

A PERFECTIONIST UTILITARIAN: THE IDIOSYNCRATIC UTILITY OF J.S. MILL¹

<i>Abstract</i>	60	III. <i>Traditional and revisionist arguments: assessment and link to perfection</i>	
<i>I. Introduction</i>	60		
<i>II. Variations and distinctiveness of a complex happiness</i>	62	<i>IV. Conclusion</i>	67

Abstract

Against most contemporary interpretations, the present article argues that a comprehensive conception of the good permeates Millian utilitarianism. Yet, revealing the perfectionist components which comprise his approach does not result to the disintegration of Mill's theory. If this line of argumentation describes accurately one of the most celebrated liberals, this could strengthen liberal perfectionism's position. If I am right that anti-perfectionist arguments stemming from traditional and revisionist approaches are mistaken and Mill advances a cogent perfectionist strategy, this could enhance a marginalized view of liberalism that can offer much more to the appeal of liberal values than it actually does.

Key words: *Liberalism, Perfectionism, Utility, John Stuart Mill*

I. INTRODUCTION

Since Mill is generally considered as an advocate of utility, any conclusions drawn about his theory have to take into account such a conspicuous feature. The present analysis aspires to underline the idiosyncratic sense of his utility in an effort to underline Mill's perfectionist² defence of liberalism. Utilitarianism *per se* is not among the specific Millian aspects the present article aims to highlight; yet analyzing the main utilitarian approaches of Mill demonstrates its co-existence with the perfectionist constituents of his

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¹All references to Mill's writings derive from J.M.Robson's (ed) *The Collected Works of J.S.Mill*, 33vols, (Toronto and London, 1963-1991). This voluminous work will be quoted as CW.

² In contemporary political theory there is a wide range of meanings attributed to 'perfectionism', e.g. Wall (2008), Haksar (1979), Finnis (1987), Gray, (2000b), Hurka (1993), Rawls (1973). My use of the term here follows that of Wall by not specifying the precise content of activities qualifying as perfectionist nor dictating political authorities to maximise them. Promoting ideals of human flourishing need not entail promoting excellence. Thus, my perfectionism is compatible with the harm principle in advancing autonomy but in the way I see Mill as interpreting the notion of 'harm' i.e. promoting both negative and positive duties in order for people not to be harmed. The present account resembles also Hurka's perfectionism in the sense that it pursues as a worthwhile political aim (valuable) autonomous agency.

liberalism³. It will be argued that the ‘revisionist’ utilitarian view of Mill and of his concept of happiness fails to conceal its perfectionism and that the specific part of the ‘traditional’ view that foregrounds it does so correctly⁴. However, it should be underlined that only a part of this ‘traditional’ rationale is accurate and thereby justifiably used as an epistemological tool. I believe that its main conclusion discarding Mill’s moral theory by allegedly revealing its inconsistency as a liberal doctrine is mistaken. Contrary to the central claim in the traditional stance, it remains open for one to claim that Mill’s arguments can retain or even strengthen much of their force as part of a liberal doctrine not despite but *due* to their perfectionist basis. Aspiring to unveil this prospect, the present article analyzes revisionist approaches to Mill and discovers that unduly absorbed by his utilitarian aspect they fail to capture cogently such a basis. The inability to accommodate the cardinal perfectionist elements of Mill’s morality is demonstrated by the inaptness of the common utilitarian rules to express his character ideal and by the excessive intricacy of other utilitarian models which aims precisely to conceal it. By demonstrating the inadequacy of such utilitarian epistemology to depict Mill’s spirit, one can remove important obstacles obscuring how the latter is actually exemplified in his principal concepts. His concept of utility should be regarded as constituting part of this perfectionist effort which precedes it in importance. Such defence of Mill could ideally invigorate liberalism’s application as a particular political theory of a historically produced context, opposing its (currently popular) indiscriminate usage as a universal doctrine with an allegedly neutral stance about the good.

It seems that Mill was, according to his own word⁵, the first person who brought the word utilitarian into use. He was indeed at least self-professedly one of the founders of utilitarianism and an author of a work that purports to explain it. However, his moral and political theory constitutes a complex framework that includes several other distinctive and important concepts for political theory which attract various interpretations from many scholars. Mill is undoubtedly and primarily a distinguished liberal. His moral theory though can also be portrayed as having distinctive perfectionist features. It is on happiness that we should naturally concentrate more in order to investigate the utilitarian face of Mill. However, this will always be done by keeping in mind the main objective here, namely how this face relates and affects his perfectionism. There is an explanation why exploring the link between Mill’s utilitarianism and his perfectionist ideas entails focusing mainly on his concept of happiness. It is because he does not define utility (the term is interchangeably used with happiness in Mill) as simply an aggregate of pleasures. The elaborated meaning he gives to the term is itself a proof that he does not perceive it in the classical utilitarian manner. As it will be shown its refined distinctiveness invites us to detect the perfectionist rationale behind its conception. In addition, as the analysis of common revisionist -rule, indirect and broad- utilitarian schemes will demonstrate, the

³ This is while perfectionist and utilitarian moralities can be antagonistic in certain aspects, at least if we follow Hurka’s (1993) typology in defining perfectionism. Yet, Haksar’s (1979) classification offers us an option (among two different kinds) of consequentialist perfectionisms which approximate a certain ideal utilitarianism.

⁴ For the division between ‘traditional’ and ‘revisionist’ views of Mill see J.Gray, *Mill on Liberty: A Defence* (2nded.), (London and New York, 1996) ,pp.160-1.

⁵ ‘The author of [Utilitarianism...] has reason for believing himself to be the first person who brought the word utilitarian into use. He did not invent it but adopt it from a passing expression in Mr Galt’s *Annals of the Parish*’ (Mill, *CW*, x, 1985, pp.209-10).

crux of his concept of happiness and its qualitative discernments can be accommodated only by a robust perfectionist account. On the contrary, the utilitarian contrivances under scrutiny -absorbed by their epistemological intricacies and conjecturing that neutrality best describes Mill- prove inadequate to convey his perfectionist message for liberalism.

II. VARIATIONS AND DISTINCTIVENESS OF A COMPLEX HAPPINESS

In fact when we inquire about what Mill meant either by happiness or pleasure the answer is far from easily decipherable. As Berger underlines, for Mill human well-being requires particular elements associated with what he called our 'higher natures'—freedom or self-determination, a sense of security, and the development and use of sociality and intelligence, our specifically human capacities. It is for this reason mainly that Berger decides to use the term utilitarianism in a broad manner -i.e. by taking consequences as the criterion of right and wrong that designates any moral theory- in order not to rule out Mill as a utilitarian⁶. But by not attributing to Mill Bentham's 'narrower' version of utilitarianism -identifying it with the aggregation of mere immediate sensual pleasure- Berger seemingly opposes some Millian remarks on happiness which, when superficially read, resemble Bentham's utility: '[It is] not something to be contradistinguished from pleasure, but pleasure itself, together from exemption of pain'⁷.

My intention here is by no means to adjudicate the consistency of these versions of utilitarianism throughout Mill's moral theory. However, I believe that a narrow Benthamite concept of utility would evidently contradict the overall and conclusive spirit of Mill's writings. Thus I think that Berger is right to describe Mill's happiness as deviating from Bentham's even if this exposes the intricate side of the Millian utility. 'Happiness [is] much too complex or indefinite an end to be sought except through the medium of various secondary ends, concerning which there may be, and often is, agreement among persons who differ in their ultimate standard'⁸. Mill's own comment here negates utility's use as a criterion of conduct and therefore runs counter to the simplicity and straightforwardness of Bentham's notion. As Berlin puts it, the apprehension of happiness in Mill is 'complex' and 'indefinite', including diverse ends which men actually pursue for their own sake, and which Bentham had ignored or falsely classified under pleasure. Berlin goes on to enumerate what could form part of Mill's utility in an overwhelmingly inclusive concept: 'love, hatred [sic], desire for justice, for action, for freedom, for power, for beauty, for self-sacrifice'⁹. Even though I think that Berlin exaggerates when he stretches its meaning almost to the point of a vacuity¹⁰, I think he is right in his appraisal of Mill's tenacity to appeal to such a utility. His plea to such a loosely defined first principle in order to resolve when needed conflicts of

⁶ F.R.Berger, *Happiness, Justice, and Freedom: The Moral and Political Philosophy of John Stuart Mill*. (Berkeley and London, 1984).

