

THE MISPLACED ROLE OF “UTILITARIANISM” IN  
JOHN STUART MILL’S UTILITARIANISM

A Thesis

by

DAVID EUGENE WRIGHT

Submitted to the Office of Graduate Studies of  
Texas A&M University  
in partial fulfillment of the requirements for the degree of  
MASTER OF ARTS

August 2012

Major Subject: History

The Misplaced Role of “Utilitarianism” in John Stuart Mill’s Utilitarianism

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## ABSTRACT

The Misplaced Role of “Utilitarianism” in John Stuart Mill’s *Utilitarianism*.

(August 2012)

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This thesis aims to provide the appropriate historical context for interpreting John Stuart Mill’s *Utilitarianism*. The central question considered here concerns two views of Mill’s intentions for *Utilitarianism*, and whether the work should be read as Mill arguing for his own version of utilitarianism, or as an ecumenical document expressing and defending the views of many utilitarians. The first view, labeled the orthodox view, as defended by Roger Crisp, is probably the most commonly held view as to how to interpret the document. The second view, labeled the revisionist view, is defended by Daniel Jacobson in a recent article. By examining Mill’s place in the history of utilitarianism, his journals, correspondence, and other writings leading up to and after the publication of *Utilitarianism*, this thesis argues in support of the revisionist position. Furthermore, it is argued that certain portions of the book deserve special consideration apart from other chapters, and this is taken to have implications for the future of research in Mill’s thought.

This thesis has four chapters including the first introductory chapter, which outlines the motivations guiding the orthodox and revisionist views. The second chapter provides a general exposition of *Utilitarianism*, as well as an outline of the primary evidence supporting the orthodox and revisionist positions. The third chapter is a defense of the revisionist position, and it highlights the specific biographical context in which *Utilitarianism* was composed, as well as evidence from Mill's writings, correspondence, and journals suggesting that he saw the need to write a general defense of the principle of utility and elaborate his theory of justice. This chapter also includes a historiographical analysis of Mill's biographers, which suggests that *Utilitarianism* is not viewed by Mill's biographers as being especially central to his considered views on utilitarianism. Finally, the chapter includes a section on the early reception and criticisms offered against *Utilitarianism*, which partly explains why the book has come to be interpreted as it has. The final chapter reviews the evidence for the revisionist position and explains the implications for Mill scholarship in light of the findings of this study.

## DEDICATION

This thesis is dedicated to Gary and Carol Wright. They always manage to see what I might become, not merely what I am.

## ACKNOWLEDGEMENTS

I would first like to thank my thesis committee members. I would like to thank Dr. Blackwelder for her help in getting me to see the historical forest through the philosophical trees and vice versa. I hope that I have not lost sight of either. I would like to thank Dr. Palmer for her encouragement throughout this process and for her patience and tolerance for my habit of bursting into her office every time I read a new piece of “exciting” research concerning Mill’s life and thought. I would also like to thank Dr. Adams who showed immense patience with me through the completion of this project. My debt to him is such that I cannot properly repay him for his help—I can, at most, plan to pay it forward to my own students.

I would also like to thank my friend and colleague TJ Kasperbauer for our many conversations about Mill, and for his help in shaping me as an intellectual historian. It is difficult for me to quantify the number of times he has changed my mind on an intellectual topic, or caused me to look at my methodology from a different angle. TJ is to intellectual stagnation as a roaring fire is to dry twigs: the latter will not last long in the presence of the former. I also want to thank my friend Cody Moore who pushed me along in my time of need, which is precisely what great friends can do. I wish to give special thanks to Brittany Lecky who graciously translated an important piece of Mill correspondence for me, which was a great help. I also want to thank Hope Olson for her help in the editing of this manuscript. The highest thanks, though, is due to my wife Katie who added her considerable expertise of the Victorian period in helping to

complete this project. Most important, though, was her unstinting patience and kindness, and her encouragement at key points in the project when I seemed to lose my way.

Without her, surely, I would be lost.



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## CHAPTER I

### INTRODUCTION

Contemporary scholars of moral philosophy often identify John Stuart Mill's *Utilitarianism* as one of the more important works in moral theory in the last two hundred years.<sup>1</sup> Since its 1861 publication in three installments in *Fraser's Magazine for Town and Country* (hereafter *Fraser's*), it has become a sourcebook both for those wishing to criticize and those who hope to defend various tenets of utilitarian morality. Of course, clarifying precisely what kind of moral theory Mill is discussing in that work has been a matter of great contention for some time among Mill scholars. While many scholars attempt to deduce Mill's final judgments about moral theory by giving special prominence to the arguments contained within the pages of *Utilitarianism*, some scholars have raised difficulties with such an approach. One scholar in particular, Daniel Jacobson, has questioned the importance typically ascribed *Utilitarianism* within Mill's corpus of writings.<sup>2</sup> Jacobson argues that by looking at Mill's comments about the document in his correspondence, Mill's arguments within the document, and Mill's actions concerning the document's publication and subsequent revisions, one finds good reason to re-evaluate the work's prominence in Mill's *oeuvre*. Ultimately, Jacobson

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This thesis follows the style of *The Chicago Manual of Style*.

<sup>1</sup> In the course of his three-volume history of moral philosophy Terence Irwin writes that "The most influential and most widely read defense of utilitarianism is Mill's short book *Utilitarianism*, published in 1861." Terence Irwin, *The Development of Ethics: A Historical and Critical Study*, vol. III, *From Kant to Rawls* (New York: Oxford, 2009), 365.

<sup>2</sup> Daniel Jacobson, "J.S. Mill and the Diversity of Utilitarianism," *Philosophers Imprint* 3 (2003): 1-18.

argues that the kind of utilitarianism discussed within *Utilitarianism* is an ecumenical doctrine: a doctrine that is specifically designed to have wide appeal among those who accept this philosophical label, but one that should *not* necessarily be ascribed to Mill. This thesis will demonstrate that though this view represents a sharp break with much of Mill scholarship and is still in need of further argumentation, there are strong reasons to support Jacobson's general position.

At stake in the dispute over the importance of *Utilitarianism* are the means to settle the debate over what kind of utilitarianism Mill ultimately defended. Stated generally, utilitarianism is the view that the morally correct action is whatever action promotes the most good.<sup>3</sup> Utilitarians differ, of course, as soon as one begins to specify what actions are moral actions, what the good amounts to, how one promotes it, as well as other questions. Insofar as intellectual historians and philosophers are interested in clarifying the origins and morphology of ideas, it is surely a matter of interest to answer the question of what kind of utilitarianism Mill ascribed to. This seems especially relevant since he stands as one of the most famous of all utilitarian theorists. Of course, untangling Mill's general view on the matter from what he wrote in *Utilitarianism* is not so simple. As Quentin Skinner has written in his influential article on the proper practice of intellectual history, this involves several distinct components:

The essential question which we therefore confront, in studying any given text, is what its author, in writing at the time he did write for the audience he intended to

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<sup>3</sup> For some perspective on how this definition fits with figures in the history of the view consult Julia Driver, "The History of Utilitarianism", in *The Stanford Encyclopedia of Philosophy*, Stanford University, 1997-, article published Summer 2009, <http://plato.stanford.edu/archives/sum2009/entries/utilitarianism-history>

address, could in practice have been intending to communicate by the utterance of this given utterance. It follows that the essential aim, in any attempt to understand the utterances themselves, must be to recover this complex intention on the part of the author.<sup>4</sup>

One of the objectives here is to illuminate Mill's "complex intention" in composing *Utilitarianism* using the methods of intellectual history. This will involve explaining some points in the history of utilitarianism, periods of Mill's biography relevant to his moral philosophy, Mill's place in the intellectual milieu of England in the mid-nineteenth century, prominent reactions to *Utilitarianism* in the years immediately following the work's publication, and the importance of contemporary debates in moral theory and how these debates have altered philosophers' views of Mill's work.

When it comes to interpreting the appropriate historical understanding of *Utilitarianism*, this study will regularly contrast the views of Roger Crisp and Daniel Jacobson. Crisp served as the editor of and commentator on a scholarly edition of Mill's *Utilitarianism* and authored a guidebook and several articles on Mill.<sup>5</sup> Crisp sums up his general attitude toward the question of how to interpret *Utilitarianism* when he writes

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<sup>4</sup> Quentin Skinner, "Meaning and Understanding in the History of Ideas," *History and Theory* 8 (1969), 48-49.

<sup>5</sup> Roger Crisp, ed. *Utilitarianism* (Oxford: Oxford University Press, 1998); *Guidebook to Mill on Utilitarianism* (London: Routledge, 1997); Roger Crisp, "Mill on virtue as a part of happiness," *British Journal for the History of Philosophy* 4 (1996): 367-380; "Sanctions in Bentham, Mill, and Sidgwick" in *Henry Sidgwick* R. Harrison, ed. (Oxford: Published for The British Academy by Oxford University Press, 2001), 93-116. Crisp is treated in this study as the representative for the orthodox position, but the view is very widely held in Mill scholarship. One prominent scholar writes that the book "is a kind of extended memo to his contemporaries, setting out for them Mill's personal understanding of utilitarianism." John Skorupski, "Utilitarianism in Mill's Philosophy," in *The Blackwell Guide to Mill's Utilitarianism*, ed., Henry West., (Oxford: Blackwell, 2006), 46. Though she does not agree with Crisp as to how to interpret Mill's moral philosophy or the intended audience of *Utilitarianism* another prominent Mill scholar, also treats the book as Mill's definitive work in moral philosophy in her essay Wendy Donner, "Mill's Utilitarianism" in *The Cambridge Companion to Mill*, ed., John Skorupski, (Cambridge: Cambridge University Press, 1998), 255-292.

that, “in so far as Mill was an evangelist, *Utilitarianism* . . . can be seen as his Bible . . . it was clearly intended to be the summation, and defense, of his thoughts on the doctrine which provided the foundation for his views.”<sup>6</sup> Thus, if one is trying to discern Mill’s considered judgment on utilitarianism, then any of Mill’s other claims about moral philosophy that are in tension with *Utilitarianism* have a *pro tanto* reason against consideration as representative of Mill’s considered view. If Jacobson is correct, however, there is good reason to think that, far from being his Bible, *Utilitarianism* is a work aimed at a popular audience of those who might be confused about certain elements of the doctrine. On Jacobson’s view, Mill is primarily trying to dispel certain misconceptions and debunk fallacious arguments commonly presented against utilitarianism. To discern Mill’s own views on moral theory, though, one must take a considerably wider view of Mill’s works in moral philosophy. If Jacobson is correct, *Utilitarianism* has no special precedence over Mill’s claims in his other writings. In fact, given that the book may arguably be aimed at a popular audience, there may be good reason for taking his claims there less seriously than one does in his arguments elsewhere.

This thesis will be aimed at establishing the proper historical and ideological context for reading *Utilitarianism*. That context, it will be argued, is much more closely aligned with Jacobson’s interpretation than Crisp’s. While it is true that *Utilitarianism* represents Mill’s last piece of sustained commentary on moral philosophy, there is a good deal of evidence to support Jacobson’s argument for an ecumenical reading of the

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<sup>6</sup> Crisp, *Mill on Utilitarianism*, 7-8.

document. That said, Jacobson's reading of *Utilitarianism* is a fairly radical view within the field of Mill scholarship and stands in need of elaboration and correction on certain key points. Specifically, Jacobson's article leaves Mill scholarship with the difficulty of figuring out exactly what role *Utilitarianism* should play in the scholarly view of Mill's work. In what follows, this study will present arguments displaying the historical reasons for viewing Mill's last chapter as a place where Mill is speaking more for himself than in the earlier chapters.

The structure of this thesis is organized around correcting Crisp's historical narrative for the development of Mill's thought and supporting the historical evidence for Jacobson's views. In the second chapter, there is a brief discussion of the organization and general outline of *Utilitarianism*, a description of the position that Crisp takes in justifying his interpretation of the importance of *Utilitarianism* for Mill's moral theory, and finally an outline of the important points of Jacobson's article critiquing Crisp's position. As will be apparent, it is necessary to say a few things about how *Utilitarianism* is organized and describe some of its arguments. This will allow the reader to see what is at stake in the dispute between the two camps, and to observe what continuities and discontinuities are present in *Utilitarianism* when compared to Mill's other works. Though it should be clear where the interpretations disagree with one another, this discussion will not provide a sustained case for the superiority of Jacobson's position—though that is the view defended by the thesis as a whole.

The third chapter of the thesis is concerned with providing the appropriate historical context for reading *Utilitarianism*. It discusses the intellectual history

surrounding the origins of utilitarianism as a philosophical position, Mill's other writings on utilitarianism throughout his life, Mill's correspondence as it relates to the document and his intentions for its publication, his evaluation of the work following its publication, a historiographical overview of prominent biographical treatments of Mill, and finally, an analysis of some of the initial reactions to Mill's views. This chapter will include a topical rather than chronological discussion of these issues. The objective of the chapter will be to supply the proper resources to argue forcefully with Crisp in the third chapter.

The fourth and final chapter serves two aims. The first is to make clear precisely how the evidence in the second chapter is generally supportive of Jacobson's position and provides further evidence against Crisp's. This is done by giving a concise overview of the evidence presented in favor of the revisionist position. The second aim is to explore the implications of the findings of this study for the future of Mill research. Ultimately, there is an argument that further attention should be given to Chapter V of *Utilitarianism*, given that Mill seems to be expressing his own views there more than in the other chapters.

## CHAPTER II

### UTILITARIANISM, ORTHODOXY, AND REVISIONISM

#### **The Structure of the Work Titled “Utilitarianism”**

Before describing the various positions taken with respect to how the work has been interpreted and its varied status in the importance of Mill’s work, it is worth saying a few words about the overall structure and content of *Utilitarianism*. The objective here is to familiarize the reader with the general structure of the book and to highlight its most important arguments, without taking a stance as to the best interpretation or ultimate implications of particular passages in the book.

Though one often speaks of the distinct chapters of *Utilitarianism* as they were given in the volumes under that title published in Mill’s lifetime, it is important to note that the first and second chapters were published in October, the third and fourth in November, and the fifth in December 1861. Though Mill eventually published all the chapters together, it will be argued later that some of the differences between the chapters may be indicative of a different kind of intention for the second and third installments as compared to the first. That said, Mill did not make much in the way of radical changes to the published version in *Fraser’s* when the book was published in 1863. According to John Robson, the editor of the *Collected Works of John Stuart Mill*, “Mill’s opinions were quite stable by the time *Utilitarianism* appeared, and though there is a decade between the periodical publication in 1861 and the appearance in 1871 of the 4<sup>th</sup> edition (the last in Mill’s lifetime, and so used here as a copy-text), there are only



seventy-four substantive variants (1.35 per page of this edition).<sup>7</sup> Out of this seventy-four, eight may be interpreted as change of opinion or fact, one indicates the passage of time, twenty-two are qualifications of one kind or another, and the remaining alterations were minor verbal changes.<sup>8</sup> The most substantial changes came in Mill's fifth chapter, where Mill clarified a number of his arguments concerning the etymology of the term 'justice.'

Mill's opening chapter serves to set the agenda for the rest of the book by discussing the state of moral philosophy in order to establish certain points of methodology common to utilitarianism that differentiate it from other moral theories. Mill notes that though philosophers have been arguing about the most basic questions of moral theory since they began arguing about philosophy in any form, there are still very few solid conclusions upon which philosophers are widely agreed. This continual disagreement, Mill thinks, is troubling for two common approaches to ethics: moral faculty theorists and *a priori* moral theorists. The former, of whom William Whewell would be one example, insist that moral norms are discerned through a kind of moral faculty common to all humans.<sup>9</sup> An *a priori* moral theory, a position Mill associates with

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<sup>7</sup> John Robson, "Textual Introduction" in *The Collected Works of John Stuart Mill*, vol. X, *Essays on Ethics, Religion and Society*, ed. John Robson (Toronto: Toronto University Press, 1985), cxxv. Hereafter, volumes in the *Collected Works* will be identified as 'CW' with the relevant Roman numeral given (e.g., Mill, *CW*, X, cxxv). Following the convention in Mill scholarship, the exceptions to this will be references to *Utilitarianism* and *On Liberty*, which will be identified by *U* and *OL*, respectively, along with numbers indicating chapter and paragraph (e.g., *U*, 1.2). *Utilitarianism* can be found in vol. X and *On Liberty* in vol. XVIII.

<sup>8</sup> *Ibid.*

<sup>9</sup> Whewell served as Mill's foil in a variety of philosophic disputes beyond the bounds of moral theory. A sustained engagement with Whewell's moral theory can be found in "Whewell on Moral Philosophy" *CW*, X, 165-202. For a work engaging the debate between these two figures (with an especially charitable view of Whewell) see Laura Snyder, *Reforming Philosophy: A Victorian Debate on Science and Society* (Chicago: University of Chicago Press, 2006).

Kant, argues that the dictates of morality may be deduced from an analysis of the meaning of moral terms. For both views, since morality can be known to all agents through the use of the moral faculty or the use of reason, the continual disagreement on the most basic moral questions raises, in Mill's view, doubts about the soundness of these views.<sup>10</sup> This disagreement, though, is not surprising to Mill given his methodology in moral theory. Mill associates himself with what he calls the inductive school of ethics, which says that morality is something learned through observation and experience and is thus going to be known and understood differently by individuals with different levels of moral education and experience.

In the course of the chapter Mill also promises to “contribute something towards the understanding and appreciation of the Utilitarian or Happiness theory, and toward such proof as it is susceptible of.”<sup>11</sup> While admitting that questions of “ultimate ends” are not amenable to proof in the normal sense of the word (e.g., up to the standards of a geometric proof), it is enough to present it in a way that should command assent from those who will consider it using their rational faculties in line with their experiences.

The second chapter is arguably the most famous in the book and contains some of Mill's most oft-cited passages on the nature of utilitarianism, including his discussion of the greatest happiness principle, higher and lower pleasures, and notable responses to common objections to utilitarianism. After making some comments on the origins of the

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<sup>10</sup> That said, Mill does not take his arguments in this first chapter to be decisive, and he engages with these approaches to morality at great length elsewhere.

<sup>11</sup> Mill, *U*, 1.5.

term ‘utilitarianism’ and clearing up some common confusions as to its usage, Mill gives one of the most famous claims in the history of utilitarian theory:

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 promote happiness, wrong as they tend to produce the reverse of happiness. By happiness is intended pleasure, and the absence of pain; by unhappiness, pain, and the privation of pleasure.<sup>12</sup>

As many commentators have noted, and as will be subsequently discussed, this statement makes Mill sound very much like his utilitarian predecessor Jeremy Bentham. In his introduction to the volume in the *Collected Works*, F.E.L. Priestly writes, “The creed, as a confession of faith, is to be totally orthodox. He and Bentham are of the same faith. The difference is to lie in the exegesis.”<sup>13</sup> One key part of the exegesis concerns Mill’s notion of happiness and, more specifically, pleasure.<sup>14</sup> According to a common reading of Jeremy Bentham, pleasure could be described as something which admitted quantitative but not qualitative distinctions. Bentham thought that pleasures arising from various activities (e.g., chatting with friends, eating ice cream sundaes, going for long walks) were all qualitatively the same but differed only in how we might measure them

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<sup>12</sup>Ibid., 2.2.

<sup>13</sup> F.E.L. Priestly, “Introduction” in *Utilitarianism*, *CW*, X, xli.

<sup>14</sup> The question of Mill’s views on happiness is one of the more contested ones in Mill scholarship and this study will not put forth anything like a comprehensive view on the topic. Some Mill scholars take Mill to believe that happiness should be thought of as pleasure where pleasure is taken to be some kind of mental state that is inherently valuable. This view can be found in Crisp, *Guidebook to Utilitarianism*, 25–28 and Dale Miller *J. S. Mill: Moral, Social and Political Thought*, (Polity, Cambridge 2010. 2010), 31–53. Some, though, think this is mistaken and that Mill simply equates happiness with pleasure as in the case of Fred Berger, *Happiness, Justice, and Freedom: The Moral and Political Philosophy of John Stuart Mill*, (Berkeley: University of California Press, 1984). Still others think that happiness for Mill is not a mental state at all and on Mill’s view value is inherent in activities; see Ben Saunders “J. S. Mill’s Conception of Utility,” *Utilitas* 22 (2010): 54-56. Lastly, David Brink argues when speaking of happiness Mill means activities, states, and abilities; see David Brink “Mill’s Deliberative Utilitarianism,” *Philosophy and Public Affairs* 21 (1992): 78.

according to various factors like intensity, duration, and fecundity.<sup>15</sup> Mill, in contrast, argues that some pleasures are in fact incomparable to one another, such that “some kinds of pleasures are more desirable and more valuable than others,” regardless of the quantities involved.<sup>16</sup> These pleasures are those that engage humans’ “higher faculties” which, he says, can supply certain higher pleasures like those enjoyed in the course of philosophical discussion. Mill notes that these capacities may come at the expense of having to experience some sorrows, but since these higher pleasures are in certain respects incomparable to lower ones, this is allowable under the theory of utilitarianism. These considerations lead him to another oft-quoted passage from this chapter:

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 part to the comparison knows both sides.<sup>17</sup>

Though Mill’s argument and clarifications for these points are interesting, for now let it suffice to say that these points are taken by many scholars to imply some kind of break with Bentham’s version of utilitarianism.

