means to, or by-product of, enabling themselves to experience a certain kind of pleasure. At this point the theory of axiological competence will have intersected with questions of *class power*, and thus the question of whether Mill's political applications of his epistemology reflect a class bias will hinge on how it relates to his theory of moral

³²⁰ Cf. Nietzsche's (BGE:270).

and political competence. In Chapter 6 we will see Mill's political philosophy opposes the imposition of the highest pains on the masses as a means to generating the highest pleasures for the few.

Finally, one might argue that Mill's normative epistemology is based on class bias as follows. (1) Mill argues that inequalities of political competence to vote wisely should translate into inequalities of voting power; (2) he uses hedonic competence as a proxy for political competence; but (3) if he were consistent, he would also factor in doloric competence; so (4) his theory of political competence is biased against the dolorically competent, and hence in all likelihood the poor. However, while there is a kernel of truth to premise (2), it is actually false.

As we will see in Chapter 6, in an ideal world Mill would assign voting power in proportion to wisdom, where this can be broken down into the virtues of Prudence, Nobility, and Morality. However, he claims not to be able to envisage a way of measuring such wisdom, so he opts to assign voting power in accordance to level of education. While Mill claims that we can become more Prudent, Noble, and Moral through education, he acknowledges that the educated can act in less than Noble and Moral ways. The reason that it is nevertheless sensible to use such an imperfect proxy, on this account, is that the educated are at the very least more likely to have a prudent conception of their self-interest; they are more likely to be rich than the uneducated; and the narrowly perceived self-interest of the educated rich is more likely to align with the common interest than the narrowly perceived self-interest of the uneducated poor (RR:32). That is, Mill claims that the educated rich are more likely to see their self-interest served by maintaining the institutions of private property and stable government; that the existence of these are actually better for the uneducated poor than their absence (as in the case of a communist revolution); and that the educated rich will see it as in their interest for the uneducated poor to be educated, so that they can acquire a more enlightened sense of their self-interest.

It should also be added that, while Mill defends unequal voting power within his ideal system, his ideal system is still one of *universal* suffrage (see Chapter 6). This means that insofar as the poor have greater doloric competence this form of competence is provided with a voice within his system. Moreover, while Mill also maintained that people can be denied suffrage when they cannot read, write

or do basic mathematics, he simultaneously maintained that the state should, at the very least, provide free education to those who cannot afford to pay for it up to the level required for suffrage (CRG:470). On Mill's account, the goal here is not to suppress the poor and uneducated but rather to prevent them from being preyed upon by demagogues and whipped up into supporting revolutionary activity. In this respect, he claimed to have been influenced by the rise of Napoleon on the back of the illiterate peasants (TPR:327), a story famously recounted by Marx himself.

Chapter 5: De Re System Construction
Hedonistic Axiology and Repugnant Conclusions

“What does nihilism mean? *That the highest values devalue themselves* (I.2).”

“This is the antinomy: Insofar as we believe in morality we pass sentence on existence (I:6).”

Nietzsche, *The Will to Power*

Introduction

(1) From De Dicto to De Re System Construction

In Chapter 3 we saw that Mill felt that certain forms of Normative Hedonism are vulnerable to the charge of devaluing other candidate intrinsic goods besides pleasure, such as excellence. However, while Mill’s response to that worry in the *Autobiography* is largely *psychological*, in the sense that it seeks to show that Indirect Normative Hedonism needn’t *cause* one to devalue excellence, he also offers a more *philosophical* response, which denies that the Normative Hedonist is *logically committed* to endorsing the said devaluation. We can now turn to the philosophical version of the charge and use it to illustrate ways in which one can engage in a de re construction of Mill’s system.

In Chapters 2-4 we have seen evidence that a thinker’s second-order claims (i.e. what she *claims to claim* or show) can be falsified with reference to the actual content of her first-order claims (i.e. what she actually claims or shows). In providing a de dicto construction of Mill’s system, we focused on what he actually claims and set out what would really logically follow if all of these claims were true. Now that we are turning to a de re construction of Mill’s system we will cease to focus on what would follow from the set of Mill’s claims *if they were all true*, and focus more on the overall implications for his system if some of his claims turn out to be false, on the one hand, and the true parts of his system are combined with further truths which he did not acknowledge, on the other.

To use the technical vocabulary of Chapter 1, then, in attempting to build a de re construction of Mill’s system we will explore the inferential significance of (a subset of) Mill’s de dicto claims using a further set of claims which are alien to Mill’s writings as inferential context. If the alien claims can be shown to be false, perhaps with reference to Mill’s own de dicto claims, the resulting de re

construction will be a *pseudo* de re construction. After all, if the alien claims in question are *false*, combining them with a subset of Mill's de dicto claims will not show what *really* follow from the latter when they are combined with the *facts*. However, when the alien claims can be shown to be true or defensible, the de re construction can be *genuine* in virtue of showing what the subset of de dicto claims *really* imply when combined with the said facts.

In this chapter many of the alien claims which we will use can be *loosely associated* with Nietzsche and, in particular, those of his views concerning what Hedonism and Utilitarianism imply de re (or in reality). However, we will refrain from performing all of the second-order historical or de dicto philosophical work which would be necessary to show that they can be *fully attributed* to Nietzsche in either of those senses. As in the previous chapter's discussion of Marx, the historical philosophical project at hand is aimed at understanding and evaluating *Mill's* system (rather than Nietzsche's de dicto system or his second-order beliefs about that system). In other words, our priority is to determine whether the alien 'Nietzschean' claims undermine Mill's de dicto system by revealing its divergence from his de re system, not to show that they are exactly what Nietzsche had in mind when he critiqued Mill and Utilitarianism (as if we were doing second order intellectual history), nor to generate all of the de dicto implications of *everything* that Nietzsche claims in his texts (de dicto construction of *Nietzsche's* System).³²¹ The rationale for such an approach is that for Mill's de dicto system to be defensible, it needs to be able to meet the challenge of dealing with the objections based on the alien claims set out below irrespective of whether the alien claims can be attributed to Nietzsche.

In examining the capacity of Mill's de dicto system to withstand these objections, we will see that, while *some* of the Nietzschean claims turn out to be false (and hence incapable of generating a *genuine* de re construction), others *are* defensible and help to reveal the de re implications of Mill's

³²¹ For an account of Nietzsche's knowledge and reading of Mill see Brobjer-(2007/ch.9). One way in which the use of Nietzsche below departs from a de dicto construction of his work is that it draws on passages from disparate texts from different periods which might not be suited to blending together into a single system. For instance, in section (A) we look at passages in which Nietzsche is particularly pessimistic about the possibility of reconciling happiness with excellence, but in section (C) we examine passages in which he is much more optimistic. What matters when evaluating Mill's texts is not whether these two sets of claims made by Nietzsche can be reconciled – an important question for a de dicto construction of Nietzsche's system - but whether any one of them refutes Mill's view.

system which the latter would have found alien. One of these is what I will call Global Nihilism, the view the world has net disvalue overall, and hence that it would have been better if it never came into existence. This finding prompts a more detailed examination of the passages in Mill's texts where he comes closest to dealing with cognate issues, and this examination in turn reveals that Mill's de dicto commitments to Global Nihilism are contradictory. That is, he says some things which imply it, and other things which contradict it. On the one hand, given the said internal contradiction, it follows that Mill's de dicto system needs to be rendered coherent through rational reconstruction. And on the other, given that Qualitative Hedonism (QLH) has Global Nihilism as its de re implication, it follows that the easiest way to render Mill's system coherent is to render it consistently *supportive* of Global Nihilism rather than consistently *opposed* to it. This is the project for Chapter 6.

(2) Chapter Overview

Section A uses some passages from Nietzsche's texts, in which he is pessimistic about the amount of suffering required to achieve a life of excellence, with a view to examining whether QLH has some implausibly repugnant de re axiological implications which lead it to devalue the lives of artistic and intellectual excellence which Mill claims to hold dear. (A.1) makes clear that these passages will be read in abstraction from Nietzsche's will to power thesis, on the one hand, and from some other passages in which Nietzsche is much more optimistic about the happiness that can be derived from excellence, on the other. The goal is to consider whether (a) they can defended independently in their own right, and (b) if so, whether the conjunction of these claims with Mill's de dicto system would falsify the latter. (A.1) also provides a taxonomy of the objections that could be thus generated. Using two cross-cutting distinctions between Individual and Global versions of the objections, on the one hand, and Mediocrity and Nihilism versions, on the other, we get four distinct objections to be considered: the *Individual* Mediocrity and Nihilist Objections, and the *Global* Mediocrity and Nihilist Objections.

(A.2) deals with the Individual Mediocrity and Nihilism Objections. According to the former objection, Normative Hedonism devalues individual lives of excellence relative to individual lives of mediocrity because *the latter tend to have higher net utility on balance*. According to the latter

objection, Normative Hedonism devalues individual lives of excellence as such because *they tend to have negative net utility on balance* (i.e. a negative hedonic balance). Drawing on the claim that Mill has a de dicto commitment to qualitatively ranking pains as well as pleasures (see Chapters 2 & 4), we see that both of these objections are nullified if (i) the pleasures of excellence are higher than those of mediocrity, on the one hand, and (ii) excellence does not necessitate pains of a higher qualitative rank than the said pleasures, on the other. We also see that, while Mill might appear to have a de dicto commitment to rejecting (ii), this appearance is deceptive and a plausible application of his normative epistemology shows that he actually has a de re commitment to embracing it. However, a further upshot of Mill's normative epistemology, which turns out to be of great relevance later on, is that Mill has a de re commitment to the view that the highest pains that have, and will be, experienced, qualitatively outrank the highest pleasures that have been, or will be, experienced (QLH Pessimism).

(A.3) turns to the Global Mediocrity Objection. This concedes that Mill's Normative Hedonism implies (de dicto and de re) that an individual life of excellence tends to be of greater intrinsic value than one of individual mediocrity, whilst maintaining that it values sufficiently large *collections* of mediocre individuals over one or a few lives of excellence. We see that, while Mill might have avoided the first two objections by appealing to the (purely) *cardinal* utility calculations of Quantitative Hedonism (QNH) alone (see Chapter 2), he needs the *ordinal* utility calculations of QLH in order to refute the Global Mediocrity Objection. QLH generates a de dicto commitment to a lexical maxi-max principle, according to which (a) it is always better for a world to have an increase in the number of higher pleasures experienced, however small, than an increase in the number of comparatively low pleasures experienced, however large, and (b) no addition of the number of people experiencing comparatively low pleasures to a world, however large, can render it of greater worth than a world containing people experiencing comparatively higher pleasures, however small. We also see that while Mill does not spell out this de dicto implication of QLH in detail, it aligns with his politico-philosophical claims with respect to Malthusianism and population ethics.

(A.4) deals with the Global Nihilism Objection. This concedes that Mill's Normative Hedonism implies (de dicto and de re) that individuals who cultivate artistic and intellectual excellence can live

happy lives but maintains that it generates a de re commitment to Global Nihilism, the view that the *world* has net disutility on balance (a negative global hedonic balance). We see that, while Mill's lexical maxi-max principle blocks the Global Mediocrity Objection, his de dicto commitment to QLH, along with the attendant de re commitment to QLH Pessimism (defended in A.2), means that he *does* have a genuine de re commitment to Global Nihilism. After all, if it is a *fact* that the highest pains experienced are of a higher qualitative rank than the highest pleasures experienced (QLH Pessimism), QLH will imply that the world has a negative global hedonic balance (Global Nihilism).

Since the Global Nihilism Objection purports to reduce Mill's de dicto system to absurdity, (A.5) examines Mill's religious writings with a view to determining whether (i) Mill would have been likely to have seen Global Nihilism as an objectionable thesis, and (ii) whether he has a de dicto commitment to QLH Pessimism (and hence Global Nihilism) as well as the said de re commitment. With respect to (ii), we see that while Mill's religious writings contain no explicit statement about the *overall balance* of pleasure and pain in the world, they contain claims about the *amount* of suffering in the world, which are used to deny that there could be an omnipotent *and* omnibenevolent God, which can be plausibly construed as generating a de dicto commitment to Global Nihilism. However, we also see that his claims in support of the logical consistency of Deism can also be plausibly construed as generating a de dicto commitment to the falsehood of Global Nihilism. This means that Mill's de dicto system is contradictory, and needs rational reconstruction in order to be rendered consistent.

With respect to (i), since the claims which support a de dicto commitment to opposing Global Nihilism are more explicit than those which support a de dicto commitment to accepting Global Nihilism, it seems plausible to conclude that, from a second order historical standpoint, Mill would have been more likely to reject Global Nihilism than to accept it. Nevertheless, we conclude section (A) with the claim that, since QLH generates a de re commitment to Global Nihilism, the rational reconstruction of Mill's de dicto system to be attempted in Chapter 6 could be attained more parsimoniously if it were performed with a view to reconciling it with Global Nihilism rather than its anti-thesis.

However, the truth of the preceding claim would not suffice to support rationally reconstructing Mill's de dicto system along Global Nihilist lines if the latter is an intrinsically implausible doctrine. A key potential reason for deeming Global Nihilism to be implausible rests on the view that its axiology would generate sufficient reason for certain forms of life-denying acts, or feelings of regret or guilt about one's own existence. In consequence, sections B and C turn to the task of breaking the alleged (de re) link between Global Nihilist axiology, on the one hand, and such 'repugnant' conclusions in the realm of practical reason (that one might intuitively associate with it), on the other. While section B focuses on refuting the claim that Global Nihilism precludes even minimal life affirmation, section C focuses on revealing the resources for a more robust form of life affirmation that can be found within Mill's texts.

(B.1) Notes that while there is a prima facie 'gloominess' or 'bleakness' about the idea of Global Nihilism, Mill's theory of practical reason blocks any automatic inference from an axiological judgment that something is bad to a conclusion that one has sufficient (practical) reason to *feel* bad about it. This is partly because an agent having a particular feeling in response to his axiological judgment of some state of affairs is itself a state of affairs, and hence subject to axiological judgment in its own right. If feeling bad about something bad just makes the world worse, it may be good and hence desirable not to feel that way.

(B.2) examines Bernard Williams' claim that the conjunction of Utilitarianism with Global Nihilism (hedonistically construed) would imply that we have a moral duty to annihilate the planet. Setting aside the fact that Mill's Utilitarianism is compatible with judging such a course of action to be supererogatory even if it were optimal (see Chapter 2 (G)), we see that the claim ignores the possibility of building a future which is good on balance. Even if this future can never be good enough to outweigh the evils of the past, the continuation of the world could nevertheless allow us to improve it relative to its current baseline. This point will be crucial when it comes to reconciling the 'pessimistic' Global Nihilism with the 'optimistic' progressive aspects of Mill's political philosophy in Chapter 6.

(B.3) turns to the objection that Global Nihilism implies that it would have been better *if any given* individual had not come into being and that, therefore, each individual has reason to regret her own existence. We see that, while Global Nihilism implies that it would have been better if *each and every* individual had not come into being, it is compatible with it being true that, *given* the existence of the world, the existence of this or that particular individual constituted an improvement. This suffices to show that Global Nihilism doesn't preclude individuals who had lives of net intrinsic or instrumental value from adopting an Art of Life which engages them in a *qualified* life affirmation. That is, it doesn't preclude those who regret that the world came into existence from being glad that, given the world came into existence, they did *too*. (We return to the question of whether this qualified form of life affirmation is strong enough in section C.)

Since the conclusion of (B.3) is restricted in scope to people whose lives had net positive value, (B.4-5) turns to cases where people have lives of net intrinsic or instrumental disvalue respectively, with a view to showing that Global Nihilism does not automatically imply that *they* have reasons to regret their own existence *either*. In the former case, we see that the fact that someone turned out to have a bad life overall when judged from start to finish is not necessarily open to that individual while he is live, and hence can't automatically create a reason to regret his existence. Moreover, even if he can see that his life will be negative overall, in many cases the optimal Art of Life will highlight that he has more reason to improve his future than dwell upon the past.

(B.5.A) shows that in the case of certain hardened criminals whose lives make the world worse on balance, Mill was willing to judge that the world would be a better place if they *ceased* to exist, and endorse capital punishment as a consequence. However, (B.5.B) notes that, while Mill would no doubt have endorsed the view that many of these people should have felt the particular form of regret we call guilt for *particular acts*, this is not the same as judging that they should feel regret or guilt for *coming into existence* as such. Similarly, while there may be some very rare cases where people's existence as such, as opposed to some action they performed, makes the world bad for others, no good would come of them regretting their existence as opposed to ending their lives, and Mill's Utilitarianism leaves room for the latter to be supererogatory.

Having shown that Global Nihilism doesn't yield the de re implication that people should regret their existence *given* the existence of the world, section C turns to the question of whether it implies that people with *intrinsically good lives* ought to regret the existence of the world, and *with it* their own coming into existence. (C.1) introduces the Historical Identity Problem (HIP), with a view to showing that, insofar as there is a genuine problem here, it is independent of Global Nihilism as such, and hence can't be avoided by opting for Anti-Global Nihilism.

According to HIP, the fact that the existence of any given individual is heavily dependent upon the precise conditions of their conception, which are in turn heavily dependent upon prior history taking the exact course that it did, means that the existence of any given individual has all of the horrors and suffering of history prior to her conception as its precondition. It then claims that this yields a trilemma according to which (a) one should reject life affirmation as a *moralistic life negator*, on the grounds that affirmation is tantamount to being glad that (say) the Holocaust took place; (b) one should affirm life as a *selfish amoralist*, being glad that (say) the Holocaust occurred because it allowed one to live a good life; and (c) one should affirm life as a *megalomaniacal immoralist*, being glad that (say) the Holocaust occurred because one's life is so valuable from the impartial perspective that the Holocaust was worth it.

(C.2) provides some context for the solutions which (C.3) will reveal are open to Mill by outlining how Nietzsche's position, adopted in passages in which he is far more optimistic about the possibility of reconciling happiness with excellence than those discussed in (A.1-2), effectively amounts to grasping the megalomaniacal immoralist horn of the trilemma (although Nietzsche would have rejected the 'megalomaniac' label). We see how he rejects the first horn, and hence (as he sees it) morality, by trying to show that the idea that 'the happy' should regret their existence stems from the belief in Global Nihilism. Global Nihilism is then subverted and dismissed as a form of false consciousness foisted upon 'the happy' by men of 'ressentiment'. Lacking lives which are worthy of affirmation, and subjected to further envy-driven immiseration by evidence of others' good fortune, Nietzsche claims that these moralists wish to vindictively drag 'the happy' down to their own level. We see that Nietzsche also effectively rejects the second horn of HIP by adopting a perfectionist

axiological standard according to which the highest types of individual render the world a good place overall. Not only does this contradict Global Nihilism, but also horn (b) of HIP. If it is the *distinctive* value of the higher types that gives meaning to the world and justifies their selfish behavior, selfish life affirmation is not a viable option for just *any* member of the masses who manages to achieve a positive hedonic balance.

Finally, (C.3) considers the de re implications of Mill's texts for dealing with HIP. In so doing it makes use of a *variation* upon Nietzsche's eternal recurrence thought experiment. In this variation someone with a commitment to Global Nihilism is given the *choice* between having the opportunity to live, or cancelling out the horrors of global history which constitute the preconditions of his life. The goal is to discern the authenticity of any sense of regret that one might have regarding the fact that one came into existence by (i) testing whether it corresponds to the judgment that one would have sufficient reason to prevent one's existence if one had the power to do so, and (ii) rendering one's answer to this question consistent with the normative attitude that one adopts towards suffering in the present and the future.

We see that followers of Mill's Utilitarianism who form the (personal) judgment that it is highly demanding would be unable to claim that precluding their existence is supererogatory. This means that they would have to adopt an Art of Life which rejects life affirmation. However, we also see that, since they do not actually face the decision posed by the thought experiment in real life, this kind of follower of Mill could view an all-consuming regret for coming into existence, of the kind that Nietzsche associates with the worst forms of Christianity, as counter-productive, futile, and pathological in real life.

However, we also see that Mill's de dicto commitment to the Wrongdoing Principle of Chapter 2 opens the door to adopting a more life-affirming Art of Life. From this perspective, one could affirm the creation of a world of which Global Nihilism is true without wrongdoing, and hence guilt, as no deterrent or preventive function would be served by such guilt. For such a follower of Mill, the key challenge would be to square (i) his awareness of his willingness to condemn the immiserated populations and sentient creatures of global history to their suffering, in order to give himself the

opportunity for life, with (ii) the kind of authentic ties of mutual concern and solidarity advocated by the Feedback Thesis (Chapter 3).

We see that the fact that Utilitarianism is a conception of the good life first and morality second (Chapter 2) means that a commitment to *think* morally, and maybe even sacrifice one's life once it has begun, is only compatible with the prior Utilitarian imperative to *live well* (Prudence & Nobility) if it permits one to affirm *the beginning* of one's *life* whatever the preconditions. As such, Mill's Utilitarianism leaves the door open to forms of life affirmation which Nietzsche thought could not possibly be reconciled with Morality. After all, while Mill says that Morality is the first of the virtues, it would overreach itself with respect to Prudence and Nobility, if it precluded the fullest affirmation of life.

(A) Repugnant Axiology

If Normative Hedonism were true, would this generate any counter-intuitively repugnant de re axiological implications about either the worth of lives of intellectual and artistic excellence and accomplishment, the worth of societies in which individuals realizing these qualities are present, or even a world like our own which has produced towering figures such as Plato and Aristotle, Shakespeare and Goethe, and Mozart and Beethoven? If so, one might think that it is an unsuitable foundation for an Art of Life which lends sufficient weight to Nobility. To find an answer, we must begin by disentangling a number of possible claims in the affirmative which can be loosely traced back to Nietzsche.

(A.1) Nietzsche's Hedonic Pessimism

Nietzsche's numerous discussions of pleasure and pain, on the one hand, and happiness and unhappiness, on the other, contain claims which, if true, would render Normative Hedonism a much more controversial thesis than Mill acknowledges. Nietzsche's most fundamental objection to Normative Hedonism is actually directed at the Motivational Hedonism which underpins it (see Chapter 2). For Nietzsche, the ultimate source of motivation is not the desire for pleasure and the avoidance of pain, but the will to power (BGE:13), including its internalized expression as the drive to

self-cruelty (GM-II:16). When suffering under the lash of this drive, he famously claims, what we seek is not an end to suffering but rather a way of sublimating the drive into a meaningful activity (GM-II:7). By giving meaning to the suffering born of self-cruelty we make the suffering tolerable, thereby allowing ourselves to perpetuate the suffering and fully satisfy the drive for cruelty (GM-III:28).³²²

This particular challenge to Mill is ultimately a challenge to the way he applies his normative epistemology.³²³ If only Mill was more self-discerning as a psychologist, Nietzsche suggests, he would see that while we certainly enjoy taking pleasure *in* power, it is the power which drives us rather than the pleasure taken therein (AC:2).³²⁴ However, some of Nietzsche's claims challenge Normative Hedonism more directly, on the one hand, and have the *potential* to do so independently of his will to power thesis, on the other. As such, those sceptical of the will to power thesis may deem these objections to pose a greater challenge to Mill when thus extricated.

What these claims have in common is the idea that Normative Hedonism somehow commits one to devaluing some of the kinds of artistic creativity and individual genius that Mill himself claims to hold dear.³²⁵ This idea in turn reflects a deep pessimism about the enjoyableness of individuality, creativity, and genius, both in their own right and when compared to the qualities of conformity, passivity, and mediocrity.³²⁶

While Nietzsche's exact arguments for such pessimism cannot be extricated from his will to power thesis, a *de re* construction of Mill's system can consider whether some cognate claims of a 'Nietzschean' flavor reveal Normative Hedonism to have some of the negative *de re* implications that

³²² Useful accounts can be found in Janaway-(2007), Leiter-(2002), and Reginster-(2006). My own account can be found in Beaumont-(B).

³²³ Mill himself criticizes Bentham for allegedly overlooking the possibility that an empiricist normative epistemology may yield a non-hedonistic theory of motivation, and hence a non-hedonistic conception of the good (RB:6).

³²⁴ Cf. TI-(Maxims:12), GM-(II:5-7). In consequence Nietzsche wouldn't deem it good enough for Mill to make the reply that power is, or can become, a part of happiness (assuming that the latter is hedonistically conceived).

³²⁵ Cf. Nietzsche in WP-(I:2): "What does nihilism mean? *That the highest values devalue themselves.*"

³²⁶ E.g. compare BGE-(44, 225) with Z-(Prologue:5).

Nietzsche attributed to it and Mill foreswore.³²⁷ The taxonomy of these objections is built on two cross-cutting distinctions, which we can think of as an Individual-Global axis, on the one hand, and a Mediocrity-Nihilism axis, on the other. The cross-cutting nature of these two distinctions gives us four objections to consider: the Individual Mediocrity Objection, the Individual Nihilism Objection, the Global Mediocrity Objection, and the Global Nihilism Objection.

While the **Individual** versions of the objections focus on Normative Hedonism's allegedly flawed evaluative comparisons of **individual lives**, the **Global** versions focus on its allegedly flawed evaluative comparisons of **possible worlds** (or states of affairs) in which the value of each life is aggregated. And while the **Mediocrity** versions of the objections focus on the way in which Normative Hedonism (allegedly) exaggerates the **value** of *lives* of conformity, passivity, and mediocrity (*Individual* Mediocrity version), or the *worlds* in which such qualities prevail (*Global* Mediocrity version), the **Nihilism** versions of the objections focus on the way Normative Hedonism (allegedly) exaggerates the **disvalue** of *lives* of individuality, genius and artistic creativity (*Individual* Nihilism version), or the *worlds* in which these qualities are realized (*Global* Nihilism version).

(A.2) The *Individual* Mediocrity and Nihilism Objections

The Individual Mediocrity Objection consists of the following reductio ad absurdum:

- (1) Normative Hedonism: The intrinsic value of a life is determined by whether it generates a positive or negative hedonic balance. In consequence, a life with a positive hedonic balance is worth living in its own right, and a life with a negative hedonic balance is not worth living in its own right.

³²⁷ Nietzsche's claims about Hedonism and Utilitarianism can seem so unfair to its advocates that it is often more charitable to take them as *de re* criticisms rather than *de dicto* criticisms. That is, it is often more charitable to read Nietzsche as pointing out what (he thinks) would *really* follow from these theses if they were combined with the facts to which their advocates are allegedly blind, than to read him as attributing them as second-order beliefs or *de dicto* implications of the texts in which they are defended. However, there are also cases where Nietzsche is more plausibly read as providing an account of the kind of psychology which would cause someone to make a claim than as refuting the claim by pointing to its false *de re* implications. For a discussion of the latter point, and a discussion of the attendant difference in the respective foci of Nietzsche and Bernard Williams, see Leiter-(2001).

(2) Hedonic Pessimism I: *ceteris paribus*, the cultivation of excellence, individual genius, and artistic creativity leaves an individual hedonically worse off relative to the situation in which the potential for this cultivation is either absent or non-actualized.

(3) Hedonistic Mediocrity: so, *ceteris paribus*, the lives of persons who cultivate the kind of individuality, genius, and artistic creativity (valued by Mill) have less intrinsic value than the lives of individuals who lack such accomplishments (and are less valued by Mill).

To show that a commitment to (1) has a commitment to (3) as its *de re* inferential significance, the opponent of Normative Hedonism must defend premise (2). In Nietzsche's case, the defense of (2) is bound up with the will to power thesis, which provides reasons for thinking that the cultivation of such excellence is particularly *painful*, on the one hand, and that a life of mediocrity is *pleasurably* numbing by comparison, on the other.³²⁸ However, he never makes a *fully* explicit counter to the rather obvious Normative Hedonist response that the pains of cultivation tend to be worth enduring due to the corresponding greater pleasures.³²⁹

In his own discussion of kindred versions of this objection, phrased in terms of the claim that Normative Hedonism is a 'philosophy of swine', Mill retorts that it grossly underestimates "the pleasures of the intellect, of the feelings and imagination, and of the moral sentiments (U-II:iv)." Moreover, in so doing he insists that this defense is open to the defenders of both QNH and QLH. However, when it comes to completing the response, by dealing with the doloric side of the hedonic equation, Mill's phrasing of his position opens the door to an interpretation of his position which renders him vulnerable to the next *reductio*, the Individual Nihilism objection:

(4) Hedonic Pessimism II: *ceteris paribus*, lives embodying individual genius and artistic excellence generate a negative hedonic balance.

(5) Individual Nihilism: *ceteris paribus*, lives embodying individual genius and artistic excellence, have a net disvalue and hence aren't worth living (1 & 4).

³²⁸ See Beaumont-(B)

³²⁹ In fact the passage in which Nietzsche deals with the idea of a *higher* pleasure is in *The Gay Science* (sometimes alternatively translated as *The Joyful Wisdom*), one of the texts in which he is most optimistic about the possibility of higher types achieving happiness. See GS-(12) also quoted below.

Having introduced QLH, and hence having made clear that the quality of pains is relevant to his discourse (see Chapter 2 & 4), Mill tells us that:

“A being of higher faculties [...] is capable probably of more acute suffering, and is certainly accessible to it at more points, than one of an inferior type; but in spite of these liabilities, he can never really wish to sink into what he feels to be a lower grade of existence [...] It is better to be a human being dissatisfied than a pig satisfied; better to be Socrates dissatisfied than a fool satisfied (U-II:vi)”.³³⁰

If the ‘acute’ pains and ‘dissatisfaction’ that Mill refers to are high enough to outrank the highest pleasures of the Socratic lifestyle, his appeal to QLH would commit him to the view that Socrates is likely to have had a negative hedonic balance (Hedonic Pessimism II above). Mill would then face the difficulty, not simply of explaining why these pains don’t make Socrates worse-off than the fool (contra the Individual Mediocrity Objection), but also that of explaining why he isn’t committed to denying that Socrates’ life is worth living at all (contra the Individual Nihilism Objection).³³¹

For his part, Nietzsche comes extremely close to suggesting that Qualitative Hedonists face the Individual Nihilism Objection when he tells us that there is a minority of ‘higher types’ who are:

“most sensitive to the most highly sublimated species of suffering [...] even when life is alleviated [in terms of “heavy work and exigencies of life”] *to the greatest degree* possible ((HAH-I:462)”).³³²

He also asks:

“But what if pleasure and displeasure are so intertwined that whoever *wants* as much as possible of one *must* also have as much as possible of the other – that whoever wants to learn to ‘jubilate up to the heavens’ must also be prepared for ‘grief unto death’? And that may well be the way things are!...[Hence] *as much displeasure as possible*...[is] the price for the growth of a bounty of refined pleasures and joys that hitherto have seldom been tasted (GS:12).”³³³

³³⁰ See also (A:112-6).

³³¹ Note that the way that Mill describes his father’s views could be taken to imply that he was committed to Individual Nihilism: “He thought that human life a poor thing at best, after the freshness of youth and of unsatisfied curiosity had gone by. This was a topic on which he did not often speak, especially, it may be supposed, in the presence of young persons: but when he did, it was with an air of settled and profound conviction. He would sometimes say, that if life were made what it might be, by good government and good education, it would be worth having: but he never spoke with anything like enthusiasm even of that possibility (A:49-51).”

³³² My italics. D-(114); BGE-(I41, 270)

³³³ GS-(302). Note that if Nietzsche were right about this, the set of the hedonically competent *would* be co-extensive with the set of the dolorically competent (see Chapter 4.D).

