

## Chapter 3

# Utilitarianism: Happiness, Pleasure, and Public Policy

Laws and social arrangements should place the happiness, or (as speaking practically it may be called) the interest, of every individual, as nearly as possible in harmony with the interest of the whole.

—J.S. Mill, *Utilitarianism*, p. 218

### Utilitarianism defined

As noted in the Introduction, Mill was the quintessential social reformer of the nineteenth century. How did he balance his steadfast commitment to liberty with the desire for reform and improvement? We have seen that in the course of writing about liberty and freedom of expression, Mill wrote about how choice and speech were the means by which people learned and gained the “real power” by which they remade and improved themselves. In his view, liberty and reform go hand in hand.

But, improvement for what end? Here, we consider how Mill’s *Utilitarianism* was grounded in a theory of morals in which the worth and capacity of each was equal to that of others and all individuals are connected via sympathy and the desire for approbation. From this ethical theory, Mill recommended sweeping institutional reforms to offer equal treatment to all while continuing to advocate more individual choice.

Mill’s *Utilitarianism* relied on several key principles. For individual actions, Mill held that “actions are right in proportion as they tend to promote happiness, wrong as they tend to produce the reverse of happiness”

(*Utilitarianism*, p. 210). He equated happiness with pleasure and the absence of pain, recognized that human beings enjoy different sorts of pleasures (and pains), and sketched out his thoughts on higher and lower pleasures. Second, Mill insisted that the criterion for right action is not simply the individual's own happiness or pleasure but rather that of society, "the greatest amount of happiness altogether." The happiness of one was to count equally with that of others. Mill equated utilitarianism to the Golden Rule: "As between his own happiness and that of others, utilitarianism requires him to be as strictly impartial as a disinterested and benevolent spectator. In the golden rule of Jesus of Nazareth, we read the complete spirit of the ethics of utility. To do as one would be done by, and to love one's neighbour as oneself, constitute the ideal perfection of utilitarian morality" (*Utilitarianism*, p. 218). Third, this greatest happiness principle formed the rationale for Mill's public policy stance in which the happiness of each counts equally in the total.

### **The social context**

Mill was much concerned with the precise nature of the general rule for human actions, in particular with "what things [utilitarianism] includes in the ideas of pain and pleasure" (*Utilitarianism*, p. 210). He confronted a central problem at the outset: whom to include in the calculation – a question he answered "so far as the nature of things admits" to include "the whole sentient creation" (p. 214).

Second and more complex for Mill was how to define the aggregate social "happiness." In a departure from Bentham, Mill's version of utilitarianism presupposes a sort of Smithian sympathy, the ability to change places imaginatively with others and a resulting treatment of others as equal to one's self. As Mill put it, the "ethical standard" was grounded on the "social feelings of mankind; the desire to be in unity with our fellow creatures." These feelings, he opined, were "already powerful" in his time:

The social state is at once so natural, so necessary, and so habitual to man, that, except in some unusual circumstances or by an effort of voluntary abstraction, he never conceives himself otherwise than as a member of a body; and this association is riveted as more and

more, as mankind are further removed from the state of savage independence. (*Utilitarianism*, p. 231)

Society was “manifestly impossible” except on an equal footing: ever the proponent of impartiality, Mill insisted the interests of all were to count equally (p. 231). For Mill, like Smith before him, social connections have a pronounced motivational force:

Not only does all strengthening of social ties, and all healthy growth of society, give to each individual a stronger personal interest in practically consulting the welfare of others; it also leads him to identify his *feelings* more and more with their good, or at least with an ever greater degree of practical consideration for it. (*Utilitarianism*, p. 231)

Thus Mill’s no-harm principle is embedded in his utilitarianism—the happiness of one is not at the expense of others. Later versions of utilitarianism, as we will see briefly in the conclusion to this chapter, distanced themselves from Mill’s Smithian perspective.

