

# The Palgrave Macmillan John Stuart Mill

A British Socrates

Edited by

Kyriakos N. Demetriou and Antis Loizides



John Stuart Mill

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Kyriakos N. Demetriou and Antis Loizides

*Department of Social and Political Sciences, University of Cyprus, Cyprus*

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# Preface and Acknowledgements

The idea of putting together a volume on John Stuart Mill's Socratic bent of mind came up during a conference on Mill's political thought held in Cyprus in June 2011. Three papers presented at the conference are published here, revised and extended. The conference was co-funded by the Department of Social and Political Sciences, University of Cyprus, Cyprus, and by the Cyprus Research Promotion Foundation. We are thankful to both institutions for making the conference possible and to all those who helped make this event a great success – more particularly, Marina Soteriou, Savvas Katsikides, Costas Melakopides, Costas Constantinou, and Stamatoula Panagakou.

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# Abbreviation

*CW* Robson, J.M. *et al.* eds. (1963–91) *The Collected Works of John Stuart Mill*, 33 vols (Toronto; London: University of Toronto Press; Routledge and Kegan Paul). References to this edition are made by title of essay or book, followed by publication date, volume number (in Latin numerals) and page number (in Arabic numerals). For example, J.S. Mill, *On Liberty* (1859), *CW*, XVIII.251.

ἐὰν γὰρ ἐμὲ ἀποκτείνητε, οὐ ῥαδίως ἄλλον τοιοῦτον εὕρησете, ἀτεχνῶς, εἰ καὶ γελοιότερον εἰπεῖν, προσκείμενον τῇ πόλει, ὥσπερ ἵππῳ μεγάλῳ μὲν καὶ γενναίῳ, ὑπὸ μεγέθους δὲ νωθεστέρῳ καὶ δεομένῳ ἐγείρεσθαι ὑπὸ μύωπός τινος· οἷον δὴ μοι δοκεῖ ὁ θεὸς ἐμὲ τῇ πόλει προστεθεικέναι τοιοῦτόν τινα, ὃς ὑμᾶς ἐγείρων καὶ πείθων καὶ ὀνειδίζων ἕνα ἕκαστον οὐδὲν παύομαι τὴν ἡμέραν ὅλην πανταχοῦ προσκαθίζων.

For if you kill me, you will not easily find another person like me, who in sober truth (though it may sound ridiculous) am sent by the god to this city, as to a strong and generous horse, who is somewhat sluggish from his size, and requires to be stimulated by a stinging insect. The god, as it seems to me, has given me to you as such an insect, to goad you by persuasions and reproaches, settling upon one of you after another.

Plato, *Apology of Socrates*, 30e–31a. Trans. J.S. Mill,  
“Apology of Socrates” (1835), CW, XI.164.

# Introduction

*Kyriakos N. Demetriou and Antis Loizides*

## I

Born in London, on 20 May 1806, John Stuart Mill was the eldest son of James Mill, the author of *The History of British India*.<sup>1</sup> Most sketches of John Mill's life – by himself and by others, then and now – commonly begin with a reference to his father.<sup>2</sup> But Mill's reputation has long surpassed that of his utilitarian predecessors.<sup>3</sup> He is today one of the most studied nineteenth-century British thinkers. His eminence is owed primarily to *On Liberty* (1859), *Utilitarianism* (1861), and *Autobiography* (1873), but also to *The Subjection of Women* (1869), *A System of Logic* (1843), *Principles of Political Economy* (1848), *Considerations on Representative Government* (1861), and *Three Essays on Religion* (1874). Most of these works underwent several editions during his lifetime, and so did the few selected essays which he republished in *Dissertations and Discussions* (1859). However, he is no less remembered as an ardent and devoted advocate of the enfranchisement of women and the working classes, a stern supporter of Irish cultivators of land against absentee landowners and a resolute opponent of slavery and a Member of Parliament for Westminster (1865–8) than as the author of those influential works.

Yet becoming an intellectual in politics was not Mill's intended vocation – at least subsequently to the unofficial commencement of his career at East India Company in 1823 (where, in a career of 35 years, he rose from an unpaid clerical assistant to Examiner of India Correspondence). In 1828, commenting on a recent debate on colonial trade, Mill noted that “[f]or us, if we can contribute in any degree to give the right direction to the opinions of any portion of the public on this question, we shall have effected all that we aim at, and all that is in our power.”<sup>4</sup>

Hence, for many years he would take up the role of a journalist, an expert on economic, foreign and home affairs, a commentator and a critic, trying to stir public opinion to what he considered the “right direction” – alas not always with much success. But when his books on logic and economic theory established him as a pre-eminent intellectual among his contemporaries,<sup>5</sup> his voice was destined to be heard on many other subjects. In a private letter dated 10 May 1865, Henry Sidgwick shared his opinion that Mill “from 1860–1865 or thereabouts he ruled England in the region of thought as very few men ever did.”<sup>6</sup> In 1865, he was fully aware that he was “getting the ear of England,” his only anxiety being “how to make the best use of [his] influence during such years of life & work” as remained to him.<sup>7</sup> And he thought he did. On his deathbed on 8 May 1873, his last words to Helen Taylor reportedly were: “You know that I have done my work.”<sup>8</sup>

Mill’s humble expectations as a young man were expressed in a series of letters to Thomas Carlyle in the early 1830s. He found his “special vocation” in being a “logical expounder,” a Scientist or a Logician – unlike Carlyle, the Artist or Mystic – working on the processes, “the series of steps or links,” of practical reasoning or engaging in “[translating] the mysticism of others into the language of Argument.”<sup>9</sup> In 1833, Mill admitted to Carlyle that he had come to see himself as having nothing else – or not much more – to teach other than “what knowledge *was*, and how it was to be come at.”<sup>10</sup> He originally confined his public role to that of a Socratic, not a “public moralist.”<sup>11</sup> Thus, in 1832, in a letter to William Johnson Fox, Mill claimed that he was not fit to “instruct the general public,” as Fox may have been, “by preaching, public speaking, and popular writing,” and time, he added, only rendered him less and less fit for it. However, he acknowledged that “[t]imes and circumstances may come in which I should probably think it my duty, however unfit, to buckle to the task, and make it [i.e. the instruction of the general public], for the time, the principal aim of my life.”<sup>12</sup>

Time and circumstances eventually combined and Mill buckled to the task. By the early 1850s, Mill found himself with an “abundance of occupation for moral & political teachers” – and by then he aspired to be one of them.<sup>13</sup> Not many “hot” issues would take so much of his time as Ireland did in the 1840s – possibly with the exception of slavery (in and out of the household) – and so, for the next few years, Mill was working on his most important works and the re-publication of his most important essays. Though not much was published in the mid-1850s, *On Liberty*, *Utilitarianism*, “Nature,” “Utility of Religion” and the

*Autobiography* (or “Life,” as he called it then) – just some of the projects he and Harriet Taylor Mill were considering for publication –<sup>14</sup> were already ready or nearly ready in manuscript form, their own pemmican of an intellectual sort, “which thinkers, when they are after us, may nourish themselves with & then dilute for other people.”<sup>15</sup>

However, he had already provided a glimpse of what would become his most important role in “speculation” and in “practice” – that of England’s gadfly. In 1853, on the occasion of reviewing a new volume of George Grote’s monumental *History of Greece*<sup>16</sup> for the *Edinburgh Review*, Mill took the opportunity to remind the public of Socrates, “a man unique in history, of a kind at all times needful, and seldom more needed than now.”<sup>17</sup> Mill’s original remarks on Socrates were even more emphatic, as he stressed the “urgent need, at the present and at all times, of such a teacher.”<sup>18</sup> But Mill was not really optimistic that anyone could play Socrates’ philosophical and broadly intellectual role in Victorian Britain. In 1834, when he began publishing his partial translations of some of Plato’s dialogues – assisting his age to “[read] its Plato anew”<sup>19</sup> – Mill noted that “the union of energy and ardour with knowledge and dialectical skill is a combination too rare in our days to be soon hoped for.”<sup>20</sup> The powers of the logician with a strong desire for the improvement of mankind profoundly co-existed in Mill.<sup>21</sup> That was no accident, no coincidence. Mill was raised on Plato’s dialectic and throughout his life returned for inspiration to “Plato’s pictures of Socrates,” the person who, since his childhood, “stood as a model of ideal excellence” – a fascination with Plato and Socrates that was perhaps the most enduring lesson inculcated in him by James Mill.<sup>22</sup>

On a balance, it thus seems fittingly appropriate when Mill, on the occasion of his parliamentary campaign for Westminster, was praised in the daily press as “one whom in the very largest sense Plato would have called *sophos*.”<sup>23</sup> Moreover, Mill’s shaky beginning at the House of Commons in 1865 led William L. Courtney to compare Mill to the philosopher of Plato’s allegory of the Cave. Courtney wondered whether when “the philosopher of Avignon was called to the House of Commons [...] he was dazzled by excess of light, or bewildered because unaccustomed to the darkness?”<sup>24</sup> Mill undoubtedly tried to break through the darkness, since he sought for, like Plato, nothing less than “a reconstruction of society from its foundations, and a complete renovation of the human mind.”<sup>25</sup> Therefore, Plato’s Socratic objective in his various dialogues, that is “[exposing] the loose, vague, confused, and misleading character of the common notions of mankind on the most familiar subjects,” the groundwork of any reform – social

and private – needed to be done again.<sup>26</sup> Mill took it upon himself to do it.

It is only to the superficial or narrow-minded, Mill argued, that “speculative philosophy [...] appears a thing so remote from the business of life and the outward interest of men.” But in reality, he added, it is “the thing on earth which most influences them.”<sup>27</sup> Therefore, much like his philosophical hero, Mill endeavoured to “[call] philosophy down from heaven, and [place] it in cities, and [introduce] it even in homes, and [drive philosophy] to inquire about life and customs and things good and evil.”<sup>28</sup> His way of doing it involved “placing metaphysical & moral science on a basis of analysed experience, in opposition to the theory of innate principles”<sup>29</sup> – a task for which Mill was preparing since his youth.<sup>30</sup> In a letter to Theodor Gomperz in 1854, Mill expressed no doubt that the school of philosophy – that which holds “[t]he doctrine that truths external to the mind may be known by intuition or consciousness, independently of observation and experiment”<sup>31</sup> – was “the greatest speculative hindrance to the regeneration so urgently required, of man and society.”<sup>32</sup>

Mill firmly believed that “[b]y the aid of this theory [i.e. the theory of innate principles], every inveterate belief and every intense feeling, of which the origin is not remembered, is enabled to dispense with the obligation of justifying itself by reason, and is erected into its own all-sufficient voucher and justification.” By exalting “mere opinion and habit” against “reason and argument” and by claiming “that the existing order of things is the natural order, and that, being natural, all innovation upon it is criminal,” this theory was “the great intellectual support of false doctrines and bad institutions.” For Mill, intuitionism and innatism were doctrines “as vicious in morals, as [...] in physics, and in society and government.” Mill was thus persuaded that “[t]here never was such an instrument devised for consecrating all deep seated prejudices.”<sup>33</sup>

There was only one way to combat and utterly defeat prejudice: public debate of even the most devoutly held opinions. Humankind has a tendency, Mill argued, “to mistake words for things,” that is, “mistaking the accident of language for real relations in nature,” or accepting “traditional opinions and current sentiments as an ultimate fact.” It was extremely common, Mill noted, “to use words glibly, and with apparent propriety, and to accept them confidently when used by others, without ever having had any distinct conception of the things denoted by them.” That is why Commonplace was both Mill’s and (according to Mill) Plato’s Socrates’ real enemy.<sup>34</sup>



Plato, if he returned to life, would be to the full as contemptuous of our statesmen, lawyers, clergy, professors, authors, and all others among us who lay claim to mental superiority, as he ever was of the corresponding classes at Athens; while they, on their part, would regard him very much as they regard other freethinkers, socialists, and visionary reformers of the world.<sup>35</sup>

"Utility," "Justice" and "Liberty" are just some of the words which were used with unsystematic ambiguity in Mill's time. For Mill these words denoted things and concepts that were not associated with ultimate facts but rather remained issues open to interpretation.<sup>36</sup> As such, they should have been treated, "not in a rhetorical, but in a dialectical spirit."<sup>37</sup> And Mill, "a pupil of Plato [...] cast in the mould of his dialectics," insisted on treating disputed questions on any field of philosophical or moral inquiry in this way – even if he sometimes had to invent "imaginary opponents" to do so.<sup>38</sup>

In one of the last reviews Mill wrote, on George Grote's – his father's most devoted "disciple" – *corpus imperfectum*, the *Aristotle*,<sup>39</sup> he repeated his long-cherished belief that there has been no better method than Platonic dialectic for the pursuit of truth.<sup>40</sup> Predictably, Mill repeated that assertion in *On Liberty* and in *Autobiography*. The Socratic *elenchus* – the negative side of Plato's method – could serve as a valuable tool for the deconstruction of "commonplaces of received opinion," by trying to articulate vague generalities in definite terms, in order to convince those who held such commonplaces that they did not really attach any "definite meaning" to, or exhibit any understanding of the evidence of, the doctrines which they claimed to profess.<sup>41</sup> But being encouraged to state one's opinion in definite terms and being able to answer any criticism addressed to it was only one part of Plato's mode of investigation. It was not enough to show that a belief rested on no solid foundation or that it resided partly or solely in error. There was a positive side to Plato's dialectic. Judgements, opinions, doctrines and truths are required to be put on a "proper foundation,"<sup>42</sup> Mill argued, which called for reconstruction as much as deconstruction. Mill thus viewed Plato's method as a twofold process of analysis and synthesis, the process of "decomposition and recomposition, first distinguishing a whole into its kinds or parts, and then looking at those kinds or parts attentively, in such a manner as to extract from them the idea of the whole."<sup>43</sup> Mill owed a great deal to Plato's philosophical method. However, employing the dialectic method on a number of contested subjects of social and political consequence brought Mill – once again like Plato's Socrates – on

a collision course with “the legal authorities and public opinion of his time.”<sup>44</sup> As Plato’s Socrates taught Mill, it takes a sting, not a gentle pat, to awaken a sluggish horse from its slumber of routine. But as “stinging insects” cause irritation and annoyance, and at times even allergic reactions, it is perhaps not so surprising that Mill was not returned to Parliament in the 1868 election.<sup>45</sup>

Thus, had Mill published his *Autobiography* when still alive, he would have hardly been disappointed to read in a review that “if the whole work of his life be examined, it will be found to be eminently destructive but not to contain one practical constructive idea.”<sup>46</sup> Indeed, in a letter to William Johnson Fox in 1834, Mill stated that his recent political commentaries for the *Monthly Repository* had “much of ‘the devil’ in them.”<sup>47</sup> Though suggestive of Mill’s eagerness in introducing *kaina daimonia* (in Mill’s terms, “heterodox speculation”)<sup>48</sup> in public discussion and paying no heed to things revered or long established, this remark primarily intended to show Mill’s commitment to the objectives of Philosophic Radicalism,<sup>49</sup> which were for the most part oriented towards destruction – making an urgent call for extensive reform of educational, social and political practices.<sup>50</sup> What is more striking, Mill in his sixties retrospectively chastised his younger self for not being even more of a radical in asserting his heretical opinions – “almost the only ones” at that time which tended, according to him, “in any way to re-generate society.”<sup>51</sup> In general, the “devil” in Mill’s works would appear at different times throughout his literary career – even in his most abstract works.<sup>52</sup> And many a time he was cast as a dangerous man – for example, many features of *On Liberty* were largely criticized by many quarters or ruthlessly attacked and *The Subjection of Women* was thought to be posing a severe threat to the current state of affairs.<sup>53</sup>

But he would disagree with the second part of the above estimate of his life and works, that is, the claim that they were devoid of a practical and constructive side. Mill was quite able to clothe even his most abstract arguments in practical terms.<sup>54</sup> This was a lesson that Mill learnt from his father’s failures – Mill criticized his father for trusting “too much to the intelligibility of the abstract, when not embodied in the concrete.”<sup>55</sup> Even if Mill was indeed “addicted to large generalizations,” he was often preoccupied with the practical side of specific and specialized issues; the practical implications of abstract subjects or arguments were ever present in his mind – a competence which he attributed at one point to his employment at India House and at another to the influence of his wife. Not only was it imperative to find out how to put “a thought which gives it easiest admittance into minds not prepared for it by habit,” but also to be able to step out of the region of ultimate aims

and walk into what is “immediately useful and practically attainable.” Practicality essentially meant trying “to effect the greatest amount of good compatible with [one’s] opportunities,” without expecting “more from life than it is capable of bestowing.”<sup>56</sup>

Mill was not so much a “Saint of Rationalism,” as William Gladstone used to call Mill in his MP days,<sup>57</sup> but a person willing to fight with all means – equipped with *logos*, *pathos* and *êthos* – for the achievement of a noble end: the “improvement of mankind.” As Herbert Spencer once wrote in a brief sketch of Mill’s character, “[e]xtreme desire to further human welfare was that to which he sacrificed himself.”<sup>58</sup> As Mill wrote in a letter to Alexis De Tocqueville in 1842,

posterity have a right to expect from such men as you, from the nobler & more enlightened spirits of the time, that you should teach to your countrymen better ideas of what it is which constitutes national glory & national importance, than the low & grovelling ones which they seem to have at present.<sup>59</sup>

Mill did try to live up to that expectation. But his position at India House provided him with quite limited opportunities to “effect good” on a wider scale, yet his works did function as an inspiration for people in his time and ever since. Had Mill remained active solely as a logician or an economist, he would have attracted little interest today. But because of his political and moral works, he is rarely – if ever – ignored in contemporary moral and political thought. In October 1861, Mill brought forward for public scrutiny a series of essays under the title “Utilitarianism,” just two years following the publication of his most controversial work, *On Liberty*. A hundred and fifty years since, these two works – in conjunction with other influential pieces in his bibliographical corpus – still stir up and excite debate. And though Mill scholarship today is still much preoccupied with trying to define Mill’s “real” creed – incidentally, another similarity with the Platonic Socrates and Plato himself – that is, being preoccupied with defending Mill as a consistent thinker and/or a utilitarian, his most Socratic characteristic was his commitment to “waking up” his peers from the slumber of custom and routine, struggling to inculcate in them a warm affection for the public good.

## II

Not only does this volume aim to bring out the inquisitive and multi-faceted aspects of John Stuart Mill’s mode of philosophizing, but also

to explore various components and dimensions of Mill's thought, intellectual development, influence and reception. The contributors to this volume discuss, among others, Mill's ideas on political participation, democracy, liberty, justice and foreign policy. His conception of happiness and self-development, as well as his role as a philosopher in British politics, are shown to be heavily indebted to the Socratic *elenchus* and Plato's dialectic method. As the brief accounts of what comes next illustrate, this volume does not aim simply to fill in a gap in critical attention to Mill as "England's gadfly" (Varouxakis and Ryan) and Mill's classical Greek influences (Urbinati, Loizides, Riley and Demetriou) as inspired by Plato's "image of Socrates," but also to explore other aspects of Mill's Socratic bent of mind. For example, as was already noted, Mill considered Socrates' *elenchus* and Platonic dialectic to be the greatest gift that Plato's dialogues bequeathed to posterity, if applied to questions of happiness, justice, equality and liberty (Rosen); likewise, as in the case of studies in the reception of Socrates (and Plato), exploring the reception of Mill tells us as much about what is being read as about those who do the reading (Giorgini and Molivas).

In Chapter 1, Frederick Rosen examines Mill's analysis of logical fallacies, as part of his "Philosophy of Error," which was developed in *A System of Logic, Ratiocinative and Inductive* (1843). First, Rosen goes through the possible influences and sources of Mill's discussion of logical fallacies. Then, he discusses how the "Philosophy of Error," and the study of logic more generally, is the foundation for the search of "truth" and points out the implications of the "Philosophy of Error" for liberty. As Rosen suggests, the study of logic should not be out of the reach of ordinary individuals – without compromising its scientific integrity. This thesis is indicative of Mill's foundational principle in political philosophy: logic was the intellectual apparatus that would assist in the "complete renovation of the human mind" and the "reconstruction of society" he so eagerly sought to achieve.

In Chapter 2, Nadia Urbinati focuses on Mill's reinterpretation of the Socratic method. For Mill, Urbinati argues, Socrates' method was a protective device against indirect forms of interference or doctrinal inculcation of truth: through dialectic experience or pedagogy individuals become agents of critical reflection and understanding. Influenced by the Socrates projected within the Romantic circles, Urbinati argues, Mill threw off his sectarian attitude towards public debate and adopted a mode of life in which the truth was associated with an honest critical understanding of one's own beliefs. Urbinati traces Mill's transformation from a Sophist to a Socratic through a process of reading Plato's

dialogues, drawing the distinction between Mill's own understanding of dialectic method compared to James Mill and George Grote.

As Antis Loizides discusses in Chapter 3, recent scholarship re-evaluates Mill's discussion of an "Art of Life" and highlights its centrality to the notion of happiness. However, though its importance has been correctly insisted upon in later years, the direct connection of Mill's "Art of Life" to the Socratic tradition of the "Art of Living" has been completely ignored. By making use of Mill's reading of Plato's *Gorgias*, Loizides moves on to an analysis of three major interpretative approaches to Mill's "Art of Life" – Alan Ryan's, Jonathan Riley's and Wendy Donner's. Such a comparative analysis brings to the fore the relation of the constituent parts of Mill's "Art" (morality, expediency and aesthetics) with one another and highlights another aspect of this "Art" that has been overlooked: a particularly "Greek" use of the concept of *kalon* (the beautiful, fine or noble) in his discussion of aesthetics.

In Chapter 4, Jonathan Riley takes a closer look at Mill's Greek ideal of self-development, identifying two components: self-assertion and self-denial. Riley then focuses on Mill's attempt to find the proper balance between individual liberty (doing as one pleases in what only concerns herself/himself) and acquiescence to recognized moral and legal rules (doing as one is expected in what concerns others). The idea of liberty as doing whatever one pleases is associated with a kind of well-developed character that takes pleasure in fulfilling one's moral duties, especially obeying the moral rules of justice. In this way, Riley points out that for Mill the idea of a well-developed character was influenced by the Romantic notion of the *kalokagathos*, the individual that is both beautiful (*kalos*) and good (*agathos*) by cultivating sensibility as well as reason. Thus, Riley brings to light the relation between Mill's "Greek ideal of self-development" and his hedonistic idea of happiness.

Georgios Varouxakis, in Chapter 5, discusses Mill's role as England's gadfly with regard to British foreign policy. Exploring a rather neglected aspect of Mill's didactic and parliamentary careers, Varouxakis shows how Mill tried to defend unpopular and often unorthodox views, which not only were on the verge of being effectively considered "un-English" but also often surprised even his Radical partners, on a number of contemporary debates: national security and defence, military systems, non-intervention, international maritime law, pacifism, international arbitration and others. Mill, according to Varouxakis, was not "a thorough party man," but his radical predilections never came into doubt – either by himself or his contemporaries. As Varouxakis argues, Mill's was a characteristic case of "dissidence of dissent."

Like Rosen and Urbinati, Alan Ryan, in Chapter 6, is concerned with the Socratic element in Mill. However, rather than focusing on Mill's intellectual development or on his work on logic, like Varouxakis earlier, Ryan explores Mill's didactic and parliamentary careers. Mill, as Ryan argues, went on to practise Socrates' vision of statesmanship as being engaged in *soulcraft* rather than *statecraft*. Focusing on Mill's major works and his attempt to counter intuitionism at every front possible, Ryan is particularly interested in exploring whether Mill's political passion as "a radical and democrat" rendered him a "worse" philosopher than he might have been if he had been less of "a violent and even an acrimonious partisan." At the same time, Ryan considers whether Mill's eminence had a negative impact on his political aspirations, especially as some of his contemporaries seemed to believe that Mill was "spoiled" by being placed in Parliament.

Kyriakos N. Demetriou, in Chapter 7, revisits the George Grote–John Stuart Mill relationship through their respective views on classical republicanism and Athenian democracy. Originally, as Demetriou argues, the Philosophic Radicals had no need to invoke Athens in their political rhetoric, given the "defects" of its democracy – including the constraints imposed on individual liberty. However, associating democratic governance with personal self-definition and charismatic individuals with public deliberation, George Grote went on to defend the Athenian constitutional reforms against their conservative critics – it being at the same time a masked defence of corresponding Radical aspirations. According to Demetriou, even though Grote's Athens offered a historical example which largely informed Mill's argument in his political works, the two Radicals eventually developed distinct political outlooks.

By examining Isaiah Berlin's and Quentin Skinner's readings of John Stuart Mill's *On Liberty*, in Chapter 8, Giovanni Giorgini focuses alternately on conceptions of "negative" and "positive" liberty. Mill in Berlin, Giorgini argues, appears as a proponent of negative liberty – liberty as the absence of interference. Unlike Mill's, Berlin's negative liberty according to Giorgini entails a plurality of values, but what is more important, like Mill's, Berlin's liberty as non-interference becomes a part of an individual's happiness and her/his ability to choose and pursue her/his own ends. However, Skinner questions the assumption that negative liberty should be conceived as absence of interference and suggests that there is a distinct theory of negative liberty as non-domination. Giorgini argues that just as Berlin's conception of negative liberty developed against the background of totalitarianism, so did Skinner's develop

against the background of narrow conceptions of negative liberty of “cold war” liberals.

The final chapter (Chapter 9) by Gregory Molivas takes on a similar task: John Rawls’ reading of Mill’s *Utilitarianism*. However, unlike Giorgini, who contextualizes Berlin’s and Skinner’s interpretations of Mill’s *On Liberty*, Molivas explores the relation between Rawls’ standard rejection of utilitarianism and his particular comments on Mill. According to Molivas, Rawls considers Mill’s theory as a version of comprehensive liberalism based on individuality and recognizes Mill’s concept of the unity of our species as essentially similar to his own difference principle. But Rawls also associates the Millian notion of higher pleasures with a kind of lexicographic solution to the priority problem of values. Rawls’ standard rejection of utilitarianism is based on his description of it as a monistic theory and what he saw as its inability to respect the separateness of persons. However, as Molivas argues, given Rawls’ own reading of Mill, both objections become null and void against Mill.

## Notes

1. J. Mill (1818).
2. J.S. Mill, *Autobiography* (1873), *CW*, I.5. For other examples see, J.S. Mill to G.M. Towle, 13 September 1869, *CW*, XVII.1641; Fox Bourne (1873a: p. 5); Bain (1882b: 1); Courtney (1889: 11). See also, Packe (1954: Ch. 1); Capaldi (2004: Ch. 1). The exception is R. Reeve’s *John Stuart Mill: Victorian Firebrand* (2007), which begins with Mill’s youthful neomalthusian activism.
3. He thus became “a successor worthy” of James Mill, and Jeremy Bentham (see J. Mill to J. Bentham, 28 July 1812, in Bain, 1882a: 119–20).
4. J.S. Mill, “Intercourse between USA and West Indies” (1828), *CW*, VI.147.
5. The “whole generation” of economists after the appearance of Mill’s *Principles* were famously called “men of one book” (Foxwell, 1899: lxxviii); it would not be an exaggeration to say the same for the logicians with regard to Mill’s *Logic* – some did say it (e.g. Hisrt, 1927: I.22). See Marchi (1974: 119, 154).
6. H. Sidgwick to C.H. Pearson, 10 May 1865 (Bodleian MS. Eng. Letters d. 190; 170 in Schultz, 2004: 141 (744n9)). See also the notice on Mill’s influence for “men under forty” in *The Reader*, 18 April 1863, p. 373. See also, H. Fawcett (1873: 74–80).
7. J.S. Mill to M. Kyllmann, 30 May 1865, *CW*, XVI.1063n4.
8. Packe (1954: 507).
9. J.S. Mill to T. Carlyle, 17 July 1832, *CW*, XII.113; 2 August 1833, *CW*, XII.173 and 2 March 1834, *CW*, XII.219.
10. J.S. Mill to T. Carlyle, 5 October 1833, *CW*, XII.181.
11. Not only are Mill’s letters to Carlyle evidence of his modest aspirations to confine his public role to that of a Socratic, but also, most importantly, his

- youthful involvement with debating societies, which reproduced, to a great extent, the ancient intellectual contests which kept "the minds of aspiring persons [...] perpetually on the stretch" (J.S. Mill, "Grote's Aristotle," *CW*, XI.506, 507–10; see also *On Liberty* (1859), *CW*, XVIII.251; "On Genius" (1832), *CW*, I.334–6; "Civilization" (1835), *CW*, XVIII.139–40). For Mill as a "public moralist" in British politics, see Collini (1991).
12. J.S. Mill to W.J. Fox, 3 April 1834, *CW*, XVII.97.
  13. J.S. Mill to K.D.H. Rau, 20 March 1852, *CW*, XIV.87. He was after all looking forward to using up the "capital," that is, the "standing [...] among publicists" he received from his *Logic*, "in useful investments;" that is, opinions that "offend and scandalize ten times as many people as [he would] please" (J.S. Mill to H.S. Chapman, 9 March 1847, *CW*, XIII.708–9).
  14. J.S. Mill to H. Taylor Mill, 7 February 1954, *CW*, XIV.152.
  15. J.S. Mill to H. Taylor Mill, 29 January 1854, *CW*, XIV.141–2.
  16. Grote (1846–56).
  17. J.S. Mill, "Grote's *History of Greece* [II]" (1853), *CW*, XI.309.
  18. J.S. Mill, "Grote's *History of Greece* [5]" (16 March 1850), *CW*, XXV.1163.
  19. Borchardt (1946: 1).
  20. J.S. Mill, "Notes on the Newspapers," 20 March 1834, *CW*, VI.194. Twenty years later, Mill still held the same view about the "extreme rarity of men who can reason" (J.S. Mill to J. McNeill, 5 December 1954, *CW*, XIV.246). In one of the letters to Carlyle (5 October 1833, *CW*, XII.181) quoted earlier, during a time he was writing his book on logic, Mill saw his vocation to be similar to that of Socrates of Plato's *Apology*: to teach what he knew, that is, "what knowledge was, and how it was to be come at."
  21. Shorey (1938: 231–2).
  22. J.S. Mill, *Autobiography*, *CW*, I.115, 49. See also, J.S. Mill, *Autobiography* (early draft), *CW*, I.24. The early draft of the *Autobiography* was written between late 1853 and early 1854 (Robson and Stillinger, 1981: xix). It should be noted that J.S. Mill had never considered that there were "two Platos" in Plato prior to the publication of George Grote's *Plato, and the Other Companions of Sokrates* (1865). Like his father (see Grote's note in the new edition of James Mill's *Analysis of the Phenomena of the Human Mind* (1878: I.272n)), John Mill took Plato's method seriously, but the rest were casted aside as mere mockery, arguing that Plato had no "fixed creed" other than "morals are [...] a branch of intelligence" ("Phaedrus" (1834), *CW*, XI.62; "Protagoras," *CW*, XI.61. See also, "Grote's Plato" (1865), *CW*, XI.413). The implications of the two Mills' obsession with Plato for their conceptions of happiness are examined in Loizides (2013, chs. 3 and 7–9), and for their intellectual affinity in Loizides (2012).
  23. *Daily Telegraph*, 24 March 1865, p. 6, quoted in Kinzer *et al.* (1992: 31).
  24. Courtney (1889: 141–2) (see also, Plato, *Republic*, 514a–20a). For Mill's own account of his shaky beginning as an MP see, *Autobiography*, *CW*, I.276–7.
  25. J.S. Mill, "Grote's *History* [5]," *CW*, XXV.1162. See also J.S. Mill to T. Gomperz, 19 August 1854, *CW*, XIV.239. Mill followed his own advice, entering the House of Commons as an apostle, so that he would have not been "deteriorated" by the company he would now have to keep (*Autobiography*, *CW*, I.235). See also J.S. Mill to A. Ruge, 7 February 1867, *CW*, XVI.1234.



26. J.S. Mill, "Grote's *History* [5]," *CW*, XXV.1162–3; cf. *On Liberty*, *CW*, XVIII.251.
27. J.S. Mill, "Bentham" (1838), *CW*, X.77.
28. Cicero, *Tusculan Disputations*, V.10–11.
29. J.S. Mill to T. Gomperz, 19 August 1854, *CW*, XIV.238–9.
30. J.S. Mill to A. Comte, 8 November 1841, *CW*, XIII.489.
31. J.S. Mill, *Autobiography*, *CW*, I.233. See further, J.S. Mill, *An Examination of Sir William Hamilton's Philosophy* (1865), *CW*, IX.141–8.
32. J.S. Mill to T. Gomperz, 19 August 1854, *CW*, XIV.239.
33. J.S. Mill, *Autobiography*, *CW*, I.233; "Whewell on Moral Philosophy" (1852), *CW*, X.179.
34. J.S. Mill, "Inaugural Address at the University of St Andrews" (1867), *CW*, XXI.225; "Grote's Plato," *CW*, XI.403.
35. J.S. Mill, "Grote's *History* [5]," *CW*, XXV.1162; "Grote's Plato," *CW*, XI.387. For the two Mills' and Grote's view of Plato as a radical, see Demetriou (1996). For an example of Mill's reception as a "visionary," that is, quixotic thinker, see H. Reeve (1874: 93).
36. See, for example, J.S. Mill, *Utilitarianism* (1861), *CW*, X.210.
37. J.S. Mill, "Romilly's Public Responsibility and the Ballot," 29 April 1865, *CW*, XXV.1212.
38. J.S. Mill, *Autobiography* (early draft), *CW*, I.24; S. Collini (1984: xiv). As Mill noted, "I feel keenly, with Plato, how much more is to be learnt by discussing with a man, who can question and answer, than with a book, which cannot" (*Hamilton*, *CW*, IX.2–3. See also, Plato, *Phaedrus*, 275d–77a).
39. Grote (1872). For Mill's comment that Grote was "more a disciple of my father than of any one else," see J.S. Mill to T. Carlyle, 2 August 1833, *CW*, XII.170.
40. J.S. Mill, "Grote's Aristotle" (1873), *CW*, XI.509.
41. J.S. Mill, *On Liberty*, *CW*, XVIII.251; *Autobiography*, *CW*, I.25; cf. "Nature" (1874), *CW*, X.373. For the impact of Mill's *On Liberty* on George Grote's *Plato*, see Demetriou (2009).
42. J.S. Mill, *Logic*, *CW*, VIII.1005.
43. J.S. Mill, "Phaedrus" (1834), *CW*, XI.93.
44. J.S. Mill, *On Liberty*, *CW*, XVIII.235 (for Mill's debt to Plato's dialectic, see Loizides, 2013, Ch. 6). However, Mill's career was the reverse of that of Socrates, since Mill started off his interaction with British society with being arrested for distributing neomalthusian propaganda (see the recent account in R. Reeve, 2007: 1–2). Mill's obituary in *The Times* by Abraham Hayward (1873a) referred to Mill's youthful "collision" with the law and was itself an example of Mill's "collision" with the public opinion of his time – the main censures of Mill focused on his views on religion, slavery, birth-control and women (for another example, see Cowell, 1874: 75–93). Especially in relation to the last, Mill was often satirized in the comic press – in prose, verse and humorous drawings during his parliamentary career (Robson, 1990). However, Mill's integrity was never put to doubt, even by the harshest critics. In a very critical review of Mill's life and ideas, the reviewer concludes with the following: "But with all his errors and failures, there were in him the elements of a noble nature – a genuine love of truth, an invincible courage and perseverance in pursuit of it, a cordial desire for the improvement and enlightenment of mankind" (H. Reeve, 1874: 129).

45. J.S. Mill, *Autobiography*, CW, I.288. See further, Kinzer *et al.* (1992).
46. H. Reeve (1874: 128). See also, Hayward (1873b: 676). See further, Stephen (1866).
47. J.S. Mill to W.J. Fox, 26 June 1834, CW, XVII.227.
48. J.S. Mill, *On Liberty*, CW, XVIII.243. In his translation of Plato's *Apology*, Mill left *daimonia* in the original Greek, while suggesting "divinities, daemons, or things related to daemons" as possible renderings in English, while noting "[w]e give this word in the original language, because, as will presently be seen, the argument turns in part upon the vagueness of its signification. There is no word of exactly similar vagueness in the English language" (J.S. Mill, "Apology" (1835), CW, XI.158, 158n).
49. Hamburger (1982: lix). See further Hamburger (1965).
50. See further Kizner (2007: chs. 5–7).
51. J.S. Mill, *Autobiography*, CW, I.237–9.
52. Mill's *Hamilton* gained notoriety by noting in a discussion on the Absolute and Infinite as applied to God: "Whatever power such a being may have over me, there is one thing which he shall not do: he shall not compel me to worship him. I will call no being good, who is not what I mean when I apply that epithet to my fellow creatures; and if such a being can sentence me to hell for not so calling him, to hell I will go" (CW, IX.103).
53. Mill expected the *Subjection* to be "bitterly attacked" – the attack being a proof of its usefulness (J.S. Mill to J.E. Cairnes, 9 April 1869, CW, XVII.1587). For an excellent discussion of contemporary responses to Mill's political works, see Nicholson (1998: 464–96).
54. For the rebuttal to claims such as H. Reeve's (1874: 128) and Hayward's (1873b: 676), which stressed Mill's inability "to grapple with practical legislation or the real business of life," see M.C. Fawcett (1873: 81–7). Generally in Fox Bourne (1873b), the contributors frequently mentioned Mill's ability to apply "philosophical principles to the facts of ordinary life" (e.g. H. Fawcett, 1873: 7).
55. J.S. Mill, *Autobiography*, CW, I.27. John Mill was himself greatly indebted to Alexander Bain for presenting to him a number of examples which made his abstract discussions in the *Logic* more intelligible (*ibid.*: 255n; see also Bain, 1882b: 66; 1904: 145). For Mill's debt to Bain, with regard to the *Logic*, see Robson (1974: lxviii, lxxi–lxxv).
56. J.S. Mill, *Autobiography*, CW, I.87, 197; *Utilitarianism*, CW, X.215.
57. Courtney (1889: 142).
58. Spencer (1873: 42).
59. J.S. Mill to A. de Tocqueville, CW, XIII.536. For an excellent discussion on John Stuart Mill's influence on his countrymen's ideas and actions with regard to international relations, see Varouxakis (2013).

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# 1

## The Philosophy of Error and Liberty of Thought: J.S. Mill on Logical Fallacies

*Frederick Rosen*

### I

Logic lays down the general principles and laws of the search after truth; the conditions which, whether recognised or not, must actually have been observed if the mind has done its work rightly. Logic is the intellectual complement of mathematics and physics. Those sciences give the practice, of which Logic is the theory. It declares the principles, rules, and precepts, of which they exemplify the observance.

Of Logic I venture to say, even if limited to that of mere ratiocination, the theory of names, propositions, and the syllogism, that there is no part of intellectual education which is of greater value, or whose place can so ill be supplied by anything else. Its uses, it is true, are chiefly negative; its function is, not so much to teach us to go right, as to keep us from going wrong. But in the operations of the intellect it is so much easier to go wrong than right; [...] Logic points out all the possible ways in which, starting from true premises, we may draw false conclusions.

Logic is the great disperser of hazy and confused thinking: it clears up the fogs which hide from us our own ignorance, and make us believe that we understand a subject when we do not.

To those who think lightly of school logic, I say, take the trouble to learn it. You will easily do so in a few weeks, and you will see whether it is of no use to you in making your mind clear, and keeping you from stumbling in the dark over the most outrageous fallacies.<sup>1</sup>

These brief passages have been taken from a discussion of logic in J.S. Mill's *Inaugural Address Delivered to the University of St. Andrews* (1867). They contain not only advice to young students as to how to pursue their studies but also allusions to his own intellectual development.<sup>2</sup> Here we find a restatement of his belief in the role of logic in the search for truth, the relationship between logic and other sciences like mathematics and physics, his Socratic belief in looking into and through "the fogs which hide us from our own ignorance," and his acceptance of Aristotelian scholastic logic with its emphasis on avoiding "stumbling in the dark over the most outrageous fallacies."

Mill's major work on logic, *A System of Logic, Ratiocinative and Inductive* (1843) is not as carefully studied nowadays as are his more accessible works, *On Liberty* (1859) and *Utilitarianism* (1861). Despite this recent neglect, there is a considerable body of philosophical literature which concentrates on the *Logic*, as, for example, in the work of Jackson, Anschutz, Ryan, Skorupski, and Scarre, to name a few.<sup>3</sup> Unfortunately, none of these commentators have taken much, if any, notice of the fifth book of the *Logic*, which is a substantial essay concerned with fallacies. Yet, as we have seen in the passages quoted above, Mill seemed to place the detection of fallacies at the heart of the study of logic.

At the time Mill wrote the *Logic*, the inclusion of material on fallacies was somewhat contentious. That the study of fallacies (though often rejected in the modern period) persisted in the early part of the nineteenth century was due to the influence of Aristotelian logic, and, particularly, the influence of Aristotle's *On Sophistical Refutations*.<sup>4</sup> That this study of dialectical argument should accompany the main demonstrative or didactic arguments centred on the syllogism ensured forever, it seemed, that the study of fallacies should form part of logic generally. The scholastic tradition in logic, still followed in English universities in the eighteenth and early nineteenth centuries and enshrined in the textbooks of Robert Sanderson and Henry Aldrich, faithfully repeated the Aristotelian list of 13 fallacies.<sup>5</sup> Instruction in fallacies was doubtless regarded as light and often amusing relief from the otherwise tedious study of the syllogism.

Many modern philosophers, however, had followed their rejection of Aristotelian philosophy generally with a rejection or severe curtailment of the usual treatment of fallacies. Locke's *An Essay Concerning Human Understanding*, for example, not only failed to consider the traditional list of fallacies, but also contained a critique of Aristotle and of the relevance of the syllogism as the instrument of reason and source of knowledge.<sup>6</sup> Traditional logic, for Locke, was regarded as productive

only of useless disputes, which were of little benefit to society. "For notwithstanding these learned Disputants, these all-knowing Doctors," he wrote, "it was to the unscholastick Statesman that the Governments of the World owed their Peace, Defence, and Liberties; and from the illiterate and contemned Mechanic (a Name of Disgrace) that they received the improvements of useful Arts."<sup>7</sup> For Locke, and for others in the eighteenth and nineteenth centuries, the study of problems in logic, and, particularly, those that concentrated on the syllogism, tended to be translated into the study of language and/or psychology. In this development (and Locke's *Essay* is a good example) the traditional exposition of fallacies was omitted, as contributing more to disputes and their enjoyment than to the acquisition of knowledge.

In contrast with the example of modern philosophers rejecting Aristotelian logic and the study of fallacies, as derived from the *Sophistical Refutations*, Mill, as we have seen, fully embraced the traditional study of fallacies. This somewhat unusual starting point for a nineteenth-century philosopher with thoroughly progressive views owed a good deal to Richard Whately's *Elements of Logic* (1826). Whately sought to revitalize the study of logic at Oxford by restating Aristotelian logic in a new context, and, in the process, abandoned what seemed to be the list of Aristotelian fallacies in favour of a new schema. The underlying momentum for the new context might be described as Coleridgean. Whately's *Elements of Logic* and companion work, *Elements of Rhetoric* (1827), were first published in the *Encyclopaedia Metropolitana*, a work inspired by Coleridge to advance progressive views which could be seen as emerging out of traditional thought and institutions.<sup>8</sup> Whately's return to Aristotelian logic, set forth in a contemporary context with modern examples and without the baggage of scholasticism, seemed to be an ideal expression of this vision.<sup>9</sup> I have discussed Mill's encounter with Whately's *Elements of Logic* and his essays on "Bentham" (1838) and "Coleridge" (1840) elsewhere,<sup>10</sup> and I will simply note here that Mill's two essays on the leading British thinkers of the age were written and published at the same time (between 1838 and 1840) as the book on fallacies in the *Logic* was drafted and completed.<sup>11</sup> Mill's retention and development of the study of logical fallacies was linked to his enthusiasm for the belief that the contrary ideas of Bentham and Coleridge might be successfully combined in thought and debate.

There were other factors which might have led Mill to turn to and develop the traditional study of logical fallacies. Jeremy Bentham's *Book of Fallacies* was published in 1824, and Bentham claimed that he was in certain respects the first person since Aristotle to reconsider the forms of

logical fallacies.<sup>12</sup> Although Bentham was strongly criticized by Whately for the one-sidedness of his radicalism (rather than for his treatment of fallacies), Mill thought that Whately was “unnecessarily severe” in his criticisms.<sup>13</sup> As we shall see, Mill also adopted one category from Bentham’s work. However, Mill never fully endorsed Bentham’s study of fallacies and tended to ignore it, as well as George Bentham’s elaborate discussion of fallacies based on it.<sup>14</sup> A more general and pervasive influence of Bentham on Mill’s treatment of fallacies might be found in the conceptions of evidence developed by Bentham in the *Rationale of Judicial Evidence* (1827), edited by Mill.<sup>15</sup>

Mill also might have claimed the authority of Francis Bacon for his approach to traditional logic. Although many philosophers believed that Bacon was the champion of the rejection of the syllogism and of Aristotelian logic generally in favour of a rigorous inductive approach, Mill saw in Bacon a forerunner of his own position that sought to combine induction with syllogistic logic.<sup>16</sup> Bacon argued that, even though traditional logic “has done more to fix errors than to reveal truth,” there was no reason to attack traditional logic or even to challenge the ancient view of logic, as the new inductive system could easily exist side by side with the Aristotelian system.<sup>17</sup> “Let there be therefore, as a boon and blessing for each side, two sources of knowledge and two ways of organizing it; and likewise two tribes of thinkers and philosophers, two clans as it were, not in any way hostile or alien to each other, but linked in mutual support [...]”<sup>18</sup> Furthermore, Mill’s discussion of error, as we shall see, owed a good deal to Bacon’s analysis of “Idols,” and, particularly, to “Idols of the Theatre” in the *Novum Organum*.

Another factor that lay behind Mill’s study of fallacies was his commitment to a Socratic method in philosophy.<sup>19</sup> Mill had been attracted to Socrates, his hero and mentor, from his earliest days. “The Socratic method,” he wrote in the “Early Draft” of the *Autobiography*, “[...] is unsurpassed as a discipline for abstract thought on the most difficult subjects. Nothing in modern life and education, in the smallest degree supplies its place.”<sup>20</sup> After a brief account of the Socratic elenchus, he concluded that, even as a boy, the Socratic method “took such hold on me that it became part of my own mind; and I have ever felt myself, beyond any modern that I know of except my father and perhaps beyond even him, a pupil of Plato, and cast in the mould of his dialectics.”<sup>21</sup> Mill wrote his translations and brief comments on nine Platonic dialogues for the *Monthly Repository* in 1834–5,<sup>22</sup> just prior to his writing the essays on Bentham and Coleridge and the fifth book of the *Logic*. He also would have known that in the *Sophistical Refutations*



Aristotle was reflecting and consolidating the earlier debates between Socrates and the Sophists and others, which appear in these dialogues.

