

## THE CRITIQUE OF MILL'S UTILITARIANISM CONCERNING VIRTUE

Dilek ARLI ÇİL<sup>1</sup>

### Abstract

Utilitarianism is based on the idea that human beings are inclined to increase pleasure and avoid pain. Although Mill agrees with this idea, he distinguishes higher from lower pleasures considering their quality. Higher pleasures result from the employment of higher faculties but lower pleasures result from satisfying bodily desires. Mill argues that those who know both, prefer higher pleasures. According to Mill, virtue brings out higher pleasures. It means that exercising virtue gives one higher pleasure which is more valuable. This is why virtue is considered valuable. This view is subjected to strong criticisms. In this study, it will be argued that although Mill's account can be defended against some of them, it leads to a contradiction. It will also be argued that this contradiction is caused by Mill's desire to give an empirical explanation for virtue and his account has a problem with providing an epistemological foundation for it.

**Keywords:** J.S. Mill, utilitarianism, happiness, virtue, justice

## ERDEMLE İLGİSİNDE MİLL'İN FAYDACI AHLAK ANLAYIŞININ ELEŞTİRİSİ

### Öz

Ahlaki faydacılık, insanın doğası gereği acıdan kaçan ve hazzı yönelen bir varlık olduğu düşüncesinden hareket eder. Mill, bu görüşe katılmakla birlikte, yüksek hazlar ve alçak hazlar arasında bir ayrıma gider. Bu ayrım, hazzın niceliğini değil, niteliğini gözeterek yapılan bir ayrımdır. Yüksek hazlar, yüksek yetilerin işleyişi sonucunda elde edilen hazlardır. Alçak hazlar ise, doğal arzuların tatmin edilmesi sonucu elde edilen hazlardır. Mill'e göre, erdemler, yüksek hazlar getiren şeyler arasındadır, yani erdemli davranmak, doğal arzularımızı tatmin etmekten daha fazla ve daha değerli bir haz verir. Bu yüzden, erdem, değerlidir. Mill'in erdemle ilgili bu görüşü, çeşitli eleştirilere maruz kalmıştır. Bu çalışmada, Mill'in görüşlerinin, bu eleştirilere karşı savunulabilse de, kendi içinde bir çelişkiye yol açtığı öne sürülecektir. Bu çelişkinin

<sup>1</sup> Assist. Prof., Maltepe University, Faculty of Humanities and Social Sciences, Department of Philosophy, dilekarli@maltepe.edu.tr, ORCID: 0000-0001-8004-4916

nedenin, Mill'in erdemle ilgili görüşlerini deneysel olarak kanıtlamaya çalışma çabası olduğu ve Mill'in faydacı ahlak anlayışının, erdem bilgisel temelini açıklama konusunda yetersiz kaldığı iddia edilecektir.

*Anahtar Sözcükler:* J.S. Mill, faydacılık, mutluluk, erdem, adalet

### Introduction

Utilitarianism is a normative theory that claims the rightness of actions depends on the consequences produced by those actions. According to utilitarianism, neither intention nor duty is important in determining the rightness of actions. Only the consequences are considered relevant to the evaluation and the ultimate consequence which is desired by everyone is happiness. Bentham is the founder of utilitarianism and he is the one who introduces the principle of utility as the criterion of morality. He defines the principle of utility in the following way: "By the principle of utility is meant that principle which approves or disapproves of every action whatsoever. According to the tendency it appears to have to augment or diminish the happiness of the party whose interest is in question: or, what is the same thing in other words to promote or to oppose that happiness" (Bentham, 1781, p. 14). According to Bentham, ethics aims to produce the greatest possible quantity of happiness for the greatest possible number (Bentham, 1781, p. 225). It is called the maximization of happiness.

Bentham argues that human beings are governed by two sovereign powers by nature: pain and pleasure (Bentham, 1781, p. 14) and he defines happiness in terms of pleasure and pain. According to Bentham, there is no difference between pleasures. For him, all kinds of pleasures have the same worth. But Mill distinguishes between higher and lower pleasures by differentiating the quality and the quantity of pleasures. He claims that the quality of pleasure is more important than its quantity. His famous saying clarifies his point: "It is better to be an unsatisfied Socrates than being a satisfied pig; better to be Socrates dissatisfied than a fool satisfied" (Mill, 1863, p. 12-13). This distinction constitutes the basis of Mill's utilitarianism and allows him to talk about virtue. In this study, I will analyze the utilitarian idea of virtue focusing on Mill's version of utilitarianism and discuss its problems considering some of the criticisms raised against it.