However, Mill's system does provide the resources to deal with these concerns, *so long as* the Mediocrity and Nihilism Objections are framed in the Individualist form. The solution stems from his claim that the willingness of competent judges, such as Socrates, to accept the 'liability' to 'acute suffering' is explicable with reference to their "sense of dignity (U-II:vi)". In making this claim Mill denies that it follows that such dignity requires "a sacrifice of happiness". To argue otherwise is to conflate 'happiness' with 'contentment' (U-II:vi), thereby ignoring the Felicific Hedonism Thesis of Chapter 2.C.2 and the fact that dignity (or self-respect) can be treated as a part of happiness (Chapter 3.D.4).

As we saw in Chapter 2, whereas Mill takes contentment to be a product of exercising one's faculties to their full potential, he takes the higher pleasures to flow from exercising faculties with high potential. It thus follows that beings with faculties of high potential may experience the 'acute suffering' or 'discontent' associated with the incomplete realisation of their potential, whilst being happier than those who live in contentment born of the realisation of low potential. After all, the realised potential of the 'contented' may not be a potential for higher pleasures and thus 'true' happiness (U-II:vi).³³⁴ In consequence, when Mill says that Socrates is both *discontented* (i.e. in pain) and *happy* (i.e. experiencing pleasure) he is implying that the pains of discontent are outranked by his higher pleasures, thereby leaving them of relatively little account given the lexical ordering of QLH. This means that no *amount* (as per QNH) of this discontent could make Socrates worse off than a mediocrity (contra the Individual Mediocrity Objection), let alone render his life unworthy of living (contra the Individual Nihilism Objection).

Of course, Nietzsche's claims in GS-(12) above provide a potential counter, as he suggests that the pains which are *required* for the highest pleasures are of the *worst* kind. While this claim can sound hyperbolic it is worth highlighting the reasons that Mill has at his disposal for treating it as such. (In rendering them explicit we can check their consistency with the possible responses that Mill might

³³⁴ Mill even claims that children should be "systematically disciplined in self-mortification" and to "submit voluntarily to pain". The idea is to enhance their endurance, so that (necessary) self-sacrifice and the discontent which attends elevated activity is less of a burden. For similar reasons, Mill recommends teaching them "to control their appetites" and "brave dangers (CP:339)". These recommendations are a far cry from those which Nietzsche associates with Hedonism and Utilitarianism (see e.g. BGE-(225) and Z-(Prologue:5)).

offer to when dealing with the Global variants of the objections.) Consider the following argument *inspired* by Nietzsche's passage above:

Pain-Pleasure Thesis (PPT): experience of the highest possible pains is a precondition of experience of the highest possible pleasures.

QLH Pessimism: the highest possible pains possible outrank the highest possible pleasures.

Individual Nihilism Revised: (so) if Socrates experiences the highest pleasures, he experiences even higher pains, thus assigning a negative valence to his life and implying that it was not a life worth living.

Supposing that Nietzsche could provide good grounds for PPT, could Mill reject QLH Pessimism? To answer this we need to think through how his Competent Judge Epistemology allows us to determine the relative qualitative ranks of pleasures and pains (see Chapter 4.). One candidate for a very high ranking pleasure is that of contemplating the idea of infinity, which Mill tells us:

“stimulates the active power of the imagination to rise above known reality, into a more attractive or a more majestic world (*APM2-XXI:2:48*).”³³⁵

Let's suppose, for the sake argument, that this is the highest pleasure possible and it has a quality, q_1 .³³⁶ QLH Optimism - the thesis that QLH Pessimism is false because the greatest possible pleasures outrank the greatest possible pains - would then imply that there are no possible pains with a quality, q_2 , such that $q_2 \geq q_1$. Competent Judge Epistemology would then in turn imply that the best evidence that we can have for this claim is that a majority of the people who are acquainted with both would be willing to be subjected to any amount of q_2 , however large, in order to be able to experience any amount of q_1 , however small. Moreover, they would have to be willing to do this, not out of any sense of moral duty, but simply because of the intrinsic benefits of q_1 (Chapter 2.E.2, U-II:v).

³³⁵ Riley-(2003/p.414).

³³⁶ In Chapter 3 (D.4.B) we saw that Mill is actually open to the idea that the highest pleasures needn't be conceived as brief episodic episodes, but can rather be conceived as extended periods in which one realizes a particular mode of being. However, this more complex state can still be compared with other equally or less complex states in the way Mill describes when presenting his normative epistemology. E.g. someone could consider whether (say) it would be worth experiencing having his children killed in front of him in order to be able to experience the mode of being of a good philosopher.

This seems to render QLH Optimism implausible because it is implausible to think that there is no such q_2 . For instance, with respect to pains at the more physiological end of the spectrum, it is implausible to think that human beings could not, or even have not, devised forms of torture which can generate qualities of pain the cost of which would be viewed by most as so prohibitively high that the pleasure of contemplating infinity would not be worth such suffering. The fact that QLH leads to QLH Pessimism (rather than Optimism) will have important consequences when we consider the Global Mediocrity and Nihilism Objections.

However, with respect to the argument at hand, the plausibility of QLH Pessimism actually provides Mill's system with the resources to avoid the *reductio*. The reason for this is that, while QLH Pessimism constitutes one premise in the *reductio*, and hence one step on the way to the unwelcome conclusion, it simultaneously refutes the first premise in the argument,³³⁷ thereby blocking the derivation of the conclusion. After all, when we consider the horrors of *physical* torture, Nietzsche's claim that the *worst* forms of suffering are a precondition of the highest forms of pleasure begins to look extremely doubtful. What this helps to highlight is that, while Mill is correct to claim that the highest *pleasures* stem from the highest faculties, this leaves it an open question whether the same is true of the highest *pains*. Indeed, consideration of the plausibility of Nietzsche's position has helped to show us why this is extremely unlikely.

Of course, one *might* claim that certain kinds of *psychological* torture are as bad as, or even worse than, the worst forms of *physical* torture.³³⁸ However, even if this were true, it would still be implausible to claim that the existential suffering required for a life of art or philosophy is worse than that caused by psychological torture techniques which have been carefully crafted to break people's will and destroy their sense of identity.³³⁹ In short, whatever pains are actually *necessary* for the cultivation of individuality, genius and artistic creativity, they aren't the worst pains possible, and are not bad enough to guarantee a life which is not worth living relative to hedonic standards. In

³³⁷ Pain-Pleasure Thesis (PPT): experience of the highest pains is a precondition of experience of the highest pleasures.

³³⁸ E.g. see Khamsi-(2007).

³³⁹ For examples, see McCoy-(2006/ch.1)

consequence, Mill is entitled to say that the claim that happiness is impossible “if not something like a verbal quibble, is at least an exaggeration (U-II:xii).”

(A.3) The *Global Mediocrity Objection*

Let’s suppose, then, that the Individual Mediocrity and Nihilist Objections fail *because* Mill’s QLH allows for the fact that, *ceteris paribus*, persons who cultivate individuality, genius, and artistic excellence tend to have lives which aren’t simply hedonically worth living but also superior to those who lack these qualities. We can now turn to the Global variants of these objections with these assumptions in place.

In so doing, recall, we will be examining Normative Hedonism’s comparative evaluation of possible worlds, which means employing the following principle:

Global Hedonism Principle: The intrinsic value of a temporally extended possible world (or state of affairs) is directly proportional to the aggregate utility in that world. In consequence, it follows that (a) if one possible world has a higher net utility than another, the former is more valuable; and (b) if a possible world has net disutility, it has net disvalue and hence it would be better if it did not come into existence.

When this is construed in terms of QLH, the principle suggests that Mill’s evaluation of worlds is also based on a lexical maxi-max principle.³⁴⁰ That is, it implies that, *ceteris paribus*, the best world is one in which the quantity (as per QNH) of the highest (or maximum) quality pleasure possible (as per QLH) is maximized *across lives*, then the quantity of the next highest pleasure is also maximized *across lives as much as possible given the preceding maximization*, and so on. The *ceteris paribus* clause indicates the proviso that the maximization of a pleasure of a given quality across lives does not generate a pain of a higher quality in any quantity *in even a single life*, or a pain of the same quality in a greater or equal quantity *in either a single life or across lives*.

³⁴⁰ I take the notion of a lexical maximax principle from Hurka-(2007/p.18) who was contrasting it with Rawls’ lexical maximin principle.

Of course, in the previous section we noted that Mill (effectively) claims that the Normative Hedonist can refute the Individual Mediocrity Objection with appeal to QNH alone. In other words, he claims that one can show that a single life of individuality, genius, and artistic creativity is likely to be happier than one devoid of these features even if one refrains from *qualitatively* ranking the pleasures that each life entails. However, when it comes to dealing with the Global Mediocrity Objection, Mill needs QLH to be able to refute it. The objection is as follows:

Global Mediocrity Objection: Let us concede that it is true that, *ceteris paribus*, a single life of ‘excellence’ tends to be more enjoyable, and hence more valuable, than a life of contented mediocrity. It nevertheless remains the case that Normative Hedonism implies that if we aggregate the utility of a *sufficient* number of contented mediocrities, this will outweigh the intrinsic utility bound up in a single life of ‘excellence’. In consequence, Normative Hedonism implies that the value of a world in which no individuals of excellence exist can outweigh that of a world in which individuals of excellence do exist, provided that the former has a sufficiently large number of contented mediocrities.³⁴¹

The claim is true with respect to QNH because its’ purely *cardinal* aggregation of utility means that the collective value of lots of experiences with small utility values can outweigh the collective value of a few experiences with high utilities, provided that the supply of the former is sufficiently large in number. In contrast, QLH’s *ordinal* ranking of pleasurable and painful experiences means that no amount of low pleasures, however large, will outweigh any amount of higher pleasures, however small.³⁴²

Of course, one person’s *modus tollens* can be another person’s *modus ponens*, so not everyone would view the implication described in the Global Mediocrity Objection as objectionable.³⁴³ Indeed, they

³⁴¹ Cf. the ‘repugnant conclusion’ in Parfit-(1984/p.387-90) and the extension of this reasoning to provide a rationale for QLH in Crisp-(1997/p.25-8). Nietzsche would have rejected the ‘concession’ but cf. (Z-P:5, BGE-212, 225, 229, 253).

³⁴² Cf. Crisp-(1997/p.31)

³⁴³ For examples of arguments for accepting Parfit’s related ‘repugnant conclusion’ see the papers by Ryberg (2007), Tännsjö (2007), and Wolf (2007).

might even take Mill's QLH's somewhat elitist implication, that a world containing a *single* life of intellectual excellence is better than one containing many *lives* of mediocrity to be a reason to embrace QNH instead.³⁴⁴ However, while Mill doesn't consider this particular thought experiment, he makes clear his commitment to the view that some kinds of life are more valuable than others:

“A person who can read, but cannot write or calculate, is not as good *as a person* who can do both. A person who can read, write, and calculate, but who knows nothing of the properties of natural objects, or of other places and countries, or of the human beings who have lived before him, or of the ideas, opinions, and practices of his fellow-creatures generally, is not so good as a person who knows these things. A person who has not, either by reading or conversation, made himself acquainted with the wisest thoughts of the wisest men, and with the examples of a beneficent and virtuous life, is not so good as one who is familiar with these. A person who has even filled himself with this various knowledge, but has not digested it – who could give no clear and coherent account of it, and has never exercised his own mind, or derived an original thought from his own observation, experience, or reasoning, is not so good, for any human purpose, as one who has (TPR:323).”³⁴⁵

This intellectual elitism is qualified by a prior claim that “moral worth [...] is more important than intellectual (ibid.)”, as one would expect given the primacy of Morality in his Art of Life (Chapter 2).

However, given the way that Mill takes the combination of moral and intellectual worth to raise individuals to a higher mode of existence than those who only possess one or the other (see Chapter 3), this qualification leaves the elitist axiological implications in place. That is, it remains the case that Mill's QLH implies that a world exhibiting individuals of moral *and* intellectual excellence (Morality and Nobility), however few in number, will be worth more than a world of morally excellent intellectual mediocrities (Morality without Nobility), however large in number.³⁴⁶

While Mill never explicitly pushes the logic of his position this far – and might even have drawn back if he had been made aware of the full extent of its elitist implications - we can see the logic of his position at work in his practical views on economics and population. For instance, Mill consistently affirms that a world with a small population with a consistently high quality of life would be better than a world with a large population with a consistently inferior quality of life (PPE-II:752-70, QP(I-

³⁴⁴ Of course, this is a hypothetical implication as it is difficult to imagine how a real world Robinson Crusoe could elevate himself into a Socrates.

³⁴⁵ My italics.

³⁴⁶ Once again this is not to imply that Mill thinks that an intellectual mediocrity could achieve moral excellence.

II)). For Mill this wasn't a hypothetical preference as he believed that a smaller population would actually be conducive to raising people's quality of life.³⁴⁷ More specifically, he felt that reducing the number of workers would decrease competition between them in the labor market, thereby pushing up wages and reducing working hours, thus providing the working class with the necessary leisure time to educate themselves, and organize a themselves to lobby for enlightened political reform (QP-I:80).

In consequence, he is willing to support facilitating emigration provided it be done in a sensible way (EB:130-1), on the one hand, and to campaign for the right to use contraception, on the other (QP-III:96). He also claims that guaranteed work at a minimum wage should be made conditional upon reproductive restraint (PPE-I:357-360). Here the rationale is that it is self-defeating to make provisions to allow people to escape from poverty only to allow them to opt back into it through excessive reproduction. For a society to guarantee to provide for as many children as the poor could reproduce would create a form of moral hazard that would generate a downward pressure on *everyone's* quality of life, so checking the population is deemed to be the optimal solution.

However, Mill felt that a smaller population is generally more conducive to a higher quality of life independently of its effect on wages, because it also allowed for greater conservation of the environment and increased people's access to natural beauty. In consequence, Mill claimed that once a society had reached a certain level of productive capacity, a zero growth or stationary state economy was an ideal to be welcomed. This also aligned with his view that once a certain level of material well-being is available, greater leisure time is preferable independently of whether it is used to explore to appreciate the natural environment (PPE:752-7).

(A.4) The *Global Nihilism* Objection

Given, then, that Mill needs QLH to preserve the elitist axiological implications of his system in order to avoid the Global Mediocrity Objection, it will be highly significant if it renders him vulnerable to the next objection to be considered, namely, the Global Nihilism Objection. After all, if Mill needs

³⁴⁷ A.Robson-(1986/p.xx) notes that when Mill was born the population of London was less than a million, it had doubled by the time he was twenty-five, and reached three million at the time of his death.

QLH to avoid the former objection but it also renders him vulnerable to the latter objection, QLH will generate a potentially irresolvable dilemma.

The *Global Nihilism Objection* can be stated as follows:

Let us concede that, *ceteris paribus*, a single life of ‘excellence’ will provide that individual with a positive hedonic balance and hence a life worth living (contra the *Individual Nihilism Objection*). It nevertheless remains the case that Normative Hedonism implies that if we aggregate the utility of lives with a positive hedonic balance and those with a negative hedonic balance, the global hedonic balance thus generated will be negative. In consequence, Normative Hedonism implies that our world has a disvalue and it would have been better if it had never come into being.

For his part, Nietzsche suggests that Normative Hedonism is vulnerable to such an objection when he tells us that:

“everywhere one will find a little happiness sprung up beside the misfortune [...] only it would be ludicrous to say that *with this happiness* suffering itself is justified (HAH-I:591).”³⁴⁸

It is worth noting here that, while the cardinal and ordinal rankings utility rankings of QNH and QLH respectively mean that the former is vulnerable to the Global Mediocrity Objection but the latter is not, the situation is reversed in the case of the Global Nihilism Objection. In the case of the Global Mediocrity Objection we saw that QLH’s ordinal rankings preclude the iterated addition of a quantity of a pleasure, P_1 , to one world, W_1 , from rendering W_1 of higher value than another world, W_2 , exhibiting a pleasure, P_2 , when P_2 is of a higher quality than P_1 . But by the same token, the ordinal rankings also preclude the iterated addition of P_2 to a further world, W_3 , from rendering W_3 of overall positive value if W_3 exhibits a pain, P_3 , such that the quality of P_3 is higher than that of P_2 .

In consequence, since QLH generates QLH Pessimism, the view that the worst pains lexically outrank the best pleasures (A.2), it follows that no iterated addition of pleasures, no matter how great in quantity, can render the world of positive value overall because no cardinal increase in the quantity of these pleasures can lead them to outrank the highest pains which have already occurred. The lexical

³⁴⁸ My italics. Cf. Z-(P:3).

priority of the latter suffices to ensure a negative global hedonic balance, and hence the de re implication that it would have been better if the world had not come into existence (Global Nihilism).³⁴⁹

(A.5) Is Mill a Global Nihilist?

Supposing that QLH generates a de re commitment to Global Nihilism we can ask two further questions. First, does Global Nihilism align with Mill's de dicto claims, or does the best de dicto interpretation attribute him with an opposition to Global Nihilism? Second, supposing that Mill were committed to Global Nihilism, as the Global Nihilism Objection insists, is there anything really *objectionable* about being thus committed? In this section we will deal with the former question, before turning to the latter in parts B and C of this chapter below.

We have seen that Mill explicitly rejects the premise of the Individual Nihilism Objection according to which it is impossible for *individuals* to find happiness (or a positive hedonic balance). However, the same passage is much less clear when it comes to its implications for the possibility of a positive *global* hedonic balance, and hence it is much less clear about Mill's de dicto commitments with respect to Global Nihilism. According to Mill:

“The first of these objections [that happiness is impossible] would go to the root of the matter were it well-founded; for if no happiness is to be had at all by human beings, the attainment of it cannot be the end of morality, or of any rational conduct. Though, even in that case, something might still be said for the utilitarian theory; since utility includes not solely the pursuit of happiness, but the prevention or mitigation of unhappiness; and if the former aim be chimerical, there will be all the greater scope and more imperative need for the latter, so long at least as mankind think fit to live, and do not take refuge in the simultaneous act of suicide recommended under certain conditions by Novalis (U-II:xii).”

The axiological dimensions of the passage, considered in isolation from the practical and moral implications which Mill draws from them, tell us that QLH would continue to be a useful axiological theory in a world condemned to a negative global hedonic balance, as it could continue to tell us which of the future possible worlds are *least bad*. However, the practical focus of the passage, which is to say the way in which Mill focuses on how QLH's axiology generates reasons which can guide

³⁴⁹ Cf. Loudon-(1994/p.53-4) where he denies the claim in Williams-(1994/p.43) that moral philosophy has to be in the business of providing 'good news'.

choices, means that he ignores the question of whether the world is good or bad overall.³⁵⁰ After all, the creation of the world *ab initio* was not a matter of human choice.

In consequence, the best guide to Mill's implicit commitments on the question of whether there is a negative global hedonic balance can be found, not in *Utilitarianism*, but in Mill's religious writings on the Problem of Evil. There Mill denies the existence of an omnipotent and omnibenevolent god because he takes (2) and (3) in the following field of (collectively inconsistent) premises to be undeniable:

- (1) God is omnipotent and omnibenevolent.
- (2) If God were omnipotent and omnibenevolent, he would have used his power to ensure that no more suffering exists than is necessary for the achievement of his purely omnibenevolent purposes.
- (3) More suffering exists than would be necessary for the achievement of the purposes of a purely omnibenevolent god.³⁵¹

For our purposes his defence of (3) is the most salient. Does Mill deny that an omnibenevolent and omnipotent god exists because the world has a negative global hedonic balance, or simply because its global hedonic balance would be suboptimal for a creator of that kind despite being positive overall?

With respect to the *human* world Mill comments as follows:

“For how stands the fact? That next to the greatness of these cosmic forces, the quality which most forcibly strikes everyone who does not avert his eyes from it, is their perfect and absolute recklessness. They go straight to their end, without regarding what or whom they crush on the road. Optimists, in their attempt to prove that ‘whatever is, is right’ are obliged to maintain, not that Nature ever turns one step from her path to avoid trampling us into destruction, but that it would be very unreasonable in us to expect that she should (N:384).”

“In sober truth, nearly all the things which men are hanged or imprisoned for doing to one another, are nature's every day performances. Killing, the most criminal act recognized by human laws, Nature does once to every being that lives; and in a large proportion of cases, after protracted disputes such as only the greatest monsters whom we read of ever purposely inflicted on their living fellow-creatures [...] Nature impales men, breaks them as if on the wheel, casts them to be devoured by wild beasts, burns them to death, crushes them with stones like the first Christian martyr, starves them with

³⁵⁰ Mill tends to ignore philosophical questions when he views them as entirely abstruse and having no practical relevance. For examples of this attitude see (SL-I:318-9) skepticism & (SW:306)

³⁵¹ For the notion of a field, see Chapter 2 (B.3.B). For further comments on the Problem of Evil, see (A:43-5).

hunger, freezes them with cold, poisons them by the quick or slow venom of her exhalations, and has hundreds of other hideous deaths in reserve, such as the ingenious cruelty of a Nabis or a Domitian never surpassed (N:385).”³⁵²

In the absence of any counter-vailing passages in which the highs of human happiness are described with a similar level of force, it is clear that Mill has a *de dicto* logical commitment to QLH Pessimism (in *addition* to the *de re* commitment which flows from QLH as such). However, he never draws the inference explicitly and even appears to draw conclusions which are incompatible with it. For instance, he insists that while the level of suffering in the world is incompatible with the existence of a god which is both omnipotent and omnibenevolent (N:399 below), it is compatible with the existence of *equipotent* forces of Good and Evil (i.e. omnibenevolence and omnimalevolence) (UR:425 below):

“If a tenth part of the pains which have been expended in finding benevolent adaptations in all nature, had been employed in collecting evidence to blacken the character of the Creator, what scope for comment would not have been found in the entire existence of the lower animals, divided with scarcely an exception, into devourers and devoured, and a prey to a thousand ills from which they are denied the faculties necessary for protecting themselves! If we are not obliged to believe the animal creation to be the work of a demon, it is because we need not suppose it to have been made by a Being of infinite power (N:399).”³⁵³

“One only form of belief in the supernatural – one only theory respecting the origin and government of the universe – stands wholly clear both of intellectual contradiction and of moral obliquity. It is that which, resigning irrevocably the idea of an omnipotent creator, regards Nature and Life not as the expression throughout of the moral character and purpose of the Deity, but as the product of a struggle between contriving goodness and an intractable material, as was believed by Plato, or a Principle of Evil, as was the doctrine of the Manicheans (UR:425).”

Mill’s comments on the lower animals in (N:399) strongly suggest that they, like human beings, would have net aggregate disutility as a class. But if that is so, why infer that the world is *consistent* with the existence of *equipotent* supernatural forces of ‘Good’ and ‘Evil’ in (UR:425)? After all, the logic of the former passage implies that, while there is sufficient goodness to rule out the existence of an omnimalevolent *and* omnipotent being (Evil), the fact that the (hedonic) good is outweighed by the (hedonic) bad is also sufficient to rule out a force for Good which is *as powerful as* a force for Evil.

By failing to accept the consequence of his own reasoning here Mill seems to reveal his contradictory commitments. On the one hand, his explicit statements about the level of suffering in the world

³⁵² Mill also discusses the history of human-to-human oppression under the rule of the stronger in (SW:266).

³⁵³ Cf. Schopenhauer’s description of the “horror” of the natural world, a “bellum omnium” in which “everything [is] a hunter and everything [is] hunted”, and events causing horrific “misery is repeated thousands and thousands of time a year, year in and out (1970-II:p.354).”

generate a de dicto logical commitment to QLH Pessimism and hence Global Nihilism. However, on the other, when called upon to explicitly articulate his commitments, his account of them is best described in terms of Hedonic Optimism and hence opposition to Global Nihilism. After all, according to Mill:

“A virtuous human being assumes in this theory [i.e. Deism] the exalted character of a fellow-labourer with the Highest, a fellow combatant in the great strife; contributing his little, which by the aggregation of many like himself becomes much, towards that progressive ascendancy, and ultimately *complete* triumph of good over evil, which history points to, and which this doctrine teaches us to regard as planned by that Being to whom we owe all the benevolent contrivance we behold in Nature (UR:425).”³⁵⁴

The term ‘good’ here is clearly counterpoised to that of ‘evil’ rather than bad, and hence attributed to the character of the supernatural forces in question rather than the value or disvalue of the consequences their acts. This precludes us from directly *deducing* that Manicheanism is predicated on the guarantee (or even possibility) of there being a positive global hedonic balance *in the end*. Nevertheless, the plausibility of Manicheanism as thus defined would seem to depend upon this outcome. After all, if Good is equipotent with Evil, why would the former suffer the ‘defeat’ constituted by a world with a negative global hedonic balance? Why wouldn’t the equipotence of the forces ensure that the global hedonic balance at least ‘breaks even’ unless the Good is less than fully omnibenevolent?³⁵⁵

Of course, given that we are now discussing the possibility of a supernatural realm, one might imagine that the highest pleasures *of the afterlife* outweigh the highest pains in this life (as well as those allegedly lurking beyond), in which case an eschatological extension of the scope of QLH Pessimism could render it false. However, Mill is clear that he is simply claiming that the balance of good and bad that we see in this world is *compatible* with the truth of Manicheanism, not that we actually have good reason to believe in the latter, or that there is actually a life beyond (UR:425).³⁵⁶ In consequence, if the claim, that Manicheanism (of the equipotence variety) is compatible with the

³⁵⁴ My italics.

³⁵⁵ Mill judges the morality of (hypothetical) supernatural forces using the same Utilitarian standards that he applies to human beings (EWHP:102-3). Cf. (A:43-5).

³⁵⁶ Note that if Mill took the supernaturalist route he would be vulnerable to Nietzsche’s complaint against him that he hasn’t really given up all of the presuppositions of religion. See (WP:30, 340).

value of the world according to QLH, hinges on there being *sufficient* reason to believe in the afterlife (as opposed to that belief being merely non-contradictory), Mill's conclusion that his argument leaves room for a rational faith in the supernatural is highly dubious.³⁵⁷ Moreover, when it comes to evaluating the relative merits of immortality and Buddhistic annihilation, Mill preference is consonant with the real (de re) implications of QLH Pessimism, and he shows no desire for any such faith:

“It seems to me not only possible but probable, that in a higher, and, above all, a happier condition of human life, not annihilation but immortality may be the burdensome idea; and that human nature, though pleased with the present, and by no means impatient to quit it, would find comfort and not sadness in the thought that it is not chained through eternity to a conscious existence which it cannot be assured that it will always wish to preserve (UR:428).”³⁵⁸

Here Mill seems to explain away the desire to believe in the supernatural. If people could reach a state where they attained happiness, and hence didn't need to hope for an eschatological extension of their lives in order to be able to form the judgement that *their own* existence had been *intrinsically* worthwhile (UR:419), the pining for supernatural pleasures would cease.³⁵⁹ In other words, once people can answer the Individual Nihilist objection to their own existence with reference to the *worldly* life, they will lose interest in an afterlife. But if QLH is true, QLH Pessimism and hence Global Nihilism are true *unless* there is an afterlife; so insofar as these happy people envisaged by Mill are *consistent* followers of QLH, they will have achieved happiness in a world, and affirmed their own existence, *despite* believing in an axiology with the de re implication that it would have been better on balance if the world had never come into existence.

(B) Global Nihilism and Qualified Affirmation of Life

³⁵⁷ After all, even if Mill's argument were sound, it would show that faith does not generate contradictions. This is insufficient to show that it isn't unreasonable, as a view can be non-contradictory without being reasonable.

³⁵⁸ Note that this passage fails Nietzsche's test of capacity to will the eternal recurrence (see section C below). Nietzsche tends to associate the desire for Buddhistic annihilation with nihilistic despair. However, it should be noted that desiring annihilation *at some point* is compatible with being willing to endorse radical life extension if it is ever within our power to achieve this. In section C we will have recourse to Nietzsche's notion of life affirmation as requiring affirmation of the eternal recurrence of one's life. This is much closer to a desire for immortality than a desire for annihilation. However, to psychologize Nietzsche for a change, one might wonder whether his desire for eternal recurrence thus conceived is really compatible with affirming life *as it really is*.

³⁵⁹ Cf. Nietzsche in GM-(I:7)

We have seen that Mill has contradictory de dicto commitments to both Hedonic Optimism and Hedonic Pessimism, and hence contradictory de dicto commitments to both rejecting and accepting Global Nihilism. This suffices to show that Mill's system needs to be rationally reconstructed in order to be rendered coherent. However, we have also seen that QLH generates a de re commitment to Hedonic Pessimism and hence Global Nihilism. In consequence, the subset of Mill's de dicto claims which align with Hedonic Pessimism and Global Nihilism (S_1) are better aligned with his overall web of belief than the subset of his de dicto claims which align with Hedonic Optimism and Anti Global Nihilism (S_2). This generates a defeasible reason for opting for a rational reconstruction of Mill's system which maintains S_1 while rejecting S_2 , which is to say, rationally reconstructing Mill's system to make it consistently Global Nihilist.

However, this defeasible reason could be defeated if the de re implications of Global Nihilism (hedonistically construed) turn out to be unacceptable.³⁶⁰ After all, there would be little reason to rationally reconstruct Mill's system along Global Nihilist lines if there is sufficient reason for thinking that Global Nihilism is itself false. In that case we would have most reason to render Mill's system consistent by rationally reconstructing it as consistently opposed to Global Nihilism, even though doing so would require greater revisions to the overall system. In section B and C we will see that some of the potentially counter-intuitive claims which one might take to be de re implications of Global Nihilism are nothing of the sort, thus reinforcing the case for rationally reconstructing him as a consistent Global Nihilist in Chapter 6. In section B we show that Mill's QLH and Utilitarianism do not have counter-intuitively self-destructive or life-denying implications.

(B.1) The Prima Facie 'Gloominess' of Global Nihilism

As we noted in the Introduction of Chapter 1, Reginster's taxonomy of forms of Nihilism places what we have referred to as Global Nihilism within the category of nihilism-as-*despair* as opposed to nihilism-as-*disorientation*. This association points to the key reason that people may feel that they have for resisting Global Nihilism; namely, that its truth qua axiology would imply that one has more

³⁶⁰ Hedonistically construed because Global Nihilism, the view that it would have been better if the world never into being, could also be supported by alternative axiological systems.

practical reasons to be gloomy than one has in reality. But is this association or inference accurate? Or does maintaining a clear distinction between axiology, on the one hand, and practical reason, on the other, allow us to see how people with good lives could have good reason to be cheerful life-affirmers despite their pessimistic axiology?

For Mill, in order to judge what we have reason to do or feel about something (practical reason), it is necessary but insufficient to make the judgment that that thing is good or bad (axiology). Practical reason goes beyond axiology by judging how axiological judgments translate into reasons for action and feeling. At first sight this may seem counter-intuitive as we have already noted that Mill treats judgments of the form 'θ is good for x' as implying 'x has reason to desire θ', and 'x has reason to desire θ' as equivalent to 'x has a reason to act to promote θ' (Chapters 2 and 4). However, having a reason to do or feel something is not the same as having *sufficient* reason to do or feel something. After all, one's reasons for action (or feeling) can come into conflict, on the one hand, and the conscious experience of desires and other feelings have effects on one's well-being which can affect whether one has sufficient reason to experience them, on the other. Moreover, as we noted in Chapter 2, Mill's recognition that Prudence has a proper place within the Art of Life amounts to an acknowledgement that the fact that a particular state of affairs will make someone better or worse off can strengthen or weaken her reasons for promoting a particular state of affairs. This means that there can be cases where someone can have sufficient reason to act to create a world which is more closely aligned with her own good than that which she could see is optimal from a more impartial axiological perspective.