⁷ Mill, *CW*, x, 1985, p.209.

⁸ Mill, *CW*, x, 1985, p.110.

⁹ I.Berlin, 'John Stuart Mill and the Ends of Life', in H.Hardy (ed.) *Liberty*, pp.218-51, p.226 (Oxford and New York, 2002).

¹⁰ Observed retrospectively it could be said that such a vacuity denotes a post-modern tinge.

secondary principles¹¹ betokens the replacement of the ‘true utilitarian spirit’ by only its letter that remains¹².

Ironically the assumed heterogeneity in Mill’s concept of happiness could serve my immediate purpose to advert to different semantic and ethical ideas that in his theory do not seem to exclude each other. In Utilitarianism there is a continuous coexistence of references to a concept of utility that resonates, or does not exclude, perfectionist elements. He starts describing it as a classical utilitarian by holding that the creed that accepts it as the foundation of morals asserts 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’¹³. Much more though is required, as acknowledged by Mill, to describe what exactly is pleasure and pain in order to define more accurately the attempted construction of a moral standard. This indicates that if Mill purported to delineate happiness solely as pleasure it would be redundant to say that he wants to elaborate his explication more; for we recognize pleasure and pain easily and we largely have little doubt what they are¹⁴. In any case Mill insists that his standard is firmly grounded on a theory of life, namely, ‘that pleasure, and freedom from pain are the only things desirable as ends;’ and all desirable things, he continues, ‘are desirable either for the pleasure inherent in themselves, or as means to the promotion of pleasure and the prevention of pain’¹⁵.

Despite insisting so firmly on pleasure to ground utility Mill goes on to give us a very distinct concept of happiness characteristic of his view of human nature. Underscoring the human elevated faculties, he asserts that, when conscious of their idiosyncratic nature discerning them from animal appetites, their gratification is a precondition for anything people would count as happiness. Any scheme translating the utilitarian principle -for Mill an inclusive one needs to combine stoic, christian and epicurean elements- would justly assign to the pleasures of the intellect, feelings, imagination and of moral sentiments a great deal of higher value as pleasures than to those of mere sensation¹⁶. Mill himself concedes the distinctiveness of his utilitarianism and its relation with this explication of happiness:

It must be admitted...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...but they might have taken the other, and, as it may be called, higher ground, with entire consistency¹⁷.

Regardless and irrespective of the question if this designates a conscious deviation on Mill’s part from a ‘mainstream’ utilitarianism the truth is that he finds it compatible with his principle of utility that there are kinds of pleasures that are more valuable and thus more desirable than others. He makes it evident that a main criterion for his estimation of

¹¹ Mill, ‘Bentham’, CW, x, 1985.

¹² Berlin, John Stuart Mill and the Ends of Life.

¹³ Mill, CW, x, 1985, p. 210.

¹⁴ Berger, Happiness, Justice, and Freedom.

¹⁵ Mill, CW, x, 1985, p. 210.

¹⁶ Mill, Utilitarianism, CW, x, 1985.

¹⁷ Mill, CW, x, 1985, p. 211.

pleasures is *quality* and not only quantity. ‘Mill’s inclusion of quality in the measurement of value of pleasurable experience is the crux of his break with the orthodoxy of Benthamite quantitative hedonism’¹⁸. ‘Qualitative hedonism’ however is not the best way in my opinion to describe the hierarchical depiction of Millian happiness. I think that such a designation resonates a, conscious or not, effort to keep his theory under strict utilitarian delineation by concealing his perfectionism. To begin with, the description of ‘qualitative hedonism’ is etymologically, if we follow the modern use of the term ‘hedonism’, a contradiction in terms. Sensual pleasure obviously does not correspond to the quality that Mill ascribed to the term happiness. But even if we follow, as we most commonly do, the ancient Greek connotation of the term, its dominant Epicurean use is distinct from Mill’s concept of happiness. It corresponds to a selfish happiness¹⁹ recommending doing whatever makes *you* happier²⁰. Mitsis cogently shows how Epicurus’ conception of pleasure differs from that of many utilitarians. As we shall see the use of happiness from Mill refers more to a selfless one suggesting a concept that incorporates the happiness of *others* too. In addition, if it is openly confessed that higher and lower pleasures are discerned and there is such a qualitative distinction among them, Mill implies that something other than pleasure, in the ordinary Benthamite sense, has value. He naturally assents that people can desire several things like money, fame, power, virtue as instruments of the attainment of happiness but these can also evolve to be desired for their own sake. He insists that in such a case this would mean that they are desired as part of happiness, that they are included in it as some of the elements which partly comprise it²¹. But beyond that there is still a stated preference on Mill’s part for a qualitative distinction of pleasures decided on a property that of course cannot also be pleasure.

One can claim, like Berlin²² does, that this other than pleasure valuable standard recognized as having intrinsic value by Mill is freedom. Irrespectively of his inconsistent -as Green²³ claims- or not with utilitarian values defence of freedom, this *per se* does not explain his affinity to quality. Mill insists in stating his preference for superior attributes independently of the freedom-factor. This is the case because people with the same freedom to choose between two pleasures, i.e. those ‘who are equally acquainted with, and equally capable of appreciating and enjoying, both, do give a most marked preference to the manner of existence which employs their higher faculties’²⁴. He goes on to attribute to quality an inherently quasi-natural pertinence for humans as opposed to debased animal pleasure. ‘Few human creatures would consent to be changed into any of the lower animals, for a promise of the fullest allowance of a beast’s pleasures’²⁵. He subsequently contends that availing one’s (higher) capabilities cannot be superseded by

¹⁸ W. Donner, *The Liberal Self: John Stuart Mill’s Moral and Political Philosophy*. (Ithaca and London, 1991).

¹⁹ Epicurus never suggests we should live a life which impedes others’ pleasure. Yet, he primarily recommends pursuing our own, accepting no duty to pursue the pleasure of others. Therefore his analysis of morality is overall egocentric.

²⁰ P. Mitsis, *Epicurus’ Ethical Theory: The Pleasures of Invulnerability*. (Ithaca, NY, 1988).

²¹ Mill, CW, x, 1985, p. 236.

²² I. Berlin, (2002), *Liberty*, ed. by H. Hardy, (Oxford and New York, 2002).

²³ T. H. Green, (1969), *Prolegomena to Ethics*. (New York, T.Y. Crowell, 1969).

²⁴ Mill, CW, x, 1985, p. 211.

²⁵ Mill, CW, x, 1985, p. 211.

the upper most satisfaction if this doesn't reflect the person's abilities. No intelligent human beings would consent to be fool despite being 'persuaded that the fool...is better satisfied with his lot than they are with theirs. They would not resign what they possess more than he, for the most complete satisfaction of all the desires which they have in common with him'²⁶. Despite the higher liabilities that exalted capacities do entail they would never wish to retreat to a lower grade of existence. This combined with a strong natural reception for utility and a clear distinction between happiness and content, makes a classical (Benthamite) utilitarian interpretation of Mill more problematic.