According to Mill (1863), happiness is the only thing that is desired as an end by all because it is good for them. Thus he asserts that the promotion of happiness is the criterion of morality. Mill calls it the greatest happiness principle or the principle of utility and defines it in the following way: "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" (Mill, 1863, p. 10). Although Mill, different from Bentham, doesn't mention "the greatest happiness of the greatest number", he states that general happiness is also desirable and the principle of morality (the greatest happiness principle) aims to promote general happiness. He states that if one person's happiness is good for that person, then the general happiness is good for the aggregate of people (Mill, 1863, p. 36). Feldman (1978) calls it the aggregation argument. The problem with this argument is that he doesn't give a clear account of why the individual should desire general happiness instead of promoting her individual happiness. But Mill thinks that it doesn't need to be proved because it is already clear for everyone.

The general happiness which Mill introduces as the aim of the principle of morality doesn't involve the happiness of the world but the happiness of the individuals who are relevant to the situation in which an action is conducted. He expresses it in the following words: "The great majority of good actions are intended not for the benefit of the world, but for that of individuals, of which the good of the world is made up; and the thoughts of the most virtuous man need not on these occasions travel beyond the particular persons concerned" (Mill, 1863, p. 21). In this respect, Mill differs from Kant (2006) who argues that the rightness and wrongness of actions are universally determined considering everyone. This difference arises from the fact that utilitarianism is a consequentialist theory and the consequences of actions can be evaluated by considering the individuals who are related to them.

Although utilitarianism is a general view that is adopted by many people in the 19<sup>th</sup> century, the distinctive feature of Mill's utilitarianism lies in the distinction between different kinds of pleasure. Not all pleasures have equal value for him. He distinguishes higher pleasures from lower ones and argues that higher pleasures are more valuable than the others. This distinction also constitutes the ground of his ideas on virtue because he argues that exercising virtue gives one higher pleasure.

### **Higher and Lower Pleasures**

As I have stated, the genuine characteristic of Mill's utilitarianism is to distinguish between higher and lower pleasures which his processor Bentham was not willing to make. According to Bentham, all the pleasures have equal worth, for instance, the pleasure of having a delicious meal has equal worth with the pleasure of saving one's life. On the other hand,

Mill thinks that the latter is more valuable than the other. The difference between Bentham's and Mill's thoughts is grounded on their different conceptions of human nature. Bentham sees human beings as natural organisms similar to animals but Mill thinks that they are capable of having higher pleasures through exercising their higher faculties.

The criterion which distinguishes higher pleasures from lower ones is their quality. Mill clarifies it by saying that "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" (Mill, 1863, p. 11). He first distinguishes the quality of pleasure from its quantity and then he argues that in the evaluation of pleasures, not the quantity but quality should be considered. Later, he explains what he means by the quality of pleasure: "Of two pleasures, if there be one to which all or almost all who have experience of both give a decided preference, irrespective of any feeling of moral obligation to prefer it, that is the more desirable pleasure" (Mill, 1863, p. 11). Now, the first problem comes out. This explanation shows us that Mill derives a normative statement from an empirical one. From the fact that most of the people who experience both kinds of pleasure desire the higher pleasures more, he arrives at the idea that higher pleasures are more valuable. It seems that he commits a fallacy of thought, which Hume (1896) points out, by deriving a normative statement from an empirical one. Cevizci recognizes the same problem and states that Mill disregards the distinction between is and ought and he makes a mistake by deriving ought from is (Cevizci, 2015, p. 895). Furthermore, if "value" is assigned to the pleasures which are desired more by *most or all* of the people, then it again becomes a matter of quantity. In this sense, we can't talk about the value inherent in some of the pleasures but the quantity of how much they are desired. For now, I will leave this issue and turn back to Mill's explanation of higher pleasures.