(B.2) Williams on Global Nihilism and the Impartial Observer

Bernard Williams is famous for his critiques of versions of Utilitarianism which (i) cash out the idea of impartial axiological judgments in terms of the perspective of an ideal (i.e. all knowing and all benevolent) observer; and (ii) assign moral obligations to individuals to act as that observer would bid them to act, given its concern to impartially maximize utility across lives, on the grounds that (iii)

what morality requires is for us to overcome our ‘biased’ motivation to prioritize our self-interest over the interests of others.³⁶¹

In discussing this form of Utilitarianism, Bernard Williams make the following observation:

“Those who see our selective sympathies as a biased and prejudiced filtering of the suffering in the world; who think in terms of our shadowing, so far as we can, the consciousness of the IO [i.e. ideal observer], and guiding our actions by reflection on what the IO takes on: I wonder whether they ever consider what it would really be like to take on what the IO supposedly takes on. Whatever exactly ‘takes on’ may mean, it is supposed to imply this—that the sufferings of other people and of all other creatures should be as vividly present to us, in some sense, as closely connected with our reasons for action, as our own sufferings or those of people we care for or who are immediately at hand. This is how the model is supposed to correct for bias. But what would it conceivably be like for this to be so, even for a few seconds? What would it be like to take on every piece of suffering that at a given moment any creature is undergoing? It would be an ultimate horror, an unendurable nightmare. And what would the connection of that nightmare to our actions be? In the model, the IO is supposed just to be an Observer: he can’t do anything. But our actions, the idea is, are supposed to shadow or be guided by reflection on what he in his omniscience and impartiality is taking on, and if for a moment we got anything like an adequate idea of what that is, and we really guided our actions by it, then surely we would annihilate the planet, if we could; and if other planets containing conscious creatures are similar to ours in the suffering they contain, we would annihilate them as well.”³⁶²

To what extent can such considerations generate a critique of Mill’s system? To answer, it is worth recalling Mill’s comment on Deism which we quoted above:

“A virtuous human being assumes in this theory [i.e. Deism] the exalted character of a fellow-labourer with the Highest, a fellow combatant in the great strife; *contributing his little*, which by the aggregation of many like himself becomes much, towards that progressive ascendancy, and ultimately *complete* triumph of good over evil, which history points to, and which this doctrine teaches us to regard as planned by that Being to whom we owe all the benevolent contrivance we behold in Nature (UR:425).”

While we have seen that a Global Nihilist position actually rules out a ‘complete triumph’, in the sense of creating a positive global hedonic balance with respect to all time, it doesn’t preclude a more minor, and yet nevertheless highly significant triumph, of creating *a future* which produces more good than bad.³⁶³ In this respect Williams’ claim about what the IO he envisages would ‘advise’ us to do is predicated on an implicit pessimism about the possibility of a positive future global hedonic balance.

³⁶¹ Mill uses a similar image to model morally perfect action in U-(II:xviii).

³⁶² Williams-(2006/p.146-7)

³⁶³ Cf. the discussion of the significance of the future to our capacity to definitively judge whether human history has been worth it in Parfit-(2011.B/p.612-20)

In Chapter 6 we will see that, while Mill has plenty of concerns about the future, he thinks that we can be realistically optimistic about the possibility of building a positive future for humanity. This is crucial for the possibility of rationally reconstructing Mill's system in such a way as to reconcile its Global Nihilist implications with the optimistic and progressive spirit of his political philosophy. The former's pessimism rests on the claim that the global hedonic balance will be negative when it is construed so as to include the pleasures and pains of the past *and* the future. The latter's optimism rests on the claim that the global hedonic balance could be positive when it is construed so as to include the pleasures and pains of the future alone, provided that the kinds of higher pains which darkened the past are absent from the conditions of the future. The two claims are reconcilable as the negative global hedonic balance of the past can outweigh the positive global hedonic balance of the future. In consequence, if Mill's political philosophy can be defended, Williams' claim that Utilitarianism implies the apparent absurdity that the morally best act is one of collective self-destruction would be false.

Elsewhere Williams' has also argued that it would be absurd for human beings to try to think and feel completely impartially, which would effectively amount to acting as if the hypothetical guidance of the IO is our *only* source of practical reasons.³⁶⁴ Here Williams is no doubt correct. Not only are we unable to 'take on' the suffering of the world in the sense described above, an individual who succeeded would almost certainly condemn himself to psychological self-destruction. However, as we saw in Chapter 4, while Mill takes the evidence of first-hand experience to be our most solid ground for axiological judgment, he also acknowledges that we are heavily dependent upon the evidence of testimony in practice. What Williams shows above is that we are *better off* thus dependent, as while complete hedonic competence may be an unrealizable ideal, complete doloric competence would be an unrealizable nightmare.

With respect to Williams' critique of the 'Utilitarian' conception of practical reason, we have seen that Mill denies that the reasons for feeling and action which flow from impartial axiological

³⁶⁴ Williams-(1985/p.88)

judgments are our *only* source of practical reasons (Chapter 2.F). This means that even if Williams were right to think that the IO would tell us that the destruction of the world were optimal, and it were somehow possible to get enough people to cooperate on such a venture, Mill would be perfectly entitled to declare such cooperation to be supererogatory. In consequence, the limits of the role of morality within Mill's conception of the good life provides a secondary defense against the charge that the conjunction of Global Nihilism with Utilitarianism implies that we have implausible moral obligations to destroy the planet.³⁶⁵

(B.3) Individuated Global Nihilism and Qualified Life Affirmation

One reason that we might associate Global Nihilist axiology with reasons for despair is that we think the claim that it would have been better if *the world* never came into existence (Global Nihilism) implies the following:

Individuated Global Nihilism: it would have been better if *any given individual* had not come into existence.

This in turn might be thought to support the following:

Regret Thesis: if it would have been better if any given individual had not come into existence (axiological judgement), each individual has sufficient reason to regret his or her own existence (practical reason judgment).

If Global Nihilism entails its Individuated variant above, and that in turn supports the Regret Thesis, we might well have sufficient reason to conclude that we have reduced Global Nihilism to absurdity.

The question is whether any of these are genuine *de re* implications of Global Nihilism?

³⁶⁵ In part C we will turn to the question of whether people should feel guilty for their life affirming attitudes *given* the horrific preconditions of their existence. Global Nihilism clearly implies that if Williams' IO had the power to do so, it would have prevented the world from coming into being in the first place. While Mill's theory implies that a truly all powerful and omnibenevolent god would not have created the world *as it is*, it does not imply that it would have been wrong for it to have done so. For it to be wrong, it would have to merit the punishment of guilt, and what good could come of that unless it was to deter further destructive creation? Moreover, while there is nothing intrinsically absurd about taking an impartial axiological standpoint as one source of practical reasons, the creation of the world was not a human act. In consequence, insofar as we have reason to feel guilty for welcoming the world's creation despite its overall negativity, it could not be guilty for that act of creation.

The answer is that there is a sense in which Global Nihilism supports its Individuated variant, and a sense in which it does not. Failure to clearly distinguish between these senses can lead one to view Global Nihilism as a far more repugnant thesis than it is in reality. The *holistic* sense in which it does follow is captured in the conclusion of the following argument:

- 1) It would have been better if the world had not come into existence.
- 2) If the world had not come into existence, each and every person who came to live in the world would not have come into existence.
- 3) So, it would have been better if *each and every* person had not come into existence.

Since any given individual can identify herself as one of the people in (3), she can accurately conclude that, if Global Nihilism is true, it would have been better if she had not come into existence *along with everything else*. However, the conclusion is holistic in the sense that it doesn't pick out any particular person, and hence precludes the *individualistic* inference that (say) *the world* would have been better if this or that individual had not come into being. In other words, Global Nihilism is consistent with the view that, *given* the existence of the world, the existence of particular individuals constituted an *improvement*.

Given QLH, peoples' existence could improve the world in at least one of two ways: either they had lives of net intrinsic value and did not cause a countervailing net intrinsic disvalue to the lives of others, or the intrinsic value they added to the lives of others outweighed the net intrinsic disvalue of their own lives. In consequence, insofar as axiological judgements that something is good provides one with practical reasons to be glad that it occurred, Global Nihilism and its Individuated variant are clearly consistent with particular individuals having reason to be glad that they came into being *given that there was already a world*.

Some might think that the preceding (italicized) qualification renders the conclusion too weak. Can't we also have sufficient reason to be glad that *the world came into being*? Before considering that question in part C, however, it is worth highlighting the fact that the distinction between axiology and practical reason blocks the converse conclusion, that people whose existence made the world worse

automatically have reason to regret their own existence. Here we can distinguish between the case of people whose existence made the world worse because of the net intrinsic disvalue of their lives (B.4), and the case of people whose existence made the world worse because of the negative instrumental effects of their existence on the lives of others (B.5).

(B.4) Regret and Lives of Net Intrinsic Disvalue

We can begin by setting aside the reasons that people with lives of net intrinsic disvalue might have for having existed due to the *positive* instrumental effects that they had in improving *the lives of others*. *Ceteris paribus*, do people with lives of net intrinsic disvalue, who would have been better off not coming into existence, have sufficient reason to regret their existence?³⁶⁶

One reason for answering in the negative stems from the fact that the conscious experience of desiring or feeling can have effects on people's well-being. If the effect of being subject to a desire or a feeling is negative, this can defeat other reasons that people have for such subjection. We have already seen this point exemplified in the account of Mill's Indirect Hedonism in Chapter 3 (D.2.A). There we saw that Mill takes the defeasible reason that we have to desire happiness to be oft defeated in practice because of the hedonic ineffectiveness and even counter-productiveness of experiencing such desires.

Similar considerations are at play in the following passage:

“[I]n this condition of the world, paradoxical as the assertion may be, the conscious ability to do without happiness gives the best prospect of realizing such happiness as is attainable. For nothing except that consciousness can raise a person above the chances of life, by making him feel that, let fate and fortune do their worst, they have not power to subdue him: which, once felt, frees him from excess anxiety concerning the evils of life, and enables him, like many a Stoic in the worst times of the Roman Empire, to cultivate in tranquillity the sources of satisfaction accessible to him, without concerning himself about the uncertainty of their duration, any more than about their inevitable end (U-II:xvi).”

While the negativity of a potential state of affairs *can* provide people with a reason to desire its non-occurrence, or regret its occurrence, then, they can also have countervailing reasons to desire that if it

³⁶⁶ Technically speaking, this particular question can be separated from the host of issues pertaining to *Global Nihilism* and regret. After all, QLH could imply that individuals with lives of net intrinsic disvalue have reasons to regret *their* lives, and be objectionable in that regard, even if it didn't also entail *Global Nihilism*. As such the question here is more closely related to the *Individual Nihilism Objection* of (A.2). However, it is worth dealing with the question here because of the way Nietzsche related the *Individual Nihilism* problem to the *Global Nihilism* problem in his theory of the origins and nature of morality (see part C below).

occurs, they will be less disappointed than if they had heavily invested themselves in its non-occurrence. This can then in turn provide them with sufficient reason to desire the capacities to refrain from investing too much conscious desire in its non-occurrence in the first place despite the fact that they can see that it is truly bad.

One might object here that in the passage just cited Mill is dealing with cases in which people who are in bad circumstances, and hence *may* have negative lives *at that time* as a consequence, can try to immunize themselves from those circumstances in such a way that they come to live well despite their misfortune. By contrast, we are supposed to be dealing with cases in which peoples' lives *are* definitively bad when judged from start to finish. However, if QLH is to be charged with generating reasons for people with bad lives to regret their existence, these must be reasons to feel regret pre-mortem rather than post-mortem. In consequence, the fact that the true axiological worth of whole lives, and hence the 'fact' that this or that person will turn out to have had a life of intrinsic disvalue overall, is not necessarily available to individuals pre-mortem is highly significant. After all, it *weakens* the case for thinking that QLH implies that they have reason to regret their lives *in response to* this 'fact'.

The preceding counter to the imagined objector alludes to the fact that the temporal asymmetries in our experience of our past and (possible) future selves precludes straightforward inferences from (say) the axiological judgment of our lives up to any given time, and axiological judgments concerning the total value of our lives. However, there is also an asymmetry in terms of our *inability* to affect our past and our *ability* to affect our future welfare. This means that even if one knew that one's past was sufficiently bad to ensure that the final axiological judgment on one's life will be negative one, would still have sufficient reason to act and feel in ways that optimize one's future, and it is difficult to see how regretting the fact that one exists is likely to further that cause.³⁶⁷ This is not to say that QLH

³⁶⁷ Here I agree with the claim in Benatar-(2006) that, on the one hand, "there is nothing paradoxical about the claim that it is preferable not to begin a life that would be worth continuing (p.24)", and on the other, "that it *makes sense* to regret having come into existence if one does not enjoy one's life (p.58)" (my italics). However, a feeling can make sense when it is backed by an intelligible reason, without that intelligible reason being a sufficient reason. This means that Normative Hedonism is compatible with the view that, while it makes sense when people who would have been better off not being born regret their existence, they have sufficient reason to refrain from such regret. If theories of practical reason based upon a value pluralist axiology imply that people can have sufficient reason to make themselves feel even worse than they already do in response to some non-

takes the fact that regret is unpleasant to imply that one never has reason to feel regret. However, it does imply that, given QLH, regrets should serve some instrumental purpose, and it is only likely to do this when it is restricted in scope to *particular features* of one's past from which future-oriented lessons can be learnt, rather than regret for the fact that one has a past per se.

(B.5) Guilt and Lives of Net Instrumental Disvalue

We have seen that QLH is free of the charge of supporting a form of nihilism according to which there is (always or even often) sufficient reason for those of lives with net intrinsic disvalue to regret the fact that they came into being. In consequence, we can turn to the question of whether QLH implies that people whose existence made the world a worse place overall *through the negative affect that they had on the lives of others* have sufficient reason to regret their own existence. Since this regret could take the moral form of guilt, we will have to make recourse back to the Wrongdoing Principle outlined in Chapter 2 above. Our question then becomes that of whether the Wrongdoing Principle implies that someone should feel guilty for having a life of net instrumental disvalue.

(B.5.A) Capital Punishment and the Devaluation of the lives of Hardened Criminals

Mill doesn't shy away from the view that the world can be made a better place by ending someone's existence. For instance, when defending capital punishment for murderers he puts the point as follows:

“When there has been brought home to any one, by conclusive evidence, the greatest crime known to the law; and when the attendant circumstances suggest no palliation of the guilt, no hope that the culprit may even yet not be unworthy to live among mankind, nothing to make it probable that the crime was an exception to his general character rather than a consequence of it, then I confess it appears to me that to deprive the criminal of the life of which he has proved himself to be unworthy—solemnly to blot him out from the fellowship of mankind and from the catalogue of the living—is the most appropriate, as it is certainly the most impressive, mode in which society can attach to so great a crime the penal consequences which for the security of life it is indispensable to annex to it (CP:305).”

The underlying premise here is that if everything suggests that if a community continues to share its existence with a murderer, she will simply bring it further harm, society has sufficient reason to punish the murderer by *somehow* permanently expelling her from its ranks. This is partly in order to

hedonically negative feature of their lives, this may constitute as an advantage of Normative Hedonism. The related phenomenon of resenting one's overall positive existence is discussed in Williams-(1995/ch.19).

directly protect the members of society from further crime by the criminal in question, and partly to deter others from like behavior.³⁶⁸

Since Mill says that there is more than one form of expulsion which can achieve these goals, namely life-imprisonment or capital punishment, his preference for the latter rests on the following claim:

“I defend this penalty, when confined to atrocious cases, on the very ground on which it is commonly attacked—on that of humanity to the criminal; as beyond comparison the least cruel mode in which it is possible adequately to deter from the crime (CP:306).”

If Mill thinks that a murderer is likely to be better off dead than enduring life-imprisonment (under the sufficiently harsh conditions to render it a deterrent), he must think the latter constitutes a life of net intrinsic disvalue and hence not worth living. Rather than making the world an even worse place than is required to secure society from such hardened criminality, Mill opts to ‘save’ the criminal from a punishment which would give her a life unworthy of living by expelling her from existence as such.

(B.5.B) Guilt for an Instrumentally Bad Existence

(B.5.A) shows that Mill is willing to make axiological judgments of the form, *given* that it would be better to either kill or life-imprison a criminal, death can be the better option for the criminal, and hence it can make for a better world overall that he be killed.³⁶⁹ However, there is no suggestion here that Mill takes such a criminal to have sufficient reason to feel guilty for coming into existence. Like most moral theories, Mill’s Utilitarianism clearly implies that there will be many cases where the performance of particular actions will provide sufficient reason for guilt (Chapter 2.G). If these actions are so bad that they suffice to ensure that it would have been better if the agent never came into being, they are even more likely to satisfy the criteria. However, the guilt here attaches to the acts, not to the agent’s existence as such. Moreover, in the capital punishment cases just outlined in

³⁶⁸ Mill says that the problem with the punishment of transportation to Australia was that, while this achieved expulsion, and hence prevention of further crime by the expelled, it was not seen as a sufficiently negative outcome to deter others from committing the same crime (CP:309).

³⁶⁹ Of course, if death is better than life imprisonment for the criminal, one might wonder why life-imprisonment is not a more effective deterrent. If it were, life imprisonment might generate a better world overall even though it is worse for the criminal. However, Mill rejects the inference from the claim that life imprisonment is worse than death to the claim that life imprisonment is a better deterrent, because he thinks that the prospect of death generates an irrationally strong fear upon the human psyche (CP:268).

(B.5.A), Mill's axiological judgment pertains to the *continued existence* of the criminal rather than whether it would have been better if the criminal had never come into existence in the first place.

It is easy enough to think of historical actors who have performed actions so terrible that it is highly likely that the world would have been a better place if they had never come into being.³⁷⁰ However, it is much harder to think of cases where people's *existence as such*, as opposed to the actions they engaged in having come into existence, created net instrumental disvalue. One potential set of cases involves people who might be said to constitute a burden to others, not because of the way in which they negatively exercise their ability to act but because their *incapacity to act* requires others to act on their behalf, thereby causing the latter to suffer or sacrifice the opportunity to realize some positive potential.

While the elderly sometimes feel they are burden to their children, they could hardly take this as a reason to regret coming into being without simultaneously taking it as a reason to regret their children's existence. A more plausible case is that of people who are born sufficiently sick or incapacitated that others have to devote substantial time and investment in their care. However, it is difficult to see what good could come of *their* feeling guilty about coming into existence unless it motivated them to opt to end their existence, in which case no good would come of feeling guilty for existing *in addition to* feeling guilty for not ending their existence.³⁷¹ However, since suicide for the good of others is generally going to be supererogatory, it is not generally going to be wrong to refrain from doing it, and hence unnecessary to feel guilt for refraining from doing it according to Mill's Utilitarianism.

For another possible category of cases in which the mere existence of a person or people creates net instrumental disvalue we might look to cases where they came into being through the performance of

³⁷⁰ Mill notes there is a *pro tanto* reason to engage in assassination "to remove men who are a cause of no good to any human being, of cruel physical and moral suffering to several, and whose whole influence tends to increase the mass of unhappiness and vice (WMP:181)." However, he also indicates that this reason is usually defeated in practice because of the extreme dangers involved in undermining the highly beneficial norms against extra judicial killing (WMP:182).

³⁷¹ In contrast, a parent who knowingly brings a child with *Tae-Sachs* into existence may be culpable for creating a life that is not worth living. Cf. Parfit-(1984/p.391) & Williams-(1995/p.227).

a crime or were born of a criminal. As such their mere existence might constitute a kind of traumatic reminder of the crime or the criminal which is so damaging to others that it would have been better if they never came into existence.³⁷² While a child born of rape might constitute such a reminder to *its mother*, a more plausible case would be one in which there is ‘collective victim’, constituted by such a larger number of people that the individual in question would find it difficult to generate countervailing value through his own actions.

For instance, if Hitler had had a child, its existence might have traumatized so many people that it would have been difficult for the child to add net value to the world. In moments of axiological detachment such a child might even have been able to acknowledge that the world would have been a better place if it had not come into existence. However, this axiological verdict would be insufficient to generate a rationale for feeling guilt for coming into being, as opposed to guilt for continuing to exist, and it could reasonably judge that ending its existence to save *others* from the trauma is supererogatory.³⁷³

(C) Full Life Affirmation, Immoralism, and Guilt

We have seen that insofar as Mill’s system implies Global Nihilism this doesn’t also mean that it implies that (a) individuals are automatically committed to thinking that *the world* would have been better if *they* (in particular) had not come into existence (B.3); and (b) even those individuals of which it is true that *his* or *her* existence (in particular) rendered the world a worse place overall will lack sufficient reason to regret, or feel guilty about, their existence *as such* as this would simply make the world worse still (B.4-5).

However, in (B.3) we also noted that if the goal is to show that Global Nihilism is not a philosophy which provides reasons for gloom to people who are otherwise happy, it is insufficient to show that it is compatible with (a). After all, even if it is true that the world would not have been better for the

³⁷² Mill acknowledges that there are cases in which, *ceteris paribus*, it would be better if certain individuals were assassinated. However, he then adds that things aren’t always equal because if one allowed such assassinations to go unpunished “nobodies life would be safe” (WMP:181-2).

³⁷³ Of course, if someone was aware that his existence caused that much trauma to others, his own existence would probably be a trauma to himself.

non-existence of a particular individual whose life brought net value to the world, it remains the case that Global Nihilism implies that it would have been better if *the world* and hence the individual in question did not come into being.

We can now turn to the question of whether this latter axiological judgment implies that people with lives which improved the world nevertheless have reason to regret the existence of the world, and hence their own lives? Given that the preconditions of one's being included the existence of a world generating a global negative hedonic balance, might it even be immoral to be glad (and hence not regret) that the world existed because of the opportunity it gave one to live? In other words, does an Art of Life which gives primacy to the Moral Life preclude a life-affirming attitude?

(C.1) Global Nihilism and the Historical Identity Problem

Contemporary population ethics has familiarized us with the thought that which particular subset of the range of *possible* people will constitute the set of *actual* people at any given time in the *future* will be heavily dependent upon the specific actions, including the exact timing thereof, of agents existing prior to their conception.³⁷⁴ The converse insight is that the existence of any given person *in the present* was heavily dependent on the course of history being almost exactly what it was up to their conception. For any given person who was 'naturally' conceived to have existed, not only did their parents have to time their sexual activity in such a way that the 'correct' sperm could fertilize the 'correct' egg, the whole chain of historical cross-generational reproductive activity had to be exactly as it was, as did the evolutionary and natural history which made that possible. Moreover, the fact that the existence of today's actual people was contingent on the exact chains of reproductive activity that actually occurred before they were conceived, means that they were also contingent upon (almost) the exact social, economic, cultural, and political events which shaped those reproductive patterns. For instance, the people who came to be known as the 'baby boomers' would not have existed without the Second World War, which would not in turn have occurred in the exact way that it did without the rest of prior history occurring exactly as it did.

³⁷⁴ Parfitt-(1984/p.351-4), Williams-(1995/p.224-6)

Awareness of the dependency of one's existence upon history taking the (almost) exact course that it did prior to one's conception has the potential to generate conflicting attitudes towards one's existence. After all, we might think that the appropriate moral attitude towards historical episodes such as the Holocaust is one of regret grounded in the axiological judgment that it would have been better if it had not taken place. However, for most of us at least, if the Holocaust had not taken place, we would never have existed, so the moral reason to regret the occurrence of the Holocaust seems to shift seamlessly into a moral reason to regret our own existence. Once this is accepted, life affirmation, or happiness to be alive, can seem selfish or megalomaniacal. After all, if one is happy to be alive, and a precondition of one's being alive is that the Holocaust occurred, how can the former not translate into a *selfish* happiness that the Holocaust occurred, unless one adopts the apparently megalomaniacal view that *one's own life* somehow made the Holocaust worth it from the impartial perspective?³⁷⁵

We can call this the Historical Identity Problem (HIP) according to which any individual with a good life faces a trilemma between (1) denying that she has sufficient reason to affirm her life qua possessing sufficient reason to regret that she exists, and sufficient reason to feel what would appear to be an ascetically guilt-ridden attitude towards any feelings of gladness that slip past the dominant sense of regret; (2) affirming her individual life without regret on the apparently megalomaniacal and potentially immoral grounds that her life is so valuable or important that it makes all of the past suffering of others worth it; and (3) affirming her life without regret on the apparently selfish and potentially immoral grounds that the horrors which preceded her conception were necessary for her to be able to live her good life.³⁷⁶

³⁷⁵ We can also present the problem in the form of a field:

1. It would have been better if the Holocaust hadn't taken place.
2. If it would have been better if the Holocaust hadn't taken place, it would be morally wrong not to regret that it took place.
3. We cannot consistently be glad that we exist without also being glad that the conditions of the possibility of our existence were satisfied.
4. The Holocaust is a condition of the possibility of some people's existence.
5. It is not morally wrong for those people to be glad to be alive.

³⁷⁶ These aren't necessarily mutually exclusive. For instance, the megalomaniac may also be selfishly indifferent to the suffering of others, and the selfish person may also be a megalomaniac. However, the megalomaniac

While HIP is a problem in its own right, a commitment to Global Nihilism may appear to make it even harder to solve. After all, the fact which generates HIP, that one's existence had lots of negative preconditions, is consistent with those preconditions being good on balance (Anti-Global Nihilism). In consequence, Anti-Global Nihilism can appear to offer a way of breaking out of the trilemma by telling us that someone can be glad that the Holocaust occurred, and hence affirm his life, not because he enjoys his life (selfishness) or because he believes that his life somehow makes the Holocaust worth it from the impartial perspective (megalomania), but because *the positive global hedonic balance in human history* made the Holocaust worth it from the impartial perspective. In contrast, Global Nihilism eliminates that option, telling us that, from the impartial axiological standpoint, the preconditions of our existence aren't sufficiently good to redeem themselves overall.

However, in fact this Anti-Global Nihilist position doesn't provide much help in solving HIP. After all, even if we accept Anti-Global Nihilism, it would seem to remain the case that there could have been superior possible courses of history (i.e. with higher net value than the actual one) which included neither oneself nor the Holocaust. In consequence, HIP can simply re-emerge as the following trilemma: either one has sufficient reason to (a) not affirm one's life because one should regret that a superior alternative course of history in which one does not feature was not actualized; (b) affirm one's life on the apparently megalomaniacal and potentially immoral grounds that one's existence in actual history was sufficient to make the prior horrors worth it, while denying that there could be a superior alternative course of history in which one did not feature; or (c) affirm one's life on the apparently selfish and potentially immoral grounds that, while it would have been better as such if the alternative course of history had been actualized, it would have been worse for oneself because one would have been deprived of one's good life.³⁷⁷

needn't be indifferent to the said suffering if he has a sufficiently high opinion of his own importance from the impartial perspective that he thinks he makes other people's suffering worth it, and the selfish person needn't be a megalomaniac in order to be motivated to prioritize the pursuit of his own interests at others' expense.

³⁷⁷ One might think that a Determinist Anti-Global Nihilist could avoid this version of the trilemma by arguing that, since no physically possible alternative course of history exists, it is better that the actual one existed despite the Holocaust because the world turned out to be good on balance. However, we can then ask whether this Determinist Anti-Global Nihilist should regret the truth of Determinism and the attendant absence of alternative possible histories. The trilemma then emerges as follows: he must either regret his own existence

Once we see that Global Nihilists and Anti-Global Nihilists alike face NIP, we see that the existence or non-existence of whatever reasons that otherwise happy people would have for regretting their own existence does not hinge on the truth of Global Nihilism. In consequence, showing that Mill's system generates *de dicto* and *de re* commitments to Global Nihilism doesn't show that it is an especially gloomy doctrine in virtue of supplying *additional* reasons than one would have otherwise had to regret one's own life. Moreover, as we will see in (C.3), it is as capable of providing as good a resolution to HIP as any other naturalistically oriented moral philosophy.

(C.2) Nietzsche's 'Megalomaniacal' Solution

In the *Nicomachean Ethics* Aristotle warns against the twin vices of envy and malevolence (1108b). While the envious person suffers when others are well off because they are well off, the malevolent person takes pleasure when others are badly off because they are badly off. In each case there is an inverse correlation between happiness for the one and suffering for the other. But, in addition, there is also a causal relation in which the happiness (or suffering) of the one *explains* the suffering (or happiness) of the other. In other words, the correlation isn't accidental because, counterfactually, if the one hadn't been happy (or suffered), the other wouldn't have suffered (or been happy).³⁷⁸ In consequence, one might think that if there is something morally dubious about life affirmation, it is not because it requires malevolence in this sense. After all, one might think, someone who affirms life despite its horrific preconditions needn't affirm life because it has those preconditions.

However, Nietzsche begged to differ. For Nietzsche, to affirm one's life it wasn't sufficient that one could affirm its preconditions *on balance*. This would be compatible with regretting that one's life didn't have better preconditions, whereas he felt that one *also* had to affirm the fact that it couldn't have come about any other way. As he puts:

(qua regretting that the alternative course of history, in which neither he nor the Holocaust are present, was physically possible and actualized), be glad that he came into being and thereby adopt a frighteningly indifferent attitude to the suffering and horrors of the Holocaust, or adopt an even more extreme form of megalomania according to which a superior alternative course of in which he is absent isn't even metaphysically possible.

³⁷⁸ Unless some other happy or suffering individual made an appearance.

“My formula for greatness in a human being is *amor fati*: that one wants nothing to be different, not forward, not backward, not in all eternity. Not merely bear what is necessary, still less conceal it – all idealism is mendaciousness in the face of what is necessary – but *love* it (EH-II:10).”³⁷⁹

For Nietzsche, life was characterized by what he called the ‘will to power’:

“Above all, a living thing wants to *discharge* its strength – life itself is the will to power (BGE:13)”;

“life itself is essentially a process of appropriating, injuring, overpowering the alien and the weaker, oppressing, being harsh, imposing your own form, incorporating, and at least, the very least, exploiting (BGE:259)”.³⁸⁰

It is difficult to see how loving the horrors of human history as such could be anything other than malevolence, in Aristotle’s sense of the term. Moreover, it is difficult to see how one can love what Nietzsche views as the essence of life whilst maintaining a commitment to moral standards. For Nietzsche, there was therefore no life-affirming alternative to adopting immoralism (BGE:226), the view that moral standards are non-binding (WP:6). As he put it:

“There are [immoralist] heights of the soul from whose vantage point even tragedy stops having tragic effects; and who would dare to decide whether the collective sight of the world’s many woes would *necessarily* compel and seduce us into a feeling of pity, a feeling that would only serve to double these woes? (BGE:30)”³⁸¹

On his view, while one might get ‘seduced’ into such a downward spiral of pity, it is avoidable (‘unnecessary’).

Of course, in day to day life the main inducement to pity is not the woes of the past but those of the present, and this is one reason that Nietzsche resisted the kind of ethos of solidarity recommended by Mill’s Feedback Thesis (Chapter 3.C.3). After all, if the Feedback Thesis models the way in which our mutual sympathies can generate a virtuous spiral of mutual welfare enhancement when things are going well, wouldn’t QLH Pessimism imply that the this mechanism will actually generate a vicious downward spiral of mutual welfare reduction? In other words, if the happy tune into the overwhelming suffering in the world, and ‘take it on’ to use Williams’ phrase from (B.2), won’t their capacity for sympathy drag their welfare down to the level of those who suffer?

