On Millgram on Mill

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In a recent article in *Ethics*, Elijah Millgram presents a novel reconstruction of J. S. Mill's 'proof' of the principle of utility. Millgram's larger purpose is to critique instrumentalist approaches to practical reasoning. His reading of the proof makes Mill out to be an instrumentalist, and Millgram thinks that the ultimate failure of Mill's argument usefully illustrates an inconsistency inherent in instrumentalism. Yet Millgram's interpretation of the proof does not succeed. Mill is not an instrumentalist. Millgram may be right that instrumentalism is incoherent, but he has chosen the wrong figure to illustrate the point.

I. INTRODUCTION

In a recent article that appears in *Ethics*, Elijah Millgram presents a novel, even audacious, reconstruction of J. S. Mill's 'proof that is not a proof' of the principle of utility.[1] Millgram's aims in this article go beyond mere exegesis: his larger purpose is to critique instrumentalist approaches to practical reasoning – those that say 'all practical inference consists of finding means to ends' (p. 295). Millgram takes Mill to be an instrumentalist, and he thinks that the failure of Mill's proof – for he concludes that the proof does fail – usefully illustrates an inconsistency inherent in instrumentalism. Yet Millgram's depiction of Mill as an instrumentalist misses the mark. Millgram may be right about instrumentalism, although it will not be possible to consider that question here. Even so, however, he has chosen the wrong figure to illustrate its incoherence.

II. MILLGRAM'S INTERPRETATION

The proof appears in chapter IV of *Utilitarianism*. As most commentators (including Millgram) read the chapter, Mill is out to establish three propositions:

1. Happiness is desirable as an end.
2. Only happiness is desirable as an end.
3. The 'general happiness' is desirable as an end.

Millgram divides the proof into two stretches of argument; he thinks that Mill intends the first stretch to establish the first

[1] 'Mill's Proof of the Principle of Utility', *Ethics*, 110 (January 2000), pp. 282–310. Page numbers will be given parenthetically in the body of the text.

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two of these propositions, and the second stretch to establish the third.

In the first stretch, Millgram takes Mill to move 'from the premise that each person desires his own happiness [as an end] to the conclusion that each person's happiness is desirable for him' (p. 283). The premiss, that each person desires his own happiness as an end, looks to be a synthetic claim. According to Millgram, however, Mill considers it an analytic truth, the product of a pair of verbal equivalences. First, of course, Mill defines happiness in terms of pleasure. Then he defines what it is for something to be desired as an end in terms of it being found pleasant:

> I believe that . . . desiring a thing and finding it pleasant, aversion to it and thinking of it as painful, are . . . *in strictness of language*, two different modes of *naming* the same psychological fact . . . and that to desire anything, except in proportion as the idea of it is pleasant, is a physical and *metaphysical* impossibility.[2]

Thus it is true by definition that each person desires her own happiness, and indeed only her own happiness, as an end.

The key passage in Mill's move from this premiss to the conclusion of this stretch of argument is his well-known assertion that:

> The only proof capable of being given that an object is visible, is that people actually see it . . . . In like manner . . . the sole evidence it is possible to produce that anything is desirable, is that people do actually desire it.[3]

Millgram thinks the common criticisms of Mill's move from 'desired' to 'desirable' miss the mark, because he thinks that for Mill this is just another verbal equivalence. Millgram draws a parallel between Mill's account of the justification of ends and his empiricist account of the justification of beliefs. Usually, if we are asked for a justification of a belief, we will attempt to show how its content can be inferred from further beliefs that we hold. Mill's view is that chains of inferential justification eventually must terminate with beliefs that are justified in some other way, however, namely through being correlates of sensations. Similarly, if asked what makes one of our ends desirable for us, we can normally point to some further end to which the

[2] *Utilitarianism*, *Essays on Ethics, Religion and Society*, ed. John M. Robson (Toronto, 1969), *Collected Works of John Stuart Mill*, x. 237–8. IV/10, emphasis added (in the same places that Millgram adds it when he quotes these lines on pp. 285–6 of his article). Chapter and paragraph numbers will be given for citations from *Utilitarianism.*

[3] *Utilitarianism*, *CW*, x. 234. IV/3.