When he juxtaposes happiness and content he exemplifies the superiority of the former, reiterating that this is not altered by the more sophisticated endeavour of its attainment. On the contrary, despite the intuitive cognizance of possible imperfections in his happiness which he can learn to bear, the one using his higher faculties will not be envious of the one who does not. The former will not envy the latter because he is a 'being who is unconscious of the imperfections [of his happiness and...] because he feels not at all the *good* which those imperfections qualify...; better to be Socrates dissatisfied than a fool satisfied'²⁷.

It is interesting for the objectives of my work here to draw the parallel between Mill's happiness and an 'enriched'²⁸ Aristotelian view of the term resonating in perfectionism as described by Hurka²⁹. For Hurka sees in Aristotle and his principle (as described by Rawls) the core of his own perfectionism which he accordingly defines as Aristotelian. The intuitive idea of the principle is that human beings prefer 'doing something as they become more proficient at it, and of two activities they do equally well, they prefer the one calling on a larger repertoire of more intricate and subtle discriminations'³⁰. Mill's view that some pleasures are better than others regardless of the quantity of satisfaction they offer closely resembles Aristotle's eudaimonism³¹; in the latter well-being consists in the extensive development of distinctively human powers³². Mill's happiness is essentially Aristotelian in its inseparable connection with activity; a human life becomes happy and the goods it contains enjoyable with people's energetic pursuit of them³³. It is also Aristotelian in a more complex way when it sets forth the sufficient condition of a pleasure's being a higher pleasure. The individual nature of people whose pleasure it is needs to be reflected in it, something which is more a matter of discovery than choice. Here Mill, 'like Aristotle, affirmed that men were the makers of their own character'³⁴.

²⁶ Mill, CW, x, 1985, p. 211.

²⁷ Mill, CW, x, 1985, p. 212, emphasis added.

²⁸ By 'enriched' I mean that Hurka's (1993) perfectionism is more receptive to the emotional part of human nature and happiness. Often Aristotle is interpreted as stressing more the importance of higher pleasures as strictly intellectual ones [see J. Gray, ed., *John Stuart Mill on Liberty and Other Essays* (Oxford, 1991), p. 587].

²⁹ T. Hurka, (1993), *Perfectionism*. (New York, 1993).

³⁰ J. Rawls, (1973), *A Theory of Justice* (Oxford, 1973).

³¹ If it wasn't for the different uses 'eudaimonism' has had in ethics, Hurka notes that it could well replace his own term of 'perfectionism' (Hurka, *Perfectionism*, p. 3).

³² Gray, ed., *John Stuart Mill*.

³³ Gray, *Mill on Liberty*.

³⁴ Gray, *Mill on Liberty*, p. 73.

When happiness reflects and fulfils one's capacities, when it is desirable for its own sake and meets people's significant needs, it is essentially delineated in Aristotelian terms³⁵. Notwithstanding Mill's mentioned reference about Socrates which interpreted isolated could insinuate that higher pleasures are strictly intellectual, his concept of happiness is much more enriched, in line with Hurka's Aristotelian perfectionism for a well-rounded life; such life includes nuanced emotional responsiveness portrayed well in Darwin's unaccomplished wish that he would have read more poetry if he had been given the chance to live again^{36 37}. The emotional richness as an ingredient of perfection exemplified in such way suggests an impressive similarity with Mill who was fortunate enough to realize this in a younger age than Darwin. It was not a coincidence that Mill refers to poetry as an example of a refined pleasure that himself turned to as a necessary mean to cultivate his feelings. His interest on the emotional side of human happiness signifies an abrupt departure from complacency coming from the one-sided exercise of 'dry' cognitive abilities. Resulting from his acute mental crisis and his reaction to it³⁸, this interest transforms his conception of happiness and what contributes to it by converting it into something very distinct from that of his utilitarian mentors (James Mill and Bentham). His fullness of life -complemented with spontaneity and comprising a wide array of emotions- represents a constituent of happiness which formulates an idealism very different than that of Bentham's unemotional approach or of his father arid rationalism. It shows his effort to keep a distance from an inhuman utilitarian version that his father's educational methods could have implanted in him. His mental crisis helped Mill to discover that due to his very one-sided analytical education his critical powers were formulating at the expense of his feelings. Since then the 'cultivation of the feelings became one of the cardinal points in [his] ethical and philosophical creed'³⁹. Thus, as a result of this crisis and its aftermath, a profound impact on the construction of his utilitarian ethics and the emotional side of his happiness is easily traceable⁴⁰. One needs to stress here that Mill's argument is not advancing utility with any sense of exclusiveness for he describes the explanation of the superiority of happiness based on 'some of the least estimable feelings of which mankind are capable'⁴¹. It seems that he is talking about a concept of happiness that is present or could be disclosed, if supported, in every human being. Despite the distinction of superior-inferior being, he talks about a natural tendency to happiness related to the revelation of tendencies for higher pleasures present in people. 'It is better to be a human being dissatisfied than...a fool satisfied'⁴². Referring to Mill's preference in encouraging higher human qualities, Berger confirms that it is not mere elitism. He infers that for Mill all persons possess 'some measure of the

³⁵ Berger, Happiness, Justice, and Freedom.

³⁶ T.Hurka,, 'The Well-Rounded Life', *The Journal of Philosophy*, LXXXIV (1987), pp.727-46, p.741.

³⁷ This comment appears originally in Darwin (L. Darwin, 'Memories of Down House', *The Nineteenth Century*, CVI (1929), pp.119-20 but Hurka quoted it from Irvine [W.Irvine, Apes, Angels, and Victorians. (New York, 1963)].

³⁸ Mill, 'Autobiography', CW, i, 1981.

³⁹ Mill,CW,i,1981,p.146.

⁴⁰ W.Thomas, Mill. (Oxford and New York, 1985).

⁴¹ Mill,CW,x,1985,p.212.

⁴² Mill,CW,x,1985,p.212.

special human faculties, and any conception of happiness which will serve large numbers of people must allow the development of Mill's favored elements to some extent⁴³.

III. TRADITIONAL AND REVISIONIST ARGUMENTS: ASSESSMENT AND LINK TO PERFECTION

As shown above quality has a prominent role for Mill in the appraisal of enjoyable or gratifying experiences, and the amplified array of utilitarian variations to capture such Millian ideas depicts to a certain extent an effort to 'conceal' his perfectionism in a utilitarian scheme. The very same need to formulate intricate schemes aiming to retain the compatibility of Mill's different theoretical concepts (e.g. happiness and freedom) vindicates the present line of reasoning attributing a cardinal role to Mill's perfectionism. The difficulty in accommodating striking perfectionist elements in a utilitarian scheme compatible with his liberalism resulted in a constellation of approaches. These used highly multifaceted and diverse epistemological tools that implicitly and unintentionally verify his perfectionist rationale. It is worth recapitulating some of them.

Only a minimum consensus on Mill's distinction from Bentham's sense of utility seems to have prevailed during recent years. Despite some sporadic fluctuations and retrogressions on the issue⁴⁴, Mill's deviation starts by making 'something of a public renunciation of 'Benthamism' by resigning from a debating society associated to it; after that he often denies that he is a Benthamite or even a Utilitarian⁴⁵. In a rare overt and concise encapsulation of liberal perfectionism, Mill fiercely criticizes Bentham for not accepting the feasibility of men autonomously choosing as their goal the quest of perfection. The human being is 'never recognised by [Bentham] as a being capable of pursuing spiritual perfection as an end; of desiring, for its own sake, the conformity of his own character to his standard of excellence, without hope of good or fear of evil from other source than his own inward consciousness'⁴⁶. Berger confirms Mill's deviation from Bentham when he clearly opposes a prevalent in the past interpretation of Mill, an interpretation accepting the Benthamite doctrine that people are motivated to act solely and continuously by desires for pleasure. According to this simplistic account pleasure is the only valuable thing; happiness is consequently conceived as a sum of pleasures, obtained when pleasures predominate over pains⁴⁷. Adding to this view the one that sees Mill's formulations on liberty and utility as inconsistent, what Gray⁴⁸ calls the 'traditional interpretation', Berger contends that these interpretations are no longer universally accepted, with some of their parts being quite widely rejected⁴⁹. My objection towards the traditional view consists in its misinterpretation of Mill's idea of pleasure, one that does not bring it in line with his notion of liberty, and that does not take into account his essential departure from Benthamite utilitarianism. It is true that recent⁵⁰ scholarship has

⁴³ Berger, Happiness, Justice, and Freedom, p.49.