The rest of chapter two is taken up with responding to various objections to utilitarianism. Two of these objections in particular will be especially important later and foreshadow some of the debates that are important for understanding how best to interpret the document as a whole. The first concerns the objection that utilitarianism is

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<sup>15</sup> At one place in his writing Bentham actually distinguishes fourteen kinds of pleasure and twelve kinds of pain. See chapter five of Jeremy Bentham, *An Introduction to the Principles of Morals and Legislation* ed. J.H. Burns and H.L.A. Hart, *The Collected Works of Jeremy Bentham*, (Oxford: Clarendon Press, 1996).

<sup>16</sup> Mill, *U*, 2.4.

<sup>17</sup> *Ibid.*, 2.6

too demanding a doctrine and would require too radical a change in human nature to be plausible:

[Some critics] say it is exacting too much to require that people always act from the inducement of promoting standard of morals, and to confound the rule of action with the motive of it. It is the business of ethics to tell us what are our duties, or by what test we may know them; but no system of ethics requires that the sole motive of all we do shall be a feeling of duty; on the contrary, ninety-nine hundredths of all our actions are done from other motives, and rightly so done, if the rule of duty does not condemn them.<sup>18</sup>

Here Mill insists that motives, strictly speaking, are not relevant to determining the rightness or wrongness of an action. This is true, even, as he imagines it, in the case of saving someone from drowning for less than noble motives. “He who saves his fellow creature from drowning does what is morally right, whether his motive be duty, or the hope of being paid for his trouble . . . .”<sup>19</sup> This question over precisely how demanding utilitarianism really is for agents is one that survives even in present debates concerning utilitarianism, and the best interpretation of Mill on this point is similarly fraught.<sup>20</sup>

Another important objection Mill responds to concerns the objection that if morality is about bringing about the best consequences in terms of overall human happiness, this seems to require one to spend a good deal of time calculating the potential outcomes of various events. This prospect of endless calculation seems to render the theory implausible. In response, Mill writes:

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<sup>18</sup> Mill, *U*, 2.19.

<sup>19</sup> Ibid.

<sup>20</sup> In his commentary on *Utilitarianism*, Crisp writes “this paragraph and the footnote added by Mill in the 2<sup>nd</sup> edition, [where Mill gave some further classificatory remarks on the case of the drowning person and some objections in light of an objection a reader raised] are among the most complex passages in *Utilitarianism*.” Crisp, *Utilitarianism*, 120. To choose but a few of the more recent treatments of this question (with diverging answers) see Brad Hooker, *Ideal Code, Real World*, (Oxford: Clarendon Press, 2000), ch. 8; Dale Jamieson and Robert Elliot, “Progressive Consequentialism,” *Philosophical Perspectives*, 23 (2009): 241–251.

This is exactly as if any one were to say that it is impossible to guide our conduct by Christianity, because there is not time, on every occasion on which anything has to be done, to read through the Old and New Testaments. The answer to the objection is that there has been ample time, namely, the whole past duration of the human species. During all that time, mankind have been learning by experience the tendencies of actions; on which experience all the prudence, as well as all the morality of life, are dependent.<sup>21</sup>

All of these experiences, both those of the subject and those of others, provide the “rules of morality” which a subject’s upbringing and society allow one to follow. These rules, which Mill thinks are generally consistent with the demands of utilitarianism, are not final and may be improved upon (recall Mill’s discussion concerning the inductive school of ethics) in light of further experiences. In other words, accepting the principle of utility does not mean that one cannot rely on the wisdom of others to be implemented. In two memorable examples he explains:

To inform a traveler respecting the pace of his ultimate destination is not to forbid the use of landmarks and direction-posts on the way. . . . Nobody argues that the art of navigation is not founded on astronomy because sailors cannot wait to calculate the Nautical Almanack. Being rational creatures, they go to sea with it ready calculated; and all rational creatures go out upon the sea of life with their minds made up on the common questions of right and wrong. . . .<sup>22</sup>

The special controversy with Mill’s responses here concerns the question of whether he is espousing the view that the best way to follow the demands of utilitarianism is in the following of rules (e.g., stick to the landmarks and direct posts) or in bringing about the greatest amount of happiness in each action regardless of what the rules demand.<sup>23</sup>

Situated between two of the most famous (and infamous) chapters in utilitarian

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<sup>21</sup> Mill, *U*, 2.24.

<sup>22</sup> *Ibid.*

<sup>23</sup> The best review of the literature can be found in Alan Fuchs, “Mill’s Theory of a Morally Correct Action,” in *The Blackwell Guide to Mill’s Utilitarianism*, 139-159.

moral theory, chapter three of *Utilitarianism*—in which Mill discusses the theory of sanctions and moral psychology—stands as perhaps the least commented upon chapter in the whole book.<sup>24</sup> In this chapter, Mill seeks to answer the question of why someone ought to follow the dictates of utilitarianism. In particular, Mill seems worried about what can be said to the person who would question the norms of utilitarianism and instead follow his own self-interest. “He says to himself, I feel that I am bound not to rob or murder, betray or deceive; but why am I bound to promote the general happiness? If my own happiness lies in something else, why may I not give that the preference?”<sup>25</sup> He asks, what are the sanctions—the sources of pleasure and pain—that will make utilitarianism evident to this person?<sup>26</sup> Mill seems to vacillate in this chapter between whether this question is ultimately about motivation or authority. The motivational question surrounding sanctions concerns the extent to which one is actually motivated to act in accordance with the dictates of utilitarianism, and the extent to which this motivation might be improved or go into decline. The authority question surrounding sanctions concerns the extent to which there is a sufficient account of why one has good reason to take up the demands of utilitarianism. Mill does not really give sufficient

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<sup>24</sup> Consider the following representative quotes from notable Mill scholars: “Chapter 3 of *Utilitarianism*—Of the Ultimate Sanction of the Principle of Utility”—has received markedly less attention than those immediately preceding and succeeding it.” Crisp, *Utilitarianism*, 27; “In what is probably the most understudied chapter of *Utilitarianism* (ch. III) Mill addresses the question of the ultimate sanction of the principle of utility.” David Brink “Mill’s Moral and Political Philosophy” in *The Stanford Encyclopedia of Philosophy*, Stanford University, 1997-. Article published Fall 2008. <http://plato.stanford.edu/archives/fall2008/entries/mill-moral-political/>; “Mill’s theory of sanctions, and his understanding of the psychology of human action more generally, are among the least-discussed elements of his utilitarianism.” Dale Miller “Mill’s Theory of Sanctions” in *The Blackwell Guide to Utilitarianism*, ed. Henry West (Malden, MA: Blackwell, 2006), 171.

<sup>25</sup> Mill, *U*, 3.1.

<sup>26</sup> For a thorough discussion on Mill’s usage of the term ‘sanction’ and a comparison of its usage in Bentham and John Austin see Dale Miller, “Mill’s Theory of Sanctions,” 159-173.

answers to either of these questions in this chapter. Instead, he seems more focused on discussing the different kinds of sanctions and their origins as well as how the difficult questions surrounding sanctions are ones that apply to all moral theories and not just utilitarianism.

The most important distinction for Mill in this chapter is his distinction between external and internal sanctions. External sanctions are “the hope of favour and the fear of displeasure” that one may receive from one’s fellow beings, distributed individually or collectively, or from God.<sup>27</sup> These might include penalties imposed by the laws of a state, the social exclusion resulting from disfavor in a community, or (if such things exist) divine punishment delivered at Judgment Day. Mill’s discussion of external sanctions, though, is fairly brief and he seems more concerned about the nature of our internal sanctions. The one he focuses on is what people typically identify as the pangs of their conscience. One’s conscience is a “mass of feeling which must be broken through in order to do what violates our standard of right, and which, if we do nevertheless violate that standard, will probably have to be encountered afterwards in the form of remorse.”<sup>28</sup> Mill is interested in exploring whether one’s conscience is innate or acquired (he claims he believes the latter) as well as its nature and composition. Mill claims that his opponents, the moral intuitionists, believe that it is innate. Mill’s view is that the capacity for conscience might be innate but its actual content will be shaped to a large extent by one’s surroundings and, like all human faculties, can be corrupted or almost extinguished through bad training and ill use. Perhaps most important, for Mill, is

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<sup>27</sup> Mill, *U*, 3.3.

<sup>28</sup> Mill, *U*, 3.4.



the idea that conscience can be shaped by society to be in accordance with utilitarian standards. That is to say, Mill believes that with proper training of the sentiments, one's conscience might come to align with the utilitarian standard of morality, and Mill's vision is for a whole society of individuals whose collective consciences respond in this way.

Mill's fourth chapter is very brief but has nonetheless attracted a great deal of attention from critics of utilitarianism—perhaps because of its provocative title “Of what sort of proof the principle of utility is susceptible.” The principle of utility for which Mill is offering a “proof” here is the claim that happiness is desirable and, it being the only thing which is desirable, all other things are only desirable as a means to it.<sup>29</sup> As Henry West has written, “The argument in the twelve paragraphs of Chapter IV, if successful, is one of the most important arguments in all of moral philosophy, for it would establish hedonism, in the broad meaning that Mill attaches to pleasure, as the value foundation for all of life and for morality as a part of that.”<sup>30</sup> As will be discussed in a later section on the early reception of *Utilitarianism*, many commentators think that Mill's “proof” fails for one reason or another, and many think that Mill stumbles very badly indeed in this chapter.<sup>31</sup> Recently, some prominent philosophers have mounted

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<sup>29</sup> To review the controversy on what counts as Mill's principle here see D.G. Brown “What is Mill's Principle of Utility?” *Canadian Journal of Philosophy* 3, 1-12.

<sup>30</sup> Henry West, “Mill's ‘Proof’ of the Principle of Utility,” in *The Blackwell Guide to Utilitarianism*, ed. Henry West (Malden, MA: Blackwell, 2006), 175.

<sup>31</sup> For the early history on criticism of this chapter see Steve Gerard, “Desire and Desirability: Bradley, Russell and Moore versus Mill,” in *Early Analytic Philosophy: Frege, Russell, Wittgenstein*, ed. W.W. Tait (Chicago: Open Court Press, 1997), 37-74.

spirited attempts at defending Mill's argument and charge many of Mill's critics with rampant misreading and seriously uncharitable interpretations.<sup>32</sup>

As with other controversies in the *Utilitarianism*, this study will avoid philosophical exegesis of the chapter and Mill's sometimes confusing argument, and instead offer what are often taken to be the key points of the chapter in a way that is as non-partisan as possible. The first argument here concerns Mill's claims that the utilitarian doctrine of happiness is desirable and that, in this theory, anything desirable is so only to the extent that it is desired to that end. To argue for this, though, he requires a "proof" that happiness is desired in this sense. Mill's notion of "proof" seems to be in the sense of "proof" by way of psychological introspection rather than in the sense of a tight logical or geometric case. In this spirit, Mill begins his proof by noting that just as the proof of sound is that it is audible and that something is visible is that people see it, "In like manner, I apprehend, the sole evidence it is possible to produce that anything is desirable, is that people do actually desire it."<sup>33</sup> This may seem obvious enough, but one might ask how this relates to the "general happiness" that is often appealed to by the utilitarian moral theorists. To this he writes that each person has his or her own happiness that stands as a good to that person and the general happiness is nothing more than an aggregate of all of those private goods. This does not mean, as some have claimed, that Mill is arguing that in one person's desiring her good that she desires the good for all (this would be fallacy of composition). What it does mean is that when we

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<sup>32</sup> See Elijah Millgram "Mill's Proof of the Principle of Utility" *Ethics* 110 (2000), 282-310; and Geoffrey Sayre-McCord, "Mill's 'Proof' of the Principle of Utility: A More than Half-Hearted Defense," *Social Philosophy & Policy*, 18 (2001): 330-360.

<sup>33</sup> Mill, *U*, 4.3.

identify what the aggregate of a number of individuals is, we will be able to identify happiness as one of the constituent parts.<sup>34</sup>

With this much established Mill now must try to argue that even those things that seem to be desired in themselves, apart from happiness, are actually only a part of happiness since that is the only thing that can be good in itself. Mill admits that it seems as if people desire things like virtue or friendship in and of themselves. To counter this Mill appeals to his reader's sense of introspection: asking her if she really desires these things irrespective of the pleasure or pain that accompanies such things. The desire of a thing, such as virtue, "is not a different thing from the desire of happiness, any more than the love of music, or the desire of health. They are included in happiness."<sup>35</sup> Pleasures and pains seem to accompany the desires one has for any thing in life, which makes aiming at any of those things an aim, at least indirectly, at happiness. Thus, things like friendship or virtue are actually a *part* of happiness, which is precisely what Mill set out to "prove" in the first place. Again, this is far from a fully adequate reconstruction of Mill's proof, as such a construction would go beyond the scope of what is appropriate here. What is important, though, is that one can see Mill seriously attempting to answer questions concerning the importance of the principle of utility (a theory concerning the nature of value) for a general theory of utilitarianism (a theory concerning proper conduct in light of that value). As in earlier chapters, Mill's arguments follow the pattern of aligning himself with the inductive approach to moral questions, appealing to human

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<sup>34</sup> For Mill's clarification of this question see Mill to Henry Jones, 13 June 1868, *CW*, XVI, 1414.

<sup>35</sup> Mill, *U*, 4.6.

experience (in this case introspection) as the arbiter of philosophical questions rather than the *a priori* methods of his philosophical opponents.

Mill's fifth and final chapter is the longest in the book and is especially concerned with questions regarding justice and its compatibility with the utilitarian morality. Once again, Mill's discussion is centered on combatting his intuitionist opponents who view the concept of justice as something fundamentally opposed to utilitarianism. Humans, Mill admits, do seem to have an immediate reaction to correct perceived injustices. Furthermore, the corrective actions motivated by justice are often undertaken without regard to whether such actions result in the raising of the general happiness or similar utilitarian goals. That said, Mill claims, this fact does not legitimize our actions and the sentiments that drive them. "If we have intellectual instincts leading us to judge in a particular way, as well as animal instincts that prompt us to act in a particular way, there is no necessity that the former should be more infallible in their sphere than the latter in theirs: it may as well happen that wrong judgments are occasionally suggested by those, as wrong actions by these."<sup>36</sup>

Mill's task, then, is to try to explain the human idea of justice and determine whether it is a *sui generis* normative concept apart from the utilitarian framework, or whether it can be somehow explained and incorporated into utilitarianism itself. He does this by breaking down the various spheres of justice (legal rights, moral rights, desert, contracts, impartiality, equality) and offering his own analysis of the etymology of the term 'justice,' which culminates in his claim that legal constraint is the "generating idea

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<sup>36</sup> Mill, *U*, 5.2.

of the notion of justice.”<sup>37</sup> This, then, leads him to one of the most important points of the chapter where he connects the notion of punishment to his moral theory more generally: “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, but the opinion of his fellow-creatures; if not by opinion, by the reproaches of his own conscience.”<sup>38</sup> In Mill’s view, to have a right to something is to be able to exact a corresponding duty from someone; just as, to use his language, we might exact a debt from that person. If something is not punishable, then, it is not within the bounds of morality. To make this point even more forcibly Mill writes:

I think there is no doubt that this distinction lies at the bottom of the notions of right and wrong; that we call any conduct wrong, or employ, instead, some other term of dislike or disparagement, according as we think that the person ought, or ought not, to be punished for it; and we say, 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.<sup>39</sup>

Mill closes his discussion of this part of the chapter by noting that these remarks indicate how justice and morality generally are distinct from other kinds of norms present in human affairs: “The remaining provinces of Expediency and Worthiness.”<sup>40</sup> Most commentators take this to be Mill’s way of referring to his notion of the Art of Life,

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<sup>37</sup> Ibid., 5.12. Interestingly, Mill’s etymological discussion of justice as an occasional tool of the powerful to systematize oppression has some connections to Marx’s notion of bourgeois justice in the *German Ideology*, though it does not appear that Mill had read this in Marx. For an interesting discussion on Mill’s knowledge of Marx see Lewis Feuer, “John Stuart Mill and Marxian Socialism” *Journal of the History of Ideas* 10 (1949), 297-303.

<sup>38</sup> Mill, *U*, 5.14. Jacobson sees this as a tremendously important comment in justifying his interpretation of Mill’s considered moral view. See his Daniel Jacobson “Utilitarianism without Consequentialism: The Case of John Stuart Mill,” *Philosophical Review*, esp., 185-188. For an alternative interpretation of the passage see Crisp’s notes in his annotated edition of *Utilitarianism*, 140-142.

<sup>39</sup> Mill, *U*, 5.14.

<sup>40</sup> Ibid., 5.15.

whereby Mill distinguishes those areas of human conduct that are subject to the norms of morality, prudence, and aesthetics.<sup>41</sup> This is noteworthy in that it represents a theme that Mill develops in his other works (e.g., “Bentham” and *System of Logic*) and offers a special point of departure from the views of other utilitarians; thus marking this section of the book especially non-ecumenical.

The remaining part of the chapter is concerned with Mill discussing the sentiment of justice and how it can be made compatible with utilitarianism. He presents the view that the human sentiment of justice consists of both the desire to punish someone who has done harm and the belief that there is some definitive individual who has been harmed. Both of these, he thinks, are natural outgrowths of our animal nature, our impulse for self-defense, and our feelings of sympathy for our fellow creatures. This last quality, Mill notes, differs from animals in matter of degree since our intelligence allows us to extend our sympathies far beyond the bounds of those of animals. Interestingly, he thinks that this sentiment, like other sentiments that might be initially inclined to be partial only to ourselves and those immediately around us, can be shaped by society so as to be concerned for the general good and persons beyond our immediate purview. With this context in place he introduces his theory of rights and its connection to general utility:

To have a right, then, is, I conceive, 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

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<sup>41</sup> For the best short treatment on this topic see Alan Ryan, “John Stuart Mill’s Art of Living,” in *J.S. Mill On Liberty in Focus* eds. John Gray and G.W. Smith (New York: Routledge, 1991), 162-168. A recent edited collection of essays related to understanding this important topic can be found in Ben Eggleston, Dale Miller, David Weinstein eds., *John Stuart Mill and the Art of Life* (New York: Oxford University Press, 2010.)

give him no other reason than general utility. If that expression does not seem to convey a sufficient feeling of the strength of the obligation, nor to account for the peculiar energy of the feeling, it is because there goes to the composition of the sentiment, not a rational only, but also an animal element, the thirst for retaliation; and this thirst derives its intensity, as well as its moral justification, from the extraordinarily important and impressive kind of utility which is concerned. The interest involved is that of security, to every one's feelings the most vital of all interests.<sup>42</sup>

This is an important passage for at least two reasons. First, it connects the discussion of justice and the human desire to punish wrong with some definite wrong that is expressible in terms of rights. Secondly—and this is the more important one of the two—this connects Mill's theory of rights here with his utilitarian theory more generally, which indicates his desire to offer some coherent system of rights within a utilitarian context. Compare the statement on how he justifies rights where he says, "I can give him no other reason than general utility," with his statement in *On Liberty* where he is discussing the nature of rights and its connection with the utilitarian morality:

It is proper to state that I forego any advantage which could be derived to my argument from the idea of abstract right as a thing independent of utility. 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.<sup>43</sup>

In both *Utilitarianism* and *On Liberty*, Mill makes it clear that he wants to offer a utilitarian account that can make sense of ideas like rights. In a discussion of rights, Mill argues, one finds the connection between the sentiments of justice (e.g., the wish to punish a wrongdoer) with utilitarian morality since it is for the general good that certain

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<sup>42</sup> Mill, *U*, 5.25

<sup>43</sup> Mill, *OL*, 1.11.

interests be protected. With this connection now made, Mill can close the book. As he summarizes it in his last paragraph:

If this characteristic sentiment has been sufficiently accounted for; if there is no necessity to assume for it any peculiarity of origin; if it is simply the natural feeling of resentment, moralised by being made coextensive with the demands of social good; and if this feeling not only does but ought to exist in all the classes of cases to which the idea of justice corresponds; that idea no longer presents itself as a stumbling-block to the utilitarian ethics.<sup>44</sup>

### **Crisp's Orthodox Account**

This section will discuss one possible way of interpreting Mill's intentions for the work *Utilitarianism*. The first consideration examines Crisp's arguments as they are given in his guidebook to Mill's *Utilitarianism*, where he offers a concise and pointed treatment of Mill's life and the context in which *Utilitarianism* was written. The most important point in Crisp's interpretative approach is his attempt to portray *Utilitarianism* as the last step in a life-long march in defense of Mill's unique brand of utilitarianism. Crisp's argument for this will be given in three parts. First, he offers a brief sketch of Mill's intellectual biography, which is summarized below. Second, he considers the themes present in *Utilitarianism* that occur in earlier writings. Third, he discusses some of the difficulties of interpreting *Utilitarianism* more generally and explains how he handles some of the difficult passages for his position.