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first end is a means; we can, in other words, employ instrumentalist practical reasoning. Yet when we come to terminal ends, Millgram takes Mill to maintain, all we can do is to reiterate that we desire them. In fact, Millgram says that in Mill's view 'All there is to the desirability of the object of the desire is that it is desired, and all there is left, at the end of the chain, for "desirable" to *mean* is "desired"' (p. 289).

According to Millgram, Mill takes this stretch of argument to fall short of a true proof not because it is not deductively valid, but precisely because it is (p. 290). Millgram calls our attention to *A System of Logic*, where Mill describes strictly deductive arguments as merely 'apparent' and not 'real' inferences.[4] Real inferences, those productive of new knowledge, must be inductive. If this stretch of the proof involves no real inference at all, then it is at least consistent with instrumentalism. (It would only be inconsistent with instrumentalism if it involved a form of practical inference other than means-end reasoning.)

In what Millgram calls the second stretch of argument, Mill moves from the desirability of each person's happiness for her to the desirability of the 'general happiness'. Mill tells us that:

> No reason can be given why the general happiness is desirable, except that each person, so far as he believes it to be attainable, desires his own happiness. This, however, being a fact, we have not only all the proof which the case admits of, but all which it is possible to require, that happiness is a good: that each person's happiness is a good to that person, and the general happiness, therefore, a good to the aggregate of all persons.[5]

A common way to read this passage is to suppose that Mill means that enjoying as much happiness as possible is good for an individual, so it must be good for the 'aggregate of all persons' if the aggregate or sum-total quantity of happiness enjoyed is as great as possible. Critics have alleged that Mill commits the fallacy of composition here. He has said that the fact that something is desired as an end by someone is the sole evidence that it is desirable for her. However, as Sidgwick observes, it does not follow from the fact that each individual wishes for a part of the general happiness to be as great as possible that any individual wishes for the general happiness itself to be as great as possible, 'and Mill would certainly not contend that a desire which does not exist in any individual could possibly exist in an aggregate of individuals'.[6]

[4] See *System of Logic*, 2 vols. (Toronto, 1973), *Collected Works of John Stuart Mill*, vii. 158–62.
[5] *Utilitarianism*, *CW*, x. 234. IV/3.
[6] *The Methods of Ethics* (Indianapolis, 1981), p. 388.

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Yet Millgram thinks that Mill has a way to plug this 'gap in the expressed argument', as Sidgwick describes it, namely the 'decided preference' test that he proposes for drawing qualitative distinctions between pleasures. He understands Mill's statement that 'there can be no appeal' from the verdict of the 'competent judges' to mean that their verdict is *constitutive* of the relative quality of pleasures.[7] The decision of a majority of these judges cannot be wrong, not because this majority is capable of ascertaining perfectly 'some independent matter of fact', but because when it decides that one of two pleasures is the more desirable its decision *makes this the case* (p. 297).

It might seem quite unlikely that the decided preference test could help Mill get from the desirability of a single person's happiness for him or her to the desirability of the general happiness. Millgram, however, thinks it can, based on his understanding of Mill's discussion of the 'feeling of unity' in chapter III of *Utilitarianism*, in which Mill says in part that:

> [T]he influences are constantly on the increase, which tend to generate in each individual a feeling of unity with all the rest; which, if perfect, would make him never think of, or desire, any beneficial condition for himself, in the benefits of which they are not included.[8]

From this, Millgram concludes that 'Mill thinks . . . it almost inevitable that institutions guaranteeing a society of natural utilitarians be put in place' (p. 301).

What this has to do with either the desirability of the general happiness or the decided preference test may still seem mysterious, but Millgram continues:

> The persons created by these institutions will prefer the general happiness to any other alternative. Because these institutions will be stable, the persons shaped by them will outnumber those living in previous historical periods. The preference of the majority of experientially privileged are decisive with respect to desirability [*sic*] of the objects of one's desires. And consequently, the general happiness is desirable for each individual, no matter what his desires, and so is desirable for everyone. (p. 301)

Thus Mill 'gerrymanders' the decided preference test by taking into account the preferences of people not yet born, preferences that we can nevertheless know in advance because we know what process of socialization will form them. Given the way that Millgram construes

[7] *Utilitarianism*, *CW*, x. 213, II/8.
[8] Ibid., *CW*, x. 231–2, III/10.