⁴⁴See his above mentioned 'Benthamite' description of happiness (Utilitarianism, CW,x,1985,p.209).

⁴⁵ Thomas, Mill, p.34.

⁴⁶ Mill, CW,x,1985,p.95.

⁴⁷ Berger, Happiness, Justice, and Freedom.

⁴⁸ Gray, Mill on Liberty.

⁴⁹ Berger, Happiness, Justice, and Freedom.

⁵⁰ Since the beginning of 1980's (Gray, Mill on Liberty).

concentrated more on what Gray calls the ‘revisionary interpretation’⁵¹ of Mill, namely one negating a logical gap between the defence of liberty and a principle of happiness with intrinsic value. It is the complexity of the revisionary view that I would like to link with the concealment of a latent perfectionism in Mill.

There are complicated revisionary approaches of Mill’s morality under the utilitarian label which do not succeed in concealing its perfectionist basis: A certain rule-utilitarianism (as proposed by Riley for instance) against act-utilitarianism⁵², an indirect (for example Gray’s, Hare’s, etc) against the previous two more ‘explicit’ utilitarianisms, broad-utilitarianism (for example Berger’s, Hoag’s, etc) against narrow. One could also add here, as it was remarked above, utilitarian schemes like Donner’s⁵³ or Martin’s⁵⁴ which under the term of ‘qualitative hedonism’ disguise perfectionism while their actual labelling ironically makes implicit references to it. These are all attempts of a difficult, and maybe inextricable, task to accommodate Mill’s happiness under a utilitarian scheme. The need for a creation of a model that is flexible, multifarious and different than the classical utilitarian one has a common denominator. Observing carefully the common thread that they might have, one can remark that it lies in the perfectionist aspect of Mill’s utility. My aspiration is that the analysis of the versions of Mill cited below -under different utilitarian labelling- will demonstrate this.

Rule-Utilitarianism

The rationale behind the traditional objection against Mill will be partly used here despite disagreeing with its conclusion portraying Mill as failing to construct a forceful liberalism, something induced by an alleged incompatibility of its basic constituents. Namely I will underline the inefficacy -as one of the traditional arguments does- of the effort to disguise behind complicated revisionist utilitarian schemes the clear perfectionist element of Mill’s utility and moral theory in general. Starting from a particular rule-utilitarianism, Riley’s defence of it (against act-utilitarianism as well as traditional and pluralistic objections) serves my objective. Apt to pursue public good indirectly by complying with an optimal code of rules, rule-utilitarianism is contrasted by Riley with act-utilitarianism which aims to the particular act that maximizes general utility. Such code commits utilitarians to ‘assign worth to certain virtues and dispositions required to devise and comply with the rules. Rule-utilitarianism implicitly demands...that its adherents recognize the great value of a suitable type of personal character’⁵⁵, something

⁵¹Gray’s classification of ‘traditional’ and ‘revisionary’ interpretations of Mill does not homogenize groups of writers as sharing a common view on all important points on Mill. They are classified only with reference to what is mentioned here (Gray, *Mill on Liberty*, pp.160-1).

⁵²Classical and preference utilitarianism are versions of act-utilitarianism in which each act is assessed by the utilitarian standard of maximizing happiness or utility. They are to be distinguished from rule-utilitarianism in which the utilitarian standard is not applied directly to particular acts but to rules or institutions [C.L.Ten, *Mill on Liberty*, (Oxford,1980), p.5]. Hedonistic utilitarianism, considered a form of act-utilitarianism, holds that the only thing intrinsically desirable is pleasure and that all forms of pleasure are intrinsically desirable. Right acts are those which maximize happiness, interpreted as pleasure and the absence of pain [C.L.Ten, ‘Mill’s Defence of Liberty’, J.Gray and G.W.Smith (eds) *J.S.Mill: On Liberty in Focus*, (1991) pp.212-38, p.213].

⁵³W.Donner, *The Liberal Self: John Stuart Mill’s Moral and Political Philosophy*. (Ithaca and London,1991).

⁵⁴R.Martin, ‘A Defence of Mill’s Qualitative Hedonism’, *Philosophy*, XLVII (1972), pp.140-51.

⁵⁵J.Riley, *Routledge Philosophy Guidebook to Mill on Liberty* (London and New York,1998), pp.153-4.

that is in accordance with the implicit link Mill establishes between judgement of actions and of the character from which they emanate⁵⁶.

Riley's code of rules is evidently perfectionist in its suggestion of an ideal for society and morality. He counts it as good to the extent and with the condition that it develops human nature in a certain (ideal for that matter) way. Up to this point he elaborates the necessary and suitable implementation plan in a way ostensibly consistent with Hurka's⁵⁷ 'narrow' perfectionism⁵⁸. He subsequently adds, nonetheless, that no absolute perfection of personal character should be a condition before the idealist code can be implemented at all but 'most must recognize the character's worth, and thus develop it at least to some imperfect degree, before an approximation to the ideal code can become predominant in society'⁵⁹. This could be a very good example of how a liberal perfectionist moral plan could be gradually applied to a receptive liberal democratic context.

Yet, Riley contrasts his rule-utilitarianism that he attributes to Mill with pure act-utilitarianism. He clearly sees their antithesis in that the latter cannot generate the collectively valuable incentive and assurance effects needed for what he rightly sees as a current society predominantly inhabited by self-interested people⁶⁰. To be fair to Riley we have to acknowledge that in general his ideal Millian rule-utilitarianism forms part of a 'broad' kind of perfectionism⁶¹, incorporating an inviolable right of liberty which serves the good better than any other policy. He adheres to that when he asserts that the right to liberty must remain optimal from Mill's perspective. Riley's scheme combines the development of a certain character ideal with his concept of utility and a right of liberty accordingly defined and therefore not as independent of the good⁶². As Gaus and Courtland underline, 'in his attempt to defend an explicitly *Liberal Utilitarianism*, Jonathan Riley advocates a social welfare function that restricts the domain of preferences to the 'morally admissible' or 'ideal'...reflect[ing] the sort of character ideal presented by Mill'⁶³. This certainly verifies the perfectionism of such rule-utilitarianism.

What needs to be further investigated though is the view of Mill as rule-utilitarian supported through an argument linked with his theory of the Art of Life. In the latter, attempting -with doubtful consistency- to distinguish between scientific laws and practical injunctions, Mill discusses the Logic of Practice or Art and its subject matter, that is, the ends of action or teleology. He strived to classify these ends into departments and settle the clashes and frictions between them. The result of his effort is expressed in his claim that the principles and premises of the practical arts compose a doctrine, namely

⁵⁶ Mill, CW, x, 1985, pp. 220-1.

⁵⁷ Hurka, Perfectionism.

⁵⁸ The terms 'broad' and 'narrow' perfectionism, in the way they are used here, signify respectively accounts where autonomous life is presented either in combination with other basic principles (e.g. about utility and rights) or as the cardinal one against which the claims of a morality are weighted. In my view, Mill's liberalism is described better by the first type of perfectionism. Hurka too uses the above criterion to distinguish 'narrow' from 'broad' perfectionism. In addition, however, he links the former to a moral theory based exclusively on human nature. Differing in this respect from Hurka's, the present perfectionism and its broad and narrow variants invoke but often only implicitly a particular concept of human nature.