One of the strongest rhetorical points for Crisp's view is that a look at Mill's biography reveals the fact that after the publication of *Utilitarianism* Mill turned to other projects like completing his *Autobiography*, running for political office, and engaging

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<sup>44</sup> Mill, *U*, 5.38.



the political controversies of his day—a task that led him to publish another of his more famous works *On the Subjection of Women*. Crisp’s task, then, is to portray Mill as engaging a kind of teleological ascent toward the publication of *Utilitarianism* in

*Fraser’s*:

In so far as Mill was an evangelist, *Utilitarianism* . . . can be seen as his bible. Though it was not written in the high and polished style of *On Liberty* or *The Subjection of Women*, it was clearly intended to be the summation, and defence, of his thoughts on the doctrine which provided the foundation for his views in other areas.<sup>45</sup>

Crisp describes Mill’s early life as one vigorously formed by his father, James Mill, who dreamt of creating the consummate utilitarian scholar and activist. According to his *Autobiography*, James Mill provided John Stuart with a shockingly rigorous education in the classics of Greek and Latin (in the original languages), mathematics, the natural sciences, political economy, history, and literature. Alongside his rigorous reading schedule, Mill was allowed to interact with his father’s friends Jeremy Bentham and David Ricardo, both of whom had tremendous impact on Mill’s thinking (just as Mill is often portrayed as developing utilitarianism one step further than Bentham so also is he often portrayed as bringing Ricardo’s theories of political economy to a further stage of development of his *Principles of Political Economy*). His father also arranged for Mill to get a job working at the East India Company (where he, James Mill, was Chief Examiner), a position that provided Mill with a stable income and a work schedule that allowed much time for intellectual work and conversation.

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<sup>45</sup> Crisp, *Mill on Utilitarianism*, 7.

In his *Autobiography*, Mill writes that one of the key turning points of his young life was in 1821 when he began studying with the famous jurist John Austin who gave him a careful education in utilitarianism as it applied to English law. Through Austin, he came to better appreciate the nuances of the theory, such that when he finally picked up a French version of Bentham's *Treatise on Legislation* and read it carefully, the experience served as a culmination for his utilitarian education. Though he had, of course, been educated within the principles of Bentham's views, he had actually read very little of the man himself. Thus, when he began to study the work carefully his views took on a more mature outlook:

It gave unity to my conceptions of things. I now had opinions; a creed, a doctrine, a philosophy; in one (and the best) sense of the word, a religion; the inculcation and diffusion of which could be made the principal outward aim of a life.<sup>46</sup>

Crisp writes that Mill, from this moment on, “never abandoned the greatest happiness principle,” and one of the first actions he undertook following his revelatory reading of Bentham was to found a society that he dubbed the Utilitarian Society, which met in a room at Bentham's house fortnightly over the next three years. Aside from this group, Mill was also involved in the larger intellectual movements of his day, writing critical articles for the *Westminster Review*, participating in the London Debating Society, and joining a group of intellectuals and political activists known as the Philosophical Radicals. In 1830, in part through these associations, Mill met his future wife Harriet Taylor; a woman whom Mill believed to be a genius and who provided Mill with, as he labels a chapter in his *Autobiography*, the most valuable friendship of his life.

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<sup>46</sup> Mill, *Autobiography*, CW, I, 69.

Though Mill and Harriet quickly fell in love, they faced a considerable obstacle in that she was already married to a wealthy druggist named John Taylor with whom she shared two children. Eventually, Mill and Harriet decided to maintain what many believe to be a chaste but very intense friendship until John Taylor died in 1849, allowing them to marry two years later. It was in the years following their marriage that Mill first mentioned, in a letter that will be further discussed later, his plans of publishing a series of essays on, among other topics, 'Liberty,' 'Foundations of Morals,' and 'Family,' which have come down to readers, respectively, as *On Liberty* (1859), *Utilitarianism* (1861), and the *Subjection of Women* (1869).

At this point Crisp shifts into the second part of his analysis, where he examines particular themes present in *Utilitarianism* that had been developed in earlier works. To that end, he includes a discussion of Mill's earlier work that criticizes the intuitionist approach to moral philosophy, citing Mill's 1835 critique of the intuitionist Adam Sedgwick, who argued that right and wrong are inexplicable facts perceived by a special moral faculty called moral sense. He also cites Mill's penchant (evidenced in the Sedgwick piece, his 1833 essay "Remarks on Bentham," and his essay on William Whewell) for mixing up normative and metaethical/epistemological claims made by intuitionists. That is to say, Mill sometimes conflates questions of *what we are to do* in our moral lives with the question of *how we find out* what we are to do in our moral lives. As we have seen, intuitionism is especially concerned with how one finds out about morality, though Mill was constantly accusing intuitionists of merely matching their intuitions with conservative moral views, which they then dressed up with

expansive metaphysical language in order to formally criticize a progressive morality like utilitarianism. In the first and third chapters of *Utilitarianism*, Mill occasionally talks in this way, though in chapter three we also find a passage where he acknowledges the potential compatibility between an intuitionist ethics and an ethics that recognizes the greatest happiness principle.<sup>47</sup>

Crisp also highlights the continuity between *Utilitarianism* and earlier works that discuss Mill's conception of first and secondary principles. On Crisp's reading, utilitarianism has as its first principle the objective of raising general happiness, even if this means adopting secondary principles that might not always be perfectly consistent with the first (recall Mill's discussion of signposts in chapter two of *Utilitarianism*). That is, we might adopt secondary principles like "do not lie" even if this is not always compatible with the first principle. In an 1833 attack on the intuitionist William Blakey, Mill remarked that engaging in debates about first principles was not especially important since first principles, as they are usually given, are too abstract to translate into practice.<sup>48</sup> Yet, as he continued to develop his views in his *System of Logic* he came to see the importance of first principles, since they are needed to solve conflicts between first and secondary principles. One sees this shift toward the importance of first principles in his *System of Logic* and later attacks on intuitionists, all of which presages Mill's discussion of the "proof" offered in chapter four of *Utilitarianism*.

Crisp also sees continuity in intellectual development concerning Mill's views on character, happiness, and moral motivation. In his *Remarks on Bentham*, Mill criticizes

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<sup>47</sup> See for instance Mill, *U*, 3.7.

<sup>48</sup> Mill, "Blakely's History of Moral Science" *CW*, X. 29.

Bentham for failing to understand the importance of character and the training of the sentiments.<sup>49</sup> On Mill's view, while actions are what ultimately matter for utilitarianism, training the sentiments will lead to greater happiness overall for the agent. Mill claims that Bentham overlooks the importance of this training of the sentiments. In another essay on Bentham, Mill writes that Bentham's mistake in this matter comes as a result of the author's poor cultivation in the arts. "Mill saw Bentham as a child with a child's limited imagination, and believed that the most important sources of happiness lay in the adult world of noble morality and arts."<sup>50</sup> According to Crisp, any reading of Mill's discussion of higher and lower pleasures in chapter two of *Utilitarianism* should be read with this criticism of Bentham firmly in mind. Similarly, Mill was critical of Bentham in the latter's account of moral motivation. In both of his essays on Bentham, Mill points out that Bentham omits the motivations of duty and conscience when listing the "springs of action" for human behavior. It was this kind of oversight, Mill notes, that intuitionists like Whewell latched onto in claiming that utilitarians forced the individual to choose between the callings of human happiness and moral duty.<sup>51</sup> Crisp notes that it was only two years after his publication critiquing Whewell that Mill began working on *Utilitarianism*, and, in chapter three, Mill suggests that the kind of dilemma imagined by Whewell is a false one.

As Crisp interprets Mill, there is a great deal of continuity between Mill's earlier works and his claims in *Utilitarianism*. The exception, as Crisp admits, seems to be the

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<sup>49</sup> Mill, "Remarks on Bentham," *CW*, X, 9.

<sup>50</sup> Crisp, *Mill on Utilitarianism*, 12.

<sup>51</sup> See Mill, "Whewell on Moral Philosophy," *CW*, X, 172.

fifth chapter of *Utilitarianism* on justice which only contains a few sections tied to earlier works (e.g., the discussion of the Art of Life from “Bentham”). He acknowledges that the fifth chapter was written separately and that Mill does not do much to tie it to earlier parts of the work.

The third part of Crisp’s argument concerning Mill’s intentions for *Utilitarianism* concerns some of the special difficulties involved in interpreting Mill’s philosophical rhetoric. The difficulty in interpreting Mill, Crisp suggests, is that the ultimate goal for Mill is to support the greatest happiness principle; an objective that might involve less than straightforward advocacy. In his essay on Sedgwick, Mill is very careful to elucidate the difference between the truth of a claim and its effect on the reader; a theme he continues in “Remarks on Bentham” where he criticizes Bentham’s professed view that self-interest takes priority over concern for the common good. Mill offers this criticism not necessarily because of the falsity of Bentham’s claims, but because of the claims’ potentially negative effect on readers.<sup>52</sup> Ethical writings, Mill claims, are best able to raise the general happiness by inspiring those readers who are undecided as to whether they will follow the dictates of self-interest or benevolence, and general utility will likely be raised if one can encourage this reader to follow the latter. In his *Autobiography*, Mill writes that his work at the East India Company taught him a good deal about persuading people to accept his views and presenting his thought in such a way that “gives it easiest admittance into minds not prepared for it by habit.”<sup>53</sup>

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<sup>52</sup> See Mill “Sedgwick’s Discourse,” *CW*, X, 62-72; Mill, “Remarks on Bentham,” *CW*, X, 15.

<sup>53</sup> Mill, *Autobiography*, *CW*, I, 87.

In Crisp's view, all of the above considerations present a challenge in interpreting Mill since "on issues of particular ethical importance to him we know that he may be attempting to express himself in the way most likely to persuade us, rather than to reveal his own views most clearly."<sup>54</sup> In other words, at times Mill may be writing to convince rather than elucidate his own views, and it is up to scholars to sort out when he is doing which of these tasks. It is for these reasons, Crisp writes, that *Utilitarianism*, in contrast to *On Liberty* or *The Subjection of Women*, "was not written for widespread public consumption" and explains why Mill gives it little discussion in his *Autobiography*.<sup>55</sup> *On Liberty* and *The Subjection of Women*, Crisp thinks, concern second, rather than first, principles, and thus it is natural to find Mill saying some things that may be in tension with many of his claims in *Utilitarianism*. Then again, Crisp also suggests that even within *Utilitarianism* itself Mill may not be completely forthright with his reader. To cite just one example, in his discussion concerning the onerous moral commitments of utilitarian morality (which was noted above in the discussion of chapter two) Crisp writes that "utilitarianism is almost certainly much more demanding than Mill allows. It is tempting to think, in fact, that Mill is deliberately being disingenuous here. . . . Better to persuade a reader to become a feeble utilitarian than put them off entirely by stressing the demandingness of utilitarian morality."<sup>56</sup>

In summary, Crisp's orthodox view advocates the view that all of Mill's life and thought point toward the importance of *Utilitarianism*. One finds Mill taking on the

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<sup>54</sup> Crisp, *Mill on Utilitarianism*, 14.

<sup>55</sup> Ibid.

<sup>56</sup> Crisp, *Mill on Utilitarianism*, 115.

utilitarian mantle early in life and then carrying the project through his relationship with Harriet Taylor with whom he planned all of his major works. Also, in *Utilitarianism* one finds many similar topics and modes of argument similar to his earlier works on moral philosophy, as well as familiar critiques of Bentham. Lastly, Crisp cites some biographical comments from Mill in order to explain certain conceptual difficulties within the text. This is done by noting Mill's admitted tendency to write for rhetorical rather than strictly philosophical purposes even in a writing that, Crisp insists, was not for popular consumption.

### **Jacobson's Revisionism**

As was noted above, Crisp's interpretation of Mill's intentions for *Utilitarianism* have largely been accepted by other Mill scholars, insofar as they believe that the document represents Mill's considered view on ethical matters as it developed from his earlier writings. This widespread acceptance is why this view is labeled in this study as the orthodox view. Even those who differ in their interpretations of Mill's moral theory typically acknowledge the need to square one's interpretation with a strict reading of *Utilitarianism*. Standing in contrast is the revisionist view argued for forcefully by Daniel Jacobson in his paper "The Diversity of Utilitarianism." Jacobson's argument challenges the orthodox view and offers a revisionist interpretation. He does this by arguing for two claims in particular. First, he argues that Mill's conception of utilitarianism was much broader than is often supposed by many Mill scholars. Second, he argues that Mill's purpose in writing *Utilitarianism* was to defend a general approach



to ethics (i.e., inductive and utilitarian in its largest sense) rather than elucidate his own particular theory of morality. Jacobson's arguments for these points are subtle, philosophically complex, and buttressed by a good deal of historical evidence from Mill's correspondence. Given the aims of this thesis, the discussion in this study will focus on only those arguments that seem especially pertinent to the historical project, and will avoid those debates especially concerned with the finer points in moral theory. The focus, then, will be on presenting Jacobson as offering a sharply contrasting historical project to Crisp. Whereas Crisp tried to present *Utilitarianism* as the conclusion to a long philosophical development particular to Mill himself, Jacobson tries to show how the text reveals a writer especially concerned with presenting a non-sectarian utilitarian view in order to convince non-utilitarian readers.

In order to appreciate Jacobson's arguments it is necessary to say something concerning some of the philosophical terminology relevant to the debate here. Specifically, here it is necessary to emphasize three different distinctions common in discussions about Mill's moral theory. These distinctions will be helpful to understand both Jacobson's arguments as well as later arguments concerning Mill's intentions for the document *Utilitarianism*. The first distinction is between direct and indirect theories of utilitarianism. David Brink, a noted scholar of Bentham and Mill, explains the distinction in his overview of Mill's moral and political philosophy. Direct utilitarianism is the view that, "Any object of moral assessment (e.g., action, motive, policy, or institution) should be assessed by and in proportion to the value of its consequences for

the general happiness.”<sup>57</sup> Indirect utilitarianism, on the other hand, is the view that, “Any object of moral assessment should be assessed, not by the value of its consequences for the general happiness, but by its conformity to something else (e.g., norms or motives) that has (have) good or optimal acceptance value.”<sup>58</sup> In order to see the meaning of this distinction between two types of utilitarianism, it will help to introduce a second distinction that serves as an application of the first distinction. Act-utilitarianism is a type of direct utilitarianism which claims that an action is correct insofar as it brings about the best consequences available to an agent. Act-utilitarianism is how Crisp interprets Mill’s version of the greatest happiness principle. In his commentary on the principle Crisp writes that Mill means, “if an action produces happiness, it is—to that extent—right and if it produces unhappiness it is to that extent wrong. The right action will be that which produces the greatest balance of happiness over unhappiness overall, the idea of maximization being implicit in the ‘greatest’ of the ‘greatest happiness principle.’”<sup>59</sup> In contrast to act-utilitarianism, which is a form of direct utilitarianism since it directly weighs the happiness or unhappiness resultant from each act, rule-utilitarianism is a kind of indirect utilitarianism. Rule-utilitarianism stipulates that actions are right to the extent that they conform to some rule whose acceptance brings about the greatest amount of general happiness given all of the actions available for a given agent. J.O. Urmson and Dale Miller interpret Mill as a rule-utilitarian.<sup>60</sup> Rule-utilitarianism is indirect insofar as an action is evaluated by whether it conforms to the

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<sup>57</sup> David Brink, "Mill's Moral and Political Philosophy."

<sup>58</sup> Ibid.

<sup>59</sup> Crisp, *Utilitarianism*, 115.

<sup>60</sup> See J.O. Urmson, “The Interpretation of the Moral Philosophy of J.S. Mill.” *Philosophical Quarterly* 3 (1953), 33-39 and Dale Miller, *John Stuart Mill* (Cambridge: Polity, 2010).

appropriate rule (which, of course, is supposed to promote the general happiness) rather than whether it raises the level of general happiness directly. There are many other versions of utilitarianism besides direct and indirect utilitarianism, though these two are probably the most popular ways of interpreting Mill.<sup>61</sup>

One further distinction relevant to this discussion concerns the philosophical doctrine of hedonism. Hedonism refers to the view that pleasure and pain together constitute the sole grounding for value in the world. Other values such as virtue, rationality, justice, or piety are not good in themselves but only good insofar as they contribute to pleasure. In this context, it is worth noting that utilitarianism, as many understand it, is the view that combines hedonism as its theory of what is *good* along with a theory of what is morally *right*.<sup>62</sup>

These distinctions are important for understanding Jacobson's paper for the following two reasons. First, Jacobson claims that Crisp's interpretation of Mill is motivated by the fact that he wishes to interpret Mill as adopting a certain type of direct utilitarianism popular among later moral theorists like Henry Sidgwick and R.M. Hare.<sup>63</sup> Jacobson, who favors an indirect interpretation of Mill's utilitarianism but does not argue for it in this paper, wants to show how this desire on Crisp's part leads him to

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<sup>61</sup>Jacobson and David Lyons defend a version of indirect utilitarianism called "sanction utilitarianism," which claims that actions are correct/incorrect depending on whether a sanction should be applied to the action's performance. Lyons was really the first to put forward this reading for Mill (though he does not give it a name) in David Lyons, *Rights, Welfare, and Mill's Moral Theory* (New York: Oxford University Press, 1994).

<sup>62</sup>Of course, other kinds of moral theories can be hedonistic without being utilitarian. One example of this would be egoistic hedonism, which claims that one is morally obligated to promote one's own pleasure when choosing among alternatives. For interesting discussion of hedonism as it relates to utilitarian moral theory see Richard Brandt, *A Theory of the Good and the Right* (Amherst, NY: Prometheus, 1998), esp., 132-138.

<sup>63</sup>See Henry Sidgwick, *The Methods of Ethics*, 7<sup>th</sup> ed. (Indianapolis: Hackett Publishing, 1981), and R.M. Hare, *Moral Thinking: Its Levels, Method, and Point* (Oxford: Clarendon, 1981).

incorrect interpretations of Mill's motivations in writing *Utilitarianism*. Second, Jacobson further argues that Mill believed that both hedonists (of several varieties) and indirect utilitarians are considered by Mill to be utilitarians in the context of Mill's use of the term in *Utilitarianism*.

Jacobson's argument will be broken down here into four components relevant to this discussion. This exercise will not aim to present Jacobson's arguments in their entirety, and a number of the philosophical nuances will be omitted for the sake of brevity and a concern for the question of discerning Mill's intentions in writing *Utilitarianism*. That being said, this study will present all of the relevant evidence Jacobson cites so as to provide the best possible context for this study's own contribution to these questions in the second and third chapters of this thesis.

The first component in Jacobson's argument is the claim that Mill held to an idiosyncratic version of utilitarianism. The first piece of evidence relevant to this claim is a letter sent to his conservative friend Thomas Carlyle in 1834 wherein Mill promises to provide "a more complete unfolding to you of my opinions and ways of thinking than I have ever yet made."<sup>64</sup> He writes:

I am still, & am likely to remain, a utilitarian; though not one of "the people called utilitarians"; indeed, having scarcely one of my secondary premises in common with them; nor a utilitarian at all, unless in quite another sense from what perhaps any one except myself understands by the word.<sup>65</sup>

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<sup>64</sup> Mill to Thomas Carlyle, 12 January 1834, *CW*, XII, 207.

