

Maximising happiness

- John Stuart Mill was an influential 19th-century British philosopher, who suggested an extraordinary liberal version of utilitarianism.
- He insisted that pleasures differ in quality regardless of quantity, and prescribed that happiness must be maximised in both quality and quantity.
- Mill held that the pleasant quality of the moral sentiment of justice is superior to that of any other kind of pleasure, so a set of recognised moral rights always has priority over non-moral considerations.
- In addition to championing civil liberties, he claimed that every civil society should recognise an absolute right to liberty of self-regarding conduct, which includes discussion, but not expressive social actions like incitement to violence or protest marches.
- Distinguished philosopher Jonathan Riley argues that Mill's ideas continue to have practical appeal for civil society in our digital age.

Jonathan Riley, inspired by the great 19th century British philosopher John Stuart Mill, defends an extraordinary Millian version of utilitarianism which seeks to maximise general happiness conceived in terms of quantity and quality of pleasure including relief from pain. As Mill says, 'The ultimate end, with reference to and for the sake of which all other things are desirable (whether we are considering our own good or that of other people), is an existence exempt as far as possible from pain, and as rich as possible in enjoyments, both in point of quantity and quality.'

In search of happiness

The Millian doctrine must not be conflated with any standard utilitarianism that seeks to maximise collective happiness conceived solely in terms of the total quantity of homogeneous pleasure or preference satisfaction. Rather, Mill holds that some kinds of pleasures are of higher quality than others, apart from quantity. A pleasure is higher in quality than another if the higher pleasure is always more valuable as pleasure than the lower pleasure, regardless of the quantities of each. This way of privileging higher pleasures is immune from the often-repeated objection that some value other than pleasure must be used to distinguish between different qualities of pleasure.

To genuinely experience the higher pleasures, an individual must develop his or her higher faculties of intellect, imagination, and morality. The complex moral sentiment of justice is said to have a pleasant quality which is higher than that of any conflicting kind of pleasure.

The moral sentiment of justice

Mill conceives of justice in terms of a social code that distributes and sanctions a set of equal moral rights and correlative duties, ideally for everyone. The sentiment of justice gradually grows around this idea. It is composed of an infinite series of ingredients, known and unknown. These include physical sensations of pleasure including relief from pain, whether present, remembered or anticipated, which are needed to make the sentiment feel pleasant. Also included are abstract moral concepts such as rights and duties; and an inclination, rooted in an animal instinct for vengeance, to retaliate against anyone who violates others' rights.

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The moral sentiment is a conscientious desire to do right.



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Such ingredients constitute the desire for justice which motivates actions that are reasonably identified by society to give content to the moral concepts. The concepts are not themselves derived from pleasure. They are rational inventions designed to help identify

the actions which reasonable people judge are essential means to pleasant sensations. While originally seen merely as means, the actions and concepts eventually become fused with the pleasant sensations to produce the complex moral sentiment.

The moral sentiment is a conscientious desire to do right which sanctions the individual’s choice of the actions identified as just or morally right. The various ingredients of the sentiment become bonded together as the actions are repeated and the virtuous dispositions to spontaneously perform them are formed through habit. Mill hypothesises that the process is something like a chemical reaction. In this way, a whole new moral sentiment is produced, with its own emergent properties. These include a pleasant quality that, according to the conscientious people whose higher faculties enable them to experience it, is far superior to the quality of the elementary sensations of pleasure among its ingredients.

Mill refers to the kind of pleasure including relief from suffering involved in the moral sentiments as ‘security.’ Security is a variable which is maximised only if society recognises and enforces equal basic rights for all of its members and those rights protect the vital personal interests shared by each of them.

The right of self-regarding liberty
In addition to championing familiar civil liberties, Mill emphasises that an absolute right of self-regarding liberty must be recognised in any civil society’s code of justice. Every competent adult ought to be completely free to choose any ‘self-regarding action’, that is, any action that does not directly and immediately cause any non-consensual harm to others. But harm does not include mere dislike or disgust.

This right is a radical liberal feature of Mill’s extraordinary utilitarianism. The right-holder is entitled to make choices that cause self-harm, perhaps even endanger his life, provided he does not harm others.

Other people have correlative duties not to force the right-holder to make better self-regarding choices. This means that he is permitted to choose imprudent and even degrading actions to the detriment of his own happiness, and other people are restricted from coercively interfering. Given that everyone has equal rights and duties, it follows that general happiness is not maximised if it is conceived in standard utilitarian terms.

Nevertheless, in the extraordinary Millian doctrine, this radical absolute right is justified because the liberty of choosing any self-regarding action one wishes is protected by moral right, and the pleasant quality of the moral sentiment always outweighs any quantity of lower pleasures which others may obtain from interference.