⁵⁹ Riley, Routledge Philosophy Guidebook, p. 154.

⁶⁰ Riley, Routledge Philosophy Guidebook.

⁶¹ See footnote 58.

⁶² Riley, Routledge Philosophy Guidebook.

⁶³ G.F. Gaus and S.D. Courtland, 'Liberalism', The Stanford Encyclopedia of Philosophy (Winter Edition 2003), Edward N. Zalta (ed.), URL = <<http://plato.stanford.edu/archives/win2003/entries/liberalism/>>.

‘the Art of Life, in its three departments, Morality, Prudence or Policy and Aesthetics; the Right, the Expedient, and the Beautiful or Noble, in human conduct and works. To this art...all other arts are subordinate’⁶⁴. As Ryan sums it up, the issue here involves creating an art of life directing our conduct in the above three branches and their respective subject matter, that is, the right, the expedient, and the beautiful or noble⁶⁵. Thus, the general principles of Teleology (i.e. the Doctrine of Ends), also termed the Principles of Practical Reasoning, are meant to define -along with the laws of nature disclosed by science- every art of Mill’s theory of life⁶⁶. Apart from the principle of utility, Mill involves as a criterion of what people should do in life the principle of expediency. While he never named it as such and never clearly distinguished it from his principle of utility, Mill takes it for granted and invokes it in some of his more analytical discussions⁶⁷.

Being a principle about action and involved (in conjunction with the principle of utility) in yielding the criterion of morally right conduct, expediency may seem to support the argument for rule-utilitarianism in Mill. For it gives the impression of importing a maximizing element to the pursuit of utility, making Mill’s theory look like a version of rule-utilitarianism where an act’s rightness is assessed with reference to a utility-promoting rule. The maximal expediency of an act is involved in indicating its moral rightness when added to a maximal expediency which makes the failure to do an act punishable. Exponents of rule-utilitarianism in Mill⁶⁸ would suggest that the above mentioned punishment derives from rules and sanctions imposed for their violation. Linking Mill’s criterion of right conduct with his reference to the tendencies of acts is also an argument attempting to vindicate his rule-utilitarian interpretation⁶⁹. Such an interpretation deserves a reply based on an evaluation of its link with the art of life and, in concrete terms, the principle of expediency and its role. Apart from Gray’s reply favouring indirect utilitarianism (it will be examined below) one could challenge in various ways the foundations of such rule-utilitarian explication.

Mill’s own words reject the alleged link between his language of tendencies of acts with rule-utilitarianism by denying that such a classification of acts was meant to be any direct means to judgements about right action. Mill offers a reason why the connection between rule-utilitarianism and expediency cannot be established without reference to a type of a perfectionist moral analysis. ‘The most elaborate and well-digested exposition of the laws of succession and coexistence among mental or social phenomena...will be of no avail towards the art of Life or of Society, if the ends to be aimed at by that art are left to the vague suggestions of the intellectus sibi permissus, or are taken for granted without analysis or questioning’⁷⁰. But more importantly the link between rule-utilitarianism and expediency is challenged because an act’s rightness is not indicated by its maximal expediency solely or by it along with the maximal expediency of instituting moral or legal rules instructing its realization. An act is perceived to be right only by its maximal

⁶⁴ Mill, CW, viii, 1974, p. 949.

⁶⁵ A. Ryan, ‘John Stuart Mill’s Art of Living’ in J. Gray and G. W. Smith (ed.) *J.S. Mill On Liberty in Focus*. (London, 1991).

⁶⁶ Mill, *System of Logic*, CW, vii & viii, 1974.

⁶⁷ Mill, *System of Logic*, CW, vii & viii, 1974.

⁶⁸ E.g. J. O. Urmson, (1954), ‘The Interpretation of the Moral Philosophy of J.S. Mill’, *Philosophical Quarterly*, (1954), pp. 33-9.

⁶⁹ Gray, *Mill on Liberty*.

⁷⁰ Mill, CW, viii, 1974, p. 950.

expediency together with the one 'of making non-compliance punishable by *the whole corpus of moral convention and sentiment*'⁷¹. However, the beyond the formation of rules omnipresence of moral convention and sentiment in judging the rightness or not of an action -expressed in the approval or disapprobation of conscience towards an act or conduct- reminds me of perfectionist considerations. Highlighting the importance of the moral form of conscience resembles perfectionism's tendency to lean the weight of such judgements of rightness on the character and the value or competence it should have to resolve them.

The [noble] character itself should be, to the individual, a paramount end, simply because the existence of this ideal nobleness of character, or of a near approach to it, in any abundance, would go further than all things else towards making human life happy; both in the comparatively humble sense, of pleasure and freedom from pain, and in the higher meaning, of rendering life...such as human beings with highly developed faculties can care to have⁷².

And I think it is towards the intrinsic end of promoting such character that the greater part of moral code works, not only by enforcing rules but also by cultivating sentiments and attitudes and promoting dispositions and inclinations⁷³.

As we will see Mill tries to address complex issues with a conception of harm whose perfectionist features transcend -by aiming at promoting a good life- the entrenched branches of conduct sketched in the Art of Life. The volatility of these borders in this classification of human behaviour is also vindicated directly by Mill himself when in another essay he promulgates different aspects of conduct, namely the moral, the aesthetic and the sympathetic one. 'The first addresses itself to our reason and conscience; the second to our imagination; the third to our human fellow-feeling'⁷⁴. This simply verifies Mill's indeterminacy on how the departments of his Art of Life are precisely discerned from one another. It also demonstrates the inconsistency with which he defended their separation and even, implicitly, the lack of weight he attributed to their strict division. Lastly, one has to mention that the role the concept of happiness plays in Mill's art of life is still important, as it is for his overall account. After all, in each of the Art of Life branches, the objective was to achieve happiness and avoid pain⁷⁵. The hierarchical formulation of it, aiming at higher pleasure, makes it the most significant reason why a utilitarian explanatory framework of Mill -including its rule version- seems more inadequate than a perfectionist one. Pronouncing the difficulty to insulate utility's evaluation from moral deliberation, Gray affirms that despite the intricate theory of the Art of Life and of Utility as an evaluative principle integrated in that theory, Mill's utilitarianism is seriously undermined because an appeal to this Principle of Utility is inevitable when the maxims of the various departments of the Art of Life compete between them⁷⁶.

⁷¹ Gray, Mill on Liberty, p.30, emphasis added.

⁷² Mill,CW,viii,1974,p.952.

⁷³ Gray, Mill on Liberty.

⁷⁴ Mill,CW,x,1985,p.112.

⁷⁵ Mill, System of Logic,CW,vii&viii,1974.

⁷⁶ Gray, Mill on Liberty.

My unfolding argument that evaluative judgements of human conduct and flourishing are embedded in Mill's account of happiness, higher pleasures and harm, entails that a strict distinction between Morality on the one hand, and Expediency and Excellence on the other, cannot be truly maintained. It additionally means that, by resting much of its reasoning on such a distinction, the utilitarianism expounded in its above rule version is seriously undermined.