<sup>65</sup> *Ibid.*, 207.

Mill makes this claim shortly after explaining how he was still holding true to the doctrine after his mental crisis<sup>66</sup>—a period where he was especially open to alternative views like Romanticism. Thus, the claim here is an affirmation of his continued support of the doctrine while also trying to separate himself from other utilitarians. It is worth recalling, as well, that Mill published criticisms of Bentham in 1833 and 1838, while also defending the utilitarian doctrine and Bentham against intuitionist criticisms in “Sedgwick’s Discourse” in 1838. Thus, Mill is in a position at this point to criticize utilitarianism as defended by Bentham, while still affirming his commitment to the doctrine generally.

Of course, while he is embracing heterodoxy here it remains possible that Mill was more orthodox by the time he wrote *Utilitarianism*. Jacobson writes that believing this would be a mistake and one can see why by looking at two aspects of his moral theory that differentiate him from Bentham and several other utilitarians. First, consider Mill’s views on the relevance of motives in determining the rightness or wrongness of an action. In chapter two of *Utilitarianism* Mill writes, “there is no point which utilitarian thinkers and Bentham pre-eminently have taken more pains to illustrate than this that “the motive has nothing do with the morality of an action, though much with the worth of the agent.”<sup>67</sup> While this echoes much of what Mill seems to believe, in two other places he adopts a more unorthodox view. In “Remarks on Bentham” he says “the great fault I have to find with Mr. Bentham as a moral philosopher . . . is this: that he has

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<sup>66</sup> As will be explained later in this chapter and the next, Mill suffered through what he calls a “mental crisis” in his early twenties where he severely questioned the truth of the utilitarian beliefs with which had been raised.

<sup>67</sup> Mill, *U*, 2.19.

practically, to a very great extent, confounded the principle of Utility with the principle of specific consequences of action, by ignoring the role of character in action.”<sup>68</sup>

Similarly, in *On Liberty*, he writes at length on the moral importance of self-development stating that, “It really is of importance, not only what men do, but also what manner of men they are that do it. Among the works of man, which human life is rightly employed in perfecting and beautifying, the first in importance surely is man himself.”<sup>69</sup> As Jacobson rightly notes, the fact that Mill’s comments in *Utilitarianism* sound more orthodox than his comments elsewhere coheres with the revisionist view, since that is precisely what his interpretation would predict.

The second piece of evidence of Mill’s unorthodoxy concerns his comments on supererogation and moral action. A supererogatory act is an action that exceeds what is *required* by morality. Earlier utilitarians, such as William Godwin, accepted a direct version of utilitarianism that claimed that supererogation was impossible since one is required to do everything in one’s power to benefit the common good.<sup>70</sup> Mill, though, defended the doctrine of supererogation throughout his career. The clearest presentation of this can be found in an essay published in 1868 where he compares the mistakes of the theories of Auguste Comte with that of Calvinism, a view that does not countenance the possibility of supererogation:

It does not perceive that between the region of duty and that of sin there is an intermediate space, the region of positive worthiness. It is not good that a person should be bound, by other people’s opinion, to do everything that they would

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<sup>68</sup> Mill, “Remarks on Bentham,” *CW*, X, 7-8.

<sup>69</sup> Mill, *OL*, 3.4.

<sup>70</sup> See William Godwin, *Enquiry Concerning Political Justice* (Hammondsworth, England: Penguin Classics, 1985), 174.

deserve praise for doing. There is a standard of altruism to which all should be required to come up, and a degree beyond it which is not obligatory, but meritorious.<sup>71</sup>

This comment, too, is not anomalous in Mill's writings but is echoed in passages in *On Liberty* and in his correspondence.<sup>72</sup> Mill's lack of discussion of supererogatory action in *Utilitarianism* supports the revisionist thesis because it provides an example of a controversial doctrine (within the utilitarian standpoint) that Mill seems to have held but not mentioned in the document. If Mill were giving his definitive statement of his views in *Utilitarianism*, it looks odd that he would omit discussion of this important topic.

The second component of Jacobson's argument is that Mill presents an especially capacious notion of utilitarianism in *Utilitarianism*, which is appropriate since he is offering an ecumenical account. In Jacobson's view, when Mill puts forward an original claim concerning the theory of utilitarianism in *Utilitarianism*, he explicitly marks it out as such. For instance, in his account of higher pleasures in chapter two and his claims about how to recognize those pleasures, Mill explicitly notes that he is moving outside the orthodoxy. It is important to recall that the discussion of higher pleasures occurs in response to the objection that utilitarianism is a doctrine worthy of swine. Mill remarks that utilitarians have generally been successful in refuting this charge by emphasizing the pleasures of the intellect though, "they might have taken the other, and, as it may be called, higher ground, with entire consistency."<sup>73</sup> The other, higher ground, of course, is

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<sup>71</sup> Mill, *Auguste Comte and Positivism*, CW, X, 337.

<sup>72</sup> In *OL*, see chapter four with its focus on not having an obligation to maximize happiness as well as his Mill to Henry Brandreth, 9 February 1867, CW, XVI, 1234.

<sup>73</sup> Mill, *U*, 2.4.

Mill's own account of higher and lower pleasures, thus definitively differentiating his account from other utilitarians.

In another example of Mill's capacious understanding of utilitarianism, Jacobson comments on Mill's discussion of hedonism in *Utilitarianism*. At the outset of the second chapter Mill says that:

every writer, from Epicurus to Bentham, who maintained the theory of utility, meant by it, not something to be contradistinguished from pleasure, but pleasure itself, together with exemption from pain; and instead of opposing the useful to the agreeable or the ornamental, have always declared that the useful means these, among other things.

If one takes Mill seriously here, it sounds as if he thinks that hedonism stands as “the theory of utility itself,” a claim, as was discussed earlier, that is too strong when we consider what hedonism means. Indeed, Mill seems to back off from this strong statement shortly after this claim later in the chapter and seems to have a different notion entirely in his discussion of the principle of utility in chapter four.<sup>74</sup>

Mill's comments can be made sensible, though, when one considers his letter to the eminent classicist George Grote who questioned Mill's claim in a passage from chapter one in *Utilitarianism*. Mill had written there that Socrates defended the theory of utilitarianism in the Platonic dialogue *Protagoras*. Grote's objection was that Socrates, there, defends egoistic hedonism, a doctrine which, as we said earlier, is not consistent with utilitarianism. Nonetheless, Mill writes to Grote that, “As you truly say, The Protagorean Socrates lays down as the standard, the happiness of the agent himself, but his standard is composed of pleasure and pain, which ranges him, upon the whole, on the

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<sup>74</sup> See Mill's distinction between happiness and pleasure in 2.2 and 2.12 and his discussion of the parts of happiness and desirability in chapter four.



utilitarian side of the question.”<sup>75</sup> In interpreting what Mill means here by including the Protagorean Socrates in the utilitarian camp (even when he clearly cannot be) Jacobson reminds the reader of Mill’s real foe in *Utilitarianism*: the intuitionist *a priori* moral philosophers. As has been discussed even by Crisp, Mill identifies the *a priori* and moral intuitionist philosophers as his chief philosophical opponents. When compared to them, even the hedonistic egoist accepts an inductive approach to ethics, which seems to be enough for Mill to count the hedonistic egoist as being “upon the whole” on the side of the utilitarians.

The third component of Jacobson’s argument concerns Mill’s claims about the greatest happiness principle in chapter two. Interestingly, just before Mill introduces the greatest happiness principle he remarks in a footnote concerning the origin of the term utilitarianism, which should stand “as a name for one single opinion, not a set of opinions—to denote the recognition of utility as a standard, not any particular way of applying it.”<sup>76</sup> In the eyes of some this might be taken to imply that Mill overtly announces his ecumenical intentions for the work. That said, Crisp might respond that Mill might only mean that utilitarians might have different secondary principles about how to apply the standard of utility.

To see what Mill might mean in his claims about the greatest happiness principle, it is helpful to restate Mill’s claims in one of his most famous passages:

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 promote happiness, wrong as they tend to produce the reverse of happiness. By

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<sup>75</sup> Mill to George Grote, 10 January 1862, *CW*, XV, 762.

<sup>76</sup> Mill, *U*, 2.1fn.

happiness is intended pleasure, and the absence of pain; by unhappiness, pain, and the privation of pleasure. To give a clear view of the moral standard set up by the theory, much more requires to be said; in particular, what things it includes in the ideas of pain and pleasure; and to what extent this is left an open question. But these supplementary explanations do not affect the theory of life on which this theory of morality is grounded- namely, that pleasure, and freedom from pain, are the only things desirable as ends; and that all desirable things (which are as numerous in the utilitarian as in any other scheme) are desirable either for the pleasure inherent in themselves, or as means to the promotion of pleasure and the prevention of pain.<sup>77</sup>

Earlier it was noted that Crisp's interpretation of this passage argues for a kind of direct utilitarianism. However, given that Mill said that the greatest happiness principle was something that was supposed to be common to all utilitarians and not stand for a single way of interpretation, if it can be shown that Mill knew of other indirect utilitarians, then the greatest happiness principle must be interpreted in order to include them in theory. This is just what one finds when one examines Mill's comments on William Paley in a discussion of Bentham:

The recognition of happiness as the only thing desirable in itself, and of the production of the state of things most favorable to happiness as the only rational end both of morals and policy, by no means necessarily leads to the doctrine of expediency as professed by Paley: [that is,] the ethical canon which judges of the morality of an act or a class of actions, solely by the probable *consequences* of that particular kind of act, supposing it to be generally practiced. This is a very small part of what a more enlarged understanding of the "greatest-happiness principle" would require us to take into account.<sup>78</sup>

This passage serves to demonstrate that Mill understood Paley to be an indirect utilitarian as the morality of an action is determined by evaluating actions of a *class* of actions of which it is a part, rather than the direct effect on the general happiness. As a

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<sup>77</sup> Ibid., 2.2.

<sup>78</sup> Mill, "Remarks on Bentham's Philosophy," *CW*, X, 7.

result, even in the passage stating the greatest happiness principle, it is not safe to assume that Mill is giving his personal view on utilitarianism.<sup>79</sup>

The fourth and final component of Jacobson's argument concerns some of the extra-textual historical factors relevant to interpreting *Utilitarianism*. First, Jacobson considers the objection that if what he says is correct, it would imply that *Utilitarianism* is far less important than it has often been made out to be. Jacobson embraces this criticism, noting that it is the work's pedagogical virtues, rather than its philosophical depth, that have made it as popular as it has been: "This little work fits nicely into an Introduction to Moral Philosophy course, being much more palatable to undergraduates than Sidgwick's dense *Methods of Ethics* or Bentham's torturous *An Introduction to the Principles of Legislation*."<sup>80</sup>

In fact, there is good reason to think that Mill himself did not consider it an especially important work in his corpus. One can get an impression of Mill's thoughts on the document judging from its pedigree. *Fraser's* magazine was a more popular venue than where Mill often published his work, a fact that seems at odds with Crisp's view that it was not intended for a popular audience. In 1862, a year after *Utilitarianism* was published, Mill wrote to John Eliot Cairnes, "The wretched thing in *Fraser* which you so justly characterize, with others as bad as itself by which it has been followed, have quite disgusted me with the present conduct of the Magazine."<sup>81</sup> At the same time, it is not

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<sup>79</sup> It is also worth noting that Jacobson presents several other problems with Crisp's reading of the greatest happiness principle, but explaining them would go beyond the level of philosophical detail that seems appropriate for this thesis.

<sup>80</sup> Jacobson, "The Diversity of Utilitarianism," 17.

<sup>81</sup> Mill to John Elliot Cairnes, 5 December 1862, *CW*, XV, 807.

entirely surprising that Mill published there since he did so “when he wished to reach a broad audience, especially in order to enter into an ongoing popular dispute such as the debate over ‘Benthamism’ and its radical political reforms.”<sup>82</sup> Mill did not expect many of his more educated friends, such as Samuel Bailey (whom Mill admired for his work on moral sentiments) to be familiar with the magazine.

Finally, Jacobson notes that Mill did not expect *Utilitarianism* to be among his greatest works (he expected *On Liberty* and his *System of Logic* to have the longest survival), mentioning it only in passing in the course of his *Autobiography* and referring to it as his “little work.” Even here it seems unlikely that he was downgrading the work after the fact given that in 1862 he explained to Grote in a letter that:

I am not more sanguine than you are about their converting opponents . . . The most that writing of that sort can be expected to do, is to place the doctrine in a better light, and prevent the other side having everything their own way, and triumphing in their moral and metaphysical superiority as they have done for the last half century. . . .<sup>83</sup>

Jacobson notes further that Mill’s inactivity concerning the document seems rather strange if *Utilitarianism* was supposed to stand as one of his great works. In 1868 Theodore Gomperz, working on a German translation of *Utilitarianism*, wrote to Mill saying that he saw a fallacy in one of Mill’s arguments in chapter four. Mill responded by noting that he had not had time to go back and explain and develop this passage further to show it not to be fallacious, but that perhaps he should do so.<sup>84</sup> While Mill

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<sup>82</sup> Jacobson, “Diversity of Utilitarianism,” 17.

<sup>83</sup> Mill to George Grote, 10 January 1862, *CW*, XV, , 763.

<sup>84</sup> Mill to Theodor Gomperz, 23 April 1868, *CW*, XVI, 1391.

lived for five more years and completed his autobiography and maintained his vast correspondence, Mill never returned to the book in order to revise the argument.

To conclude, this chapter has highlighted four aspects of Jacobson's revisionist argument. First, Jacobson offers evidence that Mill held to an especially unorthodox version of utilitarianism that is not evident in the document *Utilitarianism*. Second, in that document Mill's argument suggest that he was operating with an especially capacious understanding of the term 'utilitarianism,' which is consistent with the idea that he had an ecumenical purpose in publishing in *Fraser's*. Third, Jacobson tries to show that the greatest happiness principle discussion in chapter two can be read in ways that are not restricted to direct utilitarian interpretations. This is evidenced by Mill's discussion of Paley and the latter writer's understanding of the greatest happiness principle. Fourthly, Jacobson presents evidence concerning Mill's negative attitude toward the publisher of *Utilitarianism* as well as Mill's less than exultant remarks concerning the book in his *Autobiography*.

### CHAPTER III

#### DEFENSE OF REVISIONISM

The previous chapter presented an outline of the contents of *Utilitarianism* as well as the respective views on how to interpret Mill's intentions for that book according to Roger Crisp and Daniel Jacobson. The arguments of this chapter will be broken into five sections (including this opening section), with each serving the general aim of supporting Jacobson's revisionist reading of *Utilitarianism*. The second section is a discussion of the history of the theory of utilitarianism, and how Mill saw himself within that history. The third section presents the early biographical context for understanding Mill's development as a utilitarian, and his early break from the views of his father. This section also discusses Mill's development as a thinker more generally, and his experience with some of the other intellectual traditions of the day whose influences are evident in *Utilitarianism*. The third section also discusses the specifics of Mills' plans and execution of the ecumenical defense of utilitarianism postulated by the revisionist thesis. It provides documentary evidence of Mill's plan, his recognition of the need for such a defense, evidence for the separate composition of what came to be the fifth chapter of *Utilitarianism*, and a broader context for Mill's reasons for publishing in *Fraser's*. The fourth section is a historiographical analysis of Mill's biographers with respect to their thoughts on *Utilitarianism*. The fifth and final section of this chapter examines the early reception of *Utilitarianism* in order to highlight the similarities between the initial responses to the book and reactions common today. In each of these

sections there will be some mention of how the evidence relates to the revisionist and orthodox interpretations, though the full implications of the material in this chapter will be discussed in greater detail in the fourth chapter of this study.

### **Mill and the History of Utilitarianism**

The purpose of this section is provide some context on Mill's place in the history of utilitarian moral theory, and especially some information relevant to determining Mill's conceptions of where he stood in that history. The aim here is by no means to give a substantive history of the view from its origins in the seventeenth century up to its most contemporary defenders. Instead, the objective is to discuss the key points of origin from Mill's perspective, even if that actually provides a rather narrow focus concerning these large historical questions. This narrow focus is appropriate, it is argued, because the question at hand is what Mill took himself to be doing *qua* defender of utilitarianism when he published the document in 1861. Both Crisp and Jacobson would agree with Terence Irwin's statement that *Utilitarianism* "is the result of Mills' reflexions on utilitarianism over the previous thirty years," but they disagree over what this really amounts to.<sup>85</sup> According to Crisp, all of Mill's writings on moral philosophy (beginning with "Remarks on Bentham" and his review of Blakey" in 1833) lead up to his claims in *Utilitarianism* and served to defend his brand of utilitarianism, while, in Jacobson's view, Mill's aims in *Utilitarianism* are ecumenical and intended to stand as a defense for

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<sup>85</sup> Irwin, *The Development of Ethics*, 364.

several varieties of utilitarian views. As such, this examination will include those aspects of the history of utilitarianism that are relevant to sorting out this dispute.

In the opening paragraph of *Utilitarianism* Mill writes that the origins of utilitarianism go back at least to Plato when he remarks that Socrates defended the theory against the claims of the sophist Protagoras.<sup>86</sup> As was apparent in the discussion of Jacobson's arguments, this is an important comment in that it reveals how capacious Mill's use of the term is in that document. That said, Mill's view here is not one that is widely shared by historians of moral thought. A more widely respected view comes from the philosopher and historian J.B. Schneewind who traces the origins of utilitarianism to Gottfried Leibniz and Richard Cumberland.<sup>87</sup> As Schneewind understands it, utilitarianism is committed to three key tenets that were not simultaneously held by any thinker in the classical or medieval world. First, one should maximize the good for all and not merely the agent undertaking the action. Second, "goodness" should be understood in terms of pleasure and "badness" should be understood as pain. Third, from the requirement that the good of all should be maximized, one can derive all other moral principles. As to how this combination of views came about, he writes that it, "is what you get when Christian love is combined with a strong rational decision procedure. Make the outcome into an instrument for political work and the result is Benthamism."<sup>88</sup>

The relevance of all of this to Mill comes in Schneewind's view that these three tenets came together as a way to combat and critique theological voluntarism.

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<sup>86</sup> Mill, *U*, 1.1

<sup>87</sup> J.B. Schneewind, "Voluntarism and the Origins of Utilitarianism," *Utilitas* 7 (1995): 87-96.

<sup>88</sup> *Ibid.*, 87.



Theological voluntarism is a view within the Christian tradition that explains the truth or goodness of any entity back to God's willing of that thing into existence (either directly or indirectly). That something is good is just to say that God willed it so; and if something appears to be irrational or evil then this judgment must be either a mistake or simply a mystery that cannot be overcome by human faculties. This view was quite popular in the seventeenth century, being defended (albeit in different forms) by such diverse figures as René Descartes, Thomas Hobbes, John Locke, and Samuel Pufendorf.<sup>89</sup> From the perspectives of figures like Leibniz and Cumberland, though, this stance promotes a misguided view concerning God's nature. To portray God in this way, in Leibniz's view, is to render God as a tyrannical, despotic, and haphazardly whimsical deity. Cumberland and Leibniz have different theories of the precise nature of God's goodness and what the free expression of God's nature ultimately means, but what matters here is their shared view that God, in creating the world and its laws, chose the best possible world (i.e., he maximizes the good) and that through rational investigation one can discern what God's laws are.

While there is something to be said for Schneewind's views on the origins of utilitarianism, the focus on rejecting theological voluntarism might not be the best way to situate Mill's understanding of the history of the doctrine. The chief difficulty here is that theological voluntarism was accepted by some prominent early utilitarians like William Paley.<sup>90</sup> Mill thinks that Paley used utilitarianism to justify religious orthodoxy rather than accepting some of the more radical proposals that would follow from a

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<sup>89</sup> Ibid., 88.