Mill was strongly impressed by Plato's picture in the *Gorgias* and *Republic* "of the solitary and despised position of the philosopher in every existing society, and the universal impression against him, as at best an useless person, but more frequently an eminently wicked one [...]." <sup>23</sup> He adopted Grote's arguments that while Plato might have despised the Sophists, because they were more concerned with appearances than with reality, and took money for their services, they were not the real enemy. The real corruptors of the young were not the Sophists but society itself:

[...] their families, their associates, all whom they see and converse with, the applauses and hootings of the public assembly, the sentences of the court of justice. These are what pervert young men, by holding up to them a false standard of good and evil, and giving an entirely wrong direction to their desires. As for the Sophists, they merely repeat the people's own opinions. <sup>24</sup>

Mill not only adopted Grote's view of the importance of the Sophists to public debate and the role of Socrates in this debate, but, in a review of Grote's posthumously published study of Aristotle, he also acknowledged the importance of the *Sophistical Refutations* in the development of an important aspect of logic and in the pursuit of truth. Even though Aristotle's work was a study of the art of arguing for victory rather than for truth, Mill saw nothing wrong with such public debates so long as they took place within established rules. Furthermore, he believed that Aristotle regarded such exercises in dialectical argument to be valuable in the pursuit of truth. Quoting from Grote, Mill gave three reasons for this belief. <sup>25</sup> First, the debates constituted a kind of mental exercise that was valuable and stimulating. Second, the debates put one in touch with the ordinary opinions held by society, and hence led the philosopher to attempt to understand and modify them. Third, such dialectical debate influenced science and philosophy, encouraging one to look at both sides of questions and to determine which answers were true or false. Mill believed that Aristotle's method in dialectical argument "was greatly in advance not only of his own time, but of ours":

His general advice for exercise and practice in Dialectic is admirably adapted to the training of one's own mind for the pursuit of truth. "You ought to test every thesis by first assuming it to be true, then

assuming it to be false, and following out the consequences on both sides." This was already the practice of the Eleatic dialecticians, as we see in the *Parmenides*.<sup>26</sup>

Mill's study of fallacies was based on the lonely philosophical mission of Socrates and the framework of Aristotle's various categories of fallacies provided by generations of logicians. He proposed a major revision of the Aristotelian categories without rejecting Aristotle's achievement and without abandoning the perspective of the Socratic dialectician on which it was based.

## II

Mill's analysis of fallacies was intended to form part of what he called the "Philosophy of Error."<sup>27</sup> This phrase may seem strange to us, though it would not have been odd for Mill to use it. At the beginning of the book on fallacies, Mill quoted briefly from Malebranche and Hobbes, both of whom wrote on the theme of error.<sup>28</sup> Malebranche, for example, began his *The Search after Truth* as follows: "Error is the cause of men's misery; it is the sinister principle that has produced the evil in the world; it generates and maintains in our soul all the evils that afflict us, and we may hope for sound and genuine happiness only by seriously laboring to avoid it."<sup>29</sup>

For Malebranche, the main source of error was not one that lay outside the individual but was closely connected with the misuse of freedom. This misuse of freedom consisted of a failure to regulate the will in its eagerness to embrace the truth. Such eagerness led one to embrace the appearance of truth and to go beyond the understanding to judge of matters and give consent to the truth of propositions about which one had no clear perception.<sup>30</sup>

According to Hobbes, we might distinguish between falsity and error. Falsity arose from "pronouncing rashly," as when in seeing the sun in the sky and its reflection in the water we say that both are the sun and then conclude that there are two suns. Such a false conclusion was represented by Hobbes as a departure from the agreed conventions of names and not the commission of error. Error arose from our senses and thinking, as, for example, when we saw the sun's reflection in the water, we imagined that it was actually there.<sup>31</sup> The deception here, as in Malebranche, proceeded from within the individual, even though Hobbes did not subscribe to the doctrine of freedom of the will. For Hobbes, error was a deception, to which we consented, that

proceeded from reasoning itself. Such an error was further distinguished from absurdity ("senseless speech"), as when one referred to a round triangle, and so on, which was nonsense rather than error (though often commonly referred to as error).<sup>32</sup>

For both Malebranche and Hobbes, error could be combated by the individual through the exercise of freedom of thought and the use of reason. However, not all philosophers accepted this position. Locke, for example, included a chapter "Of Wrong Assent, or Error" in the *Essay*, which seemed to diminish the scope of freedom and the occasions for error, leading him to the paradoxical conclusion that "*There are not so many Men in Errours and wrong Opinions, as is commonly supposed.*"<sup>33</sup> The conclusion was paradoxical not because Locke believed that we generally knew the truth but despite our ignorance we did not actually make erroneous judgments. For most ordinary people, the need to labour left them unable to consider the validity of the proofs of arguments to establish whether or not they were erroneous or true.<sup>34</sup> For those who had leisure, Locke found them "confined to narrowness of Thought, and enslaved in that which should be the freest part of Man, their Understandings." Required religious observance, it seemed, supplied the opinions of the leisured few and filled up the minds of those who had only a little leisure from the drudgeries of labour. Locke referred to this phenomenon as the propagation of "Truth without Knowledge," "where Men are forced, at a venture, to be of the Religion of the Country; and must therefore swallow down Opinions, as silly People do Empiric's Pills, without knowing what they are made of, or how they will work, and have nothing to do, but believe that they will do the Cure [...]." <sup>35</sup> Furthermore, most people could not follow a syllogism or other process of reasoning, and in this respect "there is a greater distance between some Men, and others [...] than between some Men and some Beasts."<sup>36</sup> Others did not wish to cultivate the understanding due to weakness of will, the "hot pursuit of pleasure," drudgery in their business and domestic lives, laziness, oscitancy, an aversion to books and study, and simply took on trust what they found convenient and "in fashion." They also tended to care for their bodies but not for their souls.<sup>37</sup>

Logic and hence fallacies, for Locke, thus played a small role in the lives of most people. As Locke wrote:

Tis enough for him to obey his Leaders, to have his Hand and his Tongue ready for the support of the common Cause, and thereby approve himself to those, who can give him Credit, Preferment,

or Protection in that Society. Thus Men become Professors of, and Combatants for, those Opinions, they were never convinced of, nor Proselytes to; no, nor even had so much as floating in their Heads: and though one cannot say, there are fewer improbable or erroneous Opinions in the World than there are; yet this is certain, there are fewer, that actually assent to them, and mistake them for truths, than is imagined.<sup>38</sup>

If Locke seemed to provide little scope for the work of the individual logician, and no estimation of that interior freedom apparently necessary to detect errors in reasoning, Mill certainly did. For Mill, however, not all errors were relevant to the study of fallacies. He would not include casual mistakes, such as the incorrect addition of a sum, the remedies for which would be simply paying greater attention and further practice.<sup>39</sup> Nor did he include moral (as opposed to intellectual) sources of erroneous opinions, which were due to indifference to attaining truth on the one hand and bias on the other. Both of these were highly powerful and influential, but, in Mill's opinion, they could not operate on their own. They predisposed one to erroneous opinions, but did not actually determine them. Indifference to the truth led to error, because it prevented the mind from collecting evidence and making careful inductions. Bias would dispose the mind towards accepting erroneous theories, but would not in itself lead to errors.<sup>40</sup>

This analysis of the human condition led Mill to an apparently gloomy conclusion regarding philosophical theories:

The natural or acquired partialities of mankind are continually throwing up philosophical theories, the sole recommendation of which consists in the premises they afford for proving cherished doctrines, or justifying favourite feelings: and when any one of these theories has been so thoroughly discredited as no longer to serve the purpose, another is always ready to take its place.<sup>41</sup>

This apparently endless succession of false and misleading philosophical theories is bad enough, but to make matters worse, those who attempted to use their intelligence to gather and assess evidence and make inferences from such evidence were often "stigmatized" with names like "scepticism, immorality, coldness, hard-heartedness, and similar expressions."<sup>42</sup>

In spite of this view of the human condition, Mill believed that whenever bias operated successfully, it was first necessary to undermine the

understanding. Anyone sufficiently on guard regarding evidence and inference would be able to resist such subverting pressures of bias. As he wrote:

There are minds so strongly fortified on the intellectual side, that they could not blind themselves to the light of truth, however really desirous of doing so; they could not, with all the inclination in the world, pass off upon themselves bad arguments for good ones.<sup>43</sup>

Mill thus proposed an opposing force of the incorruptible intellect that could withstand the presence and influence of bias. There were a few people who could resist the appeal of bias and both the illusions and enticements of fashionable philosophical theories. "If the sophistry of the intellect could be rendered impossible," Mill wrote, "that of the feelings, having no instrument to work with, would be powerless."<sup>44</sup> He did not propose a campaign to eliminate bias; that would have been impossible. Bias was derived from human nature itself. One might have concluded that the inevitability of the succession of one false but fashionable theory after another meant that we were condemned to live wholly in a world of false consciousness. But, as we have seen, Mill allowed full scope for the search for truth in all fields where the intellect might bring enlightenment.

Logic itself would enable truth to be discovered and maintained across all subjects, but the study of fallacies had a special role. It not only supported the pursuit of truth but equally could be used to undermine this apparently endless succession of bogus philosophy based on bias and an indifference to truth. Even though new theories might be waiting in the wings to succeed those discredited by philosophical analysis, the philosophy of error itself might develop and become more widespread, thus limiting the effect of these fashionable theories. For Mill, then, the study of fallacies provided an important ally for philosophical analysis in preparing the mind and assisting in the development of mental habits that protected the individual and enabled one more easily to detect error.

Although Mill's contribution to the "Philosophy of Error" is striking, it is not necessarily original. His depiction of the succession of erroneous philosophical theories might well have been taken from Bacon's "Idols of the Theatre" in the *Novum Organum*.<sup>45</sup> Bacon's depiction of the "various dogmas of philosophies" as "so many stage plays creating fictitious and imaginary worlds" must surely have been Mill's source for his own striking vision of the endless succession of false philosophical theories.

In addition to Bacon, one should also mention the *Port-Royal Logic* of Arnauld and Nicole, which Mill generally regarded favourably.<sup>46</sup> Here one can find an account of fallacies that included, but also looked beyond, the Aristotelian list. The discussion of error sought to account for how one acquired false principles as much as, following Aristotle, how one reasoned incorrectly from these principles. Like Arnauld and Nicole, Mill was also concerned with how self-love, interest, or passion might lead one to adopt various principles, and he was also willing to take up the challenge of understanding such influences or thought from the perspective of fallacious reasoning.

Mill's discussion of the philosophy of error fed into his other writings on numerous levels. To take one example, it enables us to appreciate more fully his analysis of "Of the Liberty of Thought and Discussion" – the title and topic of Chapter 2 of *On Liberty*.<sup>47</sup> This chapter, usually referred to in terms of freedom of expression or freedom of opinion, contains two elements with which freedom is concerned: thought and discussion. It is clear from the opening paragraphs that Mill's philosophy of error was lurking in the background. The pursuit of truth, which liberty would facilitate, was inconceivable for Mill without the presence and beneficial use of error. If liberty was denied, an erroneous opinion could not be exchanged for a true one; but if an original opinion was true, the denial of liberty meant that one could not benefit from "the clearer perception and livelier impression of truth, produced by its collision with error."<sup>48</sup> The study of fallacies was one important way of encouraging the beneficial dialogue between truth and error, which enabled truth ultimately to replace error in inference, deduction, and in argument generally.

Mill also repeated in *On Liberty* his belief that error could be corrected,<sup>49</sup> but there were new elements in his argument that were not present in the *Logic*. On the one hand, consistently with the *Logic*, he could write:

It is a piece of idle sentimentality that truth, merely as truth, has any inherent power denied to error, of prevailing against the dungeon and the stake. Men are not more zealous for truth than they often are for error, and a sufficient application of legal or even social penalties will generally succeed in stopping the propagation of either.<sup>50</sup>

Although Mill continued by qualifying his remarks, he provided here, as in the *Logic*, no assurance that truth would triumph over error. At one point he also alluded to the tiny minority concerned with truth in any

society and the near impossibility of struggling against error among this elite:

[...] for, on any matter not self-evident, there are ninety-nine persons totally incapable of judging of it, for one who is capable; and the capacity of the hundredth person is only comparative; for the majority of the eminent men of every past generation held many opinions now known to be erroneous, and did or approved numerous things which no one will now justify.<sup>51</sup>

Not only do we see in this material an allusion to Bacon's "Idols of the Theatre" and Mill's own use of it, but also to such great figures as Socrates and Jesus who, as individuals, died for truth.<sup>52</sup> One might have expected Mill to endorse the position in the *Logic* regarding the struggle against the endless procession of false philosophical theories and to confirm his ringing statement in the introduction to the *Logic* that logic was concerned with the cultivation and development of one's own thoughts: "If there were but one rational being in the universe, that being might be a perfect logician; and the science and art of logic would be the same for that one person as for the whole human race."<sup>53</sup>

Nevertheless, just following the passage quoted above concerning ninety-nine out of a hundred people, Mill posed a different question and gave to it a very different and apparently more optimistic answer:

Why is it, then, that there is on the whole a preponderance among mankind of rational opinions and rational conduct? If there really is this preponderance – which there must be unless human affairs are, and have always been, in an almost desperate state – it is owing to a quality of the human mind, the source of everything respectable in man either as an intellectual or as a moral being, namely that his errors are corrigible.<sup>54</sup>

One might admit that Mill's assertion of the preponderance of rational opinion and conduct was set forth somewhat tentatively, but still wonder how his belief that error was correctable (a belief at the heart of the philosophy of error and linked to the very idea of liberty of thought) could sustain the thesis that mankind was mainly rational in opinions and conduct. What happened to the moral causes of error, that is, indifference to truth and bias that led so many to accept error?

Mill's sudden ascription of rationality to mankind reveals an important duality in *On Liberty* that fits together only tentatively or, we might

even say, hypothetically. On the one hand, to overcome error, the great thinker must be free to follow his intellect wherever it led. The person who thought for himself or herself, and despite errors, did not give up, was superior to those who held only true opinions due to an indifference to the truth. On the other hand, Mill was not satisfied with the social consequences of what the great thinker might achieve, because this achievement might take place in a society where most people suffered mental enslavement. As Mill wrote:

Not that it is solely, or chiefly, to form great thinkers, that freedom of thinking is required. On the contrary, it is as much and even more indispensable, to enable average human beings to attain the mental stature which they are capable of. There have been, and may again be, great individual thinkers, in a general atmosphere of mental slavery. But there never has been, nor ever will be, in that atmosphere, an intellectually active people.<sup>55</sup>

Clearly, for Mill, in *On Liberty* an “intellectually active people” was as important as that “one rational being in the universe” of the *Logic*. But in *On Liberty* Mill also attempted to bring them together. It is important to be clear about what Mill sought to bring together. O’Rourke has argued correctly against Himmelfarb, Skorupski, and others, who see different and conflicting principles of liberty in *On Liberty*, with freedom of expression being primarily other-regarding, while liberty generally is mainly concerned with self-regarding acts.<sup>56</sup> He has also emphasized not only that freedom of thought is primarily self-regarding but also that it is the driving force behind freedom of expression generally.<sup>57</sup> Thus, for O’Rourke, there is no conflict or inconsistency between the liberty of expression emphasized in Chapter 2 of *On Liberty* and the discussion of liberty generally in that work.

My problem with *On Liberty* is of a different kind. The development of the philosophy of error in the *Logic* clearly adds to and supports O’Rourke’s thesis in showing what Mill meant by the very idea of liberty of thought. My problem arises from Mill’s clear acceptance of the role of the great individual thinker, like Socrates, in a world that despises or rejects such a person. How then did Mill shift the argument from the great thinker to the “average human being”? He did so by again invoking the philosophy of error. All human beings have the capacity to correct error. Indeed, if freedom of thought, and this aspect of it, provides the dynamic for the whole of *On Liberty*, and if such liberty is the only bulwark against the tyranny of the majority, it is no wonder that



Mill remained, as we have seen from the quotations from his *Inaugural Address*, the great advocate of the study of logic. This study, and particularly that of fallacies, is one important way for the logic of Socrates to become that of an average human being. Even if only a few can aspire to greatness in philosophy, everyone is capable of searching out and correcting error. For Mill, therefore, as evident in the *Inaugural Address*, the study of logic is the bedrock of the search for truth generally in any society that values liberty.

### III

If some of Mill's contemporaries, like Whately and De Morgan, were content to expound, more or less, the original Aristotelian list of fallacies,<sup>58</sup> Mill set out an entirely new classification.<sup>59</sup> This classification ultimately created five categories with many forms illustrated within each category. Most of the fallacies of the Aristotelian list reappear in Mill's discussion in various ways, but Mill's aims and treatment of the fallacies were original and distinctive. A full survey of all of the fallacies might be somewhat tedious, so I shall confine myself to a general survey of his main categories and some estimation of his achievement.

Mill reached his five categories by making a series of distinctions between various kinds of belief and argument. The first category was based on a distinction between beliefs held to be true simply and without evidence and those based on inferences from evidence. Fallacies, related to the former, were called fallacies of simple inspection or a *priori* fallacies which were held without direct evidence or experience but created a presumption in favour of a proposition that allowed the holder to discard rules of induction.<sup>60</sup> The six examples given by Mill covered an enormous amount of ground, and Alexander Bain thought that the category might be included in a separate treatise on its own, and, additionally, need not be the special province of the logician.<sup>61</sup>

Let us look briefly at some of the fallacies Mill discussed. The first consisted of mistaking subjective laws for objective ones. This category is somewhat reminiscent of Bentham's dramatic account in *An Introduction to the Principles of Morals and Legislation*, much admired by Mill, of the way most previous philosophers had used subjective ideas as objective principles and foundations for their systems. Bentham mentioned, for example, such common ideas in philosophy and theology as moral sense, common sense, understanding, rule of right, fitness of things, law of nature, law of reason, natural justice, natural equity, good order, truth, and the doctrine of election.<sup>62</sup> Mill had a similar object in

mind at the level of logic in seeking to dismiss much of what he called "intuitionism" in favour of his own empiricism. But he believed, and expressed this belief at a number of points in the *Logic*,<sup>63</sup> that logic could not and need not resolve metaphysical issues or determine fundamental philosophical positions. Nevertheless, the exposure of logical fallacies might undermine such positions and require those who took them to restate or abandon their arguments.

Although Mill fully appreciated this way of thinking among intuitionist philosophers, he turned instead to illustrate the fallacy by considering several popular beliefs where subjective thoughts were wrongly given objective status. For example, he took the common remark "talk of the devil and he will appear" to illustrate how an idea was supposed to establish a reality.<sup>64</sup> The work of alchemists to make gold potable and exploit its miraculous properties, Mill believed, was based on the idea that because gold was considered something precious and to be marvelled at, it must have marvellous properties as a physical substance. The fallacy that wonderful events must have wonderful properties was illustrated by the example of showers of objects falling mysteriously in northern Italy being regarded as *manna* from heaven and eaten avidly by the local population, even though analysis revealed such *manna* to consist of the excrement of insects. So eagerly was the so-called *manna* consumed that it was difficult to obtain samples for analysis.<sup>65</sup>

Mill then went on to consider how this fallacy infected scientific and philosophical thinking. The fallacy consisted in the belief that "our ideas of things must be true of the things themselves."<sup>66</sup> At the level of philosophy one example was the tendency to believe that things that we think of together must exist together, and a second example: that which is inconceivable must be false.<sup>67</sup>

The first part of this fallacy (that A must accompany B because it is involved in the idea of B) was first exhibited, he believed, by Descartes, but was later taken up by Spinoza, Leibniz, and it was widespread in modern German philosophy. Mill then wrote:

I am indeed disposed to think that the fallacy now under consideration has been the cause of two-thirds of the bad philosophy, and especially of the bad metaphysics, which the human mind has never ceased to produce. Our general ideas contain nothing but what has been put into them, either by our passive experience, or by our active habits of thought; and the metaphysicians in all ages, who have attempted to construct the laws of the universe by reasoning from our supposed necessities of thought, have always proceeded, and only

could proceed, by laboriously finding in their own minds what they themselves had formerly put there, and evolving from their ideas of things what they had first involved in those ideas. In this way all deeply-rooted opinions and feelings are enabled to create apparent demonstrations of their truth and reasonableness, as it were out of their own substance.<sup>68</sup>

This passage has been quoted at length to show that Mill regarded any philosophy that did not engage with a rigorous empiricism as being fundamentally flawed. Although a work on metaphysics might be necessary to dispatch that particular doctrine, the analysis of fallacies was intended to undermine particular aspects of it.

Mill illustrated the second part of this fallacy – that things that cannot be conceived together cannot exist together – by using an example taken from Isaac Newton. Newton responded to Descartes' attack on the theory of gravitation on the grounds that the sun could not act upon the earth as it was not on the earth, by supposing that there must exist an ether that filled up the void between the sun and the earth and enabled gravity to operate. Mill quoted Newton, himself, as writing:

That gravity should be innate, inherent, and essential to matter, so that one body may act on another, at a distance, through a vacuum, without the mediation of anything else, by and through which their action and force may be conveyed from one to another, is to me so great an absurdity, that I believe no man, who in philosophical matters has a competent faculty of thinking, can ever fall into it.<sup>69</sup>

"This passage," Mill continued after the quotation from Newton, "should be hung up in the cabinet of every cultivator of science who is ever tempted to pronounce a fact impossible because it appears to him inconceivable."<sup>70</sup> Mill then dealt with a string of *a priori* propositions that did not depend on evidence, for example, matter cannot think, space or extension is infinite, nothing can be made out of nothing. His point was that we do not know if these maxims are true or false, but that they are often presumed to be true merely because we think that they must be so. "A large proportion of all the errors ever committed in the investigation of the laws of nature," he wrote, "have arisen from the assumption that the most familiar explanation or hypothesis must be the truest."<sup>71</sup>

Mill's discussion of the remaining five fallacies in the category of simple inspection ranged widely from common beliefs to scientific and

philosophical theories. He criticized such beliefs as that the lungs of a fox would relieve or cure asthma and that turmeric (which is yellow) was good for jaundice; he rejected the view that some substances bore the “signatures” of the humours, for example, red roses of the blood and flowers of saffron for the bile. There were also extensive criticisms of philosophical doctrines associated with “mysticism” (the Hindu Scriptures, Platonism, and Hegelianism), and also with the Epicureans and Bacon.<sup>72</sup>

Bain was clearly impressed with Mill’s exposition. He regarded Mill as the direct successor to Socrates and Bacon. “Socrates,” he wrote, “was the first person to urge strongly the natural corruption of the human intellect, and the need of a very severe remedial discipline, which, in the shape of personal cross-examination, he was wont to apply to his fellow Athenians.”<sup>73</sup> From Socrates, Bain moved directly to Bacon, whose discussion of the “Idols” in the *Novum Organum* he thought bore a striking resemblance to Mill’s discussion of *a priori* fallacies.

#### IV

Mill’s second major distinction was between those fallacies that arose where evidence was distinctly conceived (categories 2–4) and those where evidence was indistinctly conceived (category 5). He took the name of this last category, “fallacies of confusion,” from Bentham’s *Book of Fallacies*.<sup>74</sup> Mill stated that this class of fallacy occurred where “[...] the source of error is not so much a false estimate of the probative force of known evidence, as an indistinct, indefinite, and fluctuating conception of what the evidence is.”<sup>75</sup> Bain considered this category as “boundless and indefinable.” “No man,” he wrote, “can foreshadow the intricacies, the incoherences, the perplexities, the entanglements, possible to the human understanding.”<sup>76</sup> What was considered under this category by Mill was “extra-logical” and the fallacies could not be absorbed into the main principles of induction and deduction. For Bain, “a considerable stretch of the logician’s province is implied in the taking up of this class of errors.”<sup>77</sup> As with the first category Bain also proposed to consider this one separately, as not wholly part of inductive and deductive logic.<sup>78</sup>

The three classes of examples – ambiguous terms, *petitio principii*, and *ignoratio elenchi* – were familiar parts of Aristotle’s schema of fallacies in thought (*extra dictionem*). But Mill’s grouping them in this larger category of fallacies of confusion gave them an additional importance, not all of which was captured by Bain’s suggestion that they could be

separated from the “boundless and indefinable” mass of fallacies in this category, because they occurred most frequently. Nevertheless, by examining these categories, we shall be able to assess Mill’s own objects with this material.

The first of the fallacies was that of ambiguous terms.<sup>79</sup> This fallacy occurred in reasoning either when there was an ambiguity in the middle term or when terms were used in different ways in premises and conclusions. To illustrate the range of fallacies under this heading, Mill quoted at length from Whately who provided numerous examples of the fallacy. One was the assumption that words coming from the same root necessarily had the same meaning. Hence, the argument – projectors (entrepreneurs) are unfit to be trusted; this man has formed a project; therefore, he is unfit to be trusted – was fallacious because not everyone who developed a project was a projector. Another fallacy displaying ambiguity in the premise and conclusion might be to be acquainted with the guilty is a presumption of guilt; this man is so acquainted; therefore, we may presume that he is guilty. Here, there was a difference in the meaning of “presumption” and “presume.”

Mill devoted a good deal of attention to numerous confusions in philosophy. One was connected with the term “theory,” whose meanings ranged from “a completed philosophical induction from experience,” which was put into a form related to practice so that theory was the explanation of practice. In another and “more vulgar” sense, theory “means any mere fiction of the imagination,” which attempted to explain how a thing might have been produced rather than explaining how it was produced. When an attempt was made to discredit philosophy, theory and theorists in this latter sense were usually the objects of discussion.<sup>80</sup>

The second fallacy was that of *petitio principii*, begging the question, including reasoning in a circle.<sup>81</sup> Mill quoted Whately’s definition of the fallacy – “in which the premise either appears manifestly to be the same as the conclusion, or is actually proved from the conclusion, or is such as would naturally and properly be so proved.”<sup>82</sup> One example, which Mill took from scholasticism, was that the mind always thinks, because it is the essence of the mind to think.<sup>83</sup> The conclusion here was the same as the premise and was fallacious also because of the ambiguity in the term “essence.”

Of the examples where one assumed what was to be proved, Mill drew directly on Bentham’s conception of “question-begging appellatives” in the *Book of Fallacies*. Bentham argued that although *petitio principii* was well known to Aristotle, Aristotle had not appreciated how such a fallacy

could be committed with the use of a single term.<sup>84</sup> Mill (and Bentham) used the example of “innovation” which, when applied to a practice, meant not only novel but also bad (as opposed to “improvement” which also meant novel but good).<sup>85</sup> A defender of a new practice could not object to its being called an innovation, but in the process was forced by the use of the term to accept that it was a bad practice and not worthy of defence. Hence, the use of a single word was made to overrule all of the facts and force a major concession from those who defended a practice.<sup>86</sup>

A final example connected with *petitio principii* was the justification of the doctrine of the social compact or contract in Hobbes and Rousseau, which Mill believed involved reasoning in a circle.<sup>87</sup> The social compact was supposedly based on a promise made by one’s ancestors. Hence, to the question why obey the government formed via the social compact, the answer was given that we should do so because of our promise to obey. But Mill argued that the promise to obey was only based on and was enforceable by the social compact itself. Thus, the argument was circular: why obey the social compact? Because we must keep our promise. Why keep our promise? Because we have agreed to the compact.<sup>88</sup> Mill pointed out that the argument might have escaped such circularity by the additional argument that the compact was enforceable because of its utility, that is, it led to happiness and a better life.

The third fallacy was *ignoratio elenchi*, which consisted of reaching the wrong conclusions from the premises.<sup>89</sup> This differed from the fallacy of ambiguity, where the meaning of the premises was misconceived, or from *petitio principii*, where the conclusion was mistaken for what was to be proved. Mill again turned to lengthy quotations from Whately to illustrate the fallacy, which used numerous but irrelevant means to defeat an opponent and thereby establish one’s own thesis. In his own examples, Mill was more concerned with arguments in philosophy, which he took from Malthus, Berkeley, and others. For example, the argument – that Berkeley’s theory of the non-existence of matter could be defeated by knocking one’s head against a post – ignored or mistook the fact that Berkeley did not deny the experience of the senses, but that he was sceptical of the underlying cause of the appearances suggested by the senses.

The fallacies of confusion thus ranged widely from public debate to philosophical argument, and from a number of propositions, to the deft employment of a single term. In spite of Bain’s remark that the number of fallacies of confusion was endless, he believed that the study of logic could provide some discipline to understand and resist them, and the

exposure of some of the most obvious categories might have "a slightly fortifying influence."<sup>90</sup>

## V

Mill's third distinction among fallacies occurred where evidence was distinctly conceived, as opposed to the category of fallacies of confusion where the evidence was indistinctly conceived. Within this heading he distinguished between inductive and deductive fallacies. For the former (inductive fallacies) he included two categories: fallacies of observation (category 2) and fallacies of generalization (category 3).

Under the heading of fallacies of observation Mill included those arising from non-observation and mis-observation. For the former he distinguished between non-observation arising from overlooking instances and non-observation arising from overlooking circumstances.<sup>91</sup> An example of a fallacy arising from overlooking instances was the use of almanacs for predicting the weather. Even though there were many erroneous predictions each year, there were a few correct ones that sustained the faith in almanacs. The false ones were ignored and people continued to stick to the false prophet through the elimination of chance.<sup>92</sup> Mill emphasized that the greatest cause of this fallacy was "preconceived opinion," which led people not to see pertinent and relevant facts. He surveyed a variety of common opinions and scientific theories to demonstrate the widespread use of this fallacy. He pointed to its employment in religious disputes, where texts, which could not be reconciled with one's views, were simply overlooked, and among historians where various events were seen through preconceived opinions to favour Protestants or Roman Catholics, Royalists or Republicans, and so on.<sup>93</sup>

The non-observation of circumstances was also shown by Mill to be the source of much fallacious thinking. He showed how the false belief in the phlogistic theory of combustion persisted, because no one looked carefully at the gaseous products of combustion. Eventually, chemists were led to the correct explanation that instead of a substance (phlogiston) being separated and released through combustion, a substance was actually being absorbed. Another example was the widespread use of powders and ointments to effect often miraculous cures when other factors were actually responsible for the cure. Mill mentioned the example of John Wesley who believed he had been cured of a malady by the application of a brown paper plaster of egg and brimstone and omitted to reckon the importance of four months' rest, with country air, repose,

asses' milk, and exercise, also prescribed by his doctor. Another example was the widespread use of mercury in America to cure yellow fever, when those to whom it was applied were already cured of the disease.<sup>94</sup>

Fallacies based on mal-observation (as opposed to non-observation) arose not from something not seen or ignored but from something seen wrongly.<sup>95</sup> It occurred primarily where one mistook perception for inference. One important example was the opposition to the Copernican system which was based on the common perception of the sun rising and setting and the stars revolving in the heavens. Mill linked to this fallacy the tendency to mistake inferences for intuitions. A visionary might think that God had spoken directly to him or her, and that this was known by intuition. What was at stake, however, was most likely a number of inferences based on mal-observation. In making this assertion Mill was careful to add: "A caution, therefore, against this class of errors, is not only needful but indispensable; though to determine whether, on any of the great questions of metaphysics, such errors are actually committed, belongs not to this place, but as I have so often said, to a different science."<sup>96</sup> If Mill was reluctant to consider here the great questions of metaphysics and theology, concerned with the existence of God or other supreme principles, he clearly cast doubt on the logical standing of those mystics who claimed direct contact with God on the basis of legitimate inferences from experience.

Fallacies of generalization constituted the second kind of inductive fallacy and the third category in Mill's schema. He stated that these are "the most extensive of all" fallacies, but if the earlier books of the *Logic* were followed, the fallacies should not occur and in this category there would only be mistakes and blunders.<sup>97</sup> He then depicted a number of common examples of types of fallacies that have arisen from a failure to understand and apply the rules of induction.

He began by asserting that certain kinds of generalization must be groundless, because "experience cannot afford the necessary conditions for establishing them by a correct induction."<sup>98</sup> Inferences based on conditions on earth or in the solar system could not be assumed to extend everywhere in the universe. Similarly, despite some exceptions, propositions that asserted a universal impossibility could not be established by induction.

Among particular fallacies, he listed that of mistaking empirical for causal laws.<sup>99</sup> For example, two widely held beliefs in Mill's day were: as blacks have never been as civilized as whites sometimes were, they shall never be so; and as women were supposed to be inferior to men in intellect, they will necessarily be inferior. These beliefs contained



several errors, such as the absence of a comparison of instances or the ascertainment of material facts and the recognition that such instances could not be the basis of causal laws. Another example of this fallacy was that made by "common-sense" people of a "practical" disposition who believed that human beings would continue to act as they did at present. These "common-sense" people wrongly denied the doctrine of the progressiveness of the human species which, despite numerous errors associated with this doctrine, did not assume wrongly that certain behaviour could not occur because it had not previously been exhibited. Mill believed that the doctrine of the progressiveness of the species was an important constituent of social science, and though not a cause of anything, it stood as "a summary expression for the general result of all the causes."<sup>100</sup>

Another fallacy consisted of the confusion of sequence with consequence (*post hoc, ergo propter hoc* – "after this and therefore owing to this").<sup>101</sup> As examples, Mill listed the following: (1) England owed her industrial pre-eminence to restrictions on commerce; (2) the national debt was a cause of national prosperity; (3) England owed her prosperity to the excellence of the Church, Houses of Parliament, legal procedure, and so on. In these examples historical sequences were fallaciously transformed into causal sequences. The fallacy was based on bad generalization *a posteriori* but could exist *a priori* with the latter attempting to explain a complicated phenomenon by a simpler theory than its nature admitted. For example, the belief that all disease depended on a hostile acid or alkali in the chemical composition of the body committed this fallacy. In politics there were doctrines that ascribed absolute goodness to particular forms of government, social arrangements, and even to particular modes of education without any reference to stages of civilization and the character of the societies for which they were intended. This became an important theme later in the *Logic* concerned with the social sciences, but here he discussed aspects of the issues in terms of fallacies.

The remainder of this section was concerned with fallacies associated with analogies and metaphors.<sup>102</sup> These fallacies did not deal with attempts to establish inductions, but operated where a full proof was not a possibility. Mill depicted an argument from analogy as "an inference that what is true in a certain case, is true in a case known to be somewhat similar, but not known to be exactly parallel, that is, to be similar in all material circumstances."<sup>103</sup> All that could be expected from analogies was a small increase in probability, and there were ample opportunities for fallacies.

Metaphors tended to “assume the proposition which they are brought to prove [...]. For an apt metaphor, though it cannot prove, often suggests the proof.”<sup>104</sup> After considering a number of examples, Mill concluded:

A metaphor, then is not to be considered as an argument, but an assertion that an argument exists; that a parity subsists between the case from which the metaphor is drawn and that to which it is applied. This parity may exist though the two cases be apparently very remote from one another [...].<sup>105</sup>

The final category (category 4) contained the fallacies of ratiocination and was derived from the distinction between inductive and deductive fallacies.<sup>106</sup> If inductive fallacies led to fallacies of observation and generalization, deductive fallacies led to fallacies of ratiocination. Mill granted that in the ordinary textbooks of logic fallacies were mainly confined to this category. He, however, devoted only five pages to the topic, referred the reader mainly to discussions in Whately and De Morgan, and claimed that the rules of the syllogism provided almost complete protection against many of the traditional fallacies.<sup>107</sup> Thus, in a curious way Mill managed to agree with those who rejected the separate study of traditional fallacies on the grounds that one needed to study the rules of logic rather than ways of breaking the rules, while at the same time he developed an extensive and novel treatise on fallacies.

## VI

In the *Autobiography* Mill characteristically referred to the *Logic* as supplanting the “opposite doctrine” to the German or *a priori* school of human knowledge. His doctrine “derives all knowledge from experience, and all moral and intellectual qualities principally from the direction given to the associations.” The *a priori* doctrine, “that truths external to the mind may be known by intuition or consciousness, independently of observation and experience,” was considered by Mill “as the great intellectual support of false doctrines and bad institutions.”<sup>108</sup> In the *Logic* Mill particularly sought to clarify the foundations of mathematics and physical science in order to dislodge the *a priori* school from its supposed foundations. Given his belief that intuitionist philosophy had deleterious effects in “morals, politics, and religion,”<sup>109</sup> there may be some justification for Anschütz’s remark to the effect that Mill was fighting a political battle through his logical and metaphysical writings.<sup>110</sup>

But, as we have seen, there was a second theme in the *Logic*, amply illustrated in the fifth book, which suggested that logic served truth rather than one doctrine as opposed to another. Indeed, the material on fallacies established how, between opposing doctrines, the truth might be ascertained, presented, and defended.<sup>111</sup>

Mill's subtle and comprehensive study of logical fallacies took the subject away from the realm of deceitful tricks and a source of amusement for students in an otherwise dull subject to oppose false thinking in philosophy, science, morality, politics, and many aspects of ordinary life. But such false thinking might also be restated in more valid forms, and, as Mill argued against Whately, the detection of fallacies should be but one aspect of the use of fallacies in logic. The other aspect was an attempt to restate the argument without fallacies, to clarify the argument, and further assess its validity. If, in the essays on Bentham and Coleridge, Mill attempted to bring together the opposing doctrines of the two supposedly leading thinkers of the age, in the *Logic* he provided the philosophical reader with some of the equipment necessary to restate, clarify, and assess such opposed ideas.

One need not accept Passmore's view that "there could be no lasting compromise between Mill and the Coleridge school; Coleridge and his followers," he wrote, "were beyond the pale as 'intuitionists' – Mill's favourite term of all-encompassing abuse [...]." <sup>112</sup> Although Mill consistently rejected intuitionism in philosophy, he found much to admire in Coleridge's ideas: the emphasis on the history of countries and institutions as keys to understanding their character, the admiration of Bacon, placing the pursuit of truth above a blind adherence to religious or philosophical creeds, and a willingness to explore opposing poles in thought and politics to determine the truth. This use of opposing points of view enabled Mill to advance what he called in a letter to the Coleridgean, John Sterling, "a catholic spirit in philosophy" which he felt under "a special obligation to preach."<sup>113</sup> Although one might be somewhat puzzled as to how an emphasis on polarities could generate catholicity or universality in philosophy, Mill probably meant simply that by appreciating opposing sides of issues, one could approach more closely to a universal perspective than if one saw the world simply from one perspective. To take a practical example, Mill dealt with the opposing poles in politics of cosmopolitanism on the one hand and nationalism on the other by arguing for a principle of cohesion within society, which did not embrace a hatred of foreigners, an indifference to humanity, or the preference of the national interest over the human race in general. Mill thus

attempted to draw from the polarities a new perspective – what has been called “universalist cosmopolitan patriotism,” which was uniquely his and arguably closer to the truth than either cosmopolitanism or nationalism.<sup>114</sup>

Mill’s account of fallacies and, indeed, the study of logical fallacies generally are not now in fashion. As a faithful follower, Bain, with some exceptions, treated Mill’s approach to fallacies in his own study of logic with great respect.<sup>115</sup> Nevertheless, many others who followed Mill were not as dutiful. In spite of their widespread critique of Mill’s logic, Idealist philosophers wholly ignored the material on fallacies. For F.H. Bradley, Bosanquet, and Green, the truth seemed to dwell in the realm of metaphysics, for which the study of fallacies in Mill’s version (and apparently in any other version) was not appropriate.<sup>116</sup> When H.W.B. Joseph wrote his *Introduction to Logic* early in the twentieth century, he was not convinced that the study of fallacies should be part of logic. He argued that logic was like mathematics and that there were not two ways of thinking about mathematics. If logic was an empirical science, like psychology, one might argue that the study of fallacies was like studying mental illness as a distinct phenomenon within a larger science of psychology.<sup>117</sup> Nevertheless, Joseph decided to include an “Appendix” on fallacies and to repeat the traditional 13 fallacies originally set forth by Aristotle. He justified this move on the grounds that it had tradition in its favour and would enable students to understand the language of fallacies which remained in common use. “And if we consider not the enumeration of types of fallacy, but their classification,” he wrote, “it will appear, I think, that there is no such merit in any alternative scheme as justifies us in sacrificing the advantage of keeping to the standard and traditional scheme of Aristotle.” Mill’s scheme was consigned to a brief footnote, where a question was raised as to whether or not the *a priori* fallacies were actually fallacies at all.<sup>118</sup>

The main opposition to Mill’s approach to fallacies, however, came from a different source, which was more indifferent than hostile. This was the development of symbolic logic, and, particularly, the application of algebra to logic. In a recent edition of George Boole’s *The Mathematical Analysis of Logic*, originally published in 1847, just four years after Mill’s *Logic*, the editor has written:

Boole’s work freed logicians, once and for all, from the endless repetition of a few principles, mostly derived from Aristotle, and, by example, challenged them to develop their subject in new directions. Many gifted thinkers, among them John Venn, William

Stanley Jevons, Charles Sanders Peirce, Ernst Schröder, Alfred North Whitehead, and Bertrand Russell, rose to the challenge, and the vast and autonomous subject of modern logic gradually emerged from their combined efforts. It is a glorious success story.<sup>119</sup>

Mill is excluded from this illustrious list of logicians. And few recent textbooks on logic either mention Mill or discuss fallacies generally.<sup>120</sup> It is fair to say that modern symbolic logic has moved in new directions. Boole, himself, knew Mill's logic and quoted from him at the beginning of his own work to the effect that where possible the mechanical side of logic might employ a technical notation – and where logic did not involve mechanical reasoning, such a technical language should not be employed. Boole accepted this view and wrote that “to supersede the employment of common reason, or to subject it to the rigour of technical forms, would be the last desire of one who knows the value of that intellectual toil and warfare which imparts to the mind an athletic vigour, and teaches it to contend with difficulties and to rely upon itself in emergencies.”<sup>121</sup>

Mill, however, did not appear to accept Boole's comment. When he was asked to respond to the work of Jevons, he replied in a letter that, like Boole and De Morgan, “he [Jevons] seems to me to have a mania for encumbering questions with useless complications, and with a notation implying the existence of greater precision in the data than the questions admit of.” Mill called it “a vice” – a failure, one supposes, of intellectual virtue. He depicted this vice as “one preeminently at variance with the wants of the time, which demand that scientific deductions should be made as simple and as easily intelligible as they can be made without ceasing to be scientific.”<sup>122</sup> In a note added in 1856 to the *Logic*, commenting on the work of De Morgan,<sup>123</sup> Mill also criticized the use of technical forms in logic as ruling out the study of fallacies, which were concerned with “the incautious use of the common forms of language.” The consequence was to leave “the enemy [...] in possession of the only ground on which he [the logician] can be formidable.”<sup>124</sup>

Mill's brief comments raise as many questions as they answer.<sup>125</sup> It is arguable that the development of symbolic logic, particularly using algebra and grounded in mathematics generally, was more closely linked to modern science than Mill's own approach. From another perspective, however, modern symbolic logic may be regarded as more conventional and traditional than the logic developed by Mill. Arguably, it replaced Mill's logic of truth with the older view of logic as an art

aimed at consistency in reasoning. Furthermore, Boole's somewhat stoical comments about logic training the mind, though not foreign to Mill, were more appropriate to the teaching of traditional Aristotelian logic. In place of "athletic vigour," Mill (in his *Inaugural Address*) emphasized "making your mind clear and keeping you from stumbling in the dark over the most outrageous fallacies." His metaphors evoke Socratic and Platonic themes concerned with illumination and truth. His object was never to develop a gymnasium of the mind but to suggest that logic was the key to truth in science, morality, politics, and religion, and without logic, we were condemned to dwell in error forever. So strongly was he committed to this Socratic doctrine that he extended it, as we have seen, to his defence of liberty generally in society. He frequently invoked the importance of public debate and the study of fallacies as the best way to keep truth alive and opposed to the parade of false philosophical theories. For Mill, the abandonment of the study of fallacies would not only impoverish the mind but also would diminish the concern with truth. In politics one is left with competing ideologies, but with little ambition to transcend them. Mill's account of fallacies restated such Socratic ambitions in a modern idiom.<sup>126</sup>

## Acknowledgements

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## Notes

1. J.S. Mill, "Inaugural Address Delivered to the University of St. Andrews" (1867), *CW*, XXI.238, 239.
2. See *Autobiography*, *CW*, I.287, where he wrote concerning the *Inaugural Address*: "[...] I gave expression to many thoughts and opinions which had been accumulating in me through life [...]."
3. See Jackson (1941); Anschutz (1953); Ryan (1987); Skorupski (1989); Scarre (1989). For a discussion of Mill on fallacies, see Hansen (1997).
4. See Aristotle (1955: 10–155).
5. See Sanderson (1618); Aldrich (1691). The Aristotelian and Scholastic fallacies are:
  - I. Fallacies in language (*in dictione*):
    - (a) Homonymy (Equivocation): double meaning in a single term.
    - (b) Amphiboly: double meaning in a combination of words or sentences.
    - (c) Conjunction: for example, because 3 and 2 are 5, it does not follow that 5 is two numbers.

- (d) Disjunction: for example, 3 and 2 are 5, but one cannot then say that 5 is both an odd and even number.
- (e) Accentuation: changing the meaning of a sentence by changing the accent on a word, for example, *incense* and *incense*.
- (f) *Figura Dictionis*: similar inflections in unlike things – for example, an African has white teeth and black skin; therefore, he is black and white.

II. Fallacies in thought (*extra dictionem*):

- (g) *Fallacia accidentis* or *a dicto simpliciter ad dictum secundum quid*: assuming that subject and predicate have their attributes in common; taking a predicate as coextensive with a subject when it is not.
- (h) *Fallacia a dicto secundum quid ad dictum simpliciter*: confusion of an absolute statement with a statement limited in manner, place, time, or relation, for example, what you bought yesterday, you eat today; you bought raw meat yesterday; you eat raw meat today.
- (i) *Ignoratio elenchi*: proceeding to argue a different position from that under consideration.
- (j) *Fallacia consequentis, non sequitur*: numerous cases of non-sequitur, for example, rain wets the ground; therefore, wet ground implies that it has rained.
- (k) *Petitio principii*: arguing in a circle and begging the question.
- (l) *Non causa pro causa* (also *post hoc, ergo propter hoc*): an inductive fallacy wrongly attributing to causation what merely occurs in sequence.
- (m) *Fallacia plurium interrogationum*: asking several questions at once in order to confuse.