³⁷⁹ TI-(‘Ancients’:2); EH-(P:2, II:10); cf. Hegel-(1991b/p.39). While the quotation deals with the conditions of greatness rather than life affirmation, Nietzsche makes clear that only great people can really affirm life (i.e. affirm it as it really is).

³⁸⁰ BGE-(II:36); GM-(II:12)

³⁸¹ HAH-(I:33)

Another reason that Nietzsche embraced immoralism was that he felt that the genealogy of morals reveals that such levelling down is precisely the point of morality. In other words, he took the genealogical source of moral sympathy to lie in a sentiment closely related to (what Aristotle called) envy, namely, ‘ressentiment’. For Nietzsche, those whose lives are so bad that they cannot authentically affirm them often become:

“men of resentment, a whole, vibrating realm of subterranean revenge, inexhaustible and insatiable in its eruptions against the happy, and likewise in masquerades of revenge and pretexts for revenge (GM-III:14)”

In other words, their inability to affirm their own lives can make them resentful of the good fortune of those who can. The existence of the latter heightens the former’s dissatisfaction with their lives and makes them want to lash out and drag them down to their own level.³⁸²

This led Nietzsche to ask:

“when will they actually achieve their ultimate, finest, most sublime triumph of revenge? Doubtless if they succeeded in shoving their own misery, *in fact all misery*, on to the conscience of the happy: so that the latter eventually start to be ashamed of their happiness and perhaps say to one another: ‘It’s a disgrace to be happy! There is too much misery!’ . . . But there could be no greater or more disastrous misunderstanding than for the happy, the successful, those powerful in body and soul to begin to doubt their right to happiness in this way (GM-III:14).”³⁸³

In other words, rather than openly articulating their envy of those who live well, the miserable translate the truth of the negativity of their *own* lives into (what Nietzsche took to be) the falsehood of the negativity of the world as such (Global Nihilism).³⁸⁴ From here the hollow complaint that one person has no right to be happy when another is not, is thus shifted into the moralized, and purportedly impartial, claim that one person’s happiness is wrong when it depends upon the misery of others.³⁸⁵

³⁸² In BGE-(222) Nietzsche claims that self-hatred can transform itself into hatred for those are worthy of their own self-love.

³⁸³ My italics.

³⁸⁴ Although Nietzsche notes that in the Platonic and Christian cases the bad world is contrasted with the perfect world of God or the Forms. In this case, the axiological judgment that the world is intrinsically bad overall may not translate into a verdict that it would have been better if it hadn’t existed, as the world may play some instrumental role in realizing the goodness of the *other* world or ‘the beyond’. See (TI-‘Problem’:6, GS:344, 372, WP:196).

Nietzsche worried that at the politico-economic level the happy might find themselves bamboozled into feeling guilt whenever they encountered people worse off than themselves (BGE:44).³⁸⁶ He saw that for the men of resentment to be able to shift their envy-induced pain to malevolence-induced pleasure, the happiness of the fortunate must be induced to morph into regret, or guilt for the lack thereof, until they are induced into the misery of regretting and feeling guilty for their own existence (GM-III:14). Nietzsche posited a religious mechanism through which people could come to take on such unpayable ‘debts’ (GM-II:21-2). However, it is worth noting that for the happy to take on the responsibility for ‘*all misery*’ in a *secular* context, awareness of the Historical Identity Problem might constitute an alternative, by revealing the fact that the happy can only be so due to all of the misery that occurred in the past.

While Nietzsche suggested that the fortunate should adopt a tough-minded egoism (BGE:265), it does not follow that his own implicit response to the Historical Identity Problem is best characterized as opting for the horn of *selfish* life affirmation.³⁸⁷ By unpacking the psychological mechanism by which people can shift from Individual Nihilism with respect to their own lives to ‘condemning’ the world as such and becoming Global Nihilists, Nietzsche saw that one way to justify life affirmation was to reject the axiological standard relative to which the mass misery of the world is a disvaluable cause for regret. More specifically, he felt that he needed an axiological standard which would allow him to declare that:

³⁸⁵ Of course, from a moral perspective, the form which such a dependency takes may be extremely important. Nietzsche highlights the way in which the moral mindset gradually expands the criteria relative to which people can be condemned as guilty until we end up feeling guilty in the light of the forms of dependency highlighted by the HIP. Conversely, in Chapter 7 we will see how Nietzsche uses the heightened existential sense of the metaphysical dependency of one’s happiness upon *historical* horrors to weaken one’s ethical sense of the significance of the fact that one’s happiness depends upon *present* miseries and injustices, including those in which one is directly implicated.

³⁸⁶ Note that it could be true that the self-cultivation which generated one’s happiness could have been dependent on one’s wronging others, without their misery being dependent on being thus wronged. As we will see in Chapter 6 (A.4), Nietzsche defends the exploitation of the masses by an elite of higher types in the name of improving the former. However, he also denies that the latter would have had a particularly meaningful or pleasant existence were it not for that exploitation.

³⁸⁷ Nietzsche doesn’t refer to Mill’s Art of Life but makes claims to the effect that Mill’s ‘moralism’ undermines the Machiavellian self-interestedness required for greatness (WP:772, 925).

“The extent of an ‘advance’ is even measured according to the scale of sacrifice required; the mass of humanity sacrificed to the flourishing of a single stronger species of man – now that would be progress (GM-II:12).³⁸⁸

For Nietzsche, this didn’t just mean rejecting Normative Hedonism, which he saw necessitated Global Nihilism, but any other (Dis)Value Pluralist axiology which includes suffering within its remit (BGE:225). After all, once suffering is recognized as an intrinsic bad, it can seem that Global Nihilism is unavoidable because no candidates for intrinsic goods can come close to outweighing all of the suffering in the world.³⁸⁹ In addition to eliminating suffering as a source of intrinsic disvalue, Nietzsche maintained that the only thing which had real positive worth was the emergence of extraordinary individuals (SE:164-5).³⁹⁰

With this perfectionist axiological standard in place, he was then able to make the following political proclamation:

“the essential feature of a good, healthy aristocracy is that it does *not* feel that it is a function (whether of the kingdom or of the community) but instead feels itself to be the *meaning* and highest justification (of the kingdom or community), – and, consequently, that it accepts in good conscience the sacrifice of countless people who have to be pushed down and shrunk into incomplete human beings, into slaves, into tools, all *for the sake of the aristocracy*. Its fundamental belief must always be that society *cannot* exist for the sake of society, but only as the substructure and framework for raising an exceptional type of being up to its higher duty and to a higher state of *being*. In the same way, the sun-seeking, Javanese climbing plant called the *sipo matador* will wrap its arms around an oak tree so often and for such a long time that finally, high above the oak, although still supported by it, the plant will be able to unfold its highest crown of foliage and show its happiness in the full, clear light (BGE:258).”

Here we see the subtle shift from claiming that one can be justified in experiencing a life affirming happiness *despite the suffering of others*, to the claim that one can be justified in imposing suffering on others as a means to attaining a happy life worthy of affirmation.

³⁸⁸ Setting himself at odds with the idea that all of the suffering is just senseless he continues: “I emphasize this central perspective of historical method all the more since it is fundamentally opposed to the prevailing instincts and tastes of the time, which would rather accommodate the absolute arbitrariness, even the mechanistic senselessness of all that happens”. Cf. Mill’s comments on the recklessness of nature cited in (A.5) above.

³⁸⁹ This point is elaborated upon in Chapter 7. Nietzsche also felt that he had to refute the Kantian idea that persons have a noumenal self. One reason for this was that he felt that this idea devalued the real, physical self. See TI-(‘Errors’:8). However, it is also worth noting that if people have a dignity, the constant violation thereof could also devalue the world.

³⁹⁰ Z-(Prologue:3)

We can return to these politico-philosophical claims in Chapter 6. What matters for the moment is that Nietzsche doesn't simply think that these higher types are the meaning of a *community*. As he says elsewhere: "the superman is the meaning of the *earth* (Z-Prologue:3)." In consequence, they can affirm life without regret because *they* falsify Global Nihilism, and *they* make the horrors included in the conditions of the possibility of their existence worthwhile. To affirm life thus is effectively to manoeuvre one's way around the Historical Identity Problem by grasping what I called the 'megalomaniacal' horn of it trilemma, although Nietzsche would clearly have denied the legitimacy of that label.

(C.3) De Re Potential for Life Affirmation in Mill's Utilitarianism

In *The Gay Science* Nietzsche offers the following thought experiment:

"The heaviest weight.—What if some day or night a demon were to steal into your loneliest loneliness and say to you: 'This life as you now live it and have lived it you will have to live once again and innumerable times again; and there will be nothing new in it, but every pain and every joy and every thought and sigh and everything unspeakably small or great in your life must return to you, all in the same succession and sequence—even this spider and this moonlight between the trees, and even this moment and I myself. The eternal hourglass of existence is turned upside over again and again, and you with it, speck of dust!' Would you not throw yourself down and gnash your teeth and curse the demon who spoke thus? Or have you once experienced a tremendous moment when you would have answered him: 'You are a god, and never have I heard anything more divine.' If this thought gained power over you, as you are it would transform and possibly crush you; the question in each and every thing, 'Do you want this again and innumerable times again?' would lie on your actions as the heaviest weight. Or how well disposed would you have to become to yourself and to life *to long for nothing more fervently* than this ultimate eternal confirmation and seal? (GS:341)"

For Nietzsche the true test of one's capacity to affirm life is one's capacity to will its eternal recurrence. This includes the eternal recurrence of its preconditions, and hence the preponderance of suffering which preceded one's existence. For the advocate of QLH Pessimism, this would amount to creating a world of which Global Nihilism (hedonistically construed) is true over and over again ad infinitum.

Nietzsche's thought experiment can be criticized on a number of grounds. For example, unless life really does eternally recur, in which case Nietzsche would be offering a metaphysics of immortality rather than a mere thought experiment, why can one only affirm one's *actual* life by willing its eternal

recurrence?³⁹¹ That is, why is it not enough to affirm it once, as it is in the real world?³⁹² Moreover, it is not even clear why affirming its eternal recurrence should be harder than affirming it as it is. If we were to live and die, only to be eternally cast back into the same original life conditions, with the same options and constraints that we had the first time around, life might no doubt become boring or frustrating *after a while*.³⁹³ However, our inability to affirm each and every one of those lives in succession would not imply an inability to affirm any one of those lives in particular, as the accumulated memory and experience across lives would make each of them unique. In contrast, if it were literally the same life that was repeated over and over again with “nothing new in it”, each one would be lived as if it had never been lived before, so the recurrence of the life would be irrelevant to one’s capacity to affirm it *as it is lived*.

Setting aside further possible criticisms, our task is to consider a variation on this thought experiment which is designed to allow us to see the form of life affirmation that is open to Mill, on the assumption that he is committed to QLH, and hence QLH Pessimism and Global Nihilism.³⁹⁴ Of particular interest is the question of whether Mill’s Utilitarian conception of morality implies that life affirmation in the light of the Historical Identity Problem requires one to adopt an immoralist position. In the new thought experiment the demon offers you the opportunity, not to opt for the eternal recurrence, but to cancel global history, thereby undoing the creation of the negative global hedonic balance. In so doing one would, of course, also be cancelling out the preconditions of one’s own existence, and of the life which one considers worth living. In other words, one would be offered the option to undo all of the evils, horrors, and suffering of the past at the price of wiping out *all* of the past, the present, and the future as such.

We have seen that if Global Nihilism (hedonically construed) is true then (i) the past was sufficiently bad to ensure that no amount of good which will occur in the future will be able to create a positive

³⁹¹ For a discussion of the eternal recurrence as a cosmological thesis, see Nehamas-(1980).

³⁹² Cf. Nietzsche on the importance of affirming life as it really is in (EH-II:10) quoted in (C.2) above..

³⁹³ Note that it could be exciting and interesting to be able to live your life in different ways many, many times, and yet for it also to be true that it would become boring or frustrating to do it forever.

³⁹⁴ For a brief discussion of the value of thought experiments, see Baggini-(2005/ix-xi).

global hedonic balance *across all time* (A.4), but (ii) this is compatible with there being a positive global hedonic balance, the temporal scope of which is restricted to the *future* (B.2). This means that, while choosing to cancel out earthly existence would preclude the possibility of building a positive future, it would nevertheless be optimal from a Utilitarian perspective, as the past which would be cancelled has a disvalue which outweighs the value of any possible positive future (naturalistically conceived).

Here the follower of Mill has two options, and three possible rationales for the options taken. Firstly, he could claim that he would have sufficient reason to refrain from affirming his life, and to cancel out existence, because it would be immoral to do otherwise under such conditions (Moral Life Negation). Secondly, he could claim that, while morality would require him to refrain from affirming life and proceed to cancel out existence, his *own interest* in living would provide him with sufficient reason to affirm life (Selfish Amoralist Affirmation).³⁹⁵ And thirdly, he could say that acting on his own interest in living, and affirming life, would not be morally impermissible in such conditions, even though his life is insufficiently valuable to make the world good from the impartial perspective (Moral Affirmation).³⁹⁶

We saw above that Nietzsche asks what attitude we would have if the thought of our answer to *his* demon “gained possession of you”, whether “it would change you as you are or perhaps crush you” like the “heaviest weight”? Similarly, then, we can ask what awareness of our answer to the *second* demon implies for the consistency of our real life attitudes. For instance, is our answer consistent with gladness to be alive, or should it leave us living with regret? Is our answer consistent with concern for those who suffer in the present, or would it render such concern fraudulently hypocritical? In other

³⁹⁵ Why is this person an amoralist rather than an immoralist? The moralist and immoralist both appeal to axiological standards which can provide us with reasons to act independently of our self-interest. However, the immoralist posits a standard which justifies actions sufficiently at odds with the range of competing standards which are normally thought of as customary or positive moralities, that she views her standard as an alternative to morality as such rather than an alternative conception thereof. Contra moralism and immoralism, the amoralist denies that there are any reasons for action beyond those stemming from self-interest. But like the immoralist, the amoralist thinks that self-interest can provide sufficient reason for acts which are sufficiently at odds with the range of competing standards which are normally thought of as customary or positive moralities, that she views her egoist form of practical reason as an alternative to morality as such rather than an alternative conception thereof.

³⁹⁶ Note that the megalomania option is unavailable once one accepts Global Nihilism because the latter implies that one’s life can’t make the world good on balance from the impartial perspective.

words, once we know what we think we would have sufficient reason to do and to feel in the hypothetical scenario, what do the principles and reasoning which inform our answer tell us about what we have sufficient reason to do and to feel in real life?

The case of Moral Life Negation is relatively simple, and it is easy to see why a follower of Mill would think that she has sufficient reason to opt for it. After all, even if Mill's Utilitarianism implies that the optimal act is generally supererogatory, one might think that the level of utility at stake is so large, that anything other than rejecting life would be morally reprehensible, and hence incompatible with an Art of Life in which Morality has the first of the virtues. Having made this judgment, we would have to conclude, not only that it would have been better if the world (and hence we) had not come into existence, but it would have been better if we had actually been placed in the hypothetical position, and presented with the demon's offer. If we then found ourselves feeling glad that we were not put in such a difficult situation because it meant that we could live, it would be difficult to conclude that we weren't glad that the horrors that preceded us occurred, so that we might live.

However, one could concede that someone who took this position would have sufficient reason to take gladness and non-regret to be alive to be wrong, and hence sufficient for guilt, without conceding that someone who took this position would have sufficient reason to *constantly dwell* on the fact that his existence is regrettable. Moreover, an individual who took this position could also think that, *given* the regrettable existence of his life, there is still sufficient reason to be glad that it *came* to have this or that feature. Since most forms of gladness falling short of life affirmation would continue to be intelligible with this scope restriction in place, the Moral Life Negator would not be committed to the kind of all-encompassing regret and guilt which Nietzsche associates with the worst forms of 'morality'. As such, the Moral Life Negator could view such all-encompassing guilt and regret as pathological, rather than a logical extension of his axiological and moral worldview.

Next we can consider the case of Selfish Amoralist Life Affirmer. Recall that this person is 'selfish' rather than 'megalomaniacal' because he acknowledges that his own welfare isn't enough to justify his life affirming answer to the demon from the impartial axiological perspective. Having disavowed Morality *in his hypothetical encounter* with the demon, the weight he must now carry is that of

disavowing Morality *in real life*, for he now knows at heart that he thinks that there are no reasons for action which do not further his interests, and that his Art of Life is exhausted by Prudence and Nobility. This frees him from a belief in wrongdoing, and hence guilt, whether this be guilt for his hypothetical answer to the demon, or harming others in real life. While this person may still feel concern for those in his immediate social circle, he will be cognizant of the instrumental nature of that concern, and thereby cut off from the psychology recommended by Indirect Hedonism, and the welfare enhancing mechanisms mediated by mutual sympathies, as described by the Feedback Thesis (Chapter 3). After all, in disavowing morality, without replacing it with an alternative immoralist standard, he has disavowed any claims on him by the general welfare or impartial perspective as such, and has thereby forgone the sources of meaning born of caring for a project which transcends his self-interest.

Finally, we can consider the case of the Moral Affirmer. To claim that it would be morally permissible to bring into being all of the horrors of the past in order to allow oneself to live, is to claim that the primacy of the Morality component in one's Art of Life is compatible with affirming acts which aren't simply suboptimal but also overwhelmingly negative in their consequences. However, this possibility is already implied by Mill's Wrongdoing Principle (Chapter 2). After all, if wrongness implies sufficient reason for punishment, the narrow range of cases, in which someone both acts with negative consequences *but there is no (deterrent or preventive) value in punishment*, will not be considered cases of wrongdoing. In the case of the thought experiment at hand, the individual is effectively put in the position of a god at the moment of creation. Since no good would come of guilt for creating the world despite its being overwhelmingly bad on balance, Mill's Wrongdoing Principle implies that it will not be wrong to bring it into being.

For a Moral Affirmer of this sort, the 'heaviest weight' would consist of (i) living with the awareness of the extent to which he would be willing to sacrifice the good of historical others for his own interests (or Prudence), on the hand, and the possibility of promoting lives of higher pleasures (or Nobility), on the other; while (ii) resisting any collapse of his mindset into Amoral Selfish Affirmation or Noble Immoralism. This challenge would involve reconciling extreme partiality with

respect to the interests of previous generations, with a willingness to act with much greater impartiality with respect to those who are already living, or may come to live in the future. It would also probably need to involve reconciling his partial life affirmation with a willingness to give up his life for a good enough cause. A reconciliation of the latter sort might seem impossible, as Global Nihilism implies that whatever utility is bound up in such a sacrifice would pale in comparison to the disutility which would have been avoided if the world hadn't come into being. However, one foundation for a reconciliation may lie in the fact that Utilitarianism is a theory of the good life first and morality second, and hence Utilitarian morality must be a component of the good life rather than an ascetic denial thereof (see Chapter 2.F).

The Feedback Thesis tells individuals that they are best off cultivating their capacities for excellence in ways that promote the good of others out of concern thereof. Mill's Indirect Hedonism points to the fact that for that concern to be genuine we must care for others in their own right, not simply because we view this concern as a means to helping ourselves. However, insofar as our practical reasons ultimately flow from the imperative to live a good life, the reasons we have to feel concern for others are bounded by the facts about when concern will serve our well-being. If concern for antecedent generations would translate into reasons to undo one's life, as in the hypothetical demon scenario, the Moral Affirmer could maintain that the imperative to *live* well will veto any reasons we have for such concern. In so doing, they could also veto reasons for regretting that we came into existence, even though this was sufficient for the existence of a disvaluable world.

This outlook can be reconciled with a commitment to engage in genuinely moral self-sacrifice provided that (a) cultivating a character that is willing to make such sacrifices in life is good for the agent in question (i.e. provided that the primacy of Morality in the Art of Life is compatible with enlightened Prudence), and (b) one cannot cultivate such a character without actually making the sacrifices that someone with that character would be disposed to make when they are called for in life.³⁹⁷ Here the cultivation of moral dispositions is not a reflection of life-denying asceticism but of life-affirming welfare-optimization. One has to live in order to live well, so if living well involves

³⁹⁷ Just as one cannot enjoy the benefits of love or companionship with opening oneself to the possibility of suffering from their loss or withdrawal.

being willing to sacrifice one's life or interests for moral reasons under certain conditions, on the one hand, but those moral reasons are subordinate to the imperative to live well, on the other, one could have sufficient moral reason to act in a way that will bring about the *end* of one's life without having sufficient moral reason to prevent the *beginning* of one's life, even if the latter sacrifice would yield a greater outcome from the impartial perspective.

When Utilitarian morality is bounded by, and hence presupposes, an Art of Life requiring such life affirmation, it is sealed off from some of the pathological forms of moralism and asceticism that Nietzsche and Williams associated with it. However, much more needs to be said about whether a Utilitarianism of this form can really provide the kinds of constraints that we associate with conventional morality. In the next chapter we will see how rationally reconstructing Mill's political philosophy along Global Nihilist lines actually strengthens its capacity to defend human rights of almost deontological strength.

Chapter 6

Rational Reconstruction:

Perfectionist Liberalism with Pessimistic Foundations

“He who has learnt what beauty is, if he be of a virtuous character, will desire to realize it in his own life—will keep before himself a type of perfect beauty in human character, to light his attempts at self-culture. There is a true meaning in the saying of Goethe, though liable to be misunderstood and perverted, that the Beautiful is greater than the Good, for it includes the Good, and adds something to it: it is the Good made perfect, and fitted with all the collateral perfections which make it a finished and completed thing.”

John Stuart Mill, *Inaugural Address Delivered to the University of St. Andrews*, 1867

Introduction

Having employed the methods of de dicto and de re interpretation in the preceding chapters it is now time to conclude with a piece of rational reconstruction. In the introductory chapter we saw that this will require us to apply the Reconstruction Principle:

\ Ceteris paribus, a rational reconstruction of a system should aim to:

- (a) make the reconstruction as philosophically plausible as possible (Plausibility Condition), while
- (b) changing as few of the system’s core *premises*, and retaining as many of the system’s core *conclusions*, as possible (Parsimony Condition).

Chapter 5 yielded four key findings which will be extremely relevant for determining how to proceed with our reconstruction in the light of this principle:

- (i) Mill has de dicto commitments to both endorsing and opposing QLH Pessimism, and hence Global Nihilism.
- (ii) The subset of Mill’s claims which come closest to rendering his de dicto commitments explicit are those which imply opposition to, rather than endorsement of, QLH Pessimism, and hence Global Nihilism.

- (iii) Mill's commitment to QLH along with Naturalism (or the denial of an after-life) also generates a de re commitment to QLH Pessimism, and hence Global Nihilism (Chapter 5.A).
- (iv) At least some of the reasons that one might take QLH Pessimism and Global Nihilism to be objectionable are merely *prima facie* (Chapter 5.B).

Since a contradictory system is implausible, finding (i) shows that Mill's system should either be rejected or rationally reconstructed. In opting to engage in a rational reconstruction, which is to say, in opting to apply the Reconstruction Principle, the first goal will be to satisfy the Plausibility Condition by making the system more plausible qua non-contradictory. This means making it either exclusively supportive of, or exclusively opposed to, QLH Pessimism, and hence Global Nihilism.

When we consider findings (i-ii) in isolation, the Parsimony Condition might *seem* to support rationally reconstructing the system in such a way as to make it consistently opposed to QLH Pessimism, and hence Global Nihilism. After all, if we think of Mill's system as principally moral, political, and epistemic in nature, and take his claims about religion to be relatively peripheral, one might think that we could extract the pessimistic claims about the levels of suffering in the world from the latter, and thereby eliminate the de dicto commitments to QLH Pessimism, without tinkering much with the core premises and conclusions of Mill's moral, political, and epistemic philosophy.

However, in Part A of this chapter, in which we explore the possibility and problems of reconstructing Mill's system so as to render it consistently opposed to QLH Pessimism and Global Nihilism, we will see that this is far from being the case. A key reason for this stems from finding (iii) above. If Mill's de dicto commitments to QLH and Naturalism generate a de re commitment to QLH Pessimism and Global Nihilism, very little can be achieved by extracting out the pessimistic de dicto claims from the religious writings from his system. After all, whilst such editing could generate a consistent de dicto system, the de re commitment to QLH Pessimism would remain, and hence the philosophical plausibility of Mill's system would *continue* to rest on the plausibility of QLH Pessimism.

In consequence, a rational reconstruction of Mill's system which claims that the Plausibility Condition can only be met if its de re commitment to QLH Pessimism is eliminated, will have to reconstruct the system in such a way as to eliminate either its commitment to Naturalism or QLH as such. In (A.1) we note that, while one might rationally reconstruct Mill's system in an Anti-Naturalist way, to do so would be highly *unparsimonious* as it would require one to abandon his empiricism, and highly *implausible*, as it would require one to defend some kind of supernaturalism.

Similarly, while it might be slightly less *unparsimonious* to rebuild Mill's system without QLH, and this would leave the system lacking a de re commitment to QLH Pessimism, it is far from clear that this would suffice to avoid the generation of a de re commitment to Global Nihilism, as alternative axiologies are also prone to pessimistic implications. The main reason for this stems from the fact that any *plausible* axiology will treat suffering as an intrinsic bad, on the one hand, and plausible *pluralistic* axiologies posit a plurality of goods *and* bads, on the other. Given the enormous amount of suffering in the world, any plausible axiology will struggle to find enough countervailing goods to generate an Anti-Global Nihilist conclusion, especially since they will have to add further intrinsic bads to the intrinsic badness of suffering.

Lest this argument prove unconvincing, however, (A.2) begins the transition to addressing an opponent of these conclusions, who thinks that the Plausibility Condition requires one to reject QLH Pessimism, and hence Global Nihilism, and that one can achieve this without rejecting either QLH or Naturalism. The rest of Part A is then devoted to showing that, whilst this position might be parsimonious in terms of retaining QLH and Naturalism, it would be deeply unparsimonious in terms of generating a political philosophy very much at odds with Mill's own system. Moreover, since this new position is less plausible than Mill's own, this counts against reconstructing Mill's system so as to render it consistently opposed to QLH Pessimism, and hence Global Nihilism.

(A.3) begins the argument by examining Mill's formal Utilitarian theory of justice and rights, with a view to showing that, when considered in isolation from his liberal political philosophy, it leaves the door open to forms of class conflict and social tyranny which are morally permissible qua utility maximizing. (A.4) then completes the argument in three steps. Firstly, by drawing out the parallels

between the said position, and Nietzsche's aristocratic radicalism, according to which it is legitimate for a cultured minority to impose slavery on others in order to enable themselves to live the highest forms of life. Secondly, by showing that if Mill were a QLH Optimist, he would effectively be committed to supporting a variation on this Nietzschean position. After all, he would be committed to claiming that, since the highest pleasures associated with higher culture are of a higher quality than the highest pains associated with insecurity, it would be permissible to impose the latter on some in order to allow others to realize the former. And thirdly, by showing that Mill's debate with Carlyle on *The Negro Question* reveals, not simply that he resisted the politico-philosophical conclusions of this position, but his rationale for doing so depends upon QLH Pessimism, and hence Global Nihilism, because he claims that the highest priority should be to prevent the high pains of insecurity.

At this point those who resist QLH Pessimism, and hence Global Nihilism, might wish to scrap Mill's system altogether. However, finding (iv) from Chapter 5 above suggests that QLH Pessimism and Global Nihilism are not nearly as implausible as one might initially think, and hence rationally reconstructing Mill's system around them need not automatically preclude us from satisfying the Plausibility Condition. In Part B we therefore set about rationally reconstructing Mill's system along these lines with a view to showing that this can also be done while satisfying the Parsimony Condition. In the course of doing so we see that treating Mill as a consistent QLH Pessimist, and hence Global Nihilist, allows us to mark out the axiological contours of his political philosophy with remarkable precision.

(B.1) sets out to show that once we opt to rationally reconstruct Mill as a QLH Pessimist who takes the highest pains to be born of insecurity we re-expose the new system to the Global Mediocrity Objection discussed in Chapter 5 (A.3). That is, if Mill takes the elimination of insecurity to be the first priority, one might object that this means that he is committed to the allegedly repugnant conclusion that a world of universal security but mediocrity is preferable to a world of insecurity for some and high culture for others. However, we see that far from being a new problem, it is one which Mill considered, not at the level of fundamental axiology, but at the level of the axiological trade-offs involved in the transition between old and new social forms. For instance, we see that Mill was deeply

concerned that the rise of democracy would coincide with collective mediocrity. Moreover, we see that this danger raises a challenge to Mill's theory of meaning in life discussed in Chapter 3 (C.5). After all, to acquire meaning by working for the good of others, one must deem the latter worthy of one's solidarity, and this can be blocked in a world of 'last men'.

Nevertheless, the fact that Mill views the central cause of mediocrity to be commercialism rather than democracy, on the one hand, and sees no solution to this problem stemming from the 'idling' aristocracies of Europe, led him conclude that there was no solution to the problem based upon trying to reinstitute a much more hierarchical political system. In contrast, he felt that the solution lay in somehow reconciling the security that could attend commerce, and the gradual drift towards democracy and socialism, with a more elevated culture. Here the main goal was to ensure that the rising wealth could allow for the replacement of the leisure *class* with a leisure *population*, which is to say a population that had to work but had enough leisure time to simultaneously pursue higher culture, while using the resources of the state to promote that pursuit by encouraging people to feel discontented with passivity and lack of cultural advancement.

(B.2) then engages in a more concrete exploration of how Mill's institutional recommendations are supposed to achieve that end. Since Mill conceives of the Art of Life to be aimed at happiness; takes happiness to be achieved through a balance between Prudence, Nobility, and Morality; and conceives Morality as aimed at promoting the happiness of others; it follows that the Art of Life involves acting in prudential and noble ways to help others become artists of their own lives. The Art of Politics, which is subordinate to the Art of Life, is thus to promote people's capacities to become artists of their own lives using political means delivered by Political Science.

(B.2.A) focuses on the way in which Mill's defense of representative democracy and market socialism is designed to achieve this end, while reflecting the axiological priority of promoting security first and higher culture second. We see that representative democracy with universal suffrage is designed to provide everyone with self-protection and self-dependence with respect to the government, and workers cooperatives are designed to do the same with respect to capitalists. Mill's modifications to representative democracy, including proportional representation and plural voting for the educated,

are then designed to allow the educated elite to limit the levelling effects of these transitions, by empowering them to use the state to promote higher culture, or Nobility, and to block a transition to communism. Nevertheless, while these modifications limit the power of the mass to control national politics, they are also designed to afford people the opportunity to cooperate together in work and local politics, thereby developing the Prudential and Moral parts of their nature.