Mill argues that "it is an unquestionable fact that 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" (Mill, 1863, p. 12). As it is seen, Mill is certain that someone who experiences both kinds of pleasure prefers higher ones over the lower. But one might claim as well that there are some people who experience both kinds of pleasures and still prefer the lower ones. Mill himself is aware of this objection which might be raised against his account of higher pleasures. His answer is simple: "But I do not believe that those who undergo this very common change, voluntarily

choose the lower description of pleasures in preference to the higher. I believe that before they devote themselves exclusively to the one, they have already become incapable of the other" (Mill, 1863, p. 13). He *believes* that if one prefers lower pleasures over the higher ones, it is just because he became incapable of enjoying them. But what could make someone who used to enjoy higher pleasures, incapable of enjoying them? Mill has an answer to this question:

Capacity for the nobler feelings is in most natures a very tender plant, easily killed, not only by hostile influences, but by mere want of sustenance; and in the majority of young persons it speedily dies away if the occupations to which their position in life has devoted them, and the society into which it has thrown them, are not favourable to keeping that higher capacity in exercise. (Mill, 1863, p. 13)

Mill further analyzes higher pleasures and he states that being capable of having higher pleasures is not something perpetual. Even though one has it in a period of time in his life, he might lose it at one point. He explains it in the following paragraph:

Men lose their high aspirations as they lose their intellectual tastes, because they have not time or opportunity for indulging them; and they addict themselves to inferior pleasures, not because they deliberately prefer them, but because they are either the only ones to which they have access, or the only ones which they are any longer capable of enjoying. (Mill, 1863, p. 13)

It follows from the previous paragraphs that being capable of exercising higher pleasures is not something that comes by nature but depends on the environment. Human nature can be cultivated in a way that it becomes capable of having higher pleasure through education. It is clear that for Mill, being capable of enjoying intellectual pleasures is a matter of time and opportunity not a matter of choice. According to this view, if one has enough time and opportunity to exercise higher pleasures, and we design the environment in a way that leads him to exercise higher pleasures then he prefers them. But we should keep in mind that in this case, one prefers higher pleasures out of habit, not out of the will. The problem here is this if one doesn't deliberately prefer higher pleasures but needs encouragement and support, then what makes higher pleasures more valuable becomes unclear.

Silier argues that it is hard to understand Mill's distinction between higher and lower pleasures in our age where relativism is promoted and everything is considered relative including ethical values (Silier, 2013, p. 416). From a relativist perspective, we cannot make a distinction among pleasures in terms of their value. All we have is a variety of pleasures. In this respect, I am in favor of Mill and I think that not all kinds of pleasures have the same

value. But I also think that making a distinction between different kinds of pleasure requires an epistemologically grounded value theory which seems to be lacking in Mill's account.

In my opinion, although it has some problems, Mill has a point in introducing higher pleasures. He aims to demonstrate the possibility of exercising virtue in utilitarianism. If he shows that human beings are capable of having pleasure exercising higher faculties, then virtue can become desirable as a source of higher pleasure.

### **Utilitarianism and Virtue**

Mill argues that utilitarian doctrine doesn't deny people desire virtue. On the contrary, it agrees that virtue is desirable in itself not as a means to happiness (Mill, 1863, p. 36). At first, it seems to contradict with his initial argument that the only thing desirable as an end is happiness namely the existence of pleasure and absence of pain:

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. (Mill, 1863, p. 10)

It follows that virtue can only be desired as a means to happiness but Mill clearly states that virtue is desirable in itself, not as a means to happiness. At this point, he introduces a different argument saying that in some cases what is desired as a means to happiness later becomes something desirable in itself. He explains it in the following paragraph:

In these cases the means have become a part of the end, and a more important part of it than any of the things which they are means to. What was once desired as an instrument for the attainment of happiness, has come to be desired for its own sake. In being desired for its own sake it is, however, desired as part of happiness. (Mill, 1863, p. 37)