Indirect Utilitarianism

Turning now to indirect utilitarianism as expressed by Gray⁷⁷, behind its complicated structure we could trace there too an attempt to conceal Mill's perfectionist rationale. He argues that Mill's position cannot be captured in any modern distinction between 'act' and 'rule' variants of utilitarianism regardless of how sophisticated they might be. Mill is optimally interpreted, argues Gray in the beginning of his book, 'as holding to a version of indirect utilitarianism wherein the Principle of Utility cannot have direct application either to individual acts or to social rules because such application is...self-defeating'⁷⁸. Invoking a complex hierarchical account that uses the difference of the principle of utility and that of expediency to distinguish between different sorts of judgement about what ought to be done intends to avoid the self-defeating effect of direct appeals to utility as Mill describes it in his "Autobiography"⁷⁹. This is done by attempting to separate the practical and the critical layers of reasoning about conduct, allowing utility to come into play directly only at the critical level due to conflicts of judgement at the practical level. Appealing to an alternative concept of utility forms part of Gray's effort (reflecting his view at that particular time) to reconcile it -against much of the traditional criticism- with the principle of liberty in Mill. The effort maintained its distance from the consequences of acts or the institution of rules as factors of deciding the moral aptness of conduct, that is, from act and rule-utilitarianism. Gray achieves in showing that Mill's utility and liberty are reconcilable by speaking of a moral code more related to the ingraining of experiences of sentiments and attitudes as well as the instilling of certain dispositions and inclinations processed by the individual. Despite the intrinsic value he attributes to a certain ('indirectly utilitarian') conscience resulting in neither morality nor prudence or nobility being experienced as 'external' to the agent since he internalizes their precepts, Gray seems at this stage hesitant to attribute to Mill's utilitarian morality altogether its due perfectionist basis⁸⁰.

He seems to consider this when he refers only to the third level of his hierarchical account of Mill's utilitarianism. There the special weight the Millian utility principle imputes to higher pleasures, makes Gray ponder on its possible ideal-regarding aspect and if it expresses a procedural perfectionism in which choice-making rather than the style of the chosen life has intrinsic value. But does *any* choice qualify as a *good* one for Mill? While negating the attribution of a perfectionist aspect to all the Millian doctrine, Gray concedes that 'it appears to have such an aspect only in its application to men who have attained a certain stage of cultural development'⁸¹. But Mill relies on a generalized

⁷⁷ Gray, Mill on Liberty.

⁷⁸ Gray, Mill on Liberty, p.12.

⁷⁹ Mill, CW.

⁸⁰ Gray, Mill on Liberty.

⁸¹ Gray, Mill on Liberty, p.46.

for all people development of competency as his ultimate test of value. ‘There ought to be no pariahs in...civilised nation[s]; no persons disqualified’⁸².

Gray’s initial hesitation to trace perfectionism behind Mill’s utility is perhaps due to the specific⁸³ Rawlsian version of perfectionism that he is considering here as the only feasible one. If he was to count a moral theory as good only to the extent and with the condition that it develops human nature or advances human flourishing in a certain (ideal for that matter) way, he would approximate the Hurkian and Wall’s definition of perfectionism used here⁸⁴. The difference is crucial for the attribution or not of a perfectionist aspect to Mill’s underlying moral theory and this is implicitly but promptly acknowledged by Gray⁸⁵. When the possibility of a more or less open-ended perfectionist moral code comes into play there is more willingness from his part to consider at least the possibility to ascertain a procedural perfectionism in Mill.

No doubt Mill himself favoured persons of an adventurous, generous, open-minded disposition over timid, mean-spirited and narrow-minded types, but his argument as to the value of liberty is intended to have force for both. Mill’s conception of the good life may be perfectionist in the sense that it ranks lives which are in large measure self-chosen over those that are customary, but this is a procedural perfectionism rather than a full theory of the good life⁸⁶.

Notwithstanding the above, it is Gray himself who later accepts overtly -as a result partly of the force of traditional criticism⁸⁷- the perfectionist element in Mill’s morality. My interest here is exhausted with this acknowledgement as such and does not extend to Gray’s use of traditional arguments relating this remark with an ultimate inconsistency and failure ascribed not only to Mill but to liberalism altogether. Gray endorses the view that the principle of liberty would be unreasonably defended in utilitarian terms because of the central difficulty that there is no conception of harm that is neutral between different moral outlooks. Admittedly there is no conception of harm -specifically one enabling a utilitarian calculus of harms operating- based on no particular⁸⁸ conceptions of human well-being. A liberty-limiting reasoning cannot remain neutral between competing conceptions of the good. This constitutes a defeat ‘for any liberalism which claims for its principles that they occupy a space of neutrality between rival ideals of human life’⁸⁹. I agree but this does not necessarily mean that Mill’s liberalism is one of them. It might mean that it is intractable to defend Mill on clearly utilitarian grounds, not that he cannot

⁸² Mill, CW, xix, 1977, p.470.

⁸³Rawls’ definition of perfectionism refers usually to a more particular manifestation of eminence compared to the blend of Hurkian and Wall’s perfectionism which I use. This is in terms of aiming at a specific maximization of excellence i.e. ‘the achievement of human excellence in art, science, and culture’ (Rawls, 1973, p.325) as opposed to some vision of development or flourishing for humans (Hurka, 1993, p.4; Wall, 1998).

⁸⁴Gray admittedly does that later in his book (postscript) when he accepts that he uses perfectionism in the way Hurka does (Gray, 1996, p.170, note 11). Yet this does not change his mostly Rawlsian use of the term.

⁸⁵ Gray, Mill on Liberty.

⁸⁶ Gray, Mill on Liberty, p.88.

⁸⁷The problems that the derivation of the priority of liberty from utility can cause in many accounts are at the centre of this force (Gray, 1996, postscript).

⁸⁸Instead of ‘particular’ Gray uses the word ‘controversial’, with the negative connotation of the term serving his ultimate purpose here (Gray, 1996, postscript) to prove that Mill’s morality fails altogether.

⁸⁹Gray, Mill on Liberty, p.140.

be defended at all on other grounds. That the applying determinacy of Mill's moral theory is deriving from a particular view of human well-being does not necessarily undermine its coherency. This simply substantiates his morality as a 'free-standing' ideal of human life, verifying Gray's posterior conclusion that 'Millian liberalism is...a political conception whose undergirding moral theory...is perfectionist rather than utilitarian'⁹⁰. Thus, it may also vindicate Gray's reformulated stance doubting if it can be defended in even the modified utilitarian terms he invoked to support it.

As Gray asserts in his postscript there is no strong evidence to support his previous claim that there is nothing ideal-regarding in Mill's conception of happiness. Instead there is evidence to claim that Mill did support an ideal of human flourishing and personality separately from its contribution to want-satisfaction, qualifying thus his account as a species of perfectionist ethics. As mentioned, the intricacy of a utilitarian account often tries to conceal a concept of utility that is deeply perfectionist and correspondingly rests on an ideal of personality. Mill's emphasis on higher pleasures and on the 'preference to the manner of existence which employs...higher faculties'⁹¹, the lexical priority he imputes to them contrasting them with lower pleasures, is a testament of that. Invoking allegedly *a posteriori* evidence, Gray doubts that under liberal conditions experienced individuals will converge on similar kinds of intellectual or moral pleasures rather than bodily pleasures. Yet this does not undermine Mill's perfectionism as perceived here; nor does it prove its inconsistency with his professed diversity of individual natures and needs. This is so for two reasons.

Firstly, Mill's perfectionism is not as stringent as implied here by Gray. Mill's higher pleasures are not narrowly defined; they may partly include bodily forms of pleasure; they may well support a balanced personal well-being and a rich emotional world as Hurka's perfectionism does. And all this contrary to a unidimensional perfectionist image -following the Rawlsian use of the term- that for the most part Gray attributes to Mill. Within the Millian world of a proposed happiness there is a vast diversity of combination of options that do not oppose it to the importance that he attributes to diversity. On the contrary, Mill proposes a perfectionist but very realistic concept of happiness accessible to the 'mass of mankind'⁹². Within the perfectionist context he ensured that 'the ingredients of happiness are very various'⁹³. Berger underscores this peculiarity of Mill's happiness as partially determinate by its perfectionist framework, yet considerably open in allowing an indeterminate number of things as potential elements in a person's happiness⁹⁴.