<sup>90</sup> Mill, "Whewell," *CW*, X, 170.

rigorous application of the view. To be clear, Mill did not think that Paley and others were misguided in taking this attitude toward utilitarianism, though he did note that once these figures grasped some of the potentially radical applications of the principle of utility, they moved away from connecting utilitarianism to religious orthodoxy. “But a change ensued, and the utilitarian doctrine, which had been the favourite theory of the defenders of orthodoxy, began to be used by its assailants. In the hands of the French philosophers, and in those of Godwin and of Bentham . . . a moral philosophy founded on utility led to many conclusions very unacceptable to the orthodox.”<sup>91</sup> As usual, Mill wants to pitch the battle in moral philosophy as breaking down along the familiar “inductive” versus *a priori* or intuitionist/moral sense approaches.<sup>92</sup>

Much of this, of course, fits within the narrative suggested by Crisp’s account of Mill’s self-avowed place within utilitarianism. Crisp rightly acknowledges Mill’s inclination to emphasize the inductive approach to ethics and to see himself as furthering and improving upon Bentham’s brand of direct utilitarianism. While there is much that is correct about this picture concerning Mill’s relationship to Bentham’s views, it is appropriate to raise two complications that weaken Crisp’s reading and lend some support to Jacobson. Both concern Mill’s relationship to Bentham and the plausibility of Jacobson’s claim that Mill is offering an ecumenical defense of the utilitarian doctrine.

The first complication concerns the specific ways in which Mill went about criticizing and developing Bentham’s views. Both of Mill’s early essays critical of

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<sup>91</sup> Ibid.

<sup>92</sup> Irwin, *The Development of Ethics*, 368-370. It is worth noting Irwin’s discussion of how Mill’s history of moral theory is oversimplified and leaves unexplained a number of important previous writers on moral philosophy.

Bentham were published anonymously, and Mill's "Remarks on Bentham's Philosophy," where he was most critical, was not reprinted during his lifetime. Even in this period of the 1830's after the death of James Mill, when Mill was especially critical of his intellectual heritage (having come under the influence of the radical St. Simonians as well the conservatives like Samuel Taylor Coleridge and Thomas Carlyle), Mill still did not wish to have this essay acknowledged as his (except to his close friends). To Carlyle he wrote, "I wish you could see something I have written lately about Bentham and Benthamism—but you can't."<sup>93</sup> Similarly, to J.P. Nichol he wrote of this piece that it "Is not, and must not be, known to be mine."<sup>94</sup> Admittedly, Mill may have simply been fearful of his father's negative gaze on these pieces, since he did not die until 1836, though it is notable nonetheless. In his *Autobiography*, Mill writes that though he stands by the criticisms he made in these essays, he sometimes "doubted whether it was right to publish it at that time. I have often felt that Bentham's philosophy, as an instrument of progress, has been to some extent discredited before it had done its work, and that to lend a hand toward lowering its reputation was doing more harm than service to improvement."<sup>95</sup> Note also that in the earlier essays on moral philosophy that were not especially aimed at Bentham (e.g., "Blakey," "Sedgewick," and "Whewell") Mill is defending Bentham against common misunderstandings of his views—a practice he continues in *Utilitarianism*.

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<sup>93</sup> Mill to Thomas Carlyle, 11 and 12 April 1833, *CW*, XII, 152.

<sup>94</sup> Mill to John Pringle Nichol, 14 October 1834, *CW*, XII, 236.

<sup>95</sup> Mill, *Autobiography*, *CW*, I, 227.

A second complication in Crisp's narrative concerns the portrayal of Mill as developing his own theory in sharp distinction from Bentham in the course of *Utilitarianism*—especially in chapter two. The suggestion here, following an account by Frederick Rosen, is that Mill may not have been departing quite as sharply from Bentham as he is often taken to be.<sup>96</sup> Rosen is not alone in this view, as the philosopher Geoffrey Scarre expressed the same sentiment when he wrote that:

‘Utilitarianism’ is a highly puzzling work. Many of its ideas and argument could have flowed from the pen of Bentham himself. . . . These formulations resemble closely the summaries of Bentham’s position in the essays of the 1830s; the difference is that Mill now appears to accept them!<sup>97</sup>

In a similar spirit, the argument below is that in many of Mill's comments on his theory of higher and lower pleasures, he is saying a great deal with which Bentham would have agreed. Whereas many cite Bentham as Mill's opponent in his discussion of higher and lower pleasures, it is argued in this study that evidence suggests that it is Thomas Carlyle who is the target of Mill's comments in these sections.

One of the more commonly cited instances where Mill is taken to be developing his own theory concerns Mill's account of pleasure in the second chapter of *Utilitarianism*. For instance, Wendy Donner has written, concerning this passage, that “Mill rejected much of Bentham's thought and radically reinterpreted utilitarianism, expanding and enriching the conception of good at its core.”<sup>98</sup> As has already been noted, Mill wrote the essays most critical of Bentham in the 1830s, which were a time when Mill was especially close to Carlyle who was a prominent critic of utilitarianism.

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<sup>96</sup> The analysis of this complication follows Rosen, *Classical Utilitarianism*, 166-184.

<sup>97</sup> Geoffrey Scarre, *Utilitarianism*, (London: Routledge, 1996), 91.

<sup>98</sup> Wendy Donner, *The Liberal Self: John Stuart Mill's Moral and Political Philosophy* (Ithaca and London: Cornell University Press, 1991), 8.

Shortly after this time, though, we find Mill distancing himself from his conservative friend. Michael St. John Packe, in his biography of Mill, records the following anecdote concerning Mill's reaction to his friend's lectures on "Hero Worship" in 1840:

Mill himself was absent. He and Harriet Taylor had attended the earlier performances, but at the second, the 'Hero as Prophet', he had disgraced himself. For when the orator launched into his favourite denunciation of the "Benthamee Utility, virtue by Profit and Loss", and had reached the rhetorical passage 'if you ask me which gives, Mahomet or they, the beggarlier and the falser view of Man and his Destinies', Mill had risen to his feet, pale but unable to contain himself, and called out a decided 'No!' After which Harriet Taylor seems to have given away their tickets.<sup>99</sup>

Following this incident, Carlyle offered a qualified apology to Mill in a later lecture, but remained nonetheless a firm critic of utilitarianism to the end of his days—especially in the theories of political economy advocated by Bentham and James Mill. Carlyle's antagonism was directed at the doctrine's tendency to weigh pleasures and pains when considering the best action, whereas Carlyle thought that one should "love not Pleasure, love God."<sup>100</sup> On his view, one ought to renounce the search for happiness completely since one had no right to happiness, and it served no part of the moral life. Interestingly, it is probably through Carlyle's influence on Dickens, to whom *Hard Times* is dedicated, that we find the ridiculous character of Gradgrind who is supposed to stand as a kind of comedic indictment of the utilitarian doctrine.<sup>101</sup>

Mill thus had a varied relationship with Carlyle, and his *Autobiography* claimed that though he was never converted to any of Carlyle's opinions, he found him very

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<sup>99</sup> Michael St. John Packe, *The Life of John Stuart Mill*, (New York: MacMillan, 1954), 264-265.

<sup>100</sup> Thomas Carlyle, *Sartor Resartus: the Life and Opinions of Her Teufelsdröckh in Three Books*, ed., Rodger Tarr, (Berkeley and Los Angeles: University of California Press, 2000), 143.

<sup>101</sup> See Donald Winch, "Mr. Gradgrind and Jerusalem," *Economy, Polity and Society: British Intellectual History, 1750-1950*, ed. Stefan Collini, Richard Whatmore, and Brian Young (Cambridge: Cambridge University Press, 2000), 245-266.

useful in elucidating his own ideas.<sup>102</sup> Even in the letter to Carlyle in 1834 (discussed in the previous chapter) where Mill said that he was a utilitarian but not “one of the people called utilitarians,” Mill affirms many doctrines to be found later in utilitarianism, including the importance of self-development as conceived in the utilitarian tradition of doing so for the benefit of mankind. Similar notions are echoed in Mill’s diary entry in 1854 (as he was beginning to write *Utilitarianism*) when he is writing on Carlyle’s notions of hero worship. There he writes:

Moral regenerators in this age mostly aim at setting up a new form either of Stoicism or of Puritanism—persuading men to sink altogether earthly happiness as a pursuit. . . . What is now wanted is the creed of Epicurus warmed by the additional element of an enthusiastic love of the general good.<sup>103</sup>

This “creed of Epicurus” and its connection to utilitarianism was recognized by many earlier utilitarians like David Hume, Adam Smith, Paley, Bentham, and obviously continues in Mill. As we have seen, Mill echoes this connection to Epicurus often in *Utilitarianism*, mentioning it six times in the opening paragraphs of the document. Mill’s point in tying himself to this tradition was ostensibly to emphasize the point that utility is connected to the concept of pleasure and pain, and that the Epicureans should not be represented, as they sometimes were, as defending a “beastly” view of life. Instead, Mill asserts in *Utilitarianism*, all writers advocating “Epicurean theories of life” affirm the importance of the intellect and the cultivation of wisdom. This is because, according to the tradition, the wise person kept desires within bounds so as to avoid the pains of disappointment. Also, the wise person was not afraid of death or the future generally, as

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<sup>102</sup> Mill, *Autobiography*, CW, I, 181.

<sup>103</sup> Mill, *Journals and Debating Speeches*, CW, XXVII, 666.

she knew that a life guided by reason and wisdom afforded protections from the obstacles of bad fortune.<sup>104</sup>

While there appears to be no reason to think that in writing this Mill is excluding Bentham from among those espousing the importance of the intellect, Mill's claim shortly after making this connection to *Utilitarianism* is interesting:

It must be admitted, however, that utilitarian writers in general have placed the superiority of mental over bodily pleasures chiefly in the greater permanency, safety, uncostliness, etc., of the former—that is, in their circumstantial advantages rather than in their intrinsic nature. And on all these points utilitarians have fully proved their case; but they might have taken the other, and, as it may be called, higher ground, with entire consistency. It is quite compatible with the principle of utility to recognise the fact, that some kinds of pleasure are more desirable and more valuable than others. It would be absurd that while, in estimating all other things, quality is considered as well as quantity, the estimation of pleasures should be supposed to depend on quantity alone.<sup>105</sup>

Note that while Mill does not define to whom he refers as “utilitarian writers,” it is often thought that he was referring to Bentham and his account of pains and pleasures in *An Introduction to the Principles of Morals and Legislation*.<sup>106</sup> One might wonder, though, if this was Mill's target why he indicates a plurality of utilitarians rather than giving Bentham by name or leaving the term singular. Admittedly, he may just be referring to *followers* of Bentham, but it is puzzling nonetheless. The puzzle gets deeper, though, when one looks closer at the narrative that is typically given in explaining how Mill's theory of pleasure differs from Bentham.

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<sup>104</sup> See Cicero, *De Finibus Bonrum et Malrum*, ed. H. Racham, (Cambridge, MA: Harvard University Press, 1999), 65.

<sup>105</sup> Mill, *U*, 3.4.

<sup>106</sup> Bentham, *Introduction to the Principles*, esp., 38-41

Critics often point to Mill's complaint of Bentham's view that "pushpin is as good as poetry." Mill's criticism, though, has a kind of strange history of its own as it has led to much scholarly confusion. For one, this criticism occurs in "Bentham" in 1838 rather than in *Utilitarianism* itself. There, Mill writes that "[Bentham] says, somewhere in his works, that 'quantity of pleasure being equal, push-pin is as good as poetry.'" <sup>107</sup> Scholars have traced this quote to Bentham's *The Rationale of Reward* published in 1825, which was published shortly before Mill's intellectual crisis.

Rosen makes two very interesting points, though, with respect to this passage in Bentham. First, Mill misquotes Bentham here as the original passage says nothing about 'quantity of pleasure,' "and had Mill quoted the passage as it is in published text, it might never have been noticed by later scholars as being of any relevance to the distinction between quality and quantity of pleasure as it appears in *Utilitarianism*." <sup>108</sup> Note that in the essay on Bentham, Mill himself does not draw any such connection, and it is possible to doubt that he saw one at all. Second, Bentham's comment on this matter relates to a specific policy question concerning state support of the fine arts. In this context, he writes:

Prejudice apart, the game of push-pin is of equal value with the arts and sciences of music and poetry. If the game of push-pin furnishes more pleasure, it is more valuable than either. Everybody can play at push-pin: poetry and music are relished only by a few. <sup>109</sup>

In his comment on "prejudice apart" Bentham was accounting for individual taste, not his personal view, as he certainly preferred music to push-pin. The point Bentham is

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<sup>107</sup> Mill, "Bentham," *CW*, X, 113

<sup>108</sup> Rosen, *Classical Utilitarianism*, 176.

<sup>109</sup> Jeremy Bentham, *The Works of Jeremy Bentham*, vol. II (Edinburg: William Tait, 1839), 253.



making in this context, though, is that when the state is considering which acts it should sponsor (when considering how to increase general utility) it should choose to sponsor those activities that are enjoyed by many and not the few. In other words, Bentham is not making a metaphysical point here about the nature of pains and pleasures, but rather a policy recommendation. On Rosen's view, Mill's misquotation is not intended as a misrepresentation of Bentham, but "was only calling attention to the fact that greater numbers of people enjoyed push-pin as opposed to poetry. Nevertheless, he unintentionally misled later scholars on the trail of the distinction between quantity and quality of pleasures and pains."<sup>110</sup> In order to further underline this point, Rosen goes on to give an argument suggesting that the typical understanding of Bentham not recognizing a distinction between quantity and quality of pleasures is mistaken.<sup>111</sup> In fact, Bentham, too, recognized important distinctions between various kinds of pleasures, and did not have a reductionist and purely quantitative understanding of the concept. Thus, in the quote from chapter two when Mill writes that "some kinds of pleasure are more desirable and more valuable than others," Bentham would have agreed with Mill, thus taking much of the wind out of the sails of those who see a sharp break with Mill and Bentham in this passage.

To further explore the view that it is Carlyle and not Bentham to whom Mill is responding, one can consider Rosen's suggestion that Mill was attempting to connect the Stoics to the Epicurean tradition. Earlier it was noted that the Epicurean tradition favored

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<sup>110</sup> Ibid.

<sup>111</sup> See Rosen, *Classical Utilitarianism*, 174-180. Rosen's analysis is worth looking at, but explaining its intricacies would go beyond what is necessary for our purposes here.

the wise man's life over the fool's, since the fool's pleasures would be inconstant and confined to the senses. That said, when Mill writes that it is better to be Socrates dissatisfied than a fool satisfied, it is significant that Bentham would not agree to this in the strictest sense. Bentham would agree that it is often necessary to sacrifice short-term pleasure for long-term ones (in economic matters this is often required), but it is not better *per se*, to be Socrates dissatisfied. Mill's minor departure, though, makes sense if we put his comments in the larger context of Mill's earlier writings and Bentham's comments on asceticism. In the second chapter of *An Introduction to the Principles of Morals and Legislation*, Bentham distinguishes two historical groups, the philosophical and religious ascetics, who rejected pleasure in the pursuit of pain.<sup>112</sup> The philosophical ascetics, comprised of the Stoics or modern philosophers influenced by Stoicism, rejected physical pleasures for the sake of honor, reputation, or philosophical pride. In this way, Bentham notes, they were indirectly committed to pursuing pleasure (even if they did not acknowledge it as such), but they typically took things too far and their doctrines served as a "misapplication" of the principle of utility. They did not actively pursue pain as such, but saw it as a way by which their minds might be cleansed from a focus on unimportant things. The philosophical ascetics, though, were not nearly as threatening as the religious ascetics, a group about whom Bentham was especially concerned. This group, Bentham writes, celebrated pain and its infliction upon others and was motivated by fear at the prospect of future pains "at the hands of a splenetic and

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<sup>112</sup> Bentham. *An Introduction to the Principles*.

revengeful Deity.”<sup>113</sup> Regardless of their disparate motivations these two ascetic groups explicitly opposed the principle of utility and the doctrines of Epicurus, despite the fact that they did not really understand these views.

With this context in mind, it is worth considering Mill’s comments on his essay “Whewell on Moral Philosophy,” written just two years before he began composing

*Utilitarianism*:

The Stoics did not go so far as the ascetics; they stopped half-way. They did not say that pain is a good, and pleasure an evil. But they said, and boasted of saying, that pain is no evil, and pleasure no good: and this is all, and more than all, that Bentham imputes to them, as may be seen by any one who reads that chapter of his book. This, however, was enough to place them, equally with the ascetics, in direct opposition to Bentham, since they denied his supreme end to be an end at all. And hence he classed them and the ascetics together, as professing the direct negation of the utilitarian standard.<sup>114</sup>

This passage indicates that Mill understood Bentham’s differences from the Stoics, and found much common ground with Bentham in denouncing certain types of asceticism as the case of the Puritans. In *On Liberty*, Mill denounced the “fanatical moral intolerance” of the Puritan tradition that had been so successful in demonizing amusements like music, theatre, and other public events, and in an 1867 address Mill similarly pilloried “Puritanism, which looking upon every feeling of human nature, except fear and reverence for God, as a snare, if not as partaking of sin, looked coldly, if not disapprovingly, on the cultivation of the sentiments.”<sup>115</sup> In other writings, though, Mill pointed to various shared views between the Epicurean and Stoic traditions.<sup>116</sup> Both

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<sup>113</sup> Bentham, *An Introduction to the Principles*, 19.

<sup>114</sup> Mill, “Essay on Whewell,” *CW*, X, 176.

<sup>115</sup> Mill, *OL*, 1.14; Mill, “Inaugural Address Delivered to the University of St. Andrews,” *CW*, XXI, 283.

<sup>116</sup> See Mill, “Nature,” *CW*, X, 376, and “The Subjection of Women,” *CW*, XXI, 266.

groups also held up Socrates as an ideal kind of wise man, a fact commented upon by Mill's friend and classicist George Grote who wrote that the two groups actually shared a number of agreements in their practice even if they differed in their theoretical groundings.<sup>117</sup>

Grote's comment is not an isolated one in the period as, according to the scholar Reid Barbour, there was a kind of cultural obsession within England to reconcile the Epicurean and Stoic traditions, and, curiously enough, this is actually well reflected in the text of chapter two of *Utilitarianism* itself.<sup>118</sup> As Rosen puts it, "Mill's agenda in this part of *Utilitarianism* was to prise elements of Stoicism away from Puritanism and link them to the Epicurean tradition," and all of this was done so as to oppose the kinds of ideas Carlyle defended.<sup>119</sup>

Carlyle argued that humans should be content to do without happiness.<sup>120</sup> In Mill's eyes, Carlyle's views advocated a new and dangerous kind of Puritanism that should be repressed. In Mill's view, one should take the Stoic insight of championing individual liberty with dignity and combine it with the Epicurean emphasis on intellectual pleasures as the highest sources of value. Admittedly, some intellectual pleasures might open one up to certain kinds of sufferings, but such things appeared to him to be an unavoidable concomitant of intellectual growth. At the same time, cultivating the intellectual pleasures and the Stoic virtues allows one to embrace

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<sup>117</sup> See George Grote, *Aristotle*, ed. Alexander Bain and G. Croom Robertson (London: John Murray, 1872), 437.

<sup>118</sup> Reid Barbour, *English Epicures and the Stoics* (Amherst, MA: University of Massachusetts Press, 1998), esp., 50-52.

<sup>119</sup> Rosen, *Classical Utilitarianism*, 183.

<sup>120</sup> Carlyle, *Sartor Resartus*, esp., 143.

sacrifice without giving up on the pursuit of happiness. This offers a new model for what a utilitarian might look like:

I will add, that in this condition of the world, paradoxical as the assertion may be, the conscious ability to do without happiness gives the best prospect of realising, 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 of anxiety concerning the evils of life, and enables him, like many a Stoic in the worst times of the Roman Empire, to cultivate in tranquility the sources of satisfaction accessible to him, without concerning himself about the uncertainty of their duration, any more than about their inevitable end.<sup>121</sup>

He notes, though, in the previous paragraph that this sacrifice is not good in itself, but it is still only valuable insofar as it benefits his fellow man. To do otherwise, he writes, “is no more deserving of admiration than the ascetic mounted on his pillar.”<sup>122</sup>

At this point it is worth summarizing and restating what this second complication of Crisp’s narrative ultimately means. It was noted earlier that in Crisp’s view Mill’s discussion of higher and lower pleasures is taken to be directed at Bentham. Here, following Frederick Rosen, it has been suggested that Mill scholars have actually been led astray by Mill’s characterization of Bentham’s comments on push-pin and poetry, and there is a suggestion that Bentham would actually find little to disagree with in Mill’s account of higher pleasures. Furthermore, there is reason to believe that Mill’s target in these places is actually Thomas Carlyle, a figure who was attempting, in Mill’s view, to impose a kind of renewed Puritanism in Victorian society. To combat this movement, Mill might be seen as altering the utilitarian tradition to some extent by combining elements of Stoicism with Epicureanism—a move made less radical by the

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<sup>121</sup> Mill, *U*, *CW*, X, 2.17.