(B.2.B) then turns to the liberal framework in which Mill claims his democratic socialism should be embedded. We see that Mill's Harm Principle can be understood to supplement the Injustice Principle of Chapter 2, with the latter treating a moral rights violation as providing a sufficient condition for moral or legal coercion, and the former treating such a violation as a necessary condition of such coercion. Since the Harm Principle only applies to societies deemed 'civilized', it effectively serves to narrow the scope of moral and legal coercion in people's lives, by rendering it impermissible except in the name of justice. The rights in question are in turn defined as the positive and negative rights required for mutual autonomy. The positive rights entitle people to the cooperation of others in the maintenance of the state and its productive economy, and the negative rights entitle people to protection from being subjected to moral or legal coercion for the mere act of expressing one's individuality in the realms of thought, speech, taste, action and association. We see that the right to the absence of such social coercion (or blame) means that those who engage in it are themselves to be subjected to such social coercion (or blame). In other words, morality is to be used to *protect* rather than *punish* self-regarding action. However, this leaves room for moral self-policing of non-harmful acts, on the other one hand, and the application of the non-punitive norms of praising and shaming, on the other. In the latter case, while we may not blame people for acting in contemptible ways, we can point to their non-moral flaws with a view to inducing them to improvement. In this way freedom from the axiological evils of insecurity and social tyranny are reconciled with the axiological good of promoting higher culture. (B.3) then concludes by providing an alternative reconstruction of Mill's 'proof' of the Utility Principle, which locates and modifies the rationale thereof within the context of Mill's conception of the Art of Life, and shows how it can be extended to provide a further proof of Mill's key conclusions in the realm of Political Art.

(A) Rationally Reconstructing Mill as an Optimist and Anti-Global Nihilist

Before rationally reconstructing Mill as a consistent proponent of QLH Pessimism we will explore the problems associated with the project of rationally reconstructing him as a consistent opponent thereof.

(A.1) Attaining Axiological Optimism through rejecting either Naturalism or Qualitative Hedonism

Since QLH and Naturalism lead to QLH Pessimism, and hence Global Nihilism (Chapter 5 (A.4-5)), a rational reconstruction which sought to avoid Global Nihilism would have to abandon either QLH or Naturalism. The basic moves that one would make if one were to take the Anti-Naturalist option are clear enough. If one posits supernatural pleasures in the afterlife which outweigh the pains of this world, one could accept QLH Optimism and hence Anti-Global Nihilism. The main problems in rationally reconstructing Mill's system in this way would lie in dealing with the general metaphysical and epistemological objections to Anti-Naturalism, most forms of which depend on some form of supernaturalism or theism. Since these objections are especially difficult to disarm if one accepts Mill's empiricism, a non-naturalist rational reconstruction would also have to equip the system with a different epistemology.³⁹⁸ These are viable options in principle but are too demanding to be explored here. Moreover, there are good reasons for thinking that a supernaturalist reconstruction of Mill's system would fail to meet the Plausibility Condition, and that an anti-empiricist reconstruction of Mill would fail to meet the Parsimony Condition.³⁹⁹

Alternatively, a rational reconstruction of Mill's system which sought to retain Mill's Naturalism and Empiricism while rejecting Global Nihilism, could achieve this consistently by rejecting QLH. Given the sheer quantity of suffering in the past, on the one hand, and the fact that adopting QNH in place of QLH would render the new system vulnerable to the Global Mediocrity Objection (Chapter 5.), on the other, a rational reconstruction which aimed to avoid both the Global Nihilism and Global Mediocrity Objections would need to replace QLH with a non-hedonistic axiology.

³⁹⁸ For accounts of Mill's system which foregrounds its empiricism, rather than its moral and political philosophy, see Ryan-(1987) and Skorupski-(1989). The latter discusses the question of the consistency of Mill's naturalism with his particular form of empiricism in Chapter 7.

³⁹⁹ For some of the difficulties involved in providing a rational defense of theism see Mackie-(1985).

There are more non-hedonistic options than we can possibly survey here, so we will restrict ourselves to outlining the considerations which make the rejection of Normative Hedonism far from sufficient to avoid Global Nihilism. In showing why many plausible axiologies will have Global Nihilism as an implication, we will weaken the case for thinking that QLH is objectionable *because it carries this implication*, and thereby weaken the case for thinking that Mill is best rationally reconstructed in an Anti-Global Nihilist manner. That is, by showing that other plausible axiologies are also likely to support Global Nihilism, we will show that those who resist QLH Pessimism because they deem Global Nihilism implausible, may not find it very easy to find an alternative axiology that doesn't also imply Global Nihilism.

If one is seeking an optimistic evaluation of the world that is constrained by naturalistic metaphysics and an empiricist epistemology, there are three principles which need to be born in mind:

- (1) Ceteris paribus, the greater the number of kinds of intrinsic 'goods' the greater the amount of goodness that there will be in the world.
- (2) Ceteris paribus, the greater the number of kinds of intrinsic 'bads' the greater the amount of badness that there will be in the world.
- (3) Ceteris paribus, a reason to recognize x as an intrinsic good (or bad) will generate a reason to recognize the opposite of x as an intrinsic bad (or good).

(1) tells us that, ceteris paribus, a Value Pluralist axiology is likely to posit more intrinsic good in the world, and hence be less likely to lead to Global Nihilism, than a Value Monist axiology. After all, if Mill were wrong to think that *the only reason that virtue is valuable is that it is pleasurable* because *virtue is also intrinsically good in its own right*, the intrinsic value of the virtue would supplement the intrinsic value of its pleasurableness, thereby leading to greater intrinsic value overall.⁴⁰⁰ Conversely, (2) tells us that, ceteris paribus, a Disvalue Monist axiology (or even a Disvalue Nihilist axiology, according to which nothing has intrinsic disvalue) is likely to posit less intrinsic bad in the world, and hence be less likely to lead to Global Nihilism, than a Disvalue Pluralism axiology. After all, if Mill

⁴⁰⁰ Recall that when Mill speaks of treating the 'parts of happiness' as ends, he speaking psychologically rather than axiologically (see Chapter 3 (D.4)).

was wrong to think that *the only reason that vice is disvaluable is that it is conducive to causing suffering* because *vice is also intrinsically bad in its own right*, the intrinsic disvalue of vice would supplement the intrinsic disvalue of the suffering it causes, thereby leading to greater intrinsic disvalue overall.

Considered in isolation from (3), (1-2) suggest that the axiological system with the most promise of generating an optimistic evaluation of the world will combine Value Pluralism with Disvalue Monism (or even Disvalue Nihilism). However, (3) explains why such a position is likely to be unstable. After all, if there is sufficient reason to take virtue to be an intrinsic good, why would there be insufficient reason for taking vice to be an intrinsic bad? In the case of certain candidate intrinsic goods, such as knowledge, one might make the case that their opposite, namely ignorance, is the mere lack of an intrinsic good rather than the presence of an intrinsic bad. However, even if this is plausible in some cases, it will be less so in others, such as the dichotomies of love-hate, virtue-vice, or wealth-poverty.

Given this, one might try to argue that the problem with Normative Hedonism lies less in its (Dis)Value Monism than in its claim that pleasure and pain are *the* respective intrinsic good and *the* intrinsic bad respectively.⁴⁰¹ However, once one accepts (Dis)Value Monism it is far from clear that there is any plausible contender to Normative Hedonism. For instance, supposing that dignity were an intrinsic good, wouldn't the undeserved suffering of a creature with that status *also* be an intrinsic bad?⁴⁰² The critiques of Normative Hedonism that people have tended to find most compelling have targeted its Hedonistic Monism (the claim that pleasure is the *only* good and pain is the *only* bad) or its Hedonistic Universalism (the claim that *all* pleasures are good, and *all* pains are bad), rather than its claim that *some* pleasures are intrinsically good qua pleasures and *some* pains are intrinsically bad qua pains.⁴⁰³

⁴⁰¹ Skorupski-(1989/p.295-307) seeks to reconstruct Mill's system along value pluralist lines.

⁴⁰² Here it may be worth noting the apocalyptically nihilistic claim made by Kant in *The Metaphysics of Morals*: "if justice goes, there is no longer any value in human beings' living on the earth (6:332)."

⁴⁰³ For example, Nozick-(1974/p.42-5) famously critiqued Hedonistic Monism by arguing that, *ceteris paribus*, enjoyments based on veridical experiences are more valuable than those based on non-veridical experiences, and this is to be explained in terms of the intrinsic value of *veridical* experience. One worry about Nozick's thought

However, once one concedes that pleasures and pains would have to feature in the list of goods and bads of any reasonable version of (Dis)Value Pluralism, it becomes far from clear how a reasonably pluralist axiology will avoid Global Nihilism even if it manages to provide a rationale for recognizing a greater range of intrinsic goods and bads (contra (3) above). After all, the sheer quantity of pain and suffering in world history will continue to weigh extremely heavily upon the axiological scales, even if the world's pleasures are supplemented by the (supposed) intrinsic value of such things as virtue, knowledge, and love. Have we even achieved enough virtue or knowledge or happiness to have rendered the atrocities of the twentieth century worth the cost, let alone those of history as such? It is worth noting, moreover, that the problem would persist if we tried to combine Value Pluralism with the Normative Welfare Hedonism of Chapter 2 (C.1).⁴⁰⁴ On this view we would treat pleasure and pain as the only factors which increase or decrease (human) welfare, while maintaining that there are things besides welfare which have intrinsic (dis)value.⁴⁰⁵ As long as negative welfare constitutes a disvalue, the sheer amount of it in history would tend to drag down the overall value of the world into the negative.

Value Pluralists may, of course, be tempted here to try to escape from this problem by appealing to the supposed incommensurability of values and disvalues.⁴⁰⁶ However, to do so would not be to show that it is good that the world came into being, but rather to either deny that there is a fact of the matter, or that we possess grounds for judging one way or the other. In either of the latter cases, we would

experiment is that, on the one hand, the machine is supposed to provide us with experiences which are true to life, but on the other, the image conveyed is that of the machine's users 'watching' their pre-programmed life as it were a television program. One might retort that if the machine is really to be true to life, it must leave the participants to navigate their new world for themselves. However, once this is conceded, Nozick's suggestion that we cannot act in the machine seems far less obvious, as does his insistence that we should have anything other than an abstruse metaphysical concern as to whether our friends, family, etc., are ultimately made of (say) physical atoms or binary digits. Those who think that their friends and family are made of one should ask themselves whether it would make any difference to them if they suddenly discovered that they were made of the other. Cf. Bostrom-(2003).

For their part, desert theorists critique Universal Hedonism on the grounds that (say) undeserved pleasures are not good, or deserved pains are not bad. Cf. Aristotle's *Nicomachean Ethics* (1108b).

⁴⁰⁴ As defended by Crisp-(2006/p.100).

⁴⁰⁵ Cf. Berger-(1978/p.126)

⁴⁰⁶ For a critique of the idea of incommensurable values see Regan-(1997).

continue to lack grounds for the Anti-Global Nihilism which the abandonment of QLH was supposed to place within our reach.

(A.2) Attaining Anti-Global Nihilism through QLH Optimism

The preceding argument in (A.1) is by no means intended to suffice as a defense of Normative Hedonism, let alone QLH. Indeed, since QLH faces many objections besides the Global Nihilism Objection, one might want to replace it with an alternative axiology even if that alternative also led to Global Nihilism.⁴⁰⁷ All the preceding argument is intended to show is that, since many otherwise plausible axiologies may support Global Nihilism, the fact that QLH also carries this implication is insufficient to render it implausible.

Nevertheless, readers who were unconvinced by the arguments of Chapter 5 may deny that QLH leads to QLH Pessimism and thence Global Nihilism, on the one hand, and claim that it is, therefore, preferable to rationally reconstruct Mill by eliminating any pessimistic claims which lead one from QLH to Global Nihilism, on the other. In consequence, the next step of the argument in favor of rationally reconstructing Mill's system along Global Nihilist lines will be to show some of the problems that arise when one tries to combine QLH Optimism with Mill's moral and political philosophy. We will argue that, while the optimistic spirit of some of Mill's politico-philosophical claims may seem to be more consonant with QLH Optimism than QLH Pessimism, QLH Optimism would actually preclude Mill's Utilitarianism from serving as a foundation for his liberalism (thereby failing to satisfy the Parsimony Condition). With this conclusion established we will be able to turn to the task of rationally reconstructing Mill's system on purely Global Nihilist lines and showing how this approach is highly conducive to supporting Mill's political philosophy (thereby satisfying the Parsimony Condition).

⁴⁰⁷ The strongest objections can be found in Anderson-(1991). Anderson seems to be willing to concede that *reading Plato* is a higher pleasure than *eating dessert*. However, she will not concede that the former is lexically prior to the latter, on the grounds that she would be willing to sacrifice *some* Plato reading for *some* dessert. Note that Anderson constructs the counter-example in such a way that her opting for dessert takes place against the backdrop of an otherwise Plato-rich life. However, if we take Mill literally the choice should be between a life with as much dessert as Anderson would care to eat without having any Plato to read, and a life with a little Plato to read but no dessert. By this test, if Anderson goes for the Plato, she believes it is a higher pleasure, especially if it also attended by some discontent, such as a nagging longing for dessert.

(A.3) Optimality, Permissibility and Class Conflict

To make the case we can begin by considering Mill's Utilitarianism in isolation from the rest of his philosophy. In Chapter 2 (G-H) we saw that Mill's Utilitarianism implies that, from the perspective of the agent, the fact that the best (or optimal) act or policy may be supererogatory means that it is not necessarily right in the *threshold* sense of the term in which *not right* implies *wrong*. However, the optimality of an act or policy *is* sufficient for it to be right in the *superlative* sense, which implies that it is *not wrong* in the threshold sense, and hence *is* morally *permissible* in *any* Utilitarian sense of 'right'. In other words, the fact that Mill's Utilitarianism denies that either threshold-morality or justice always *requires* the maximization of utility does not mean that it ever *forbids* it. On the contrary, it implies that it may be even more morally praiseworthy than living up the standards of threshold-morality (which includes the requirements of justice).⁴⁰⁸

Likewise, supposing that the optimal policy is one which *requires* coercive action by the state, the fact that it may be supererogatory means that this coercive intervention is not necessarily a requirement of justice.⁴⁰⁹ However, the optimality of a policy *is* sufficient for it to be right in the superlative sense, which implies that it is not wrong in the threshold sense, and hence morally *permissible* in any Utilitarian sense of 'right'. In other words, the fact that Mill's Utilitarianism (as such) denies that either threshold-morality or justice always *requires* coercive state intervention when this is necessary and sufficient to maximize utility does not mean that it ever *forbids* it in such circumstances.⁴¹⁰ On the contrary, it implies that it may be even more morally praiseworthy than (non-coercive) state policies which *only* satisfy the requirements of justice.

We can formalize the preceding de dicto *implications* of Mill's Utilitarianism as follows:

⁴⁰⁸ Contra Lyons-(1976/p.283). See the conclusion for further discussion of the Rule Utilitarian interpretation of Mill according to which he forbids utility maximization when this would violate a secondary rule.

⁴⁰⁹ I.e. this is a case where the policy will only be optimal if it is implemented without coercion.

⁴¹⁰ As opposed to the liberalism that he builds upon utilitarian foundations.

The Permissibility Principle: if an act or policy, x , is the best (i.e. optimal, utility maximizing, superlatively right) then it is morally permissible (and maybe even morally meritorious) for an agent (or a government) to perform it.

The Beneficiary Principle: if an act (or policy), x , is the best then any benefits (call these *surplus* benefits) which accrue to a beneficiary as a result of its performance (or implementation), *over and above* those which *would have* accrued to her from the performance of acts required by justice (call these *justice* benefits), are not owed to the beneficiary as a matter of justice.

For instance, *suppose*, for the sake of example that (1) the *best* act is for α to take \$10 from β and give it to γ , but (2) all β owes γ *as a matter of duty* is \$5. The Permissibility Principle tells us that, in this hypothetical scenario, α would have no duty to *refrain* from taking the full \$10 from β and giving it to γ . However, the Beneficiary Principle refutes each of the following claims:

- (i) that α has a moral duty to take the \$10 from β and give it to γ ;
- (ii) that β has a moral duty to freely consent to give the full \$10 to γ ;
- (iii) that γ has a moral right to have the full \$10 from β or a moral right to α 's help in getting that full \$10.

This example highlights the fact that Mill's Utilitarianism opens the door to the possibility of it being morally permissible for one agent, α , to try to (coercively) impose costs on another agent, β , even though it is morally permissible for β to reject this imposition. That is, there will be cases in which β may accept *qua Utilitarian* that his rejection of this imposition leads to a suboptimal outcome while denying that his rejection (or resistance) is wrong (i.e. morally impermissible) because acceptance would be supererogatory. This leads to a peculiar result which I will label the:

Class Conflict Thesis: IF it maximizes utility for a government to assign a class of people, C_1 , with a *legal* right and another class of people, C_2 , with a corresponding *legal* duty THEN it follows that it will be morally permissible for the government to enforce those legal rights and duties, even if it is morally permissible for the members of C_2 to resist this imposition (in

some way) on the grounds that these legal rights do not correspond to *moral* rights, and hence acceptance would be supererogatory.

In other words, the Permissibility and Beneficiary Principles open up the conceptual possibility, articulated by the Class Conflict Thesis, of the permissibility of creating utility maximizing legal rights which are not moral rights. This means that the corresponding legal duties will not be moral duties and that it is therefore morally permissible for those who are assigned the legal duties to resist this imposition. Of course, whether or not the adoption of this kind of conflictual approach, in which legal rights cease to become a subset of moral rights, would ever *actually* maximize utility is very much an open question. In other words, these may be merely *conceptual* possibilities. We will now turn to showing that if Mill were to embrace QLH Optimism, his Utilitarianism would open up the possibility for larger amounts of such class conflict against the worst off in society than is compatible with the liberal democratic socialism which he claims to be able to build upon its foundations.

(A.4) QLH Optimism and ‘Aristocratic’ Rights to Happiness

In *Schopenhauer as Educator* Nietzsche claims that we ought to be able to understand that the goal for humanity should be to promote the conditions conducive to the production of the highest examples of human excellence. However, he also notes that:

“everything resists this conclusion: here the ultimate goal is seen to lie in the happiness of all or of the greatest number, there in the development of great communities; and though one may be ready to sacrifice one’s life to a state, for instance, it is another matter if one is asked to sacrifice it on behalf of another individual [...] As though it were less absurd to let number decide when value and significance are at issue! For the question is this: how can your life, the individual life, receive the highest value, the deepest significance? [...] Certainly only by your living for the good of the rarest and most valuable exemplars, and not for the good of the majority, that is to say those who, taken individually, are the least valuable exemplars. And the young person should be taught to regard himself as a failed work of nature but at the same time as a witness to the grandiose and marvellous intentions of this artist: nature has done badly, he should say to himself; but I will honour its great intentions by serving it so that one day it may do better (SE:162).”

If we were to translate this passage into the terms of Mill’s Art of Life, it would no doubt constitute an Art of Life in which Nobility is given pride of place. Nietzsche takes this to be incompatible with utilitarian reasoning because he (a) assumes that Utilitarianism is built on QNH, and (b) equates its

cardinal aggregation of utility across lives with the ‘good of the majority’.⁴¹¹ In consequence, he doesn’t see that when the Utilitarianism in question is built upon QLH there is a sense in which ‘number’ (i.e. the quantity of one pleasure as per QNH) needn’t trump ‘value’ (i.e. a lower quantity of a higher quality pleasure as recognized by QLH), and that the mediocre pleasures of the majority needn’t out-value the highest pleasures of a select few (SE:164-5).

In Chapter 5 (C.2) we saw that Nietzsche transitions from embracing a perfectionist teleology to an aristocratic political theory in which the majority can be justifiably coerced into being used as means to the end of producing such higher beings. The reason such coercion is justified is highlighted in the passage above, where Nietzsche notes the resistance of the masses to voluntarily subordinating themselves to such a purpose. As Nietzsche puts it in *Beyond Good and Evil*:

“Every enhancement so far in the type ‘man’ has been the work of an aristocratic society – *and that is how it will be, again and again*, since this sort of society believes in a long ladder of rank order and value distinctions between men, and in some sense needs slavery (BGE:257).”⁴¹²

While the ‘sense’ in which ‘slavery’ is meant is left somewhat ambiguous, Nietzsche makes clear that he is not using the word lightly when he goes on to claim that:

“Mutually refraining from injury, violence and exploitation, placing your will on a par with the other’s: in a certain, crude sense, the practices can become good manners between individuals when the right conditions are present (namely, that the individuals have genuinely similar quantities of force and measures of value, and belong together in a single body. But as soon as this principle is taken any further, and maybe even held to be a fundamental principle of society, it immediately shows itself for what it is: the will to negate life (BGE:259)”⁴¹³

“(T)he essential feature of a healthy aristocracy is that [...] it feels itself to be the *meaning* and highest justification (of the kingdom or community), - and, consequently, that it accepts in good conscience the sacrifice of countless people who have to be pushed down and shrunk into incomplete human beings *for the sake of the aristocracy* (BGE:258).”

For Nietzsche, recall, the justification for this is not merely egoistic but grounded in an appeal to what he conceives as a form of ‘higher justice’ (BGE:265), to which the masses would accede if their

⁴¹¹ According to Brobjer (2008) there is no evidence of Nietzsche reading Mill prior to 1880 (p.195).

⁴¹² My italics. I highlight this portion of the text because certain Nietzsche scholars have defended interpretations of his thought in which he is much less hostile to democracy and human rights than he might first appear by claiming that this passage, in particular, *only refers to the past*. For example, see the heroic effort by Clark (1999).

⁴¹³ Similar passages to this one occurs in Nietzsche’s notebooks and are directed as objections to Mill. See (WP:925-6).

feeling of resentful inferiority didn't preclude them from impartial judgment (GM-II:11), and lead them to adopt an inverted ethical system according to which the first should be last and the last should be first (GM-I).⁴¹⁴

Turning to Mill, supposing that such slavery were necessary for the realization of the highest pleasures on the part of an elite, the Beneficiary Principle would nevertheless preclude an analogous appeal for the enslavement of some as a means to the higher pleasures of a select few *in the name of justice*. That is, given the extent of the demandingness of such a policy from the perspectives of those who would lose out, the beneficiaries would lack grounds for claiming a right to the implementation of the policy *in the name of justice*. However, if Mill were to embrace QLH Optimism rather than QLH Pessimism, it would follow that the highest pleasures of the beneficiaries would outweigh the highest pains of those who would lose out, and hence the implementation of the policy could still be optimal. It would then follow that the policy could be implemented, not in the name of justice, but in the name of morality as such. That is, while the losers could not be deemed unjust for rejecting the imposition, the government could not be deemed unjust for imposing it.

This quasi-Nietzschean implication of the reconstructed system is fundamentally at odds with the substance and the spirit of Mill's own writings, and this should raise questions about whether it is the best way to reconstruct the system while preserving that spirit (Parsimony Condition). For instance, in his debate with Carlyle about the morality of American slavery, Mill calls it not simply immoral but "unjust" (NQ:88). According to Mill, it can be legitimate to deprive luxury from one, so that another may have the basics of life (NQ:89), and that even if it were true that whites were of superior intelligence to blacks, it:

"would not be the less monstrous to assert that they had therefore a right either to subdue them by force, or circumvent them by superior skill; to throw upon them the toils and hardships of life, reserving for themselves, under the misapplied name of work, its agreeable excitements (NQ:93)."

⁴¹⁴ For Nietzsche, a just state would handle people of *ressentiment* "partly by removing the object of *ressentiment* from their hands, partly by substituting for their revenge the struggle against the enemies of peace and order, partly by inventing, suggesting, and under certain circumstances imposing settlements, partly by elevating to a norm certain equivalents for damage done, to which from now on and for all time *ressentiment* is referred (GM-II:11)."

Moreover, Mill says that even if a slavery-based spice trade “led towards” what Carlyle calls “commerces, arts, politics, and social developments”, the latter will be of the sort that “the world” “will not choose to be cursed with much longer (NQ:91)”.⁴¹⁵

Given that these comments may appear too specific to the case at hand to be deemed a basis for attributing general principles to Mill, it is very important that Mill makes the theoretical underpinning of his position clear when he turns to Carlyle’s mocking claim that he wants to create an “Universal Abolition of Pain Association” (NQ:94).⁴¹⁶ Mill responds as follows:

“but can any worthier object of endeavour be pointed out than that of diminishing pain? [...] Though we cannot extirpate all pain, we can, if we are sufficiently determined upon it, abolish all tyranny: one of the greatest victories yet gained over that enemy is slave-emancipation, and all Europe is struggling, with various success, towards further conquests over it. If, in the pursuit of this, we lose sight of any object equally important; if we forget that freedom is not the only thing necessary for human beings, let us be thankful to anyone who points out what is wanting; but let us not consent to turn back (NQ:95).”⁴¹⁷

The most striking feature of Mill’s rhetorical question here is that he could, but doesn’t, answer it with *the promotion of pleasure*. Moreover, if he were a QLH Optimist, he should provide that answer, because the former entails that the highest pleasures outweigh the highest pains. In contrast, if Mill were a QLH Pessimist, his answer would make sense. After all, if the highest pains outweigh the highest pleasures, the priority should be to eliminate the former rather than promote the latter.⁴¹⁸

However, since we are now in the business of rationally reconstructing Mill, as opposed to merely ascribing him with *de dicto* or *de re* commitments, the most significant feature of this passage for our

⁴¹⁵ Given Mill’s tendency to treat Socrates and Plato as the highest exemplars in life (A:25, G:150, L:235) it is unfortunate that he doesn’t explain why he thinks that slavery holds back the arts in particular. He is likely referring to what he took to be the predominantly low brow ways in which the British upper classes and aristocracy entertained themselves, as elsewhere he oft complains about their failure to use their resources and opportunities to cultivate excellence (RR:23-6).

⁴¹⁶ Cf. Nietzsche’s (BGE:225).

⁴¹⁷ In his discussion of Whewell Mill compares those who claim that we can be indifferent to the suffering of animals to those who claim it morally acceptable to be indifferent to the suffering of people from races with which we lack fellow feeling (WMP:185-6).

⁴¹⁸ In consequence, it is far from clear that Skorupski-(1998b/p.29) is correct when he claims that, while QLH Utilitarianism could not be used to justify something like Nietzschean aristocracy *now* (because mass immiseration is not *currently* necessary for the highest pleasures), it “might have” justified it under alternative conditions in the past (because Athenian culture and medieval monasteries *may* have depended on such immiseration). If the said immiseration was of a higher quality than the pleasures of higher culture, the latter wouldn’t justify the imposition of the former. This explains why Mill will only defend slavery as a means to the improvement of the slave (CRG:395).

current purposes is that it reveals how rationally reconstructing Mill as a consistent QLH Pessimist will make it much easier to retain his commitment to defending the right of the worst off to security against domination.

According to Mill, of all the rights that require defence, the most important is the right to “security”: “the most vital of all interests (U-V:xxv-xxvi)”.⁴¹⁹ However, he isn’t always clear on exactly why security is so valuable. At times he suggests it is to be valued as a necessary *means* to the highest pleasures, *and* avoiding the highest pains (U-V:xxv). However, if it were a necessary means to both, and the highest pleasures were more valuable than the highest pains, the implication would be that it could be permissible to sacrifice the security of some for the sake of providing higher pleasures for others. In consequence, Mill’s discussion of security in *The Negro Question* above clarifies that, since the highest pains are worse than the highest pleasures, the right to security must be universal because it is more important to protect *everyone* from such pains than to provide *some* with the highest pleasures. In consequence, a rational reconstruction of Mill’s system that is consistently supportive of QLH Pessimism, and hence Global Nihilism, is necessary to preserve Mill’s politico-philosophical claim that the state’s priority should be to maintain a universal right to security.⁴²⁰

(B) Rationally Reconstructing Mill as a QLH Pessimist and Global Nihilist

Our rational reconstruction will proceed by highlighting the way in which opting to reconstruct Mill’s system as consistently supportive of QLH Pessimism may appear to re-expose it to the Global Mediocrity Objection of Chapter 5 (A.3).

⁴¹⁹ Cf. U-(V:32-3/38)

⁴²⁰ However, note that, while this ensures that people’s right to security is of almost absolute deontological strength, it doesn’t automatically preclude the imposition of the highest pains under all circumstances. After all, situations may arise in which the imposition of the highest pains on one is necessary and sufficient for preventing their imposition on a larger number of people. For a defense of the claim that numbers matter, see Parfit-(1978).

(B.1) The Second Global Mediocrity Objection

Mill makes clear that ‘security’ requires *access to* – which can still entail having to work for - the basic goods required for survival (PPE-I:208), and mutual restraint from physical harm (L:223).⁴²¹ If security, so minimally conceived, is to be prioritized over the cultivation of the forms of excellence that can yield the highest pleasures, one might worry that Mill’s system is vulnerable to a new version of the Global Mediocrity Objection. In Chapter 6 we saw that QLH allows Mill to deem a world (W_1) with a very few individuals with lives of excellence over a world (W_2) with very many people living lives of mediocrity. Given the preceding it should now be clear that the reason he can do so is because universal security is a feature of both worlds. However, if we were to add an individual with the highest forms of pain to W_1 , QLH Pessimism implies that it would be inferior to W_2 , even though the former contains individuals of excellence, and the latter is characterized by people of mediocrity. The question to be considered here is how these axiological commitments relate to the rest of Mill’s political philosophy, and whether they render it characterizable by what Nietzsche referred to as “the cry of pity tearing down the walls of culture (GKS:40)”?

Mill was himself far from immune from the worry that political, economic, and social equality would foster cultural conformity and mediocrity, on the one hand, and lead to the suppression of individuality and excellence, on the other. For instance, he notes the *very general* tendency by which the “multiplication of physical comforts”, “the decline of war and personal conflict”, and “the progressive limitation of the tyranny of the strong over the weak”, come at the “high price” of (among other things):

“the relaxation of individual energy and courage; the loss of proud and self-relying independence; the slavery of so large a portion of mankind to artificial wants; their effeminate shrinking from even the shadow of pain; the dull unexciting monotony of their lives, and the passionless insipidity, and absence of any marked individuality, in their characters (C:123).”

Moreover, in observing the conditions in the *non-slave* states of the United States, he observes that, since everyone has to work for their subsistence, “all distinguished eminence in philosophy, and in the nobler kinds of literature” is “denied” “by this single circumstance” (SSA:100).

⁴²¹ Riley-(1998/p.315-6)

It is also important to note here that, given that Mill's theory of life-meaning is grounded in cultivating excellence with a view to promoting the good of others (Chapter 3 (C.5)), it would seem that a world of increasing mediocrity could undermine the answer that he gave as to why he was able to find meaning in his own existence during his mental crisis. To illustrate, while discussing the possibility of a world in which grinding poverty is never overcome, Mill opines that in such an eventuality:

“I know not what there is which should make a person with any capacity of reason, concern himself about the destinies of the human race. There would be no wisdom for anyone but in extracting from life, with Epicurean indifference, as much personal satisfaction to himself and those with whom he sympathizes, as it can yield without injury to any one, and letting the unmeaning bustle of so-called civilized existence roll by unheeded (PPE-I:367).”

In a world of increasing mediocrity, one's hope of cultivating excellence with a view to promoting excellence in others is weakened. Given the Feedback Thesis (Chapter 3 (C.3-6)), the well of pleasures to be derived from such activities would then begin to dry up as well. In consequence, one might worry that the mechanism which Mill posits to explain how people can find meaning in life while living in a world which is capable of improvement, may not simply fail to apply in a world of cultural stagnation, but shift into reverse gear. That is, people who have signed up to his Art of Life could find the meaning of their lives eliminated by the absence of people who are receptive to the project of mutual improvement.⁴²²

Mill offers us a partial solution to the latter problem which he borrows from Comte's idea of a religion of humanity. For Comte, when venerating humanity we should *primarily* focus on those who:

“have played their part worthily in life. It is only as thus restricted that the aggregate of our species becomes an object deserving of our veneration (ACP:334).”