In this paragraph, Mill states that "virtue may be desirable in itself, even though happiness is the only thing desirable for its own sake, because virtue can come to be a part of happiness" (McElwee, 2017, p. 395). We can think of many examples of it. Mill gives the example of money. At first, money is desired as a means to happiness but in time it becomes an important ingredient of one's happiness and becomes desirable in itself. In the end, money is desired as a part of happiness, not for the sake of attaining happiness (Mill, 1863, p. 37). In the case of money, it is understandable how something becomes desirable as a part of happiness when once it was desired as a means to it. There is a psychological mechanism behind it. In time, one associates the happiness he has as a consequence of having something with the thing itself. Even though he doesn't spend it, having money may make someone happy. Similarly,

as Hobbes states, human beings desire power in order to preserve their lives but in time, power becomes desirable in itself even when it is not necessary for self-preservation. Mill argues that this line of thinking applies to virtue as well. He says that “virtue, according to the utilitarian doctrine, is not naturally and originally part of the end, but it is capable of becoming so; and in those who love it disinterestedly it has become so, and is desired and cherished, not as a means to happiness, but as a part of their happiness” (Mill, 1863, p. 37). He also states that there was no original desire for virtue before it was desired as a means to happiness:

Virtue, according to the utilitarian conception, is a good of this description. There was no original desire of it, or motive to it, save its conduciveness to pleasure, and especially to protection from pain. But through the association thus formed, it may be felt a good in itself, and desired as such with as great intensity as any other good. (Mill, 1863, p. 38)

Mill's account of virtue as something desirable as a part of happiness, seems to value virtue in itself but actually is not the case since he states that initially, it was desirable as a means to happiness. In his account, virtue can be defined as the conducts which give rise to pleasure and the reverse of pain. For instance, honesty is conceived as a virtue if it brings out pleasure and the reverse of pain. But sometimes, being honest does not bring out pleasure, on the contrary, it causes pain. Plato's *Apology* (1997) is a good example, where Socrates prefers death over denying the truth. Mill would answer to it by saying that Socrates had pleasure knowing that he acted virtuously. In this case, he must have died with pleasure. Mill's following words, support this point:

Those who desire virtue for its own sake, desire it either because the consciousness of it is a pleasure, or because the consciousness of being without it is a pain, or for both reasons united; as in truth the pleasure and pain seldom exist separately, but almost always together, the same person feeling pleasure in the degree of virtue attained, and pain in not having attained more. If one of these gave him no pleasure, and the other no pain, he would not love or desire virtue, or would desire it only for the other benefits which it might produce to himself or to persons whom he cared for. (Mill, 1863, p. 38)

Let us acknowledge that one has pleasure knowing that he acts virtuously and Socrates died with pleasure. It is a view I am willing to support. Even Socrates himself argues that the death sentence is a good to him. Thus, if one acts in a way he knows he is acting virtuously, then he might feel happy. This explanation doesn't define virtue in terms of lower pleasures it brings out but links it to higher pleasures. But then utilitarianism faces another problem: the meaning of virtue becomes unclear. If one has pleasure knowing that he acted virtuously, then he needs

to know what virtue is, independently of the pleasure it gives. But Mill doesn't give us a definition of virtue, he just gives examples of it. He especially focuses on *justice*. His five examples, defined mainly from the viewpoint of injustice are (i) deprivation of personal liberty and property, (ii) deprivation of legal rights, (iii) rewards or punishments according to deserts, (iv) breaking faith and (v) partiality in treatment of others (Bowden, 2009, p. 7). To sum up, in order to know we acted virtuously, we need knowledge of virtue. Mill's account is not complete for it doesn't give us a definition of virtue. I think, Mill thinks that we should live a virtuous life but he tries to provide an empirical account assuming that the most basic derive of a human being is having pleasure and avoiding pain.

Utilitarianism is wrongly criticized as sacrificing virtue in the name of general happiness. In order to explain my point, I will look into Mill's idea of general happiness. Mill states that utilitarianism doesn't aim to ensure individual happiness. He argues that one shouldn't just think of his own happiness. Thus he saves utilitarianism from egoism.

I must again repeat, what the assailants of utilitarianism seldom have the justice to acknowledge, that the happiness which forms the utilitarian standard of what is right in conduct, is not the agent's own happiness, but that of all concerned. As between his own happiness and that of others, utilitarianism requires him to be as strictly impartial as a disinterested and benevolent spectator. (Mill, 1863, p. 19)

According to Mill, one should always be impartial between his own happiness and the happiness of others (Mill, 1863, p. 19). In relation to it, he introduces the idea of general happiness. He argues that the general happiness principle, strengthens the utilitarian morality and the foundation of it lies in human nature:

This firm foundation is that of the social feelings of mankind; the desire to be in unity with our fellow creatures, which is already a powerful principle in human nature, and happily one of those which tend to become stronger, even without express inculcation, from the influences of advancing civilisation. (Mill, 1863, p. 32)