Secondly, we have to keep in mind the ideal sense of the perfectionist character Mill suggests. He is not always, and he does not need to be, describing reality. He is recommending the ideal conditions of his envisaged reality, based on experience with his stipulated 'experienced judges'; he is suggesting certain requirements in order for this model of liberal perfectionism to flourish. His conditions are not arbitrary since under them what he proposes is highly probable to take place. By disguising sometimes the ideal aspect of his proposals he underlines the strong foundation they have in reality

⁹⁰ Gray, Mill on Liberty,p.140.

⁹¹ Mill,CW,x,1985,p.211.

⁹² Mill,CW,x,1985,p.144.

⁹³ Mill,CW,x,1985,p.170.

⁹⁴ Berger, Happiness, Justice, and Freedom.

highlighting their feasibility⁹⁵. But this is not to be confused with neutrality over different conceptions of good. After all, it is Gray himself who concludes that Millian liberalism cannot be accurately depicted by mainstream utilitarian moralities. Acknowledging that even his own elaborated indirect utilitarianism fails its task, Gray settles for an account describing Mill's morality as defending 'a specific ideal or way of life—the way of life of a liberal culture, in which autonomy and individuality, making choices for oneself and trying out 'experiments of living' are valued as intrinsically important goods'. This ideal in Mill makes his theory 'perfectionist or eudaemonist—a theory of human flourishing, in which...human nature is most completely expressed in a society in which the freedoms of autonomy and individuality are respected and prized'⁹⁶.

It is important here to stress that if Mill's perfectionism is acknowledged this is not without repercussions on the validity of his doctrine as having universal authority. This is to say, I accept some of Gray's ideas mentioned in his postscript⁹⁷ -like the negation of an unlimited, universal and homogenous validity of liberalism- but not the overall inference which they support dooming Mill's moral theory and liberalism as a whole.

Broad Utilitarianism

Let's turn now to the assessment of another species of a utilitarian interpretation of Mill, namely a 'broad utilitarian' exegesis of his theory. Mill's moral theory includes rather distinct perfectionist elements which cannot fit with the ordinary notion of happiness. In order to embody them in an 'all inclusive' utilitarian scheme the latter needs to be quite broad. Berger follows such approach indicating that he is struggling to embrace ideals which Mill acknowledges that people conceive beyond the typical use of happiness. Ascribing to Mill a very intricate conception of happiness transcending its ordinary formulation, Berger explicates that in Mill's view people do 'pursue things that are not conceived as leading to, or promoting, their happiness. People envisage ideals of life beyond their happiness'⁹⁸. Berger is obliged to construct a scheme that encompasses a particular Millian utility; one that embraces the ideals of developing one's intellectual and emotional world, the pursuit of security, of control over one's own life and of the required exercise of freedom -what Mill calls the human capacities composing personal dignity- as well as the occasional requirement of virtue and even of self-abnegation⁹⁹. By accepting the requisites of the ideal state of persons and therefore the presence of ideal-regarding elements, Berger's scheme constitutes an essentially perfectionist proposal. Describing his utilitarian account of Mill, Ten stresses the complexity of the concept of happiness that Berger is forced to adopt, namely one with pluralistic, non-hedonistic, hierarchical features, and he underlines its perfectionist character. He designates it as a form of utilitarianism distinguished from its hedonistic and preference versions. He underlines the fact that, in order to depict Mill's spirit, Berger's happiness does not maintain a neutral stance between people's preferred choices or desires and rejects the

⁹⁵ Mill, *Utilitarianism*, CW.

⁹⁶ Gray, *Mill on Liberty*, p.142.

⁹⁷ Gray, *Mill on Liberty*.

⁹⁸ Berger, *Happiness, Justice, and Freedom*, p.281.

⁹⁹ Berger, *Happiness, Justice, and Freedom*.

monistic approach of recognizing only one thing as intrinsically valuable, i.e. pleasure or sheer satisfaction¹⁰⁰.

Berger does not deny that he is using a broad account of utilitarianism. On the contrary, he is well aware of it and of the fact that according to utilitarianism defined in a narrow way -as in the work of Harsanyi¹⁰¹ and Sen¹⁰²- his own description of Mill 'would be taken as 'beyond utilitarianism' and Mill would turn out not to be a utilitarian'¹⁰³. Leaving aside the issue of which approach is more authentically representing utilitarianism, Berger avows that his broad use of the term can contain descriptive forms not specifically circumscribed by utility. Thinking that the issue at stake here is one largely of terminology, not of substance, he considers an alternative vocabulary to formulate the same in essence account that he ascribes to Mill. He subsequently propounds the use of 'consequentialism' where utilitarianism as a term proves to be destitute. Evidently Berger refers to an indirect form of consequentialism¹⁰⁴. A form one version of which designates the moral good based on whether it originates from a state of competent character maximizing good consequences. Such a version could have obvious resemblance with what Sinnott-Armstrong describes as a hybrid between perfectionism and consequentialism¹⁰⁵.

Taking into account Berger's view of Mill's happiness as largely an ideal, in order to be more consistent with its essence he should have opted to use more a version of an overtly consequentialist perfectionist explanatory framework. Consequentialist perfectionism, Hurka asserts, ranks first the desirability of the state of highest human development and subsequently its rational promotion¹⁰⁶. Berger recognizes in my view this rationale in Mill's happiness but by not 'labeling' it with its due form deprives it from some of its force. One could be tempted to innovate and call his account utilitarian-perfectionist. This would underline the perfectionist similarities between Berger's broad utility and Riley's rule-utilitarianism. It would approximate the latter's definition that by favouring an ideal liberal kind of individual character associated by society with maximizing general happiness, Millian liberalism -contrary to most modern liberalisms- does not maintain a neutral stance between competing conceptions of personal good¹⁰⁷. However, this particular kind of utilitarianism needs to be carefully discerned from the typical use of the term because the latter one is in tension with perfectionism. Identifying utilitarianism with its most common form, i.e. hedonism, Bradley accents this difference by negating that hedonism's possible modifications can set its standard in higher and lower function and not in more or less pleasure¹⁰⁸.

¹⁰⁰ Ten, 'Mill's Defence of Liberty'.

¹⁰¹ J.C.Harsanyi, 'Morality and the Theory of Rational Behavior', *Social Research*, XLIV (1977), pp.623-56.

¹⁰² A.Sen, 'Utilitarianism and Welfarism', *Journal of Philosophy*, LXXVI (1979), pp.463-89 & A.Sen, 'Rights and Agency', *Philosophy and Public Affairs*, XI (1982), pp.3-39.

¹⁰³ Berger, Happiness, Justice, and Freedom, p.297.

¹⁰⁴ Berger, Happiness, Justice, and Freedom.

¹⁰⁵ W.Sinnott-Armstrong, 'Consequentialism', *The Stanford Encyclopedia of Philosophy* (Spring Edition, 2006).

¹⁰⁶ Hurka, Perfectionism.

¹⁰⁷ Riley, *Routledge Philosophy Guidebook*.

¹⁰⁸ F.H.Bradley, 'Mr. Sidwick's Hedonism', *Collected Essays*, I. (Oxford, 1935).

Such tension between perfectionism and utilitarianism shows what an account like Berger's needs to supersede to portray its idiosyncratic utilitarian sense as a utilitarian-perfectionist hybrid. Haksar points out a version of ideal utilitarianism -as distinguished from Benthamite utilitarianism- that can approximate consequentialist perfectionism. Ideal utilitarianism¹⁰⁹ and consequentialist perfectionism construe as relevant other (than the production of pleasure) consequences such as the promotion of knowledge, culture, beauty, and self-development. Interestingly, however, Haksar rejects that Mill's moral theory can be defended on utilitarian foundations anyway. He attributes to his liberalism a non-consequentialist perfectionist basis, a right based-approach founded on perfectionist considerations¹¹⁰.