See Bain (1870: I.275–8); Grote (1880: 385ff); Aristotle (1955); Hamblin (1970: 52ff).

- 6. Locke (1975: 671).
- 7. *Ibid.*: 495.
- 8. See Smedley et al. (1845: I.1–43, 193–240, 241–303).
- 9. Coleridge concluded his “General Introduction, or Preliminary Treatise on Method” which introduced the *Encyclopaedia Metropolitana*, as follows:

Without advocating the exploded doctrine of *perfectibility*, we cannot but regard all that is human in human nature, and all that in nature is above herself, as together working forward that far deeper and more permanent revolution in the moral world, of which the recent changes in the political world may be regarded as the pioneering whirlwind and storm. But woe to that revolution which is not guided by the historic sense; by the pure and unsophisticated knowledge of the past: and to convey this methodically, so as to aid the progress of the future, has been already announced as the distinguishing claim of the *Encyclopaedia Metropolitana*.

(Smedley et al., 1845: I.43)

- 10. See Rosen (2003b, 2010, 2011).
- 11. Robson (1973: xcvi–xcix).
- 12. Bentham (1824: 2).
- 13. See Whately (1975: 194n–5n); *CW*, XI.31.
- 14. See G. Bentham (1827: 220ff).

15. See Bentham (1827); Kubitz (1932: 51–2).
16. J.S. Mill, “Whately’s *Elements of Logic*” (1828), *CW*, XI.12–13.
17. Bacon (1994: 38).
18. *Ibid.*: 40.
19. See Urbinati (2002: 142–3).
20. J.S. Mill, *Autobiography*, (1873), *CW*, I.24.
21. *Ibid.*
22. See J.S. Mill, “Notes on Some of the Most Popular Dialogues of Plato” (1834–35), *CW*, XI.37–238.
23. J.S. Mill, “Grote’s Plato” (1866), *CW*, XI.399.
24. *Ibid.*: 400.
25. J.S. Mill, “Grote’s Aristotle” (1872), *CW*, XI.508.
26. *Ibid.*
27. J.S. Mill, *A System of Logic, Ratiocinative and Inductive* (1843), *CW*, VIII.737.
28. See *ibid.* intro. (quotation).
29. Malebranche (1997: 1).
30. *Ibid.*: 16.
31. Hobbes 1997: I.55–6.
32. See *Ibid.*: III.32.
33. Locke (1975: 719).
34. *Ibid.*: 706ff.
35. *Ibid.*: 708–9.
36. *Ibid.*: 709.
37. *Ibid.*: 710.
38. *Ibid.*: 719.
39. J.S. Mill, *Logic*, *CW*, VIII.736–7.
40. *Ibid.*: 737–8.
41. *Ibid.*: 738.
42. *Ibid.*
43. *Ibid.*: 739.
44. *Ibid.*
45. Bacon (1994: 55–6); see Urbach (1987: 105–6).
46. See Arnauld and Nicole (1996: 135, 189–203ff).
47. J.S. Mill, *On Liberty* (1859), *CW*, XVIII.228.
48. *Ibid.*: 229.
49. *Ibid.*: 231.
50. *Ibid.*: 238–9.
51. *Ibid.*: 231.
52. *Ibid.*: 235–6.
53. J.S. Mill, *Logic*, *CW*, VII.6.
54. J.S. Mill, *On Liberty*, *CW*, XVIII.231.
55. *Ibid.*: 243.
56. O’Rourke (2001: 107ff).
57. *Ibid.*: 77ff, 96 and 96n.
58. See Whately (1975: 131–203); De Morgan (1926: 276ff).
59. J.S. Mill, *Logic*, *CW*, VIII.743.
60. *Ibid.*: VIII.741.
61. Bain (1870: II.375).
62. Bentham (1996: 21ff, 26n–7n); see Rosen (2003a: 221ff).



63. E.g. J.S. Mill, *Logic*, *CW*, VII.8–9, 14; VIII.644, 746–7.
64. *Ibid.*: 748.
65. *Ibid.*: 750.
66. *Ibid.*: 751.
67. *Ibid.*: 750.
68. *Ibid.*: 752.
69. *Ibid.*: 754.
70. *Ibid.*
71. *Ibid.*: 756.
72. *Ibid.*: 757ff.
73. Bain (1870: ii.375).
74. J.S. Mill, *Logic*, *CW*, VIII.742; Bentham (1824: 213–58). The name of this class of fallacy had actually been devised by Étienne Dumont for the earlier French edition of this work. See Bentham (1816: II.132ff); Bentham (1824: 10).
75. J.S. Mill, *Logic*, *CW*, VIII.809.
76. Bain (1870: II.376).
77. *Ibid.*: II.375.
78. *Ibid.*: II.376.
79. J.S. Mill, *Logic*, *CW*, VIII.809ff.
80. *Ibid.*: 812.
81. *Ibid.*: 819ff.
82. *Ibid.*: 820.
83. *Ibid.*: 822–3.
84. Bentham (1824: 213); J.S. Mill, *Logic*, *CW*, VIII.823.
85. Bentham (1824: 218).
86. Bentham's theme here reflected his earlier distinction between eulogistic, dyslogistic, and neutral terminology in *A Table of the Springs of Action* (1817), where he argued that the estimation of objects, practices, and theories depended in part on the choice and use of terminology. See Bentham (1983: 1–115, esp. 95ff).
87. J.S. Mill, *Logic*, *CW*, VIII.827.
88. See also Hume (1985: 480ff).
89. J.S. Mill, *Logic*, *CW*, VIII.827–30.
90. Bain (1870: II.386).
91. J.S. Mill, *Logic*, *CW*, VIII.773.
92. *Ibid.*: 774.
93. See *Ibid.*: 776–8.
94. *Ibid.*: 778–80.
95. *Ibid.*: 782–4.
96. *Ibid.*: 784.
97. *Ibid.*: 785.
98. *Ibid.*
99. *Ibid.*: 788–91.
100. *Ibid.*: 791.
101. *Ibid.*: 792–4.
102. *Ibid.*: 794–801.
103. *Ibid.*: 794.
104. *Ibid.*: 800.

105. Ibid.: 801.
106. Ibid.: 803–8.
107. Ibid.: 803. Nevertheless, Mill did consider individually a small number of fallacies of ratiocination. The first was called “fallacies in the conversion and aequipollency of propositions.” A second was the erroneous conversion of a hypothetical proposition. A third was concerned with changing the premises from one argument to another, and was called in Scholastic philosophy “*a dicto secundum quid ad dictum simpliciter*.”
108. J.S. Mill, *Autobiography*, CW, I.233.
109. Ibid.: 233.
110. See Anschutz (1953: 61–2); cf. Scarre (1989: 13–14).
111. For an example of how fallacies might be applied successfully to metaphysics without challenging any ultimate foundations of an opposing school, see CW, IX.424–7.
112. Passmore (1966: 13).
113. J.S. Mill to J. Sterling, 4 November 1839, CW, XIII.411.
114. See Varouxakis (2002: 126).
115. See Bain (1870: I.iv–v, II.374ff; 1904: 299–300).
116. See Bradley (2002); Bosanquet (1895); Green (1886: vol. II).
117. Joseph (1916: 566–7).
118. Ibid.: 574 and 574n.
119. Boole (1998: xi).
120. See, for example, Tomassi (1999).
121. Boole (1998: 2).
122. J.S. Mill to J.E. Cairns, 5 December 1871, CW, XVII.1862–3.
123. J.S. Mill, *Logic*, CW, VII.171n–3n.
124. Ibid.: 172n.
125. See Scarre (1989: 1ff).
126. On Socrates, see further: Urbinati (2002); Irwin (1998); Riley (1996); Demetriou (1996, 1999); Rosen (2004).

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## 2

# John Stuart Mill, Romantics' Socrates, and the Public Role of the Intellectual

*Nadia Urbinati*

John Stuart Mill developed his theory of individuality and the public role of critical knowledge from his lifelong study of the Platonic dialogues and in particular the figure of Socrates, which he elected as both a model for moral life and a precursor of modern moral philosophy. It is no exaggeration to say that Mill contributed to the renaissance of Socratism in the age of Romanticism. Like Georg W.F. Hegel, he interpreted Socratic enquiry as the awakening of individual self-consciousness in history, and like Friedrich D.E. Schleiermacher he situated Socrates' originality in his use of critical analysis for defining the meaning of "general terms" in morals and politics. Mill's attitude towards Socrates signalled, on the other hand, his distance from classical utilitarianism. Unlike Jeremy Bentham, who dismissed the Socratic method as an abstract moral disquisition that underrated "every man's experience," Mill asserted its concreteness, and unlike his father, who used the Socratic dialogue as merely a negative and polemical tool for winning arguments against the interlocutor, young Mill celebrated it also as a searching method for reaching reasonable convictions through dialogue with others.

Beginning with the years of his "mental crisis," the young Mill was in search of a model of an intellectual critic that would fit a government based on consent. He found it in Socrates' cross-examination of ordinary people about their beliefs to make them cognizant of their own potential and dignity as autonomous persons and of the meaning of their beliefs and social conventions. The Socratic maxim "Know thyself" in *On Liberty* (1859) is offered as a practice of self-observation that the individual, "assisted by observations of others," performs to

answer the “peculiar demands of his own nature.”<sup>1</sup> Self-enquiry plays two roles in a free society: as an expression of moral independence and the celebration of the sovereignty of individual judgement and as preparation for communication with others in an open and frank dialogue. Mill’s idea of individual self-development as a good for both the person and the society rested on both dialogic conditions with oneself and others.

### **Forging public speakers and activists**

Some scholars have looked at Mill’s study of Plato as a therapeutic device that helped him overcome his existential and psychological crisis.<sup>2</sup> Plato and Socrates would have helped him to strengthen his conviction that, contrary to Bentham’s narrow consequentialism, moral actions were a matter of character formation not merely of norms and the legal structuring of behaviour. This is a plausible interpretation. Yet it illuminates only part of the picture because it focuses mostly on the contrast between Mill’s and Bentham’s moral philosophy but neglects the role of Mill’s father, except for stressing its authoritarian tutoring.

We tend to forget that Mill’s admiration for Plato antedated his mental crisis and was fully shared by his father as well, who was also “Greek intoxicated.” The culture of the ancient Greeks and Romans was the pillar of Mill’s education since his early childhood. Passion for ancient philosophy and politics united father and child while distancing both of them from Bentham.<sup>3</sup> So it is plausible that one of the reasons young Mill wanted to distance himself from Bentham was Bentham’s explicit impatience with ancient philosophy; but this can hardly be true as far as his relationship with his father is concerned. In fact, Mill’s admiration for the ancients made his relationship with his father complex.

Young Mill invited his reader to tackle his relationship with his father from the perspective of James Mill’s authoritarian pedagogy. His own understandable sentiment of rebellion against patriarchalism has contributed in accrediting this partial picture of the educational role of his father. We know from other sources that James Mill’s “strenuous character” and “colloquial fertility” were able “to exercise a powerful intellectual ascendancy over younger minds.”<sup>4</sup> James’ charismatic personality had enormous influence on the young generation of radicals and moreover dominated Radicals’ politics in the 1830s. “During his later years he was quite as much the head and leader of the intellectual radicals in England, as Voltaire was of the *philosophes* of France.”<sup>5</sup> James

Mill's powerful personality might have made his son's relationship with him more difficult and painful because John Stuart could not simply reject everything he had received from his father. Like the domestic despot in *The Subjection of Women* (1869), James Mill did not spare his son from the bitter experience of subjection but he also gave him the tools for his own emancipation.

While Bentham was the radicals' theoretician, James Mill was their passionate teacher and political leader. He trained his son and his young pupils in the art of disputation for the sake of political struggle. He instructed them to treat their political adversaries as holders of a comprehensive ideology to be opposed in all its facets. James Mill planned the war against the "reactionaries" on many fronts. He organized the utilitarian circle like an army and equipped its soldiers so as to make them capable of disposing of a complete set of weapons: philosophy was the domain of his son, ancient history of George Grote, legal philosophy of John Austin, economics of David Ricardo, and practical or parliamentary eloquence of John Arthur Roebuck. In the strategic organization of this political war of position, to be conducted both in the House of Commons and the public arena of clubs and journals, the knowledge of Sophism and the employment of the Sophist rhetoric played a seminal role.<sup>6</sup>

Eristic and rhetoric were the two arts the young John Stuart was trained to master; he practised both of them from the time of his early manhood. The intense passion for dialectics that he and his radical friends shared makes sense of what Mill said of his own translations of Plato: that he undertook them for "personal satisfaction."<sup>7</sup> He derived equally great satisfaction from his participation in several debating clubs in London, Oxford, and Cambridge, where conservatives and radicals met periodically to discuss on the issues of the day, political and literary, as a way of training.<sup>8</sup>

Why not situate Mill's translation of the Platonic dialogues, and moreover his reflections on Socratism, in the radical movement where he was prominent since his youth? "We associate the philosophic radicals," wrote Arnaldo Momigliano,

with population and taxation problems, with the pleasures and pains of self-interest, and with the refusal to mention good taste. But when John Arthur Roebuck visited the Utilitarian Society for the first time he found its members in a "low, half-furnished, desolate sort of room" discussing "a critique for some review of an edition of a Greek author."<sup>9</sup>

Following Momigliano's suggestion, I propose to relate Mill's elaboration of a Socratic method to his debating activism. My suggestion is that we give more emphasis to Mill the public intellectual not in order to downplay his "mental crisis" but to situate it in the multifaceted context of his life experiences. Actually, by focusing on the radical milieu, we can even better appreciate the distance Mill was able to put between his view of politics and dialogue and those of his father and Bentham. His passion for the "talking world," which was commonly shared by the intellectuals of his generation, was the trait that unified Mill's lifelong career.<sup>10</sup> His mental crisis lessened this passion without ending it. What changed significantly because of Mill's disaffection with radicalism was his style of enquiry. Thereafter he aimed to integrate his father's polemical posture or eristic Socratism with a more sophisticated method that included an analytical scrutiny of others' opinions and his own. In Mill's hands, the Socratic method acquired a novel complexity; it became "negative" in two senses: as a critical enquiry into the opinions of others and as a model of "intellectual integrity";<sup>11</sup> in a word, as a guidance towards the fulfilment of the ideal of the individual as an autonomous actor, who while in communication with her fellow citizens is nonetheless capable of putting a healthy distance between the opinion of the forum and her own.

It is well known that the main objective of *On Liberty* is to examine the kinds of coercion that the state and society can legitimately exercise over individuals "in the maturity of their faculties." Mill used the consequentialist principle of harm to set limits on coercion, and he used the normative argument of the sovereignty of the individual to judge the legitimate forms of coercive interference exercised by a society beside legal coercion. Of the two, the latter is the key to understand the form of political regime because while the harm principle can be adopted by liberal and non-liberal states as well, the respect of the individual judgement is only a characteristic of what Mill called a "free government," or a government that relies upon consent and the open exchange of ideas. The latter principle allows us to categorize the degree of liberality of a "free government" and to evaluate how respectful social relations are to the individual in general. We can turn Mill's idea into a maxim: in a liberal society, all forms of coercions must be consistent with the assumption that people are "capable of being improved by free and equal discussion."<sup>12</sup>

Coercion can be both direct (such as legal obligation that intervenes when harm to others is involved) and indirect (such as moral condemnation or dissuasion that occurs when direct harm to others is not



implied). The analysis of indirect coercion is at the core of *On Liberty*: it is an enquiry into the impact of social feelings or opinions on individuals' actions and beliefs and into the relationship between individual opinions and lifestyle and the general or public opinion on what individuals should think and on how they should live.

When state coercion is not required, what kind of coercion – if any – can a free community legitimately activate? In issues of moral opinions and lifestyles, Mill's free community can adopt only non-coercive methods, such as discussion and persuasion. But this is not enough to secure individual moral autonomy in a free society. Indeed, using words does not exclude coercion by indirect means: "To maintain that talking is better than fighting we must look at how we use speech."<sup>13</sup> Mill detected the coercive potential of discourse, and in this way provided an important contribution to understanding the art of deliberation. His interpretation of the Socratic method played a crucial role at this juncture.

### Radicalism revised

One of the most interesting outcomes of Mill's critique of the radicals' orthodoxy was his acknowledgment that there are different types of speech performance and different forms of criticism. His dissatisfaction with old-style radicalism manifested with his criticism of indoctrination or dogmatic imposition of truth. This was a form of coercive intervention even when performed for a good cause, like progress or the enlightenment. Mill never thought a truth should be inculcated in people's minds regardless of their individual efforts to make it their own conquered truth. It is thus important to notice that starting in his crisis years, he turned his attention on the "form" in which a truth is received and transmitted and concluded that a "collision of ideas" too could lead to coercion. This was the meaning of his critique of the Enlightenment's *esprit critique* and of the radicals' style of disputation – a style that he gradually came to see as consistent with a project of indoctrination rather than a process of emancipation from mental passivity of any kind. For persuasion not to be coercive, thus, a certain style of reasoning and speech was required that made the person an agent of her critical reflection and understanding. It was in this context that his revision of the Socratic method occurred.<sup>14</sup>

The Socratic method of enquiry was the protective device Mill envisioned against indirect forms of interference or doctrinal and dogmatic inculcation of truth. In his maturity, he would clarify that this method

is moreover in tune with representative government, which inaugurates an indirect form of politics that relies on ideas and opinions, voting and public judgement, that is to say on a public manifestation of issues and their interpretation. Like political representation, Socratism as critical method of enquiry is characterized by *indirectness*, insofar as it implies a temporary withdrawal of the individual from the agon or the opinion of the crowd and an inner reflection of convictions and beliefs that dialogue with others has brought to the individual's attention. In a representative society in which all politics is public, and the public mind is the permanent tribunal of judgement, Socratism was meant, in Mill's perspicacious interpretation, to put a halt on the voice of the public and interrupt the flow of deliberative influence over the mind of individuals "in the maturity of their faculties." Yet publicity needs to stop somewhere, and its limits coincide with the liberty of the individual mind before, and even against, the mind of the society – in order not to declare its isolation but to acquire more awareness of itself.

This is an important contribution of *On Liberty*, in which once Mill had established that a "silent" public realm could not be a model for "government by discussion," he felt he had to shelter individual judgement from the manipulation that could arise in a society that elected the public as its informal sovereign. Collision of opinions, or the eristic form of Socratic dialogue that Mill had learned to practice from his father, was no enough protection. To make room for the exigency of the individual mind to withdraw from the mind of the forum, Mill advanced the seminal *distinction between forms of dialogue*, in particular between discussions oriented towards victory (Sophism or eristic) and discussions oriented towards conscious conviction (Socratism or dialectics).<sup>15</sup> Reference to his mental crisis acquires enormous relevance in conjunction with this theoretical and political distinction.

It would thus be correct to say that Mill entered his mental crisis as a Sophist and emerged Socratic. He went from being absorbed with the opinions of others (the utilitarians and their opponents) for the sake of promoting or refuting them to longing for a critical understanding of his own beliefs, and the care not to embrace any view for reasons of party loyalty or a communitarian creed. Mill's vindication of the sovereignty of the individual as the other corn of sovereignty in a society whose government is based on consent acquires its intrinsic significance when analysed from the perspective of his 'discovery' of Socrates. The difference between these two styles is epitomized by the kinds of debating clubs Mill belonged to before and after his rupture with the orthodox

utilitarians: he gravitated from public-debating societies to the Socratic circle of Threadneedle Street, in Grote's house. The former satisfied his aspiration with winning a debate or agonism; the latter fulfilled instead his desire of self-searching in truth or opinion formation. Let us clarify the character of these two forms of club.

## Dialogue and eloquence

The London radicals were famous for their debating skills and their members' pleasure in agonism. Mill even depicted the radicals' participation in Owen's Co-operative Society as a longing for a *lutte corps-à-corps* and a *bataille*.<sup>16</sup> Those early experiences convinced him that agonism plays a positive role both in character formation and political life. One might say that he began to write the second chapter of *On Liberty* in those early agonis: to "hear the arguments of adversaries from his own teacher" is not enough; one "must be able to hear them from persons who actually believe them; who defended them in earnest, and to their very utmost for them."<sup>17</sup>

In their debating clubs, the young radicals and their conservative opponents trained themselves as public intellectuals who could defend their beliefs in a public arena – parliament, clubs, newspapers, and pamphlets. In addition, debating societies functioned as schools of public morality by fostering a sense of mutual respect and equality. "Within the society itself there is no hierarchy of greatness; all are friends. Those who have been contemporaries meet through life as brothers; all, old and young, have a bond of sympathy in fellow-membership; all have a common joy and a common interest." Quite different were the other kinds of club, those I proposed to call Socratic. The "Socratic dialogues" in Grote's house were no less famous than the contests in the London Debating Society. But they began and always remained private meetings. Here, the goal was not to win a debate but to learn to think through a dialectical method that was similar, in Mill's mind, to that of Socrates ("Cambridge Apostles" was the name of a "Socratic" club with which Mill was familiar because of John Sterling).<sup>18</sup>

Dialogue takes place among few interlocutors, who are not only equal in respect but moreover similar on some fundamental characteristics in relation to which they exchange ideas with frankness in the view of changing their mind, if needed. It involves a face-to-face relationship among equals for the sake of acquiring some certain knowledge. This symposium is the place of *sermo* in Cicero's sense or the process of searching together out of truth. Eloquence is out of place here.

Eloquence is geared to the many and, contra *sermo*, requires equality on some basic potential like the ability of making right or wrong judgments, not however in any specific kind of intellectual competence or skill or knowledge. Contrary to the Socratic dialogue, eloquence does not presume nor actually allow for direct response: the audience for the most part is passive and more inclined to listen than to talk. As a matter of fact, while Socratic dialogue has no audience because all participants have the same role in exchanging opinions, eloquence cannot exist without an audience.

As Mill wrote in his youth, attention-getting words are more important in eloquence than are logical inferences because aesthetics can move the emotions. Hence, like Plato in the *Republic*, he compared eloquence to poetry. Indeed, like poetry, eloquence presumes an audience and a sympathetic relationship between author/speaker and reader/listener. The aim is to affect the audience's will by touching their emotions and inspiring their decision to act. Dialectics also aims to influence people's will, but it does so by involving them directly in developing convictions; no indirectness is in place here. With dialectics individuals are not brought to a goal by the words of an orator, because *they* select their goal and guide their mind towards it. Dialogue uses investigation and goes straight to the intellect; its means are good reasons rather than effective words.

Oral discussion on matters dependent on reasoning may be much more thorough than when carried on by written discourse, but only I think if undertaken in the manner of the Socratic dialogue, between one and one. None of the same advantages are obtained when the discussion is shared by a mixed assemblage.<sup>19</sup>

The difference between rhetorical persuasion and dialogical conviction is clarified in Plato's *Republic*.

If we oppose him with a parallel speech about the blessing of the just life, and then he replies, and then we do, we'd have to count and measure the good things mentioned on each side, and we'd need a jury to decide the case. But if, on the other hand, we investigate the question, as we've been doing, by seeking agreement with each other, we ourselves can be both jury and advocate at once.<sup>20</sup>

Persuasion uses eristic and rhetoric because it seeks external (to the mind) confirmation: a majority decision would be its practical outcome.

Like the work of parliament, the debating societies Mill joined in his youth ended with a vote, with a public recognition of the losers and winners.<sup>21</sup> On the contrary, dialectics or Socratic *sermo* is a communicative interaction among individuals who are well disposed to understand each other and want to be convinced by reason, who do not end their trial with a yes/no vote. The interlocutors can ultimately achieve a unanimous conviction – an understanding that is more genuine than that which can be achieved by an orator addressing an audience. They do not simply acquire an opinion; they alter their way of thinking; they resolve to change their mind; but decision by voting would not do so.<sup>22</sup> Much like eloquence, voting is out of place here. In Mill's view of deliberation in a liberal society both characteristics, the dissenting or eristic and the Socratic or transformative, are needed. This was where his view of dialogue diverged from his father's.

### Negative and positive function of dialogue

James Mill approached the Socratic method very differently. He taught his pupils that effective rhetorical style, detailed analysis, and negative dialectics (eristic) were its features. He was a dogmatic polemicist and an expert in the use of diatribe. His goal was to train politicians and make them fighters with words. From the perspective of Jürgen Habermas' vision of deliberation, one could say that under James Mill's leadership the radicals helped create the public sphere of a representative government through intellectual struggle and political organization. The originality of James Mill's teaching was the shift from a declamatory rhetoric to an adversarial one, a shift that was in tune with the transformation of political life per effect of electoral competition. He regarded "public speaking" as a tool for propagating a creed and attacking antagonists, thus acquiring consent and seats in parliament.<sup>23</sup> He used dialectics as a weapon against the opinions and errors of others, not as a method of self-critical analysis.

Neither James Mill nor Bentham was a Socratic. Far from seeking dialogue, Bentham "dismissed as unworthy of notice" or "denounced as absurd" any opinion that did not fit his schema. On these he practised a kind of *hygiène cérébrale*.<sup>24</sup> The first of the four arguments against dogmatism in *On Liberty* looks like a refutation of Bentham's brand of rationalism or *more geometrico* system. Not very different was James Mill's approach. The elder Mill thought the process of questioning had to reach an end with the correct definition of an idea, and therefore that the human mind had to be trained to continue analysing

until that point was reached. This method of dissection commanded sceptical indifference towards opinions until they were proven true or false. Once the truth was seized, it would need no further critical analysis.<sup>25</sup> The way in which he and his loyal young friends reacted against the critics that his essay "On Government" sparked may serve to demonstrate James Mill's identification of Socratism with eristic quite effectively.

John Stuart Mill's resignation from the London Debating Society in 1829 coincided with his criticism of his father's interpretation of dialectics for dwelling on "the *faults and defects* of others." For the young Mill, the genuine Socratic method was now "real Dialectics, contrasted with Eristic." An important change had occurred, and the polemics that followed the publication of his father's treatise on government played an important role in provoking it.

Utilitarians, like the Sophists, used elenchus to question "unasserted counterfactuals" and their goal was to make their own opinions "inexpugnable." They performed their enquiry through a tightly reasoned disputation. This was the goal of James Mill's teaching with the young radicals. Thus, not surprisingly, his pupils regarded his essay "On Government" as a "masterpiece of political wisdom" which did no longer need to be subjected to the art of "dissecting a bad argument," but had to be applied in the political battle and defended against all critical objections like an "inexpugnable" fortress of truth. James Mill's theory of democracy was perceived by the radicals as "perfect" and its criticisms "unanswerable."

Of course, the paradox of James Mill's teaching was that its dialectical method produced a new dogma instead of eliminating all dogmatism. It produced ideological identity and party line, rather than a conception open to change or emendation. This explains why James Mill answered Thomas Macaulay's objections against his majoritarian theory of democracy with a polemical attack rather than an argument. The young Mill reconsidered the meaning of Socratism on the occasion of that polemic. As he explained in his *Autobiography*, "there was really something more fundamentally erroneous in my father's conception of philosophical Method," because that method embodied the assumption of a linear intellectual progress whose end was inculcating the truth.<sup>26</sup>

Eristic, Gregory Vlastos has written, is not a method of searching for truth but a method for winning arguments "regardless of whether or not you take what you are arguing for to be true."<sup>27</sup> In contrast, Socrates' method deals with "asserted premises" and the assumptions held by a specific interlocutor. Its subject matter is people's beliefs; its goal is to

lead people to understand why they believe as they do. In 1833 Mill wrote:

I have not any great notion of the advantage of what the "free discussion" men call the "collision of opinions," it being my creed that truth is *sown* and germinates in the mind itself, and is not to be struck *out* suddenly like fire from a flint by knocking another body against it: so I accustomed myself to *learn* by inducing others to deliver their thoughts, and to teach by scattering my own, and I eschewed occasions of controversy (except occasionally with some of my old Utilitarian associates).<sup>28</sup>

The outcome of Mill's search during the years that followed his break with the utilitarians was the conviction that a politics of reform could succeed only if it teaches people to recognize their own fallibility and the changeability of their ideas. And the main goal of the intellectual in a representative democracy would be to help citizens acquire this condition of independence in judgement, or a "high state of moral and intellectual culture." Years later, he applied this method to political relations with the working class: "free discussion with them as equal, in speech and writings, seems the best instruction that can be given to them"; they are "not to be indoctrinated," but "to be induced and enabled to think for themselves."<sup>29</sup>

## Socrates as a model of public intellectual

Few years after Macaulay's attack on James Mill's essay "On Government," and after the younger Mill's resignation from the London Debating Society, Connop Thirlwall translated Schleiermacher's "On the Worth of Socrates as a Philosopher" for the *Philosophical Museum* (1833). Just as Macaulay had helped Mill see the weakness of the purely "negative" use of dialectics, Schleiermacher helped him grasp the "positive" function of Socrates' dialectics.<sup>30</sup>

Until the romantics' rediscovery of him as the first proponent of a philosophy of individuality, Socrates was seen mainly as a moral example of sainthood, the victim of political persecution and an ethical model, respected principally for his character rather than his philosophy. He was a symbol "more through his death than his ideas" for both the philosophers of the Enlightenment and their critics. His precept "Know thyself" was regarded as philosophy's first evasion of scientific knowledge.<sup>31</sup> This image began to change in the early decades of the

nineteenth century. An interesting sign of that change is the different ways Bentham and Grote interpreted Cicero's popular image of Socrates as "the first to call philosophy down from the heavens and set her in the cities of men and bring her also into their homes and compel her to ask questions about life and morality and things good and evil." Bentham read Cicero's description as evidence that Socrates dismissed the study of nature for "talking nonsense under pretense of reaching wisdom and morality." Grote read Cicero's description as meaning that Socrates was the first moral philosopher who "looked at all knowledge from the point of view of human practice." For Bentham, he founded "intuitionism" and, as such, was the mouthpiece of oligarchy. For Grote, Socrates "contributed much to form what is correct in the habits of modern thinking."<sup>32</sup>

Mill and Grote rescued Socrates from Bentham's criticism mainly by vindicating the *concrete* character and empirical worth of his method. They contended that the subjects Socrates explored "were not obscure or special, but bore on the practical life of the house, the market-place, the city, the Dikastery, the gymnasium, or the temple."<sup>33</sup> Their revision was extremely important because it put Socrates on the side of the radicals and, above all, captured the political import of his method in a way that was quite new. Equality was Socrates' basic principle in this new reading.

In England, Coleridge had been the first to attempt an innovative reading of Socrates: for his method and utilitarian philosophy, Socrates was a Sophist who fell "into the very errors he was opposing," but as a precursor of transcendent philosophy, he was the first victim of democracy and paganism. In order to save Socrates' reputation, Coleridge (like William Mitford before him) Christianized and "de-philosophized" him. Indeed, he judged Socrates' philosophy to be not only disturbing but also immoral and cruel, because it led interlocutors to delusion and scepticism instead of giving them "sound convictions." Socrates was not for Coleridge an alternative to the Sophists, and he did not propose some "positive" conception of the good. He was the most consistent and able of the Sophists, more critical and sceptical than them. Indeed, he resembled the Benthamites, the "miserable Sophists" of modernity.<sup>34</sup>

Yet Coleridge unwillingly gave Mill and Grote the main arguments for a reinterpretation of Socrates and the Sophists that would fit their political and intellectual cause. By describing Socrates as having one foot in the past and the other in the future, Coleridge had proclaimed both his sophistry and his superiority to the Sophists. The radicals employed that dualism for quite a different goal. They used it to rehabilitate the Sophists through Socrates (who was indeed one of them



to the eyes of his contemporaries) and then to stress the novelty of Socrates' method, which oriented him to the future and made him more than just another Sophist. In their reinterpretation, Socrates was the forebear not of Christian intuitionism, as Bentham and Coleridge claimed for opposite reasons, but of the Baconian method in moral investigation; in this, his method aimed at a positive, not only negative, goal.<sup>35</sup> Schleiermacher's essay offered Mill the key for refining this early intuition.

### The role of Schleiermacher

Schleiermacher's theory of Socrates, Mill argued, "is that beside knowing 'that he knew nothing,' he however knew also what knowledge *was*, and how it was to be come at [...] that was exactly my case and was the faith I also professed and taught for some years unconscious all the while that I had nothing else to teach." What attracted Mill to Schleiermacher's essay was, I would say, its Kantian character, its making Socrates the first theorist who tried to devise the basic criteria of morals by means of both the "negative" and the "positive arm of philosophy." Socrates used the negative not to test "verbal difficulties" and theories but to inspect "the generalities relating to life and conduct." And he used the positive not to construct a metaphysics, but to "search for the common feature of things that are classed together," in other words, to question existing definitions and attempt new ones that could make people interact as autonomous individuals.<sup>36</sup> Socrates "did not merely refute the errors of others, but attempted to demonstrate something himself." That "something" entailed the very precondition of knowledge: Socrates played in his time the same role as Kant did in Schleiermacher's. He foresaw an "inter-communication" among all branches of science because he interpreted science as the analysis of the grounds of human knowledge and judgement.<sup>37</sup> He showed how to connect notions correctly and how this would serve to avoid moral disunity and political conflict in society. In this sense, he epitomized a new kind of intellectual, one who was not a tutor and not even a polemicist, but rather a critical philosopher – as Cicero had claimed in his abovementioned depiction of Socrates.

Socrates' criticism of the Sophists was important not simply because of its moral and civic meaning (the "opposition of a good citizen to the corrupters of government and of youth") but even more so because it de facto invented a "certain *method*" of moral investigation. Schleiermacher interpreted the elenchus as a negative tool aiming at a positive outcome. Socrates taught not only how to disassociate ideas but also how

to reunify them into a new class or general term, how to create a new "complex unity," one with inner consistency and comprehensible to everyone.

This innovation was well received by Mill since it helped him to envision the solution to the vice that Macaulay had detected in the philosophy of the radicals, which is today the split between empiricism and the systematic temptation.<sup>38</sup>

Schleiermacher's Socrates offered Mill what he had been searching for since he left the Benthamites: a method that could be inductive and normative at the same time and, moreover, could allow for a cooperative communication among individuals while forming convictions.<sup>39</sup> It suggested three ideas to Mill: first, the idea of the Socratic method as a critical tool for dismembering old classifications (or "general names," as Mill called them in his *Logic*) and reconstructing new ones; second, the idea (Kantian in character) of philosophy as a transcendental ground for communication among different ideal perspectives, rather than a new metaphysics; and third, the idea that the philosopher should be a thinker actively engaged in public life without simply being either a moralist or a polemicist. These three notions run through Mill's entire opus and link his *Logic* to his political writings.

*A System of Logic* did for ideologies what *Representative Government* did for politics. It aimed to make a dialogue possible among opposite comprehensive views. Mill thought that all schools of thought had both a broad and a narrow component: they had a metaphysics that made them different and even conflicting, but at the same time they had a logical method that tended to bring them closer. In politics Mill distinguished between "doing" (which was technically neutral) and "talking" (which could be partisan). Similarly, in philosophy he saw the formal procedures of knowledge as ideologically neutral and therefore a bridge that linked them aside from their disagreement. He did not aim to obliterate other doctrines or supersede pluralism and dissent, though. One reason he disagreed with Auguste Comte was that the latter thought all social philosophy should be reduced to "a theory of the natural history of society." Mill was aware that morals could not avoid a "theory of life" from which the goals for human behaviour could be deduced. His "Doctrine of Ends" was as "metaphysical" as that of the German metaphysicians, asserting that human actions were good in proportion to how much they contributed to "the promotion of happiness" in "the highest meaning" of the word.<sup>40</sup> But Mill did not regard the principle of happiness as a neutral guide for conduct – indeed, he did not reduce it to an objective calculation of costs and benefits. His idea

of happiness meant to convince people of the existence of an intrinsic good – individual self-development – which they had to aim for. Similarly it was meant to convince politicians of the need to promote a politics of opportunity so that people might recognize and pursue that good.

### From Sophist to Socratic

In short, although Mill thought it was possible to find a neutral terrain for dialogue, he was not looking for a neutral philosophy. Only the rules of the game, as it were, needed to be neutral. Thus he introduced a distinction between the “art of reasoning” and “philosophia prima.”<sup>41</sup> The former was functional to the latter, but only the latter could establish “[w]hether the ends themselves are such as ought to be pursued.” The former could be a terrain of encounter even if the latter was and would remain a terrain of disagreement. One could not expect ideals and beliefs to be neutral, yet they should not be repressed because of their lack of neutrality. Mill tried to play two roles at once: as a legislator, he established moral and intellectual maxims; as a judge, he employed them as a guide for deliberation. He pursued, as it were, both a politics of constitutional constraints and a politics of emancipation based on a progressive vision. The former needed to be shared by all, but the latter was the domain of ideological battles. *A System of Logic* and *Representative Government* reflect the first of these ambitions (even if they do not avoid disclosing their author’s beliefs on the “end of life”); *On Liberty* and *The Subjection of Women* reflect the second (they are pamphlets that aim at convincing the many to adopt legislation and reforms that are consistent with the “good” of individual autonomy).

In the early 1830s, Mill started to think of logic as a guide for evaluating evidence and shared beliefs. It is interesting to note that he began working on *Logic* while he was writing the introduction to his translation of the Platonic dialogues. It was there that he first advanced the idea that the Socratic method was “an exercise in the art of investigating the truth.” As Grote pointed out, the notion of a critical function for logic linked Mill’s project to Bacon’s *ars artium* and to the Socratic elenchus as a tool for judgement. Socrates “sought to test the fundamental notions and generalizations respecting man and society, in the same spirit in which Bacon approached those of physics.” Socrates attained that outcome by “incessantly discussing *human* affairs [...] investigating – What is the just and the unjust? What is courage or cowardice? What is a city? What is the character fit for a citizen?”<sup>42</sup>

This was also Mill's plan for *A System of Logic*. As he stated at the beginning of the work, he wanted to devise a method for finding out how the mind proceeds when working out an opinion, yet not in order to replace it with truth but to make it open to exchange as in a market. He sought to provide rules for asking questions and assessing answers, for helping clarify the reason for disagreements and create the possibility for a new and, it was hoped, more progressive stage of deliberation. To explore the connotation of a "general term" or a "classification" implies exploring the notions that shape one's moral and political positions. Like Socrates, Mill challenged his readers to consider the meaning of justice, marriage, happiness, equality, citizenship, virtue, and so on. Socrates, unlike the Sophists, was interested in more than his fellow citizens' conventional understanding and tried to indicate worthy goals. Equally, Mill wanted to explore what people assumed along with their general ideas and how they explained those assumptions. Thus he saw the Socratic dialectic as a work in progress that a democratic community undertakes through ongoing communication and with the help of the critical philosopher.<sup>43</sup>

Mill made it clear that his Socratic approach was neither an indifferent acceptance of existing opinions nor a method for bargaining and compromising among irreconcilable differences. His practical philosophy of modernity envisioned an "active engagement in open argument [...] for the sake of developing the habits of enquiry and self-examination and the virtues needed for success in the business of making a life for oneself."<sup>44</sup> Injustices would be acknowledged when they were perceived as *problems*, that is when people developed rational objections to them and asked for justifications. What, for example, constituted the complex relationship of "marriage"? The patriarchal model was the result of a long and complicated social construction of identities for men and women that seem natural because their historical origins have been forgotten. The task of the critical philosopher was to deconstruct the traditional definition of marriage into its constitutive elements, thereby denaturalizing and problematizing it. The final step was to reveal the common denominator that would allow people to reform the institution of marriage with new laws and also new family relationships. Mill wanted to overturn the tendency on the part of people to take the way they lived or what they thought for granted as natural and unchangeable. He wanted them to become the guardians of their own lives and resist domination, whether direct (by the state) or indirect (by opinion or tradition). In so doing, he distanced himself also from Grote, because he interpreted the Socratic method in an egalitarian sense and,

furthermore, highlighted its implications in a deliberative theory of politics.

Like Hegel, Grote linked the overall significance of Socrates' tragedy to the superiority of Athens over Sparta. The tragedy testified to the growth of an individualist ethos strong enough to challenge the ethos of the polis. Socrates was condemned not for his eccentricity but because he challenged the laws of his state and the ethical culture of his city. The similarity between Hegel and Grote, however, ends here. For Hegel, Socrates epitomized the prerogatives of the self against those of the state. His teaching aimed to divert his fellow citizens from the active life and to privilege private judgement over public activity, the care of the self over that of the citizen.<sup>45</sup> Grote's position was very different. He (like Mill) gave Socrates' desire for individual self-reliance a civic meaning that was consistent with the democratic ethos. The antagonism between Socrates and the Athenian state epitomized a contradiction that characterized democracy itself, past and present, which entailed self-government at the level of the polis and at the individual level. These two ideals were not destined to coincide although each required the other in order to give the best of itself.

Grote made Socrates the symbol of a new type of public presence achieved through the free expression of individual judgement. The English romantics, however, could not agree with Grote's ascribing primacy to the public domain rather than to private and contemplative life, to the goal of individual self-care. For example, Frederick Dennison Maurice, one of Mill's closest friends in the Coleridge circle and the most "political" of them, developed a comprehensive critique of the utilitarians' idealization of Athenian liberal society that would attract Mill.

### **The opinion of the forum and the sovereignty of the individual**

Maurice did not disagree with Grote's claim that it was historically incorrect to blame the decadence of Athenian political life on the Sophists. But he did take a different stand on the cause of the decadence, and emphasized the anti-speculative character of democratic society. For Maurice, Athenian democracy was corrupt and intolerant because it was based on *doxa* and exalted the *vita activa*. Athenians saw wisdom as instrumental knowledge, and democracy allowed them to pursue imperialistic and domineering habits. The Athenian polis was corrupt because it was democratic. The Sophists were the symptom, not the cause, of its

ruin. In this way Maurice reversed Grote's argument. The virtues of the Sophists were even more dangerous than their vices because the more competent they were, Maurice argued, the more they damaged the consciousness of the Athenians. They increased litigiousness because they were polemicists more than critical intellectuals, accusers more than inquirers. Therefore, Socrates' role was crucial and positive because he led his interlocutors away from the *vita activa*. Instead of educating the young in the art of disputation, he taught them the humble art of "self-culture." Socrates did not teach his interlocutors how to be active citizens or political winners; he taught them how to be self-conscious individuals. "Political life was with them everything; with him it was nothing."<sup>46</sup> In short, the Sophists, not Socrates, were the intellectuals of democracy.

Maurice's analysis contained insights that Mill responded to sympathetically, in particular the view of Socrates as an intellectual, not a mere polemicist or a propagandist, who was only partly immersed in the democratic current, and yet was egalitarian in his theoretical foundations to entertain a frank dialogue with ordinary people. For Mill as for Maurice, the Sophists, despite their mastery of the adversarial method, were the truly "conservative" intellectuals because they acquiesced to the moods of the city and satisfied the individual's desire of success. Mill's reformer, like Maurice's Socrates, was careful to distinguish critical enquiry from sedition and enmity, a habit that could easily develop if people were not trained "to listen to both sides." Thus the difference between Socrates and the Sophists was not simply one of method. It also entailed a different way of interpreting democracy – as a condition of equality that does not preclude but in fact exalts individual distinctiveness and difference, an interpretation that still meets with resistance and incomprehension.<sup>47</sup>

The elenchus was meant to be a "restless polemic against dogmatism" and an instrument for ascertaining the consistency of opinions. Grote pinpointed the difference between it and eristic but did not explain what made Socrates a "missionary of the examined life," rather than a critical examiner of others' opinions. Although he succeeded in capturing the methodological difference between Socrates and the Sophists, Grote failed to perceive the difference between Socrates' own truths and those of a dogmatic philosopher; he did not give his readers sufficient reason for embracing Socrates' truth as opposed to that of some other.<sup>48</sup>

Mill and Grote both thought the dialogues contained two different Platons: "the Sokratist and the Dogmatist." But Mill was dissatisfied with a philosophy that limited itself to cross-examination and

critical dissection. In his *Autobiography*, he blamed his father's analytical method for having eroded not only his prejudices but also his disposition to feel and believe. Similarly, he criticized Plato's identification of the truth with the good because knowing was not a sufficient stimulus for doing. In short, Mill was objecting to rationalism as it related to character formation. "How to live virtuously, is a question the solution of which belongs to the understanding [...]. It is impossible, by any arguments, to prove that a life of obedience to duty is preferable." Evidence can convince us, but reason alone is not powerful enough to motivate our actions.<sup>49</sup> As he also clarified in explaining his preference for the open ballot, Mill thought habit formation and the example of virtuous citizens were fundamental in political choice and deliberation. But he went further and, as Irvin has noticed, ended up questioning Grote's consequentialist conception of virtue. Grote stressed the methodological worth of Plato's Socrates but treated Socrates' own beliefs like a dogma similar to any other. He located their "truth" in their external consequences. Mill, instead, overcame that utilitarian approach and detected something more in Plato's dialogues.<sup>50</sup>

After his "journey" with Schleiermacher's Socrates, Mill became a quasi-Kantian. "Amid all his [Plato's] changes, there is one thing to which he is very constant – the transcendent worth of virtue and wisdom [...] and the infinitely superior eligibility of the just life, even if calumniated and persecuted, over the unjust, however honored by men, and by whatever power and grandeur surrounded."<sup>51</sup>

Through his lifelong devotion to Plato's dialogues, Mill developed two ideas. First, all human beings have an equal ability to understand and appreciate what is just or good; in other words, everyone has an inborn "sense of dignity." Second, there is a good that is an end in itself and worth pursuing even if this entails a conflict with one's own habits and others' preferences and therefore a certain amount of unhappiness: this good is the individual's knowledge and expression of her or his potential and capacities. Mill believed that educating people to engage in such a critical process would ultimately strengthen society because the habits it developed would strengthen sympathy. This makes Mill's view of individuality the very opposite of an atomistic kind of individualism and a source of what I propose to call *constitutional morality*. The Socratic approach allowed him to situate happiness in one's sense of independence of the mind and to understand it as a precondition for the general welfare. The way a belief is embraced or an action is undertaken – coercion versus persuasion – was Mill's criterion for evaluating both individual freedom and the degree of political and social

freedom. Such self-dependence of judgement requires education, and the best way to teach it is through direct experience and dialogue. This is also the rationale of representative institutions and public deliberation. It explains why Mill admired public figures (Pericles) more than private moralists (John Knox). It also explains his humanistic admiration for noble characters as educational models.