It follows from Mill's words about the general happiness that one shouldn't only go after his own happiness or the happiness of one individual but the happiness of all. In the 20<sup>th</sup> century, utilitarians adopt two different views concerning how to promote general happiness. Those are called rule utilitarianism and act utilitarianism. Rule utilitarianism argues that there are some moral rules which help to promote general happiness and they must be adopted by all. According to rule utilitarianism, we need those rules in order to maximize happiness. On the other hand, act utilitarianism argues that we should consider the consequences of our actions



in different cases and decide what is the right thing to do in each case. (Donner) Act utilitarianism has more supporters than rule utilitarianism but it also draws a lot of criticism.

Act utilitarianism seems to have a problem of leading to unvirtuous actions in some cases. Trolley examples are often introduced to show that utilitarianism sacrifices one individual or the minority to promote general happiness.<sup>2</sup> In trolley cases, there is an empty trolley which cannot be stopped and goes down the railroad. On the road, six people are tied down and if you don't do anything they are going to die. But there is one other option. You can change the line of the trolley using a remote control and lead it to another line. There is one person who is tied down on that line and in this option only he is going to die. It seems that harming one person is a better option than harming six but it is more complicated than it seems. It is widely discussed whether killing one person on the second line is the morally right thing to do and the general happiness principle requires sacrificing his life. Act utilitarianism is criticized as being in favor of sacrificing one for many and thus acting unvirtuously. I will discuss whether act utilitarianism violates virtue as it is argued considering a case about punishment and justice.

### **The Problems of Utilitarianism Related to Punishment and Justice**

Act utilitarianism claims that we should punish someone who does wrong if it increases general happiness more than other alternatives. In other words, the moral rightness of punishment depends on whether it promotes general happiness more than other alternatives in a particular case. If it maximizes general happiness, then it is morally right to punish. If it doesn't maximize general happiness, then punishment is morally wrong. (Feldman, 1978, p. 56). It offers a change in our understanding of reward and punishment. The idea of punishment which is commonly held by the contemporary theory of education claims that the punishment should be determined in proportion to the crime regardless of the happiness it produces. It is a retributive understanding of punishment. As opposed to it, the utilitarian understanding of punishment does not consider the crime itself but rather the consequences of the punishment. The problem of act utilitarianism concerning punishment has two aspects: It follows that (1) it is not morally permissible to punish someone who hurts others (for instance who kills someone) if it does not maximize general happiness and (2) it is morally right to punish an innocent person if it maximizes general happiness.

---

<sup>2</sup> For different versions of the case, see J.J. Thomson (1976). *Killing, Letting Die and the Trolley Problem*; P. Unger (1996). *Living High and Letting Die*.

The most common objection to act utilitarianism concerning punishment comes in favor of moral intuitions. The appeal to intuition is often used as an objection to consequentialist theories (Singer, 1999, p. 187). The objection from moral intuition is summarized as follows: If utilitarianism is true, the only moral reason for punishing someone is that doing so would maximize utility. According to common moral intuition, the only reason for punishing someone is not that it maximizes utility. Therefore, utilitarianism is not true. The second premise of the argument depends on our intuition concerning punishment. Our common intuition tells us that we should punish someone who does wrong even though it does not maximize utility or promote general happiness. We think that if one harms another, then he must be punished for what he has done. We want him to be punished and we call it justice. This whole objection depends on our intuition concerning punishment and justice. But intuition cannot be a good argument for proving a moral point due to several reasons. First of all, we don't know how intuitions are formed and we cannot prove that they are always right. Besides, we know that our intuitions are sometimes unreliable. Secondly, different people may have different intuitions about the same case and we don't have a criterion to choose from among.

Utilitarianism has difficulty with handling the problem of punishment in some cases. At this point, we should remember that those cases are the extreme ones that we do not often confront in real life. The fact that utilitarianism has problems in some cases related to punishment, justice and promising does not mean that our intuitions are always right. Moreover, other ethical theories also have difficulties in providing solutions to similar problems. Therefore, we should consider the possibility that our intuitions might be wrong or we must provide an account for our intuitions.

A utilitarian might also argue that the desire to punish someone even though it does not maximize utility serves to relieve the feelings of the sufferer and it depends on the feeling of retribution which seems irrelevant to justice. If it is not the demand of justice, then there seems to be no point in punishing other than maximizing utility.