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the decided preference test, so that the preference of the competent judges for some evaluandum over the alternatives is constitutive of it being desirable, this stretch of argument contains no real inference either.

The reason the proof fails, according to Millgram, is that these two stretches of argument are inconsistent with one another:

> The first stretch of argument makes sense on the supposition that, once you have gotten through the instrumental justifications, there is nothing to be said for an object of desire being desirable, other than that you desire it. The second stretch of argument makes sense of the supposition that there *is* something more to be said about whether an object of desire is desirable, namely, that certain other people, better situated than you are, desire it (or they don't) . . . . But the two stretches of argument cannot make sense together. (p. 306)

Millgram regards this failure as illustrative of a problem that infects the entire class of instrumentalist theories. On the one hand, they must incorporate a way of correcting desires. Otherwise, they cannot give us any guidance when our desires conflict, or explain why sometimes when we get what we want we are disappointed. Yet on the other hand, corrected desires are correct desires, and within the confines of instrumentalism there is no way to account for how some desires can be correct and others not (pp. 304–5).

III. CRITIQUE OF MILLGRAM'S INTERPRETATION OF THE 'FIRST STRETCH'

Millgram's account of the proof is inventive, but it is open to challenge at nearly every point. To begin with, Millgram opens his account of the 'first stretch' of the proof with the claim that, because Mill says that 'desiring a thing and finding it pleasant . . . are . . . two different modes of naming the same psychological fact', he considers these expressions verbally equivalent. Yet Mill would not think that two expressions are equivalent in meaning just because they name the same thing. According to his 'theory of names', two expressions name the same thing if they both denote it. The *meaning* of names, however, 'resides not in what they *denote*, but in what they *connote*', i.e. in the attributes that they imply that the object named possesses.[9] Two expressions

[9] *System of Logic*, *CW*, vii. 34, emphasis in original. This shows us how to understand Mill's remark 'for what is the principle of utility, if it be not that "happiness" and "desirable" are synonymous terms?' (*Utilitarianism*, *CW*, x. 257–8n. V/36). They are synonymous, for they denote the same thing. But it is his belief that their synonymy can only be established empirically that leads Mill to place himself in the inductive rather than the intuitive 'school of ethics' (*Utilitarianism*, *CW*, x. 206. I/3).

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with different connotations, such as 'desiring something as an end' and 'finding something pleasant', cannot be verbally equivalent even when they both denote the same object or fact. That two expressions with different connotations have the same denotation is a real or synthetic proposition that Mill would think can only be established empirically.[10]

So how *does* Mill seek to establish that each person desires his or her own happiness, and only this, as an end? He trusts that a straightforward appeal to 'practised self-consciousness and self-observation' will be enough to establish that everyone desires happiness for its own sake.[11] The difficulty is in establishing that nothing *except* happiness is desired as an end. Mill devotes most of chapter IV to his argument for this proposition, although Millgram has little to say about this part of the chapter. In answer to those who insist that things distinct from happiness can be desired as ends, Mill offers an associationist account of how, after initially desiring only a few primitive, sensual pleasures, people come to take pleasure in, and to desire for their own sakes, things that they originally desired only as means, such as money and the possession of virtue. Thus it is true both that virtue or money can be desired as ends, *and* that nothing is desired as an end but happiness. Obviously there is something worrisome about this. If happiness really is nothing but pleasure and the absence of pain, then virtue and money cannot be parts of happiness. On the other hand, if what the miser really desires is not his money *per se* but rather the pleasure that he gets from contemplating the fact that he *has* money, then 'in strictness of language' the money itself is desired only as a means. Regardless of exactly how we are to understand Mill here, however, the important point is that he invokes an empirically grounded psychological theory in order to establish that people desire only happiness as an end, which would not be necessary if the same point could be more securely established by showing it to be an analytic truth. As he says explicitly, in a statement that Millgram never succeeds in explaining away, 'this is a question of fact and experience, dependent, like all similar questions, upon evidence'.[12]