The character itself should be, to the individual, a paramount end, simply because the existence of his ideal nobility of character, or of a near approach to it, in any abundance, would go further than all things else towards making human beings happy; both in the comparatively humble sense, of pleasure and freedom from pain, and in the higher meaning, of rendering life, not what it now is almost universally, puerile and insignificant – but such as human beings highly developed faculties can care to have.<sup>52</sup>

Despite the unsurpassable differences between the ancients and the moderns, Mill thought it was not impossible for the latter to appropriate the ancient ideal of the good life in their own way. Creating opportunities for individuals' self-education was Mill's adaptation of that ancient ideal to a society that was decidedly individualistic. Promoting the "internal culture of the individual" according to the Socratic maxim of "being yourself" was the goal attached to the teaching of the ancients he thought still affordable to the moderns.

## Notes

\*This chapter is a revised version of Urbinati (2002: Ch. 4).

1. J.S. Mill, *Utilitarianism* (1861), *CW*, X.236; see Gray (1996: 81).
2. Packe (1954: 136); Yake (1973: 3–4). The goal of these scholars was in part to amend the purely psychoanalytical interpretation of Albert William Levi (1945).
3. One can guess that, among the "great admirers" of Plato and Socrates who were distressed by Bentham's disparaging judgement, Mill meant to include his father: "For some of the most illustrious of previous thinkers, his [Bentham's] contempt was unmeasured. In almost the only passage in the *Deontology*, which [...] may be known to be Bentham's, Socrates and Plato are spoken of in terms distressing to his great admirers"; J.S. Mill, "Bentham" (1838), *CW*, X.90. On the father and son's passion for ancient culture, see Sparshott (1978: xx, n. 56); see also Glucker (1987: 166–76) (also Glucker, 1996); Demetriou (1996: 15–37).
4. Grote (1873: 284).
5. J.S. Mill, *Autobiography* (1873), *CW*, I.213.



6. For a reconstruction of the deep relationship between James Mill and the extra-parliamentary agitation of the Radicals which accompanied the Reform Act of 1832; see Hamburger (1963).
7. Mill's claim that he translated Plato for "personal satisfaction" is discussed by Packe and Yake (see note 2).
8. J.S. Mill, "The Protagoras" (1834), *CW*, XI.42; *Autobiography*, *CW*, I.121–35. With his radical friends, the young Mill participated enthusiastically in the numerous debates led by the Cambridge Union, the Oxford United Debating Society, the Co-operative Society of Robert Owen, and the Sterling Club. Descriptions of these clubs and Mill's rhetorical performances are in Reid (1891: I.49–87); Carlyle (1851: 140–1, 158, 209).
9. Momigliano (1952: 7).
10. The expression "talking world" was used by Carlyle to describe his age and society (1851: 57).
11. For an inspiring reading of "intellectual integrity" in Socrates, see Kateb (1998: 78–81).
12. J.S. Mill, *On Liberty* (1859), *CW*, XVIII.223–5.
13. Chambers (1996: 7).
14. He detected and criticized the dogmatic significance of the *esprit critique* during the years of his mental crisis as one can see in his letters and *Autobiography*.
15. This can be the answer to Himmelfarb's theory of "the two Mills" which springs from equating discussion with polemical discussion. Himmelfarb has stressed the contradiction thwarting Mill's liberalism between a deliberative and a conservative phase: in the early 1830s, Mill exalted a "sternly authoritarian" view that opposed "dogmatic disputatiousness" and controversy; while in *On Liberty*, he exalted the role of liberty of discussion in opinion formation. In one case, Mill based legitimacy on people's understanding and judgment, in the other case, he grounded it on rational evidence and the intellectual authority of the wisest regardless of people's consent (Himmelfarb, 1974: 37–43). But as I am trying to argue in this chapter, Mill's change was internal to the deliberative perspective: the 1830s were the years in which he passed from a polemical use of dialectics to a critical one.
16. Mill, *Autobiography*, *CW*, I.127, 131–3.
17. J.S. Mill, *On Liberty*, *CW*, XVIII.245.
18. See, respectively, Richard Monckton Milnes' description of the Cambridge Union (Reid, 1891: I.81); J.S. Mill, *Autobiography*, *CW*, I.123–7; Clarke (1962: 28–9).
19. J.S. Mill to W.G. Ward, 29 March 1868, *CW*, XVII.1583. In reference to poetry and eloquence, Mill noted (in a rather Wordsworthian mood), that while "eloquence is *heard*, poetry is *overheard*" (Mill, "Thoughts on Poetry and Its Varieties" (1833), *CW*, I.348 and 363).
20. Plato, *Republic*, 348a–b (1992: 23–4).
21. Reid (1891: I.51).
22. "It is not on the impassioned partisan, it is on the calmer and more disinterested bystander, that this collision of opinions works its salutary effect" (J.S. Mill, *On Liberty*, *CW*, XVIII.257); Perelman and Olbrechts-Tyteca (1971: 23–31).

23. Habermas (1996: 4, 30); see also Clarke (1962: 20). James Mill's contemporaries thought of him as a great *maestro* of polemical public speech. John Arthur Roebuck, the most powerful of the radical speakers in the House of Commons, was considered the best disciple of the Benthamite school of thought and James Mill's school of rhetoric. Like missionaries, the radicals wanted their vision to "conquer" Parliament in order to promote the good of society against partisan interests (Roebuck, 1897: 33, 374).
24. J.S. Mill, "Bentham," *CW*, X.88, 91.
25. J. Mill (1837: 15–26). Bain called the elder Mill's essay on education a document "where the *a priori* method is worked to the nearly total exclusion of experience" (Bain, 1882: 233).
26. Clarke (1962: 20); J.S. Mill, "Grote's Plato" (1865), *CW*, XI.393; *Autobiography*, *CW*, I.140. James Mill accused Macaulay of being "simply irrational [...] an example of a saying of Hobbes, that when reason is against a man, a man will be against reason" (J.S. Mill, *Autobiography*, *CW*, I.165–7). The younger Mill described his dissatisfaction with rationalism in the following way: "However unwillingly a person who has a strong opinion may admit the possibility that his opinion may be false, he ought to be moved by the consideration that however true it may be, if it is not fully, frequently, and fearlessly discussed, it will be held as a dead dogma, not a living truth" (J.S. Mill, *On Liberty*, *CW*, XVIII.244).
27. Vlastos (1983: 29–31).
28. J.S. Mill to T. Carlyle, 18 May 1833, *CW*, XII.153.
29. J.S. Mill to G. D'Eichthal, 6 March 1830, *CW*, XII.46–9; J.S. Mill to H.W. Carr, 7 January 1852, *CW*, XIV.80–1. "In general, those who attempt to correct the errors of the working classes do it as if they were talking to babies" (J.S. Mill, speech on "Representation of the People [2]," 13 April 1866, *CW*, XXVIII.65). Both the distinction between Sophism and Socratism and Mill's egalitarian interpretation of free discussion seem to contradict Dana Villa's conclusions that Mill shared a "narrow conception of the relevance of negative Socratic thinking," because he framed it "as but one element in the training of the elite" (Villa, 2001: 124).
30. Schleiermacher's essay was then republished by Wiggers in 1840. In a letter to Carlyle, Mill confessed the extraordinary impression the essay had made on him: "I also am conscious that I write with a greater appearance of *sureness* and strong belief than I did for a year or two, in that period of *recovering* after the petrification of a narrow philosophy, in which one feels *quite sure* of scarcely anything respecting truth, except that she is many-sided" (J.S. Mill to T. Carlyle, 12 July 1833, *CW*, XII.181).
31. Gay (1966: 47, 81–2); Rollin (1729: V.23–4).
32. Cicero, *Tusculan Disputations*, 435; Grote (1846–56: IX.3, 20, 27, 45–7); Bentham (1834: II.113, 119).
33. Grote (1846–56: IX.27–8).
34. Coleridge (1818: I.436–44); Mitford (1784–1818: IV.134–9). "Atheistic ultrautilitarians," "miserable Sophists," and ideologues of "infidelity" were the labels given to the young Mill and his "tribe" by the conservatives (Reid, 1891: I.58–60). On the parallel between Christ and Socrates for the romantics, see Jenkyns (1980: 231, 241).

35. J.S. Mill, "The Protagoras," *CW*, XI: 43. Mill and Grote offered the same reading of the Sophists as Hegel. They made them the ancient equivalent of the eighteenth-century philosophers because they employed dialectics in order to destroy all that did not pass the test of rational enquiry (Grote, 1846–56: IX.1–20; Hegel, 1840: I.352–72). The analogy between Socrates and Bacon was not a monopoly of the radicals. The "liberal Anglicans" used it to distance the former from the Sophists and their extreme relativism and scepticism (Turner, 1981: 270). Indeed it was Francis Bacon himself who claimed the Socratic method to be one of the two strategies ("direction" and "caution") of the art of judgement (Bacon, 1605: 5–6).
36. See, respectively, J.S. Mill to T. Carlyle, 5 October 1833, *CW*, XII: 181; J.S. Mill, "Grote's Plato," *CW*, XI: 382, 404–5.
37. Schleiermacher (1833). A similar idea can be found in J.S. Mill, *A System of Logic* (1843), *CW*, VII: 4.
38. Schleiermacher (1833: cxlviii). In the early 1830s, Mill began working on his *Logic*, in particular its "definitions," "general terms" and "propositions." The early draft of the first book was made between 1833 and 1836 (J.S. Mill, *Autobiography*, *CW*, I: 167; Robson, 1974: lvii).
39. Anschutz (1953: 66–7, 73–7); Ryan (1990: 3–19, 131–47). Anschutz's thesis was that Mill developed his new method out of an opposition both against the simple empiricists (Macaulay) and the intuitionists (Whewell). However, under the adjective "dogmatic," Mill did not list only the intuitionists but also the "geometricians" of morals, that is, the Benthamites. More convincingly, Ryan suggests that Mills targets numbered three, not two: purely Baconians, purely rationalists, and purely intuitionists.
40. McRae (1974: xxiv); J.S. Mill, *A System of Logic*, *CW*, VII.12 and VIII.949–50. Although the "partisans" of Locke and Kant differed in their metaphysics, Mill thought they could nonetheless reasonably agree on some criteria for judging empirical evidence. Therefore there was a basis for dialogue.
41. I thank Antis Loizides for reminding me that Mill was employing the categories established by the Scholastics and especially Christian Wolff, whose books were in Mill's library. "Philosophia Prima" in the Scholastics' writings referred to the first principles of knowledge. In the *Logic*, Mill is talking about the Philosophia Prima of Conduct.
42. Grote (1846–56: IX.22–8, 45–50). The link between Socrates, Bacon, and Mill was later reaffirmed by Theodor Gomperz (1905: II.57, 77–8). Bacon himself endorsed Cicero's interpretation of Socrates as a thinker who did not mix "things human and divine" and thus created not a "fantastic philosophy" but a "useful" philosophy grounded in human creation and potential (Bacon, 1620: 62).
43. J.S. Mill, *A System of Logic*, *CW*, VII.19–20, 27–42.
44. I am borrowing this very effective description from Stephen G. Salkever (1990: 194), even if he does not think Mill's philosophy would fit it.
45. Hegel (1840: 419–20, 432–4, 438–9).
46. Maurice (1840: 118–23).
47. J.S. Mill, *On Liberty*, *CW*, XVIII.257–9. Richard Lichtman (1963: 495–6) surmises that Mill's commitment to the ethics of self-realization proceeded along with his transition "from a position of representative democracy to

- intellectual aristocracy," as if representative democracy excluded competition and selection, and in this sense "aristocracy."
48. Vlastos (1983: 44–6). On the negative function of dialectics in Grote's interpretation, see also Glucker (1996: 387).
  49. J.S. Mill, *Autobiography*, CW, I.141; "The Gorgias" (1834), XI.148–9. Mill thought character formation was not merely the work of reason. Mill admitted there are different paths of character development that an individual can follow. In his essay on poetry, for instance, he claimed that aesthetic and rational enquiry were different trajectories appropriate to different mental dispositions, but he did not see one as more "true" or more helpful for character formation (J.S. Mill, "Thoughts on Poetry and its Varieties" (1833), CW, I.344).
  50. "Grote believes that Plato is simply misguided in trying to argue that virtue is good for the agent [...] a virtuous agent benefits, in Grote's view, not from her own justice, but from the just behaviour of other people" (Irvin, 1998: 449). How could Socrates search for moral truth, Vlastos asked, without assuming that every person can recognize it, and therefore acknowledge that a previous assumption was wrong? In fact, Socrates taught individuals to examine their own opinions because he assumed that the fruit of self-enquiry comes from within, not, as Grote thought, from a calculation of the effects of our and others' behaviour.
  51. J.S. Mill, "Grote's Plato," CW, XI.415.
  52. J.S. Mill, *A System of Logic*, CW, VIII.952. A disinterested act is "meritorious" because of the way it has been made, because it is spontaneous and not an obligation (J.S. Mill, *Auguste Comte and Positivism* (1965), CW, X.337; J.S. Mill, *Three Essays On Religion* (1874), CW, X.420–2). An account of Mill's moral theory can be found in Berger (1984: part I).

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# 3

## The Socratic Origins of John Stuart Mill's "Art of Life"

*Antis Loizides*

John Stuart Mill's attempt to expand the theory of his utilitarian predecessors has led scholars to brand him as inconsistent, confused, and even illogical. However, in challenging these traditional representations of Mill, revisionist interpretations have made use of Mill's sketch of an "Art of Life," which appeared in his *A System of Logic* (London, 1843), to put forward an "enlarged" theory of utility that was consistent with his theory of liberty. As a result, due to a narrow focus on the connection of Mill's "Art of Life" to crucial arguments in *Utilitarianism* (London, 1861–3) and *On Liberty* (London, 1859), its ancient Greek echoes have been widely ignored – even when Mill's Greco-philía is duly noted.<sup>1</sup> To this effect, first, I briefly examine how the "Art of Life" came to be discussed in the last pages of Mill's *Logic*; second, I explore the ancient Greek notion of an "Art of Living"; third, I turn to the textual connections between the Platonic "political art" and Mill's "Art of Life"; and, lastly, I proceed to reconstruct Mill's "Art of Life" by discussing Alan Ryan's, Jonathan Riley's, and Wendy Donner's influential interpretations.

It is well known that Mill pointed out the need to incorporate Stoic elements to a theory of happiness, even if the Epicurean theory, "inasmuch as it [is] utilitarian," already ascribed "a much higher value" to pleasures of the "mind" rather than the "body."<sup>2</sup> And Mill's admission of influence with regard to Plato's dialectic method has not gone unnoticed.<sup>3</sup> But by advancing a theory that viewed living as a *technê* – a craft – with happiness as its *summum bonum*, Mill demonstrated not merely that he had indeed been "cast in the mould" of Plato's method<sup>4</sup> but also that he was part of the Socratic/Stoic tradition of the *ars vitae*. Like Plato's Socrates in *Apology*, Mill felt that "[t]here is no doctrine really worth labouring at, either to construct or to inculcate, except the Philosophy of Life."<sup>5</sup> A study of the Greek origins of the "Art of

Life" not only sheds light on Mill's discussion but also illuminates his conception of happiness itself. However, here only the first task can be attempted.

## Art and science

John Stuart Mill's discussion on the "Art of Life," as part of the logic of practice, appears in the final chapter of his *Logic*. Though there are recurrent allusions to various "arts of life" in Mill's works, he most frequently meant "to dig, to plough, to build."<sup>6</sup> However, the reason why the "Art of Life" did not appear in the first edition of the *Logic*, but appeared later, in the third edition (1851), remains something of a puzzle, especially since he did mention this art in his *Principles of Political Economy* (London, 1848). The progress of the "Art of Living," according to Mill in the *Principles*, was part of the moral and social progress and the overall progress of mental culture. It turned life, Mill added, into something more than just "getting on."<sup>7</sup> But in the *Logic*, the "Art of Life" seemed to have a different status, as I shall discuss later on.

Reiterating his earlier impressions on the relation between art and science, Mill argued in his *Logic* that science examines and determines the most appropriate means to the end which is supplied by art. Both the subject-matter of an art and its desired end can be then used to define its nature and its relation to other arts – a common understanding of art, Mill claimed, simply restated in "new language."<sup>8</sup> Briefly, "[s]cience takes cognizance of a *phenomenon*, and endeavours to discover its law" and "art proposes to itself an end, and looks out for *means* to effect it." The best means could only follow from a careful examination of the causal laws of all phenomena at work.<sup>9</sup> Thus, science or theory is as much an integral part of art as is action or practice, but art examines whether the means, as defined by science, are desirable and practicable (i.e. attainable, being within the limits of human power) – only then, Mill maintained, does art create a rule.<sup>10</sup>

Since Mill's discussion of the relation of art to science has recently been examined in detail,<sup>11</sup> it may simply be highlighted here that *technê* was not "a passive enterprise" in Mill; pursuits which follow the rules of art were by definition required to "pass through practice."<sup>12</sup> Mill acknowledged that "the complicated affairs of life" involved too many combinations of circumstances for an *ad hoc* yet thorough scientific consideration. Establishing precise procedures which lead to successful pursuits of ends,<sup>13</sup> and which people can learn and practice to a high level of competency, was thus quite necessary.



In an earlier essay, first published in 1836 (but written in 1831 and rewritten in 1833), Mill noted that “[a]n art would not be an art, unless it were founded upon a scientific knowledge of the properties of the subject-matter: without this, it would not be philosophy, but empiricism; ἐμπειρία, not τέχνη.” However, only in 1844, and after being praised by Edward Bulwer-Lytton for novelty on this subject in the *Logic*, did Mill add to the above sentence “in Plato’s sense,” citing Plato’s *Gorgias* – a dialogue which he translated and prepared for publication around the same time he first wrote that essay.<sup>14</sup> The direct connection with Plato helps to show that Mill thought that understanding the theory behind the rule was equally, if not more, important – otherwise it was mere *routine*. Thus, Mill did indeed use *art* in the “older” meaning which preserved the connection between theory and practice,<sup>15</sup> insisting that “general principles are not intended to dispense with thinking and examining, but to help us to think and examine.”<sup>16</sup> This brings us to the question about the “old” notion of a philosophy of life.

### Logos, Askêsis and Socrates’ political art

“Is it worth living that way?” is the most important question asked in the tradition of the “Art of Living.” Stemming from the Socratic/Stoic tradition of the philosophic way of life, it is not surprising that today the “Art of Living” has been formulated, more or less, as “a conception of philosophy as a way of life.”<sup>17</sup> Though the phrase “Art of Living” (*technê tou biou*) does not appear in ancient texts, it still serves as a summary – as Michel Foucault has brought to attention – of the ancient philosophical idea of a craft which concerns itself with life or ways of living (*technê peri ton bion*).<sup>18</sup> The “Art of Living” in antiquity referred to a view of philosophy as “something primarily expressed in an individual’s actions (ἔργα) and way of life [...] rather than something restricted to written doctrines and arguments (λόγοι).”<sup>19</sup> Though this “Art” defined a personal journey to happiness (or whatever constituted the conception of living or faring well), and despite individual peculiarities, agents recognized some general theoretical underpinnings, practical principles, which would lead to the intended end. At the same time, whether such an “Art” was successful or not depended on *erga* as well as *logoi*, on action as well as reason,<sup>20</sup> that is, there was interdependence between theory and practice.

In Plato’s *Apology*, Socrates’ “examined life” referred to the critical analysis of those matters that could bring about the highest welfare or excellence of the soul.<sup>21</sup> In *Gorgias*, Socrates stated that he was the only man who practised the true “political art”: leading a philosophical

life, guided by what he thought to be right or just for the good of both himself and his fellow citizens, even if that meant endangering his own welfare or "dying many deaths."<sup>22</sup> Plato's Socrates argued that refraining from unjust actions or being committed to justice was the best protection that one can provide to himself from being harmed.<sup>23</sup> But acting in a just way presumed knowledge of what *justice* is – a knowledge which requires one first to know, and take care of, one's own self, that is, through self-examination. He was convinced that only the pursuit of virtue or human excellence can bring about personal and social benefit.<sup>24</sup> Plato's Socrates thus searched for definitions, seeking what the life of virtue consisted in, and showed to his contemporaries, "much to their annoyance," that their unreflective habits of practice and behaviour did not constitute, in contrast to what they thought, living well.<sup>25</sup> Like everything else in the polis that had to be done well (and, more importantly, *for good*), living also required an art.<sup>26</sup>

In Plato's *Gorgias*, Socrates talked in some detail about that "master art" which enabled one to *know* and *do* what is beneficial or good (*agathon*), admirable (*kalon*) and just (*dikaion*).<sup>27</sup> As any other art, it

will have investigated the nature (*phusis*) that it cares for and the causal explanation (*aitia*) of its procedures, so as to be able to give a rational account (*logos*) of both, just like the doctor who has studied the nature of the body and the causes of disease, and so can give an explanation of his treatment [...] [J]ust as the doctor's procedures are teleologically subordinated to the goal of bodily health, so the theory and practice of the political art are rationally structured by their relation to the *telos*.<sup>28</sup>

It is not difficult then to see why Mill cited Plato's *Gorgias* in his discussion of art and science: scientific knowledge differs from practical knowledge (doing from experience) in the former's ability to provide a rational account of the principles – that is, causal relations – that underlie practice. Unless an art is accompanied with such an account, it will simply be considered a skill acquired by *routine*, one that is acquired by no "other faculty than the ape-like one of imitation,"<sup>29</sup> without knowledge of the principles that are involved.

The aim of Plato's "political art" was "the moral welfare of the citizens, 'putting justice and temperance in their souls,' making their mind (*dianoia*) as noble as it can be."<sup>30</sup> The last adds an aesthetic quality to the life of the virtuous individual: the person who is *dikaios* (to know and do what is just) and *phronimos* (to know and do what is beneficial) but also

*kalos* (to know and do what is noble). Thus, in the Socratic tradition of the “Art of Living,” a person’s life required proper guidance of activity, guidance offered by knowledge, to transform the condition of her/his soul into a good one; by achieving excellence, one makes her/his life worth living. However, to achieve expertise in this, as in any craft, the role of *exercise* cannot be overestimated. Simply, one cannot lead the philosophical life, even if one knows its principles, without *askêsis*.<sup>31</sup> Thus, the person who practices the “Art of Life” achieves excellence in, and by, doing what is good, admirable, and just; becoming (as David Hume put it in his essay “The Stoic”) that “master workman who puts those several parts together [i.e. the subordinate arts of life], moves them according to just harmony and proportion [as cogs in a machine], and produces true felicity as the result of their conspiring order.”<sup>32</sup>

### Plato, Mill, and the “Art of Life”

As we saw, for Mill arts define ends – different ends correspond to different arts (each art has its own specific means, but the process to define those means is always the same, i.e. turning to science). However, Mill argued that there is a final end, an ultimate standard or first principle, a *telos*, that is, the end that cannot be for the sake of any end other than itself. That forms the subject-matter of the most comprehensive art – the “Art of Life.” All other ends of conduct are for the sake of the final end. Mill demarcated three intermediate domains of ends (i.e. the secondary action-guiding principles), which differentiate between particular instances of conduct. As Mill tried to explain there are two tests that help to find the precise order of principles of conduct in relation to the final end: “whether the special aim of any particular art is worthy and desirable, and what is its place in the scale of desirable things.”<sup>33</sup>

Right on the outset, one may observe the similarity between Mill’s sketch of the interrelation of ends within the “Art of Life” with the central conclusion of Plato’s *Gorgias*: that “the theory and practice of the political art are *rationaly structured by their relation to the telos*.”<sup>34</sup> This may not be such a surprise, since during the time prior to the publication of the *Logic* Mill was preoccupied with translating, discussing, and reviewing works of, or on, Plato. According to Mill, the “Art of Life” is divided into three secondary domains of ends: morality (the right), prudence (the expedient), and aesthetics (the beautiful, noble). These three departments correspond exactly to the three distinct ends that constituted the subject-matter of the *politikê technê* as defined in Plato’s *Gorgias*: morality (just or unjust – δίκαιον ἢ ἄδίκον), prudence

(advantageous or harmful – ἀγαθὸν ἢ κακόν), and aesthetics (noble or shameful – καλὸν ἢ αἰσχροδόν).<sup>35</sup> Though in Plato's *Gorgias* the "master art" seemed to coincide with the domain of morality, Mill defined these "departments of ends" in such a way as for them to complement each other (I shall discuss this further in the next section).<sup>36</sup> What is important to note here is that the final end, or the *telos* (i.e. the promotion of happiness of mankind),<sup>37</sup> it being the central idea or purpose of life, saves different pursuits from "incoherency and vain caprice" by making them "one, harmonious, and a whole,"<sup>38</sup> an order which, in both Plato's *Gorgias* and *Republic*, brought about true happiness.<sup>39</sup>

In his review of George Grote's *Plato, and the Other Companions of Sokrates* (3 vols. London, 1865), Mill discussed these principles or qualities of human action in relation to the "complicated" Greek sentiments "on matters of conduct and character." He once again juxtaposed the aesthetic along the useful and the dutiful but argued that the English are incapable of understanding what the aesthetic branch of conduct entails, because of their "practical turn of thought." In contrast, the French, according to Mill, do seem to capture the aesthetic element of the Hellenic feeling but "sometimes indeed out of due proportion to the prudential and the dutiful."<sup>40</sup> Mill argued that "το καλόν" and the emotions that are attached to it (which form the domain of aesthetics) did not have a modern counterpart – unlike "Virtue, Justice, Courage, Knowledge, Law," which did.<sup>41</sup>

Commenting on Plato's project, Mill thus argued that for the proper guidance of life, knowledge of "Good and Evil, Just and Unjust, Honourable and Shameful" was required, not the prescriptions of "Commonplace." The dialectic method drew out the common property of these abstract terms, allowing people to define a standard to regulate and make consistent their ideas about human conduct: "[t]he grand business of human intellect ought to consist in subjecting these general terms to the most rigorous scrutiny, and bringing to light the ideas that lie at the bottom of them." This was the "Platonic test" for the life "worth having," a test that Mill thought applicable to his own time. The dialectic method was, Mill thus argued, an integral part of the "Art of Living."<sup>42</sup>

However, Plato's Socrates famously failed to convince his interlocutors in *Gorgias* about the worth of the philosophical life. This was actually an impossible task, Mill admitted, when attempted with the means of mere argument, since the belief "that a wicked man would be happy if he could succeed in his wickedness" was rather commonplace in ancient Greece. An act that did not involve harm to others could not be called *immoral*, no matter how *harmful* or *shameful* it was for the person

herself/himself.<sup>43</sup> Thus, according to Mill, even if individuals have the ability to rationalize their actions and calculate benefits and costs, they cannot be held accountable to others when their calculations fail in actions that involve only themselves. At the same time, distinguishing between moral, prudent, and aesthetic principles of conduct could show how a particular act can be *inexpedient* and yet be approved for practice – that is, so long as it was conducive to the pursuit of happiness when one views *life as a whole*. Taking these departments of ends to be *always* identical fails in identifying different degrees of conduciveness to the final end and results in classifying instances of human conduct as both inexpedient and expedient concurrently (what Callicles accused Socrates of doing in Plato's *Gorgias*).<sup>44</sup> Without suggesting that there are no cases of overlap between these three departments of ends, Mill tried to extract the truth that lay at the bottom of Socrates' claims in that dialogue – particularly concerning the nobility of that "master workman."

### Reconstructing Mill's "Art of Life"

It has recently been claimed that there is "not much help to be found elsewhere in Mill's works," besides his *Logic*, regarding the content of the three domains of ends of the "Art of Life."<sup>45</sup> Then again, Mill's writings on Plato are not usually expected to yield insights into Mill's political and ethical thought, especially since Mill's "Art of Life" has led studies to a number of new directions with regard to Mill's ethical and political thought.<sup>46</sup>

As we saw, Mill attempted to transfer the familiar and imprecise language of "theory *and* practice" into a consistent form that could provide guidelines for conduct. Earlier writings suggest that Mill had already done much thinking on how to set a utilitarian framework to regulate issues of social interaction and evaluation. For example, such a framework would settle matters of acceptable and unacceptable social inequality by the cultivation of a "high principle" – one that would protect free use of one's natural powers, despite the inequality this created, for the *greater* good. Any other inequality, that is, a "sway" of one person or group over others, Mill seemed to argue, would be made immoral, inexpedient, and shameful.<sup>47</sup>

The three departments of ends of human conduct classed specific actions according to which principle of conduct they followed – moral, prudential, and aesthetic. These, as we saw, were secondary and subsidiary to the *final* end of life, that is, the promotion of happiness. But the primary function of the ultimate principle was that of an "umpire," that is, a regulator of secondary ends. It was not invoked unless in

cases of conflict between them.<sup>48</sup> But neither was the relation between these departments of ends nor their connection to other areas of Mill's thought made clear.<sup>49</sup>

Mill offered two examples of behaviour which were supposed to assist his readers understand how actions are appraised and how these departments of ends interact as well as function against the background of the ultimate end of life, happiness. However, it is generally supposed – wrongly, as I hope to show – that Mill, in "Bentham" and in *Logic*, had the same purpose in mind, despite the difference in formulation.

Focusing on the example in *Logic*, for now, Mill argued that happiness is the *final* end, but not the *sole* end of human conduct. He attempted to demonstrate a case in which happiness was better achieved without directly aiming at it, that is by postulating a different end to be pursued *for itself*, which could even *seem* to go counter to the final end:

the cultivation of an ideal nobleness of will and conduct, should be to individual human beings an end, to which the specific pursuit either of their own happiness or that of others (except so far as included in the idea) should, in any case of conflict, give way.

This example points to a case of priority of the aesthetic department over the other departments. Mill immediately argued that happiness *is* the justification, and *ought* to be the regulator of these secondary ends of life, and added that "the existence of this ideal nobleness of character [...] in any abundance, would go further than all things else towards making human life happy." He then proceeded to define two senses of a "happy life": first, a "humble" sense, that is, pleasure and freedom from pain; second, a "higher" sense, that is, life "as human beings with highly developed faculties can care to have."<sup>50</sup>

Alan Ryan is one of the first scholars to have attempted to draw out the implications of Mill's "Art of Life" for his particular view of liberty and happiness.<sup>51</sup> Briefly, Ryan argued that the department of morality provides the general principles that deal with matters of *right* or *wrong* in *other-regarding* conduct. The end of this department is to produce *inter-personal* goods (e.g. peace, justice, honesty). Morality, Ryan argues, is the "chief and most basic component" of Mill's "Art of Life."<sup>52</sup> In contrast, the department of prudence, in agreement with the common usage, Ryan argues, provides the general principles that deal with matters of *good* or *bad* in *self-regarding* conduct. The end of this department is to produce *personal* goods. Last, the department of aesthetics provides the general principles that characterize human conduct as beautiful or

shameful. Its end is to *reflect* the quality in one's pursuits – in a perceptive, critical, and revisionary way, rather than by calculating either social or private benefits – and its principles assist in the *evaluation* of pleasures and an agent's worth.<sup>53</sup>

Ryan's interpretation aptly shows that Mill's elaborate theory of the "Art of Life" enables an agent to distinguish between different kinds of judgment or standards. Mill opted, Ryan argues, for limiting punishment to the other-regarding sphere, that is, the moral department of ends, which allowed individuals to move freely and experiment within a self-regarding sphere to enrich and ennoble their lives in any way they saw fit.<sup>54</sup> This interpretation has deservedly been very influential and has changed the way many think of Mill's *On Liberty* and *Utilitarianism*. However, applying Ryan's argument to the example mentioned above (from the last page of the *Logic*) shows that it is somewhat narrow. Ryan seems to read the above example as a case of individuality, aesthetically noble, located in the department of prudence. If it is an end, it is self-regarding.<sup>55</sup> But Mill had clearly argued that there is a *better* conception of expediency rather than simple self-interest. Utilitarianism was usually considered to equate morality with expediency<sup>56</sup> and Mill's solution was to argue for a "higher degree" of expediency, not simply discern between self- and other-regarding spheres. In the aforesaid example, the higher degree referred to pursuing other ends for themselves, even if they appear, short-sightedly, to be irrelevant or even harmful to happiness.<sup>57</sup>

Jonathan Riley's and Wendy Donner's reconstructions of the "Art of Life" expand on Ryan's brief treatment of Mill's "Art" and avoid some of its problems. Riley does this by accommodating the claims of a self-regarding sphere of complete liberty, a social sphere of morality and law as well as a social sphere of competitive freedom – a sphere that Ryan has not set apart.<sup>58</sup> In this respect, first, the domain of morality provides the general principles that secure social harmony. These refer to the cultivation of "a feeling of moral obligation to make other-regarding choices": right other-regarding actions point to those choices whose consequences promote a person's "permanent interest in social harmony, [...] conceived as part of his own happiness"; wrong other-regarding actions point to those choices whose consequences undermine social harmony.<sup>59</sup> Similarly, Donner argues that in Mill's "Art of Life" the department of morality has authority over those "rules of duty or obligation, whose violation calls for coercive moral sanctions." A morally wrong act is that which is "liable to punishment and coercion." Thus, this is the province of (other-regarding) Duty, in which morally right acts may fail to maximize the good but whose "perpetual

practice" is indispensable to "general well-being."<sup>60</sup> These remarks highlight both the role of punishment (politically, socially, or self-inflicted) and the suspension of the general consequentialist principle of the maximization of the good.

Second, Riley suggests that the domain of *expediency* provides a generalized, and straightforward, consequentialist principle: "[a]ny person should evaluate the desirability of actions on the basis of their consequences." This is co-extensive with all human conduct;<sup>61</sup> thus, unlike Ryan, Riley argues that this domain includes the other two domains and involves both self- and other-regarding actions. Donner agrees with Riley that the department of *general expediency* refers to the all-inclusive category of the general promotion of good,<sup>62</sup> but points out that there is also a more limited sense of (*simple*) expediency (which corresponds to Ryan's self-regarding sphere).<sup>63</sup> The principle of utility, Donner maintains, supplies a "general value ought" – not a *moral* ought – which makes the principle of utility an axiological principle. Such a "great axiom" stipulates that "happiness alone has intrinsic value" and does not have direct influence at the practical level of morality but only at the critical level – "it cannot by itself impose obligations or yield judgments about right action."<sup>64</sup>

Third, the department of aesthetics, according to Riley, provides the general principles that enable people to develop their individuality. These refer to the cultivation of "a feeling of aesthetic obligation [...] to exercise [one's] liberty of self-regarding actions." Individuals have a special duty to themselves to exercise this liberty to promote their self-improvement. There is an aesthetic quality in such an exercise, whereas failure to exercise it signals an individual's "self-corruption."<sup>65</sup> Riley allows that this department has both a self- and an other-regarding dimension; he also incorporates Ryan's "reflective" aspect (i.e. conduct considered as noble). In some cases, Riley argues, aesthetics overlap with the sphere of morality; in others aesthetics manifest themselves in the self-regarding sphere of complete liberty or in the social sphere of competitive freedom.<sup>66</sup> Riley's view of the department of aesthetic ends broadens the one-dimensional, that is, reflective, character Ryan has argued for. He illustrates how this department can offer action-guiding principles similar to the principles of the domains of morality and expediency.

However, Donner seems to disagree with this view. The department of aesthetics, Donner argues, encompasses the self-regarding *virtues*. These are not properly called "duties to one's self," since they lack coercive influence. This is the province of Virtue, Nobility, Beauty, and positive



Worthiness, which has jurisdiction over acts, including forms of social interaction, which are not properly subject to coercion and punishment or intolerance. Here, supererogatory acts find their place.<sup>67</sup> Donner lays special emphasis on the importance of a proper demarcation of the domains of morality and aesthetics. Mill defined these three departments as interconnected, “essential components” of the “Art of Life” which “complement each other.”<sup>68</sup>

Both Riley and Donner show that Mill had a complex moral philosophy and theory of value to which many critics have failed to do justice. However, both seem to run into some trouble with Mill’s domain of aesthetics. Riley’s discussion of three spheres of conduct does make sense, even though it does not seem to be easily translatable to the terms of Mill’s “Art of Life.” Especially, the aesthetic domain of ends is made to partake of all spheres of conduct (which does capture the “older” meaning of art) without a clear view of its relation to the other domains. On the other hand, Donner argues that virtue is not simply supererogation. But saying that it is also an element of a “well-lived life” adds little if anything. It fails to capture Mill’s more nuanced use of virtue; his example in the last page of the *Logic* seems to point to an “ancient” sense of virtue, that is, the ideal of human excellence (*kalos*), which can include Donner’s “modern” sense, that is, the sacrifice of personal interest.

Not surprisingly, Mill’s example in the *Logic* of a case of priority of the aesthetic domain has led to disagreements. Thus, Mill may have been right to suggest that to the practical turn of mind of the moderns, the ancient Greek notion of the *kalon* was difficult to grasp. James Mill, who also considered acts to be “hurtful or beneficial” (prudence), “moral or immoral” (morality), “virtuous or vicious” (aesthetics), argued that it was “only an abuse of language to call them beautiful or ugly.”<sup>69</sup> That John Mill did call them that must count for something.

For this reason, I turn to Mill’s second example typically discussed, which appeared in “Bentham” – an example which has made it even more difficult to untangle Mill’s “Art of Life” (especially in reference to aesthetics). As the story goes, presumably not only did Lucius Junius Brutus not prevent the beheading of his sons, Titus and Tiberius, for being part of the plot to restore the tyrannical power of the exiled Tarquinian family, but moreover “he shut up his heart to his children with obdurate severity,” fulfilling his duty as a consul and administering the appropriate punishment to those who endangered liberty. This story appeared several times in the utilitarian tradition (e.g. D. Hume, A. Smith, C.A. Helvétius).<sup>70</sup>

Mill employed this example to explain how particular acts affect the people that witness or observe them – it was common enough in the Scottish tradition to separate the moral sentiments of the actor from those of the spectator.<sup>71</sup> A person's conduct in a given situation, Mill tried to explain, can be *appraised* according to the feelings it stimulates – and not just be deconstructed and transferred into different categories of ends. These feelings can be of three sorts: moral, aesthetic, and sympathetic. The similarity with the departments of the "Art of Life" has led some commentators to argue that Mill was talking about the same thing – and inconsistently so – and that these departments were later modified to morality, aesthetics, and prudence (the last occupying the place of sympathy).<sup>72</sup>

But it seems that his objective in this essay was to show that moral and psychological theories need to take into account these different ways in which people *estimate* particular actions and agents, since "the moral view of actions and characters," though unquestionably it has priority, "is not the sole one [...] it is only one of three, by which our sentiments towards the human being may be, ought to be, and without entirely crushing our own nature cannot but be, materially influenced":

The first addresses itself to our reason and conscience; the second to our imagination; the third to our human fellow-feeling. According to the first, we approve or disapprove; according to the second, we admire or despise; according to the third, we love, pity, or dislike. The morality of an action depends on its foreseeable consequences; its beauty, and its loveableness, or the reverse, depend on the qualities [i.e. aesthetic or sympathetic] which it is evidence of.<sup>73</sup>

All three aspects are critical or reflective. Thus, with his analysis of Plato's *Gorgias* in mind, Mill did not seem to believe that people are influenced by a mode of action simply by approving it, unless they already desire the ends such an action pursues. For people to be influenced into acting similarly, when they are *not already inclined* to act so, actions have to be admirable and loveable, to work on their imagination and excite care for the well-being of others – not to work on their rational faculties alone.<sup>74</sup>

Thus, Mill argued, Brutus' actions can be *approved* because, in "executing a law essential to the freedom of his country, against persons of whose guilt there was no doubt," he exhibited "a bent of character from which useful [...] actions are likely to arise."<sup>75</sup> At the same time, the choice to administer the sentence was "*admirable*, because it evinced a rare degree of patriotism, courage, and self-control." These were

important virtues (only the latter two can be self-regarding in Donner's sense), which Livy's and Niebuhr's narratives seemed to approve.<sup>76</sup> However, Brutus' choice could not be *loveable* because it excluded any sympathetic qualities for its pursuit – Brutus had managed to make that choice because he had suppressed the sympathetic feelings towards his sons.<sup>77</sup>

Mill explicitly employed this example to reply to the "morality-intoxicated" thinkers whom he had in mind (Bentham and Comte),<sup>78</sup> by showing that the moral standard was *neither* the "sole master of all our actions" *nor* "even of all our sentiments." More importantly, it shows that Mill did not seem to set the department of aesthetics as a sphere of licence. Actions that are "base" may not be immoral or harmful, but they cannot be indicative of a "noble" character. Thus, though some types of conduct were not to be interfered with in matters that caused no harm to others, no conduct could be beyond "praise or condemn": "as if men's likings and dislikings, on things in themselves indifferent, were not full of the most important inferences as to every point of their character."<sup>79</sup> Mill's concern with what kind of character a person forms suggests that his "Art of Life," like all ancient theories which defined the best life, was directly related to what kind of person one becomes.

Thus, to bring the above considerations together, the "Art of Life," Mill argued, is a "Philosophia Prima" or *ultima* which consists in the first principles (the "widest generalizations") of conduct.<sup>80</sup> As such, the "Art of Life" deals with questions which concern the final and intermediate ends of conduct, how acts (and their ends) can be grouped according to some common attribute (and how they are further subdivided according to other attributes) and how they relate within a hierarchy, under the principle of utility.

A person's chosen course of action aims to produce a certain end. An end, or the object of desire, is considered to be the product of the intended and foreseen consequences of the specific act. The principle of expediency will propose a course of action that, most surely (and directly), will bring about that end. Without such a plan of action, individuals are "mere gamblers." The common attribute of expedient actions is knowledge of the remote causes which with proper foresight, calculation, and application of appropriate means will produce the desired end – incorporating questions "of time, place, and circumstance." Distinguishing between *immediate* and *ultimate* interests differentiates between simple and general expediency.<sup>81</sup>

Mill argued, however, that "there are different orders of expediency; all expediencies are not exactly on the same level." For example, he

argued that considerations of justice are a branch of expediency of the highest level.<sup>82</sup> Thus, if a course of action of simple expediency can be distinguished and separated from the domain of morality, only then ought the agent to pursue it without any further consideration. But, if a course of action has an other-regarding aspect, for the sake of ultimate interests, then individuals ought to incorporate the action-guiding principle of morality in their intended plan of action. They are required to choose the best possible course of action, without overriding the principle of morality. Persons are required to test their theories, by being able "to make an estimate of means and of obstacles habitually a part of all [their] theories that have for their object practice, either at the present or at a more distant period" – moral principles may be such obstacles.<sup>83</sup>

How does one know what distinguishes morality from the other departments? The common attribute that moral obligations have, Mill added, including the more limited sense of justice, is the "punishability" of action (either by law, opinion, or self-guilt). However the emotions associated with justice, Mill argued, make the difference between morality and simple expedience not one of *degree* but of *kind*, which renders morality incommensurable to considerations of simple expediency.<sup>84</sup> In choosing a course of conduct, which gives due weight to these considerations, the outcome may be that the course of action may be moral but inexpedient – but ultimately it is still the best course of action. Fulfilling thus the "proportionality" criterion,<sup>85</sup> the two tests mentioned earlier rank the moral act higher than the expedient act. However, there are extreme cases (e.g. social control or injustice), when other principles are involved (e.g. liberty or equality) – that for the sake of ultimate interests (e.g. the "permanent interests of man as a progressive being"), a moral act may be ranked lower in the hierarchy (e.g. allow harm to avoid producing "evils, greater than those which it would prevent" or to allow an injustice to correct an inequality). In such cases, direct recourse to the first principle is required – after all Mill did argue that "Morals and Politics require [...] at every step" these "general principles of Teleology."<sup>86</sup>

In contrast, the principle of aesthetics refers to acts as ends in themselves, done neither as obligations and because they are expected<sup>87</sup> nor for the sake of any ostensible consequences. Rather they form the natural or spontaneous (i.e. in contrast to calculated) expression of a person's character. However, the connection between Mill's "Art of Life" and Socrates' *politikê technê* shows that Mill distinguished what is "noble" from what is "dutiful" or "useful," because, of all three modes of

conduct, it is the only one which can maintain an emotional impact – even life-changing – on other people when the other two fail to do so.<sup>88</sup> But, as in the case of morality, the outcome of the test of ordering between aesthetic and expedient ends may be that the course of action may be noble but immediately inexpedient. This may explain why Mill argued that, though a noble action is an end in itself, there is a need for more social incentives for “*le vrai, le beau, et le bien*,” which, unlike “*l’utile*,” have an inward reward, and whose “external fruits [appear] only in a distant future.”<sup>89</sup> As aesthetics are still subject to the test of the final end, in case of conflict with morality, the latter has priority.<sup>90</sup>

However, Mill’s use of the “older” meaning of art, for example Plato’s, which by definition brought about only good, made it more likely for Mill to think that no such conflict was possible for the “master workman.”<sup>91</sup> The “leading departments of human life,” Mill argued (on a different subject, though having just mentioned the art of life), “do not develop themselves separately, but each depends on all, or is profoundly modified by them.”<sup>92</sup> Having just reviewed Grote’s *Plato*, Mill’s “Inaugural Address” captured the aesthetic quality present in the character of the *kalokagathos* (usually translated as “virtuous man”).<sup>93</sup> To use Plato’s terms, for Mill, transforming the condition of one’s soul into a good one leads the individual beyond considerations of expediency; then, the agent is enabled to view life as any work “which is done as if the workman loved it, and tried to make it as good as possible, though something less good would have answered the purpose for which it was ostensibly made.”<sup>94</sup>

## Conclusion

Mill’s “Art of Life” is closely related to ancient Greek thought. In the Stoic tradition, the task of the philosopher was to examine the interrelation between the principles of *logos*, in order to understand precisely what each amounted to, and “to understand *in what way*, they hang together” – what followed naturally was “the correct use of this *logos*.”<sup>95</sup> Early on in this paper it was noted that the most important question of the tradition of the “Art of Living” was “Is it worth living that way?” As we saw, Mill noted that the question of worth fell within the aesthetic department of ends.<sup>96</sup> The pleasures of such a life, Mill argued, have no limit.<sup>97</sup> To put it in the terms of Plato’s *Republic*, for the cultivated individual a life of virtue does pay – “in Art, the perfection is itself the object” and that is why a life in pursuit of excellence can only be understood in aesthetic terms.<sup>98</sup>

The self-modelling question, that is, "What to make of oneself?" highlights this interrelation of theory and practice in the care for the "soul" but also in considering the consequences of what kind of a person one becomes. But there is a need to distinguish between the two distinct parts of the self-modelling question, that is, "What should I take myself to be?" and "What should I fashion myself into?" and then attend to them separately: "you can hardly undertake to fashion yourself without some preconception of what you are or could be, and you can hardly have a preconception of what you are or could be without also having some strong motivation or purpose."<sup>99</sup> The "Art of Life" both requires that kind of knowledge and, by Mill's definition, supplies this motivation. But it also requires that a person has the capability for self-development. Mill argued that one does. Within the limits set by the criteria of leading a principled life and holding reasoned beliefs, individuals are encouraged not to imitate others and to find inspiration in a way of life that is truly felt to be their own. Only then can their life be regarded as a work of art. But life as a work of art, "done as if the workman loved it," requires a person "to make it as good as possible," even when "something less good" would have sufficed – thus opting for the "higher," rather than the "humble," sense of happiness.<sup>100</sup>

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## Notes

1. E.g. Fitzpatrick (2010: 46–8, 101–4); Urbinati (2011: 240–2).
2. J.S. Mill, *Utilitarianism* (1861), *CW*, X.211; *Autobiography* (1873), *CW*, I.48; J.S. Mill to G. Grote, 10 January 1862, *CW*, XV.764. See also, "Diary," 08 April 1854, *CW*, XXVII.666. See further, Rosen (2003).
3. See Giorgini (2009: 617–46).
4. J.S. Mill, *Autobiography*, *CW*, I.24.
5. "Diary," 23 January 1854, *CW*, XXVII.645; Plato, *Apology*, 38a.