We should also consider the second aspect of the problem. It seems more problematic to me than the first one. Act utilitarianism seems to justify punishing an innocent person in favor of general happiness. Let us consider it by appealing to a scenario: Imagine that a series of murders have been committed in a town and the killer cannot be found. The whole town is carried away by chaos and anarchy. Unless the killer is found more people are going to get hurt. The chief police officer thinks that if he sentences an innocent person to death, everyone

will calm down and nobody gets hurt but he also questions whether it is the right thing to do. According to act utilitarianism, the chief must rightly sentence the innocent person to death in order to avoid more damage. It seems to contradict our intuition concerning punishment and justice. Intuition tells us that it is unjust to punish an innocent person regardless of the consequences. We are inclined to think that it is not morally right to punish the innocent even though it maximizes utility but according to utilitarianism it seems the morally right thing to do. Utilitarianism seems to claim that in some cases we are morally obliged to act in the wrong way and it leaves us with a contradiction. The defense against the objection from intuition which I have mentioned before applies to the second aspect of the problem. When we claim that utilitarianism leads us to wrong actions in some cases, we are resting on the common intuition and as I have discussed we cannot be certain whether it is right.

An act utilitarian can also defend himself against this objection by referring to the long term consequences. He might argue that if we punish an innocent person it might seem to maximize utility in the short term, but it does not work out in the long term. In this example, if the truth comes out, then people won't trust the chief and the legal system anymore. And it will decrease general utility in the long-run. Thus it might be claimed that according to utilitarianism, it is morally wrong to punish an innocent person. In this way, utilitarianism can be defended against the objection of violating virtue.

To sum up, the main point of the objections raised against act utilitarianism is that it disregards virtue. Our moral intuition tells us that virtue should be the guide of actions independently of the consequences whereas utilitarianism aims at the general utility. But it is also clear that Mill does not want to give up virtue completely. He wants to show that among other things virtue promotes general happiness the most. Both in *Utilitarianism* (1863) and *On Liberty* (1978) he states that the rights of the individuals shouldn't be violated. And he seems to make it a rule. That's why rule utilitarians argue that there are some rules which must be followed in order to promote general happiness. They refer to Mill's own words: "The utilitarian standard enjoys and requires the cultivation of the love of virtue up to a greatest strength possible as being above all things important to the general happiness" (Mill, 1863, p. 38). But when Mill talks about those rules, he doesn't always say that they are necessary as a means to general happiness, rather he gives those rules priority over the utility of all.

The great majority of good actions are intended not for the benefit of the world, but for that of individuals, of which the good of the world is made up; and the thoughts of the most virtuous

man need not on these occasions travel beyond the particular persons concerned, except so far as is necessary to assure himself that in benefiting them he is not violating the rights, that is, the legitimate and authorized expectations, of anyone else. (Mill, 1863, p. 21)

In this passage, Mill clearly states that the rights of the individuals are more important than the benefit of a group. It may also be asserted that according to him, they are more important than the general happiness principle. Supporting this point, later he states that “the moral rules which forbid mankind to hurt one another (in which we must never forget to include wrongful interference with each other’s freedom) are more vital to human well-being than any maxims...” (Mill, 1863, p. 57). Mill introduces some moral rules which cannot be violated even for the greatest happiness. It seems to give rise to a contradiction in utilitarianism. Donner sees this potential contradiction and interprets it as Mill’s desire to exhibit the idea of rights:

Thus, it would be inconsistent to maintain on the one hand that rights ought to be effectively protected and guaranteed, and on the other hand that they can easily be traded off for unimportant or moderately important gains to others. Mill obviously does not intend to endorse such inconsistencies, but instead intends to propound a robust view of rights which can give this protection. (Donner, 1998, p. 286)

According to Donner, Mill tries to ground the idea of rights independently of the greatest happiness principle. McElwee argues that “there is little doubt, however, that virtue, or good character more generally, is a central obsession which runs through much of Mill’s work” (Donner, 2017, p. 390). I further claim that he tries to draw a line to the general happiness principle with the idea of rights. He thinks that some rights are grounded independently of consequences. He even gives some examples. In the following paragraph, he says that saving one’s life is right whereas betraying a friend is wrong:

He who saves a fellow creature from drowning does what is morally right, whether his motive be duty, or the hope of being paid for his trouble; he who betrays the friend that trusts him, is guilty of a crime, even if his object be to serve another friend to whom he is under greater obligations. (Mill, 1863, p. 20)

Consequently, Mill claims that there are some moral rules which must be followed by all. Although rule utilitarians argue that they are required as a means to promote general happiness, Mill makes it clear that he gives certain moral rules priority over the greatest happiness principle. And it shows that he is not willing to give up virtue for promoting general happiness but it inevitably gives rise to a contradiction in his theory.