[10] Note that Sidgwick goes wrong on this point in the same way that Millgram does (*Methods of Ethics*, p. 43). Both writers may have been misled by Mill's use of the phrase 'in strictness of language', which seems to signify no more than 'strictly speaking' or 'speaking precisely'. One should also avoid reading too much into his use of 'metaphysical', when he says that 'to desire anything, except in proportion as the idea of it is pleasant, is a physical and metaphysical impossibility'. Mill often uses 'metaphysical' interchangeably with 'psychological'.

[11] *Utilitarianism*, *CW*, x. 237. IV/10.

[12] Ibid.

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Taken by itself, the fact that Mill makes an empirical argument for the claim that people desire their own happiness as an end, and nothing else, does not show that he is not an instrumentalist. Showing this would require showing that he accepts forms of practical inference other than means–end reasoning, but as it is stated the conclusion of this inference is a factual claim rather than a normative or practical one. This might lead one to think that Millgram could acknowledge that he was wrong about how Mill supports the premiss of the first stretch of the proof, without giving up the claim that Mill is an instrumentalist. Millgram, however, maintains that for Mill 'desired as an end' and 'desirable as an end' are equivalent in meaning. If he is right about this, then from Mill's perspective this inference is no less practical in nature than it is descriptive.

To complicate matters, however, Millgram is wrong to ascribe to Mill the view that 'desirable' simply means 'desired' with respect to terminal ends. If this were a case where two mistakes cancel each other out, then it might be possible to read Mill as an instrumentalist after all. Yet as it turns out, once we correct for this second misstep in Millgram's interpretation it becomes clear that there is no way Mill could be an instrumentalist. Millgram correctly perceives that Mill's account of the justification of ends parallels his empiricist account of the justification of beliefs, but by imputing to Mill the view that 'desirable as an end' simply means 'desired as an end' he misrepresents their relation. Mill is supposed to hold this view in consequence of his instrumentalism. Yet no instrumentalist could think this, for if none of the things that we could desire as ends are desirable in the ordinary sense of being worthy of desire then showing that something is a means to one of those ends would not show that it is worthy of desire either. (Similarly, when a foundationalist says that our base or terminal beliefs are justified in a different way than the rest, this means that the *mode* of justification of those beliefs is different, but not that 'justification' takes on a different *meaning* with respect to those beliefs. It is only if they are justified in the ordinary sense of the term that derivability from them can confer justification, in the ordinary sense, on further beliefs.)

Mill says that the fact that happiness is desired as an end is the 'sole evidence' that it is desirable. When it comes to the terms 'inference' and 'proof', Millgram is insistent that in *Utilitarianism* Mill deploys 'a technical philosophical vocabulary' with some precision (p. 285). It is surprising, then, that he apparently thinks Mill is quite cavalier in his use of 'evidence', saying that a fact provides evidence for a proposition when in actuality the proposition is identical in meaning with a bare statement of the fact. The respect in which Mill regards the justification of ends to parallel the justification of beliefs is that he sees desire as a

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'passive sensibility', able to play a role analogous to that of the senses.[13] Our desires are evidence of what is desirable because we desire that which appears to us to be desirable.[14] In the case of happiness, which for all intents and purposes is universally desired as an end, the evidence of desirability that has accumulated over the course of human history is overwhelming. Mill thinks that from this evidence we can infer with some confidence that happiness is desirable as an end. This is clearly a case of practical inference that is not a piece of means–end reasoning, and therefore Mill cannot be an instrumentalist.

IV. CRITIQUE OF MILLGRAM'S INTERPRETATION OF THE 'SECOND STRETCH'

The second portion of Millgram's interpretation is even more innovative than the first, but it is also even more problematic. Recall that he asserts that the underlying justification for Mill's claim that the general happiness is desirable is a 'gerrymandered' use of the decided-preference criterion, whereby Mill reckons that since eventually natural utilitarians who prefer the general happiness to any alternative *will* make up a majority of the people who have lived, therefore it *is* desirable. There are at least five reasons to reject this suggestion.