6. J.S. Mill, "Nature" (1874), *CW*, X.381.
7. J.S. Mill, *Principles of Political Economy* (1848), *CW*, III.756–7.
8. J.S. Mill, *A System of Logic* (1843), *CW*, VIII.943–8; J.S. Mill to E. Bulwer-Lytton, 27 March 1843, *CW*, XIII.578–9. See further, Plato, *Gorgias*, 464a–5a; J. Mill (1802: 1–2; 1819: 5); Bentham (1983: 61).
9. J.S. Mill, "Definition of Political Economy" (1836), *CW*, IV.312, 319–20. See further, Eggleston et al. (2011b: 3–5).
10. J.S. Mill, *Logic*, *CW*, VIII.949, 943–5.
11. For J.S. Mill's discussion see, *Logic*, *CW*, VIII.943–8; "Definition," *CW*, IV.331n; *An Examination of Sir William Hamilton's Philosophy* (1865), *CW*, IX.350–2. For the ancient Greek conception, see also Nussbaum (2001: 95). For the most recent summary of Mill's view, see Eggleston et al. (2011b).
12. Cf. Lianeri (2007: 183).
13. J.S. Mill, *Logic*, *CW*, VIII.945–6. See further, J.S. Mill, "Grote's Plato" (1865), *CW*, XI.405.
14. Plato, *Gorgias*, 463b. "Definition," *CW*, IV.312; "Gorgias" (1834), *CW*, XI.109; J.S. Mill to E. Bulwer-Lytton, 27 March 1843, *CW*, XIII.578–9. See further, J. Mill, *Commonplace Books*, vol. I, f. 112V. See further, Haralsson (2011).
15. J.S. Mill, *Logic*, *CW*, VIII.943n.
16. J.S. Mill, *Logic*, *CW*, VIII.943–4; "Carlyle's French Revolution" (1837), *CW*, XX.161 (see also, "Whewell on Moral Philosophy" (1852), *CW*, X.179). See further, Baker (1971). For Mill's vulnerability to charges of incoherence, see Miller (2011: 95); see further, Eggleston (2011); cf. Weinstein (2011).
17. Nehamas (1998: 2, 6–9).
18. Sellars (2003: 5, 5n25); Long (2001: 33); Foucault (1986); Nehamas (1998: Ch. 6).
19. Sellars (2003: 31–2).
20. *Ibid.*: 20–32.
21. Plato, *Apology*, 38a, 29d–30b.
22. Plato, *Gorgias*, 521d–2d; *Apology*, 30b–c. See further, Coleman (2000: I.53).
23. Plato, *Gorgias*, 522c–d; *Apology*, 25c–e.
24. Plato, *Alcibiades I*, 129a, 130c, 134c–d. See further, Sellars (2003: 36–7, 37n20).
25. Coleman (2000: I.56).
26. Sparshott (1978: 289–90); Sellars (2003: 39).
27. Plato, *Gorgias*, 521d, 459d.
28. Kahn (1996: 130).
29. J.S. Mill, *On Liberty*, *CW*, XVIII.262.
30. Kahn (1996: 130–1); Plato, *Gorgias*, 464a, 504e, 514a; Plato, *Republic*, 420b. See further, Sellars (2003: 40–2).
31. Sellars (2003: 42–50). See further, Kahn (1996: 133); Nussbaum (2001: 125); Coleman (2000: I.53–4).
32. Hume (1826: 167–8). See further, Stewart (1991: 279).
33. J.S. Mill, *Logic*, *CW*, VIII.949–52. See also, "Newman's Political Economy" (1851), *CW*, V.443; *Utilitarianism*, *CW*, X.207.
34. J.S. Mill, *Logic*, *CW*, VIII.949ff. See also, Kahn (1996: 130) (italics added).
35. J.S. Mill, *Logic*, *CW*, VIII.949; Plato, *Gorgias*, 459d (trans. Kahn, 1996: 129; for Mill's translation see "Gorgias," *CW*, XI.105).

36. Kahn (1996: 129). But these domains of ends do seem to be distinct in Plato's *Statesman* (295e–7b), a dialogue which Mill used to define the Scientific Governor (see Schofield, 2006: 138ff, 164).
37. J.S. Mill, *Utilitarianism*, CW, X.206; *Logic*, CW, VIII.952. See further, *Auguste Comte and Positivism* (1865), CW, X.337.
38. "On Genius" (1832) CW, I.333; "Grote's Plato," CW, XI.404.
39. E.g. Plato, *Gorgias*, 506c–7c; *Republic*, 441d–4d.
40. "Grote's Plato," CW, XI.409 (*Autobiography*, CW, I.61). For H. Sidgwick's and T.H. Green's different views of the "kalon," see Irwin (1992).
41. Still, it being a "complex idea" or a "mixed mode," the key to unfolding the meaning of *to kalon* was provided by Plato's dialectic method. See "Grote's Plato," CW, XI.409 (cf. J. Mill, 1804b: 578).
42. "Grote's Plato," CW, XI.403–5.
43. "Gorgias," CW, XI.97, 149; "Grote's Plato," CW, XI.395–6. Interestingly, this formed Mill's argument in *On Liberty*.
44. See further, Plato, *Gorgias*, 482c–6d.
45. Eggleston et al. (2011b: 6–7).
46. See further, Eggleston et al. (2011b).
47. J.S. Mill, "Bentham" (1838), CW, X.112–3; J.S. Mill to A. Helps, c1847, CW, XVII.2001–2.
48. J.S. Mill, *Logic*, CW, VIII.949–52.
49. Cf. Robson (1998: 348–9).
50. J.S. Mill, *Logic*, CW, VIII.952 (see also, "Grote's Plato," CW, XI.415–6).
51. Ryan (1964: 258–9). See also Raphael (1955: 345n1).
52. Ryan (1965: 164–5; 1974: 106).
53. Ryan (1965: 164–5; 1974: 105–6; 1990: 216). See further, Brown (1972: 154).
54. Ryan (1965: 162, 165–7). See further, Gray (1996: 17).
55. This may be a questionable move, since limiting prudence to a self-regarding sphere and morality to the other-regarding sphere, critics argue, fails to account for Mill's requirement of impartiality between self and others (Brown, 1972: 154; Gray, 1996: 40).
56. Coleridge (1818: 141, 403–4).
57. J.S. Mill, *Utilitarianism*, CW, X.223; "Remarks on Bentham's Philosophy" (1833), CW, X.7–8; "Bentham," CW, X.112–3.
58. Riley (2011: 139–41). See further, Riley (2010).
59. Riley (1988: 198).
60. Donner (2007: 269–70; 2010: 89, 92–3); Donner and Fumerton (2009: 42, 44). See also, Donner (2011).
61. Riley (1988: 196, 183).
62. Donner (2007: 269; 2010: 91); Donner and Fumerton (2009: 37).
63. Donner (2010: 92, 96) (cf. J.S. Mill, *Utilitarianism*, CW, X.241).
64. Donner and Fumerton (2009: 42); Donner (2010: 86–7) (see also, Gray, 1996: 22, 25). See further, J.S. Mill, "Remarks," CW, X.10.
65. Riley (1988: 227).
66. Riley (2011: 139–41).
67. Donner (2007: 271–2; 2010: 89, 92, 95); Donner and Fumerton (2009: 42–3).
68. Donner (2010: 96); Donner and Fumerton (2009: 53–4).
69. J.S. Mill, "Grote's Plato," CW, XI.409; J. Mill (1835: 263).



70. J.S. Mill, "Bentham," CW, X.112–3. Anon. (1836: V.498–9, 498); Niebuhr (1851: I.497–8); Plutarch, *Parallel Lives*, 984. I. 1; Livy, *History of Rome*, II.v7–9. See further, Rosen (2003: 84–5).
71. J. Mill (1835: 5–9) offers a brief history of this distinction.
72. Robson (1998: 348); Ryan (1990: 215). Cf. Brown (1972: 154n11).
73. J.S. Mill, "Bentham," CW, X.112.
74. J.S. Mill, *Utilitarianism*, CW, X.221; "Gorgias," CW, XI.150. See further, *Logic*, CW, VIII.841–2.
75. J.S. Mill, "Bentham," CW, X.112. See further, *Utilitarianism*, CW, X.220n, 220–1; "Grote's Plato," CW, XI.404–5.
76. Livy, *History of Rome*, II.v7–9; Niebuhr (1851: I.497–8).
77. J.S. Mill, "Bentham," CW, X.112–3; Plutarch, *Parallel Lives*, VI.126–7.
78. J.S. Mill, "Bentham," CW, X.112; *Auguste Comte and Positivism*, CW, X.336.
79. J.S. Mill, "Bentham," CW, X.113; "Taylor's Statesman" (1837), CW, XIX: 646–7. See further, *Utilitarianism*, CW, X.221–2; *On Liberty*, CW, XVIII.263; "Remarks," CW, X.7–8.
80. J.S. Mill, *Logic*, CW, VIII.951 (cf. *Utilitarianism*, CW, X.234); *Hamilton*, CW, IX.417.
81. J.S. Mill, *Utilitarianism*, CW, X.206; *Logic*, CW, VII.107; "Paper Currency" (1826), CW, IV.113–4; "Whewell's Moral Philosophy," CW, X.180–1; "Peerage Question" (1831), CW, XXIII.342; *Principles*, CW, II.162–3; "Coleridge" (1840), CW, X.154; "Corporation and Church Property" (1833), CW, IV.195–6; "The Condition of Ireland [20]" (1846), CW, XXIV.956; "Taylor's Statesman," CW, XIX.636.
82. J.S. Mill, speech on "Admission of Women to Franchise," 20 May 1867, CW, XXVIII.152.
83. J.S. Mill, "Armand Carrel" (1837), CW, XX.174.
84. J.S. Mill, *Utilitarianism*, CW, X.246, 251, 255, 259; see also, *Hamilton*, CW, IX.459n, 462n.
85. See further, Berger (1984: 105–20).
86. J.S. Mill, *On Liberty*, CW, XVIII.224–5; *Utilitarianism*, CW, X.254; *Subjection of Women* (1869), CW, XXI.264; *Logic*, CW, VIII.950.
87. J.S. Mill, "Auguste Comte and Positivism," CW, X.337–8; "Thornton on Labour and Its Claims" (1869), CW, V.650–1.
88. See further, J.S. Mill, *Logic*, CW, VIII.840–1; *On Liberty*, CW, XVIII.278; "Remarks," CW, X.10.
89. *Utilitarianism*, CW, X.235–7; *Logic*, CW, VIII.853 (see further, Donner, 1998: 258); "Centralisation" (1962), CW, XIX.595–6. See also, "Inaugural Address Delivered to the University of St. Andrews" (1867), CW, XXI.256–7.
90. J.S. Mill, *Utilitarianism*, CW, X.220–1.
91. Sparshott (1978: 289–90).
92. J.S. Mill, *Principles*, CW, III.758nb–b. Cf. White (1995: 260; 1999: 501).
93. See further, Garrison (2004); Bourriot (1995).
94. J.S. Mill, "Inaugural Address," CW, XXI.256.
95. Mansfeld (2003: 123–4, 129–30).
96. J.S. Mill, *Utilitarianism*, CW, X.246–7.
97. J.S. Mill, "Editorial Notes on James Mill's *Analysis of the Phenomena of the Human Mind*" (1869), CW, XXXI.226.
98. J.S. Mill, "Inaugural Address," CW, XXI.255–6.

99. Long (2001: 19–20).
100. J.S. Mill, *Logic*, CW, VIII.952 (see also, "Grote's Plato," CW, XI.415–6). See further, Heydt (2006, 2011).

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# 4

## Mill's Greek Ideal of Individuality

*Jonathan Riley*

### **The Greek ideal of individuality**

In *On Liberty*, John Stuart Mill defends "a Greek ideal of self-development," which apparently involves a mixture of two elements: " 'Pagan self-assertion' is one of the elements of human worth, as well as 'Christian self-denial' " (OL.iii.8).<sup>1</sup> This Greek ideal, he says, "blends with [...] the Platonic and Christian ideal of self-government" in so far as both ideals prescribe that individuals should voluntarily sacrifice their selfish concerns when necessary to obey moral rules of justice that distribute equal rights and correlative duties for the common good. Indeed, an individual should be forced, if necessary, to obey such rules of justice: "As much compression as is necessary to prevent the stronger specimens of human nature from encroaching on the rights of others, cannot be dispensed with" (OL.iii.9).<sup>2</sup> But the Greek ideal also includes an element of self-assertion and thus does not call for the individual to exhaust her entire life and conduct in obedience to putative moral rules, whether in the form of laws, customs, or dictates of conscience. For Mill, the Greek ideal supersedes the Platonic and Christian ideal, which decries self-assertion and tries to smother it with moral rules. He makes this clear when he holds up Pericles to exemplify the Greek ideal, and claims that Pericles lacks none of the virtues of John Knox, who exemplifies Christian self-sacrifice: "It may be better to be a John Knox than an Alcibiades, but it is better to be a Pericles than either; nor would a Pericles, if we had one in these days, be without anything good which belonged to John Knox" (OL.iii.8).<sup>3</sup>

The need to substitute the Greek or Periclean ideal for the Platonic and Christian one is a central theme of Mill's great essay. According to the Platonic and Christian ideal, a good and virtuous person ought always to

govern herself in accord with rules dictated by some authority, whether divine or human, which is often dressed up as universal Reason: she ought to stamp out any wish to assert herself in ways not prescribed by the authority. In Mill's view, such an ideal is already a powerful influence "at present" in advanced societies such as Britain and the United States, and it threatens to become far more powerful in the coming democratic age. He identifies Calvinism as an extreme form of the ideal, extreme because it holds that "man needs no capacity, but that of surrendering himself to the will of God" (OL.iii.7).<sup>4</sup> But the same ideal is "held, in a mitigated form, by many who do not consider themselves Calvinists" or even (he might have added) Christians:

the mitigation consisting in giving a less ascetic interpretation to the alleged will of God; asserting it to be his will that mankind should gratify some of their inclinations; of course not in the manner they themselves prefer, but in the way of obedience, that is, in a way prescribed to them by authority; and, therefore, by the necessary conditions of the case, the same for all. (OL.iii.7)

In the coming democratic age, the alleged will of the popular majority, or that of their elected legislators, is likely to replace the will of God or become identified with it. People who think of themselves as atheists may still subscribe to this secular version of the Platonic and Christian ideal "in a mitigated form" in so far as they believe that a good person ought always to obey democratic laws and customs, even if those rules intrude far into her personal affairs: she must stamp out any inclination to assert herself in ways regarded as impermissible by the popular majority or its representatives after due deliberation.

How does the Periclean ideal differ from this Platonic and Christian ideal? Unlike the latter, the former makes room for pagan self-assertion as an element of human worth, despite human fallibility. More specifically, the Periclean ideal calls for the individual to assert her own nature, do as she pleases, choose whatever seems best in terms of her own judgement and natural inclinations, with respect to what Mill calls the "purely self-regarding" portion of her life and conduct. Indeed, for Mill, self-assertion in this sense is just another name for individual liberty, and liberty is "the only unfailing and permanent source of improvement" (OL.iii.17).<sup>5</sup> Thus, the Periclean ideal is distinctive because it insists on moral rights of self-regarding liberty and individuality, given that individuality is "the same thing" as self-improvement or self-development and that "it is only the cultivation of individuality which

produces, or can produce, well-developed human beings" (OL. iii.10).<sup>6</sup> In short, in addition to obeying rules with respect to what Mill terms the "social" portion of her life and conduct, the individual should assert herself as she pleases with respect to a distinct "purely self-regarding" sphere so that she can develop and maintain an excellent character for herself, including the disposition to comply with her society's recognized rules of justice. Once well developed, she does not need to be coerced to fulfil her moral duties by fear of punishment. Moreover, she will continue to do as she pleases in her self-regarding affairs not only because the process of self-development is an endless striving towards the ideal for fallible human beings but also because self-assertion remains essential to prevent her developed intellectual, imaginative and moral capacities from decaying through lack of exercise.

For the most part, I shall assume that the reader is familiar with Mill's liberty principle as I interpret it.<sup>7</sup> As a brief reminder, he identifies purely self-regarding conduct as conduct that does not directly and immediately cause perceptible harm or benefit to others or, if it does, "only with their free, voluntary, and undeceived consent and participation" (OL.i.12).<sup>8</sup> In contrast, an individual's social conduct directly and immediately imposes harms or benefits (or a risk of such) on others without their genuine consent and participation. Harm is not mere dislike: self-regarding conduct may affect others' feelings, so they may like or dislike the conduct (OL.iv.5–6).<sup>9</sup> Nor is harm restricted, as Rawls (2007) and other revisionists insist, to violations of interests that are justifiably considered as rights. Rather, it is any of myriad forms of perceptible damage to an individual's interests broadly construed, including her body, financial condition, reputation, contractual and tacit expectations raised by others, and so forth. Analogously, benefit is not mere like nor is it restricted to the fulfilment of moral duties to others. Rather, it is any of myriad forms of perceptible improvement to an individual's position in society.

The simple liberty principle says that any adult has a moral right to choose as she pleases among her feasible set of purely self-regarding actions, including actions that harm or benefit other consenting adults. Society's authority to regulate is properly confined to the distinct social sphere. Although its representatives properly consider using legal and social sanctions to protect individuals from suffering any form of non-consensual harm, including coercive interference with their self-regarding liberty, which in turn includes the liberty to refuse unwanted personal benefits, Mill argues that society finds it expedient not to intervene in some situations because the expected social benefits of leaving

everyone alone outweigh the expected benefits of any feasible social regulatory scheme. With respect to market exchange and speech, for instance, society ought to adopt broad policies of *laissez-faire* so as to receive the resulting economic efficiencies and warranted opinions even though this implies that some traders and speakers will be permitted to harm others without their consent. In his view, rules should only be enforced to prevent individuals including state officials from taking actions that force others to endure harms which are recognized by society as wrongful. Restricting attention to justice as the core of morality, society and its representatives should only enforce moral and legal rules that distribute rights not to suffer such grievous harms and correlative duties to refrain from the relevant actions. In any civilized society, Mill insists, these rights must include the right not to suffer coercive interference from others in one's purely self-regarding affairs.

The upshot is that the liberty doctrine is consistent with the idea of an excellent character that combines pagan self-assertion, understood as liberty in the sense of choosing as one pleases with respect to a self-regarding sphere of conduct, and Christian self-government, understood as obedience to recognized moral and legal rules of justice that do not reach inside anyone's self-regarding sphere but instead operate only with respect to a distinct sphere of social conduct. True, these rules of justice do not regulate all social conduct in so far as they permit the individual to be free from coercion as long as she fulfils her moral duties to others. But negative freedom from coercion is not the same thing as positive liberty to choose as one pleases. An agent may be negatively free and yet she ought not, and has no right, to do whatever she wishes. In a competitive market conducted without force or fraud, for instance, sellers may be free from coercive interference and yet no seller should set her price at whatever level she pleases. Instead, she is well advised to follow an expedient rule of thumb in the long run, namely, set prices at cost of production including a normal profit. It may be retorted that a seller does not act immorally if she ignores this rule and sets prices above or below the competitive market price. Nobody else will enforce the rule or deliberately punish her for ignoring it. Unless she conforms, however, she will eventually face bankruptcy and society recognizes no claim to protect her from this sort of harm since it is inseparable from the efficiency of the competitive market. So a competent agent is aware that, despite her negative freedom, she must not do whatever she pleases in this context.<sup>10</sup>

The idea of liberty as doing whatever one pleases, and the individuality which is contingent on it, should alert us to Mill's hedonistic



theory of life. There is no doubt that his utilitarianism is a hedonistic doctrine. "By happiness is intended pleasure," he says, "and the absence of pain; by unhappiness, pain, and the privation of pleasure" (UTIL ii.2).<sup>11</sup> Admittedly, "supplementary explanations" are needed to clarify how his utilitarianism works: "in particular, what things it includes in the ideas of pain and pleasure; and to what extent this is left an open question." But "the theory of life" remains unaffected by these supplementary explanations. According to that theory, "pleasure, and freedom from pain, are the only things desirable as ends; and [...] 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." For Mill, the Greek ideal of character must be rooted in this hedonistic theory of life.

My main aim is to clarify Mill's view that liberty in the sense of choosing as one pleases is the main source of individuality, which he calls "one of the principal ingredients of human happiness" (OL.iii.1),<sup>12</sup> and that individuality or self-development targets the Greek ideal of an excellent character because his sophisticated hedonism, in particular, the higher pleasures doctrine, pulls self-development in the direction required to approach such an ideal. More specifically, I shall argue that, under the pull of the higher pleasures, self-regarding liberty calls forth and develops the mental capacities that underlie voluntary obedience to moral rules of justice which one has had a voice in creating, rules that distribute and enforce equal rights, including a right to self-regarding liberty. Thus, a well-developed individual no longer struggles to fulfil her moral duties or has to be coerced by others to do so, but instead fulfils them with pleasure. She is not only morally autonomous but also displays a noble character in which pagan self-assertion – choosing as one pleases – is consistently blended with Christian and Platonic obedience to moral rules of limited scope: she does whatever she pleases in her purely self-regarding affairs but she is also pleased to comply with generally expedient rules that regulate social conduct, and especially pleased to obey the most important class of such rules, the moral rules of justice.

This noble character, in which pleasant feelings of a higher kind are ultimately the motivation for moral virtue, is at the core of Mill's hedonistic idea of happiness. Not only is the noble individual herself as happy as possible but so is her society once comprised of individuals like herself. As Mill puts it, "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" (UTIL.ii.10).<sup>13</sup> Although the Greek notion of *eudaimonia* is non-hedonistic, there is a remarkable overlap with Mill's idea of happiness in so far as both are concerned with the pursuit of human excellence and give priority to moral virtue.<sup>14</sup>

Given that it is a thing of beauty, I shall also briefly relate Mill's Greek ideal to the Greek ideal of a beautiful character (*kalokagathia*, from *kalos*, beautiful, and (*kai*) *agathos*, good) which was so admired by Goethe, Schiller, and Wilhelm von Humboldt as well as by the German romantics whom they influenced, including Novalis, Tieck, and the Schlegel brothers. In this regard, Frederick Beiser draws an important distinction between "a *gnostic* meaning" and "a *holistic* meaning" of *kalokagathia*.<sup>15</sup> According to the gnostic meaning, which is endorsed by Kant and seems to be favoured by Plato, Socrates as depicted at times by Plato, Plotinus, and many Christians, a beautiful soul is purely a feature of the mind disjoined from the body, a kind of intellectual and moral excellence that is independent of, makes no appearance in, and requires a rational mastery over the phenomenal world of natural feelings and inclinations. In contrast, the holistic meaning, which is favoured by the great line of German thinkers mentioned above and by ancient Greeks such as Aristotle, Epicurus, and often Plato's Socrates as well, understands the beautiful character as a feature of "the whole person, the unity of mind and body" which can only be acquired by "the development of all human powers into a whole, which required cultivating sensibility as well as reason."<sup>16</sup> I will suggest that Mill endorses this holistic understanding of *kalokagathia*, as indicated by his ample references to Humboldt (1969) in *On Liberty* (e.g. OL.iii.2 and iii.18).<sup>17</sup> Moreover, his hedonistic theory of life remedies gaps in the anti-hedonistic aesthetic philosophy of freedom worked out most elaborately by Schiller, who seems aptly characterized as a thinker who enlarged upon Kant's critical idealism without rejecting its methodology.<sup>18</sup>

I shall conclude by lamenting that leading commentators such as Rawls ignore or reject Mill's sophisticated hedonism as well as his idea of a moral right to choose as one pleases in purely self-regarding matters. So they fail to appreciate not only the nature of Mill's Greek ideal and its connection to hedonism but also the basic structure of liberal institutions needed to make progress towards it. Indeed, Rawls ignores Mill's fear that the coming democratic age would spell the doom of the rights of self-regarding liberty and individuality and, with them, any chance that most people would acquire a noble character of the sort needed to maximize happiness.

## Hedonism and higher pleasures

Mill is a psychological hedonist: for him, the empirical evidence confirms beyond a reasonable doubt that "human nature is so constituted as to desire nothing which is not either a part of happiness or a means of happiness," and so we can validly infer that "these are the only things desirable" and that "happiness is the sole end of human action" (UTIL.iv.9). It is impossible for an individual "to desire anything [unless for the sake of its consequences], except in proportion as the idea of it is pleasant," he insists, whereas "to think of it as pleasant" is "one and the same thing" as "to think of [it] as desirable" (UTIL.iv 10).<sup>19</sup> Thus, if she associates pleasure with the idea of any object, an individual will both desire the object and find it desirable in proportion to the amount and kind of pleasure she expects to get from it, with the important caveat that, as a fallible creature, she may be mistaken not only in her idea of the object but also in her belief that pleasure of this or that quantity and quality can be expected from it.

Although widely criticized, it is far from clear that hedonism is vulnerable to the many objections pressed against it. For one thing, it is nonsense to charge that Mill cannot distinguish between desired and desirable. The fact that an ignorant person desires something and finds it desirable does not imply that a well-informed person must desire it and find it desirable. Even if we restrict attention to experienced and rational humans, there is no logical requirement that such competent yet fallible people must share the same desires or find the same things desirable, although it would be surprising if little or no agreement were observed. The point is that what one person prefers and thinks desirable has no logical implications for what others desire and find desirable. The object desired and thought desirable may vary across individuals, even though, for any one person, she does desire what she thinks is desirable and thus what she thinks ought to be desired by her. Others can still ask of her: Ought she to desire what she does desire? And ought she to think desirable what she does think desirable? These questions may give her pause, and should do if her critics are more experienced and better informed than she is. After all, she may be mistaken about the amounts and kinds of pleasures she associates with her ideas of objects. In the end, it is a contingent matter to what extent people agree about what they desire and find desirable.

I cannot discuss Mill's sophisticated hedonism in great detail. As I understand it, however, pleasant ideas of objects are constructed by reason out of coexistences and successions of simple physical sensations,

including sensations of pleasure, registered by the body and passively received by the intellect independently of the will. Once sensations have been received and ideas formed, however, the imagination is able to create imaginary objects by suitably rearranging and refining the sensations retained in memory. Desires for objects, real or imaginary, are caused by pleasant ideas of objects; wishes for objects are determined by strongest present desires; and voluntary actions, that is, intentions or plans with or without accompanying physical movements, to obtain objects are determined by volitions, where to obtain connotes to use, consume, produce, or establish the relevant things. It is noteworthy that pleasant sensations and ideas precede desires, volitions, and actions, although these latter phenomena may also trigger subsequent feelings of enjoyment (or, perhaps, of suffering) distinct from the original sensations. Among other things, this leaves room for pleasures that occur by surprise, without any prior desire or wish for them. It is also an oversimplification to define actions in terms of intentions or plans, as if actions are invariably well defined as to purpose and rational deliberation has gone into the choice of means to effectively attain the purpose. Strictly speaking, we should broaden the notion of action to include knowing, reckless, and perhaps even negligent states of mind, not only purposeful ones.

Mill emphasizes the importance of habit in human life. In particular, he emphasizes that the force of habit can detach volitions and actions from the desires and pleasant ideas which originally motivated them. The will is a different phenomenon from desire and, though "originally an offshoot" from desire, it is "amenable to habit" which can cause us to act to obtain "what we no longer desire for itself, or desire only because we will it" (UTIL.iv.11). Habit may lead us to do something "unconsciously, the consciousness coming only after the action"; or it may cause us to choose to act in opposition to our "deliberate preference, as often happens with those who have contracted habits of vicious or hurtful indulgence"; or it may determine us to willingly carry out our general intentions, "as in the case of the person of confirmed virtue, and of all who pursue deliberately and consistently any determinate end." In all three cases, the force of habit supplants that of the original motivations so that we act independently of those original desires and pleasures and may have forgotten them, even to the point of refusing to acknowledge that they ever existed. Nevertheless, "will, in the beginning, is entirely produced by desire [...] Will is the child of desire, and passes out of the dominion of its parent only to come under that of habit" (UTIL.iv.11).<sup>20</sup>

These and similar remarks in some of his other writings are a crucial aspect of Mill's hedonism. He agrees with Kant and those in his train that "Will, the active phenomenon, is a different thing from desire, the state of passive sensibility" and he even suggests that the will, once under the dominion of habit, in effect manufactures artificial desires that, unlike natural desires, are not determined by pleasures, as when he says that we can come to desire something "only because we will it." Unlike the idealists, however, he insists that the will is not free or spontaneous but instead is only triggered by natural desires. So the will can be made virtuous "only by making the person *desire* virtue – by making him think of it in a pleasurable light, or of its absence in a painful one" (UTIL.iv.11). A powerful will that habitually commands us to perform right actions and refrain from wrong ones can only be acquired through suitable education of our desires:

It is by associating the doing right with pleasure, or the doing wrong with pain, or by eliciting, and impressing and bringing home to the person's experience the pleasure naturally involved in the one or the pain in the other, that it is possible to call forth that will to be virtuous, which, when confirmed, acts [out of habit and] without any thought of either pleasure or pain.

Habit is useful because it "imparts certainty" which allows others as well as oneself "to rely absolutely on one's feelings and conduct." For that reason, "the will to do right ought to be cultivated into this habitual independence." But habit alone is "not intrinsically a good" and what makes the will to do right so valuable is ultimately the pleasure associated with the idea of moral virtue. Habit can make the will to do right more stable and unerring, and so is "a means to good" in so far as it supports the will and helps produce right actions.<sup>21</sup> But this is compatible with hedonism since habit is simply a means of attaining the pleasure of moral virtue.

Mill insists that a strong virtuous will can only be developed if we educate our natural desires by bringing home to our experience the kind of pleasure "naturally involved" in morality and justice. This brings us to the most intriguing component of his hedonistic theory of life, namely, his doctrine of higher pleasures. As he explains, one pleasant feeling is superior in quality to another if the one is felt by those who are competently acquainted with both to be intrinsically more valuable than the other, irrespective of quantity. In other words, those who have developed the intellectual, imaginative, and moral capacities required

to competently experience the different kinds of pleasures must agree – or, if there is disagreement, a majority of them must agree – that even a bit of the one pleasant feeling is more valuable as pleasure, and thus a greater happiness, than any finite amount of the other, no matter how large. In effect, the qualitatively superior pleasure is an infinitely greater pleasure than the inferior one in so far as no finite quantity of the inferior feeling, however large, can equal in value even a small quantity of the superior one. There is no problem of consistency in calling for the maximization of pleasure in point of quality as well as quantity when choosing among objects: the greatest quantity of the qualitatively supreme kind of pleasure should be the first consideration, then the greatest quantity of the next quality of pleasure should be sought in so far as that kind of pleasure can be experienced without impinging on the supreme kind, and so forth, down to the least intrinsically valuable kind of pleasure.

But what are the different kinds of pleasant feelings and how are they ranked in terms of quality? Physical sensations of pleasure are the lowest kind of pleasure since these simple tingles and surges can be experienced by any animal whose body is susceptible to them, even though its body is “disjoined from the higher faculties” of a human being. In contrast, higher kinds of pleasures are more complex feelings in which these simple physical sensations, or their traces in memory or imagination, have become inseparably associated with ideas formed by reason: any higher pleasure is a quasi-chemical compound of multiple ingredients which are blended together to generate a whole new pleasant feeling with its own distinctive emergent properties, including superiority in quality over any lower pleasures among its ingredients. Mill labels all higher pleasures as “mental” pleasures whereas the simple sensations are “bodily” pleasures. But, even within the class of mental pleasures, some pleasures are superior in quality to others. For present purposes, it suffices to say that, for him, the complex moral sentiment which grows up around the idea of justice understood as a social code of equal rights and correlative duties is a higher pleasure that is superior in quality to any conflicting pleasures, although aesthetic and spiritual pleasures which are never in conflict with those of morality may be supreme in quality.

The higher pleasure of justice, which Mill refers to as a pleasant feeling of security, is a complex moral emotion which has among its ingredients the idea of equal rights, and the related idea of punishment for wrongdoers who violate others’ rights, along with certain lower pleasures including relief from suffering, all melted together into a compound or organic whole that may feel simple in so far as the ingredients disappear

from consciousness unless deliberately recalled through analysis. This higher pleasure can only be competently experienced by an individual who has developed her higher capacities sufficiently to at least imagine herself as a member of a group of peers living under a shared code that distributes and sanctions reciprocal rights for that group, a code which is typically incomplete and in the continuing process of construction of which she has an equal voice. In light of the qualitative superiority of this moral kind of pleasure, no competing considerations are more important for promoting the community's greatest total happiness than establishing an optimal social code of justice that maximizes total security. Security is a variable, however, and can only be maximized if equal rights of a particular content are extended not merely to some but to all members of society, with all having an equal voice in a democratic political process that identifies which particular rights must be recognized to protect the vital personal interests shared by all.

A democratic political process? Mill, like Bentham, never gives any indication of accepting the standard utilitarian aggregation procedure that relies on rich cardinal interpersonally comparable utility information to calculate a total utility number which no individual experiences – that utilitarian calculus is really the creation of early neoclassical economists such as Jevons, Edgeworth, and Marshall with some encouragement from Sidgwick. Rather, Mill apparently has in mind a democratic process with the unusual system of counter-majoritarian checks, including, among others, plural voting and Hare's single transferable vote method of proportional representation, as outlined in his *Considerations on Representative Government* (1861). The design of his democratic procedure seems to have been influenced by his understanding of the ancient Athenian democracy.<sup>22</sup> Moreover, given that the only purpose of the democratic procedure is to construct an authoritative social code of justice around which the members of society can coordinate their interactions so as to maximize the higher pleasure of security, the democratic process properly considers only individual preferences defined over feasible sets of alternative social rules that distribute and sanction equal rights for all. The ultimate aim is to construct, no doubt in a gradual and halting manner, an optimal code that maximizes each and every person's pleasant moral feeling that the vital personal interests of everyone in her community are secure when its rules are obeyed, where vital personal interests are those interests which competent yet fallible representatives think are so important as to be considered equal rights.

Indeed, the moral ideas and principles built into the higher pleasure of justice include the principle of equal concern and respect that animates

the democratic procedure itself. The democratic procedure is properly viewed as being *internal* to any individual's moral sentiment of justice because the procedure must do its work before she can complete the formation of her moral sentiment, that is, her desire to interact on fair terms with others in her society by respecting their constituted rights. It is important to see that every person's completed moral sentiment relates to the same social code of justice, namely, the code which experienced lawmakers currently believe is likely to bring the most security to everyone's shared vital personal concerns. Since everyone has the same rights and duties, however, the conduct – that is, acting in accord with the social rules – that maximizes the community's total pleasure of security coincides with the conduct that maximizes any individual's pleasure of security: the total is nothing but the collection of individual feelings, which are not assumed cardinal or interpersonally comparable and so cannot, and need not, be precisely summed in any meaningful fashion.

True, the individual's moral sentiment of justice must be distinguished from her preference ordering over the possible set of alternative codes of justice: the preference is an input into the democratic procedure whereas the sentiment can only be formed fully after the procedure yields an authoritative social code. But there is no presumption that any individual should be permitted to impose a code which she most prefers over the objections of her peers. Instead, justice requires that everyone must cooperate to impartially choose a code which most if not all of those competently acquainted with the higher pleasure of security agree is likely to maximize that crucial component of happiness for all. Also, since there is no assumption of cardinal interpersonally comparable utility information, there is no suggestion that every individual must experience an equal amount of the pleasure of security from her equal rights: nothing meaningful can be said about the relative intensities of different person's moral sentiments even though people all have the same constituted rights and duties.

There is no call for the democratic procedure to do anything besides generate an optimal social code of justice. Rather, individuals are permitted to act as they wish in accord with their constituted rights and duties under the authoritative code. As long as she fulfils her duties to others, the individual is free to live her life in accord with her own rights, including her right to choose as she pleases in her purely self-regarding affairs, with the caveat that there is a part of the social sphere in which her freedom from coercion is shared by competitors. Still, although they have negative freedom to compete with her for scarce objects of mutual



desire, others also have duties not to use coercion to obstruct her pursuit of any kinds of pleasures besides that of security.

Mill's unusual and intriguing utilitarianism has the appearance of rule utilitarianism, although the higher pleasures doctrine consistently accounts for the priority of the rules of justice in a way that is not available to standard rule utilitarianism with its insistence on homogenous utility. For Mill, acts of injustice may produce more pleasure of a lower kind than compliance with the rules does, but the greater amount of lower pleasure, no matter how many people feel it, can never equal in value to even a bit of the higher pleasure of security. Thus, violating the equal rights of others can never promote happiness in Mill's sense, although there is no doubt a need to carefully construct the rules of justice, making justified exceptions to ordinary rules by employing suitable special rules, so that of any two conflicting rights the one more important for promoting security is made clear in situations where different rights come into conflict.

It bears repeating that a person of confirmed virtue, who has come to habitually respect others' rights, may forget the natural desire and expectation of higher pleasure which originally determined her will to interact with others on maxims of justice. Instead, she is conscious only of the objects – the rules, rights, duties, and political machinery required to enact some of them into law – and may even take offence at the suggestion that her virtuous and rule-abiding will has anything to do with a pleasurable feeling for her personally. But this is readily explicable within Mill's hedonism.

### **The direction of self-development**

Given that it is infinitely greater in value as pleasure than any competing kind of pleasant feeling, the higher pleasure of justice pulls individuality in the direction of a well-developed moral character in which the will to do right is sufficiently powerful as to govern, and where necessary suppress, any competing desires and impulses. This remains so even when the will, after repeatedly determining particular actions of respect for other's rights, falls under the dominion of habit so that the virtuous agent is no longer aware of the natural desires and pleasures that originally motivated her. The higher pleasures doctrine thus supplies a crucial part of the answer as to why Mill believes that liberty to choose as one pleases in self-regarding matters will tend to lead any rational human being in the direction of justice and morality. Choosing as one pleases must tend in that direction if what pleases any competent

human more than any competing enjoyment is the pleasant feeling of security that can only be had with any permanence when living under an enduring social code of equal rights and duties which one has a voice in creating.

Nevertheless, there is more to the answer. More specifically, it must also be the case that choosing as one pleases develops the mental capacities required to competently experience the higher pleasures. And Mill duly emphasizes that this is so: "The human faculties of perception, judgment, discriminative feeling, mental activity, and even moral preference, are exercised only in making a choice [...] The mental and moral, like the muscular powers, are improved only by being used" (OL.iii.3). While insisting that we can only develop our mental and moral capacities by exercising them in making choices, he underscores that to make a choice is not to merely imitate what others do, or to blindly follow customary rules, but instead to employ all of one's human faculties to decide which beliefs and actions seem best for oneself, that is, most in accord with one's own judgement and inclinations:

If the grounds of an opinion are not conclusive to the person's own reason, his reason cannot be strengthened, but is likely to be weakened, by his adopting it; and if the inducements to an act are not such as are consentaneous to his own feelings and character (where affection, or the rights of others, are not concerned) it is so much done towards rendering his feelings and character inert and torpid, instead of active and energetic.<sup>23</sup>

Although the focus is on determining for oneself the opinions and actions which one expects will bring the most personal happiness, it is important to keep in mind that because of the qualitative superiority of the pleasure of justice over competing kinds, there is no possibility in principle that the development process will result in one's own greatest happiness coming into unjustified conflict with that of other people. In other words, any conflicts, such as those implicit in the free competition which is permitted in part of the social sphere, cannot rise to the level of an injustice or violation of moral rights.

Mill is concerned to elaborate the point that choosing as one pleases strengthens all of one's human faculties, including one's reason and will but also one's feelings, desires, and impulses, and brings them into balance. He starts by saying that the individual who chooses his own plan of life "employs all his faculties" but the spotlight is placed initially on the development of powers of reason, judgement, and will:

[The person] must use observation to see, reasoning and judgment to foresee, activity to gather materials for decision, discrimination to decide, and when he has decided, firmness and self-control to hold to his deliberate decision. And these qualities he requires and exercises exactly in proportion as the part of his conduct which he determines according to his own judgment and feelings is a large one. (OL.iii.4)<sup>24</sup>

But he soon goes on to argue that our capacities for feeling also need to be developed. Choosing as one pleases strengthens one's natural desires and impulses and enables us to strike and maintain a proper balance among them using our developed powers of reason, judgement, and will:

desires and impulses are as much a part of a perfect human being, as beliefs and restraints: and strong impulses are only perilous when not properly balanced; when one set of aims and inclinations is developed into strength, while others, which ought to co-exist with them, remain weak and inactive. (OL.iii.5)<sup>25</sup>

A proper balance requires a powerful conscience, or will to do right, which in turn requires the cultivation of a strong desire to do right, prompted by an appreciation for the higher kind of pleasure to be expected from moral virtue. Given strong natural feelings of all sorts, one's developed powers of reason and judgement can help cultivate the requisite desire to do right out of these materials by directing our attention to the higher pleasure of justice and thereby generating "the most passionate love of virtue." By making our desire to do right stronger than any competing aims and inclinations, we trigger the will to do right which, once under the dominion of habit, enables "the sternest self-control" in the fulfilment of our moral duties. But this is what it means to have not only moral autonomy but also an energetic character: "If, in addition to being his own, his impulses are strong, and are under the government of a strong will, he has an energetic character" (OL.iii.5).<sup>26</sup>

Two further points need to be made. First, recall that the Greek ideal involves not only Platonic and Christian self-government in accord with rules of justice but also pagan self-assertion with respect to purely self-regarding conduct. An energetic character is suitably balanced only if it includes the disposition to choose whatever one pleases in one's self-regarding affairs, without reference to any rules, including even the dictates of conscience: the self-regarding sphere is beyond

right and wrong. But such balance is made possible by insisting that the rules of justice must recognize the moral right to choose as one pleases in self-regarding matters. By insisting on this right, moral and legal rules can never be legitimately enforced within the self-regarding sphere.

A second point is that, as the individual develops an ideal balanced character, the liberty of choosing as one pleases extends over her whole life and conduct, and not only the purely self-regarding portion. The well-developed person is pleased to voluntarily obey recognized rules of justice of duly limited scope that she has had a voice in creating. Such rules never legitimately reach inside her self-regarding sphere.

Much more needs to be said to clarify how a human being's mental capacities are involved in the experience of the higher pleasure of justice, and in particular how reason and imaginative sympathy are able to transform the "animal instinct" for vengeance against anyone who threatens to harm oneself or one's kin into a moral desire for retribution only against wrongdoers who violate others' (including even strangers') recognized rights. But I cannot do that here.<sup>27</sup>

### **A beautiful character**

In the course of his argument that choosing as one pleases is needed to develop a noble character in which reason and sensibility are duly balanced, Mill says: "Among the works of man, which human life is rightly employed in perfecting and beautifying, the first in importance surely is man himself" (OL.iii.4).<sup>28</sup> And he signals the influence of German romanticism when he quotes Wilhelm von Humboldt's doctrine that "the end of man [...] is the highest and most harmonious development of his powers to a complete and consistent whole" (OL.iii.2).<sup>29</sup> Like Humboldt, Goethe, Schiller, and other romantics, Mill apparently adopts the ideal of *kalokagathia* understood in the "holistic" way. Thus, it may make sense to think that, for him, an aesthetic kind of pleasure which never conflicts with justice and right is qualitatively supreme. The pleasure taken in contemplating and pursuing the Greek ideal, with its beautiful balance between pagan self-assertion and moral self-government, not only cannot conflict with the pleasure of justice but also seems to be a pleasure of the imagination in so far as we may endlessly strive for such a perfect character and yet never actually achieve it: it belongs to a utopian world above our world of everyday experience. This is not to say that humans cannot develop energetic and noble characters, only that perfection is not within our grasp.

Mill occasionally hints that he views aesthetic pleasure as the highest kind, with the crucial caveat that genuine aesthetic pleasure does not conflict with morality. He may see beauty as a symbol of morality, for instance, as it is in the case of *kalokagathia*, where a strong virtuous will is a component of the whole balanced character. Beauty can also attach to objects which are beyond the scope of morality, however, including certain purely self-regarding commitments, such as a commitment to pursue a career in music or painting, and supererogatory actions, such as a sublime decision to save the life of others by sacrificing one's own.<sup>30</sup> But I must set aside this line of investigation. Instead, I shall briefly contrast Mill's hedonistic theory with Schiller's sophisticated anti-hedonistic theory of the beautiful balanced personality, on the assumption that Schiller's is representative of the type of theory which inspired not only the German romantics but also Mill himself.<sup>31</sup>

Unlike Mill, Schiller endorses Kant's epistemological dualism whereby the autonomous rational will and its universal moral dictates are viewed *as if* they are objective emanations from a non-natural and supersensible world of whose workings we know nothing except that it is not governed by the causal laws that regulate natural phenomena such as desires and feelings of pleasure. Although no metaphysical assumption is made that it really exists, this non-natural world of noumena is assumed for purposes of moral deliberation and treated as if it is "an *infinite* distance" from the world of natural phenomena.<sup>32</sup> Schiller is concerned to bridge the seemingly unbridgeable gap between the two worlds, however, because he conceives of beauty as the appearance of objective freedom – the noumenal free will – in the phenomenal world of our desires and pleasures. But his conception of beauty seems problematic from his own Kantian perspective on practical reason. It is difficult to understand how any epistemic bridge can be built to link the two worlds so that rational will and morality are necessarily represented by beautiful phenomena: after all, the noumenal world is not governed by causality whereas the phenomenal one is. A second difficulty relates to universal standards of beauty: if they are dictates of the rational will, why do they not simply reduce to the moral law? If they are not dictates of universal reason, however, standards of beauty would seem to be merely subjective personal tastes without any essential connection to morality. The project of an objective aesthetics with distinctive universal standards of beauty hardly seems promising.