<sup>122</sup> *Ibid.*, 2.16.

fact that Epicureanism was already firmly within the utilitarian tradition. This incorporation explains some of Mill's passages in chapter two when he speaks of embracing sacrifice for the sake of humanity. All of this is important since it re-shapes the narrative that Crisp would like to push. Rather than sharply breaking with Bentham, Mill is, in a subtle way, shifting the tradition so as to be more inclusive and to combat hardened enemies of the movement like Thomas Carlyle.

### **Early Biographical Context for "Utilitarianism"**

This section will focus on giving the early biographical context in considering Mill's intentions concerning the document *Utilitarianism*. While Chapter I included some points on Mill's life in the course of discussing Crisp's narrative of Mill's writings, it is worth revisiting some of those points and adding others so as to create the proper context for understanding Mill when he wrote *Utilitarianism*. The discussion here will begin with a discussion of the events leading up to Mill's mental crisis, and continue to the more immediate context surrounding Mill's plans for an ecumenical defense of the utilitarian view.

It is important to be clear how this current analysis will stand in support of the revisionist position. The following description will be an outline of the narrative that will be presented in this section. Before his mental crisis, Mill was firmly within the Benthamite tradition and had been long in training to be a philosophical and political radical. Following that crisis, Mill expanded his intellectual horizons by reading widely among the Romantic philosophers and writers, even though these figures approached the

world in a much different way than the young Mill was used to. While Mill was influenced by these thinkers, he remained a utilitarian, and became famous as a logician and political economist. Along the way, Mill met and fell in love with Harriet, whom he married. She influenced his thought a great deal—especially in drawing Mill further away from the conservative approaches of the Romantics. Just as he achieved fame and married his beloved, however, Mill's deteriorating health led to worries that he might die. This led him to look upon his life with a newfound purpose and a desire to take on some of the most significant projects of his life.

All of this is relevant since, as the previous section indicated, it is important for the revisionist position to establish Mill's familiarity with the arguments of conservatives like Carlyle, and this section will demonstrate both Mill's reasons for doing this and the extent of his familiarity. Also, it is important to situate Mill as someone positioned to develop and defend utilitarian moral theory. The orthodox position views Mill less as a defender, though, and more as a kind of utilitarian apostate: moving in an almost straight line from his initial break with Bentham in his mental crisis to criticizing Bentham in print with his articles in the 1830s to breaking finally with the orthodox Benthamite view in *Utilitarianism*. On the revisionist narrative, though, the story is more complicated. Rather than an apostate, Mill is more akin to the wayward son who leaves home (without going too far) to venture into the wider world, attains some wisdom and fame, and then returns to his father's house with newfound tools and initiative to repair the home.

At the beginning of this analytical narrative, though, Mill was still firmly in the house of Bentham. By 1821, following the most intense part of his father's educational plan, the young John Stuart was attempting to decide upon a career. Initially, Mill was inclined toward studying the law, as his father had a friend in John Austin, a barrister and later professor of jurisprudence at London University. Austin achieved fame later in life by publishing *The Province of Jurisprudence Determined*, a work inspired by Bentham's views that argued that the law should be considered from a purely scientific viewpoint rather than as a source or instrument of moral values.<sup>123</sup> Given his sympathy with Bentham's ideas, James Mill allowed his son to study Roman and English law with Austin. While Austin was an important influence for Mill's early thinking and greatly aided his understanding of history of government and notions of justice (evident in the opening chapters in *On Liberty* and the fifth chapter of *Utilitarianism*), Mill dropped his tutor and took up a career in the East India Company in India house in 1823, a position he held until 1858, when he retired with a generous pension.<sup>124</sup>

In many ways, working at India House was a great boon to Mill. It provided him with a stable income, an inside look at how political questions were decided within the bureaucracy of his time, and ample free time to pursue his journalistic and philosophical interests. Mill enjoyed a fairly leisurely existence at India House. He arrived at his office at about ten in the morning, ate breakfast while reading dispatches, and worked only till one in the afternoon, at the latest. Until he left the office at six, most of the rest of the

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<sup>123</sup> John Austin, *The Province of Jurisprudence Determined*, Wilifrid E. Rumble, ed. (Cambridge, Cambridge University Press, 1995).

<sup>124</sup> Packe, *Life*, 389-390.



day was spent receiving visitors, attending to his correspondence, or working on his own writings. In terms of providing a steady income and the leisure to read, write, think, and converse with friends and writers who knew where to find him, Mill could hardly have done better in his career choice.<sup>125</sup>

It was also in the years between 1821 and 1826 that Mill most closely identified himself with Bentham's philosophy. As was discussed in the previous chapter when noting Crisp's narrative of the young Mill's development, Mill's study of Bentham's philosophy in 1821 proved to be a kind of synthesizing activity of his previous education. As Mill describes it in his *Autobiography*, reading Bentham at this time brought together all of his earlier education and put it into clear focus. Bentham himself was associated with a larger intellectual movement of the time called Philosophical Radicalism. The Radicals combined a number of philosophical, psychological, and economic theories into a (not always homogenous) political program, some (but not all) of which Mill maintained throughout his career. Generally speaking, the Radicals were committed to Thomas Hartley's empiricist epistemology (the senses are primarily responsible for what we know), James Mill's associationist theory of the mind (the mind follows quasi-mechanical laws that can be understood and manipulated just like physical laws), Bentham's psychological hedonism (humans action follows a pattern of seeking pleasure and avoiding pain), David Ricardo's theory of political economy (national economies grow better when there is little government interference), and Thomas Malthus' theory that population growth, if unchecked, would eventually outrun a

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<sup>125</sup> Nicholas Capaldi, *John Stuart Mill: A Biography*. Cambridge: Cambridge University Press, 2004, 38-39.

nation's food supply.<sup>126</sup> In defending these views, Mill joined various debating organizations at an assortment of social gatherings (e.g., the Debating Clubs, the Utilitarian Society, the Political Economy Reading Group) and published defenses of Radical politics in intellectual journals like the *Westminster Review*. In addition to these activities, at the age of only nineteen, he set out to edit Bentham's massive *Rationale for Judicial Evidence*, a formidable intellectual task that occupied Mill for the next several years. Adding to this, Mill began taking German lessons from Austin's wife. As one biographer wrote of Mill's many commitments at this point in his life: "The intellectual activities in this fantastic list were none of them of a transitory nature and all of them continued unabated into 1826. Retribution inevitably followed."<sup>127</sup>

That retribution, according to the intellectual historian Stefan Collini, provided "one of the best-known identity-crises in history."<sup>128</sup> Mill describes the crisis famously in his *Autobiography*:

. . . 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. . . . I seemed to have nothing left to live for.<sup>129</sup>

Mill writes that he consulted his favorite books and yearned for someone to express his feelings to, but he found no one and no text or set of arguments that could set his mind at ease. He knew that his father would not be receptive to his worries; and he did not want

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<sup>126</sup> For further information on Philosophical Radicalism see Capaldi, *John Stuart Mill*, 35-54.

<sup>127</sup> Packe, *Life*, 74.

<sup>128</sup> Stefan Collini, *Public Moralists* (Oxford, Oxford University Press, 1993), 122.

<sup>129</sup> Mill, *Autobiography*, *CW*, I, 139.

to upset the elder Mill with the idea that the educational experiment had failed. Though none of Mill's acquaintances noticed a change in him, and he continued on in his normal duties, he seemed to have had a crisis that altered his relationship with his intellectual forbears in a significant way.

In his *Autobiography*, Mill says that he came to two conclusions as a result of this crisis.<sup>130</sup> The first was that the best means to happiness was through the indirect route whereby one ceases to aim at happiness for one's life, and aims instead at some other object like the happiness of others or some other pursuit. On this point he says that he never abandoned the view that happiness was the true end in life and the test of all rules of conduct, but that, as was discussed in the previous section, there was some truth to the idea like Carlyle's that one could gain something in ceasing to aim directly at happiness. The second conclusion, which had a special kind of importance in the next part of his life, was his identification of the need for developing one's "internal culture" through embracing the arts and especially poetry. This led him to his first serious interaction with Romantic poetry and in particular with the poetry of Wordsworth who provided "the precise thing for my mental wants at this particular juncture."<sup>131</sup> While his father had taught him the importance of verse for its usefulness in persuading others, he now saw it as a way to connect with his emotions in a way that he never had before. This in turn led him to read more carefully other authors often associated more generally with the Romantic movement. These included figures like Samuel Taylor Coleridge, whose conservative political views stood in sharp contrast to those of the Philosophical

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<sup>130</sup> Ibid., 137-147.

<sup>131</sup> Ibid., 151.

Radicals.<sup>132</sup> During the late 1820s and the 1830s, Mill both read and regularly conversed with Romantic and conservative theorists like Coleridge and Carlyle; many of his writings from the 1830s (e.g., “Bentham,” “Remarks on Bentham,” and “Civilization”) reflect this and stand as indicators of his dissatisfaction with the Radicals. This accounts for his candid letter to Carlyle in 1832 where he described himself as not being one of “the people called utilitarians.”

Following this period of mental stress Mill engaged in a number of larger intellectual projects that are worth noting, but whose specific contents are not especially germane to the purposes of this thesis. These included his editorship of the periodical the *London and Westminster Review*, and the publication of his *System of Logic* (1843) and the *Principles of Political Economy* (1848). The first of these was important for expanding Mill’s intellect and connections in the larger circles of Victorian intellectuals, while the latter two were important in establishing Mill as a pre-eminent mind *within* those circles. Arthur Balfour, the Conservative Prime Minister who had once studied with the utilitarian Henry Sidgwick, wrote that Mill’s authority in the universities as a result of his *Logic* was, “comparable to that wielded forty years earlier by Hegel in Germany and in the Middle Ages by Aristotle.”<sup>133</sup> At his death in 1873, Mill was at work on the eighth edition, which, despite its length and difficulty was still selling well. Mill’s *Principles* was similarly successful and, according to his biographer Richard

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<sup>132</sup> In a letter following his crisis Mill writes that, “Few persons have exercised more influence over my thoughts and character than Coleridge has . . .” Mill to John Pringle Nichol, 15 April 1834, *CW*, XII, 221.

<sup>133</sup> Arthur Balfour, *Theism and Humanism* (New York: Hodder and Stoughton, 1915), 141-142.

Reeves, “established Mill as the highest-profile economist of the Victorian era.”<sup>134</sup> The book was read widely in the universities and sold well: a People’s Edition of the book went through multiple editions and sold more than ten-thousand copies.<sup>135</sup> In 1905, legal scholar A.V. Dicey gave a speech in which he said that, “At Oxford we swallowed Mill, rather undigested: he was our chief intellectual food until 1860.”<sup>136</sup> While this might exaggerate the state of affairs somewhat, it is undeniable that Mill’s *Logic* and *Principles* established him as one of the outstanding intellects of his time, even before the publication of some of the works that are widely read today like *On Liberty*, *Utilitarianism*, and the *Subjection of Women*.

One notable difference, however, between Mill’s *Principles* and his *Logic*, is that while Harriet, by Mill’s own account, was not influential in shaping the latter, she had a great influence on the former—so much so that Mill wanted to dedicate the work to her, but eventually decided not to because of the objections of Harriet’s still-living husband, John Taylor. In the previous chapter there was a discussion of the importance of Harriet—a woman whom Mill held in the greatest regard both intellectually and morally. Mill first met Harriet in 1830, the two married in 1851, and she died in 1858. A great deal has been written trying to figure out precisely what kind of intellectual influence

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<sup>134</sup> Richard Reeves, *John Stuart Mill: Victorian Firebrand* (London: Atlantic, 2007), 207.

<sup>135</sup> For publication details see John Robson, “Textual introduction,” *CW*, II, cxvi.

<sup>136</sup> Quoted in Richard Cosgrove *The Rule of Law: Albert Venn Dicey, Victorian Jurist* (Chapel Hill, NC: University of North Carolina Press, 1980), 12.

she imparted to Mill's works, though this tangled question will by no means be settled here.<sup>137</sup> As Dale Miller aptly puts it:

The available evidence underdetermines judgments about the value to John of his collaboration with Harriet. Very different hypotheses are consistent with the facts at hand, and just as the people who knew Harriet formed wildly divergent conclusions about her as a person, so too have different interpreters reached wildly different conclusions about the scope and significance of her influence on John and hence her philosophical contributions.<sup>138</sup>

Mill himself speaks to the difficulties of sorting out the question in his *Autobiography*, which he and Harriet worked on extensively together:

When two persons have their thoughts and speculations completely in common; when all subjects of intellectual or moral interest are discussed between them in daily life, and probed to much greater depths than are usually or conveniently sounded in writings intended for general readers; when they set out from the same principles, and arrive at their conclusions by processes pursued jointly, it is of little consequence in respect to the question of originality, which of them holds the pen; the one who contributes least to the composition may contribute most to the thought; the writings which result are the joint product of both, and it must often be impossible to disentangle their respective parts, and affirm that this belongs to one and that to the other.<sup>139</sup>

For the purposes of this work, what is important is determining her possible influence on *Utilitarianism*, and to do that it seems appropriate to say something about her own view and her impact on other writings. Part of the controversy surrounding Harriet concerns the fact that she seems to have held much more left-of-center political views than Mill and seems to have been the inspiration for many of his more progressive attitudes toward women.

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<sup>137</sup> A helpful summary of the literature on this topic can be found in Dale Miller, "Harriet Taylor Mill", *The Stanford Encyclopedia of Philosophy*, Stanford, 1997-. Article published Spring 2011, <http://plato.stanford.edu/archives/spr2011/entries/harriet-mill/>.

<sup>138</sup> Ibid.

<sup>139</sup> Mill, *Autobiography*, CW, I, 251.

While it is difficult to say exactly how this altered Mill's views, it is important to be clear that the position advanced here is *not* consistent with the view of the scholar Gertrude Himmelfarb. Himmelfarb stands at the extreme end of those who see Harriet as a simultaneously dominant and pernicious influence. Himmelfarb has argued that, in Mill's published works, one can find "Two Mills."<sup>140</sup> The first Mill is the Mill who famously defended the doctrines of *On Liberty* and his essays on the rights of women. Himmelfarb argues that this Mill wrote these works under the close supervision of his wife, and that Mill changed his views after her death as he was no longer under her influence. As she sees it, when Mill wrote *On Liberty* and *Utilitarianism* he penned two fundamentally incommensurable projects, "The primary goods in *Utilitarianism* were morality and a sense of unity, the primary goods in *On Liberty* were liberty and individuality."<sup>141</sup> In her view, trying to interpret Mill as a consistent thinker in these two works is a fundamental mistake. Though many scholars acknowledge that there are difficulties in figuring out precisely how influential Taylor was to Mill, the mainstream view seems to be that she was an importantly influential voice in Mill's thought but not nearly as dominant as Himmelfarb suggests. Furthermore, the philosopher C.L. Ten has responded to Himmelfarb's arguments in detail and points out that one can see consistency in what Mill says in *On Liberty* with his later works like *Utilitarianism*, as

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<sup>140</sup> It should be noted that Himmelfarb describes the two Mills differently in two of her works, but the distinction I will use is the one she adopts in Gertrude Himmelfarb *On Liberty and Liberalism: The Case of John Stuart Mill* (New York: Knopf, 1974). The discrepancies in her account were first noted by J. C. Rees, "The Thesis of the Two Mills," *Political Studies*, 25 (1977): 369-382.

<sup>141</sup> Himmelfarb, *On Liberty and Liberalism*, 107.

well as earlier works like his essay “On Civilization” when he was acting under more conservative influences.<sup>142</sup>

For the purposes of this work, the relevant context for understanding Mill’s relationship to Harriet comes in 1853, after they had been married for a few years and were enjoying the intimate time together that they had been denied previously. Unfortunately, health concerns assumed a prominent place in the thinking of both Harriet and Mill, as one or the other was either ill or recovering from illness for the remainder of their marriage. In 1853 on a trip to Nice, Harriet was struck with a severe hemorrhage of the lung and nearly died. Following her recovery, Mill returned to London in January 1854 only to find himself suffering from tuberculosis, while Harriet stayed in France, as she was too ill to travel back to London (Mill, ironically, had run out of sick time). Mill’s health quickly deteriorated to the point that Mill wrote in his diary in April of that year that “I look upon it as a piece of excellent good fortune to have the whole summer before one to die in.”<sup>143</sup> Though Mill, obviously, recovered from his illness his fear of Harriet’s or his own death galvanized him to record both of their thoughts as assiduously as he could. As one biographer puts it, “From this point on, even though he would in fact live another two decades, Mill felt himself to be in a race with death.”<sup>144</sup> Despite all his achievements up to this point, Mill felt as if he had done little of worth up to this point and needed to do much more:

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<sup>142</sup> C.L. Ten, *Mill On Liberty* (Oxford: Clarendon Press, 1980). He also argues that Himmelfarb’s interpretation rests on a dubious reading of Mill’s Liberty Principle. For a summary of this debate see John Gray and G.W. Smith, eds., *J.S. Mill On Liberty in Focus* (New York: Routledge, 1991), 2-3.

<sup>143</sup> Mill, *CW*, XXVII, 665.

<sup>144</sup> Reeves, *Firebrand*, 246.



When death draws near, how contemptibly little appears the good one has done! How gigantic that which one had the power and therefore the duty of doing! I seem to have frittered away the working years of life in mere preparatory trifles, and now “the night when no one can work” has surprised me with the real duty of my life undone.<sup>145</sup>

### **Mill’s Plan of Defense**

At this point one finds Mill in an interesting place in his life. He was an accomplished scholar who is widely respected in at least two fields of intellectual inquiry (logic and political economy). At the same time, he was a self-professed utilitarian, a view widely discredited in the 1850s just at the time that he was coming to terms with his own mortality. After closely examining Romantic and conservative views, Mill was in a position to take on new projects that were to rejuvenate utilitarian theory, especially given the fact that he was taken seriously by the greatest minds of his day. In this section, the emphasis will be on taking this biographical context and adding evidence from Mill’s writings that provide reasons in support of the revisionist position. This involves situating Mill’s evident *plans* to write a general defense of the principle of utility, recognition of the *need* to write such an ecumenical defense, evidence of the separate composition of his essay on justice that became the fifth chapter in *Utilitarianism*, and a contextualization of Mill’s choice of publishing *Utilitarianism* in *Fraser’s* magazine.

In this context it is worth recalling a discussion from the previous chapter concerning Mill’s planned writing projects in 1854, as he expressed them in a letter to

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<sup>145</sup> Mill, 30 March Diary, *CW*, XXVII, 665.

Harriet. Mill's letter in February of 1854 says that he had finished one essay and was planning on commencing another but was unsure which he should start:

I will just copy the list of subjects we made out in the confused order in which we put them down. Differences of character (nation, race, age, sex, temperament). Love. Education of tastes. Religion de l'Avenir. Plato. Slander. Foundation of morals. Utility of religion. Socialism. Liberty. Doctrine that causation is will. To these I have now added from your letter: Family, & Conventional.<sup>146</sup>

When Harriet wrote back, she convinced him to write on the "Utility of Religion," which he did. Interestingly, though, he continued to record occasional thoughts in his diary, some of which provide reason to think that Mill began to write *Utilitarianism* at this time. Mill recorded two diary entries in early 1854 that seem especially suggestive of him initiating the process of writing *Utilitarianism*. The first is not necessarily a direct reference to the document or its contents but perhaps foreshadows his interest in writing an ecumenical document like *Utilitarianism*:

Those who are in advance of their time need to gain the ear of the public by productions of inferior merit—works grounded on the premises commonly received—in order that what they may be able to write of first-rate value to mankind may have a chance of surviving until there are people capable of reading it.<sup>147</sup>

This kind of language here also coincides with Mill's idea of his and Harriet's writings serving as a kind of "mental pemmican" for future thinkers. The second reference in the diary is more directly applicable to *Utilitarianism* as it recalls the familiar language of the higher and lower pleasures discussion of chapter two. There Mill writes:

The only true or definite rule of conduct or standard of morality is the greatest happiness, but there is needed first a philosophical estimate of happiness. Quality

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<sup>146</sup> Mill to Harriet Mill, 10 February 1854, *CW*, XIV, 152.