## Happiness as pleasure

So much for the social context and *how* Mill proposed to aggregate, with each to count equally, as well as how the happiness of others motivates individuals. But *what* was to be aggregated? What constituted happiness? Perhaps because the Smithian basis would have been well understood in his time, it was on this relatively contested question of what constituted happiness that Mill focused his attention. In a partial answer Mill equated happiness with pleasure, “By happiness is intended pleasure, and the absence of pain; by unhappiness, pain, and the privation of pleasure” (*Utilitarianism*, p. 210).

Yet this definition simply pushed the argument to another word—What constituted pleasure? Mill insisted that his was no epicurean notion of happiness “worthy only of swine” (*Utilitarianism*, p. 210). Since humans are capable of enjoying pleasures no swine enjoy (e.g., the pleasure associated with

learning or conversing), Mill distinguished between these “higher” pleasures and the “lower” pleasures associated with bodily functions. He acknowledged that “Utilitarian writers in general have placed the superiority of mental over bodily pleasures chiefly in the greater permanency, safety, uncostliness, &c., of the former—that is, in their circumstantial advantages rather than in their intrinsic nature” (p. 211).

### **Higher and lower pleasures**

Like Jeremy Bentham before him, Mill allowed that people’s varied experiences yield different pleasures. Also like Bentham, Mill allowed that in general, people generally prefer a constancy of pleasure over intensity and prefer active pleasures to passive ones (keeping in mind that intellectual pleasures are active). By this, he meant that intense pleasure is often fleeting and thus compares poorly with less intense but longer lasting pleasure. Mill suggested that most individuals should not expect “more from life than it is capable of bestowing,” meaning that one should not expect to achieve a life filled with intense pleasure (*Utilitarianism*, p. 215). The alleviation of poverty, however, was not too much to expect from life (p. 216). As we shall see below, Mill believed this was fully attainable through education.

Perhaps the most contentious subject among utilitarians then or since is the vexing question of what Mill referred to as higher and lower pleasures. Mill’s *Utilitarianism* allowed that some pleasures are available to all or most of us—when we eat, we enjoy the food—while others are open only as institutions facilitate this—if we are allowed to learn, read, or go to school, we are able to enjoy learning. In Mill’s time, social, economic, or legal arrangements prevented access to higher pleasures among many. Those who were unfree, slaves, and women who were unable to own property outside of marriage were most obviously unable to enjoy the full array of pleasures open to free humans. Mill also recognized that the labouring poor led “wretched” lives of desperation, without education or any benefits beyond the bare necessities of existence. For them, existence was severely circumscribed, limited to pleasures associated with maintaining life, and by no means “happy.” Mill focused in *Utilitarianism* and other works on how society as a whole would benefit if these pleasures, closed off to so many in the nineteenth century due to legal and institutional

arrangements, were made available to all. Thus, he undertook to describe the difference between their existence and that of a fully thriving human and then to advocate policies that he believed would enable them to enjoy fuller lives. Mill's focus in *Utilitarianism* was on broadening, via institutional reform, the set of pleasures open to all.

And so Mill took on Bentham's question of evaluating different types of pleasure. Bentham had maintained that all sorts of pleasures might be measured using seven criteria: intensity, duration, certainty, propinquity, fecundity, purity, and extent. Then, if the quantity of pleasure is equal in two activities, both produce happiness equally. Mill demurred. He countered that pleasures varied qualitatively as well as in quantity. In Mill's view, there were "higher pleasures," small amounts of which might outweigh "lower pleasures" in the individual's calculus. He associated pleasures with anything beyond the necessities of life (food, sleep, and so on), including learning, reading, and reflection. Thus followed his famous distinction:

It is better to be a human being dissatisfied than a pig satisfied; better to be Socrates dissatisfied than a fool satisfied. And if the fool, or the pig, is of a different opinion, it is because they only know their own side of the question. The other party to the comparison knows both sides. (*Utilitarianism*, p. 212)

Of course, in opening the door to the consideration of higher and lower pleasures, the immediate question was how to tell which is better? It is important to note that, for Mill, there was not an *a priori* way to adjudicate whether pleasures were higher or lower. Instead, he leaned on experience to make the determination. He used what economists today would call a "revealed preference" argument—suggesting that we observe the choices of those who have experience making the comparison:

If I am asked, what I mean by difference of quality in pleasures, or what makes one pleasure more valuable than another, merely as a pleasure, except its being greater in amount, there is but one possible answer. Of two pleasures, if there be one to which all or

almost all who have experience of both given a decided preference, irrespective of any feeling of moral obligation to prefer it, that is the more desirable pleasure. (*Utilitarianism*, p. 211)

From here, it was a small step to Mill's famous and controversial idea of "competent judges":

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. (*Utilitarianism*, p. 211)

Competent judges are experienced but, importantly, they are not superior to those who are inexperienced. They simply have had the good fortune of experiencing both the pleasure of poetry and that of stand-up paddleboarding. Anyone—former slave, labourer, married woman—who has experience is competent. The problem, of course, and for Mill it was the key policy problem of his day, was lack of experience: so few slaves or labourers or women were afforded the chance to learn to read or enjoy other intellectual pleasures. In line with what we have seen in Chapter 1, Mill also worried that people who are not allowed to choose or for whom pleasures are greatly circumscribed might lose their ability to discriminate and choose (or never gain that ability in the first place):

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 because they deliberately prefer them, but because they are either the only ones to which they have access, or the only ones which they are any longer capable of enjoying. (*Utilitarianism*, p. 213)

## The public policy of Mill's utilitarianism

Importantly, while those who are unfree might become “addicted” to lower pleasures, Mill did not suggest that we force poetry on the lovers of stand-up paddleboarding. Instead, his point in *Utilitarianism* was that a richer set of pleasures be made more widely available. Thus, he balanced his concern with individual choice with the desire to improve the lot, for instance, of the labouring poor, to move them out of the extreme poverty of mid-nineteenth century existence and into situations where additional choices would be opened up for them, and they would be able to choose other pleasures as well as those associated with sustenance, drink, and procreation.

Most Mill readers have a working knowledge of his *Utilitarianism*, yet few appreciate that the doctrine was the unifying principle of his public policy. How did Mill move from an ethical theory to a principle of public policy? As noted at the outset, utilitarianism as a moral standard was to be based not on the individual's happiness but “that of all concerned”: “I must again repeat, what the assailants of utilitarianism seldom have the justice to acknowledge, that 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” (*Utilitarianism*, p. 218).

Mill thus championed “impartiality” and “equality” not as a corollary of utilitarianism but as instead “involved in the very meaning of Utility.” One person's happiness thus must count “for exactly as much as another's” (*Utilitarianism*, p. 257).

Mill was much concerned with applications of his general utilitarian rule. After his self-described emotional crisis, he reformulated the goal, rejecting what he originally perceived to be Bentham's excessively narrow definition (*Autobiography*, pp. 99-100). Because he stressed the spiritual nature of people, he argued that material gain was not the ultimate goal for society. A moral tone, and a wide notion of improvement were integrated into the utilitarian goal: “utility,” he maintained, constitutes the “ultimate source of moral obligations” (*Utilitarianism*, p. 226). This perspective had major implications for economic policy, which at the least, Mill argued, was to suit, and at best might improve, the moral character of the public. Thus, Mill occasionally questioned

the effectiveness of institutional reforms that did not aim at moral improvements and would consequently not achieve lasting effects.

Since for Mill the moral, economic, and intellectual independence of each is integral to happiness, he placed conspicuous emphasis on liberty as a component in the utilitarian goal. As Chapter 1 notes, liberty relates to self-regarding actions and is a human need, requisite to attaining happiness: “Where, not the person’s own character, but the traditions or customs of other people are the rule of conduct, there is wanting one of the principal ingredients of human happiness, and quite the chief ingredient of individual and social progress” (*On Liberty*, p. 261).