Schiller is not deterred by such Kantian objections. He makes some ingenious moves to counter them in his search for an objective aesthetic philosophy. In particular, he is disturbed by the apparent implications

of Kant's view that the free will is necessarily a rational will which demands of humans that we fulfil our moral duties independently of, and even in opposition to, our sensuous physical nature. It seems to Schiller that reason is constraining the will and forcing it to obey universal moral dictates in a way that it is incompatible with human nature properly understood, that is, as an organic whole in which reason and sensibility both have essential parts to play. So he argues that, given a proper conception of human nature as a whole, our free will has the power to ignore reason but nevertheless chooses to support reason and its moral demands in just those situations where, on balance, all of the higher faculties, including the understanding, imagination, and reason itself, agree that reason and morality have appropriate jurisdiction.<sup>33</sup> In those situations, the free will, which he emphasizes is the only power in man, apparently carries out a coordinated effort to transform our sensuous nature into a "second nature" such that we become naturally disposed to fulfil our moral duties and to take a peculiar kind of aesthetic and moral pleasure in doing so. Although it is not entirely clear from Schiller's discussions how the will manages to do this, the idea seems to be that the will, with the aid of reason and the other faculties, is able to instil virtuous habits and dispositions by spontaneously and repeatedly willing right actions. By instilling those moral inclinations, the will effectively manufactures powerful moral desires to do right, and the higher pleasures we take in satisfying those habitual desires, that replace our original sensuous nature. By suitably educating it, we can persuade our free will to go in the direction of cultivating such a confirmed moral character.<sup>34</sup>

For Schiller, an individual displays grace if she is naturally inclined to do her moral duties and fulfils them with pleasure. Grace is the sign of a beautiful character in which all of our faculties are developed into a complete and consistent whole: "Reason and sensuality harmonize in the case of what is beautiful."<sup>35</sup> But the test of a moral character is to do one's duty when it takes great effort of will to control and suppress the contrary desires and feelings of our recalcitrant physical nature. This shows dignity and typically occurs when the moral agent is in a tragic situation. The power to do right despite the suffering of our sensuous nature is sublime: it inspires wonder and awe, like other terrifying phenomena such as majestic mountains and raging storms that somehow appear more than natural, because it appears to display the infinite power of our rational will emanating from a higher non-natural realm. That awesome power is a spontaneous moral force that is independent of physical nature. It only reveals

itself by acting when the sensuous side of a human being is suffering deeply:

To master feelings that only gently stroke the surface of the soul in passing is no art. It is another thing, however, for the mind to maintain its freedom in a storm that stirs up an individual's entire sensuous nature; then a capacity to resist is required that is infinitely superior to all the power of nature.<sup>36</sup>

Sublime actions are not motivated by an expectation of pleasant sensations. Rather, they are motivated entirely by reason: "everything sublime stems *only* from reason."<sup>37</sup> Moreover, they do not appear beautiful to our sensuous side since they do not display a harmony of reason and sensibility. Rather, they reveal a struggle in which reason overcomes an opposing sensibility: "Here the physical and the moral sides of the human being are severed from one another in the sharpest possible way [...] the physical side feels only its limitations, while the moral side experiences its *power*."<sup>38</sup> So the feeling of sublimity is distinct from any feeling of pleasure associated with "the beauty of the actual world" or with grace as perceived by our sensuous side alone.<sup>39</sup>

Our sensuous side perceives the feeling that accompanies a sublime action as a "mixed feeling" which, paradoxically, reveals to us our dual nature:

It is a combination of *being in anguish* (at its peak this expresses itself as a shudder) and *being happy* (something that can escalate to a kind of ecstasy). This combination, although it is not actually pleasure, is still preferred by noble souls over all pleasure.<sup>40</sup>

This "melancholy" feeling of sublimity has an "unspeakable charm" that "no pleasure of the sense, however noble it be, can ever compete with."<sup>41</sup> Its distinctive charm arises because this sublime feeling reveals to us that "we have within us a self-sufficient principle that is independent of all sensuous stirrings," that is, "an absolute moral capability, bound to no natural condition."<sup>42</sup> The happiness we feel as part of the mixed feeling is apparently the higher moral kind of pleasure that is produced by our rational will as a reward for doing right.<sup>43</sup> Strictly speaking, this moral pleasure must appear infinitely more valuable than any "pleasure of the sense" given that the rational will is viewed as a moral power which is "infinitely superior to all the power of nature," including the power of our physical nature.

By virtue of its ability to manufacture this higher kind of pleasure, the rational will can encourage humanity to strive endlessly for a truly beautiful moral character as an ideal of pure reason. Schiller maintains that a human being can never actually attain such an ideal moral beauty so that we never observe it in the physical world. Perhaps a divine being may freely exhibit the spiritual perfection of a pure rational and moral agent. For such a god, the sublime would disappear because the god has no sensuous side to overcome: "the sublime must lose itself in something ideally beautiful."<sup>44</sup> But humans can never fully imitate the divine because of their sensuous side and the limits imposed by nature on their physical existence. Nevertheless, humans can strive to do right and often succeed despite the opposition of our sensuous nature. Indeed, we can achieve something close to a truly beautiful moral personality and "prove ourselves to be pure intellects."<sup>45</sup> We can accomplish this by repeatedly willing right actions so that we develop firm habits of fulfilling our moral duties and experience only aesthetic and moral pleasure from doing so, being no longer conscious of the suffering of our sensuous side except in rare moments of weakness. At that point, sensuous pains and pleasures have largely been replaced by the higher pleasures manufactured by the rational will. The will has transformed our sensuous side into a set of moral habits accompanied by a higher kind of pleasant feelings. Grace and dignity are virtually united. The sublime power to do right in the face of an opposing sensuous nature is still present but rarely needs to exert itself. Instead, the rational will is in harmony with the higher pleasures of a transformed sensibility. The whole human being, unlike the sensuous part on its own, can infer that a genuine grace surrounds this beautiful moral character.<sup>46</sup>

Aside from beauty symbolizing morality in this way, it is also important to keep in mind that Schiller apparently leaves room for situations in which our free will chooses not to endorse any moral rules because the higher faculties agree that reason and its universal moral dictates have no proper jurisdiction.<sup>47</sup> In those situations beyond morality, the free will can and ought to support the natural desires and impulses of our sensuous nature and the play of the imagination upon them. These phenomena remain appearances of freedom in Schiller's sense of freedom, since for him the free will does not always choose to obey moral demands dictated by reason. This is not because the will is choosing to disobey reason and side with vice.<sup>48</sup> Rather, reason accepts that moral rules are not applicable in these situations. Reason agrees with the other higher faculties, including the understanding and the imagination, that the situations are beyond morality: it issues no moral imperatives in



these cases. Thus, the will is not constrained by morality and may freely elect to support the imagination as it plays upon our sensations and natural desires. Indeed, the will ought to inculcate beautiful habits and dispositions by repeatedly willing imaginative actions that are compatible with one's moral duties. By doing so, it effectively manufactures higher aesthetic but non-moral pleasures that reward our creative imagination for its play upon, and interaction with, our sensuous nature in such cases.<sup>49</sup>

Schiller makes an intriguing case for his claim that the idea of beauty provides an epistemic bridge between the noumenal and phenomenal worlds. True, he just asserts that beauty is the appearance of noumenal freedom in the phenomenal world. More specifically, human freedom is aesthetic freedom – the freedom of the untrammelled will to choose in accord with human nature properly understood as an organic unity of capacities, including reason – and it appears as self-development in the direction of a beautiful character in the holistic sense, as if the entire process is spontaneously generated by a Spinozan “inner necessity” or innate aesthetic purpose, even though we know the process is really dependent on causal laws of phenomena.<sup>50</sup> But this may be adequate for his normative purposes.

Beiser points out that Schiller is “fully aware” that his concept of aesthetic freedom is compatible with causal determinism in the phenomenal world, where “freedom in the sense of spontaneity is only an aesthetic fiction.”<sup>51</sup> He argues nonetheless that Schiller's theory is flawed because the idea of aesthetic freedom impugns the will's spontaneity by making it depend on an “inner necessity” of human nature. But that Spinozan notion is noumenal and, though we are entitled to read it into the world of phenomena for the sake of moral reasoning, we know nothing of its workings, except that causation is not implicated, and must not think of it as a constituent of our natural feelings and desires. So any “laws” associated with it should not be conflated with genuine causal laws that determine the will.<sup>52</sup> Beiser also charges that Schiller's theory “cannot save freedom in the stronger sense required for moral responsibility” and that Kant would therefore have reason to reject it.<sup>53</sup> For Schiller no less than for Kant, however, the will freely chooses to support the moral dictates of reason whenever reason issues them. In Schiller's theory, though, reason sometimes agrees with the other faculties that moral responsibility is not called for in a given situation, which is properly beyond morality.

If the foregoing remarks capture something of Schiller's romantic picture of the beautiful character, it is easy to see why Mill could have

been stirred by it and have wanted to find some way to integrate a similar picture into his hedonistic theory of life. And, as I have suggested, Mill in effect does so. In this regard, despite its great interest, Schiller's aesthetic philosophy remains problematic. The main problem is that Schiller has no plausible psychology to support the beautiful moral character he depicts. His attempts to explain how the free will is able to unite the noumenal and phenomenal aspects of our "mixed" nature while maintaining "the infinite distance" which separates rational thinking from sensibility are at best *ad hoc*.<sup>54</sup> In effect, he merely re-describes the beautiful personality by speculating that the will is able to bring a noumenal "form drive" shaped by reason into contact with a phenomenal "sense drive" triggered by material objects so that these two drives somehow balance and neutralize one another, leaving the will free to choose between them and, with the play of the imagination, perhaps combine elements from both of them without being constrained by either. But how the will does this remains a mystery because Schiller apparently regards that issue as a metaphysical question beyond the purview of his transcendental idealist enterprise.<sup>55</sup> It is certainly not a question of empirical psychology for him. Indeed, the only role which he seems to assign to empiricism is to investigate the observable effects of objects of art upon people, taking for granted that such objects will promote the "aesthetic condition" of mind described above.<sup>56</sup> But we do not even know whether sense drives or form drives are genuine things, let alone have any clear understanding of how the free will does what Schiller speculates it does with them.

In contrast, Mill proposes a hedonistic explanation of the process whereby the will is determined to choose a beautiful character in the world of natural phenomena. A strong and noble will is seen as a natural phenomenon, ultimately rooted in complex desires for higher moral and aesthetic pleasures which can only be constructed by a human being's mental faculties, including reason and imagination, out of the simple physical sensations of our animal nature. One would think that reasonable people, aware of their own fallibility, must make allowances that Kant's or anyone else's putative transcendental deductions might be mistaken. In that case, it is essential to have a backup plan, to wit, a plausible psychological explanation of how an individual is motivated to develop a powerful will of the sort required for a beautiful character in the holistic sense. And yet the entire tradition of idealism and romanticism remains vehemently opposed to any form of hedonism.

## A threat from democracy?

Many readers of Mill are vehement anti-hedonists like Schiller and Kant. Indeed, leading scholars refuse to take seriously Mill's explicit commitment to a hedonistic theory of life. Rawls is such a reader.<sup>57</sup> He does not appreciate the hedonistic basis of Mill's Greek ideal, in particular, the way in which the higher pleasures of justice and beauty pull individuality towards a noble character in which all human capacities are developed into a balanced whole. He seems to think that the Greek ideal of self-development is the same thing as pagan self-assertion, and just the other side of the coin of Christian or Platonic self-government. The latter involves obedience to social rules of justice whereas the former involves choosing as permitted by one's equal rights and duties, in other words asserting oneself only in accord with reasonable moral and legal rules. He refuses to acknowledge Mill's idea of liberty as choosing whatever one pleases and, as a result, he never properly identifies the moral right to liberty of purely self-regarding conduct which, for Mill, is essential for individuality and happiness. Instead, Rawls reads Mill as an unrestrained advocate of political democracy whose main concern is to defend the familiar liberal rights of democratic citizenship, including such rights as an equal right to an equal vote and an equal right to run for election, with no recognition for a right to self-regarding liberty.

Rawls's interpretation of Mill's utilitarianism, even if it implies the pursuit of an ideal moral character in the conception of a democratic citizen, involves serious distortions which I cannot go into here.<sup>58</sup> But I shall close by pointing to a great fear of Mill's which Rawls's preoccupation with democratic equality tends to obscure. In this regard, it is important to keep in mind that Mill's attitude towards an egalitarian democracy is hardly one of admiration:

No government by a democracy [...], either in its political acts or in the opinions, qualities, and tone of mind which it fosters, ever did or could arise above mediocrity, except in so far as the sovereign Many have let themselves be guided [...] by the counsels and influence of a more highly gifted and instructed One or Few. (OL.iii.13)<sup>59</sup>

This emphasis on the need to design liberal institutions so that a minority of individuals with more highly developed mental faculties has "freedom to point out the way" to the rest of us, leaving us free to decide

for ourselves whether to accept the advice, is a persistent romantic element in Mill's thought. It presupposes that "exceptional individuals" have been given enough liberty of choosing as one pleases to promote their individuality, whether or not a moral right to such liberty in purely self-regarding matters has yet been recognized.

This romantic element demands social support for the liberty of choosing as one pleases, and such support in turn requires social diversity even after the moral right of self-regarding liberty has been recognized in a society's rules of justice. Indeed, Humboldt stresses the importance of social diversity in addition to liberty as a requirement for individuality.<sup>60</sup> Mill acknowledges that "variety of situations" is a second essential condition for human development, and that Europe has been fortunate to retain such diversity up to his day despite a history of intolerant attempts to impose some type of uniformity on one another. He also admits that "this plurality of paths" has generated a "progressive and many-sided development" despite the absence of recognition of any moral right for either individuals or nations to choose as they please in their purely self-regarding affairs (OL.iii.18).<sup>61</sup> But this diversity is "every day diminishing" because of technological improvements in mass communication and transportation, the expansion of "commerce and manufactures" and associated increase in social mobility of ambitious individuals of all class backgrounds, and, most important, "the ascendancy of public opinion in the State." These forces are tending to make individuals and nations increasingly alike, exposed to the same circumstances. The loss of diversity tends to make people thoughtlessly conform to mass opinion, which may not be stationary but instead manifests itself in popular fads where all change together alike, and "there ceases to be any social support for nonconformity."<sup>62</sup>

With the rise of modern democracy, then, there is a serious danger that popular majorities and their representatives will be indifferent to, if not intolerant of, those who dissent from the majority's opinions and rules. This would remain true, in my view, even if most people developed the moral character of a Rawlsian democratic citizen who scrupulously respects the familiar liberal democratic rights of her fellow citizens. And so, in addition to loss of diversity, it would hardly be surprising if a moral right to self-regarding liberty is never recognized in custom or enshrined in law. In that case, democracy would frustrate the progress of individuality long before many people come anywhere near to developing a noble character in the holistic sense.

## Notes

1. J.S. Mill, *On Liberty* (1859), *CW*, XVIII.265–6. Mill notes that he is quoting the names of the two elements of the Greek ideal from John Sterling's *Essays* (Sterling was a British romantic poet). All references to Mill's writings in the text will include an abbreviated title, chapter number, and paragraph number so that, for example, OL. iii. 8 refers to paragraph 8 of Chapter 3 of *On Liberty*. UTIL stands for *Utilitarianism*.
2. *Ibid.*: 266.
3. *Ibid.* Alcibiades, a wealthy Athenian who asserted his selfish concerns as he pleased with little respect for the laws of democratic Athens (indeed, he seems to have felt more sympathy for the interests of the Spartan oligarchy than for the rights of the Athenian people), is emblematic of a "pagan self-assertion" that unduly ignores "Christian and Platonic self-government." In this regard, the Greek ideal of self-development should not be conflated with pagan self-assertion: the ideal is a mixture of two elements such that self-assertion is prescribed within a self-regarding domain of conduct whereas obedience to rules is prescribed outside that domain. I shall say more about this in due course.
4. *Ibid.*: 265.
5. *Ibid.*: 272.
6. *Ibid.*: 267.
7. For the details of my interpretation, see Riley (2013a, 2013b).
8. J.S. Mill, *On Liberty*, *CW*, XVIII.225.
9. *Ibid.*: 277–9.
10. An individual may be free from coercive interference even within the sphere of morality because it is not feasible or otherwise too costly for society to use legal penalties or public stigma to deter him from violating the moral rights of others. He is free to break a secret promise made to a dear friend, for example. Yet his negative freedom does not imply that he has a moral right to do as he pleases. Rather, he should comply with the dictates of conscience and keep his promise if he has no valid excuse or justification for breaking it. Christian self-government, not pagan self-assertion, is appropriate, even though third parties will not force him to keep the promise which, by assumption, is unknown to them. For further discussion, see Riley (2010b).
11. J.S. Mill, *Utilitarianism* (1861), *CW*, X.210.
12. J.S. Mill, *On Liberty*, *CW*, XVIII.261.
13. J.S. Mill, *Utilitarianism*, *CW*, X.214.
14. Aristotle clearly did not subscribe to hedonism. But Mill seems to have believed that psychological hedonism as he understood it could support, and explain the development of, a flourishing human life similar to that which Aristotle associates with *eudaimonia*.
15. Beiser (2005: 86).
16. *Ibid.*
17. See also J.S. Mill, *On Liberty*, *CW*, XVIII.261, 274.
18. Beiser says that "*Kalokagathia* summed up the Greek ideal of human excellence" (2005: 85). He also mentions that it was at first "an aristocratic ideal, the privilege of someone of noble birth" but later, "around the fourth century BC," it "became a more democratic ideal, one that ought to be

achieved by every citizen [...] something to be developed through education and effort" (ibid.). For further discussion of the evolution of the ideal, see, especially, Jaeger (1986). Jaeger argues that by the time of Pericles, and as expressed in his great funeral oration over the slain soldiers at the end of the first year of the Peloponnesian War, the ideal was understood to give priority to the civic virtue of justice, or "righteousness" as obedience to justified laws. Although at Sparta such civic virtue was understood to imply that "Even the most intimate acts of the private life and the moral conduct of [the city-state's] citizens are by law prescribed and limited and defined," at Athens, as a result of the libertarian influence of the Ionian poets and natural philosophers, civic virtue became compatible with "the 'right' of every individual to enjoy his own [private] life" (Vol. 1:109, 130). Nevertheless, Jaeger argues that the Periclean ideal, which he associates with hedonism and the Sophists' methods of educating the political leaders of the Athenian democracy, is not the highest expression of the Greek ideal of *kalokagathia*. Instead, it is superseded by the Platonic ideal of a beautiful moral soul which Plato attributes to Socrates, an ideal which is non-hedonistic and mirrored in the structure of Plato's utopian republic with its Spartan elements (Vol. 2, pp. 186–370).

19. J.S. Mill, *Utilitarianism*, CW, X.237–8.
20. Ibid.: 238–9.
21. Ibid.: 239.
22. See further, Riley (2007).
23. J.S. Mill, *On Liberty*, CW, XVIII.262.
24. Ibid.: 263.
25. Ibid.
26. Ibid.: 264.
27. A discussion of Mill's psychological analysis of the complex moral sentiment of justice and of its peculiar pleasant quality is given in Riley (2012). See also Riley (2010a, 2010b, 2010c).
28. J.S. Mill, *On Liberty*, CW, XVIII.262.
29. Ibid.: 261 (quoting from Humboldt, 1969: 16).
30. Riley (2010c).
31. My understanding of Schiller's (1967, 1993, 2005) aesthetic philosophy owes a great deal to Beiser (2005), although I depart somewhat from Beiser's interpretation. All references are to English translations. When referring to Schiller (1967), I shall identify the relevant Letters. When referring to Schiller (1993), I shall identify the relevant Essays. On Schiller's early romantic followers, see also Beiser (2006).
32. Beiser (2005: 150, original emphasis). Schiller insists repeatedly that "the distance between matter and form, passivity and activity, feeling and thought, is infinite" (1967, Letter XVIII: 123) and "the gulf separating feeling from thinking [...] is infinite" (1967, Letter XIX: 131). For the argument that Schiller recognized Kantian dualism as epistemological and not metaphysical, see Beiser (2005: 41–6, 268–70).
33. Schiller's view of human nature is colored by Kant's dualism so that what Mill considers higher faculties are assigned in part by Schiller to our sensuous physical nature. For Schiller, the understanding is a faculty conditioned by the senses: it passively assembles concrete ideas of particular objects from physical sensations independently of the will. Reason is a transcendental

intellectual faculty, which is not conditioned in this way but instead forms abstract concepts or ideals that are not contingent on feelings or empirical observation. Reason urges the free will to implement its moral ideals. The imagination, like the understanding, is conditioned by the senses in so far as it passively registers sense-data, that is, images or impressions of physical sensations which are assembled into concrete ideas of objects by the understanding. Yet, apparently empowered by the free will, the imagination can also create imaginary objects by arbitrarily rearranging sensations independently of reason. The creative imagination seems to be a combination of will power and imagination. Some such "aesthetic condition" of the mind seems to Schiller to open up a bridge between the sensible or phenomenal and super-sensible or noumenal aspects of our "mixed" human nature.

34. It should be noted that the aesthetic and moral pleasures manufactured by the will do not *motivate* the will, which is free. Rather, the pleasures are created by the will to help the moral individual feel happy about doing the virtuous actions commanded by reason. Such pleasures are only experienced upon the completion of virtuous actions or upon the view of a moral character, as Aristotle and British sentimentalists such as Hutcheson and Hume would argue. So far, Kant can and did largely accept this talk of higher moral and aesthetic pleasure as compatible with his critical idealism. See Beiser (2005: 176–82, 203–7, 253–60). Kant does not follow Schiller, however, with respect to higher aesthetic but non-moral pleasures manufactured by the will, as I will discuss shortly in the main text.
35. Schiller, "Concerning the Sublime," in Schiller (1993: 75).
36. Schiller, "On the Pathetic," in Schiller (1993: 45).
37. Ibid.: 49, original emphasis.
38. "Concerning the Sublime," 75, emphasis original.
39. Ibid.: 75.
40. Ibid.: 74, original emphasis
41. Ibid.: 77.
42. Ibid.: 74, 76–7.
43. Schiller identifies "two sorts of sources of pleasure," namely, "the satisfaction of the [sensuous] urge [or instinct or desire] to be happy" and "the fulfillment of moral laws." He goes on to make clear that "it is from our moral nature" that the pleasure involved in the mixed feeling of the sublime originates. See Schiller, "On the Art of Tragedy," in Schiller (1993): 4.
44. "Concerning the Sublime," 75.
45. Ibid.
46. For further discussion of an "ideal beauty" that is a suitable target for humanity because it makes allowances for the limitations of our sensuous nature, see Schiller, "On Naive and Sentimental Poetry," in Schiller (1993): 244–60. Schiller depicts this beautiful moral character as a union of "naive" and "sentimental" characters such that "each would protect the other from its extreme" (ibid.: 248–9).
47. Schiller argues repeatedly that an immoral character or vicious conduct cannot be truly beautiful. At the same time, he allows that we derive aesthetic pleasure from acts of the creative imagination such as the tragic poet's depiction of a "man of vice" who is "forced to risk happiness and life in order

to carry out his pernicious will" ("On the Pathetic," 68). That pleasure is "aesthetically sublime": it is associated with our perception of the unlimited power of the villain's free will to subdue his sensuous nature. Reason permits the pleasure on the grounds that the portrayal of such power to do wrong lets us imagine that the power might possibly be redirected to do right: "Consequently, in aesthetic judgments we are interested, not in morality of itself, but simply in freedom, and morality can please our imagination only insofar as it makes that freedom visible" (*ibid.*).

48. Schiller says, for instance, that "aesthetic education [...] subjects to laws of beauty all those spheres of human behaviour in which neither natural laws, nor yet rational laws, are binding upon human caprice" (1967, Letter XXIII: 169). He also says that "there is such a thing as an aesthetic transcendence [of moral duty]" which should not be confused with a suggestion that it is morally permissible to ignore moral duties (*ibid.*: 167, n. 2). Although he may only mean that it is aesthetically desirable to perform one's duties gracefully, with pleasure instead of with reluctance, it is also possible that he is making room for an aesthetic sphere of beautiful conduct beyond the scope of morality. A poet may create a beautiful tale of a vicious criminal, for example, or a benefactor may perform a beautiful supererogatory action by sacrificing his life to save another's. Beiser suggests that, for Schiller, "the highest ideal of human perfection goes beyond morality" (2005: 185). See also (*ibid.*: 140–1).
49. Strictly speaking, there seems nothing in Kant's idealism to prevent him from following Schiller because Kant too eventually agrees that the free will has the power attributed to it by Schiller (Beiser, 2005: 224–5). But Kant seems to have thought that there are no situations or actions beyond morality. Instead, universal reason and its moral dictates are unlimited in scope. For relevant discussion, see *ibid.*: 184–90, although Beiser may not agree that Kant and Schiller differ in this way.
50. On the link to Spinoza's philosophy, see Beiser (2005: 222–4). Schiller refers to self-determination in accord with one's "inner necessity" or innate purpose as "heautonomy" and moves it to the noumenal realm in Schiller (1967).
51. Beiser (2005: 236).
52. Even if Schiller speaks of laws of development from an inner necessity, or laws of heautonomy, such laws must be seen as noumenal laws with no power to determine the will. Instead, the free will chooses those laws, in other words, it reveals them through the choices it makes so that such "laws" are inseparable from the inner necessity or innate aesthetic purpose which we read into our development in the phenomenal world. To add to the confusion, Novalis, Tieck, and other romantic followers created their own problems by giving Schiller's aesthetic theory a metaphysical reading such that the "inner necessity" or "aesthetic intuition" or "spiritual purpose" posited by Schiller becomes a real entity implanted in human nature by a divine creator. But, as Beiser himself argues, Schiller does not take that metaphysical line but instead stays within Kant's critical limits.
53. Beiser (2005: 237).
54. See Schiller (1967), Letters XI–XV, XVIII–XXII; and Beiser (2005: 137–44, 150–6, 229–37).



55. Schiller (1967), Letter XIX: 152. Beiser (2005: 152) duly emphasizes this point.
56. Schiller (1967), Letters XVI–XVII and, containing Schiller's response to Rousseau and a just-so story of social development toward a utopian aesthetic society and state, Letters XXIII–XXVI; and Beiser (2005: 147–50, 156–68).
57. See Rawls (2007).
58. For the beginnings of a critique of Rawls's reading of Mill, see Riley (2013c).
59. J.S. Mill, *On Liberty*, CW, XVIII.269.
60. See Humboldt (1969).
61. J.S. Mill, *On Liberty*, CW, XVIII.274.
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# 5

## Uncelebrated Trouble Maker: John Stuart Mill as English Radicalism's Foreign Politics Gadfly

*Georgios Varouxakis*

I do not know how a public writer can be more usefully employed than by telling his countrymen their faults, and if that is considered anti-national I am not at all desirous to avoid the charge.<sup>1</sup>

### Introduction

Mill is not even mentioned (let alone included as a potential “trouble maker”) in A.J.P. Taylor’s classic study of dissenters over Britain’s foreign policy.<sup>2</sup> And yet, as I argue in this chapter, Mill was exactly such a dissenter and trouble maker. More specifically, I intend to show that Mill’s was a case of “dissidence of dissent,”<sup>3</sup> in the sense that, on a number of issues, he was a trouble maker not just in British public debates in general but within radical and “trouble making” circles in particular as well. Though such a role could be shown to have been adopted by Mill with regard to a broader range of issues,<sup>4</sup> I will focus here only on those related to foreign policy and international relations. On a number of debates on national security and defence, military systems, non-intervention, international maritime law, pacifism, calls for international arbitration or international tribunals, the settler colonies, and other related issues, Mill’s positions often surprised and sometimes shocked his radical contemporaries.

It is characteristic to note what Arthur Stanley, Dean of Westminster, said to the Liberal electoral committee for the 1868 Westminster election, when he wrote to them to tell them why he would again (like in 1865) vote for Mill. In explaining his reasons he stressed Mill’s solicitude

for “the permanent welfare of the whole community, irrespective of mere passing watchwords or temporary exigencies.” And he maintained that Mill had given ample proof of that spirit in his public conduct, “by the readiness with which, on at least three important occasions, *he has ventured to act independently not merely of the general party, but of the particular section of it with which he is connected.*”<sup>5</sup>

Mill himself was quite explicit that he saw himself as the champion of unpopular and often unorthodox causes, even within British “advanced Liberalism” or “radicalism.”<sup>6</sup> One of the occasions where he was thus explicit was in his retrospective comments on his parliamentary career (1865–68) with which he concluded his *Autobiography*: “As I therefore, in general, reserved myself for work which no others were likely to do, a great proportion of my appearances were on points on which the bulk of the Liberal Party, *even the advanced portion of it,*”<sup>7</sup> either were of a different opinion from mine, or were comparatively indifferent.” It is interesting for my purposes here that he included foreign policy as an example of his dissenting from advanced liberal orthodoxy during his parliamentary career. Several of his speeches, Mill went on, such as the one “in favour of resuming the right of seizing enemies’ goods in neutral vessels,”<sup>8</sup> were “opposed to what then was, and probably still is, regarded as the advanced liberal opinion.”<sup>9</sup>

Thus, Mill’s views and stances on international politics were those of a “trouble maker” in two different senses. In the first place, many of the arguments he formulated and positions he took were seen by mainstream opinion as extreme and “un-English.”<sup>10</sup> In the second place, moreover, Mill also adopted positions on foreign policy matters which were dissenting from the mainstream of British *Radicalism* – he often upset other radicals (not least of the Cobden-Bright Manchester school), with several important components of his international political thought as well as activism. This chapter aims to establish that, in foreign policy as in other matters, Mill saw himself as a Socratic gadfly of English/British society who would not mince his words when he felt he had to criticize either mainstream British opinion or his own political allies.

This image of Mill as an independent and often lone voice may seem at first sight incompatible with some accounts by contemporaries on his party loyalties whilst he was a Member of Parliament (1865–68). As Leslie Stephen put it:

The main peculiarity of Mill’s position, however, is all that I am able to notice. In spite of his philosophy, he appeared to be a thorough

party man. He fully adopted, that is to say, the platform of the Radical wing, and voted systematically with them on all points. His philosophy led him, he says,<sup>11</sup> to advocate some measures not popular with the bulk of the Liberal party.<sup>12</sup>

And John Morley, years later, wrote to Joseph Chamberlain, "that Mill, the greatest apostle of individualism, was one of the best party men in the House."<sup>13</sup>

The two statements are not exactly to the same effect, but they both allege that Mill was a party man (whether the party be the Radical wing of the Liberals or the broader Liberal Party itself). However, there is no paradox or inconsistency here. The divergent impressions are explicable if we bear in mind how important strategy was for Mill. In a brilliant study of his brief parliamentary career, Bruce Kinzer, John Robson and Ann Robson have shown that Mill was extremely careful not to embarrass Gladstone, as he had invested many hopes in his leadership. Kinzer, Robson, and Robson have shown that, once the Liberal Government fell in 1866, and was replaced by Lord Derby's Tory government, Mill was liberated to speak his mind much more openly.<sup>14</sup>

### "Il y a radicaux et radicaux"

Whatever his parliamentary tactics, there can be no doubt that Mill was a radical through and through. He called himself a "radical" (or "advanced liberal") innumerable times and was seen as such by his contemporaries.<sup>15</sup> It is well known that in the 1830s he tried assiduously to create a Radical Party in parliament.<sup>16</sup> When, three decades later, he himself entered Parliament as MP for Westminster, he was immediately seen as the "unofficial leader" of "the new party of intellectual radicalism."<sup>17</sup> And one-penny pamphlets were published at the time with titles such as *The Radical Party; Its Principles, Objects, & Leaders – Cobden, Bright & Mill*.<sup>18</sup> Besides supporters of Radicalism identifying him as one of their leaders, Radicalism's conservative critics were also quite vociferous in denouncing Mill as one of the leading Radicals.<sup>19</sup> And, years after he had ceased to be in parliament, foreign observers described him as the leader of the Radical Party in England.<sup>20</sup>

But "[i]l y a radicaux et radicaux" (there are radicals and radicals),<sup>21</sup> and "radicalism" was a broad church in nineteenth-century Britain.<sup>22</sup> Thus, to take the example of the pamphlet mentioned above, in lumping Cobden, Bright, and Mill together as leaders of "the Radical Party" Sir David Brewster was perhaps performing a task as a propagandist of

Cobdenite causes, but he was not reflecting the realities of either parliamentary politics or political thought at the time. By claiming that they all stood for the same things, the author of the pamphlet was less than accurate.

### Non-intervention, Palmerston, and military retrenchment

When it came to what he described as the third fundamental principle of "the Radical party" Brewster explained: "The 3rd clause in the Radical programme is, 'Non-intervention in foreign affairs, and the consequent reduction in our military and naval expenditure.' The policy of non-intervention is one of the greatest questions which the Radical party has advocated."<sup>23</sup> All this was accurate with regard to the Manchester School's radicalism. But how valid was this as a description of Mill's attitudes? Brewster went on to explain that "On many occasions during that portion of the late Lord Palmerston's career, in which he displayed, with so much ostentation, what was termed his spirited foreign policy, the fallacy and danger of our incessantly intermeddling in the affairs of other nations, have been ably and eloquently exposed." Antagonism to Palmerston's meddling foreign policy was indeed a fundamental aspect of Cobden's approach to foreign policy.<sup>24</sup> Cobden famously opposed Palmerston on the Don Pacifico affair in 1850, and in the case of the *Arrow* incident and the bombardment of Canton in 1856–57, over which Cobden divided the House and as a result caused the resignation of the Palmerston government and the general election of 1857.<sup>25</sup> But how far did Mill share in these supposed common "Radical party" attitudes?

Mill had a complex reaction to Palmerston. In 1840 he wrote in a letter that he would walk 20 miles to see him hanged, because of his handling of the Franco-British dispute over the Mehemet Ali affair that brought the two countries close to war.<sup>26</sup> There is no extant comment by Mill on the Don Pacifico affair. But on several other occasions Mill supported Palmerston's stance. In 1849, when the Ottoman Sultan refused to extradite the leaders of the Hungarian revolution to Austria, despite pressure from Russia and Austria, Mill wrote letters to the *Daily News* (3 October 1849) and the *Examiner* (6 October 1849), in which he publicly defended then his old *bête noire*, Palmerston, for the latter's objections to the Russian intervention in Hungary.<sup>27</sup> (Palmerston had already ingratiated himself with Mill the previous year by recognizing quite early on the Republican Provisional Government of France.<sup>28</sup>)

But the most interesting case perhaps is that of the *Arrow* and Canton affair in early 1857.<sup>29</sup> Mill's friend Edwin Chadwick was about to publish

an article on the Canton episode and asked Mill for his opinion. Here is part of what Mill replied:

What disgusted me was the stupidity (it was no worse) of supposing that people here could judge of the effect that would be produced on the minds of barbarians who put to death several thousands per year by the more or less of reparation demanded where some was evidently due; the ridiculous appeals to humanity and Christianity in favour of ruffians, & to international law in favour of people who recognize *no* laws of war at all (witness the poisonings<sup>30</sup> & stabbings in the back) [...].<sup>31</sup>

Mill went on to enumerate horrible atrocities reportedly committed by the Chinese. Clearly, he was on opposite sides to Cobden on the Canton question. His attitude towards “barbarians” as evinced in the case of the Chinese points to his broader differences with many other radicals (Cobden, Bright, Francis Newman, the Comtists, and many others included) on India, which there is no space to discuss here beyond drawing attention to a major divergence of attitude on this question as well.<sup>32</sup>

In 1864 Mill sent a letter “To the Editor of the Daily News” defending the Liberal cabinet under Palmerston against Disraeli’s charge that the Liberal Government had “lowered the country in the estimation of the world,” because it had “used strong language when it did not intend to support that language by fighting.” The accusations referred to the cases of Poland in 1863 and of Denmark (Schleswig-Holstein crisis) in 1864. But Mill saw the matter differently from Palmerston’s critics. For Mill the British government was among the first to introduce a very commendable innovation in the relations between states. The policy of strongly condemning international injustices even though not able to fight against them appeared to Mill to be “the inauguration of the practice of bringing international and political wrongs under a moral police, by a demonstration of disinterested disapproval.”<sup>33</sup> Meanwhile, in 1859, Mill had criticized Palmerston for his reported opposition to the opening of the Suez Canal on French initiative.<sup>34</sup> Thus, the picture is mixed, but Mill certainly did not share the Manchester School’s profound antagonism to Palmerston’s meddling foreign policy, because Mill did not share their strict non-interventionist attitude.<sup>35</sup>

To come back to him and his pamphlet, Brewster went on to mention the “periodical fits of groundless alarm at foreign invasion and attack, most clearly and mercilessly exposed by Mr. Cobden, in his book

entitled the "Three Panics,"<sup>36</sup> and for which alarm, our friends and allies across the channel have often laughed at us."<sup>37</sup> Again, Mill had shown himself prone to the panics, at least after Louis Napoleon Bonaparte's *coup d'état* in France.<sup>38</sup> He was far from alone of course, even among radicals. In this case (as on other occasions) it was rather the Cobdenites that were isolated.<sup>39</sup>

Further on, Brewster wrote: "By our adherence in the future, as far as possible, to this course of action, we can have no excuse for the maintenance of our army and navy beyond the required efficiency of the services, for the purposes of home defence, and the necessary protection of our interests in our colonial dependencies." By that policy, he went on, "we may expect to curtail the wasteful expenditure of the public money, that has been going on, almost unchecked, for years, more especially in our naval arsenals."<sup>40</sup> Now, two years earlier, during his idiosyncratic electoral campaign for the Westminster seat in Parliament, this is what Mill (in Avignon at the time) wrote to the chairman of his electoral committee, to circulate to the electors as part of his statement of principles:

6. As regards retrenchment, it is certain that chiefly through unskilful management great sums of public money are now squandered [...]. I expect little improvement in this respect until the increased influence of the smaller taxpayer on the government, through a large extension of the suffrage, shall have produced a stricter control over the details of public expenditure. But I cannot think that it would be right for us to disarm in the presence of the great military despotisms of Europe, which regard our freedom through its influence on the minds of their own subjects, as the greatest danger as well as reproach to themselves, and might be tempted to pick a quarrel with us, even without any prospect of ultimate success, in the mere hope of reviving the national antipathies which so long kept apart the best minds of England and of the Continent.<sup>41</sup>

Both on retrenchment of military expenses and on non-intervention Mill had parted company with the Manchester School radicals long before his election to parliament and his stance was open and clear to everyone who did not want to lump "the Radical Party" together for propaganda purposes.<sup>42</sup> In fact, Mill's version of non-intervention was seen as the alternative *par excellence* to Cobden and Bright's,<sup>43</sup> as he had asserted, most famously in 1859, the principle of counter-intervention to enforce non-intervention.<sup>44</sup> He had done so already much earlier,

starting from 1831.<sup>45</sup> As a contemporary put it immediately after his death, in an assessment of his career as a practical politician:

It was known, or ought to have been known, by everyone who supported Mr. Mill's candidature in 1865, that he was a powerful advocate of proportional representation, and that he attributed the very greatest importance to the [...] emancipation of women; he advocated years ago in his "Political economy" the scheme of land tenure reform [...]; his essay "On Liberty" left no doubt as to his opinions upon the value of maintaining freedom of thought and speech; *his article entitled "A Few Words on Non-intervention" might have warned the partisans of the Manchester school that he had no sympathy with their views on foreign policy.*<sup>46</sup>

Millicent Garrett Fawcett might have added that Mill had repeatedly explained his views on non-intervention to his electors during the pre-election public meetings that he agreed to attend in July 1865.<sup>47</sup> Many other contemporary observers saw Mill's theory on non-intervention as a direct challenge to "what may be called Cobdenism," not least during the very year when Brewster's pamphlet was published.<sup>48</sup>

### **Declaration of Paris and maritime law**

One of the most significant differences between Mill and the majority of radicals (and liberals more generally) in the second part of the nineteenth century was related to their respective attitudes towards the right to seize enemy property at sea in international maritime law and its abandonment by Britain in 1856 through the Declaration of Paris. The details are extremely complex and cannot be followed here; and the issue led to a debate that went on well into the twentieth century.<sup>49</sup> But Mill's rationale should be briefly explained. In a speech in the House of Commons on 5 August 1867, Mill called for Britain to denounce the Declaration and resume its rights of seizure of enemy property at sea in neutral vessels, which it had forfeited by agreeing to the Declaration of 1856. Mill's rationale was that Britain, as a major maritime power, had relinquished its main weapon for waging war on its enemies' commerce in times of war. If the war did not touch the commerce of a country, and wars were treated as mere duels between governments, but not affecting the lives of the citizens particularly, wars would happen more frequently and last longer, Mill argued. Besides, naval power was, in Mill's view, quintessentially defensive power, and therefore giving



naval powers their main weapon back would be in the best interests of the world at large.<sup>50</sup>

Now, the very expression duel between governments came from Cobden's speeches on the same question. Cobden had been the most active politician and activist urging Britain not only to adhere to its subscription to the Declaration of Paris but also to go further, as the United States was asking, and exempt from seizure not only private property belonging to enemy citizens found in neutral vessels but also private property when found in the ships of the belligerent nations themselves. In other words, Cobden wanted private property in ships to be completely exempt from seizure in times of war, as was private property in land. Cobden believed that this would mean that war would not harm commerce and private citizens and would be just a quarrel between armies and governments. The extent to which Cobden campaigned and tried to convince others to campaign for this extension of the measure is striking.<sup>51</sup>

Another interesting twist in this case is that in his speech in Parliament Mill admitted that the Liberal Government of 1856 had been wrong to adhere to the Declaration of Paris and that the leaders of the then Tory opposition, including the man who was at the time he was speaking – 1867 – prime minister, Lord Derby, had been right to denounce the act.<sup>52</sup> But the evidence shows that it was not Derby's opposition in 1856, but rather the persistent letters he was receiving by members of an idiosyncratic group of radicals that convinced Mill on the disastrous effects of the Declaration of Paris. The group in question were working-class members of various *Foreign Affairs Committees*, followers of the eccentric David Urquhart.<sup>53</sup> Unlike Mill (and Marx),<sup>54</sup> Cobden was from the beginning not very impressed by the arguments of the "knots of Urquhartites" from Sheffield and Bradford who were writing to him to convince him that Britain should not have surrendered its maritime rights in 1856. He thought that some of them, "like their leader," were "hardly at times in their right senses."<sup>55</sup>

## Arbitration

Mill was sceptical towards the idea of arbitration as a solution to international disputes, unlike most other radicals, from the Workmen's Peace Association (whose journal was called the *Arbitrator*)<sup>56</sup> and Cobden to Mill's young friend and admirer Lord Amberley in the early 1870s, who thought that arbitration could work. In 1849, in the House of Commons, Cobden had introduced a motion asking the British

government to make treaties with foreign powers binding the respective parties, "in case of any misunderstanding arising which could not be settled by mutual representation or diplomacy, to refer the dispute to the decision of arbitrators."<sup>57</sup> But there were different kinds of arbitration in debates among nineteenth-century peace circles, and Cobden had learnt by 1849 to be very careful to avoid accusations of utopianism:

You seem to be puzzled about my motion in favour of international arbitration. Perhaps you have mixed it up with other theories to which I am no party. My plan does not embrace the scheme of a congress of nations, or imply the belief in the millennium, or demand your homage to the principles of non-resistance. I simply propose that England should offer to enter into an agreement with other countries, France, for instance, binding them to refer any dispute that may arise to arbitration. [...] In fact, I wish merely to bind them to do that before a war, which nations always do virtually after it.<sup>58</sup>

In other words, Cobden's version of arbitration was what has been called "stipulated arbitration," and his demand was for treaties of arbitration, rather than arbitration through a World Court or Congress of Nations, which had been the more popular idea in the American pacifist movement until the early 1840s. Thus Cobden was "less ambitious in the scope of his plans than the majority of the pacifists."<sup>59</sup> Now, Mill showed great interest in the question of how treaties between states should be conducted and what terms were and what were not allowable in such treaties.<sup>60</sup> But he nowhere considered the idea of treaties containing obligatory stipulations for arbitration in cases of future disputes.