Notwithstanding the above, it is true that Berger uses a very broad definition of utilitarianism within which he incorporates Millian perfectionism. Despite the different descriptive terminology, carrying in itself some conceptual-semantic weight, I agree with much of what Berger attributes to Mill. In spite of its broad utilitarian veil, the essence of Berger's holistic interpretation of what he sees as a forceful and consistently liberal Millian moral plan comprises a cogent standpoint. His view approximates Hoag's who also remarks that utilitarians need not ascribe intrinsic value to pleasure but can consistently ascribe value to whatever they consider as valuable¹¹¹. Of course this 'loose' definition can closely resemble a perfectionist doctrine where the ideal of happiness is good not because it involves satisfaction but because it develops (in a certain way) human nature¹¹². When described in the above sense, Ten notices, utilitarianism ceases to be a distinctive doctrine since utilitarians can possibly attach weighted intrinsic value to any act's features which others regard as morally important¹¹³. Ten agrees overall with Berger's and Hoag's view of Mill, finding attractive the particular hierarchical, pluralistic, and basically non-hedonistic doctrine they ascribe to him. As mentioned, however, he does not recognize it as a version of utilitarianism; not seeing Millian liberalism as completely reconcilable with any consistent version of utilitarianism for him does not thereby suggest that Mill is an inconsistent liberal¹¹⁴. On the contrary, Ten thinks he is to be remembered as a prominent one, sharing Rawls' view of Mill as a consistent liberal but not as a utilitarian¹¹⁵.

Regardless if Mill can or cannot be portrayed as a representative of a considerably amplified utilitarian scheme, his conception of happiness and his moral theory, while remaining committed to liberalism, do feature constituent perfectionist elements. There are elements which not only promote individual human development but they also connect it with that of the liberal community in which we can all potentially flourish by willingly helping each other. 'The happiness which forms the utilitarian standard of what

¹⁰⁹As the examples of H.Rashdall (*The Theory of Good And Evil: A Treatise on Moral Philosophy*, I,II, Whitefish, MO, 2005) and G.E.Moore (*Principia Ethica*, Cambridge,2002) demonstrate, ideal utilitarianism need not be perfectionist i.e. promoting a certain human development.

¹¹⁰ V.Haksar, *Equality, Liberty, and Perfectionism* (Oxford, 1979).

¹¹¹ R.W.Hoag, 'Happiness and Freedom: Recent Work on John Stuart Mill', *Philosophy and Public Affairs*, XV (Spring 1986), pp.188-99.

¹¹² Hurka, *Perfectionism*.

¹¹³ Ten, 'Mill's Defence of Liberty'.

¹¹⁴ Ten, *Mill on Liberty*.

¹¹⁵ J.Rawls, 'Social Unity and Primary Goods', A.Sen and B.Williams, (eds) *Utilitarianism and Beyond*, pp.159-185, (Cambridge, 1982).

is right in conduct, is not the agent's own happiness, but that of all concerned' and 'between his own happiness and that of others, [Millian] utilitarianism requires him to be as strictly impartial as a...benevolent spectator'¹¹⁶.

IV. CONCLUSION

The present exposition began by examining Mill's conception of utility which it compared with the classical utilitarian notion of happiness. The elaborated sense Mill attributes to it distances his perspective from a desire-satisfaction model of utility and is in accordance to his comprehensive liberal thinking. It was argued that the way Mill assesses pleasurable experiences resembles more Hurka's perfectionist understanding of happiness than mere subjective content or (any) hedonism. Assessing the mainstream interpretations of Mill's utilitarianism brought me closer to prove that his liberalism is better understood as a perfectionist species than under the scope both his 'traditional' and 'revisionist' interpreters suggest. Since the latter dominate the relevant literature, it is on them that I mostly concentrated. Against the main advocates of such approaches¹¹⁷ it was argued that their utilitarian patterns fail to capture the spirit of Mill's liberalism primarily for not acknowledging its perfectionist core. The failure though is an informative one since it reveals the common motive lying behind the contrivance of such intricate explanatory schemes, namely to conceal Mill's perfectionism. Rule, indirect and broad utilitarianisms prove inadequate to depict accurately Mill's epistemology due to the generally anti-perfectionist stance of their proponents.

The problem is that the anti-perfectionist strategy ostracizing the pursuing of good as a legitimate aim of liberal theory comprises the dominant one. It is its prominence that chiefly forges the template against which theorists are judged for complying or not with liberal values. The tendency is to either make them fit the dominant neutralist model or, if not possible, to portray them as incoherent liberals. This is often how contemporary liberalism interprets Mill. A huge effort -due to his celebrated status- was made by neutralists to present him as an adherer of their stance. Mill is commonly treated 'as forerunner of our own rather formalistic debates about liberalism' which prevail in recent political philosophy¹¹⁸. In addition, some of his interpreters thinking that his appeal to perfectionist considerations in conveying his liberalism could not be easily concealed, they depicted his theory as gravely incoherent.

The idea of a liberal *summum bonum* that I identify in Mill's thought, bridging his references on negative liberty with his emphasis on moral integration, clarifies his distinctive idea of human flourishing. This interpretation overtly opposes the traditional views of Mill which trace a striking irreconcilability between the basic components of his liberalism. Often such views extract from Mill's alleged confusion regarding the objectives of political philosophy the conclusion that the central tenet of his thought is after all 'choice'; choice not shaped by Mill's normative thinking but as deriving from

¹¹⁶ Mill, CW, x, 1985, p. 218.

¹¹⁷ Riley (Routledge Philosophy Guidebook), Gray (Mill on Liberty) and Berger (Happiness, Justice, and Freedom) were extensively analysed as good representatives of the main 'revisionary' currents.

¹¹⁸ J. Waldron, 'Mill on Culture and Society', D. Bromwich and G. Kateb (eds) *On Liberty-John Stuart Mill*, pp. 224-45, p. 225 (New Haven, 2003).

contradictions in his thought or, at best, from his agnostic position towards the good¹¹⁹. The present account of Mill is also markedly distinguished from revisionist interpretations identifying the central idea of his liberal doctrine primarily in utilitarian ethics. While contrary to the traditional strand of scholarship revisionists ascertain coherence in Millian thinking, they disproportionately focus on conduct infringing other people's rights as if this almost was Mill's exclusive ethical concern. By claiming that in the absence of such conduct greatest happiness for the greatest number of people is feasible for Mill, they largely disregard his ethical and moral remarks related to the essence of freedom¹²⁰.

Mill attributes an important role to moral conscience which helps the genuinely free person to avoid actions of a debased character, ending up desiring to do the right. His concepts of free human conduct, of harm and of happiness are informed by a distinct understanding of humans which places greater value on their higher pleasures and the development of their faculties; and such development is feasible, according to Mill, only in an adequate educational, cultural and legal environment actively supported by the significant role of civil institutions¹²¹. Therefore, in contrast to the revisionist approaches of Mill, the present interpretation argues that it is his concrete notion of human flourishing promoting a perfectionist notion of an autonomous life that constitutes the gist of his theory; a distinguishing characteristic connecting his notions of happiness and liberty as well as informing the appropriate role of the Millian state. And against what is often seen as an inherent conflict between autonomy and utility¹²², Mill consistently follows throughout his basic writings this very same tactic that links happiness and essential liberty. His purported incoherency featured in recent expositions reflect the fact that in recent years liberalism has increasingly become synonymous with numbness to substantive moral concerns, antagonism to human good, and enmity to human bonds that keep societies together¹²³. If I am right that anti-perfectionists are mistaken in receiving Mill as they do, and if he manages to advance a perfectionist strategy that is cogent, this could potentially enhance a marginalized view of liberalism that in my opinion can offer much more to the appeal of liberal values than it actually does.

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