Consistent with his position that the happiness of one counts equally with all, Mill advocated wide-ranging social and economic reforms to unravel the legally sanctioned partiality that characterized social relationships in his day. He insisted that the “only real hindrance” to attaining social happiness was the “present wretched education, and wretched social arrangements.” Education, made available to all, was a key means of alleviating poverty and achieving social utility. Indeed, he believed education would eliminate (extreme) poverty: “Poverty, in any sense implying suffering, may be completely extinguished by the wisdom of society, combined with the good sense and providence of individuals” (*Utilitarianism*, p. 216). Somewhat naively, perhaps, he foresaw that education might also “indefinitely” reduce disease: “Even that most intractable of enemies, disease, may be indefinitely reduced in dimensions by good physical and moral education, and proper control of noxious influences; while the progress of science holds out a promise for the future of still more direct conquests over this detestable foe” (p. 216).

The availability of education in his day to only a privileged few was but one example of policy partiality. Mill opposed all legal and economic privileges that favoured one group over another. Thus, social arrangements that favoured one group at the expense of another were ripe for reform. (Chapter 4 details Mill’s reform proposals for women.) Mill advocated reforms of such “aristocracies of colour, race, and sex”:

The entire history of social improvement has been a series of transitions, by which one custom or institution after another, from being

supposed a primary necessity of social existence, has passed into the rank of universally stigmatized injustice and tyranny. So it has been with the distinctions of slaves and freemen, nobles and serfs, patricians and plebeians; and so it will be, and in part already is, with the aristocracies of colour, race, and sex. (*Utilitarianism*, p. 259)

Other situations, where it seemed possible to increase overall happiness through policies that prescribed choice, were to be judged on a case-by-case basis. Consistent with this concern for preserving freedom of choice, Mill stressed that such reforms should be encouraged but not imposed, and he preferred local to central control of reforms on the ground that this preserved liberty. If unimpeded action led to undesirable results, this behaviour might be restricted on utilitarian grounds. Laws preventing fraud, and sanitary and safety regulations, were justified on this basis (*On Liberty*, pp. 293-94). Throughout, Mill's program for social reform was designed to encourage self-reliance and greater happiness among labourers. (We return to Mill on the labouring poor in Chapter 6.)

### **Mill's anti-paternalism**

As a good liberal, Mill respected the autonomy of people's choices (and the pleasure accruing) to count in the calculation of social happiness. All persons would learn to choose and the social theorist was to respect those choices in the utilitarian calculus. On balance, despite the difficulties associated with the distinction between higher and lower pleasures, Mill's utilitarianism was at once reformist and anti-paternalistic. Experience and education would be sufficient to ensure that the presently impoverished would become adept at making choices—at self-governance. Mill opposed the view, held by many in his time, that women, the Irish, and the labouring poor would never be self-sufficient. Mill (and another nineteenth century liberal, John Bright) held that the Irish (and former slaves, and women) were perfectly capable—with only lack of experience standing between them and happiness.

Thus, as noted above, in his argument with Thomas Carlyle (Mill 1850, *The Negro Question*), Mill was adamant that the reason former slaves chose not to exert themselves much in the labour market was simply that wages were so

low. Like Carlyle, later social theorists did not share Mill's view, questioned the rationality of the observed behaviour of individuals, and believed they might prescribe individual choices if it seemed like people weren't working enough.

In 1870, William Stanley Jevons rejected Mill's identification of happiness with choice. Instead, Jevons took a step towards calculating social utility by advocating that social theorists measure the effect of an action on the "happiness of the community" (Jevons, 1879, p. 533). For Jevons, some groups of people systematically make mistaken choices: women who make poor marriage and labour market decisions; and the Irish who, in his view, systematically save too little for the future. This allowed for the view, contra Mill, that experience was insufficient to enable some groups to assume the role of competent judges, and it opened the way for a wide array of paternalistic policy suggestions.

F.Y. Edgeworth went beyond Jevons in this regard. Like Jevons, he distinguished between social welfare and individual choice, and allowed that individuals possess different capacities for enjoying (the same) pleasures. Thus, Edgeworth assigned different weightings to people in the social utility formulation. Beyond Jevons, Edgeworth even allowed that some individuals' capacity for pleasure was so low that they would obtain zero or negative lifetime pleasure and he imagined that if such people were banished from society social welfare would increase. This sort of calculus, *not Mill's*, led to eugenics proposals that were supposedly intended to improve social welfare.