<sup>147</sup> Mill, 10 March Diary, *CW*, XVII, 660.

as well as quantity of happiness is to be considered; less of a higher kind is preferable to more of a lower. The test of quality is the preference given by those who are acquainted with both. Socrates would rather choose to be Socrates dissatisfied than to be a pig satisfied. The pig probably would not, but then the pig knows only one side of the question: Socrates knows both.<sup>148</sup>

There is also evidence that suggests that Mill had initiated his writing in 1854 in another letter to Harriet in late 1854. Here Mill referenced Carlyle's discussion of Novalis and the suicide of the whole human race, which very closely resembles a comment made in the second chapter of *Utilitarianism*.<sup>149</sup>

Finally, it is worth adding three more small but important pieces of evidence concerning Mill's possible intentions for the document. All three of these pieces of evidence serve as evidence that Mill saw a need for an ecumenical defense of utilitarianism. The first comes in a letter he wrote to John Austin concerning the latter's two upcoming book projects. The first was a continuation of Austin's early work on jurisprudence that Mill believes would be rather easy for Austin since much of it had already been done. However, "the other which would be more important is a systematic treatise on morals. This last may wait long for any one with the intellect & the courage to do it as it should be done. And until it is done we cannot expect much improvement in the common standard of moral judgments & sentiments."<sup>150</sup> Austin, though, did not take up this challenge and died before taking on the project. The second instance of Mill mentioning the need for a general defense of utility came, in August of 1858, before the publication of *On Liberty*, when Mill had written to his associate Theodore Gomperz

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<sup>148</sup> Mill, 23 March, *CW*, XVII, 663.

<sup>149</sup> Mill to Harriet Mill, 31 December *CW*, XIV, 272. For the reference in *Utilitarianism* see Mill, *U*, 2.12.

<sup>150</sup> Mill to Charles Austin, 13 April 1847, *CW*, XIII, 712.

who was requesting that he be allowed to use some of Mill's work in his writing. Mill encouraged him to go ahead and adds the thought that, "There are not many defences extant of the ethics of utility, and I have sometimes thought of reprinting this and other papers I have written on the same as well as on other subjects."<sup>151</sup> Mill's language here is interesting as he does not say that what is needed is for *him* to give his own views on the topic of utility, but rather that what is needed is a defense of the ethics of utility as such—which is precisely what the revisionist argument entails. The third piece of evidence concerns Mill's letter to Charles Dupont-White in October of 1861, which is the same time that the articles that came to be *Utilitarianism* were released in *Fraser's*. In that letter Mill writes that he had recently published an exposition on the doctrine of utility, but wants to correct an impression he has gotten from his correspondent's past letters:

Like many French, you appear to be of the opinion that the idea of Utility is in England the dominant philosophy. It is nothing of the sort. I understand that one might see in that doctrine a certain analogy with the spirit of the English nation. But in fact it is, and it has almost always been, very unpopular there. Most English writers do not only deny it, they insult it: and the school of Bentham has always been regarded (I say it with regret) as an insignificant minority.<sup>152</sup>

Again, this highlights Mill's acknowledgement for the need to popularize utilitarianism even in his own country—something that an ecumenical defense might accomplish. Also, it is worth highlighting Mill's use of the term "regret" concerning the minority status of "Bentham's school." If *Utilitarianism* is supposed to stand as Mill's

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<sup>151</sup> Mill to Theodore Gomperz, 30 August, *CW*, XV, 570.

<sup>152</sup> Mill to Charles Dupont-White, 10 August 1861, 745. Translation as quoted in J.B. Schneewind, *Sidgwick's Ethics and Victorian Moral Philosophy* (Oxford: Oxford University Press, 1978), 174.

fundamental break with Bentham, this kind of language appears very strange indeed, especially as it comes in 1861.

Mill appears to have worked on *On Liberty* throughout the mid-1850s, though he did not send it to his publisher until 1859. He did not publish it till then as he had suffered the tremendous personal setback of Harriet's death in October 1858. At the midpoint of 1858 the two had seemed to be in good health. They often travelled to France together (Mill was a lifelong Francophile) and this time travelled to Dijon and Lyon. At Lyon, though, Harriet took ill with a fever and cough, and the two moved to their favorite hotel in Avignon hoping she could recover there. The doctors there, however, were powerless and she died in November 1858.

After almost a month of grieving, Mill managed to contact his publisher J.W. Parker, saying that he had a new essay, *On Liberty*, ready for publication. By Mill's own account, this document he and Harriet had collaborated on so assiduously had already been completed for eighteen months. As Mill's biographer Packe puts it:

It had been written and rewritten, every word had been discussed and weighed. It had been kept on hand, luxuriously awaiting any amendment that someday might seem desirable. Now Harriet was dead, that was no longer a possibility; both Mill and Helen affirm that in this book especially the ideas are mostly hers; and since her voice was silent, no one else would be allowed to alter it.<sup>153</sup>

Fortunately for Mill, Harriet provided him what he sometimes called his second great "prize in the lottery of life" in her daughter Helen, who was able to aid him in his grieving and to keep his daily affairs in order.<sup>154</sup> Following her mother's death, Helen assumed the role of Mill's caretaker and close companion, and she even became his

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<sup>153</sup> Packe, *Life*, 399.

<sup>154</sup> Mill, *Autobiography*, CW, I, 264.

literary executor at his death. It is from her, in fact, that scholars possess some important evidence concerning the timeline of Mill's work in the 1850s.

In her introductory note to *Three Essays on Religion*, Helen provided some important context for the work:

The two first of these three Essays were written between the years 1850 and 1858, during the period which intervened between the publication of the *Principles of Political Economy*, and that of the work on Liberty; during which interval three other Essays—on Justice, on Utility, and on Liberty—were also composed. Of the five Essays written at that time, three have already been given to the public by the Author. That on Liberty was expanded into the now well-known work bearing the same title. Those on Justice and Utility were afterwards incorporated, with some alterations and additions, into one, and published under the name of *Utilitarianism*.<sup>155</sup>

For the purposes of this study, what is especially important is Helen's emphasis that the essay on justice, which is the fifth chapter of *Utilitarianism*, is a separate document from the essays on utility. This is important as it was indicated in the previous chapter that the revisionist position defended here treats the fifth chapter of *Utilitarianism* differently than the other four chapters in the sense that it might be thought to better approximate Mill's personal views. In that light, then, it is worth noting that Helen's comments in the quote above correlate with some other evidence concerning Mill's composition of an essay on justice evident in his correspondence with Harriet. In June 1854, while traveling, he wrote, "I do not find the essay on Justice goes on well. I wrote a good long piece of it at Quimper, but it is too metaphysical, & not what is most wanted but I must finish it now in that vein & then strike into another."<sup>156</sup> Similar language is repeated in

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<sup>155</sup> Mill, *Three Essays on Religion*, CW, X, 371.

<sup>156</sup> Mill to Harriet Mill, 30 June, CW, XIV, 222.

Mill's brief discussion of *Utilitarianism* in his *Autobiography* where he writes that shortly after Harriet's death:

. . . I took from their repository a portion of the unpublished papers which I had written during the last years of our married life, and shaped them, with some additional matter, into the little work entitled "Utilitarianism"; which was first published, in three parts, in successive numbers of Fraser's Magazine and afterward reprinted in a volume.<sup>157</sup>

Given the context already introduced, it seems likely that the "additional matter" is the essay on justice. Further evidence for this hypothesis comes from a careful reading of chapter five by the Mill scholar Robert Schweick.<sup>158</sup> Schweick argues that not only are there reasons to see the essay on justice as being separately composed from the other chapters, for reasons similar to those cited above, but there are substantive differences in this last chapter that differentiate it from earlier chapters. In particular, one finds the influences of Alexander Bain and Charles Darwin in that last chapter. Bain's influence is evident in the fifth chapter when Mill seems to adopt the view that morality and duty are concerned with actions that are susceptible to sanctioning. Bain had defended precisely this view in his book *The Emotions and The Will*, which Mill had reviewed favorably.<sup>159</sup> Besides his view on moral sanctioning, Bain also advocated a conception of the human psyche whereby there was no sharp dividing line between humans and animals, but rather a mere continuum. This idea from Bain, Schweick goes on to add, was surely

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<sup>157</sup> Mill, *Autobiography*, *CW*, I, 265-266.

<sup>158</sup> Robert Schweick, "Mill's Images of Justice in Utilitarianism: The Influence of Bain and Darwin." *Notes & Queries* 55 (2008): 32-34.

<sup>159</sup> Mill, "Bain's Psychology" *CW*, XI, 339-373. Mill has pretty effusive praise for the book, proclaiming that, ". . . a new aspirant to philosophical eminence, Mr. Alexander Bain, has stepped beyond all his predecessors, and has produced an exposition of the mind, of the school of Locke and Hartley, equally remarkable in what it has successfully done, and in what it has wisely refrained from—an exposition which deserves to take rank as the foremost of its class, and as marking the most advanced point which the *à posteriori* psychology has reached." *Ibid.*, 342.

buttressed in Mill's thinking by his reading of Darwin's book at an especially crucial time:

I mentioned in my last letter that I had completed the first draft of [*Utilitarianism*]. I have read since my return here, several things which have interested me, above all Darwin's book [*Origin of Species*]. It far surpasses my expectation. Though he cannot be said to have proved the truth of his doctrine, he does seem to have proved that it *may* be true which I take to be as great a triumph as knowledge & ingenuity could possibly achieve on such a question. Certainly nothing can be at first sight more entirely unpalatable than his theory & yet after beginning by thinking it impossible, one arrives at something like an actual belief in it, & one certainly does not relapse into complete disbelief.<sup>160</sup>

As with much of the other evidence presented here concerning Mill's influences in his composition of *Utilitarianism*, Schweick's evidence is not conclusive, but is suggestive especially when viewed in light of his close connection to Bain and the separate composition of the essay on justice. According to John Robson, editor of Mill's *Collected Works*, Bain knew Mill's work habits better than anyone other than Harriet and Helen (through his frequent visits to Mill while he worked at India House), and Bain concludes that *Utilitarianism* was "thoroughly revised" around this time in 1860, and was finished in 1861 just in time for publication in *Fraser's*.<sup>161</sup>

There are difficult questions surrounding Mill's reasons for publishing in *Fraser's Magazine*. It is somewhat puzzling that Crisp insists that Mill did not have an especially popular audience in mind for *Utilitarianism*, given that *Fraser's* was among the more popular publishing venues available for intellectual topics for the general

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<sup>160</sup> Mill to Alexander Bain, 11 April, 1860, CW, XV, 695.

<sup>161</sup> Alexander Bain, *John Stuart Mill: A Criticism with Reflections* (London: Longmans, 1882), 112.



reader.<sup>162</sup> Even if Crisp were to point to the notion that Mill always intended for the essays to be turned into a book (which is debatable), this does not necessarily help his view given Mill's comments in 1859 to Bain on his hopes for the work:

I do not think of publishing my Utilitarianism till next winter at the earliest, though it is now finished, subject to any correction or enlargement which may suggest itself in the interval. It will be but a small book, about a fifth less than the *Liberty*, if I make no addition to it. *But small books are so much more read than large ones that it is an advantage when one's matter will go into a small space* [emphasis mine].<sup>163</sup>

Mill's explicit tie between *Utilitarianism's* brevity and the readership for short works surely does not help Crisp's case. Crisp might appeal to other works that Mill published in *Fraser's* to support his contention that Mill was pursuing the most serious of philosophical projects when publishing there, but this will not really help his case, either. Granted, the topics Mill discussed in *Fraser's* appear to be ones that he cared deeply about, but this is hardly the same as being matters of technical philosophy. Mill's other publications in *Fraser's* included Mill's response to Thomas Carlyle's piece arguing for the superiority of the white races ("The Negro Question," 1850), an evaluation of competing proposals for voting reform—a topic that Packe says was, after women's suffrage, "the greatest practical interest in his life" ("Recent Writers on Reform," 1859), the difficulties of a non-interventionist foreign policy—obviously relevant to a man working in India House ("A Few Works on Non-Intervention", 1859), and finally a piece on the American Civil War—a topic that Mill spent more time on in his *Autobiography*

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<sup>162</sup> One estimate for *Fraser's* circulation in the 1830s puts it at 8,700, which is similar to Blackwood's and the *Quarterly* but less than the *Edinburg* which had a circulation of between 12,000 to 14,000. These figures can be found in T.W. Heyck, *The Transformation of Intellectual Life in Victorian England* (London: Croom Helm, 1982), 33.

<sup>163</sup> Mill to Alexander Bain, 14 November 1859, *CW*, XV, 645.

than he did *Utilitarianism* (“The Contest in America,” 1861).<sup>164</sup> All of these writings, to be sure, Mill approached with intellectual clarity and care, but not, it seems, necessarily with his eye firmly in the philosophical heavens.

Even if Crisp is correct in his claim that *Utilitarianism* is intended to be a careful philosophical treatise aimed at a limited audience, it is not altogether obvious that the utilitarian evangelist Mill glowed with pride for his so-called “Bible.” In 1866 Mill was given an opportunity by his publisher, William Longman, to supply a list of works for Longman to submit to the Durham Cooperative Institute so that they might be distributed at no cost. While *On Liberty* was among the titles chosen, *Utilitarianism* was conspicuously absent.<sup>165</sup> Mill did not even seek to make sure that *Utilitarianism* was issued in an especially cheap volume, as he did for his much more technical *Logic*.<sup>166</sup> In the eyes of Mill’s biographer Richard Reeves, who cites a number of the above reasons for looking at the apparent importance of *Utilitarianism* with suspicion, “it is clear that the essay was not taken as seriously by Mill as it has been by everyone else.”<sup>167</sup>

### “Utilitarianism” and Mill’s Biographers

As this last quote suggests, some of Mill’s biographers might find many of this study’s conclusion’s unsurprising. Many of Mill’s biographers seem not to accord *Utilitarianism* the kind of prominence in Mill’s thought that others, especially philosophers, have done. In the introduction to his intellectual biography of Mill,

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<sup>164</sup> Packe, *Life*, 417.

<sup>165</sup> Mill to William Longman, 18 February 1866, *CW*, XXXII, 163.

<sup>166</sup> Mill to William Longman, 22 December 1867, *CW*, XVI, 1336.

<sup>167</sup> Reeve, *Firebrand*, 325.

Nicholas Capaldi complains that part of the problem with Mill scholarship generally is that scholars in different disciplines tend to read only a few of Mill's works in relative isolation or out of context. "Political theorists focus on *On Liberty* and sometimes *Utilitarianism*, but they do not connect these with either the epistemological or the metaphysical doctrines. Both philosophers and political theorists almost always (C.L. Ten is the exception) read *On Liberty* in the light of *Utilitarianism*, even though the former was written before the latter." Whatever the reasons for this misunderstanding, it is worth taking an overview of some of the major biographical treatments of Mill in order to get a general idea of how it might be seen from the perspective of those researchers with a broader view of Mill's life. This section is by no means intended to be a historiographical essay on Mill's biographers more generally, but only an overview of their respective views on *Utilitarianism* and its importance in Mill's life.

One early biography of Mill comes from his friend Alexander Bain, who was especially familiar with Mill's family, as he also wrote a biography of Mill's father.<sup>168</sup> As should be evident from this study, Bain had the advantage of discussing Mill's views at length, and his account of Mill's life contains many details based on first hand observances that would be unknown otherwise. That said, Bain's proximity to Mill sometimes contains a kind of partiality of judgment (both pro- and anti-Mill) that makes him a less than ideal biographer. His comments regarding *Utilitarianism* and its reception are fairly brief—occupying only four pages in a two-hundred page volume (*On*

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<sup>168</sup> Alexander Bain, *James Mill: A Biography* (London: Longman's Green, 1882).

*Liberty* receives nine by comparison). Already recognizing its potential influence, though, he writes:

This short work has many volumes to answer for. The amount of attention it has received is due, in my opinion, partly to its merits, and partly to its defects. As a powerful advocacy of Utility, it threw the Intuitionists on the defensive; while by a number of unguarded utterances, it gave them important strategic positions which they could not fail to occupy.<sup>169</sup>

Bain goes on to discuss many of the objections commonly raised against the book's contents, but, notably he recognizes the final chapter on justice as being especially worthwhile. "The real stress of the book lies in the last chapter, which is well reasoned in every way, and free from damaging admissions."<sup>170</sup>

Michael St. John Packe's *The Life of John Stuart Mill*, published in 1954, remains probably the best scholarly treatment of Mill. The success of his biography is due to his balanced discussion of Mill's personal life and thought. The weakness of his study comes from his generally dismissive treatment of Harriet, whose ideas and intellect he finds difficult to take seriously. It should be added, though, that Mill scholars today have the immense benefit of using the meticulously edited and curated *Collected Works*, thanks to the labors of John Robson, but Packe undertook his project without such resources and produced an impressive volume nonetheless. With respect to his treatment of *Utilitarianism*, Packe, too, is strikingly brief in his comments. He accords approximately two pages in a five-hundred page volume to the discussion of its contents (*On Liberty* gets approximately eight, whereas the *Logic* receives about twice that). In this brief account of the book, though, he takes the interesting tack of reading the book

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<sup>169</sup> Bain, *John Stuart Mill*, 112.

<sup>170</sup> *Ibid.*, 115.

as “reaffirming the authority of Bentham’s formula” especially with respect to Mill’s account of pleasure in the second chapter of *Utilitarianism*. In fact, the whole of Packe’s discussion of the contents of *Utilitarianism* concerns Mill’s account of pleasure, and from there he quickly moves on to Mill’s later projects.

At the beginning of the twenty-first century Nicholas Capaldi published *John Stuart Mill: A Biography*, wherein he attempted to make use of the advantage of working from the *Collected Works*. The chief contribution of Capaldi’s book is his more balanced portrait of Harriet and his exploration of Mill’s connection to Romanticism and the deep impact it had on his thinking. As is rightly noted by William Stafford in his scathing but insightful review of the book, Capaldi brings his own interpretation of Mill’s moral and political views perhaps too strongly to the fore (he gives special place to Mill’s concept of autonomy), which leads him to ignore, distort, or minimize aspects of Mill’s life and thought that do not sit nicely with his interpretation.<sup>171</sup> Of all of Mill’s major biographers, Capaldi treats *Utilitarianism* with the greatest level of seriousness when he writes that, “Although Mill discussed his ethical and moral views in many places and throughout his life, the formal presentation of his views is to be found in *Utilitarianism*.”<sup>172</sup> He discusses the contents of the book with some care, but does note that Mill did not accord it the same kind of pride of place that he did *On Liberty*, which Capaldi discusses at greater length. Also, noteworthy are Capaldi’s comments about *Utilitarianism* in a television interview in 2004. The interviewer, Brian Lamb, asked

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<sup>171</sup> William Stafford, review of *John Stuart Mill: A Biography*, by Nicholas Capaldi, *Utilitas* 18 (2006): 445-447.

<sup>172</sup> Capaldi, *John Stuart Mill*, 257.

Capaldi to list some of Mill's works that viewers might recognize. He begins by mentioning and elaborating for a bit on *On Liberty*, *Principles of Political Economy*, the *Autobiography*, and the *Logic*. He then mentions *Utilitarianism*, and adds that:

“Utilitarianism,” unfortunately, has become a kind of textbook, which, in my judgment, is so misunderstood because it's turned into a sort of cardboard caricature of Mill's views and is read independent of his other stuff. But I think it gives, to a very large extent, a distorted conception of what he believed.<sup>173</sup>

Of course, in the revisionist interpretation of the book, this “distorted conception” might be avoided since it is not necessarily what Mill himself believed.

Finally, in 2007 Richard Reeves, a British journalist, published *John Stuart Mill: Victorian Firebrand*, a book which emphasizes Mill's importance as a public intellectual and political activist in Victorian culture. Reeves is probably the most fluid writer among Mill's biographers, and he seems to have read quite widely in the *Collected Works*—especially in Mill's correspondence. Reeves' biography is probably the one to recommend to readers that are completely unfamiliar with Mill's life and work, as he writes with a general audience in mind while also displaying sound historical judgment concerning Mill's life and place in Victorian society. The only notable weakness in Reeves' work is the overreliance on a few secondary works on Mill's philosophical views, and the book does not display the same kind of subtlety in philosophical interpretation apparent in Packe or Capaldi. Reeves, though, takes a dim view of the importance of *Utilitarianism*. He cites some of the same evidence presented above for thinking that Mill held the work in low esteem (e.g., lack of commentary in the

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<sup>173</sup> Nicholas Capaldi, interview by Brian Lamb, *Booknotes*, C-SPAN, April 4, 2004, <http://www.booknotes.org/Watch/181230-1/Nicholas+Capaldi.aspx>

*Autobiography*, lack of initiative in seeing the book widely distributed, etc.) in seeing the book, and notes that its continuing popularity might be due to its pedagogical virtues: “To this day, the ‘little treatise’ provides a training ground for would-be philosophers, most of whom are given the agreeable task of pointing out the deficiencies in its argument. . . .”<sup>174</sup> Nonetheless, Reeves, too, concludes that the work stands as Mill’s attempt to “put all of his own cards on the table,” thus according, to some extent, with the orthodox reading.<sup>175</sup> What is striking is that the revisionist interpretation actually seems to fit Reeve’s evidence and general attitude toward *Utilitarianism* better than it fits the orthodox reading. Reeves, though, does not appear to be familiar with Jacobson’s work or the revisionist interpretation, and it is an interesting question whether he, and possibly other biographers before him, might accept it if they had.