The first is that, *pace* Millgram, Mill does not consider it 'almost inevitable' that someday everyone will be a utilitarian. Mill does believe that the tendency towards greater social equality in the West has a tendency to make people less likely to disregard entirely the happiness of others, but he also thinks that only an intensive and deliberate programme of moral education will foster strong bonds of fellow-feeling between all people. This will happen only if concern for others is

> taught as a religion, and the whole force of education, of institutions, and of opinion, directed, as it once was in the case of religion, to make every person grow up from infancy surrounded on all sides both by the profession and the practice of it.[15]

[13] Ibid., x. 238. IV/11.

[14] Ibid., x. 237–8. IV/10. A rendering of this step of the proof that takes seriously Mill's use of 'evidence', and one that properly illustrates the parallel that does exist between Mill's treatment of beliefs and desires, can be found in Geoffery Sayre-McCord's own recent article on Mill's proof, where he writes that: '[W]hen we are desiring things, when what we are considering appears good to us, we have evidence (albeit overrideable and defeasible evidence) that the thing is good. Moreover, if we never desired things, we could never get evidence that things were good, and would indeed never have developed the concept of value' ('Mill's "Proof" of the Principle of Utility: A more than Half-Hearted Defense', *Social Philosophy and Policy* 18 (Spring 2001), p. 339).

[15] *Utilitarianism*, *CW*, x. 232. III/10.

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It is not obvious that motives of self-interest would suffice for the erection of this 'Religion of Humanity', nor does Mill indicate that he considers its creation to be almost inevitable. His 'Utility of Religion', which contains his most extensive discussion of the Religion of Humanity, is if anything a piece of advocacy that would appear unnecessary to a person who believed that the outcome he desired was already virtually certain.[16] What is more, when Millgram quotes Mill as saying that 'the influences are constantly on the increase, which tend to generate in each individual a feeling of unity with all the rest', he omits the first part of the sentence. It begins with the phrase 'In an improving state of the human mind'. Mill says explicitly in *On Liberty* and elsewhere that the improving state of the mind that currently exists in the West easily could come to an end (especially if the message of *On Liberty* is not heeded). He reminds us that the East enjoyed such a state long before the West did, but that it ground to a halt; he does not think the West is necessarily immune from this fate.[17]

Second, if what Mill means by 'the general happiness' is in fact the maximization of the aggregate happiness, then it might not be realized even in a society of committed utilitarians. No matter how committed they were, they would presumably still suffer from cognitive limitations that would often prevent them from determining which courses of action would be happiness-maximizing. No agents who were still recognizably human could always know how to maximize happiness.[18]

Third, it is not clear where the competent judges needed for this use of the decided preference test are to be found. To be a competent judge, one whose decided preference between two alternatives counts for something, you have to have experienced both. Yet either the general happiness would be realized in a society of natural utilitarians, or it would not. If the general happiness were not realized then Millgram's natural utilitarians would not experience it, and if it were realized they would not experience any alternatives to it. So there is no way they would experience all of the possibilities, and hence by Mill's lights they are not competent to judge between them. Since this is not a point that Mill himself would be likely to fail to appreciate, it is very probable that Millgram simply has him wrong.

[16] *Utility of Religion*, *Essays on Ethics, Religion and Society*, ed. John M. Robson (Toronto, 1969), *Collected Works of John Stuart Mill*, x. 403–28.

[17] *On Liberty*, *Essays on Politics and Society*, ed. John M. Robson (Toronto, 1977), *Collected Works of John Stuart Mill,* xviii. 272–3. See also Georgios Varouxakis, *Mill on Nationality* (London, 2002), p. 40.

[18] I discuss some of the implications of this fact in 'Actual-Consequence Act Utilitarianism and the Best Possible Humans', *Ratio* 16 (March 2003), pp. 49–62.