The youthful Lord Amberley was not so circumspect in 1870–71 as Cobden had been in 1849 and later. In a draft essay that he wrote and sent Mill and others for advice he was proposing a version of a congress or league of nations with powers to mediate, transfer territory among disputing states, and other ambitious plans.<sup>61</sup> It is clear from the correspondence and from the changes to the final version of the essay that was published following Mill's criticisms that the old radical was much less sanguine about the prospects of Amberley's proposed institutional solutions and set much more store on moral improvements in the long term combined with the eventual democratization of all regimes.<sup>62</sup> And when American correspondents elicited from him comments on international arbitration, he replied with great scepticism as to the chances of arbitration in the most difficult cases where really irreconcilable differences were at stake.<sup>63</sup> (Mill's response, to put it briefly, resembled

what President Lincoln had said of arbitration, to the effect that "arbitration, though 'a very amiable idea', was 'not possible just now as the millennium is still a long way off'."<sup>64</sup>

### Militia vs peace societies and standing armies

Although Cobden had kept some distance from the most extreme positions of the Peace Society,<sup>65</sup> and though he was not a non-resister, he was very close to it and greatly cooperated with it. Besides his overall staunch opposition to military expenditure, Cobden had fought against the expansion of the militia undertaken in 1852 as a result of increased fear of French invasion after Louis Napoleon Bonaparte's *coup* in December 1851.<sup>66</sup> On the other hand, Mill had been explicit about his rejection of the no-resistance pacifism of the Peace Society already in the 1840s,<sup>67</sup> and never changed his mind about pacifism, as much as he loathed war and wished to diminish its occurrence.<sup>68</sup> As the 1860s were advancing with ever more clouds on the European horizon (particularly from the Austro-Prussian War of 1866 to the Franco-Prussian War of 1870), Mill found himself increasingly interested in proposals regarding the best possible defence and military system for Britain to adopt. By the second half of the 1860s he had clearly been convinced that the Swiss system of citizen militia was the best of the options.<sup>69</sup> He thought the whole male population should receive military training already at school and then be trained periodically for a few weeks every year so as to be fit for purpose if need be. That would allow Britain to have a potentially large defence force that could never become an aggressive force; it would minimize military expenditure, and, most importantly, avert all dangers to freedom inherent in having a large standing army. Mill had made these views publicly known by 1867.<sup>70</sup> But the most vociferous and reported utterance of them came after the Franco-Prussian War had intensified concerns over security in Britain and debates on defence and military preparedness. The Workmen's Peace Association (an organization led by working-class activists such as W. R. Cremer that Mill was in contact with, and sponsored by the Quaker-dominated London Peace Society),<sup>71</sup> invited him to chair a meeting in March 1871. Mill obliged, but he surprised many of his hosts by giving a speech in which he opposed the Gladstone government's proposed military reforms, but instead proposed a citizen army on the Swiss model.<sup>72</sup>

The Liberal *Daily News* reported the meeting with no mention whatsoever of any disagreements. The reader could only guess any such by reading Mill's speech, which was extensively quoted.<sup>73</sup> But the

conservative-leaning press would not leave the discrepancy unnoticed. As the *Pall Mall Gazette* commented the day after, "The promoters of the meeting appear to have been mainly peace-at-any-price men and a small minority of Republicans, and Mr. Mill's speech was out of harmony altogether with the resolutions and with the speeches that followed it."<sup>74</sup> And the *Standard* clearly enjoyed what happened immensely. It noted that

the prophet who had been summoned to curse war and large armaments, if he did not bless them altogether, wandered widely from his commission. In fact, Mr. John Stuart Mill may fairly be claimed as a champion on our side of the question rather than on that of Mr. Jacob Bright and his people. With almost everything which fell from the ex-member for Westminster we find ourselves, to our surprise, in perfect agreement. Where we differ, it is upon points on which Mr. Mill carries his military ardour to excess, and wants even more than will satisfy us. He demands the universal training of the nation in arms. Henceforth our army, he declares, should be our whole people trained and disciplined.<sup>75</sup>

Meanwhile, Mill had in equal measure upset the peace activists who had been looking to him as being on their side.<sup>76</sup>

### **Mill's differences with his younger radical admirers**

But Mill's departures on foreign policy did not manifest themselves only in relation to the Cobden-Bright radical circles of "the Manchester School" or peace societies.<sup>77</sup> During the last few years of his life, Mill's position among British radicals was outstanding. It is apposite, therefore, that a dining and debating circle established around him by his younger admirers was called "the Radical Club." It would be interesting for our purposes to take a brief look at that group. As Charles Dilke scribbled in his unpublished memoirs:

At the beginning of 1870 I was showing a good deal of activity. [...] The Radical Club was formed with myself for secretary, on the principle that half of the club should consist of members of parliament, and half of persons not members, but able to assist the cause of Radicalism by speech or writing. The club was not to exceed 40 members or 20 of each kind[.] And the first dinner was held on [...] the 13th February [1870] [...] the initial members [...] were J.S. Mill, Professor Cairnes,

John Morley, Mr. [Frank] Hill the editor of the *Daily News*, Leslie Stephen, Leonard Courtney, Henry Sidgwick, Mr. W. C. Sidgwick, Mr. [McCullagh] Torrens M.P., Professor Fawcett, and myself. At the first meeting Sir David Wedderburn M.P., Mr. Peter Taylor M.P., Mr. Walter Morrison M.P., and Mr. Hare were added.<sup>78</sup>

Soon many others joined the Club, including MPs such as Auberon Herbert and George Otto Trevelyan, as well as T. H. Huxley, the trade-unionist George Odger, the Cobdenite Louis Mallet, and women such as Millicent Garret Fawcett and Helen Taylor (Mill's step-daughter).<sup>79</sup> Mill was clearly the respected grand old man of the Club.<sup>80</sup> Dilke was a leading young admirer of Mill's.<sup>81</sup> But also Fawcett, Courtney, Hare, Cairnes, Morley, and, to a great extent, Henry Sidgwick and Leslie Stephen were all people who at that time saw themselves as followers of Mill.

Yet, there were great differences among the members of the Club, and as time went by they became more and more striking. Their differences over the Franco-Prussian War were among the most important in 1870.<sup>82</sup> It is worth taking a closer look at the disagreements within the Radical Club. For it was not just, as it has been put, that "[t]he Franco-Prussian War found the Positivists on the side of the French, Mill on the side of the Germans."<sup>83</sup> The reasons for each thinker's position and their reactions to particular parts of the dispute are interesting. British reactions to the Franco-Prussian War were in general pro-German in the beginning, as everyone thought that France was the naked aggressor, but as German attempts to crush the French after the defeat of Napoleon III at Sedan continued, and especially when Paris was under a harsh siege, British opinion shifted and turned to sympathizing with France.<sup>84</sup> Though the reactions of thinkers and "intellectuals" were more complex and diverse, a similar pattern can be observed, with the vast majority (almost all except the Comtists) being pro-German initially, but many of them turning to more and more sympathy with France as she lay prostrate (especially once France gave herself a Republican government).<sup>85</sup> Dilke was a typical case. Out of hatred of Napoleon III and "full of vague feelings of Nordic solidarity with the Germans," Dilke, a 27-year-old MP for Chelsea, had gone as a volunteer on the German side, joining the Prussian ambulance corps. But he got disillusioned by the Prussians' overbearingness and their desire to crush France into complete impotence, and soon defected and shifted his sympathies decisively with the French side.<sup>86</sup>

It emerges from the correspondence between Mill and his younger disciples that he and most of them disagreed on the war and on what

needed to be done by Britain. Cairnes and Mill had exchanged letters on the war in the first part of September 1870, and, while Cairnes was worried whether the victorious Germans would show “moderation” and “justice” towards defeated France (or would they “succumb to the temptations of territorial acquisition like vulgar conquerors?”),<sup>87</sup> Mill was on the contrary too busy criticizing the vanquished for persisting in fighting instead of making reparation to Germany “for perhaps the most unprovoked attack in modern European history, and for the myriads of lives which have had to be sacrificed in repelling that attack.”<sup>88</sup> The main issue of debate in Britain as events unfolded was the German demand for annexation of Alsace and parts of Lorraine and whether Britain should try to mediate and moderate these demands. Cairnes wrote to Mill again on 22 September 1870 that he was “not satisfied” with the line taken by the Liberal *Daily News*, and “prefer on the whole the writing in the *Times*.” The *Daily News*, Cairnes thought, “writes as if we were not called upon to have any opinion on the conditions of peace, and seems prepared to accept with equal favour any demands which the Germans may advance.”<sup>89</sup> For his part, Cairnes disagreed strongly and thought that neutrals were “in a better position to form a just opinion upon the question of sufficient guarantee for the future than the belligerents themselves”; and he believed that “the clear and emphatic expression of that opinion would exercise a certain influence in determining events in the right direction.” This meant, to his mind, that

To deliberately set aside neutral opinion as unworthy of attention would be an act of unwarrantable arrogance on the part of the Germans, and a bad omen of the use they will make of their new position in Europe; and to encourage this arrogance by deferring to it, as the *Daily News* does, is I think nothing short of a dereliction of neutral duty.<sup>90</sup>

Cairnes went on to say that he had “the most profound sympathy for Jules Favre and his colleagues in their present position.” And he thought that they should not yield on the question of “giving up territory, which means giving up fellow-citizens.”<sup>91</sup> We do not have Mill’s reply to this letter, but we can clearly glean what he thought about these questions from other letters, as, for example, from his revealing reply, a few days later, to a letter by Dilke. Similarly to Cairnes, Dilke had written, in relation to the German demand for the annexation of Alsace and Lorraine, that the British government should be urged “to

declare against the transfer of territory without any consent on the part of the people being given or sought for.”<sup>92</sup> Mill disagreed and argued that the Germans had a very strong case. “One of the wickedest acts of aggression in history, has been by them successfully repelled, but at the expense of the bitter suffering of many thousand (one might almost say million) households.” They had “a just claim to as complete a security as any practicable arrangement can give, against the repetition of a similar crime.” Now, according to Mill, “Unhappily, the character and feelings of the French nation, or at least of the influential and active portion of all political parties, afford no such security.”<sup>93</sup> But having said as much, Mill clarified that he, like Dilke, felt “a strong repugnance to the transfer of a population from one government to another unless by its own expressed desire.” If he could settle the terms of peace, Mill wrote, “the disputed territory should be made into an independent self governing state, with power to annex itself, after a long period (say fifty years), either to France or to Germany.” This would be accompanied by “a guarantee for that term of years by the neutral powers (which removes in some measure the objection to indefinite guarantees), or if that could not be obtained, the fortresses being meanwhile garrisoned by German troops.”<sup>94</sup>

Mill’s correspondence with Frenchmen, and not least with John Morley, also shows him particularly harsh on the French. The loss of Alsace and Lorraine would be a fair lesson for the French, teaching them not to let their leaders and talkers take them to such adventures abroad again.<sup>95</sup> Many people were upset with the French at the time, but Mill’s reaction was among the harshest, and this, for a man who had spent much of his earlier life trying to sing the praises of French ideas and ways to the English, may require a comment. The explanation here must be that Mill was reacting as a disappointed lover. France had betrayed the extravagantly high hopes he had placed on her, and the French “national character” had shown itself too flawed for Mill’s high expectations.<sup>96</sup>

### Was Mill a conservative?

But Mill’s “dissidence of dissent” could be – and has been – misunderstood as simply showing a rather conservative disposition. After all, *prima facie*, other pieces of evidence could be adduced to support such a position. Did Mill himself not say in his speech in Parliament on 5 August 1867 that the Liberals had made a mistake on the issue of the Declaration of Paris, whereas the Conservatives had got it right?

(But then, he did also say: "We were mistaken; but the light which led us astray was light from heaven.")<sup>97</sup> And, as we saw, some of the conservative press coverage of some of his foreign policy positions was positive and laudatory.<sup>98</sup> It would not be difficult to find statements by Mill which, if read in isolation and out of context, and if his overall political or social thought is ignored or misunderstood, could be seen as indicative of conservatism. And there is no shortage of later commentators who have read him as such. An example is the treatment of Mill by Bernard Semmel.<sup>99</sup> After adducing Mill's stance on the Declaration of Paris to show that "Mill upheld the Tory position" (which was one half of the truth; the other half being that Mill was convinced following his extensive correspondence with members of David Urquhart's *Foreign Affairs Committees* on this issue<sup>100</sup>) Semmel went on to adduce Mill's advocacy of "something like the Swiss militia system." It is of course true that Mill advocated the Swiss military system, but instead of conservative, it might with more plausibility be used as a proof of Mill's republican leanings.<sup>101</sup> Moreover, Semmel concluded that, in 1871, while Gladstone's Liberal Government was in office, Mill "observed in a letter to a friend that 'the whole state of Europe inspires sadness, but that of England contempt.' England was now 'incapable of moving even a small army,' while signs of the deterioration of the Navy were patent. 'After this I shall henceforth wish for a Tory Government,' he declared."<sup>102</sup> What Semmel neglected to mention is that between his complaints about the defence weaknesses of England and his subsequent statement about wishing for a Tory government, Mill had written:

and our ministers, instead of being turned out with disgrace, will apparently live out the duration of a seven years Parliament, even now, when they have put the finishing stroke to their meanness by proposing a pecuniary compensation to Governor Eyre; a thing which in my worst apprehensions of what a Gladstone Ministry could come to, I had never expected. After this I shall henceforth wish for a Tory Government.<sup>103</sup>

Now, for any scholar with the faintest idea of how strongly Mill felt about Eyre (whom he had relentlessly tried to have prosecuted for murder), failing to mention this as the main reason why Mill was very frustrated with the Gladstone government in 1871 would be strange. It is even more strange for the author of the classic book-length study on the Governor Eyre controversy.<sup>104</sup>



Despite what Semmel would have one believe, there can be no doubt that Mill's indignation with Gladstone's government in that letter was fuelled to explosive levels by the Eyre pension issue. The recipient of the letter, Mill's "brother in arms" Cairnes, had no doubts about the matter. In his response to Mill's letter he commented: "Politics now are far indeed, as you say from being a cheerful study, and have reached in this country a low point when a Liberal minister proposed a testimony of national gratitude to Governor Eyre." Cairnes noted that Gladstone's excuse for his conduct was "that he merely took up an engagement entered into by the Tories in order to give Parliament an opportunity of pronouncing on it." But, he commented, "this a poor plea [*sic*]; at all events he should not have left his own feelings on this subject in doubt." Cairnes reported that he had been with P.A. Taylor (the treasurer of the Jamaica Committee in the late 1860s) when the announcement about Eyre had been made, "and nothing could exceed Taylor's promptitude and energy in preparing for the combat. The result was shown in Gladstone's immediate retreat. Taylor's opinion is that we shall hear no more of the proposal."<sup>105</sup> Mill was no Tory. He was simply furious with Gladstone's intention to proceed with compensating Eyre, a major criminal in Mill's eyes.

## Conclusion

This chapter has not attempted to show that Mill went against any radical consensus on foreign policy, because, very simply, there never was such a consensus among radicals. As he put it himself once, "free-thinkers and extreme liberals do not form a body at all; they differ as much from one another as they do from the orthodox, and have often as bad an opinion of the tendency of each other's writings as the orthodox have."<sup>106</sup> What I have tried show is that, within the diversity that characterized various strands of radicals, Mill did take a number of positions and enunciate a number of bold ideas that startled his radical contemporaries and made him a trouble maker among them. It took Mill's courage to make a speech advocating universal military service by the whole male population while chairing a meeting of a peace society. And Mill's stance on maritime law and the Declaration of Paris upset liberals and radicals both at the time and for several decades thereafter. In both cases, he had strong consequentialist-utilitarian reasons for adopting these positions and he believed they would both conduce to the reduction of the incidence of wars.<sup>107</sup> Thus, *pace* Semmel, Mill's positions were neither conservative nor "neo-Coleridgean." Though upsetting to

many – in some cases, most – radicals, and sometimes praised by conservatives, Mill's positions were consistent with his utilitarian analysis of international relations.

What has been discussed in this chapter also should lead us to challenge what has been argued in the classic historical study of the first years of the Liberal Party. Mill is treated as one of the "leaders" of the initial stages in the formation of the Liberal Party by John Vincent.<sup>108</sup> According to Vincent, among the Liberals in the 1850s and 1860s "[t]wo great theories of foreign policy existed, that of the ministerial class, based on national power, and that of the Manchester School, based on national happiness." This claim should be contradicted by what I have argued in the preceding pages. For I tried to show that one of the people Vincent described as among the "leaders" of the early Liberal Party, Mill, did develop a third, distinctive approach to foreign policy, which was identified neither with that of "the ministerial class" nor with that of "the Manchester School." Rather, Mill's theory of foreign policy was aimed at achieving "national happiness" (and indeed international happiness), no less than that of the Manchester School, but he was convinced that, to achieve and preserve such happiness, power was necessary. This did not make his theory identical with that of "the governing class" either, for the power he was after was always what he called "defensive power,"<sup>109</sup> hence his insistence on citizen militia against a standing army, the right of search against enemy property at sea (which he insisted was a defensive weapon), and so on.<sup>110</sup> But Vincent failed to appreciate this. For he went on to argue: "Yet the intelligentsia failed even to comprehend both these theories, and foreign policy remained an area of shadow on the intellectual map." And, "Mill himself, so far as one can judge from his isolated deliverances on foreign relations, never felt required by his role as a radical critic of society to examine with detachment the assumptions behind foreign policy, nor did he see in this field probable grounds of separation between the radicals and the rest."<sup>111</sup> The last part of this statement should rather be qualified or corrected into the admission that Mill never convinced all fellow-radicals to follow his views on foreign policy, which would distinguish them from "the rest." As for the former part of the statement, I hope I have shown in this chapter that it is not true that Mill "never felt required by his role as a radical critic of society to examine with detachment the assumptions behind foreign policy." He did feel that his role as a radical critic of society required examining the assumptions behind foreign policy with detachment, but the detachment went as far as for him to examine critically not only the theory of foreign policy of "the ministerial class"

but also that of “the Manchester School” – and any other theory, be it labelled “conservative,” “liberal” or “radical.” His aim was the happiness of mankind, and he believed very strongly that “security” was of paramount importance as an ingredient of happiness. His statement on the importance of “security” in the essay *Utilitarianism* should be taken into account here. Mill was not speaking specifically of what is today called “national security,” but it is included in what he had in mind.<sup>112</sup> According to Mill, there was much more to the idea of security than the security of trade and the food supplies that the Cobdenite proposals with regard to maritime law were meant to safeguard. He saw the right to capture enemy property at sea as a weapon that maritime powers should not relinquish, as it was the best way for them to exert pressure on their enemies in times of war, without keeping enormous standing armies or enormous conscript armies. The fact that Mill challenged the liberal-radical near-consensus on maritime law and the Declaration of Paris, rather than showing that he “never felt required by his role as a radical critic of society to examine with detachment the assumptions behind foreign policy,” shows that Mill felt that he should examine with detachment even the assumptions of “liberals,” “progressives” and “radicals,” and judge each idea and proposal according to its probable consequences and conduciveness to the happiness of humankind as a progressive species.

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## Notes

1. J.S. Mill to M. Napier, 20 October 1845, CW, XIII.683.
2. Taylor (1957).
3. The phrase “The Dissidence of Dissent and the Protestantism of the Protestant Religion” was the motto of the Dissenting newspaper *The Nonconformist*, and was mocked by Matthew Arnold (see Arnold, 1993: 68–70). But, as the editor of *The Nonconformist*, Edward Miall reminded Arnold in a review, the phrase was first used by one of Arnold’s heroes, Edmund Burke. See Carl Dawson and John Pfordresher (1979: 206–7). For Burke’s use of the phrase, see Burke (1775: 223–4).

4. The mature Mill's rejection of the ballot and advocacy of open voting is a subject on which he both surprised and upset his fellow-radicals. And "Mill's tentative suggestions for the protection of infant industries were regarded by the Manchester School as rank treason, outweighing all other good in the man" (Vincent, 1966: 150).
5. *The Times*, 6 November 1868, p. 8 (emphasis added). See also *Daily News*, 6 November 1868, p. 2. Dean Stanley did not specify the three important occasions, but there can be little doubt that at least one of them referred to foreign policy, given the stir caused by Mill's speech in the Commons on 5 August 1867 on Britain's maritime rights (see *infra*, Section IV).
6. Mill used the terms "radicalism" and "advanced liberalism" interchangeably.
7. Emphasis added.
8. Mill was referring to the speech he gave in the House of Commons on 5 August 1867 (see *infra*, Section IV).
9. J.S. Mill, *Autobiography* (1873), *CW*, I.275. Mill went on to add that his "advocacy of women's suffrage, and of Personal Representation, were at the time looked upon by many as whims of my own," but "the great progress since made by those opinions" had fully justified his efforts and strategy. *Ibid.*: 275–6. The other example Mill gave was his speech against the motion for the abolition of capital punishment.
10. For some examples see Varouxakis (2002a: 16–25, 43–7); and Varouxakis (2002b: 94–110). See also what Mill wrote with reference to his parliamentary career in particular in his *Autobiography*, *CW*, I.276–7.
11. Stephen gave reference here to: "*Autobiography*, p. 286" (see *Autobiography*, *CW*, I.275–6.)
12. Stephen (1900: 66).
13. J. Morley to J. Chamberlain, 20 October 1878. See Hamer (1968: 125).
14. Mill's support of Gladstone "was given not as a party man in the usual sense of that characterization; he wanted not to further his career but his ideals; he saw himself, in his own words, as 'the defender of advanced liberalism'." This "complicated his outwards allegiances in the political groupings of the 1860s, but the inner motivation was consistent." Kinzer et al. (1992: 12).
15. See, e.g., *Autobiography*, *CW*, I.97, 136, 137, 204, 259.
16. See *ibid.*, pp. 221–3, 225. For a critical assessment of these attempts, see Thomas (1979: 202–5, 338–405).
17. See Mack and Armytage (1952: 146). Members of the party in question included Thomas Hughes and the blind MP and Professor of Political Economy at Cambridge, Henry Fawcett. See also *The Economist*, 19 July 1865.
18. Brewster (1867). After singing the praises of the recently deceased Richard Cobden and of John Bright, the pamphlet came to the third "leader" of the "Radical Party": "Another name we are proud to claim – John Stuart Mill. [...] He is a great and illustrious accession to the ranks of the Radical party in Parliament. [...]" *ibid.*: pp. 15–6. Sir David Brewster was a senior academic physicist and Scottish Free Churchman. He was closely linked with the peace movement and served as President of the 1851 peace congress at Exeter Hall in London. See London Peace Society (1851: 4–8).
19. See, for instance, [Jennings], 1868.
20. See Millet (1872).

21. Kayser (1962: 11).
22. For some studies highlighting the diversity of British radicalism at the time, see Maccoby (1935); Maccoby (1938); Biagini and Reid (1991); Finn (1993); Taylor (1995); Biagini (2006, 2011); Anderson (1965).
23. Brewster (1867: 10). As Anthony Howe argued, "By 1848, the 'struggle against armaments' had become for Cobden 'the real free trade battle' and helps reveal the extent to which Cobden [...] had in fact been first drawn into opposition to the Corn Laws as a result of his Radical views on foreign policy." Howe (2010a: 171).
24. See Howe (2007).
25. Richard Cobden, "Foreign Policy. IV. House of Commons, June 28, 1850" and "China War. House of Commons, February 26, 1857," in Cobden (1870: II.211–29, 121–56); Taylor (1995: 150–7, 269–75) and *passim*.
26. J.S. Mill to A. Tocqueville, 30 December 1840, CW, XIII.459–60. For the context, see Varouxakis (2002b: 105–10).
27. See CW, XXV.1141–3; 1143–4. For Cobden's reactions to the Hungarian affair, see Edsall (1986: 252–4).
28. See J.S. Mill to H. Taylor, 17 March 1849, CW, XIV.18.
29. It was in the context of that debate that Palmerston said in a speech in the Commons that Cobden's speech was pervaded by "an anti-English feeling, an abnegation of all those ties which bind men to their country and to their fellow-countrymen" and that for Cobden "Everything that was English was wrong, and everything that was hostile to England was right." *Hansard*, vol. 144, 1812 (3 March 1857).
30. The employment of "*poisoners (venefici)*" was one of the acts of hostility that "would make mutual confidence impossible during a future time of peace" and were thus "dishonourable stratagems" and "diabolical arts" that should not be permitted by any state at war according to Kant's 6th Preliminary Article of a Perpetual Peace between States. See Kant (1795: 96–7).
31. J.S. Mill to E. Chadwick, 13 March 1857, CW, XV.528. Cf. What Cobden had to say when he heard of Lord Elgin's departure for Canton: "It is dreadful to think of the atrocities – literally unprovoked & unjustifiable – which we are preparing to inflict on the Chinese – If there be a God ruling this world on principles of retributive justice we ought to tremble for the punishment which awaits this nation, for its deeds of blood & violence in the East." R. Cobden to J. Sturge, 28 April 1857, in Howe and Morgan (2012: 312).
32. See Sturgis (1969); Claeys (2010); Pitts (2007). Cobden was opposed to the empire in India and refused to write publicly about it on the grounds that the British had no business there in the first place (see, e.g. Cobden's letters to Joseph Sturge of 1 July 1857, 31 August 1857, 22 October 1857, in Howe and Morgan, 2012: 331–2, 342–3, 348). And he certainly was very much opposed to the continued expansion of British power under Lord Dalhousie. See, for example, Howe (2010b: 521, 549). Mill, on the other hand, told John Morley in a letter a decade later that he had approved of all but one of Dalhousie's annexations (26 September 1866, CW, XVI.1202–3).
33. CW, XXV.1206–8.
34. J. S. Mill, "A Few Words on Non-intervention" (1859), CW, XXI.115–7.

35. Mill had of course other reasons, independently of foreign policy, for which he was critical of Palmerston. See Kinzer et al. (1992: 112).
36. See Cobden (1862).
37. Brewster (1867: 10).
38. For some instances, see J.S. Mill to T. Hare, 4 May 1859, *CW*, XV.619; to P. Villari, 38 March 1859, *CW*, XV.610–1 and 22 June 1859, *CW*, XV.627–8. For the context of the invasion panic of 1859–60, see Salevouris (1982).
39. See Parry (2001), especially pp. 157–8; Taylor (1995: 211–2).
40. Brewster (1867: 11).
41. J.S. Mill to J. Beal, 17 April 1865, *CW*, XVI.1034.
42. More than two decades earlier Mill had indicated that he did not consider Brewster a subtle thinker. When John Austin had volunteered to review his first major book, *A System of Logic*, for the *Edinburgh Review* (see Austin's letter to Mill, 27 June 1842, in *Mill – Taylor Collection*, LSE, vol. I, No. 13/31–4), Mill commented in his reply: "If you do not review the book it will probably fall into the hands either as you suggest, of Sir W. Hamilton, or of Brewster. The first would be hostile, but intelligent, the second, I believe, favourable, but shallow: neither, therefore, would exactly suit me." J.S. Mill to J. Austin, 7 July 1842, *CW*, XIII.528.
43. It should be noted that there were differences between Cobden and Bright. According to A.J.P. Taylor, it was particularly thanks to Bright that "isolationism" became "the hallmark of the Manchester School." Taylor (1957: 62).
44. For a detailed account of Mill on non-intervention, see Varouxakis 2013a: Ch. 4).
45. See Varouxakis (1997: 61–7).
46. Fawcett (1873: 59) (emphasis added).
47. For a detailed account of Mill's formulation of his views on non-intervention in 1865, see Varouxakis (2013a: Ch. 4, section V).
48. See Anon., 1867: 487. See [Wilson], 1867: 384. These differences notwithstanding, the Cobdenite newspaper, the *Morning Star*, was, during his electoral campaign, "Mill's most enthusiastic supporter." Kinzer et al. (1992: 73).
49. See Stark (1897); Bowles (1900); Piggott (1919); Semmel (1986); Lemnitzer (2009).
50. See *CW*, XXVIII.220–7. For an analysis of Mill's position on this issue, see Varouxakis (2013a: Ch. 6, section VII).
51. See Cobden, "Letter to Henry Ashworth" (1862), in Cobden (1868: vol. II, pp. 5–22); Cobden, "Foreign Policy. VII. Manchester, October 25, 1862," in Cobden (1870: vol. II, pp. 279–303); R. Cobden to W. Lindsay, 28 May 1856; to H. Ashworth, 10 December 1856; to W. Lindsay, 4 July 1857, in Howe and Morgan (2012: 207–8, 269, 332–3).
52. During the House of Lords debate on 22 May 1856: See *Hansard*, vol. 142, cc 481–548, especially Vol. 142, 539. Mill's speech of 5 August 1867 should lead us to qualify John Vincent's assertion that "as Leslie Stephen pointed out, the philosopher who took many-sidedness for his motto, was a good party man in Parliament. Impartiality never led him to think the Tories had the better case" (Vincent, 1966: 158).

53. For details on the evidence, see Varouxakis (2013a: Ch. 6, section VII). On Urquhart, see Taylor (1991); Shannon (1974); Robinson (1920); and Taylor (1957: 40–66).
54. Besides Mill, Urquhart had convinced Karl Marx on the unsoundness of the Declaration of Paris. See Marx and Engels (1975–2004: vol. 42). On Marx's views on Urquhart see also *ibid.*, vol. 41: 153–5.
55. R. Cobden to H. Ashworth, 10 December 1856, in Howe and Morgan (2012: 269). For an earlier estimate of Urquhart as “crazy” in Cobden's eyes, see R. Cobden to J. Bright, 3 January 1854, in Howe and Morgan (2012: 5).
56. Laity (2001: 48–9) and *passim*.
57. Cobden, “Speech on foreign policy, House of Commons, 12 June 1849,” in Cobden, 1870: vol. II, p. 161. For more on Cobden and arbitration and the peace movement, see Dawson (1926: 131–50); Ceadel (2006); Nicholls (1991).
58. R. Cobden to G. Combe, 9 April 1849, in Morley (1903: 508).
59. See Robson (1959: 45–8).
60. Varouxakis (2013a: Ch. 3).
61. See the extensive correspondence and diary notes related to the draft essay in Russell and Russell (1937: vol. II, pp. 388, 389, 437–40, 447).
62. Lord Amberley (1871). For more, see (Varouxakis, 2013a: Ch. 6, section V).
63. J.S. Mill to C. Loring Brace, 19 January 1871, *CW*, XVII.1798–99. See also *ibid.*, p. 1800.
64. Quoted in Robson (1959: 52).
65. For differences and tensions between the Quaker Peace Society and its non-Quaker allies including Cobden see Edsall (1986: 255–6).
66. Edsall (1986: 256–9).
67. J.S. Mill to J.F. Mollett, [Dec. 1847], *CW*, XIII.727–8 and 30 December 1847, *CW*, XIII.728–9.
68. For Mill on war, see Varouxakis (2013a: Ch. 6).
69. See *CW*, XVI.1224–5; *CW*, XVII.1792, 1805–6, 1808; *CW*, XXVIII.129–30; *CW*, XXIX.411–5. See also Varouxakis (2013b).
70. *CW*, XXVIII.128–30.
71. See Laity (2001: 46–51).
72. J.S. Mill, “The Army Bill” (10 March 1871), *CW*, XXIX.411–5. For more on Mill's rationale see Varouxakis (2013a: Ch. 6, section VI).
73. “Extravagant Military Taxation,” *Daily News*, 11 March 1871, p. 3. See also p. 4 of the same issue, where the meeting was also briefly reported equally innocuously.
74. “Mr. Mill on a National Army,” *Pall Mall Gazette*, 11 March 1871.
75. *The Standard*, 13 March 1871, p. 4.
76. See Ceadel (2000: 89); Laity (2001: 49).
77. As already alluded, Mill had profound differences on the British empire with all sorts of different radicals, including the Manchester School, the Comtists, Francis Newman, Goldwin Smith, John Elliot Cairnes, John Morley and many others.
78. *Dilke Papers*, British Library, vol. LVIII, Add. MS. 43,931/48–9. For another early member's description of the Radical Club, see also Stephen (1886: 286).
79. Harvie (1976: 187–9).

80. In a confused statement in his memoirs some decades later, Frederic Harrison, who liked clubs particularly and was a member of several, wrote: "There was also in 1865 a small club called the 'Dominicans,' from their dining together at a hotel on Sunday evening. There was, however, nothing in the least monastic or even theological about it. *It was formed by John Stuart Mill and his friends [...]. The real purpose of the Club was to enable Mr. Mill to expound his political views to his followers, – Sir Charles Dilke, John Morley, Henry Fawcett, and some others*" (emphasis added). Harrison (1911: II.83). Harrison's memory was clearly confused, as Mill did not meet Dilke before April 1869. The name Harrison used for the Club must come from the fact that they were meeting every second Sunday during parliamentary sessions, which means that it was the "Radical Club," of which all the people mentioned were members once it was founded in February 1870 (Harrison's account is adopted and reproduced uncritically by his biographer. See Vogeler, 1984: 71).
81. For Dilke's "close friendship" and intensive cooperation on several fronts with Mill at the time, see *Dilke Papers*, British Library, Add. MS., vol. LVIII, 43,913/9, 43,931/60–61, 96–7. Dilke took great pride later in narrating that Mill's last dinner out before his death had been in his house. And it was Dilke who had arranged for Mill to sit for the now-famous Watt portrait shortly before his death. When Mill died Dilke wrote "I loved him greatly." *Dilke Papers*, British Library, vol. LVIII, Add. MS. 43,932/10–11; 43,929/98. According to Dilke's first biographers, "The relation between the two had been that of master and disciple." Gwynn and Tuckwell (1918: I.168). See also, Nicholls (1995: 30–1, 41–3). According to Dilke's most recent biographer, the Radical Club "appears to have grown out of the Political Economy Club, to which Dilke had been elected in May 1869 at Mill's instigation, a month after they had first met [...]. He was greatly influenced by the advance in Mill's ideas at this time" (Nicholls 1995: 41).
82. For differences within the Radical Club, see Harvie (1976: 187–9); Nicholls (1995: 41–3).
83. Harvie (1976: 188).
84. See Neill Raymond (1967).
85. See Pratt (1985).
86. Nicholls (1995: 48–9); Jenkins (1965: 60–6).
87. J.E. Cairnes to J.S. Mill, 10 September 1870, *Mill – Taylor Collection*, LSE, Vol. LVI, 57/338–40.
88. J.S. Mill to J.E. Cairnes, 15 September 1870, *CW*, XVII.1764–5.
89. For the debates waged in the pages of the newspapers during the days in question and the contributions of members of the cabinet, see Neill Raymond (1967: 185–9).
90. The prime minister at the time shared Cairnes' view of this matter. See Schreuder (1978).
91. J.E. Cairnes to J.S. Mill, 22 September 1870, *Mill – Taylor Collection*, LSE, Vol. LVI, 58/341–4.
92. C.W. Dilke to J.S. Mill, 26 September 1870, MS at Johns Hopkins University. As we saw above, Cairnes had also written to Mill with similarly strong feelings on the same issue on 22 September 1870: *Mill – Taylor Collection*, LSE, Vol. LVI, 58/341–4.



93. J.S. Mill to C.W. Dilke, 30 September 1870, *CW*, XVII.1767. See also J.S. Mill to J. Westlake, 7 September 1870, *CW*, XVII.1762–4.
94. *CW*, XVII.1767. See also J.S. Mill to J. Morley, 6 January 1871, *CW*, XVII.1795–6.
95. J.S. Mill to G. d'Eichthal, 27 August 1870, *CW*, XVII.1761–2; to F.B. Arlès-Durfour, 29 October 1870, *CW*, XVII.1769; J.S. Mill to J. Morley, [16?] November 1870, *CW*, XVII.1774–5 and 6 January 1871, *CW*, XVII.1795–6; J.S. Mill to P. Villari, 16 February 1871, *CW*, XVII.1807.
96. See Varouxakis (2002a: 156–63) and *passim*. On the idea of “national character” at the time, see Mandler (2006).
97. *CW*, XXVIII.222–3.
98. And the Tory daily, the *Standard*, commented on Mill’s parliamentary candidature in 1865 that the Liberal electors of Westminster were bound to find some of his positions too conservative and some others too radical for their political tastes (*The Standard*, 22 April 1865, p. 5).
99. Semmel (1998: 67–9). See also Semmel (1984).
100. See Varouxakis (2013a: Ch. 6, section VII).
101. Cf. Biagini (2003).
102. Semmel (1998: 69).
103. J.S. Mill to J.E. Cairnes, 21 August 1871, *CW*, XVII.1828–9.
104. Semmel (1962).
105. J.E. Cairnes to J.S. Mill, 25 August 1871, *Mill – Taylor Collection*, LSE, Vol. LVI, 60/346–7.
106. J.S. Mill to J. Chapman, 5 November 1859, *CW*, XV.644.
107. For more on Mill’s rationale for these positions see Varouxakis (2013a: Ch. 6, sections VI and VII).
108. Vincent (1966: 149–61).
109. *CW*, XXVIII.129.
110. Mill had great respect for Cobden’s honesty (*CW*, XVI.1037), but we do not have any direct comment by Mill on the Manchester School’s foreign policy ideas. It may be useful to mention here some statements by a younger radical “trouble maker,” Charles W. Dilke. Though he had some disagreements with Mill, his attitudes towards the importance of defence and army reform were very close to Mill’s while Mill was alive. In his memoirs Dilke noted that in 1871 he spoke in favour of the adoption of the Swiss rather than of the Prussian military system (agreeing with Mill and Cairnes on this), “and argued upon the question of whether Radicals ought to interest themselves in army reform,” that “it was worth taking some trouble to defend ourselves.” He continued that, moreover, “*There were higher reasons for such interest, and among them our treaty obligations and the duties which we owed to the rest of the world of not suppressing our influence, on the whole a just and moral one.* [emphasis added] In these words there lies in a nutshell all that I afterwards wrote at much greater length upon army reform” (he added on the margins: “in my book ‘The British Army’” (*Dilke Papers*, British Library, vol. LVIII, Add. MS. 43,931/165). These words also epitomise Mill’s view of the matter of defence, and its importance for Britain’s cosmopolitan role, not just for Britain’s own sake (see, e.g. *CW*, XXVII.223). (The later book Dilke referred to was Dilke, 1888. See also Dilke, 1898.) And perhaps something Dilke wrote in the 1890s in castigating Cobden’s famous injunction

"no foreign politics" could also be seen as an epitome of another of the differences between the Manchester school and what might be called the Mill (and-very-few-disciples) school. See Dilke 1897: 8–9.

111. Vincent (1966: 154–5).

112. J.S. Mill, *Utilitarianism* (1861), *CW*, X.251–2.

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# 6

## The Philosopher in the Agora

*Alan Ryan*

We know little of what the historical Socrates really said and did when performing his “gadfly” role in Athens. Nonetheless, if the *Apology* is to be accepted as a true account of his views, he gave a clear account of the role of the public intellectual, and on more than one occasion (again if Plato’s rendering of his views is to be credited) he claimed to be the only true statesman in Athens.<sup>1</sup> Yet, he famously claimed to know nothing, and thus seemed to undermine the authority he was simultaneously claiming. He is an obvious choice as a “significant other” for any discussion of John Stuart Mill’s role in the public life of Victorian England; of historical figures to whom the label of “public intellectual” might plausibly be applied, Mill was philosophically one of the best equipped. He also translated several Platonic dialogues, never spoke less than admiringly of Plato, and regarded the execution of Socrates as a moral disaster fit only to be compared to the Crucifixion.<sup>2</sup> Like Socrates, Mill was emphatic that much that we think we know is either mistaken or not really known, and his standard of justified belief – the ability to defend our beliefs against the best arguments against them – is decidedly Socratic. Unlike Socrates, Mill not only thought he knew much that the public could benefit from sharing, in logic, ethics, and political economy, but also set out to teach it to them. This chapter explores Mill’s didactic and parliamentary careers and ends by asking whether Mill’s political passions made him a worse philosopher than he might have been if he had been less politically engaged, and, conversely, whether his contemporary critics were right to think that his philosophical eminence was a political handicap.

## I

*The Apology of Socrates* is a work that arouses mixed emotions. Socrates' final remarks to the jury that has convicted him have an austere nobility that is very hard to resist, but his cross-examination of Meletus gives one some sympathy with the jury who surely must have felt that they were being mocked and condescended to by a defendant who would not take the trial seriously. They expected him to cajole, or beg, to flatter the jury, paint his conduct in the light best calculated to soften their animosity. Instead of which he explained exactly how and why he had made himself unpopular and would not change his ways now; to cap that by explaining that the *dikastes* would not injure him in any way that mattered if they sentenced him to death was surely to invite them to take him at his word.<sup>3</sup> Of course, Socrates' conception of what was at stake was very different from that of Anytus and Meletus his accusers, or most of the 501 members of the jury that was trying him; he might well have retorted that it was he who was being serious and they who were not. The absurdities of Aristophanes' *Clouds* he shrugged off as simply silly; the fact that he had made himself unpopular with politicians, with the Sophists who taught the arts of public speaking, and with many others he freely admitted. They had claimed to be "wise" and he had shown that they did not know what they were talking about.

The oracle at Delphi had declared that Socrates was the wisest man in Athens, but he was sure that he knew nothing. He could unmask the ignorance of the victims of his interrogations, but he had no positive doctrine of his own to substitute for theirs. His wisdom, such as it was, must consist in his consciousness of his own ignorance. Quite how this implied what he took to be the injunction of "the god" that he should spend his time interrogating the Athenian upper classes is not wholly clear; but what is clear is that on his own understanding of the matter, his uncomfortable questioning was a public duty. He was not in any simple sense a "disengaged" critic; he might stand aloof from the competitive pandering to the *demos* that passed for democratic politics, just as he would not assist the "Tyranny of the Thirty" in their murderous misconduct, but he had no doubt that he owed his city what he saw as the best use of his intellect. Those he questioned may have disliked the experience, but Socrates did not doubt that what is good for us is not always what we immediately like; the punishment of a genuinely wicked man is good for him, but there is no suggestion that he enjoys it. Sweetmeats are immediately enjoyable, but bad

for the health; this is the theme of *Gorgias*. Dialogues such as *Symposium* show a much less bleak Socrates; his byplay with Alcibiades has serious undertones, but Socrates was capable of giving as good as he got when teased by his interlocutors. Whether in light-hearted mood or not, however, Socrates was always insistent that philosophy had a public role.<sup>4</sup>

Indeed, in *Gorgias* and elsewhere, Socrates says that he is the only true Athenian statesman. Since he did his best to keep out of Athenian politics, while meticulously doing his duty when called upon to do it, it is a decidedly paradoxical claim. He presided over the Assembly on the terrible day when it violated its own rules and condemned to death ten generals who had failed to retrieve the bodies of dead sailors after the battle of Arginusae. He failed to prevent the Assembly from behaving wickedly although he had tried his hardest to do so, but he had no political ambitions in the usual sense.<sup>5</sup> The paradox is not defused but sharpened by the admission, familiar from *Gorgias* and *Republic*, that politics as practised at Athens had no place for the philosopher. He would cut a sorry figure when up against the pupils of the Sophists who had taught them how to curry favour with the *demos* and lead the ignorant by the nose. So, in what sense might Socrates have been the only true statesman in Athens? Or, to ask the question in another way, when he was walking the streets of Athens asking his unanswerable questions, was he engaged in (a sort of) politics? Was he exercising the art of statecraft as he understood it?

Since the subject of this chapter is the career of John Stuart Mill rather than that of Socrates, a very abbreviated answer must suffice, narrowly directed to our purposes. Socrates' vision of the public role of the philosopher reflects the view that what the statesman is, or should be, engaged in is *soulcraft* rather than *statecraft*. That is, the promotion of goodness in the souls of the citizenry is the proper task of the statesman. The goodness of the soul is in a sense "class-structured," according to the myth of the three metals that Plato produces in *Republic*:<sup>6</sup> the special virtue of the lower classes is temperance; that of the auxiliaries, or military, courage; and that of the Guardians wisdom. Justice is a matter of "sticking to one's last," which in political terms must mean allowing the wise to govern. There is no undisputed answer to the question whether the Guardians alone can truly practise justice, since they alone appear to possess *all* the virtues, with each playing its proper role. Even if the Guardians alone possess all the virtues in their souls, in a balance discerned by wisdom, it seems clear that everyone can share in justice, if only at second hand.



## II

Like John Robson, I think that Mill's view was that "the improvement of mankind"<sup>7</sup> was the good that the statesman and the active citizen should be promoting, and in that sense Mill also was engaged in "soulcraft." However, *pace* Plato certainly and Socrates perhaps, Mill was insistent that there are no deep and permanent differences in human souls inscribed in nature; his offhand remarks about peoples that are in the "nonage" of the race, of which the most relevant instances were the Indians under the benevolent despotism of the East India Company, strike a modern reader rather painfully, but would have struck most of his contemporaries as evincing an excessive optimism about how swiftly supposedly corrupt, superstitious, and not-yet rational quasi-children could be transformed into a post-colonial self-governing and self-improving people.<sup>8</sup> Mill, however, was not only the subject of an educational experiment that he professed to believe had demonstrated that rather ordinary raw material could produce surprising results. He was so convinced of the near omnipotence of education that the Owenite conviction that "our characters are made for us, not by us" was one of the things that haunted him during his "mental crisis."<sup>9</sup> He was insistent that nature contributed much less than nurture to the adult human being. Mill's essay "Nature" (1874), like *On Liberty* (1859) and *The Subjection of Women* (1869), is dedicated to drawing a sharp distinction between nature and the "second nature" of custom; he thought it one of the standing infirmities of the human mind to confuse the two, and one of the motives for his lifelong campaign against intuitionist theories in ethics, logic, and the philosophy of science was precisely his belief that intuitionism encouraged this infirmity rather than correcting it.<sup>10</sup>

Mill was brought up to be the standard-bearer of reform. How his teachers and sponsors, among them his father, Jeremy Bentham, and Francis Place, imagined he would fulfil that role is not wholly clear. In particular, it is not clear whether they did or did not imagine that he might enter parliament and play a leading role among the "philosophical radicals." Among the reasons for thinking that they did not, one is that he was without the independent income that an MP required; he could have gone to the bar and combined a barrister's career with service in the House of Commons, but by the time he would have had to start on the path towards such a career – presumably involving a degree from Cambridge and a pupillage in chambers at one of the Inns of Court – his father had begun to make his own career at the East India Company,

and Mill was about to join him. Service in the East India Company ruled out a parliamentary career. It did not rule out the ambition to play a role behind the scenes, not in a conspiratorial sense, but by way of providing an intellectual backbone and a coherent reform programme for the radicals who came into Parliament before and after the passage of the Reform Act of 1832. This required a mixed strategy. Part was personal: there were not very many radicals, and they would be open to influence in conversation. They would also be open to the influence of advanced opinion as expressed in the periodical press. The Whigs had the advantage of Holland House and the *Edinburgh Review*, but it was not absurd to imagine that the philosophical radicals could move the liberal side of parliament to the left. Much of the radicals' programme was indeed achieved, but over a much longer period than Mill hoped in his twenties; and some parts of it, such as the secret ballot, he had disavowed by the time they came to pass.

Whether Mill's relationship with Harriet Taylor would have prevented a parliamentary career is unclear; given the unconventional marital arrangements of many parliamentarians, one imagines not. The story is told that when the 65-year-old Palmerston fathered a child out of wedlock, his opponents took no advantage of the fact, not out of fastidiousness but out of fear that the public would applaud the evidence of his continuing virility. However, that takes no account of Mill's own temperament, nor that of Harriet Taylor. Both were intensely private people, and deeply censorious of anything that might look like a prurient interest in other persons' private lives. The robust contempt for other people's opinions that came easily to aristocrats such as Lord Melbourne and the Duke of Wellington – famous for replying “publish and be damned” when threatened with blackmail by a former mistress – was utterly outside their comprehension. This was not because they thought well of “respectability,” either in the abstract or in terms of its impact on British intellectual life – *On Liberty* expresses their intense hostility to it. That is a far cry from suggesting that they were, or even that they should have been, ready to flout opinion even to the extent that George Eliot and G.H. Lewes were.