While the answer to this last question is unclear, this brief survey should be sufficient to make it plain that those writers who have surveyed Mill’s writing across his life have a less than laudatory attitude toward *Utilitarianism*, and would presumably adopt a skeptical stance toward the special pride of place accorded to the work in the orthodox reading. While their generally negative attitude toward *Utilitarianism* does not necessarily directly support the revisionist reading, it does raise questions about the soundness of the orthodox reading given that that position involves *Utilitarianism* standing as the pinnacle of Mill’s thoughts on the view. As Capaldi put it in his interview, Mill’s views in *Utilitarianism* appear to be a “cardboard caricature” of his developed moral theory, a fact that looks quite odd if the book is taken to be the

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<sup>174</sup>Reeves, *Firebrand*, 324-325.

<sup>175</sup>*Ibid.*, 324.

definitive statement from one of the most famous figures in the history of utilitarian theory.

### **The Reception of “Utilitarianism”**

In an introduction to a popular edition of Mill’s works, the noted Mill scholar Alan Ryan wrote that *Utilitarianism* “has become a classic more through the efforts of his enemies than those of its friends.”<sup>176</sup> As Jacobson noted, the book’s brevity along with Mill’s clear prose, memorable phrasing, and vivid examples make the work a favorite choice in philosophy seminars as well as introductory courses in ethics—even if few within those classes end up defending the cogency of Mill’s arguments. In many philosophy classrooms, Mill’s arguments, especially in chapters two and four, are discussed only to be dismantled by philosophical neophyte and scholar alike. In this last section of the chapter, it seems appropriate for the sake of defending the revisionist position to review some of the published responses to the work to further fill in the story of how *Utilitarianism* came to hold the place that it does in the history of moral philosophy.

While the pedagogical use of Mill’s text is surely a factor in its endurance, there remains the question of how exactly the arguments came to be as familiar as they are today. J.B. Schneewind has provided part of the answer to this question in his overview of the immediate responses to *Utilitarianism*.<sup>177</sup> While it is not necessary to highlight all

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<sup>176</sup> John Stuart Mill and Jeremy Bentham, *Utilitarianism and Other Essays*, introduction by Alan Ryan (London: Penguin, 1987), 12.

<sup>177</sup> J.B. Schneewind, *Sidgwick’s Ethics and Victorian Moral Philosophy* (Oxford: Oxford University Press, 1978), 184-188.



of the common themes in those reviews, it is worth discussing three themes that emerge in many of the published responses: problems in Mill's "proof" for the principle of utility in chapter four, problems in Mill's discussion of higher and lower pleasures, and, the use of intermediate rules to serve as guides for moral action. As was noted in the discussion of the book in Chapter II of this work, these three themes are still common points of discussion in interpreting Mill's philosophy. By emphasizing the continuity between the criticisms of Mill's contemporaries with those of today, the idea that the book's success is due less to Mill's own aims and wishes and more to the philosopher's love of criticism becomes more plausible.

Difficulties were noticed in Mill's discussion of his "proof" for the principle of utility in 1864 when an anonymous reviewer called attention to Mill's apparently mistaken analogy between the visible and the desirable.<sup>178</sup> Citing different problems with the proof, another reviewer for the *North American Review* suggests that Mill has failed to show that by desiring her own happiness an individual cannot be claimed, thereby, to desire the general happiness as concluding such would serve as an example of fallacy of composition.<sup>179</sup> Mill's discussion of higher and lower pleasures in chapter two was hardly better received. Some critics think that Mill is plainly inconsistent in the passage while others take the view that Mill is consistent, but that his view represents a move away from pure utilitarianism. John Grote, generally one of the more prescient

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<sup>178</sup> Schneewind, *Sidgwick*, 184.

<sup>179</sup> J.B. Thayer, "Mill's Dissertation and Discussions" *North American Review* 100 1865, 259-266.

critics of Mill in the nineteenth century, thought that Mill's insistence on a quality and quantity distinction of pleasures was fundamentally incompatible with utilitarianism.<sup>180</sup>

Aside from these first two reactions, there is an interesting set of responses to Mill's idea that the utilitarian might employ secondary rules for the sake of utilitarian principles so that one need not necessarily calculate at the moment of decision making (recall the discussion from chapter two of *Utilitarianism* concerning the use of landmarks). According to Schneewind, many of Mill's critics seemed to grasp that Mill is attempting to show that utilitarianism is not committed to the absurd conclusions that they ascribe to Bentham or Godwin's utilitarianism.<sup>181</sup> Some like James McCosh and W.E.H. Lecky (both of whom wrote books on the history of ethics) brought up a number of the same old charges against Mill's reliance on these rules, while others like Robert Watts thought that Mill might avoid some of these but feared that utilitarianism would devolve into "Jesuitry." Henry Reeve, editor of the Whig *Edinburgh Review*, blames utilitarianism for everything from the increase in political corruption to the loss of parental authority to decline in female decorum.

What these responses indicate is that from early on *Utilitarianism* provoked responses common to readers today, which partly explains its popularity and the saliency of certain portions of the book. Schneewind, though, makes a prescient remark in his discussion of the book's reception when he notes Mill's success with the book in rehabilitating utilitarianism's image among many of Mill's contemporary philosophers.

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<sup>180</sup> John Grote, *An Examination of the Utilitarian Philosophy*, ed. J.B. Mayor (London: Bell and Daldy, 1872).

<sup>181</sup> See Schneewind, *Sidgewick*, 186-187 as well as his helpful bibliography on early responses to *Utilitarianism* on 441-443.

In *Utilitarianism* Mill attempted to explain how utilitarianism can cohere with many common-sense moral beliefs. The intuitionists who opposed Bentham, Godwin, and Austin tended to see the utilitarians as giving short shrift to common morality and thus saw them as an entirely pernicious influence. Mill's distinction of the higher and lower pleasures, for instance, caused some to doubt the logical consistency of his views, but not the noble motives that were the source of the arguments. As William Kirkus wrote, "Whether or not happiness be the sole criterion of morality, Mr. Mill's conclusions are all on the right side."<sup>182</sup>

The final picture which emerges from this examination of the book's early reception is perhaps an ironic one. Mill achieved his goal of publishing a general defense of the principle of utility that raised its respectability among his fellow intellectuals, but did so at a high cost. This is so because Mill wrote a document that has been misread continuously by generations of scholars who have believed that by carefully studying his arguments there that they could discern his developed views on moral philosophy. As should be evident from this chapter, this belief on the part of scholars is a false one once one considers the full context of Mill's life and relationship to utilitarianism.

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<sup>182</sup> Quoted in Schneewind, *Sidgwick*, 187.

## CHAPTER IV

### CONCLUSIONS

This chapter will serve as the conclusion to this thesis and will proceed in four sections including these opening remarks. Section two will provide a restatement of the evidence supporting the orthodox and revisionist positions. The third section will discuss the especially important elements of the previous chapter that suggest that the historical evidence supports the revisionist position. The fourth section will address the implications of the historical evidence standing in greater support of the revisionist position, and provide a note on why the outcome of this debate is important for historical scholarship dealing with Mill's life and works.

#### **Orthodoxy versus Revisionism**

It is important to be clear that Crisp's orthodox position, as its name implies, is the most widely held in Mill scholarship. One of the more common ideas in the literature is the idea that one must find a way of squaring Mill's claims in *On Liberty* with his claims in *Utilitarianism*, especially since the works were composed at similar points in Mill's life, and Mill affirmed the importance of utility in both. In the orthodox view, Mill defended his version of utilitarianism in *Utilitarianism* just as much as he affirmed his version of liberalism in *On Liberty*. In the revisionist view, on the other hand, Mill defended his liberalism in *On Liberty*, but not necessarily *his* view of utilitarianism in *Utilitarianism*. The exception to this might be in the case of chapter five of that work,

which might deserve special treatment for reasons that have already been discussed.

What the revisionist view entails, then, is a very different approach to reading *Utilitarianism*. With this idea of what is at stake, then, it is worth revisiting what the historical arguments are in support of each position.

Taking Crisp as the representative for the orthodox position, one can divide Crisp's arguments into three parts. The first part is biographical, and focuses on picturing Mill's development as a young utilitarian who eventually broke with Bentham's views in a deep way. Crisp notes the fact that Mill moved on to other projects (political, personal, and philosophical) following his apparently definitive statement of his views in 1861. Second, Crisp highlights the continuity of themes in Mill's earlier works on moral philosophy that also appear in the text of *Utilitarianism*. This includes Mill's focus on criticizing intuitionist moral philosophers, his focus on the relationship between primary and secondary principles, as well as his discussion on character, happiness, and moral motivation. Crisp admits that the fifth chapter of *Utilitarianism* does not fit easily into the narrative of Mill building on his previous work in moral theory, but that the other four chapters surely do. The third component concerns his view of Mill's use of rhetoric in *Utilitarianism*. Crisp seems to have the view that *Utilitarianism*, in contrast to other works like *On Liberty*, was written not for widespread public consumption, but rather as a philosophical treatise to persuade educated readers. At the same time, though it should be read as a careful philosophical analysis, Mill was, at times, writing to persuade rather than give his true thoughts. In cases where it looks as

if Mill is making a claim that seems inconsistent with his utilitarianism, he is probably intending to persuade the reader in those passages.

Taking Jacobson as the representative for the revisionist position, one can break down his arguments into four parts. The first part attempts to establish the fact that Mill had an especially idiosyncratic view of utilitarianism, which is evident from his letter to Carlyle in his letter in 1834, and his comments in other writings before the appearance of *Utilitarianism*. In a number of ways, Mill seems to be stepping back into Benthamism in the text of *Utilitarianism* more than he is departing from it. For instance, despite his ardent defense of it in other places in his writings on ethics, Mill makes no defense of supererogation in *Utilitarianism*, which is just what the revisionist position would predict since it is supposed to be, for the most part, a non-partisan defense of utilitarianism. The second part of his argument concerns Mill's capacious understanding of the term 'utilitarianism' within the 1861 text by that name. In a number of passages, Mill seems to align himself with a number of understandings of the term in his discussion of the view's historical forbearers, and might even be thought to be working with several notions of it within different chapters (e.g., in chapter two and chapter four). This would make sense, Jacobson claims, if his chief philosophical opponents in the text are the intuitionist moral philosophers, which seems apparent in the text even in chapters one and two.

The third part of Jacobson's version of the revisionist position concerns Mill's use of the greatest happiness principle. Jacobson points out that in Mill's wording of the greatest happiness principle, Mill might be thought to be announcing his ecumenical

intentions for the document when he says in a footnote that the term utilitarianism should be understood, “as a name for one single opinion, not a set of opinions—to denote the recognition of utility as a standard, not any particular way of applying it.”<sup>183</sup> Jacobson acknowledges that Crisp might respond that Mill is only speaking of possibly different ways of interpreting primary and secondary principles for the principle of utility, and that the wording of the greatest happiness principle seems to speak in favor of only one kind of utilitarianism (i.e., direct and act-utilitarianism). However, Jacobson points out that Mill is aware of other kinds of indirect utilitarians such that they also might be thought of as being included among those who would identify with the greatest happiness principle. Finally, Jacobson highlights the extra-textual factors that speak in favor of the revisionist position. This includes evidence from Mill’s correspondence concerning his evaluation of the book and its importance (e.g., calling it his “little work” and mentioning it only briefly in his *Autobiography*), and it also includes the fact that Mill published his work in *Fraser’s*—a publication to which Mill did not usually turn when wanting to publish his most philosophically-oriented work. Jacobson also points out that Mill did not revise *Utilitarianism* even when Theodore Gomperz pointed out a possible fallacy in his arguments. Mill had plenty of time to go back and revise *Utilitarianism* before he died (he regularly revised other works like the *Principles* and the *Logic for* new editions), but apparently chose not to except for a few very minor changes and an update to certain portions of his comments in chapter five .

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<sup>183</sup>Mill, *U*, 2.1 fn.

### **Concise Overview of the Evidence for Revisionism**

Viewed from a certain perspective, one might characterize the thrust of this study as simultaneously supplementing and corroborating Jacobson's arguments while also challenging the general narrative of Mill's intellectual development as it is advanced in Crisp's arguments. That is not to say Crisp's claims are wholly false and that Jacobson's arguments are wholly satisfactory. A number of Crisp's points of emphasis concerning Mill's life are accurate, and Jacobson does not seem to appreciate fully the need for the special treatment of chapter five. That said, the evidence presented in the previous chapter of this study should be viewed as supporting the revisionist thesis, and it is worth making clear why this is so.

In the section above concerning the history of utilitarianism the objective was to complicate the narrative Crisp put forward concerning Mill's development as a utilitarian. This was done in two ways. First, it was argued that though Mill certainly criticized Bentham in his essays in the 1830s, he did so rather quietly and made sure that it was not widely known who had published these critiques. Even at the period of his life where he was probably the most critical of the school of Bentham, Mill avoided publically aligning himself with an anti-Benthamite approach, and later expressed some regret over writing those essays in his *Autobiography*. Also, in his later writings on moral philosophy, Mill seems more concerned with defending than attacking Bentham, something that seems at odds with Crisp's account. The second complication to Crisp's narrative concerns Mill's target in his revision of his doctrine of higher and lower pleasures. While scholars often claim that Mill has Bentham as the target of critique in



these passages, there is evidence suggesting that Bentham would actually be in concert with Mill in many of his points, and that it was Carlyle about whom Mill is especially concerned. By this reading, Mill should be seen as trying to appropriate Stoicism into Epicureanism (which was already associated with utilitarianism) so as to combat Carlyle's new asceticism. This is an important addition to the revisionist position because it furthers the point that Mill is being ecumenical in giving support for the utilitarian cause, and is more concerned with attacking opponents of utilitarianism (which Carlyle surely was!) than other utilitarians such as Bentham.

In the section of this work concerning Mill's life leading up to the publication of *Utilitarianism*, the point was to situate Mill as properly ready to write the book as he did. After suffering through his mental crisis and learning a number of lessons from the Romantic movement, Mill established his intellectual reputation with works like the *Principles* and the *Logic*. After he married Harriet, Mill's health scare made it evident to him that he should be concerned with getting his thoughts down on paper before the end of his life. In his correspondence with Harriet during this time (1854), one finds Mill plotting most of his major works for the remainder of his life, and there is evidence from his journals that Mill began writing portions of *Utilitarianism* during this period. Furthermore, it helps the revisionist case if there is evidence that Mill saw the need for a general defense of the principle of utility, and in Mill's correspondence there are three places where one finds precisely that. Two of these occur before the publication of *Utilitarianism*. He writes to John Austin suggesting that Austin should undertake the project (which Austin does not), and later he writes to Gomperz saying a defense would

be helpful for the cause if he published some papers he has defending “the ethics of utility.” The last letter concerns his note to Charles Dupont-White in which Mill asks that he look for the chapters appearing in *Fraser’s*. Mill wrote that that the idea of utility and the school of Bentham had not been popular in England, contrary to French opinion, and he expressed hope that this document might improve popular opinion of the view.

In addressing the great question of Mill’s intentions in writing *Utilitarianism*, there are sub-questions concerning whether all of the chapters of *Utilitarianism* should be considered of equal worth, and why Mill published the work in *Fraser’s*. This study should serve the purpose of suggesting that chapter five of *Utilitarianism* deserves different treatment than the other four chapters. As Helen Taylor indicates, Mill later added the fifth chapter to the other original four chapters, which partly explains its difference in content from the rest of the book. Evidence from Mill’s correspondence with Bain also suggests that he worked on this essay separately, and that he may have revised the essay in light of reading Bain’s work in psychology and Darwin’s work in biology. In citing the work of Robert Schweick, it was suggested that Mill’s reading of Bain and Darwin suggests reasons for changes in style and content in chapter five of *Utilitarianism*, which goes some way toward arguing that it deserves special consideration for being reflective of Mill’s personal views. With respect to the question about *Fraser’s*, it seems apparent that Mill’s decision to publish *Utilitarianism* first in *Fraser’s* speaks to his desire for a wide and not necessarily strictly philosophical readership. *Fraser’s* was not as intellectually respectable as some of the other venues in which Mill published, and its readership was fairly large for the time. Also, an

examination of his other works published in *Fraser's* reveals a pattern that accords precisely with what the revisionist would predict: topics about which Mill cared deeply (e.g., voting reform and the American Civil War) and wanted to change public perception. At the same time, Mill's minimal discussion of the work in the *Autobiography* and his lack of enthusiasm for its being published on a large scale says something about the importance he accorded it in comparison to his other works. By the orthodox position, it seems quite strange that Mill would decline to allow for free copies of *Utilitarianism* to be given out when he had the opportunity, and that he would pass up the chance to see it appear in a cheap edition as he did for his much more technical work in logic.

The purpose of the historiographical section of the last chapter of this essay is to illustrate the lack of attention accorded to *Utilitarianism* by those writers who have a larger perspective on Mill's life. From the discussion of the different biographies, it seems clear that the emphasis typically placed on the work by Mill's biographers is at odds with the kind of emphasis that the orthodox interpretation has for the document. Bain and Packe hardly discuss the book at all, and accord it little attention in comparison to Mill's other works. In the text of his book Capaldi says that Mill's definitive statements on ethics can be found there, but in the interview about the book he seems to take a much dimmer view of the work as a representation of Mill's mature thoughts. Though Reeves says that the book is an example of him giving his final views on moral philosophy, it was suggested that this opinion is actually in tension with much of the tenor of Reeves' discussion and that he would perhaps agree with the revisionist thesis if

he were aware of it. Taken together, the low esteem among Mill's biographers for *Utilitarianism* provides another example of how philosophers and some intellectual historians have a misplaced emphasis on the book's importance for understanding Mill, and how a larger view of Mill's life is perhaps what is needed to accord the book its proper place.

Finally, in the last section of the previous chapter there was a discussion of the initial reception of *Utilitarianism* among Mill's contemporaries. The purpose for including this section was to begin to offer an answer to the question of how, if the revisionist thesis is correct, *Utilitarianism* took on the importance that it has. As has been emphasized at several points of the discussion here, it may well be that *Utilitarianism* has achieved the popularity it has more because of its pedagogical value than for its insight into Mill's ultimate views on moral philosophy. This section shows that even the book's earliest readers began to pick on arguments and difficulties that have become common points of discussion in seminar rooms for the last several decades. While this does not necessarily count against the orthodox position, it does add to the plausibility of the revisionist thesis since it explains how the book might have achieved fame in spite of being misinterpreted in terms of how the work relates to Mill's ultimate views on moral theory.

### **Implications**

If the arguments presented here are correct, there remains a significant amount that needs to be explained in terms of how Mill scholarship should move forward. As

was noted toward the outset of this chapter, one of the chief difficulties in Mill scholarship concerning his moral and political philosophy has been to try to square the claims of *Utilitarianism* with those of *On Liberty*. If this thesis is correct, and the revisionist position is more plausible than the former orthodox position, then this central difficulty becomes even more trying since so much of Mill scholarship has been working with the assumption that Mill's comments in *Utilitarianism* should be read as Mill defending his own position.

Despite these difficulties, insofar as historians of Mill's thought are interested in finding out what Mill truly believed, it is essential that they use all of the available evidence to determine his intentions and evaluation of his works. From what has been said so far, there appears to be good reason to accord chapter five of *Utilitarianism* a special kind of consideration. Chapter five contains a number of original and interesting thoughts on Mill's behalf (as was discussed in the summary of that chapter), and one of the implications of this thesis might be that this chapter will receive some of the scrutiny that has heretofore been devoted to analyzing the passages in chapter two and chapter four. Regardless, the book will surely continue to be puzzled over by historians and philosophers for some time, and one hopes that this study has shifted in at least a small way, which kind of puzzles have hopes of being completed and which kind should now be set aside.

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