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Fourth, Mill introduces the decided preference criterion specifically as a method for judging the relative desirability of pleasures. He never even implies that this criterion can legitimately be used to make a judgement about the relative desirability of states of affairs more generally, that is, when the basis for the judgement is anything other than the pleasures experienced by the individual whose preferences are being consulted.

Fifth, and finally, Millgram's interpretation turns on the idea that each of the natural utilitarians would think that he would be better off if the general happiness were realized, because his sympathetic 'feeling of unity' with everyone else would make their happiness a source of happiness to him. Mill does indeed think that people who have received a proper moral education would be able to derive pleasure from the pleasure of other individuals, or even from the contemplation of the future happiness of humanity, via sympathy. However, in an 1868 letter to Henry Jones, he relates that this is *not* what he had in mind when he wrote that 'the general happiness is a good to the aggregate of all persons':

> As to the sentence you quote from my 'Utilitarianism'; when I said that the general happiness is a good to the aggregate of all persons I did not mean that every human's happiness is a good to every other human being; though, I think, in a good state of society and education it would be so. I merely meant in this particular sentence to argue that since A's happiness is a good, B's a good, C's a good, &c., the sum of these goods must be a good.[19]

Now admittedly, if you read it literally enough, nothing Mill says in this letter is inconsistent with Millgram's interpretation. Mill leaves open the possibility that in the future each person's happiness might be a good to everyone else, and that is all Millgram needs. However, it would be disingenuous for Millgram to make this point, for the implication of Mill's answer to Jones is clear: no interpretation of the passage from *Utilitarianism* in question that turns on the idea of every person's happiness being a part of every other person's can be the right one.

How then should we understand Mill's move from the desirability of happiness to the desirability of the general happiness? Commentators usually take Mill to use 'the general happiness' to refer to the maximization of the sum-total amount of happiness enjoyed, as was noted above. Even if he does not use the language of happiness-maximization very frequently, it is still reasonable to think that this

[19] *The Later Letters of John Stuart Mill: 1849 to 1873*, ed. John M. Robson (Toronto, 1972), *Collected Works of John Stuart Mill*, xvi. 1414.

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is the ultimate *telos* of his utilitarianism.[20] He does say, after all, that the 'utilitarian standard' is the 'greatest amount of happiness altogether'.[21] How does he justify this aggregative utilitarianism? Introspection reveals to us that happiness is desirable as such; everyone has reason to desire it for themselves.[22] But if happiness is desirable as such, then for Mill it follows that 'equal amounts of happiness are equally desirable, whether felt by the same or by different persons'.[23] In other words, happiness should be promoted impartially. Stronger and weaker understandings of impartiality are available here. A weaker understanding might say only that if it is possible to pair the individuals present in two states of affairs in such a manner that for each pair both members enjoy equal amounts of happiness, regardless of who they are or how they differ in other respects, then those states of affairs are equally desirable. This leaves open the possibility that a state of affairs might be more desirable than others which contain equal or even greater amounts of happiness, because of differences between them in how happiness is distributed. To defend this kind of weak impartiality, however, one would have to suppose that something other than happiness, for example equality or fairness, has intrinsic value – at least when it is realized in distributions of happiness. Since Mill thinks that only happiness itself has intrinsic value, however, he conceives of impartiality in stronger terms, taking it to mean that in deciding who will receive additional units of happiness we should not even show a preference for those who at present enjoy little happiness over those who already enjoy a great deal. This conception of impartiality entails that states of affairs should be evaluated only on the basis of how much happiness they contain.[24] Admittedly, it does not look like this argument involves any further 'real' practical inference beyond those that establish that happiness and only happiness is desirable as an end, so there is no additional instance here of Mill relying on a non-instrumental practical inference.[25]

[20] Cf. Christopher Miles Coope, 'Was Mill a Utilitarian?', *Utilitas* 10 (March 1998), pp. 33–67.

[21] *Utilitarianism*, *CW*, x. 213. II/9.

[22] This reading is similar to that advanced by Sayre-McCord, pp. 342–59.

[23] *Utilitarianism*, *CW*, x. 257–8n. V/36.