Analogously, then, those who find themselves surrounded by mediocrity may, when not contemplating the thoughts and productions of the “great dead”, find feedback-inducing solidarity with, through cultivating individual excellence with a view to promoting the good of, “those ideal

⁴²² This is at least part of the explanation of why Nietzsche's contempt for the mass of humanity leads him to claim that ‘true’ virtue neither “propagandize[s]” itself, nor laments the lack of virtue in others, and focuses instead upon finding gratification in the distance between itself and others (WP:317). For Nietzsche, there is even an element of heresy in Mill's idea that the mass should seek to emulate the elite. He chastises Mill, claiming that this suggestion denies the distance between the mass and the ‘true’ elite, and creates the false appearance that the acts of one can have an equivalent value to the other (WP:925-6).

minds yet to come” (ACP:334).⁴²³ However, this solution is only partial as it presupposes the rationality of the belief that these ideal minds will re-emerge, and hence it is only valid if it is rational to be optimistic that the tendency towards mediocrity can be contained and perhaps reversed.

Unlike Nietzsche, however, Mill claims that the maintenance or re-establishment of a more authoritarian hierarchy is neither a necessary, nor a viable, means to stemming, or solving, the problem. For Mill the most important cause of the decline in culture is the rise of commercialism. He claims that while America’s culture-declining commercialism may have been attended by a reduction in class conflict and an increase in democracy, British commercialism was attended by an “aristocracy of idlers” (RR:23), engaging in class conflict against the masses, and increasing economic inequality at the latter’s expense (DA:77-9).⁴²⁴ Moreover, in accepting Tocqueville’s line that the transition towards democratic government is inevitable (DA:50), Mill is less inclined to accept the pessimistic conclusion that higher culture is incompatible with democracy, than to find ways to reconcile them (DA:57). Here he hopes that the negative effects of commercialism can be reversed through reconciling democracy with socialism, thereby replacing the lost leisure *class* with a leisure *population* (EL-II:713).⁴²⁵ That is, Mill’s goal is to produce a population that works but can do so much less than has hitherto been necessary, and is therefore able to expend greater energy on the production of higher culture (PPE-II:756).

Like Nietzsche, then, Mill believes in the need for ‘philosophers of the future’ (BGE-44), but he claims that the best way to create them is through promoting forms of life in which there is leisure and a high-minded culture of education. Commenting on the goals of a proper university education, Mill says of the youth:

“It is worth training them to feel, not only actual wrong or actual meanness, but the absence of noble aims and endeavours, as not merely blameable but also *degrading*: to have a feeling of the *miserable smallness* of mere self in the face of this great universe, of the collective mass of our fellow creatures,

⁴²³ See also (IA:254) and cf. Nietzsche: “The insipid and cowardly concept ‘man’ a la Comte and Stuart Mill, perhaps even the object of a cult (WP:340)”.

⁴²⁴ (RR:29, CRG:441)

⁴²⁵ *Letter to John Austin*, 13 April, 1847. The precise form of democracy and socialism will be discussed below.

in the face of past history and of the indefinite future – the poorness and insignificance of human life if it is to be spent in making things *comfortable* for ourselves and our kin, and raising ourselves and them a step or two on the social ladder. Thus, feeling, we learn to respect ourselves only so far as we feel capable of nobler objects (IA:254)”⁴²⁶

Here we see Mill’s insistence that the Art of Life requires the Moral to be robustly supplemented by the Noble. While Morality and Political Prudence require us to treat security as a right, the comfort and contentment that we may derive from it are not to be treated as the highest pleasures to which we can aim. Security is rather conceived as necessary for the absence of the highest pains, and is a baseline from which we can engage in what Mill sometimes describes as the conversion of the good into the beautiful (IA:255).

The key axiological point here is that the narrowness of Mill’s notion of security means that, while the primacy of the right to security precludes government from tyrannizing over the masses for the sake of promoting higher culture, it leaves plenty of room for acting in ways which generate lower forms of discontent for the same end. This is reflected in what Rawls calls the comprehensiveness of Mill’s liberal political philosophy, which is to say his defense of liberalism in the name of promoting a particular conception of the good life.⁴²⁷ While part of Mill’s rationale for promoting the good life through liberalism reflects Mill’s judgement that the good life is often best promoted indirectly, with minimal government interference in the lives of its citizens, this reflects an axiological judgment that autonomy is part of the good life, on the one hand, and a ‘scientific’ judgment regarding the effectiveness of particular means, on the other. In both cases the idea that a government should be neutral with respect to the conception of the good life, isn’t simply absent but is positively rejected.

(B.2) Mill on Political Art and Political Science

Thus far we have seen that (1) rationally reconstructing Mill’s system so as to render it consistently supportive of QLH Pessimism, and hence Global Nihilism, provides the best way of reconciling his

⁴²⁶ My italics. Cf. Nietzsche Z-(‘Prologue’:5): “The time of the most contemptible man is coming, the man who can no longer *despise* himself [...] The earth has become *small*, and upon it hops the Ultimate Man [...] They have left the places where living was hard: for one needs warmth [...] No herdsmen and one herd. Everyone wants the same thing, everyone is the same: whoever thinks otherwise goes voluntarily into the madhouse [...] ‘We have discovered happiness,’ say the Ultimate Men and blink.” My italics.

⁴²⁷ Rawls-(1993/p.129), Skorupski-(1998b/p.27-9)

Utilitarianism with a universal right to security; and (2) the imperative of the latter, to prioritize the elimination of the highest pains, is compatible with prioritizing the promotion of the cultivation of excellence and higher pleasures over (i) the comparatively low pleasures, and (ii) the comparatively low pains (thus meeting the Parsimony Condition). While (i) serves to defend Mill against the claim that defending a universal right to security automatically commits him to *exaggerating* the value of the low pleasures of mediocrity, (ii) serves to defend him against the claim that he *exaggerates* the disvalue of lower pain (thus meeting the Plausibility Condition). Having reconstructed the axiological foundations of Mill's system, we are now able to turn to examining the ways in which his political philosophy reflects and implements these axiological priorities. (B.2.A) will deal with his views on democracy and socialism, and (B.2.B) will deal with his liberalism.

(B.2.A) Mill's Defense of Democracy and Socialism

Mill's axiology and theory of practical reason relates to his political philosophy, as his Art of Life relates to his Art of Politics, so we will begin by explaining the latter relationship. In the *System of Logic* Mill claims that the "relation in which rules of art stand to doctrines of science may be [...] characterized" as follows:

- (A) "The art proposes to itself an end to be attained, defines the end, and hands it over to the science. The science receives it, considers it as a phenomenon or effect to be studied, and having investigated its causes and conditions, sends it back to art with a theorem of the combinations of circumstances by which it could be produced (SL-II:944)."

In consequence, Political Art determines political ends, and then looks to Political Science to establish the causal means to these ends.

Mill continues as follows:

- (B) "Art then examines these combinations of circumstances, and according as any of them are or are not in human power, pronounces the end attainable or not (SL-II:944)."

Given (A), one must wonder why Mill says that it is Art, rather than Science, that proclaims the end *attainable*. After all, in Mill's definition it is Science which lays out the possible *ways* in which an end could or could not be attained, and hence Science tells us that an end is attainable if, and only if, there is a causal pathway to it at that time. It seems that what Mill *should* say, given (A), is that once Art has declared an end desirable *ceteris paribus*, and Science has declared it attainable by setting out

the range of available means to its attainment, it is the role of Art to declare whether the end is desirable *all things considered*. That is, it is the role of Art to evaluate (as opposed to identify) the means to its end, which will include evaluating the other consequences of taking those means besides attaining the end, with a view to determining whether it is better to take the necessary means or abandon the end.

Mill's oversight may be explained by the next sentence:

"The only one of the premises, therefore, which Art supplies, is the original major premise, which asserts that the attainment of the given end is desirable (SL-II:944)."

Here we see Mill's tendency to focus on the good and ignore the bad (cf. Chapter 4 (D)). The Art of Life and the general principle of Teleology, to which the Art of Politics is ultimately subordinate, doesn't merely tell us what is desirable, but also what is undesirable.⁴²⁸ In consequence, it is an unavoidable aspect of formulating an Art of Life that one make trade-offs between the two. In making these trade-offs in the Art of Politics, the Political Artist needs to be able to correctly evaluate how desirable it is to achieve an end by a particular means, which means comparing the desirable and the undesirable consequences in question. This is exactly what we have seen Mill do thus far when he effectively declares that an end which is desirable *ceteris paribus*, is undesirable *all things considered* when it has the highest pains as an inevitable or unavoidable by-product.

If the Art of Politics is subordinate to the Art of Life, and hence the general principle of Teleology, it will be indirectly aimed at promoting the general happiness. In consequence the political means to, or parts of, the ends of the Art of Life will constitute the ends of the Art of Politics (cf. CRG:383). Moreover, since the good life for an individual is one of happiness, and this is achieved through a successful Art of Life promoting the general happiness, the successful Art of Life indirectly helps others to become successful Artists of Life. In consequence, the successful Artist of Politics is she who is successful in promoting successful Artists of Life, or people with lives exhibiting the optimal balance between Morality, Prudence, and Nobility, qua Artist of Politics. There will inevitably be

⁴²⁸ Of course, one can frame it as the conjunction *promote happiness (or pleasure) and avoid unhappiness (or pain)* but many potential ends that are worth pursuing will have hedonic and doloric effects, and, as we have just seen, the capacity of Mill's system to fend off the Second Mediocrity Objection hinges on his ability to endorse policies with mixed effects rather than those which only produce pleasure or happiness without any deleterious side-effects whatsoever.

some limits to this because if the goal is to promote successful Artists of Life, much of their Art must ultimately have to be autonomously chosen rather than imposed by a successful Artist of Politics.

Mill notes that what the Artist of Politics can sensibly recommend in order to promote people's improvement will depend upon the latter's character, culture, and stage of development, on the one hand, and the "political machinery" available to the Artist, on the other (CRG:375-6). This reflects the most fundamental insight which Political Science must lend to the Political Artist: that while people have the capacity to create political institutions of their own choosing, the capacities of these institutions to function is limited by the characteristics of those who run and are ruled by them.

When fed back into Political Art it implies, in turn, that the primary role of government should be to navigate the dialectical interplay between improving people so that they can make the most effective use of the existing political institutions, and improving the existing political institutions so that they can enable people to fully exercise, and further develop, their capacities (CRG:391-2). Since improvement requires a certain amount of order, on the one hand, and the conservation of past improvements, on the other, to navigate the said dialectical interplay effectively requires the Political Artist to judge the correct degree to which people need to be constrained in order to prevent them from undermining the institutions which subserve their improvement. We will see a number of examples of this shortly.

Since the requirements for order and progress will change over time, "the proper functions of government [concretely conceived] are not a fixed thing, but different in different states of society; much more extensive in a backward than in an advanced state (CRG:383)". While people who are relatively undeveloped will need to have *more* order and guidance imposed on them, a relatively advanced people who have developed potential for autonomy will need relatively *less* guidance and more opportunities to exercise their autonomy in order to be able to advance further (CRG:392). In other words, in the case of Artists of Politics who play a role in government, the level of authoritarianism or top-down rule required will be roughly proportional to the stage of development of the society. However, Mill recommends against the leadership micro-managing policy. Once the leaders have supplied a set of attainable ends to be achieved under a program of improvement in a

given period, it is the job of Science, and in effect technocrats, civil servants and legislators to use their specialized knowledge to implement the program (CRG:400, 424).

We have seen that Mill claims that (1) good governmental institutions will subserve the improvement of the people, and (2) such improvement will render them capable of greater democratic self-governance. He also claims that it is unrealistic to think that either (3) under optimal conditions there will be complete equality of mental competence to rule (intellectual, practical, and moral) (CRG:407, UR:421), or (4) an egalitarian participatory democracy could be implemented on the scale of a modern nation state (CRG:412). This leaves him committed to claiming that either (5) the realistically ideal form of government is a small-scale *direct* democracy in which power is distributed equally despite people's unequal competency to exercise it effectively; or (6) the realistically ideal form of government is a larger-scale *representative* democracy in which everyone has some political power but it is distributed unequally in proportion to people's competency to exercise it properly.

Both representative and participatory democracies constitute what Mill calls forms of "popular government", and both can be appealed to in terms of Mill's claim that:

"human beings are only secure from evil at the hands of others, in proportion as they have the power of being, and are, self-*protecting*; and they only achieve a high degree of success in their struggle with Nature, in proportion as they are self-*dependent*, relying on what they themselves can do, either separately or in concert, rather than on what others do for them (CRG:404)."

Here the reference to self-protection and self-dependence is made in reference to other members of a large-scale nation state because Mill is *assuming* that large-scale representative democracy is superior to small-scale direct democracy. However, the fact that larger scale representative democracies can provide greater self-protection and self-dependence for the *communities* which 'inhabit' them, and hence the individuals which form those communities, than is the case with small scale direct democracies, provides an implicit rationale for preferring the former over the latter. After all, a *realistically* ideal state is likely to need to be able to protect itself from large-scale external threats, and hence have a sufficiently large and complex political economy to be able to generate the wealth,

and the military and technological capacities to achieve this end (FW:128, CA:141).⁴²⁹ Moreover, Mill thinks that since a large state will be better able to defend itself from external attack, its survival, and hence the security of its population, is easier to reconcile with the liberty of its members, which will include the right to express dissent at foreign policy (L:226).

However, the greater complexity of a large-scale state, in conjunction with a correspondingly greater diversity amongst its population, will only heighten the inequality of competence to exercise political power effectively, on the one hand, and increase the benefit to each individual citizen of being ruled by people with greater expertise, on the other. In consequence, Mill doesn't simply claim that the realistic ideal is constituted by a representative democracy with universal suffrage, rather than a direct democracy, but also maintains that the equalizing effect of universal suffrage should be moderated by finding ways to give greater power or influence to those with greater competence to judge the true interests of the country.

Mill's main institutional recommendation for achieving this is to opt for Hare's system of proportional representation through transferable ordinal voting (CRG:452-65). A numeral 'quota' of votes is set, receipt of which is sufficient for a candidate to gain election as a representative, by dividing the number of voters by the number of representatives. As the votes are counted, if a voter's first choice candidate (who could be a local candidate or not) either fails to meet the quota, or has more votes than is needed for him to meet the quota, the vote is transferred to the voter's second choice candidate, to supplement the number of votes the latter received in the first stage of counting. This process is then repeated until there is a sufficient number of representatives who have met the quota. Candidates who meet the quota but are defeated in the district for which they were a candidate may then be offered a district which failed to deliver a quota to a local candidate.⁴³⁰

⁴²⁹ Mill denies that the logic of this argument implies that the ideal would be to scale up and create a world government. One reason for this is that it would entail forgoing the benefits of liberal nationalism, which he takes to be a useful force for improving mutual sympathy. Another is that he thinks that the nationalisms which remain in a multinational state are likely to be far less liberal and open to manipulation by demagogues (CRG:548).

⁴³⁰ Fawcett-(1861/p.26) argues that this gives local politicians greater incentives to serve their districts by exposing them to competition from national as well as local candidates. However, it would also require districts

Mill notes that in ensuring that all but the very tiniest of minorities (i.e. those whose collective vote is less than a ‘quota’) receive *some* representation, it reconciles the goal of providing all with the means to protecting their basic interests through representation with the goal of ensuring that the voice of the minority of the educated is not drowned out by that of the mass (CRG:455).⁴³¹ As such he deems it superior to standard single member district representation (i.e. the ‘first past the post’ system), which allows local majorities to consistently nullify the votes of minorities. Moreover, he expresses some confidence that attaining representation for the educated may allow them to attain disproportionate influence in Parliament because of the persuasive power of those they elect to be their representatives. However, insofar as the voting patterns of the educated diverge from those of the uneducated, it is Mill’s ideal that the capacity of the representatives of the educated, to influence and constrain those of the uneducated, not be left contingent upon the openness of the latter to persuasion (CRG:475-8). In consequence, he maintains that the system of proportional representation would ideally be modified by the assignment of voting power which is proportional to the education of the voter. Mill does not explain how the two would be combined but it is easy enough to imagine. One possibility would be for the educated to be able to assign a vote to the quota of more than one successful candidate, and another would be for their preferred candidates to receive more than one vote.⁴³² In either case the aggregate effect would be for it to be much easier for the educated to ensure that a greater number of their preferred candidates become representatives.

In practice, this policy would push Mill’s system of proportional representation closer to one of group representation.⁴³³ However, it would do so without creating what Mill would consider to be an “invidious” formal bi-cameral distinction between the representatives elected by the educated and those elected by the uneducated (CRG:459-60). Mill clearly wants all voters to be selecting their

to be distinguished by population size rather than geographical region in order to prevent people from a highly populous district from being able to impose candidates on other regions.

⁴³¹ Note that if the society in question didn’t contain enough educated people to make a single quota Mill is unlikely to deem it developed enough to be suitable for representative government (CRG:470).

⁴³² These options could also be combined.

⁴³³ For discussion of this notion, see Christiano-(2015/ §4).

candidates from the same lists, and all candidates to be making their case for election to all kinds of voter. Mill also makes clear that if the principle of proportional representation, according to which representatives are to be elected in virtue of attaining a certain proportion of the votes, is to be modified by a principle of plural voting, according to which voting power is distributed in proportion to educational qualifications, the latter modification should not be taken so far that an educated minority find themselves able to elect a majority of the representatives (CRG:476). Mill thinks that a more reasonable ideal would be one in which there is a rough balance of power between the two sets of representatives, thus requiring each to try to persuade and compromise with the most reasonable sections of the other side (CRG:447).

We can see, then, how Mill's realistically ideal form of democracy prioritizes the protection of the security of the mass over the promotion of higher culture, by institutionalizing universal suffrage and thereby providing the mass with a veto against mistreatment. With this safeguard in place, Mill then offers ways of modifying representative democracy in such a way as to limit the potential levelling effects of universal suffrage. The educated minority are provided with enough power over the mass to be able to use the power of the state to preserve, and even promote, higher culture within the constraints set by the imperative to respect everyone's right to security. (Mill hopes that this will include the creation of schools and universities – although he only supports free education for those who cannot afford to pay for it, unless it is awarded on the basis of competition and merit (EE:210) - but there is no reason in principle why it couldn't also include support for art, culture and science outside the system of formal education.) At the same time the constraints placed on the mass are designed to serve their own enlightened self-interest, on the one hand, and to be compatible with continued self-improvement, on the other. For instance, while Mill's election for representative over direct democracy reduces the capacity of the masses to directly participate in national politics, he thinks that the benefits of specialized rule in a large modern state offset that loss, on the one hand, and do not preclude less direct but nevertheless valuable forms of political participation, on the other.

Mill suggests that, once people are freed from poverty, there will be room for much more direct participation in local politics, and intimates that participation in the solution to local problems is

conducive to the cultivation of both Prudence and Morality. It is conducive to the former by making people more aware of, and able to peaceably negotiate between, other people's interests; teaching them how to make mutually beneficial compromises; and helping them to develop a sense of realism about what can be achieved, and the dangers of trying to get one's own way at other people's expense (CV:122).⁴³⁴ In requiring people to justify their position in terms of the common good, and to work with others for a common purpose, it can cultivate genuine concern for the common good along the way. As such Mill thinks that participation in local politics can lead to a "diffusion of intelligence and mental activity" (DA-II:169), that raises people's competence to make judgments about national politics.

Mill also compensates for the loss of direct participation in national politics with his defense of worker cooperatives (PPE-II:775-94, CS:743). Mill's priority here is the same as in the case of his defense of universal suffrage. However, while Mill's main concern in the latter case is to defend the mass against government tyranny (L:217-8), his main concern in the former case is to defend workers against what he calls "the tyranny of capital (LL-III:781)".⁴³⁵ Here the idea is that if each worker is employed in a cooperative of which she is a partial owner, the formal distinction between capitalists and wage-laborers as such will be overcome, and workers will have greater *self-protection* against work-related abuses.⁴³⁶ Similarly, while direct participation in the organization of a centralized communist economy *might* be more conducive to self-dependence than direct participation in the

⁴³⁴ Mill wants to allow people to make mistakes but not mistakes which are disastrous for other people. Others can learn from local initiatives, whether this be to copy or avoid them.

⁴³⁵ Given the history of Britain, Mill distinguishes between achieving rights to liberty and security for all, on the one hand, and rights to democratic participation, on the other (L:218). However, he also makes clear that if the rights to democratic participation are rights to participate in a true (as opposed to majoritarian) democracy, with the appropriate institutional checks against the tyranny of the majority, the universal right to democratic participation will simultaneously be the best guarantor of the universal right to security.

⁴³⁶ This means that in the transition from wage labor capitalism to cooperative capitalism it is important that established cooperatives do not hire new workers as wage laborers (PPE-II:791). Note that Mill is not opposed to infant industry protection in principle, provided that it is temporary and designed to enable the industry in question to compete independently once it has matured (PPE-II:918). This raises the question of whether cooperatives could also be provided with such support in their infancy.

running of a single cooperative, Mill thinks that the latter can be just as, if not more than, conducive to self-dependence as direct participation in local politics (SMWC:415, PPE-II:792-3).⁴³⁷

While Mill's market socialism is designed to subserve the material and spiritual improvement of workers, it is also designed to generate analogous constraints to those created by his system of representative democracy. In its ideal form, Mill's representative democracy will be one in which every citizen is a capitalist and a worker, on the one hand, and a system of national education is in place, on the other (PPE-II:946). In consequence, any divergence in the voting patterns between the more and less educated should not necessarily reflect divergences in wealth. Nevertheless, with respect to the transition, it is worth noting that if Mill's democratic system were implemented prior to market socialism, the fact that the wealthy are more likely to be educated than the poor in the interim (cf. RR:26) means that the former could use their plural voting power to force a market socialist compromise on a pro-communist majority of the uneducated poor (cf. CRG:442, CS:706).

The fact that Mill sees the need to constrain the mass from trying to force a transition to communism should not be taken to imply that Mill is entirely opposed to the latter. Just as Mill acknowledges that representative democracy has drawbacks compared to the ideal of direct democracy, he also acknowledges that market socialism has drawbacks relative to the ideal of communism. However, while Mill dismisses national participatory democracy as an *unrealistic* ideal, communism's credentials as a *realistic* ideal are not so much dismissed as left an open question (CRG:404-5, CS:746). What Mill claimed could be known *in his own day* was that any attempt to implement communism without prior implementation of market socialism, and without a highly educated and morally motivated society, would lead to a disastrous levelling of society in which everyone was reduced to poverty, and hence, in all likelihood, a simultaneous breakdown of law, order, and security (CS:748-9).

In other words, Mill claims that *if* communism is a *realistic* ideal, it is only realistic *in the very long term*. Moreover, he suggests that if the prerequisites of communism were in place, so much progress

⁴³⁷ For the notions of self-protection and self-dependence see (CRG:404) quoted above.

would already have occurred in the meantime that people might be relatively indifferent to transitioning from market socialism to communism (PPE-II:755-7 cf. PPE-I:207-9). After all, if market socialism were successful, it would already have eliminated poverty and highly alienated labor, promoted much greater socio-economic equality, and allowed for much greater leisure time and education. Nevertheless, Mill's analysis leaves open the possibility of there being reasons to shift from successful market socialism to communism.

Firstly, if people were to become sufficiently motivated to produce economic necessities without a profit motive, it might be more efficient to eliminate the replication and waste produced by competition between firms producing similar goods, especially since this would reduce resource consumption, and be less destructive of the environment (Prudence). Secondly, even if the efficiency point were invalid, it is possible that communist forms of production might allow for greater cultivation of individual excellence (Nobility). For instance, if certain individuals were really willing to (say) work longer hours in economic production for others, without requiring the reciprocity of those who preferred more leisure time for non-economic activities, so that they could employ greater skill or art in their productive labor, it is difficult to see what would be objectionable in this. Finally, since Mill acknowledges that economic competition can have alienating effects (PPE-II:795), and market socialism is likely to produce more economic inequality than Communism, people who have cultivated a solidaristic commitment to the common good may opt for Communism over Socialism even though it is supererogatory to do so (Morality). After all, if Mill is right about the Art of Life, under optimal conditions people could be motivated to undergo such a transition to help others without it really coming at a cost to themselves because they would be more attuned to their enlightened self-interest. This is not to say that they would do it instrumentally qua calculating that it is in their self-interest, as in the case of direct hedonism, but rather that they might have reached a stage of psychic development where they treat the happiness of others as a part of their own happiness, and deem it an object worthy of pursuit in its own right (cf. Chapter 3 (D.4.B)).

(B.2.B) Mill's Liberalism

Since Mill is clear that representative democracy is his ideal form of government, the form of communism which he thinks *may* turn out to be a realistic ideal would have to be very far from anything that could be plausibly described as a 'dictatorship of the proletariat'. Moreover, and perhaps more peculiarly, it would have to be compatible with Mill's liberalism, and hence couldn't be predicated on the idea of transcending individual rights. Mill is clear that whatever doors to collective governance are opened in the political and economic realms, they cannot close the door to individual autonomy in the social realm.

To understand Mill's liberalism we must first remind ourselves of his de dicto commitment to the:

Injustice Principle: If α violated someone's moral rights by \emptyset -ing then there is:

- (i) *sufficient* reason for α to punish himself by blaming himself for \emptyset -ing;
- (ii) *sufficient* reason for others to punish α for \emptyset -ing by *openly* blaming him for \emptyset -ing; and
- (iii) *defeasible* reason for the state to punish α for \emptyset -ing through the application of legal sanctions (from Chapter 2).

Like the Harm Principle, to be discussed below, clauses (ii-iii) of the Injustice Principle pertains to "the dealings of society with the individual in the way of compulsion and control, whether the means used be physical force in the form of legal penalties [cf. clause (iii)], or the moral coercion of public opinion [cf. clause ii] (L:223)". Before introducing his Harm Principle Mill notes that:

"Society can and does execute its own mandates: and if it issues wrong mandates instead of right, or any mandates at all in things with which it ought not to meddle, it practices a social tyranny more formidable than many kinds of political, since though not usually upheld by such extreme penalties, it leaves fewer means of escape, penetrating much more deeply into the details of life, and enslaving the soul itself (L:220)."

Here Mill reminds us that, while we may fear misapplications of state power (and hence misapplications of clause (iii) of the Injustice Principle) because of the potential threats that legal 'penalties' may pose to our security, we also need to fear misapplications of social power (and hence misapplications of clause (ii) of the Injustice Principle) because of the threats it poses to individual autonomy and higher culture. In other words, Mill worries that even if our security were established,

social power might be misapplied in such a way as to preclude us from creating higher forms of life.⁴³⁸

According to Mill's Harm Principle:

“[t]he only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others [...] He cannot rightfully be compelled to do or forbear because it will be better for him to do so, because it will make him happier, because, in the opinions of others, to do so would be wise, or even right. “There are good reasons for remonstrating with him, or reasoning with him, or persuading him, or entreating him, but not for compelling him, or visiting him with any evil in case he do otherwise. To justify that, the conduct from which it is desired to deter him, must be calculated to produce evil to someone else. The only part of the conduct of any one, for which he is amenable to society, is that which concerns others. In the part which merely concerns himself, his independence is, of right, absolute (L:224).”

While the reference to a civilized community in the first line suggests that the Harm Principle has a much narrower scope than the Injustice Principle, which is supposed to apply to *any* society with some kind of morality, the reference to ‘right, absolute’ in the last line suggests that the former can add greater specification to the content of the latter. That is, the Harm Principle can render the formalism of the Injustice Principle more concrete, by guiding its application in a civilized society.

To confirm the plausibility of this reading note the following clarification by Mill:

“[i] It is proper to state that I forgo any advantage which could be derived to my argument from the idea of abstract right, as a thing independent of utility. [ii] I regard utility as the ultimate appeal on all ethical questions; but it must be utility in the largest sense, grounded on the permanent interests of man as a progressive being. [iii] Those interests, I contend, authorize the subjection of individual spontaneity to external control, only in respect to those actions of each, which concern the interest of other people (L:224).”

Note that when Mill forgoes any appeal to ‘abstract right’ to ground the Harm Principle in (i), he can do so without forgoing any appeal to rights as such. That is, he can appeal to *rights* without appealing to *abstract* rights. This means that when he says that his appeal will be to “utility in the largest sense”, he could be interpreted as appealing to (a) utility in the largest sense *instead* of rights, or (b) rights *grounded* in utility in the largest sense. Given that: (1) Mill goes on to note that these are forms of utility which warrant protection by ‘external control’ (line (iii)); (2) Mill has just made clear that this can take a social or a legal form; (3) the Injustice Principle claims that rights violations are *sufficient*

⁴³⁸ Of course, the dangers of social tyranny may also include higher pains as well as the loss of higher pleasures, and these pains may also have a higher quality than the highest pleasures. The rationale for focusing on the threat to higher pleasures is to highlight the fact that, while Mill prioritizes security over higher culture, his institutional recommendations are designed to prevent the former coming at the expense of the latter.

for *either* social *or* legal external control; and (4) Mill makes clear that the Harm Principle is designed to *reduce* the scope for such external control relative to the positive morality of his own society; it is extremely plausible to conclude that when Mill speaks of ‘harm’ in its technical sense this should be understood as ‘violation of a moral right’, where the rights in question are those which should be assigned to progressive beings in a civilized society.⁴³⁹

On this interpretation, while the Injustice Principle tells us that if a moral right is violated, the state or society should impose social controls on the violator, the Harm Principle tells us that the state and society should impose social controls *only if* they are designed to punish or prevent such violations. In other words, while the Injustice Principle leaves the door open to social controls for reasons other than punishing or preventing rights violations, such as intervention designed to punish or prevent forms of immorality that don’t rise to the level of rights violations (Moral Intervention), or intervention to provide paternalistic supererogatory aid (Paternalistic Intervention), the Harm Principle closes the door to these in the case of civilized societies.

Thus understood, we get the following formalization of the:

Harm Principle: If α didn’t (or isn’t trying to, or isn’t prone to (L:282)) violate a moral right (i.e. harm someone) by \emptyset -ing then:

- (i) (while) there may still be *sufficient* reason for α to punish himself by blaming himself for \emptyset -ing; there will be:
- (ii) *insufficient* reason for others to punish α for \emptyset -ing by *openly* blaming him for \emptyset -ing (and potentially also applying other kinds of non-legal social sanctions, such as ostracism); and
- (iii) *insufficient* reason for the state to punish α for \emptyset -ing through the application of legal sanctions.

⁴³⁹ However, this is not to deny that Mill occasionally, and rather confusingly, shifts into using ‘harm’ in a non-technical way. This mirrors his use of the term ‘right’ in more than one sense (see Chapter 2 (G), cf. UAPT:9). In the non-technical sense something could be harmful qua merely painful. When Mill says that one has no right not to be offended by the fact that others reject one’s religion, he is not denying that such rejection can be harmful in the sense of causing genuine distress, or denying that such distress is intrinsically bad. However, he is maintaining that it is not a form of harm which society should protect one from experiencing through the deployment of social or legal sanctions.

Of course, when stated so formally, the principle doesn't add much concrete guidance as to the content of the rights which need to be protected. The rights in question are constituted by the political, legal, economic, and social preconditions of mutual *autonomy*, or the conditions in which each person can act as the Artists of their own lives. These are the rights to what Mill calls 'freedom':

"The only freedom which deserves the name, is that of pursuing our own good in our own way, so long as we do not attempt to deprive others of theirs, or impede their efforts to obtain it. Each is the proper guardian of his own health, whether bodily, or mental and spiritual. Mankind are greater gainers by suffering each other to live as seems good to themselves, than by compelling each to live as seems good to the rest (L:226)."