## Conclusion

Utilitarianism is an empirical moral theory that is based on the idea that human beings are inclined to have pleasure and avoid pain. Bentham, as the founder of utilitarianism, argues that there is no difference among pleasures in terms of their quality or value. Mill's version of utilitarianism is different from Bentham's due to the distinction he makes between higher and lower pleasures. In this paper, I have argued that this distinction sets the ground for Mill's ideas concerning virtue but it also leads him to a contradiction.

Mill argues that everything is desired either as an end or as a means to something else. As Mill states, the only thing that is desired as an end is happiness. All other things are desired as a means to happiness. But then he argues that only virtue is desired not as a means to but as a part of happiness. Mill claims that there was not an original desire for virtue but in time people started to desire virtue independently of happiness. Thus, he tries to show that virtue is valued in itself. In fact, it becomes so valuable that it moves ahead of the general happiness principle.

As a result, Mill doesn't want to give up virtue for maximizing general happiness as it is criticized. He claims that we should act virtuously since it promotes general happiness. He tries to show that virtue maximizes utility more than everything else. But on the other hand, in some cases, he states that virtue is more important than maximizing utility. And it seems to bring out a contradiction in his theory. I think that the reason for this contradiction is that Mill tries to ground the idea of virtue from an empirical perspective. In the 19<sup>th</sup> century, there is a tendency to explain everything empirically depending on nature. Influenced by this tendency, he tries to derive the idea of virtue from human nature. But virtue cannot be grounded on the natural aspect of man. For this reason, although he doesn't give up virtue for maximizing general happiness, he forces himself to this contradiction.

## References

- Bentham, J. (1781). *An introduction to the principles of morals and legislations*. Kitchener: Batoche Books.
- Bowden, P. (2009). In defense of utilitarianism. *SSRN electronic journal*. <https://ssrn.com/abstract=1534305>.
- Cevizci, A. (2015). *Felsefe tarihi: Thales'ten Baudrillard'a*. Ankara: Say Yayınları.
- Donner, W. (1998). Mill's utilitarianism. In J. Skorupski (Ed.), *The Cambridge companion to Mill* (pp. 255-292). New York: Cambridge University Press.
- Feldman, F. (1978). *Introductory ethics*. New Jersey: Prentice-Hall.
- Hume, D. (1896). *A treatise of human nature*. Oxford: Clarendon Press.
- Kant, I. (2006). *Groundwork of the metaphysics of morals*. (M. Gregor, Trans.). Cambridge: Cambridge University Press. (Original work published 1785)
- Mill, J. S. (2001). *Utilitarianism*. Kitchener: Batoche Books.
- Mill, J. S. (1978). *On liberty*. Indianapolis: Hackett Publishing.
- McElwee, B. (2017). Mill and virtue. In C. Macleod & D. E. Miller (Eds.), *A companion to Mill* (pp. 390-406). Oxford: John Wiley & Sons.
- Plato (1997). Apology. In J. M. Cooper & D. S. Hutchinson (Eds.), *Plato: Complete works* (pp. 17-36). Indianapolis: Hackett Publishing.
- Silier, Y. (2013). John Stuart Mill. In A. Tunçel, K. Gülenç (Eds.), *Siyaset felsefesi tarihi: Platon'dan Zizek'e* (pp. 406-424). Ankara: Doğu Batı Yayınları.
- Singer, P. (1999). Living high and letting Die. *Philosophy and phenomenological research*, 59(3), 183-187.
- Thomson, J. J. (1976). Killing, letting die, and the trolley problem. *The monist*, 59(2), 204-217.
- Unger, P. (1996). *Living high and letting die: Our illusion of innocence*. New York: Oxford University Press.