[24] Cf. John Skorupski, *John Stuart Mill* (London, 1989), pp. 308–13.

[25] While this seems right as far as it goes, however, it does not fully explain Mill's language in *Utilitarianism* or his letter to Jones (cf. Sayre-McCord, who apparently thinks otherwise). While I cannot defend, or even properly explain, this suggestion here, it seems to me that the true meaning of both passages turns on the fact that Mill is a utopian of a sort. As such, he believes that part of what is involved in maximizing happiness is doing whatever is humanly possible to create conditions in which everyone is able to lead a happy life. This comes out very clearly, for example, in the often overlooked middle portion of chapter II of *Utilitarianism*, between the discussion of the higher pleasures and his first discussion of moral rules. It is not difficult to suppose that in talking about

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Mill's decided-preference test, however, is another such instance. Millgram's way of construing this test is unconvincing. Even in the domain of pleasures – which, as was noted above, is the only domain in which Mill indicates that the test can legitimately be applied – he takes Mill to maintain that the preferences of the competent judges actually make it the case that some are of higher quality than others. A more plausible construal is that Mill sees the relative desirability of pleasures as an independent matter of fact, of which the preferences of competent judges again provide *evidence*. This reading is far more congruent with what we have already seen to be the most plausible understanding of Mill's move from the desire for happiness to its desirability, and Millgram's reading is not forced on us by the text. When Mill says that from the 'verdict of the only competent judges, I apprehend there can be no appeal', there is no need to take him to be saying any more than that this is the best evidence available, even though it is still in principle defeasible. This is why Mill intends the test only as a means of judging the qualities of pleasures; it is only in this 'internal' domain that the preferences of the experienced *are* the very best possible evidence of desirability. But of course, if the preference of the competent judges is only *evidence* that one pleasure is of higher quality than another, this means that in moving from their preferences to judgements about the relative desirability of different pleasures we are drawing an inference, one that has nothing to do with finding means to ends. Again, Mill does not fit the instrumentalist box into which Millgram wants to place him.

V. CONCLUSION

The goal of this essay has not been to defend instrumentalism, but rather only to prevent the publication of a highly misleading interpretation of Mill from passing uncontested. Although Mill is at the very centre of Millgram's discussion, he serves merely as an illustration. That Millgram's reading of Mill is defective does not refute the reasoning he gives for why instrumentalism is incoherent, let alone entail that this conclusion is false. The fact that Millgram's carefully chosen example of an instrumentalist turns out not to be one, however, might well make us wonder whether true instrumentalists could be

the 'general happiness' he conflates the idea of a state of affairs in which happiness is at a maximum and that of one in which everyone is able to be at least reasonably happy. (This last sort of state is surely what the phrase 'the general happiness' most naturally suggests.) On this supposition, it is unsurprising that Mill would state that the general happiness is a good to the aggregate of all persons. This supposition fits well with the letter to Jones as well, if 'sum' is taken not in a strictly arithmetical sense but rather in the sense of union or combination.

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scarcer than we tend to imagine. Could it be that, on closer inspection, many of the usual suspects will turn out not to subscribe to the view after all? Instrumentalism is sometimes called the 'Humean theory' of practical reason, yet no lesser light than Millgram himself has written that 'linking Hume's name with instrumentalism is as inappropriate as linking Aristotle's'.[26] Perhaps, then, we cannot even feel confident about describing Hume as a Humean. But if not Hume, then whom? It would surely be going too far to suggest that Millgram is wrestling with a straw man, but maybe he is not tackling quite so many opponents as one might initially suppose.[27]

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[26] Millgram, 'Was Hume a Humean?', *Hume Studies* 21 (April 1995), pp. 75–93. Millgram maintains that Hume is a complete sceptic about practical inference, and hence that he does not even recognize the legitimacy of means–end practical inference.

[27] I would like to acknowledge the valuable comments that I received on this article from Roger Crisp, Ben Eggleston, Melissa Longo, Jonathan Mandle, Yvette Pearson and John Skorupski. An earlier version was presented at the 2003 International Society for Utilitarian Studies Conference, 10–13 April, Lisbon, Portugal.

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