An individual's right to freedom in this sense generates reciprocal positive and negative duties. The former involve cases where failing to help or cooperate with others would constitute a harm because without the social or legal enforcement of such benefits universal autonomy would not be possible. For instance, Mill claims that to live autonomously each individual will need legal protection, security, shelter and sustenance, access to help in the event of an emergency or mistreatment. In consequence, an individual harms others if he fails to perform his duty to:

"give evidence in a court of justice; to bear his fair share in the common defence, or in any other joint work necessary to the interest of the society of which he enjoys the protection; and to perform certain acts of individual beneficence, such as saving a fellow-creature's life, or interposing to protect the defenceless against ill usage, things which whenever it is obviously a man's duty to do, he may rightfully be made responsible to society for not doing (L:224-5, cf. 276)."

On the negative side, Mill posits duties of restraint when it comes to employing moral (social or legal) punishment in response to (i) people's thoughts and expressed opinions, (ii) their tastes and pursuits, and (iii) their associations (L:225-6). Mill suggests that the Harm Principle will yield the maximum range of non-intervention in the realm of (i) because thoughts and expressions as such have the least capacity to undermine the capacity of others who are exposed to them to live an autonomous life, in which they form their own thoughts, pursuits and associations (L:260). To fully grasp the nuance of Mill's position here, it is worth employing an example.

Suppose that α reads a book which provides an apparently dispassionate argument that the Holocaust didn't occur, and then defends this argument publicly. According to Mill's position, provided that α is making the case because he sincerely believes it is true, and not because the statement is "calculated to produce evil to someone else" by (say) offending or traumatizing them, he acts within his moral

rights, and it would therefore be unjust of others to apply the weapon of blame against him for stating his views. Moreover, since his right to express his opinion is “absolute” (L:224), and it would be unjust of others to blame him for expressing it, Mill’s position implies that those who morally disapprove of *the act* of saying it, as opposed to criticizing or condemning *the content* of the expression, should have their own *act* of moral disapprobation subjected to moral disapprobation.

While this position may seem counter-intuitive at first, Mill’s position has three additional features which make it less so. Firstly, clause (i) of the Harm Principle means that while α does not merit *social* blame for expressing a sincerely held opinion, he may still merit *self*-blame for (say) defending a potentially immoral, offensive, or traumatizing position before he had full command of the facts. In other words, the fact that he did not engage in injustice does not entail that he didn’t engage in wrongdoing, and hence doesn’t entail that he shouldn’t be subjected to the punishment of his own moral conscience.

Secondly, while Mill states that making a claim which induces offense on someone else’s part is insufficient for the latter to be said to be harmed (or have suffered a rights violation), this is compatible with the claim that making a statement *for the sake of* offending someone is a harm or a rights violation, in the sense that the *intention* (as opposed to the content of the speech) can merit *social* disapprobation or blame (L:258) The Harm Principle as such even leaves room for the application of *legal* sanctions here, although Mill’s discussion of free speech in Chapter 1 of *On Liberty* makes clear that he would be opposed to such an application (cf. L:225). In other words, while Mill’s theory of social justice is highly permissive with respect to the articulation of sincerely held opinion, it can be reconciled with a much less permissive attitude to the *mode* of, or the motive for, the expression. Thus, if, as is the norm in cases of Historical Negationism, there is good evidence that the view is not sincerely held, or is sincerely held but is being stated with the *goal* of inducing offense, trauma, or some further nefarious end, Mill’s position is compatible with warranting social

disapprobation at the *mode* of, the *motive* for, and the *content* of an expression, as opposed to the act of expression itself.⁴⁴⁰

Finally, while Mill insists that we should not *blame* people for articulating their views, he also maintains that:

“There is a degree of folly, and a degree of what may be called (though the phrase is not unobjectionable) lowness or depravation of taste, which, though it cannot justify doing harm to the person who manifests it, renders him necessarily and properly a subject of distaste, or, in extreme cases, even of contempt (L:278).”

Moreover, he declares it a “service” to point it out when one judges an opinion, taste, activity, or association as indicative that someone is “fool, or as a being of an inferior order (L:278)”. For Mill, then, *shaming* someone for their particular act of individual expression does not count as a moral “punishment”, and hence doesn’t amount to a violation of an individual’s right to express his individuality in thought and action without the application of external moral sanctions. In consequence, the Harm Principle would not declare it improper for people to point out to α , not simply the reasons why his belief is mistaken, but why his opinion provides evidence of (say) epistemic vice and hence inferiority of intellectual rank. For Mill, then, while all non-harmful *acts* of individual expression are owed moral respect or recognition, none are automatically entitled to admiration or to be shielded from contempt.

To conclude this section, Mill’s recalibration of the use of blame and shame in social intercourse wouldn’t simply transform modern societies as he described them in his own day, but would do so in a way which reflects the dual lexically prioritized norms of promoting security, and then higher pleasures. If an individual has a right not to be coerced or subjected to “evil” for expressing his individuality without harming others (L:224), on the one hand, and being subjected to an “evil” includes being subjected to the “the moral coercion of public opinion” (L:223), on the other, Mill is committed to the view that an individual’s moral right to express his individuality non-harmfully is violated by the employment of moral coercion. This means, in turn, that there is sufficient reason for

⁴⁴⁰ For instance, in the case of neo-Nazis who want to march in Skoke, adopting Mill’s position would commit one to condemning any act of condemnation of it qua *authentic expression of belief*, but would not preclude one from condemning it qua *deliberate attempt to traumatize Jews*. (Why else were they marching in that particular town?)

society to turn their moral coercion against overreaching moral coercion. While the existing norm, as Mill describes it, was for the mass to blame people for acting in ways which they, or their social superiors, merely disliked, Mill's proposal would invert this norm by morally condemning those who morally condemn others on the basis of a "standard" of "preference" (L:220-1). Thus are the intolerant to be morally browbeaten into tolerance.

With the tool of moral coercion thus restricted, people are thereby freed to non-harmfully explore and express their individuality without the threat of punishment or moral disapprobation. However, this narrowing of the sphere of moral judgment (Morality) does not mean a narrowing of the sphere of normative judgment as such. Once the "strong barrier of moral conviction" is raised against (coercive) Morality's entry into the sphere of mutually autonomous self-exploration and expression, judgments of Prudence, Nobility, and (non-coercive) Morality can occupy the space. People can judge whether this or that experiment in living is prudent or imprudent, born of intelligence or stupidity, beautiful or base, or expressive of a higher form of benevolence. The mass are thereby induced to witness and recognize Nobility where it arises, and feel shame at passive inferiority when they could be actively striving to follow its example. Of course, not everyone will be content with such a culture, and many will find the individuality of others offensive, and be genuinely pained to bear witness to it. However, for Mill, the pain of the bigot is of a lower qualitative order than the pains of those whose individuality is suppressed by social tyranny, on the one hand, and the higher pleasures of those who succeed in crafting an autonomous Art of Life, on the other. In the realm of speech he declares that:

"If all mankind minus one, were of one opinion, and only one person were of the contrary opinion, mankind would be no more justified in silencing that one person, than he, if he had the power, would be justified in silencing mankind (L:229)."

This claim can appear somewhat naïve given its Utilitarian underpinnings. After all, couldn't there be a great deal of utility to be attained by pleasing a large number of people who would like to see a particular opinion silenced? However, the verdict logically follows from Mill's lexical ordering of distinct forms of pleasure and pain. The pains of insecurity and stifled individuality, and the pleasures of autonomy, all trump the pains of offense at non-conformity, and the pleasures of coercing people into conformity.

(B.3) The Art of Life and Mill's 'Proof' of the Utility Principle

(B.1-2) have demonstrated the merits of rationally reconstructing the axiological foundations of Mill's system, so as to make it consistently supportive of QLH Pessimism, and hence Global Nihilism, by showing that this is the best way to reconcile QLH with Mill's political philosophy. We have seen that Mill's lexically prioritized political goals of avoiding security and social tyranny, on the one hand, and then promoting individuality and higher culture, on the other, mirrors the axiological rankings generated by QLH Pessimism rather than QLH Optimism (which would invert this order of prioritization). That is, the axiology of the Political Artist who creates a system which lexically prioritizes the minimization of the highest pains, and then the maximization of the highest pleasures, mirrors that of a QLH Pessimist, even if the Artist in question demonstrates strong optimism regarding the possibility of creating a positive *future* (Chapter 5). Such optimism amounts to optimism that we can build a sufficiently stable, prosperous, and open society that, while maintaining security and avoiding social tyranny is more important than cultivating high culture, the former are sufficiently well-established that society's attention and energy will be focused on the latter.

With our central substantive conclusion established we can now conclude this piece with one last piece of rational reconstruction. This reconstruction of Mill's system will serve to simultaneously tie together our findings, revealing their truly systematic interconnections, and do so in such a way as to shed light on what is commonly considered to be one of the biggest problems for Mill scholarship, namely, how best to understand Mill's 'proof' of the Utility Principle. It should by now be clear that there are numerous methodological approaches that scholars might employ when approaching the proof. A second-order historical (or Skinnerian) account would seek, as best it could, to use Mill's texts and the historical context of their production to peer into Mill's mind, revealing his own personal understanding of the proof and the intentions which led him to produce it. In contrast, a *de dicto* account of Mill's 'proof' would focus, less on Mill's personal understanding of the proof or what he intended it to achieve, and more on the objective meanings of his claims along with their logical implications. In further contrast, a *de re* account would explore the inferential significance of the

proof by supplementing its claims with additional facts of which Mill may have been oblivious, and using these as inferential context.

We hope to have shown that, while each of these projects is worthwhile, they should be kept distinct. However, since we are now engaged in rational reconstruction, we will not be bound by the constraints of any of these approaches, as our primary concern is now less in Mill's system as such and more on how it might or ought to be revised. In consequence, our reconstruction of Mill's proof will consider, not simply what Mill claimed, nor simply the collective implications of what he claimed, nor simply the collective implications of what he claimed in conjunction with further facts. It will instead consider how the proof might have been more usefully assembled using the resources of his texts, on the one hand, while eschewing the resources which might facilitate the construction of a deductively valid argument but which would quite reasonably command little assent from a contemporary audience.

Mill states his proof of the Utility Principle as follows:

“[i] No reason can be given why the general happiness is desirable, except that each person, so far as he believes it to be attainable, desires his own happiness. [ii] This, however, being a fact, we have not only all the proof which the case admits of, but all which it is possible to require, that happiness is a good: that each person's happiness is a good to that person, and the general happiness, therefore, a good to the aggregate of all persons. [iii] Happiness has made out its title as *one* of the ends of conduct, and consequently one of the criteria of morality (U-IV:iii).”

In Chapter 2 and 4 we saw how Mill's Normative Epistemology is designed to defend step (i). His claim, in short, is that the more a desire can pass the test of critical reflection the greater the evidence that the object of the desire is an intrinsic good. When commenting on the controversy surrounding the transition from step (i) to step (ii) Mill notes that:

“when I said that the general happiness is a good to the aggregate of all persons I did not mean that every human being's happiness is a good to every other human being; though I think, in a good state of society & education it would be so. I merely meant in this particular sentence to argue that since A's happiness is a good, B's a good, C's a good, &c., the sum of all these goods must be a good (LL-III:1257).⁴⁴¹

In other words, if we grant that (1) step (i) of the proof is valid because his epistemology reveals how we can acquire defeasible evidence of what counts as an intrinsic good, and (2) we have reason to

⁴⁴¹ *Letter to Henry Jones*, June 13, 1868.

promote what is intrinsically good, it will follow that (3) we have reason to promote the good even if it is realized in the lives of other people. Opponents of the proof, thus understood, can reject (1) or (2) but since the latter is a relatively weak claim most of the controversy has surrounded step (1).

To reject (1), one needn't reject Mill's normative epistemology root and branch. The standard move is to claim that, insofar as the epistemology reveals evidence of what is good, it is evidence of what is *good for* the agent rather than *good* as such. This is then taken to render premise (2) as irrelevant on the grounds that, while the fact that Θ is good may (or would) generate agent-*neutral* reasons for everyone to promote it, the fact that Θ is *good for α* only generates an agent-*partial* reason for α to promote Θ , not agent neutral reasons for others to do the same. On this view, Mill's 'proof' fails to support the Utility Principle because if the latter is a genuinely moral theory, it must be framed in terms of agent neutral reasons, on the one hand, and his normative epistemology cannot deliver these, on the other.

Rather than seeking to refute the rather abstruse claim that *agent-partial reasons cannot be moral reasons* directly, we can reconstruct the proof around the scaffolding of some of Mill's psychological claims, and leave it to the reader whether the resulting outlook fails to rise to the level of morality. However, as noted above, if we were to do this in a purely de dicto fashion, we would need to employ Mill's psychological associationism. Since many people would agree with Spence's claim that "Mill's [associationist] psychology may justly be dismissed as mere pseudoscientific, antiquated lumber", it make sense to make no appeal to it in the reconstruction. This is especially true since Mill's claim that people can come to take pleasure in the happiness of others is plausible even if the mechanism which Mill posited to explain this fact is not.

Our reconstruction begins as follows:

- 1) All people have sufficient reason to desire their own happiness (from Mill's Motivational Hedonism and normative epistemology).
- 2) If people have sufficient reason to desire their own happiness, they have sufficient reason to desire the satisfaction of the preconditions of their happiness.

- 3) The preconditions of happiness *include* desiring the happiness of others (Theory of Natural Sympathy and Solidarity).
- 4) (So) All people have sufficient reason to desire that they desire the happiness of others (from 1-3).

Premise (1) can actually be defended independently of Motivational Hedonism because, while the latter is committed to the view that we are *only* motivated to seek happiness (pleasure) and the absence of unhappiness (pain), premise (1) is compatible with a plurality of fundamental motivations. However, for the proof to generate the conclusion that the Principle of Utility is the *only* principle that people should follow, Motivational Hedonism would be required to close the door to alternative fundamental motivations constituting evidence of a plurality of fundamental goods.⁴⁴²

Premise (2) is tautological but is open to misinterpretation. If α desires Θ , it is a de dicto implication that α desires the satisfaction of the preconditions of Θ , Θ_p . However, α can desire Θ_p without knowing in what it consists. For instance, α may desire happiness but not realize that it consists in (say) balancing Morality, Nobility and Prudence in the Art of Life, as opposed to (say) maximizing income and climbing the social ladder. In consequence, α might deny that he desires the former even though it is identical to Θ_p , and assert that he wants the latter even though it is not identical with Θ_p . This means that the sense of desire in the consequent must be treated as de dicto rather than de re.⁴⁴³

Premise (3) serves to fill out the *part* of the de re content of the de dicto desire referred to in (2) that is most relevant to the proof of the Utility Principle. Note that since the content is de re, premise (3) will not be refuted by the fact that we could find people who accept (1-2) but reject (3). The truth of (3) hinges on facts about ourselves which Mill claims to have discovered but some of us may still remain oblivious. In Chapter 3 we saw that one of the most important discoveries that Mill claimed to have

⁴⁴² Note that the portion of the proof that we reconstructing does not aim to show that the Utility Principle is the only principle that we should follow. That was the object of the rest of chapter IV of Mill's *Utilitarianism*.

⁴⁴³ Cf. suppose that I tell the waiter that I want soup of the day. It is then true that I have a de dicto desire for soup of the day. However, little do I know that the soup of the day is garlic soup and I do not want garlic soup. It then follows that while I have a de dicto desire to have soup of the day, which I will affirm upon request, I have a de re desire not to have soup of the day, which will become evident as soon as the waiter delivers the soup.

made was that concern for others is a vital source of meaning and purpose in life. Moreover, while Mill would have been the last person to deny the value of special personal relationships, he maintains that even these are improved when shaped by concern for those external to the relationship. For instance, as Mill represents his relationship to his wife, part of what made their relationship so meaningful was that they could work together to promote the common good (A:197).

Together (1-3) yield (4), the claim that we all have sufficient reason to desire that we desire the happiness of others. The reason that the desire is second-order is that if we start with the claim that α has sufficient reason to desire Θ_p , and Θ_p turns out to be (or rather include) a desire, it will follow that α has sufficient reason to desire that he has a particular desire. Second-order desires are familiar enough. For instance, I may lack a desire for kale but know that kale is good for me, and hence desire to acquire the desire for kale. Similarly, an egoist who has followed and accepted the proof thus far will accept that he has reason *to desire* to desire the happiness of others, even if he does not yet desire the happiness of others.

According to the next step of the reconstructed proof:

- 5) Ceteris paribus, if people have sufficient reason to desire something, they have sufficient reason to consider it a good (Mill's normative epistemology), and hence sufficient reason to act so as to promote it (from Mill's Theory of Practical Reason).
- 6) (So) Ceteris paribus, all people have sufficient reason to consider desiring the happiness of others to be a good, and to act so as to promote it. That is, they have sufficient reason to act in the most effective way to make that desire an authentic, first order desire (from 4-5).

Premise (5) has two steps. The first employs Mill's Normative Epistemology to take us from the realm of psychology to the realm of axiology (from 'is desired' to 'is good'). Here those who are sceptical of Mill's Normative Epistemology in the way described above can treat 'good' as 'good for'. The second step employs Mill's teleological conception of Practical Reason to take us from the realm of axiology to the realm of reasons for action (from 'is good' to 'reason to promote'). This move was already implicit in the account of premise (3) above, because what ultimately matters for our

happiness is not simply that we desire the good of others but that we can act on that desire. It should also be noted that ‘action’ here should be construed broadly, so as to include ‘acting’ in such a way as to develop new character traits. Mill’s compatibilist defense of free will plays heavily upon the claim that we can “acquire power over our own character (SL-II:841).”

The reader who accepts the proof up to this point will now accept that she has sufficient reason to act so as to cultivate the (first order) desire for the happiness of others. The way forward is then described in (7) below:

- 7) The best way to come to acquire an authentic, first order desire for the happiness of others is to act in accordance with the Utility Principle and promote the happiness of others.
- 8) (So) *Ceteris paribus*, all people have sufficient reason to act in accordance with the Utility Principle and promote the happiness of others (from 6-7).

Mill’s defends (7) in numerous places, most notably when discussing the transformative effect of participation in local politics and working in a cooperative. Mill thinks that while one may enter such endeavors with narrow egoistic concerns, what starts off as cooperation with others for mutual self-interest can develop into a relationship of genuine sympathy and solidarity. We also saw how the Feedback Thesis posited in Chapter 3 creates a reinforcement effect. Once people begin to enjoy cooperating with others, they can learn to enjoy helping them in other ways as well, and the more they come to identify with the good of these people the more rewarding this experience will be. We also saw how Mill’s distinction between desiring and willing can explain how people who have shown solidarity with others when times are good, can maintain that solidarity when it comes at a cost to themselves (Chapter 2 (B)).⁴⁴⁴ One of the most crucial factors here will be how far people have made concern for others a core part of the meaning of their life. The more meaning that they derive from this, the more they will be able and willing to sacrifice themselves for the good of others, and hence adhere to the Utility Principle when it is at its most demanding.

⁴⁴⁴ For a brief reference see (SL-II:842-3).

However, as we already know by now, the story does not end here, for Mill's Utility Principle or conception of Morality, and therefore the demandingness thereof, is heavily qualified by the fact that it is only one of the virtues of the Art of Life. This qualification is added in (9) below:

- 9) (But) The preconditions of happiness do not simply include Morality, or acting in accordance with the Utility Principle, but also include Prudence and Nobility (from the Art of Life).
- 10) (So) To have sufficient reason to act in accordance with the Utility Principle and promote the happiness of others is not to have sufficient reason to reject Prudence and Nobility, but rather to have sufficient reason to pursue Prudence and Nobility in ways which are consonant with Morality's edict to promote the happiness of others (from 8-9).

By bounding Morality within the Art of Life Mill makes it the central source of meaning and purpose of life without allowing it to become so overbearing that it squeezes out all other sources of meaning and purpose, on the one hand, or lead us to condemn the universe, or even our very existence, for the abundance of suffering which is attendant thereof, on the other (Chapter 5).

Morality's capacity to guide and enrich our cultivation of the remaining virtues in the Art of Life is set out in (11) below:

- 11) Pursuing Prudence and Nobility in ways which are consonant with Morality's edict to promote the happiness of others includes:
 - (i) Moralized Prudence: not simply promoting *one's own* security, self-dependence, and freedom from social tyranny, but that of *all*.
 - (ii) Moralized Nobility: not simply cultivating one's own individual excellence but also cultivating excellences which promote the good of others, including through their own cultivation of excellence (from QLH Pessimism).
- 12) (So) All people have sufficient reason to promote the happiness of others through Moralized Prudence and Moralized Nobility (from 10-11).

We have seen that Mill effectively lexically prioritizes (i) over (ii), forbidding forms of class conflict in which one group's security, self-dependence, or freedom from social tyranny, is sacrificed as a

means to, or inevitable by-product of, the intellectual and aesthetic cultivation of another group.⁴⁴⁵ This mirrors the claim of QLH Pessimism that (a) the pains of such insecurity are higher than the pleasures of self-cultivation, and (b) even if the pains of social tyranny are lower than the pleasures of self-cultivation, since social tyranny is likely to preclude self-cultivation, it makes sense to restrict the former in the name of promoting the latter. However, this doesn't mean prioritizing mediocrity over self-cultivation, as security and the absence of social tyranny doesn't necessitate mediocrity. One reason for this is that security and the absence of social tyranny are compatible with a culture which emphasizes an order of rank in the field of intellectual and aesthetic achievements.

We have also seen that Mill goes on to modify this rather general conclusion for the specific case of civilized societies. Here the paternalistic justification for legal and moral coercion is rendered invalid by the fact that people have reached a sufficient capacity for autonomy that self-improvement will be best achieved through its exercise. This means that the form of Perfectionist Liberalism which is most suited to this society allows for the *promotion* of higher culture but not its *enforcement*. Since Mill excludes non-moral criticism from 'enforcement', this leaves even greater room to push higher culture into the public sphere, leaving those who lack it feeling belittled by the experience, and sparking their desires to make themselves worthy of Noble admiration.

Since we have already modified our reconstructed proof of the Utility Principle by bounding it with the Art of Life, it makes sense to take the final step of presenting the route from Mill's Art of Life to his Political Art, through the medium of his Political Science:

- 13) In a civilized society Moralized Prudence and Moralized Nobility will lead one to support Perfectionist Liberalism: a system combining representative democracy and a market socialist economy, the operation of which are bounded by a liberal system of legal and social justice, and in which the government is entitled to promote higher culture but not to force it upon people (from Political Science; (B.2 above)).

⁴⁴⁵ Recall that, for Mill, 'despotism' can be justified but only on the condition that it is paternalistic, on the one hand, and the potential beneficiaries are suitable candidates for paternalism, on the other.

14) (So) Political Art: All people in a civilized society have sufficient reason to support Perfectionist Liberalism (from 12-13).

Nietzsche denies the realism of this kind of vision:

“there is no issue on which base the base European consciousness is less willing to be instructed than this; these days people everywhere are lost in rapturous enthusiasms, even in a scientific disguise, about a future state of society where ‘the exploitative character’ will fall away [...] ‘Exploitation’ does not belong to a corrupted or imperfect primitive society: [...] it is a result of genuine power will to power, which is just the will to life (BGE:259).”

It would be difficult to deny that peoples’ will to life has often expressed itself as a will to power over others. However, it is far from obvious that it is realistic to think that it can continue to do so for much longer without this leading to the erosion of *everyone’s* security. As people’s capacity to decimate each other, or even render the species extinct increases, a world in which the will to power over others persists seems more likely to produce various forms of fascism, whether they be nationalistic or theocratic, than genuinely higher culture. In other words, there comes a time when realism requires one to acknowledge that the will to power over others is, or is at least becoming, a will to death, and those who genuinely will a good life need to promote a world in which everyone can do the same.

Having argued that Mill’s philosophy should be grounded upon deeply pessimistic foundations, it might seem strange to conclude this chapter with a *hint* of optimism. However, while we should acknowledge that the prospects of the creation of a ‘Millian’ society are bleak, it is not as naively utopian as the quotation from Nietzsche would suggest. On the contrary, if we actually wish to succeed in avoiding mutual self-destruction, on the hand, and the narrow-minded, conformity-inducing, identity-politics that is likely to arise from the threat thereof, on the other, it may be our only viable option.⁴⁴⁶ In other words, if we want people to both survive *and* to live a life worthy of our admiration, our best hope lies in promoting Mill’s insight that:

⁴⁴⁶ In future work I intend to explore the idea that, while the value-neutral political liberalism of Europe is designed to accommodate and offer recognition to multiple cultures, it is actually inducing the contempt and even the aggression of certain sections of the Islamic population, and driving Europe into conflict. In other words, I intend to explore the idea that the growing Islamic revolt in Europe is best understood, not as a response to the ‘oppression’ of European Muslims, which is close to non-existent, but rather as a response to the perceived inferiority of a weak, materialistic, godless and fundamentally meaningless European culture.

“It is not by wearing down into uniformity all that is individual in themselves, but by cultivating it and calling it forth, *within the limits imposed by the rights and interests of others*, that human beings become a noble and beautiful object of contemplation; and as the works partake the character of those who do them, by the same process human life also becomes rich, diversified, and animating, furnishing more abundant aliment to high thoughts and elevating feelings, and strengthening the tie which binds every individual to the race, by making the race infinitely better worth belonging to (L:265).”⁴⁴⁷

As reconstructed in these final pages, Mill’s Art of Life and its attendant Art of Politics, are designed to enable us to affirm life, feel solidarity with each other, and transform ourselves into a species which, while unable to ‘justify’ the world, is nevertheless able to beautify and ennoble it. They provide a route to enabling people to positively evaluate *themselves* in the *real* world; where they might otherwise *succumb* to nihilistic despair or overly-moralistic self-flagellation, *settle* for a reprieve in the *divine* hereafter, or *delude* themselves into a megalomaniacal *faith* in their own self-importance. Moreover, they provide a way for people to realistically and yet positively evaluate *each other*, as opposed to subjecting each other to either participation in a ‘holy war’ of mutual demonization and moral degradation, or finding peace through degeneration into the shallow, conformist, passive, and *fundamentally* beliefless societies of Nietzsche’s “contemptible man” (Z-‘Prologue’:5). Finally, they provide a path to a *realistically* positive first-person evaluation of the *human condition* as people are ‘thrown’ into it, and as it may *become*. In so doing they provide a response of sorts to Nietzsche, by suggesting a means of *preventing* the abyss that we might otherwise stare into from staring unto ourselves (BGE:146). It is a response purporting to show that an Art of Life can be hedonistic and moral, without leaving us to *condemn* existence for *our* pains, *our* limitations, or *its* horrors.

Here it may be worth noting the difference between Mill and Nietzsche’s attitude to Islam. For Mill, Islam was an illiberal and irrational object of contempt, adherence to which was a sign of backwardness. He viewed it as inferior to Christianity, partly due to the inflexibility of its ‘revelations’, and partly because of its failure to acknowledge a distinction between mosque and state (SW:296 cf. CE:612, CRG:414, SS:1181, UR:417). In contrast, Nietzsche looked upon it positively, and even lamented the failure of the Islamic attempts to conquer Europe (AC:59-60). Of course, this was not because he believed in Muhammed’s ‘holy lies’, but because he felt that the adoption of Islam’s normative hierarchy between men and women, umma and kafir, master and slave, could have provided Europe with the kind of ‘ladder of rank’ he deemed necessary for it to be saved from Christianity’s cultural egalitarianism (cf. BGE:257-9). In consequence, Mill and Nietzsche’s conflicting evaluations of Islam rest on the shared premise that it is fundamentally incompatible with liberal democracy. For further discussion of Nietzsche’s views on Islam, see Almond-(2010/ch.8) and Jackson-(2007).

⁴⁴⁷ My italics.

Conclusion

“He [James Mill] had thought much on the principles of the art of reading, especially the part of it which relates to the inflexions of the voice, or *modulation* as writers on elocution call it (in contrast with *articulation* on the one side, and *expression* on the other), and had reduced it to rules, grounded on the logical analysis of a sentence. These rules he constantly impressed upon me, and severely took me to task for every violation of them: but I even then remarked (though I did not venture to make the remark to him) that though he reproached me when I read a sentence ill, and *told* me how I ought to have read it, he never *shewed* me: he often mockingly caricatured my bad reading of the sentence, but did not, by reading it himself, instruct me how it ought to be read. It was a defect running through his modes of instruction as it did through his modes of thinking that he trusted too much to the intelligibility of the abstract when not embodied in the concrete. It was at a much later time of life when practising elocution by myself or with companions of my own age, that I for the first time thoroughly understood his rules and saw the psychological grounds of them; and at that time I and others followed out the subject into its ramifications and could have composed a very useful treatise grounded on my father’s principles. He himself left those principles and rules unwritten, and unwritten they still remain.”

John Stuart Mill, *Autobiography* (CW I:26)

In Chapter 1 (C.2) we noted how paying greater attention to the distinction between the types of system construction, on the one hand, and the difference between system construction and reconstruction, on the other, may facilitate more fruitful discussion of past thinkers other than Mill. Having provided examples of how de dicto system construction, de re system construction, and system reconstruction can proceed *in the case of Mill*, it may be fitting to conclude by locating the results of our enquiry in relation to ongoing debates in the secondary literature, and by suggesting some ways in which this work could open up new avenues for enquiry.

(A) In the Beginning: The Aretaic and Deontic Questions

Some ethicists begin their enquiries with the *aretaic* question ‘what is the best way to live?’ whereas others set off from the *deontic* question ‘what is it morally right or wrong to do?’⁴⁴⁸ The former is broader, because there is more to life than action, and less question-begging, as it doesn’t assume the falsehood of Nietzschean immoralism from the very outset. While a thinker could conceivably find herself providing the same answer to the different questions, the account of Mill’s system that has

⁴⁴⁸ For a variant on this distinction see Railton-(1983/p.102). For the aretaic question, see Plato *Republic* 352d and Williams-(1985/ch.1). While Kant asks ‘what ought I to do?’ (see *Critique of Pure Reason* B.832-3), Railton suggests that he starts with the deontic question. This may be because Railton doesn’t distinguish between ethics and morality.

been defended in these pages suggests that the fact that he starts with the aretaic question, pertaining to the correct Art of Life, had a big impact on his answer to the deontic question. After all, his answer to the aretaic question provides a framework within which he can ask the deontic question, and this framework conditions his answer to the latter. If one thing sets this interpretation apart from those in the existing secondary literature, it is the emphasis placed on the importance of Mill's implicit commitment to the qualitative ranking of pains. However, the next most important difference stems from the significance we have attached to the fact that Mill begins with the question of the Art of Life and then makes Morality a *single* department thereof. I hope to have shown that, regardless of whether one accepts my interpretation, a plausible interpretation of Mill's must be able to explain this fact, and a plausible reconstruction of his system must justify assigning Morality more importance than Mill's actual demarcation of the Art of Life suggests is reasonable. To help to illustrate these points we can examine some of the ways in which the existing literature fails to satisfy these criteria.