Comprehensive outcomes
Millian liberal utilitarianism involves what Amartya Sen calls ‘comprehensive outcomes,’ whereby the concept of an outcome is expanded to include not only the downstream consequences of actions but also the actions (or decision processes or policies) that produced those consequences. This move facilitates richer utilitarian evaluations because account can be taken of the intrinsic value of, say, morally right actions in addition to the utility value of downstream consequences.

Mill adopts a phenomenalist metaphysics, which holds that humans have no knowledge of any substratum of things-in-themselves that may produce the sensations we experience in the natural world.

Absolute freedom of discussion
The radical liberal right implies absolute freedom of discussion because discussion, which Mill treats as a purely consensual activity when properly defined, is self-regarding conduct. Expression or speech is

divided into two distinct realms: discussion, where freedom is absolute by moral right; and, in contrast, expressive social action, where society has jurisdiction. In the latter realm, society may legitimately regulate but may also judge instead that some freedom





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is permissible. Certain expressive social actions, however, such as incitement to violence, malicious libel, and racist protest marches, directly cause wrongful harm to others and are reasonably prevented or punished as immoral by every civil society.

Phenomenalism

Mill adopts a phenomenalist metaphysics, which holds that humans have no knowledge of any substratum of things-in-themselves that may produce the sensations we experience in the natural world. All we can perceive are groups of sensations and the regularities they exhibit, including regularities of coexistence, succession, and



The Millian doctrine has a practical appeal, even in our digital age.



similarity. It follows that we have no knowledge of truths gained through immediate intuitions prior to experience.

We commonly name as external objects and events the regular groups of sensations we experience. But these names are merely other labels for the groups of sensations and their regularities. Although the only truths available to us are sensations and sound inferences from our experience of them, we are also aware that ‘permanent possibilities of sensation’ exist, in other words, possibilities of experiencing similar groups of sensations when we revisit the same named objects and events.

Social choice model

In a forthcoming book *Just Happiness*, Riley shows that Mill’s extraordinary doctrine is a coherent liberal version of utilitarianism. For any given profile of individual preferences under active consideration, it generates a complete and transitive social preference ordering of comprehensive outcomes such that a best outcome at the top of the ordering maximises both individual happiness and general happiness as pleasure in point of quantity and quality. Remarkably, this best outcome is a top set of outcomes all of which are prescribed by justice and can be simultaneously achieved. The top set itself is treated as a single grand comprehensive outcome.

Continuing practical appeal

The Millian doctrine continues to be applicable in our digital age. Its practical appeal for civil societies is not restricted to local contexts. In addition to recognising the radical liberal right of self-regarding liberty, however, different societies may to some extent recognise varying other rights and make different moral judgments.

An important current political issue is the deliberate spread of lies and misinformation by mass media. The issue arises with respect to dangerous infectious diseases like COVID-19, for instance, and supposedly ‘stolen’ American elections. Is this intentional distortion of truth correctly seen as self-regarding public discussion, in which case the absolute right to self-regarding liberty applies? Or is it harmful expressive social activity which any civil society legitimately considers regulating?

According to Mill’s doctrine as interpreted by Riley, the latter option is correct and it’s a mistake to classify such harmful activity as robust political discussion. Instead, society reasonably decides that the activity should be censored as immoral and contrary to the general good. If you disagree, then, as Mill and Riley argue, let’s discuss.

Personal response

What is your favourite Millian quote?

A favourite quote of mine is, ‘Over himself, over his own body and mind, the individual is sovereign’ (*On Liberty*).

You’ve made the study of Mill’s writing and thinking your life’s work. What has been the most valuable lesson that you have taken from him to inform your personal life?

I feel privileged to have studied Mill’s collected works (33 volumes as published by University of Toronto Press and Routledge) because they have strongly encouraged me to think for myself and brought a great amount of higher pleasure into my personal life. I wish that others would seize the opportunity to gain an appreciation of his brilliance on so many topics. His liberal utilitarian ‘art of life’ as he sketches it, is deeply enlightening and emotionally satisfying.

This is not to say that he or anyone else is infallible. As someone who was employed for more than thirty years by the East India Company and eventually became a leading officer until the Company ceased to exist as a crown corporation in 1858, for example, he must have been aware of the Company’s role in facilitating the smuggling of opium into China which provoked the famous opium wars. In particular, he (like most people in Britain) seems to have been misled that the British were fully justified in being the aggressors in the second opium war because of the lies and misinformation spread by Lord Palmerston (the Prime Minister) in collusion with the editors of the Times. Even if free trade in opium were a desirable object, invading the Qing empire under false pretences to force a change of its trade policy, certainly, wasn’t.



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Bio

Jonathan Riley, a joint citizen of Canada and the USA, has now retired from his professorship in philosophy & political economy, Tulane University, New Orleans. His DPhil is from Oxford (Nuffield College). He has about one hundred publications in political philosophy and will soon publish a book, *Just Happiness: Maximizing Happiness in Point of Quantity and Quality*.

Further reading

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