(B) Philosophical Utilitarianism and Act Utilitarian Readings

According to one of Utilitarianism's most prominent contemporary critics, Thomas Scanlon:

“philosophical enquiry into the subject matter of morality [...] seeks to explain what kind of truths moral truths are by describing them in relation to other things in the world and in relation to our particular concerns.”⁴⁴⁹

“‘[P]hilosophical utilitarianism’ is a particular philosophical thesis about the subject matter of morality, namely, the thesis that the only fundamental moral facts are facts about individual well-being.”⁴⁵⁰

In Chapter 2 (G) we saw that Mill uses the ‘right’ and ‘wrong’ predicates in a number of different ways. In the *comparative* sense of these predicates acts can be said to be ‘more right’ or ‘more wrong’, which is to say morally *better* or *worse* respectively, in virtue of having better or worse effects on the global hedonic balance. This means that Mill's Utility Principle is ‘philosophical’ in Scanlon's sense insofar as it implies the:

Metaphysical Thesis: the properties of *comparative* rightness and wrongness supervene upon the hedonic effects of the acts of which they are predicated. That is, if one act is morally

⁴⁴⁹ Scanlon-(1982/p.106)

⁴⁵⁰ Scanlon-(1982/p.108)

better or worse than another, the former must have better or worse hedonic effects than the latter respectively.

This is also to read Mill as an Act Utilitarian, in the sense of taking him to attribute moral properties to acts on the basis of the *value of their consequences*, as opposed to attributing them on the basis of the *consistency of the act with rules* which would have valuable consequences if generally or universally followed (Rule Utilitarianism).⁴⁵¹ However, the Metaphysical Thesis does not commit Mill to equating the *threshold* sense of ‘right’, according to which *an act which is not right is wrong*, with the *superlative* sense of right, according to which *the right act is the best act*. Such an equation yields the Strong Act Utilitarian position according to which *any act but the best act is wrong*. This allows him to sidestep what we can call the Overdemandingness Objection.⁴⁵² A proponent of this objection claims that there are limits to genuine moral obligation and that, in consequence, any moral theory that makes demands which transgress this limit are false qua overdemanding.⁴⁵³ If any moral theory is vulnerable to this objection, it is Strong Act Utilitarianism because it is difficult for a moral theory to demand more than the best.⁴⁵⁴

Scanlon doesn’t suggest that philosophical utilitarianism generates a commitment to Strong Act Utilitarianism but he does suggest that it generates a commitment to the view that it is never wrong to maximize utility.⁴⁵⁵ In Chapter 6 (A.3) we referred this conclusion as:

⁴⁵¹ For some historically influential act utilitarian readings see Mabbott-(1956), Cupples (1972), and Brown (1974). Important rule utilitarian readings include Urmson-(1953), Ryan-(1970), and Lyons-(1976), and Miller-(2010). Although note that Lyons has technical reasons for claiming that his account places Mill’s theory of morality between act and rule utilitarianism.

⁴⁵² For broader discussion see Kagan (1993) and Hooker-(2000/p.149-58).

⁴⁵³ The ‘Nietzschean’ variant of this objection discussed in Chapter 5 (C.3) and Chapter 6 (A.4) claims that morality as such is overdemanding and thereby takes that as a reason to become an immoralist.

⁴⁵⁴ This objection is often levelled at Peter Singer who seems to think that, whatever moral acts one has performed already, if one can do more, it is wrong not to. For instance, if one has donated large amounts of money to aid people in a famine, if one has any discretionary income left over, it would be wrong to spend it on life projects which one finds meaningful if saving more lives would yield greater net utility. See Singer-(1972) and Pettit-(1997/p.163-169).

⁴⁵⁵ Scanlon-(1982/p.110)

The Permissibility Principle: if an act or policy, x, is the best (i.e. optimal, utility maximizing, superlatively right) then it is morally permissible (and maybe even morally meritorious) for an agent (or a government) to perform it.

Since Scanlon rejects the Permissibility Principle, and takes it to be implied by philosophical utilitarianism, he also rejects the latter and opts for his constructivist alternative.⁴⁵⁶ We will return to the question of whether he has good grounds for doing so shortly.

According to what we can call the Strong Act Utilitarian reading: Mill can be attributed with Scanlon's version of philosophical utilitarianism; he is an Act Utilitarian (as defined above); he *accepts* and is *logically committed* to the Permissibility Principle; and he believes that an action is wrong if it is suboptimal. Skorupski sees that the last condition is incompatible with Mill's Wrongdoing Principle and his clear acceptance of a category of supererogation. However, he also takes issue with the claim (endorsed by Scanlon and this thesis) that Mill's philosophical utilitarianism actually *logically commits* him to the Permissibility Principle.⁴⁵⁷ If we translate Skorupski's two main reasons for this rejection into the language of this thesis, they can be re-expressed as follows. Firstly, Mill has a de dicto commitment to a conception of Morality which recommends *impartiality* (U-II:xviii).⁴⁵⁸ And secondly, this generates a de re commitment to opposing utility maximization when it is incompatible with *real* impartiality qua imposing undue sacrifice on some for the sake of benefitting others.

However, supposing that Skorupski were right to think that *real* moral impartiality requires the rejection of the Permissibility Principle, one might wonder whether we can parsimoniously reconstruct Mill's position without it. After all, one can accept Skorupski's claims while maintaining that Mill *also* had a genuine de dicto commitment to an alternative conception of impartiality (which

⁴⁵⁶ Scanlon-(1982/p.110)

⁴⁵⁷ Skorupski-(1989/p.308-15)

⁴⁵⁸ It is worth emphasizing here that the link is between Morality and impartiality. Given that Morality is a sub-department of the Art of Life, it does not follow that Mill takes all reasons to be agent neutral. Cf. Skorupski-(1989/p.308-10).

Skorupski deems to be false), and that this was integral to the character of Mill's system. Our discussion of the Art of Life has shown us that the latter conception of impartiality is fundamentally axiological and pre-moral, in the sense that it is taken to apply to the evaluation of *possible worlds*, rather than the evaluation of *actions* which serve to realize one possible world rather than another. It maintains that (1) the *distribution* of intrinsic 'goods' and intrinsic 'bads' is not itself an intrinsic good or bad, and hence (2) the best of two worlds from an impartial perspective is always that with the higher net utility (irrespective of its distribution).

If we were to reconstruct Mill's system without the conception of impartiality which Skorupski deems misguided, we would either have to subtract (2) or maintain that one can combine Skorupski's alternative conception of impartiality therewith. Since (2) follows from (1), the first option requires the rejection of the latter. However, to do this is to reject philosophical utilitarianism (or, more accurately, the Metaphysical Thesis), which Skorupski wants to defend.⁴⁵⁹ One can, of course, consistently claim that (i) only welfare and its absence is intrinsically good or bad, and (ii) the distribution of welfare matters because it has an *instrumental* effect on how much welfare there is (as with Mill's Feedback Thesis).⁴⁶⁰ What one cannot do, however, is combine (i) with the claim that the *distribution* of welfare as such is intrinsically good or bad, as it is not itself welfare or its absence.

What of the second option? (1-2) as such leave it an open question whether *moral* impartiality (a) recommends producing the best possible world judged from the perspective of (aggregative) *axiological* impartiality, or (b) requires greater responsiveness to the *distribution* of 'goods' and 'bads' than axiological impartiality as such. While Skorupski endorses (b), and hence takes Mill's system to be best reconstructed accordingly, our analysis of Mill's system has shown that his commitment to (a) reflects his commitment to QLH and the need to avoid the Global Mediocrity Objection.⁴⁶¹ That is, it is QLH which generates the quasi-perfectionist permissibility of choosing the

⁴⁵⁹ Skorupski-(1989/p.310-12)

⁴⁶⁰ Cf. Singer-(2011/ch.2)

⁴⁶¹ Skorupski's construction of Mill's system abstracts away from the details of QLH (see p.305) and this may lead him to overlook the obstacles to parsimoniously reconstructing his system in accordance with an alternative conception of impartiality.

‘unfair’ world, in which supreme happiness is highly concentrated, over the ‘fair world’, in which mere pleasure is more equally distributed.

Of course, Skorupski’s motivation for recommending a distinct conception of impartiality may stem less from a concern to create a moral obligation to level down in *that* kind of scenario than a concern to prevent the imposition of great *suffering* on a few in order to create *pleasure* for the many.⁴⁶² In this case his principal concern would align with critics of Act Utilitarianism, like Scanlon and Rawls, who think that the Permissibility Principle is incompatible with robust rights to security.⁴⁶³ However, in Chapter 6 (A.4) we saw that this concern stems from overlooking the fact that QLH assigns qualities to *pains* as well as pleasures, on the one hand, and that Mill’s QLH Pessimism entails that one would make the world worse if one imposed the highest pains on some in order to generate *comparatively* low pleasures for the many. In other words, if one is to reject Mill’s system, it should not be on the basis that it cannot ground rights to security.

(C) The Rule Utilitarian Reading

Thus far our survey of the literature has highlighted two key worries about Act Utilitarianism, namely, that it can demand *too much* (by making any suboptimal act wrong), or demand *too little* (by failing to constrain violations of people’s right to security). These considerations have helped to support an argument for a Rule Utilitarian reading of Mill which we can call the Argument from Charity. While what we will call the Argument from Textual Accuracy (B.2) focuses on finding textual evidence that Mill really was a Rule Utilitarian, the Argument from Charity emphasizes that it is more charitable to read Mill as a Rule Utilitarian, as this is the only way to save his system from the problems (allegedly) generated by Act Utilitarianism.

(C.1) The Argument from Charity

The Argument from Charity suggests that Rule Utilitarianism’s focus on rules restricts the demandingness of Utilitarian Morality. After all, if one can avoid wrongdoing by following the rules,

⁴⁶² Skorupski-(1989/p.328)

⁴⁶³ Scanlon-(1982/p.126)

and acts which follows the rules don't necessarily maximize utility, one can avoid wrongdoing despite acting sub-optimally. It also maintains that it allows Utilitarian Morality to generate the intuitively appropriate constraints, by denying the permissibility of breaking the rules as a means to utility maximization. After all, if one acts wrongly when one breaks the moral rules as such, this will remain true when one maximizes utility thereby.

The reading of Mill defended here has undermined the Argument from Charity in two ways. Firstly, it has shown that a Weak Act Utilitarian reading of Mill's *Utilitarianism*, which contextualizes his moral philosophy within his Art of Life, can *also* avoid the overdemandingness of Strong Act Utilitarianism. And secondly, it has shown that the Permissibility Principle is compatible with robust rights to security. In other words, the interpretation defended here has shown that Mill can avoid the problems of Strong Act Utilitarianism without being a Rule Utilitarian, and hence doesn't *need* the charity offered by the Argument from Charity.

Of course, if this much is true, the Argument from Charity has only been undermined to the extent that it has been shown that it is *no more* charitable to read Mill as a Rule Utilitarian than as a Weak Act Utilitarian. This is compatible with the Rule Utilitarian interpreter maintaining that it is at least *no less* charitable to read Mill as a Rule Utilitarian than as a Weak Act Utilitarian. However, we can undermine the latter claim by noting the existence of versions of the Rule Utilitarian interpretation according to which its attribution to Mill exposes him to a dilemma between facing a Redundancy or Incoherence Objections to 'his' Rule Utilitarianism.

These objections stems from the claim that if Rule Utilitarianism is a genuine form of Utilitarianism, it must be based on the Utility Principle. Since the Utility Principle tells us that what we have most *moral reason* to do is maximize utility, it is then inferred that if we what we have most moral reason to do is follow a set of moral rules, it is *because* doing so maximizes utility. However, this create a dilemma for the Rule Utilitarian position. On the one hand, if the explanation for there being most moral reason to act consistently with the moral rules is that such acts are utility maximizing, Rule Utilitarianism simply collapses into an *indirect* form of Act Utilitarianism (the Redundancy

Objection).⁴⁶⁴ In other words, if we are being told to follow the rules, not because adherence to rules is *fundamental* to the nature of morality, but because the rules provide a *useful* guide to which acts will maximize utility in any given case, Rule Utilitarianism does not provide a contending account of the nature of morality to that provided by Act Utilitarianism. On the other hand, if there are cases where what we have most moral reason to do is to stick to the rules even though doing so would not maximize utility, Rule Utilitarianism will provide a genuinely distinct account of the nature of morality to that provided by Act Utilitarianism, and thereby avoid the Redundancy Objection. However, it will do so at the price of incoherence because Rule Utilitarians cannot consistently appeal to the Utility Principle to ground their rules, while also rejecting the Utility Principle when the rules contradict it (Incoherence Objection).⁴⁶⁵ Of course, if one were to reject the Utility Principle, and hence Utilitarianism, one could formulate a coherent position which makes adherence to utility promoting rules fundamental to morality.⁴⁶⁶ However, since Mill is clearly wedded to the Utility Principle, it would not be charitable to attribute this position to him either, as it would amount to attributing him with a commitment to Utilitarianism and anti-Utilitarianism.

(C.2) The Argument from Textual Accuracy

We can now turn to explaining why the interpretation defended here shows that Mill is not a Rule Utilitarian (B.2.A) and how it can account for the evidence adduced in support of that interpretation (B.2.B).

(C.2.A) Mill on Rules and Wrongdoing

The considerations presented in (B.1) can be supplemented by showing that the Argument from Textual Accuracy is invalid because Mill clearly rejects Rule Utilitarianism. This means that, even if it were more charitable to read Mill as a Rule Utilitarian, we should not do so because this would entail extending charity to the point of falsifying the texts.

⁴⁶⁴ Lyons-(1965)

⁴⁶⁵ For discussion see, Lyons-(1976/p.283-4) and Miller-(2011).

⁴⁶⁶ Cf. Hooker-(2011/p.108-11).

In his discussion of the distinction between art and science Mill tells us that:

“In all branches of practical business, there are cases in which individuals are bound to conform their practice to a pre-established rule, while there are others in which it is part of their task to find or construct the rule by which they are to govern their conduct (SL-II:943-4).”

This means that in the case of any art, α_1 , we can distinguish between *legislative* decisions pertaining to what those rules (R_α) ought to be, given the goal of realizing the teloi of α_1 (T_α), and *judicial* decisions pertaining to what a given rule would require if it were implemented in a given case (SL-II:944). Mill suggests that judicial decisions are syllogistic, in the sense that the verdict is deduced from a rule of the form ‘if A then B’ and the judgment that it is a case of A. In contrast, he takes legislative decisions to involve much more complex feats of judgment. One reason for this is that the legislative decision pertaining to the proper character of R_α may also be decided with reference to the higher-order rules (R_H), from the higher order arts ($\alpha_{H1\dots n}$), aiming at their own higher order teloi ($T_{\alpha_{H1\dots n}}$), to which the teloi of α_1 are subordinate qua parts or means. Complicating matters further the legislator who appeals to R_H cannot simply apply them mechanically like a judge because the rules will be imperfect. That is, Mill says that the legislator must remember the reasons which led to R_H having their particular character in the first place, which is to say to remember that they were designed to realize $T_{\alpha_{H1\dots n}}$, and hence shouldn’t be applied in ways which undermine those ends when formulating the rules for subordinate arts, such as α_1 .

Mill suggests that it is by ascending through the hierarchy of arts that one comes to the Art of Life (SL-II:949-50), whose whole telos is given by the Principle of Teleology (SL-II:951-2). Mill claims that once one reaches the Art of Life, the highest generalities pertaining to each of its’ departments, namely, Morality, Prudence, and Nobility, are constituted by “general premises” rather than rules (SL-II:949). However, he also suggests that there are “principal conclusions which may be deduced from” these “general premises”, and the text is compatible with these including rules to guide the Art of Life. This could mean rules *within* each of the departments, rules for *negotiating between* the departments, or a combination of both. However, Mill is absolutely clear that at the level of the Art of Life as such, the rules should not be taken as absolute:

“In the manual arts, where the requisite conditions are not numerous, and where those which the rules do not specify are generally either plain to common observation or speedily learnt from practice, rules may often be safely acted upon by persons who know nothing more than the rule. But in the complicated affairs of life, and still more in those states and societies, rules cannot be relied on, without constantly referring back to the scientific laws on which they are founded (SL-II:945).”

“By a wise practitioner, therefore, rules of conduct will only be considered as provisional. Being made for the most numerous cases, or for those of most ordinary occurrence, they point out the manner in which it will be least perilous to act, where time or means do not exist for analyzing the actual circumstances of the case, or where we cannot trust in our judgment in estimating them (SL-II:946).”

Mill also warns against slipping into the *judicial* mind-set when one should be thinking like a *legislator*:

“The error is therefore apparent, of those who would deduce the line of conduct proper to particular cases, from supposed universal practical maxims; overlooking the necessity of constantly referring back to the principles of the speculative science, in order to be sure of attaining even the specific end which the rules have in view (SL-II:946).”

All of this should be taken as strong evidence against a Rule Utilitarian reading according to which Mill defines the rightness (or wrongness) of an action in terms of its (in)consistency with moral rules.⁴⁶⁷ After all, even if the department of the Art of Life which we call Morality contains rules, over and above the Utility Principle, the passages above would lead one to expect Mill to claim that it is permissible to override them in order to maximize utility. Moreover, this is exactly what we find in *Utilitarianism*. There Mill acknowledges that we may need to rely on secondary rules in order to perform the act with the best hedonic effects but maintains that this does not mean that these secondary rules are absolute:

“It is not the fault of any creed, but of the complicated nature of human affairs, that *rules of conduct cannot be so framed as to require no exceptions*, and that hardly any kind of action can safely be laid down as either always obligatory or always condemnable. There is no ethical creed that does not temper the rigidity of its laws, by giving a certain latitude, under the moral responsibility of the agent, for accommodation to peculiarities of circumstances (U-II:xxv).”⁴⁶⁸

(C.2.B) Support for the Rule Utilitarian Reading

Why, then, has the Rule Utilitarian reading persuaded so many scholars? Urmson and Lyons point to passages such as the following, on the basis of which we attributed Mill with the Wrongdoing Principle in Chapter 2 (G):

⁴⁶⁷ Cupples-(1972) also emphasizes the incompatibility of Mill’s account of rules in the *System of Logic* with Rule Utilitarianism.

⁴⁶⁸ My italics.

“For the truth is, that the idea of penal sanction, which is the essence of law, enters not only into the conception of injustice, but into that of any kind of wrong. We do not call anything wrong, unless we mean to imply that a person ought to be punished in some way or other for doing it; if not by law, by the opinion of his fellow creatures; if not by opinion, by the reproaches of his own conscience (U-V:xiv).”⁴⁶⁹

Note that this passage equates ‘the idea of penal sanction’ and ‘the essence of law’. It then says that the former ‘enters into’ the conception of ‘any kind of wrong’, from which we might be tempted to infer that ‘the essence of law’ is also contained within the notion of wrongdoing. From there one can infer that Mill believes that if there is sufficient reason for an agent to be punished for Θ -ing, Θ -ing is wrong qua prescribed by *some kind of law*. In cases where the *law* in question is not to be enforced by the state, we might then refer to it as a moral *law* or *rule*. As Miller notes, this reading can be re-enforced by a letter written by Mill to George Ward in 1859 in which he describes guilt as “a feeling of pain in the fact of violating a rule (LL-II:659).”⁴⁷⁰

The first thing to notice here is that even if this analysis is correct, it suggests that the violation of a moral rule is *necessary* for the wrongness of an act. However, this is compatible with denying that the violation of a moral rule is sufficient for wrongness.⁴⁷¹ In consequence, it doesn’t contradict Mill’s claim that rules have exceptions, on the one hand, or the Permissibility Principle, on the other. In his defense of a Rule Utilitarian reading Miller is therefore wise to cite another passage, which he thinks that *only* the Rule Utilitarian reading can explain:

“In the case of abstinences indeed – of things which people forbear to do from moral considerations, though the consequences in the particular case might be beneficial – it would be unworthy of an intelligent agent not to be consciously aware that the action is of a class which, if practiced generally, would be generally injurious, and that this is the ground of the obligation to abstain from it (U-II:xiv).”

For Miller, this passage provides “explicit” support for Rule Utilitarianism because the ground of the wrongness of the act is its inconsistency *with a beneficial rule* other than the Utility Principle itself. It is certainly the strongest passage that can be adduced in support of the Rule Utilitarian reading.

⁴⁶⁹ Urmson-(1953/p.244), Lyons-(1976/p.269-76)

⁴⁷⁰ Miller-(2010/p.87)

⁴⁷¹ Cf. the critique of Lyons in Gaus-(1980/p.297).

However, given that it is a solitary passage which is explicitly designed to deal with the phenomenon of ‘abstinences’, it is worth noting that it can be reconciled with the Act Utilitarian reading.

To do so, we need to consider the causal relationship between *individual* violations of a rule of this kind, and the negative consequences which follow from *numerous* violations. Since there is no *individual* instance of Θ -ing that makes it the case that *many* people are Θ -ing, it seems that the only way in which the causal relation can be construed is in terms of (a) one individual violation at t_1 helping to cause a subsequent violation at t_2 , and (b) each individual violation being part of the cause of whatever unfortunate affects follow from multiple violations. If this is correct, we can read the passage as claiming that, while violating the rule may yield some utility when construed in isolation, one should not do so, as it may (or will) also help to yield a much greater amount of disutility in combination with the actions of others, not least because in performing the act one may also encourage others to do so as well.⁴⁷²

Nevertheless, even if the latter passage doesn’t *require* us to embrace the Rule Utilitarian reading, we need to show how Mill’s claim that wrongdoing is sufficient for there to have been a violation of a moral rule can be factored into the Act Utilitarian reading. Recall the passage previously quoted in support of the Act Utilitarian reading in which Mill tells us that:

“By a wise practitioner, therefore, rules of conduct *will only be considered as provisional*. Being made for the most numerous cases, or for those of most ordinary occurrence, they point out the manner in which *it will be least perilous to act*, where time or means do not exist for analyzing the actual circumstances of the case, or where we cannot trust in our judgment in estimating them (SL-II:946).”⁴⁷³

The Permissibility Principle tells us that people *may* break the rules on occasion because their ‘provisional’ nature means that they are an imperfect guide to optimality. However, the truth of the Permissibility Principle is consistent with it being that case that it is somewhat ‘perilous’ to break the rules. After all, one might think that one has good reasons to do so, and then discover that one was

⁴⁷² Cf. the following from a letter sent by Mill to John Venn quoted in Brown-(1974/p.286): “I agree with you that the right way of testing actions by their consequences, is to test them by the natural consequences of the particular action, and not by those which would follow if every one did the same. But, for the most part, the consideration of what would happen if every one did the same, is the only means we have of discovering the tendency of the act in the particular case (LL-IV:1881).” For further discussion of this problem, see Tuck-(2008/ch.4).

⁴⁷³ My italics.

mistaken. Note that if one acts wrongly *having broken a rule* in such a case, this will be consistent with Mill’s claim that wrongdoing is sufficient for the violation of rule. Conversely, if one sticks to the rule and ends up acting sub-optimally in such a case, there is nothing in Mill’s Weak Act Utilitarianism as such which requires him to claim that *one acted wrongly in sticking to the rule*. If this is correct, the role of secondary rules in Mill’s Utilitarianism goes beyond merely warning us to stay clear of actions which are likely to have bad consequences. The rules also reinforce this warning by directing penal sanctions against those who break the rules *without having sufficiently good reason to do so*, whether these sanctions be self-imposed in the form of guilt, or other-imposed in the form of blame or legal punishment. In consequence, moral rules provide the average person with a relatively safe guide to living within the bounds of moral permissibility.⁴⁷⁴

To conclude this section, we can lay out the relation between the position defended in this thesis to that of some of the other readings in the secondary literature in Table 3 below.

Table 3:

	Strong Act Utilitarian Reading	Alternative Weak Act Utilitarian Reading (e.g. Skorupski)	Charitable Rule Utilitarian Reading (e.g. Urmson)	‘Uncharitable’ Rule Utilitarian Reading (e.g. Lyons, Miller)	My Weak Act Utilitarian Reading
Mill Accepts Permissibility Principle	Yes	Yes	No	No	Yes
Mill Committed to Permissibility Principle	Yes	No	No	Yes (Incoherence Objection)	Yes
Mill Accepts Duty to Maximize	Yes	No	No	No	No
Mill Should Accept Duty to Maximize	Yes	No	No	No	No

⁴⁷⁴ The average person is referred to as we wish to make a different claim in the case of politicians, although Mill does not suggest that this is necessary himself. After all, Mill’s Weak Act Utilitarianism is consistent with certain people in positions of power or authority having an obligation to avail themselves of greater information than the average citizen and take extremely difficult decisions. In the event of a national security emergency it may be the case that a political leader should stick to the law and secondary moral rules, but if Weak Act Utilitarianism is true, it is not a necessary truth that a political leader should do so. It may even be the case that for someone in that position, it would be wrong to stick to the rules when breaking them is necessary to avoid a disaster.

The interpretation defended here sides with the Act Utilitarians against the Rule Utilitarians on the question of whether Mill *accepted* the Permissibility Principle, while siding with the Strong Act Utilitarians against certain other Weak Act Utilitarians, such as Skorupski, on the question of whether Mill is correct to claim that he is *logically committed* to that principle. In the latter case, the reading defended here is also in partial alignment with those who read Mill ‘uncharitably’, as both a Rule Utilitarian and as committed to the Permissibility Principle. For such uncharitable interpreters, this leaves Mill confounded by the Incoherence Objection. This helps to reinforce the argument presented above, that it is more charitable to read him as an Act Utilitarian. The position defended here also allies itself with the Weak Act Utilitarians and Rule Utilitarians, against the Strong Act Utilitarians on the question of whether Mill claimed that there was a duty to maximize utility, and whether he was logically committed to that position. However, the arguments which the Weak Act Utilitarians and Rule Utilitarians appeal to in order to reach this shared conclusion are fundamentally incompatible.

(C.3) Containing Morality

The final argument against the claim that the Rule Utilitarian reading is more textually accurate flows directly from Mill’s claim that Morality is only one of the departments in the Art of Life. In (B) above we saw that the Strong Act Utilitarian reading renders Mill’s conception of Morality too expansive. If one were to attribute it to Mill, it would have the effect of expelling Nobility and Prudence from the Art of Life, leaving the latter identical to a demanding form of Morality. We can now argue that the Rule Utilitarian reading would yield a similar, albeit less extreme result. Rather than expelling Nobility and Prudence from the Art of Life, the Rule Utilitarian reading allows the latter to retain a nominal presence in theory, while allowing Morality to colonize their space in practice.

Like Scanlonian Contractualism, Rule Utilitarianism focuses on the threshold sense of ‘right’ according to which *an action which is not right is wrong*. To act morally is to follow the rules, and if one follows the rules, one does no wrong. This account of the nature of morality does a good job of explaining why morality is not actually as demanding as the Strong Act Utilitarians claim. However, it does so by creating a similar gap between moral theory and morality as it is normally understood. While most would agree that moral rules lie at the heart of morality, many would deny that they

exhaust it. The Strong Act Utilitarian leaves no room for supererogation by making optimization obligatory, whereas Rule Utilitarianism leaves no room for it *within morality* by restricting morality to the realm of obligation.⁴⁷⁵ In consequence, when one attributes this conception of morality to Mill, it has the peculiar effect of shifting what we would normally think of as the realm of morally praiseworthy acts of supererogatory benevolence acts into the realm of Nobility.

On the one hand, this may seem harmless and even intuitive. After all, isn't it true that we should *look up* to highly benevolent people? And isn't it true that Mill deems these people praiseworthy? But on the other, if Mill's Art of Life prescribes a balance between Morality, Nobility and Prudence, shifting supererogatory morality into the realm of Nobility has the consequence of substantially moralizing the latter. After all, if supererogatory benevolence were included within Morality, the fact that Nobility has been accorded a legitimate place alongside Morality means that one could legitimately sacrifice some of the voluntary, and yet genuinely praiseworthy, aspects of Morality for the sake of giving individual excellence its' due. In contrast, if the voluntary aspects of Morality are shifted into Nobility, supererogatory acts will be necessary for the latter, and this will reduce the scope for the pursuit of individual excellence. One effect of this could be that we might even have to trade off genuine moral obligations against the imperatives of self-development, thereby rendering the latter 'required immoralities'. Perhaps even more counterintuitively, if supererogation is placed within Nobility, and Nobility is to be given its due, we might have to make trade-offs between moral obligations and supererogation, thereby rendering the latter 'required immoralities'.

In contrast, the Weak Act Utilitarian interpretation defended here allows for a very broad conception of Morality, including the realm of the obligatory and the supererogatory. It allows for a conception of Morality which *contains* rules, adherence to which allows us to meet our obligations. And yet it also allows for the possibility of a genuine sphere of *morally* praiseworthy actions which go beyond what is morally obligatory, on the one hand, without constituting individual excellence, on the other. It provides scope for granting legitimate moral praise to the kind of individual, who responds to the

⁴⁷⁵ Lyons-(1976/p.270-1) notes that the rule utilitarian reading leaves the account of morality incomplete and even suggests, in consequence, that Mill ignores supererogation. In fact, this is merely a projection of the weaknesses of the Rule Utilitarian reading onto Mill.

trade-offs created by an imperfect world by sacrificing his own genuine interests and self-development, with a view to improving the lives of others. This person is a ‘moral saint’ precisely because he sacrifices the opportunity to develop some of the forms of excellence, which would have further enriched his life, in order to help others.⁴⁷⁶

This particular approach to carving the joints of the Art of Life maps onto Mill’s distinction between the “genuine benevolence or sympathy with mankind” which “held their due place in my moral creed”, on the one hand, and “ideal nobleness”, on the other (A:112). In consequence, when Mill says that “There is a standard of altruism to which all should be required to come up, and beyond which it is not obligatory, but meritorious (ACP:337)”, the interpretation defended here is justified in construing such merit in moral terms, while acknowledging that Mill also recognizes distinct characteristics or excellences which are worthy of non-moral praise. While Mill’s ideal is to craft an Art of Life which allows one to harmoniously reconcile each of its departments, the fact that Nobility and Prudence are provided with their own place becomes increasingly significant in the non-ideal circumstances in which trade-offs may need to be made between the various departments.

By placing supererogatory benevolence *within* Morality, this thesis has provided a reading of Mill which is truer to his texts than that provided by Rule Utilitarianism. However, it has also attributed him with a more attractive position, by rendering Mill less vulnerable to the over-demandingness objections that we have associated with Nietzsche. There is certainly nothing *morally* wrong with moral saints, and we are no doubt better off for their existence (provided that they are genuine). However, many of us will maintain that much, while agreeing with Nietzsche that moral saints should not be viewed as our highest ideal.⁴⁷⁷ Mill’s system offers an explanation for why we are entitled to

⁴⁷⁶ Note that on this view Jesus of Nazareth, as humanly rather than theologically conceived, would not necessarily count as a moral saint, except for at point of death. When Mill explains the value of Jesus he refers to his “personal originality combined with profundity of insight” as the reason for his being properly counted among the “first rank of the men of sublime genius of whom our species can boast.” As such, Jesus is conceived not merely as profoundly benevolent, but as having cultivated excellences which took him into the higher realm of Nobility. To complete the picture Mill goes on to add that: “When this pre-eminent genius is combined with the qualities of probably the greatest moral reformer, and martyr to that mission, who ever existed upon earth, religion cannot be said to have made a bad choice in pitching on this man as the ideal representative and guide of humanity (T:487-8).”

⁴⁷⁷ Cf. Wolf-(1982/p.421)

do so, without thereby automatically committing ourselves to an immoralist position. This is the moderating effect of the wisdom of assigning Morality with a *leading* - but *non-dominant* - role, within the Art of Life.

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