Still, their isolation was self-imposed; Mill's friends were puzzled and distressed by it. For our purposes, what matters is that it fostered a deep contempt for what they saw as the low level of public intelligence on the one hand and a desire to leave behind a permanent written legacy of advanced thinking, a “mental pemican” for “thinkers, when there are any after us,” on the other<sup>11</sup> I have commented elsewhere on the implausibility that so talented a writer as Mill should think of his work

as “pemican,” especially in the context of *On Liberty*, and will not do so here.<sup>12</sup> Nor need I emphasize the implausibility of offering advanced thought to a public that supposedly could not recognize it. All we need note is that his domestic and career circumstances meant that Mill’s impact on his contemporaries was going to be through his writings. He was fortunate that his employment at East India House was interesting but not very demanding, and not so time-consuming that it seriously interfered with his periodical journalism or the writing of major works such as *A System of Logic* (1843) and *Principles of Political Economy* (1848). Other longer works, including *Considerations on Representative Government* (1861) and *An Examination of Sir William Hamilton’s Philosophy* (1865), were largely the product of the years after he retired from the (dissolved) East India Company in 1858. His hopes that the *London and Westminster Review* might challenge the *Edinburgh Review* were dashed when it became clear that he had neither the time, money, or editorial temperament to achieve what he had hoped; conversely, he was somewhat surprised that *A System of Logic* was so successful, but its success launched him in a didactic role in British academic life that lasted until long after his death.

### III

My somewhat tongue-in-cheek comparison of Mill and Socrates falls foul of the fact that Socrates is said to have disapproved of the invention of writing<sup>13</sup> and engaged in his gadfly activities in the Athenian streets. Less obviously, it falls foul of the fact that Mill was not inclined to suggest that a *daemon* prompted him to advance the views he did; he was prompted by a desire to promote his conception of progress, a conception that notoriously attempted to do justice both to straightforward material progress and to a very far from straightforward form of psychological and moral development summed up in *On Liberty* as “individuality.” What Socrates and Mill had in common was that Mill was certainly thought to be one of the most intelligent men in Britain, but Victorian Britain was no friendlier to “cleverness” than the Athenian *demos* was to the wisdom represented by Socrates. The reaction to much of Mill’s work, from the 1840s to the end of his life, was wary admiration, save in obvious cases where it consisted in outright hostility to his views on women and politics.

Rather than offering a thumbnail paraphrase of the excellent studies of Mill’s career that we have had over the past three decades from Bruce Kinzer, and John and Ann Robson in association with the Toronto

edition of Mill's *Collected Works*, and from Stefan Collini, John Burrow, and Donald Winch, I shall focus on the "political" character of Mill's most seemingly abstract work, *A System of Logic*, and pick up the thread of his views on progress as expressed in *On Liberty*, *Representative Government*, and *Utilitarianism* (1861), before saying a little about his parliamentary career, and raising the question I began with – whether Mill was too "political" for his own philosophical good and too "philosophical" to be a successful politician.<sup>14</sup> Neither is quite right; the problem, to the extent that it was one, lay in Mill's temperament on the one side, and in the thinness of his sociological imagination on the other. The two things are related; his much complained of censoriousness was an aspect of his failings of ordinary human and social imagination. An instance from his private life was his appalling treatment of his mother and sister at the time of his marriage to Harriet Taylor. His references to his mother in the "rejected leaves" of his *Autobiography* (1873) may be read sympathetically: she was a lively and interesting young woman, if under-educated, who had the misfortune to be married to James Mill, who bullied her and inflicted on her a life of drudgery and child-rearing that reduced her to a mere *hausfrau*.<sup>15</sup> On the other hand, they may be read as expressing a degree of resentment: whether or not it was her fault that she had been reduced to domestic servitude, the effect was that the young John Stuart Mill was deprived of the mother's love that he so desperately needed. When James Fitzjames Stephen denounced Mill's conduct as Member of Parliament, he complained that Mill had become a "violent and even an acrimonious partisan."<sup>16</sup> It is a trait that is impossible to overlook, and an obvious, if remote, cause might well have been growing up with the sense that he was loved by nobody and incessantly held to account by his overbearing father.

At all events, the place to begin is *A System of Logic*. This was avowedly a manifesto of the inductive school. It was also an assault on what Mill referred to in a broad-brush fashion as the intuitive or intuitionist school in philosophy. It is impossible to provide a simple account of just whom and just what Mill had in mind; his longest-sustained assault on intuitionism was *An Examination of Sir William Hamilton's Philosophy* some 22 years later. Hamilton's disciples took the *Examination* as a challenge à l'outrance and fought back, as Mill observed, *pro aris et focis*. The title of James McCosh's response, *An Examination of Mr. J.S. Mill's Philosophy being a Defence of Fundamental Truth*, suggests the tone.<sup>17</sup> Although nobody quite said so, there was more than a suggestion that intuitionism, however defined, was a natural ally of revealed religion, whereas the "inductive school" was tainted by association with such

notorious agnostics as Hume. On Mill's own view, his opponents were indeed fighting for a sacred cause, as was he. That explains the passion, but does not explain the obnoxious content of intuitionism.

Essentially, it was the doctrine that truths about things external to the mind can be known *a priori*. This was why one of Mill's dichotomies was between the school of Kant and the school of Locke, with himself belonging firmly to the latter. The intuitionists' test of truth was what Mill habitually complained of. Intuitionism looked for those truths that *could not have been otherwise*, which is to say that intuitionists took *inconceivability* – the inconceivability of a different state of affairs – as the guarantee of truth. Mill's ulterior motive was always to resist the idea that moral truths might be known *a priori*. His long essay on Whewell's moral philosophy makes much of the point that wherever Whewell offers a moral principle with some claim to be known *a priori* it is a bare tautology; any substantive principle can be controverted without incoherence, even if the opposed principle is for whatever reason implausible, obnoxious, or wicked. Mill makes much the same point against Kant in *Utilitarianism*, where he takes it as obvious that innumerable repellent principles can pass the non-contradiction test and are to be rejected because of their consequences.<sup>18</sup>

*A System of Logic* presses matters to an extreme, and Mill's *Autobiography* explains why. The idea that the first principles of morality and politics are known intuitively is not so obviously correct that it can do without support. The obvious place to derive support is logic and mathematics, especially the latter. If anything seems intuitively irresistible, it is the truisms of arithmetic; that two of anything plus two of the same thing make four of that thing does not require us to go and inspect the things in question, only to know how to count. But "two and two make four" does not seem to be a tautology in the sense that "a bachelor is an unmarried male" is one. It seems to be a necessarily true proposition about something external to ourselves, not a verbal truth. Nor are empirical counter-examples persuasive. I might say that "two plus two make one," and mean by that that when I put two drops of liquid into a vessel and added another two drops, what I got was not four distinct drops but one larger drop; but the counter-move is simply that anything that can be discriminated can be counted, so the four separate drops were indeed four drops, or two drops followed by two drops. We do not say, nor do we think, that two and two make four except when drops of liquid are at issue. What we say is that drops of liquid amalgamate in ways in which coins and grains of (uncooked) rice do not.<sup>19</sup>

Mill exposed himself to the mockery of Frege by treating arithmetic as if it referred to “collocations” that might be rearranged in different ways, so that “three equals two plus one” in effect generalizes from the fact that things that might be seen as a group of three might also be seen as two groups, a pair and a single item. As Frege asked, does this mean that the truths of arithmetic would not be true in a world in which everything was nailed down?<sup>20</sup> The example above suggests that an equally unkind response would be to ask whether those truths would not be true in a liquid world. For our purposes, it does not matter if there is a more sophisticated way of giving a “naturalistic” account of arithmetic that does not fall foul of such questions; it is arguable that there is, and that a variation on Mill’s explanation that began with the practice of counting and took arithmetic to be the rules for correctly counting whatever is countable might be given some plausibility. That is less important than the fact that Mill was driven to give a not very plausible empiricist account of arithmetic suggests the pressure he placed on himself to root out intuitionism from its stronghold. He is appallingly frank about it in the *Autobiography*.<sup>21</sup>

Mill might have resisted “empiricist” as a shorthand description of his position; he frequently uses the term “empiricism” somewhat disapprovingly.<sup>22</sup> He generally refers to his own side of the debate as the inductive school, even, surprisingly in ethics. Since he espoused something much like the pragmatists’ “radical empiricism,” it seems needlessly fastidious not to describe his position as empiricist. This is, as suggested above, not to say that some version of Mill’s case cannot be sustained. The question of just how far the naturalistic programme can be pressed is one of the most interesting in philosophy, although the consensus remains that the normativity of logic at least cannot be accounted for by generalization from our experience of successful inferential habits, not least because the concept of truth on which the idea of “successful” inference depends – “successful” being equivalent to “truth-preserving” for most purposes – seems to be presupposed in every sort of argument, whether syllogistic or inductive. “Normativity” is an imprecise term, but it must at least embrace the thought that we *must* offer “four” as the answer to “what is the sum of two plus two?” By the same token, we *must* derive the conclusion that Socrates is mortal from the premises that all men are mortal and Socrates is a man. Mill, notoriously, held the view that what in the usual view makes syllogistic inference compelling is what denies it the status of “real” inference; that is, the conventional view is that it is the fact that the conjunction of the premises with the denial of the conclusion is self-contradictory

that underpins the validity of syllogistic inference. Mill thought that the conventional view missed a crucial point; a syllogism thus construed registered our confidence in the inference already made. It was precisely because no new information was conveyed by the conclusion that was not already contained in the premises that no "real" inference took place.<sup>23</sup> This is not the place to explore the peculiarities of Mill's views on formal logic, only to register the fact that Mill's desire to drive intuitionism from every stronghold it might try to occupy in effect "politicizes" his discussion of seemingly remote matters, and that an unkind critic might think that Mill's passion to drive intuitionism from the field of moral philosophy had led him to embrace implausible analyses in fields where he had no need to do so.

#### IV

If *A System of Logic* and perhaps *An Examination of Sir William Hamilton's Philosophy* suggest the dangers of pressing anti-intuitionism to its limits, no such risk attended Mill's efforts to clear political economy of its reputation as a "dismal science" in the *Principles*. Mill's views on the methodology of political economy were not handicapped by his more radical epistemological or metaphysical views, but by his having worked before the marginalist revolution of the late nineteenth century, and by his antipathy to attempts to employ algebraic and graphical methods in areas where he thought they were inapplicable – the two things being closely connected. In the *Logic*, he treats economics as a reputable discipline in its own right, but a bad model for a general science of society. The reason is that its method is "geometrical," not in relying on geometrical representations of its theorems, but in the sense of abstracting away everything but a very few motivating assumptions, chiefly that human beings are animated only by a desire for income and an aversion to effort, an assumption that is manifestly false as a proposition about human nature as such but which is close enough to the truth in a well-defined range of activities, namely the production and distribution of commodities in a perfectly competitive market.<sup>24</sup>

Some of Mill's most original contributions to economics came when he was very young, and were reprinted in *Some Unsettled Questions of Political Economy* (1844). Among his other accomplishments, one was an early sketch of the idea that changes in liquidity preference might open the way to a slump by reducing demand, whether for consumption goods, investment goods, or labour, so setting off a chain reaction. It was a valuable corrective to the conventional view that Say's Law

"proved" that there could never be a shortfall in effective demand. Marx sneered and complained that Mill had done no more than show how slumps were possible, but he did not himself advance the question of what triggered them. One of Mill's virtues was that he was not trapped by the standing temptation of equilibrium analysis, which is to assume that a full-employment equilibrium is the normal and natural condition towards which a free market economy is always tending. Pure economics showed what *would* happen if the only forces at work were those assumed in the theory; since the real world would always contain counteracting causes, many of them extraneous to those that pure economics dealt with, economics would always tell us what tended to happen, not what inevitably would. Mill's economics was systematically anti-determinist; the motivation behind the sub-title of the *Principles*, "with some of their applications to Social Philosophy," was to clear the discipline of its dismal reputation by showing that although we were *constrained* in what we could rationally do, we were not ineluctably necessitated to go down one path only. As he said, most of his contemporaries discussed economics as though only one system of property rights and the legislative mechanism that underpinned it was possible, and that was the existing system of Victorian England.<sup>25</sup>

What makes Mill's discussion of a less pre-determined economic future interesting, both in *Principles* and in the posthumously published *Chapters on Socialism* (1879), is that he writes as a moralist rather than an economist in a narrow or technical sense. The reasons are not hard to seek. In the *Autobiography* he described himself and Harriet Taylor as becoming more socialist and less democratic in their views, which is likely to mislead a twenty-first century reader. Neither resiled from the view that universal adult suffrage was an essential plank in any movement for parliamentary reform that they could support. Not *absolutely* every adult would be eligible; Mill insisted that voters must be able to pass a simple test of literacy and numeracy, and not be in receipt of public assistance. Only those who contributed something in taxes had a right to decide how tax revenues should be spent. The point was not that "democracy" in the commonly accepted modern usage was wrong but that it was insufficient. The old radical passion for annual parliaments, the secret ballot, and universal manhood suffrage was not theirs. Nor, of course, was Mill entirely happy with what he knew of democracy in the United States as described by Tocqueville. In his usual bleak and unflinching fashion, he pointed out that people seek democracy in the belief that it means "self-government," but discover in practice that it is the government of each by all the rest.<sup>26</sup>



Equally interesting was Mill's attachment to socialism. He believed that capitalism was neither heading for a terminal collapse nor making workers steadily poorer; he repudiated Louis Blanc's claim that there was "une baisse continue de salaires."<sup>27</sup> He did not explore the hinterland of Marx's theory of immiseration which sometimes suggested that immiseration was a relative rather than an absolute matter; he thought that the evidence pointed to a slow but steady improvement in the standard of living of the working class.<sup>28</sup> He was not Pollyannaish; he had a sharp eye for such phenomena as the dual labour market, where the really unskilled end up in very unpleasant and onerous forms of employment, where their wages are very low, too. Orthodox supply and demand theory suggests that disgusting work requires high wages to induce us to do it; Mill pointed out that their absence of bargaining power placed those who actually do it in a hopeless position. Out of that thought developed the later understanding of the importance of human capital on the one side and "dual labour markets" on the other.<sup>29</sup> This was, however, peripheral to Mill's main concern, as always, a concern for the moral improvement of his contemporaries.<sup>30</sup>

Mill's interest in socialism was in what Engels dismissed as "utopian" socialism as opposed to the uniquely scientific socialism created by Marx and himself.<sup>31</sup> Mill was not concerned with what Marx called the anarchy of production, nor had he any inclination to see socialism as liberating hitherto undreamed of productive power, or as linked to the revolutionary dictatorship of the proletariat. He was less moved than he perhaps ought to have been by the concern for security that animated many early socialists, and he was dubious about Robert Owen's communism for much the same reasons as he was sceptical of Owen's educational determinism, not so much because he thought Owen's schemes impractical – they were, but Mill did not think so – as they threatened to uniform a society. The socialism he approved of was a system of workers' cooperatives; this is the upshot of the chapter on "The Probable Futurity of the Labouring Classes" in the *Principles*.<sup>32</sup> The underlying argument is, perhaps oddly for someone who described himself as becoming less of a democrat, an argument from the importance of being a self-governing individual. Mill's focus is not on the conflict of capital and labour but on the gap between those who give and those who take orders. A workers' cooperative achieves in the productive arena, what Aristotle considered the essence of "political" rule, a system of turn-taking, ruling, and being ruled in turn.<sup>33</sup> Instead of managers dictating to wage-earning workers, owner-managers would govern the enterprise for themselves. Among Mill's more spectacularly wrong

guesses about the future, one of the worst was his presumption that as the working class attained political influence, its members would find the relationship of managed to manager intolerable. The enthusiasm of the working class of advanced industrial societies for anything resembling the wholesale conversion of most enterprises into workers' cooperatives is as close to zero as it makes no difference. It's noticeable that Mill had no liking for *purchasing* cooperatives, such as the Cooperative Wholesale Society; it was the cooperative organization of production that he wanted to promote.

It is worth dwelling on these themes a little only because they are less familiar in these contexts than they are in essays such as *On Liberty* and *Considerations on Representative Government*. Throughout, Mill's mature position was that moral progress is a real possibility, and that a central aspect of realizing that possibility was the encouragement of each one of us in making ourselves the best possible version of ourselves. Certainly, *On Liberty* is insistent that coercive measures to achieve such a goal are impermissible, but exhortation and entreaty are not, and Mill differs from modern American liberal theorists who emphasize the importance of the state remaining neutral in the matter of ideals of life by holding that what is legitimate for individuals to do is legitimate for the state to do as well. Sometimes, Mill seems to stretch the boundaries of anything recognizable as a liberal position, as when he argues that we may override the wishes of ignorant parents about the education of their children because the uneducated cannot be the judge of education.<sup>34</sup> On the whole, he does not; since he was an avowed consequentialist in matters of morality, the crucial question is what will in fact bring about the improvement of mankind for which he hankered.

## V

Mill's insistence that there was such a thing as moral progress underlay his defence of the "inductive or progressive" school in moral theory, expressed most vividly in his critique of William Whewell. Just what made progressive morality inductive as well as progressive is not altogether easy to analyse. At one level, it seems plausible that the progressive element comes from the application of a scientific understanding of human nature and social organization to the criticism of existing moral sentiments. On this view, the progress is a branch of scientific progress; we become better informed about ourselves and the possibilities of social change. At another level, it seems that simply understanding what morality *is* is an element in progress: not

the word of God, not the dictates of an infallible conscience, not the self-addressed commands of a noumenal self, but a set of social rules enforced by public opinion and the individual conscience, of which it is always possible to inquire whether those rules we presently enforce in this fashion do or do not foster the welfare of those subject to them. This is to see morality in a fashion analogous to the way Bentham saw the law; positive morality is the rule by which we actually govern ourselves, and critical morality is the rule by which we ought as utilitarians to govern ourselves. But one branch of the subject is more strikingly "Millian," and this is his discussion of the branch of the "Art of Life" referred to in the *Logic* as the "aesthetic" or the realm of the fine and noble in human conduct. I have argued elsewhere that Mill's conception of "man as a progressive being" appealed to in *On Liberty* picks up the theme that Mill had adumbrated two decades before in his essay *Bentham* and subsequently in the *Logic*.<sup>35</sup>

The connection with everyday politics will occupy us shortly, but one last link worth emphasizing is Mill's defence of representative government. Mill's criterion for a good form of government was that it should simultaneously make the greatest possible use of the capacities that its population already possessed and do most to develop them for the future. The details of his defence of representative government as meeting this criterion better than any other system do not concern us here; one might quibble with a good many of his views and indeed worry that he is as often concerned to prevent the population from interfering in matters about which they are incompetent as he is to improve their understanding by giving them appropriate tasks to perform. It is not a narrowly "elitist" approach, inasmuch as he was equally anxious to confine members of parliament to those tasks he thought were within their competence, and to prevent them from tinkering with the details of legislation in an ignorant or self-interested fashion. The crucial, simple point is that Mill's criterion for good governmental arrangement is their progressiveness.<sup>36</sup>

How this played out in Mill's short parliamentary career has been so well explored by the Robsons and Bruce Kinzer that readers can do no better than turn to it.<sup>37</sup> Here I summarize very swiftly. Mill was a reluctant candidate but a surprisingly energetic member of parliament; he all but refused to campaign, firmly refused to contribute to his election expenses, and spent most of the time immediately before the general election of 1865 in Avignon, where Harriet was buried, and where he had a small house. He also tried to promote the candidacy of Edwin Chadwick, whose plausibility as a parliamentary candidate was to say

the least limited. The City of Westminster was an old radical stamping ground, and under most circumstances a safe liberal constituency, returning two members. Mill lost his seat in 1868, when he came third in the poll, behind the most conservative of the three candidates, W.H. Smith, the bookseller mercilessly mocked by Gilbert and Sullivan when he became First Lord of the Admiralty, and his liberal colleague Captain Grosvenor. Because Smith was not impressive, it was generally agreed that Mill's loss was a self-inflicted wound.

In fact, Mill had embarked on a decidedly quixotic career as a parliamentarian, but not an un-thought-out one. The quixotic element was partly a matter of his adamant refusal to take an interest in local issues as a member of parliament. It was also a matter of his view that the purpose of his being in parliament was to elevate the level of debate and discussion; the House of Commons was then, as it is still, a body that likes members better if they first adapt themselves to its manners and customs. Mill was belittled by Disraeli as "the finishing governess" before he realized that his backbenchers were only discrediting themselves by making it impossible for Mill to make himself heard – they could not silence Mill in any serious sense, because he could publish elsewhere whatever he said in the House – and persuaded them to give him a respectful hearing. Mill had ensured that he would be unloved by the conservatives when he observed in a footnote to *Representative Government* that the conservatives were "by the law of their existence the stupidest party."<sup>38</sup> After his death, Mill was described by Gladstone as "the Saint of Rationalism," which suggests that Gladstone himself thought of Mill as a superior being come to raise the intellectual and moral level of parliament.<sup>39</sup>

Matters were less simple than that suggests. Although Mill rarely spoke of political parties other than unkindly, he was a good party man in practice; as long as Gladstone was leader of the House of Commons, Mill did everything in his power to support him. In essence, Mill's brief parliamentary career had two phases: the first during the tail end of the Liberal government that ended with the government's defeat over the Liberal attempt to introduce a reform bill in 1866 and the second during the minority conservative administration that succeeded in putting through the Reform Act of 1867. That Act doubled the size of the electorate and necessitated a General Election in 1868 once the new voters were registered. Disraeli's expectation that the newly enfranchised voters would reward the conservatives was not fulfilled; the Liberals came back with an increased majority, which made Mill's defeat seem the more surprising.<sup>40</sup>

However, it was less surprising than it might look at first sight. Westminster was no longer the radical stronghold of the past; in the 1868 election, W.H. Smith came in first rather than second, beating the impeccably middle-of-the-road Grosvenor into second place. Whether the “new” voters enfranchised by the 1867 Reform Act were more conservative than the voters under the more restricted franchise previously in place may be doubted, but there plainly had been a shift in sentiment in the constituency. But Mill himself contributed to the fact that he came in third rather than second. He had plainly felt that he was under less obligation to hew to a party line while the conservative government was in office, and as it happened, events made his radicalism on a variety of issues much more visible than before.

One instance was his stance on Ireland. So far as politics in the narrow sense was concerned, Mill held fairly repressive views about Ireland, but advocating any sort of reform in Ireland was likely to give one a reputation for unsafe radicalism. Modern commentators are surprised that Mill defended a version of liberal imperialism, but his contemporaries were more inclined to complain that he was not enthusiastic enough about empire; since he saw the imperial project as essentially tutelary, and therefore self-limiting, he hardly could be as enthusiastic as his unabashed critics. He regretted that it was too late to give the Irish the “good stout despotism” they needed – much as the East India Company had brought to India, but he was convinced that most of the problems with Ireland were to be laid at the door of the landowners, who were all too frequently absentees, very infrequently of an improving mentality, and almost invariably interested in their tenants only as a source of unearned income. Mill never quite argued for the outright nationalization of landed property in Ireland, with a view to subsequently turn a peasant tenantry into small freeholders, but he came close enough to frighten respectable opinion. His views were hardly a secret, and anyone could have inferred them from his writings on the Polish uprising of the early 1860s, when he praised the French Revolution for redistributing land to the peasantry as well as abolishing their feudal dues; the Russians had emancipated the serfs but failed to provide them with land of their own to farm.

A second instance was his extra-parliamentary activities during the run-up to the 1867 Reform Act. Mill was not a member, or even a supporter, of the Reform League, but when a proposed meeting in Hyde Park was forbidden by the authorities, and an angry crowd confronted soldiers drawn up with their weapons at the ready, Mill addressed the crowd, and – not as single-handedly as he subsequently

suggested – persuaded them not to engage in a pitched battle but to adjourn to the Agricultural Hall in Islington.<sup>41</sup> Characteristically, he did not suggest that the Reform League was acting wickedly, only that its grievances were not such as to demand a revolution to resolve them, and that in any event they had no hope of making a successful revolution. The Westminster electorate was unlikely to have drawn the fine distinctions that Mill himself did, and he was certainly painted as an ally of the Reform League, in effect as someone ready to threaten violent revolution if the demands of the radicals were not met.

On the issue of reform itself, it is interesting that Mill did himself no harm at all by bringing forward the proposal for extending the vote to women. It was known on all sides that he advocated the extension of the suffrage to women on whatever terms it was offered to men, just as it was well known that he advocated proportional representation and was hostile to the secret ballot. The motion to extend the vote to women could have been a political disaster, but turned into a triumph. Although the motion was heavily defeated, 73 MPs voted for the amendment, far more than anyone expected, and more than voted for any similar measure until women secured the vote – though not yet on the same terms as men – in 1918. What is plausible, however, is that many of the electorate thought in 1868 that it was time to pause and draw breath, not that further reform was unacceptable, but that there had been altogether too much excitement over the previous three years.

The two things that probably did most to give the impression that Mill lacked the soundness of judgement that a bovine electorate sought in its MPs were his campaign to have Governor Eyre hanged for his role in suppressing civil disturbances in Jamaica and his support of Charles Bradlaugh. The case of Governor Eyre illustrates what Stephen, like many others, was complaining of when he said that when Mill plunged “into the thick of the fight” he lost all sense of what was practicable.<sup>42</sup> Edward John Eyre was an interesting character; he was a notably intrepid explorer of the interior of Australia while still in his mid-twenties, then entered the colonial service, and in 1862 was appointed governor of Jamaica. The abolition of slavery in 1838 had done the black population of the island little good. They had very little political power, and landowners who could no longer own slaves in the strict sense imported indentured workers to replace them. The result was widespread poverty and discontent. In October 1865, the so-called Morant Bay Rebellion broke out when several hundred blacks marched into the town of Morant Bay. Eyre seems to have panicked; at all events,

he declared martial law and sent in troops who, on their own admission, slaughtered men, women, and children indiscriminately. Anyone suspected of being implicated in the rioting was rounded up and summarily executed. The most notable victim was a well-educated black Jamaican, George Gordon, who was prominent in Jamaican politics and a fierce opponent of Eyre. He was many miles away during the rioting, but was taken to Morant Bay so that he could be tried and hanged under martial law.<sup>43</sup>

When the news reached England, Eyre was recalled and replaced. But Mill and several others, including Charles Darwin, T.H. Huxley, and Frederic Harrison, set up a Jamaica Committee to bring a private prosecution for murder against Eyre; naturally, a committee established itself to defend him, with Thomas Carlyle, John Ruskin, Charles Dickens, and Charles Kingsley well to the fore. The private prosecution got nowhere, although it dragged on for many months; Mill was gradually abandoned by his allies, but he hung on doggedly until it was abundantly clear that he was flogging a dead horse. Because Mill so often hedges his bets on just what might happen to the British social and political systems, one tends to assume that caution was his natural mode. In fact, extremism came naturally to him. His famed "antithetical" style reflects this; utopian hopes bang up against savage condemnation of the *status quo* – for example, despotism is a legitimate mode of dealing with barbarians, but the moment the barbarians are capable of being governed by reason, despotism is absolutely intolerable. An aspect of this was Mill's enthusiasm for almost all things French. He admitted that the French were prone to look for the next revolution on every occasion, plausible and implausible, but better than the sluggishness of the British.

If this was not enough to upset his Westminster electorate, his support for Charles Bradlaugh in the face of persecution for his irreligious views might well have been. This was some years before he was elected to parliament, but Bradlaugh was already well known as an energetic defender of secularism. In 1868, the *National Reformer*, the magazine he and Annie Besant edited, was prosecuted for blasphemous and seditious libel. This, of course, was exactly the sort of offence against free speech that Mill had written *On Liberty* to condemn. Lurking behind the issue was another, of even greater delicacy, that of birth control. Bradlaugh and Besant were early advocates of family planning, but almost anything one might publish on the subject was very likely to be prosecuted on the grounds of obscenity, as was *The Fruits of Philosophy*, a booklet by the American Charles Knowlton, which Bradlaugh and Besant published

in 1877. By this time, Mill had been dead for four years, but as a teenager, of course, he had been jailed overnight for circulating information about birth control.<sup>44</sup> Although it is unclear who knew of these events almost 50 years later, it is certainly true that after Mill's death they were brought up again and dissuaded Gladstone from having Mill commemorated in Westminster Abbey.

## VI

In sum, the comparison between Mill and Socrates is not entirely far-fetched. Mill was too much the philosopher inclined to hare off after the truth wherever it might take him to appeal to a British electorate.<sup>45</sup> His taste for revolution, at least when it was French, fit badly with the complacent British view that God blessed the slow-moving British with peace and prosperity and the flighty French with sexual immorality and political upheaval. None of this is surprising; it was perhaps more surprising that he was willing to stand for parliament in 1865 in the first place, and that the Westminster electors thought well enough of him to elect him. The more intriguing question is not the historical issue of the way the phlegmatic British reacted to Mill, but the question we began with, whether some of the notorious difficulty in getting Mill's views on a range of subjects from logic to progress absolutely clear stems from the pressure his political leanings put on his philosophical arguments. I am inclined to think it is part but only a part of the explanation. Much of the explanation must be the intrinsic difficulty of many of the arguments he was trying to make.

## Notes

1. As we shall see, practicing "true politics" had much to do with improving (or trying to improve) the moral (and intellectual) condition of individuals. See Plato, *Gorgias*, 521d (Cooper, 1997: 864); *Apology*, 30b (Cooper, 1997: 28). Whether Socrates' depiction in Plato's *Apology* was historically accurate or not was the object of an exchange between George Grote and John Stuart Mill just after the publication of Grote's *Plato, and the Other Companions of Sokrates* (3 vols. London, 1865). See J.S. Mill to G. Grote (10 November 1865: CW, XVI.1115; 26 November 1865, CW, XVI.1120).
2. J.S. Mill, *On Liberty* (1859), CW, XVIII.235–6. See also, J.S. Mill, *Autobiography* (1873), CW, I.25.
3. Plato, *Apology*, 29b (Cooper, 1997: 27).
4. See for example *Phaedrus* and *Gorgias* where the public roles of rhetoric and philosophy are compared.
5. Plato, *Apology*, 32b (Cooper, 1997: 29).



6. Plato, *Republic*, 415a–c (Cooper, 1997: 1050–1).
7. See Robson (1968).
8. J.S. Mill, *On Liberty*, CW, XVIII.224.
9. J.S. Mill, *Autobiography*, CW, I.137–91 (Ch. 5). See also Owen (1813).
10. J.S. Mill, *Autobiography*, CW, I.233. See further, for example, “Nature,” CW, X.391 and *The Subjection of Women*, CW, XXI.281.
11. J.S. Mill to H. Taylor Mill, 29 January 1854, CW, XIV.141–2.
12. See Ryan (1974: 127ff).
13. See Plato, *Phaedrus*, 274e–6d (Cooper, 1997: 551).
14. See Kinzer et al. (1992); Collini et al. (1983); Collini (1991).
15. See Appendix G (Rejected Leaves of the Early Draft of the *Autobiography*), CW, I.608–24 (esp. pp. 610, 612).
16. Stephen (1866: 168).
17. See McCosh (1866). See also, Simon (1866).
18. See J.S. Mill, “Whewell on Moral Philosophy” (1852), CW, X.176ff; *Utilitarianism* (1861), CW, X.207.
19. See J.S. Mill, *A System of Logic* (1843), CW, VII.256–7.
20. Frege (1960: §7–10, §12, §23–5).
21. J.S. Mill, *Autobiography*, CW, I.233.
22. “Empiricism” meant making “bad generalisations,” that is, drawing universal generalisations from insufficient data. For an early example of its connection to the way “practical men” (as opposed to philosophers) think, see J.S. Mill, “Paper Currency and Commercial Distress” (1826), CW, IV.121. For Mill’s settled view, see *Logic*, CW, VIII.792.
23. J.S. Mill, *Logic*, CW, VII.157–82 (bk. 2, Chs 1–2).
24. *Ibid.*: VIII.887ff.
25. See, for example, J.S. Mill, “On the Definition of Political Economy” (1836), CW, IV.309–39.
26. J.S. Mill, *On Liberty*, CW, XVIII.219; see also, *Considerations on Representative Government* (1861), CW, XIX.442ff.
27. J.S. Mill, *Chapters on Socialism* (1879), CW, V.727.
28. *Ibid.*: 729; Marx (1867: 799).
29. J.S. Mill, *Principles of Political Economy* (1848), CW, II.383.
30. J.S. Mill, *Autobiography*, CW, I.177.
31. See Engels (1901).
32. J.S. Mill, *Principles of Political Economy*, CW, II.203ff and III.758–96 (bk. 5, Ch. 7); *Considerations on Representative Government*, CW, XIX.396; *Autobiography*, CW, I.241.
33. See, for an example, Aristotle, *Politics*, 1317b2–3 (Rackham, 1959: 489).
34. J.S. Mill, *Principles of Political Economy*, CW, III.947.
35. See Ryan (1965). See also, Ryan (1986).
36. See J.S. Mill, *Considerations of Representative Government*, CW, XIX.399–412 (Chs 3–4).
37. Kinzer et al. (1992).
38. J.S. Mill, *Considerations of Representative Government*, CW, XIX.452n; see also Mill’s speech in May 1866 “Representation of the People [5],” CW, XXVIII.85–6.
39. See Packe (1954: 51–5).
40. See further, Kinzer (2007).

41. See, J.S. Mill, *Autobiography*, CW, I.278.
42. See Stephen (1866: 168). See also, for another example, Bagehot (1868, 1873). For Walter Bagehot's comment about Mill "being the standing instance of a philosopher spoiled by sending him into Parliament, and the world," see Bagehot (1871: 300).
43. See further Semmel (1963); for the comic press's reaction to the Eyre controversy, see Robson (1990).
44. The event gave rise to a well-known verse (in Moore, 1828: 15–16):

There are Mr. M—lls, too, whom those that like reading  
Through all that's unreadable, call very clever; –  
And, whereas M–ll Senior makes war on good breeding,  
M–ll junior makes war on all *breeding* whatever!

For the full poem ("Ode to the goddess Ceres"), see Moore (1828: 14–17).

45. For a reprint of a comic account of "the Westminster Steeplechase," from *Will-o'-the-Wisp*, in which Mill appears as "The Philosopher" a bolter who's almost impossible to bring to the starting gate, see Kinzer et al. (1992: 301–5).

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# 7

## The Spirit of Athens: George Grote and John Stuart Mill on Classical Republicanism

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In 1821 George Grote wrote a lengthy manuscript essay entitled “On the Athenian Government,” in which he asserted that the short treatise *On the Athenian Constitution* (which he attributes to Xenophon) “proves incontestably that the Athenian Government was the best at that time existing in Greece.”<sup>1</sup> Grote quite ingeniously tried to deduce from a hostile witness evidence in favour of Athenian democracy as compared to the constitution the author of this treatise would have preferred to see operating.<sup>2</sup> At that time Grote was 27 years old, that is only two years after he met James Mill who changed his political convictions and his philosophical outlook forever. From that year onwards Grote was devoted to writing a pamphlet on “Parliamentary Reform” (1821), an “Essay on Magick,”<sup>3</sup> an essay on “Natural Religion” (1822),<sup>4</sup> and an article entitled “Institutions of Ancient Greece” for the *Westminster Review* (1826) – his formal debut in Greek historiography.<sup>5</sup> The elder Mill had a profound influence on Grote, directing the powers of this admirable polymath in the service of the utilitarian cause for political reform and moral enlightenment along with a large group of enthusiasts and activists who addressed an inveterate scepticism towards all the institutions, norms and practices of organized society.

On what grounds was Ps.-Xenophon, since Gilbert Murray known as the *Old Oligarch*, providing a defence of Athenian democracy to the youthful utilitarian disciple? Because, being unfamiliar with the “doctrine of mutual balance & controul [*sic*] between two rival interests” he believed that existed an unbridgeable chasm between the interests of “the few and the many” (between “*demokratia* and *demodouleia*,” i.e. the rule of the *dēmos* and the subjection of the *dēmos*). Consequently, the

Old Oligarch distinctly declares that he prefers the promotion of the interests of the rich, the well-born and the aristocracy, whom he thinks they possess “an exclusive monopoly of virtue & wisdom.”<sup>6</sup> These are the βέλτιστοι, whereas the majority of the people are characterized as the πένητες and the πονηροί (the poor and the wicked). The *beltistoi*, or the best in the *polis*, are thus better qualified to run the affairs of the state on account of their wealth and education, yet this author admits that such a form of governance would lead to the masses being disenfranchised as the rich would naturally act in their own interests. In Grote’s words, the Old Oligarch’s ideal political establishment would reduce “the bulk of the community to the condition of slaves.” But then, a few lines below, Ps.-Xenophon himself admits

that a democracy constituted like that of Athens was the only mode by which the latter result could be avoided [...]. No wrong, no injustice, according to Xenophon, was perpetrated at Athens, because there was no part of the system of government, which was not accurately adapted to the preservation of the bulk of the people from the unlimited sway of a small number.

Thus, surprisingly, even an open enemy of popular government gives us a “decisive testimony that the Athenian constitution was with all its defects the best existing in Greece.” Such a deterioration in the political status of the people, as the Old Oligarch seems to have envisaged, actually existed in the restored democracy of the fourth century BC, when a handful of wealthy nobles “inflicted incessant wrongs upon the poor,” they could bribe easily jury panels, and worst of all “any thing like *liberty of speech* was almost wholly abrogated” (emphasis added) in the Athenian Assembly.

Grote’s quite premature manuscript on Athenian democracy was interestingly written almost simultaneously with James Mill’s publication of the *Essay on Government* (1820) – in Ernest Barker’s words “the classical statement of the political theory of the Benthamites.”<sup>7</sup> In section four of the *Essay on Government* Mill comments on the oppressive rule of aristocracy or monarchy over their respective communities, claiming that political power should be a means to the implementation of the principle of utility. In this section, Mill compares absolute monarchies and aristocracies in Europe with ancient Greece, stating that “In Greece, *notwithstanding the defects of Democracy*, human nature ran a more brilliant career than it has ever done in any other age or country.”<sup>8</sup> The term “defects of democracy” has recently led Mogens

Hansen to conclude that James Mill's reference to classical democracy was "rather critical" and presumably non-complimentary.<sup>9</sup> But Mill had earlier in section three explained that the form of government called "democratical" presupposes an augmented community deliberation and hence it appears an impracticable model for the moderns as deliberation and the various functions included in the three great operations of Government (administration, legislation, and judicature) would have involved re-activating the role of general assemblies. Mill was writing his *Essay on Government*, which bears all the typical characteristics of a political manifesto, with a vigilant eye on current developments and would have not wanted to be engaged in any quarrel related to the issues raised one year before by Benjamin Constant, in his famous 1819 lecture tellingly titled "The Liberty of the Ancients Compared with that of the Moderns,"<sup>10</sup> or indeed in any political controversy that would alarm "even a Whig."<sup>11</sup>

In that influential essay Constant addressed the question of the nature of the political organization of classical antiquity, bearing in mind that the Jacobin and Napoleonic periods, by their invocation of ancient republican virtue, had insinuated that classical republicanism might be connected with an unlimited and unwarranted interference with the right to private life. Constant warned against the potentially dangerous confusion of ancient and modern notions of liberty and asserted that modern liberty must be understood as individual liberty and ancient liberty as political liberty. Ancient liberty, put into operation in the context of the small-sized city-states, was in fact the privilege of participating in the administration of the state; was equal to carrying out collectively all functions of government. At the same time the citizens were subject to an invasive city-community control; their actions were monitored and their private interests constrained and ultimately suppressed. Modern liberty, on the other hand, is associated with a guaranteed sphere of personal independence – an area in which citizens can peacefully enjoy individual choice, inviolability of property rights, freedom of expression and non-interference (in modern terminology "negative liberty"). Interestingly, however, Constant eventually modified his argument to concede that Athenian democracy allowed its citizenry a higher degree of individual liberty on the grounds that its economy was based on commercial capitalism resembling that of the modern national centralized state, even though ostracism serves as a gloomy reminder of the society's control over the property and freedoms of its members.

Thus Constant was a pioneer in providing a theoretical construct that seems to have at least mitigated the effects of the widespread

perceptions of Athens in the long western antidemocratic tradition as essentially oppressive of personal liberty. One has just to consider the long series of zealously partisan historiography that preceded Grote in the Anglophone literature, led by the arch-enemy of Athens and committed monarchist William Mitford.<sup>12</sup> In the context of the present discussion the obvious question is: does Constant's understanding of Athenian democracy as a historic model of governance being exceptionally, under the circumstances, attached to the notion of "political liberty" as entitlement to take part in government coincide with Grote's views on Athenian democracy? Does it fit into the rationalist utilitarian political agenda and democratic political thought as the one cherished by the so-called Philosophic Radicals?<sup>13</sup>

Primary text sources indicate that Constant's ancient republicanism hardly resembled the Radicals' vision of liberal constitutionalism.<sup>14</sup> Such a notion of "political liberty," presumably enjoyed by a privileged Athenian citizenry, fell short of the ideal democracy the Utilitarians sought to promote through legislative reform, freedom of the press, public education, reform of the administration of civil justice, along with cultural and social change. Grote's earlier reference, however inelegantly defined, to the "doctrine of mutual balance & controul [*sic*] between two rival interests," is unambiguously an adaptation of the notion of "sinister interests" which according to Philip Schofield emerged in Bentham's thought around 1804 – a notion that "had a major impact on his understanding of the political process."<sup>15</sup> That notion, initially applied by Bentham on issues pertaining to evidence and judicial procedures, and thereafter in his theory of constitutional reform, aimed to replace the natural opposition of interests which existed between rulers and subjects with an artificial identification of interests. This idea was embraced by James Mill himself as a fundamental doctrine in the *Essay on Government* and elsewhere, to the effect that "sinister interests" were a structural feature of the dominant political order of monarchy, aristocracy and hereditary privilege. The means of achieving dependence of rulers on subjects, eventually eliminating sectional interests and promoting, in Bentham's words "democratic interest," was a democratic franchise, in other words representative government.

### Grote's Athenian democracy as a paramount model of "Liberal Republicanism"

Grote's 1826 *Westminster* article, quite misleadingly entitled "Institutions of Athens" was calculated to challenge the Mitfordian

anti-Athenian indictment, which was widely diffused within the upper-class circles of Victorian society and had been employed in Tory political rhetoric as a premonition against the pathologies of constitutional liberalism.<sup>16</sup> Its purpose was practically twofold: first, to demonstrate that in Athens there was never a reign of *ochlocracy* (or the tyranny of the mob) of the type so condescendingly described in Mitford and John Gillies – that is, a rule terror which allegedly led to a series of arbitrary judgments and sentences dictated by the “caprices” of the populace. Grote argued that whatever arbitrary actions committed on behalf of the Athenian citizens were rather exceptions to the rule, imposed by historical accidents, and most importantly took place *despite* the democratic involvement of the people rather than because of it. Second, he resolutely rejected the common accusation against the Athenian democrats, namely that they had subjected the wealthy section of Athenian society to relentless and gross persecution of any kind (e.g. through sycophancy or by systematically depriving them of personal property).<sup>17</sup> In that impassioned plea for Athens, Grote outlined his theoretical framework of a “liberal interpretation of Greek history,” which was to be fully deployed in his monumental *History of Greece* (12 vols., 1846–54). The message was, in a nutshell, that classical democracy was the best political system existed in antiquity because it actually operated in light of two intertwined fundamental principles: first, through the institutional machinery established first by the Cleisthenean and subsequently by Periclean constitutional and legal reforms it effectively advanced a system of *active citizenship*, integrating the interests of the society as whole, thus evading the formation of deconstructive splits between the interests of the poor as against those of the rich and the eupatridae. Hence the Benthamite notion of “sinister interests” had no applicability within the workings of Athenian democracy, that is the prevalence of the interests of “encroaching minorities” over the society as a whole.<sup>18</sup> Second, classical democracy typified an unparalleled example of an *educated citizenship and open society* based on a firm belief in human rationality, free exchange of ideas, tolerance of manners and attitudes, publicity and constant discussion, as opposed to the militaristic austerity and profound anti-intellectualism of the Spartan government. Athenians enjoyed political liberty without being intolerant to the development of human plurality and cultural diversity. According to Grote,

[p]ublicity and constant discussion of all matters relating to the general interest – accessibility of the public esteem, which could not be



thoroughly monopolised by any predominant few – intense demand for those great political qualities which are fitted to command the respect and assent of the general community – encouragement to eloquence, and to all those acquirements which eloquence pre-supposes, as well as to that system of instruction and mental philosophy which follows in its train – all these characteristics were to be found in the democracies more completely than in any other Grecian governments [...]. Where a state was under the close government of one or of a few, circumstances were highly unfavourable to the development of individual superiority [...].<sup>19</sup>

Comparing the state of society in ancient Greece and modern Europe would furnish, according to Grote, a disheartening contrast. Classical democracy, combining active participation and accountability mechanisms with “the stimulus to individual ambition,”<sup>20</sup> appeared to him a much better political system than dominant structures and institutional conditions of nineteenth-century Europe.

Grote did never consider Athenian democracy as a political model of solely antiquarian interest, but rather as a lively model still worthy of emulation. In the nineteenth century, historiographical narratives were designed to provide useful analogues and metaphors for understanding contemporary politics and the operation of civil society and thus prompt debates over democracy, religion, imperialist rule and theories of ethics. In a little known episode of his career Grote, in August 1847, made an excursion to Switzerland, then facing the internal crisis known as *Sonderbundskrieg*. The Swiss Civil War was inflated due to a conflict over federalism versus cantonal autonomy.<sup>21</sup> In October of the same year the historian published a little volume, entitled *Seven Letters on the Recent Politics of Switzerland*. In his Preface he draws the analogy between “[t]he inhabitants of the twenty-two Cantons of Switzerland [...] with those who prominently occupy my thoughts, and on the history of whom I am still engaged – the ancient Greeks.”<sup>22</sup> Grote proceeded to criticize Guizot, then Foreign Minister as well as French conservative journals for interfering in Swiss affairs and siding with the Conservatives, thus turning their readers against Radical principles. Grote envisaged a reform of the Swiss Federal Pact in such a way as to maintain intact the Aristotelian notion of “freedom and responsibility,” which used to invigorate political life in the context of cantonal independence along with *direct democracy*, yet he stressed that “it is surely neither crime nor folly to conceive that all the great purposes of society might be better fulfilled by locally chosen governing bodies subordinate to one common

centre." This form of centralized government neither entails subordination of local cantons nor does it jeopardize civil liberties.<sup>23</sup> Federal Switzerland embodied the republican ideal of the Greek commonwealth (the Delian confederacy is also an example), as given by Pericles in the "Funeral Oration": the public interest (popular sovereignty) predominated but not at the cost of that part of life that concerned social groups or individuals (individual autonomy).<sup>24</sup>

The *History of Greece* was largely a detailed expansion on this preliminary map sketched in 1826, yet supplemented by Grote's experience as the political leader of the Radicals in Parliament in the crucial decade of nineteenth-century Victorian Britain.

### Liberty and obligation

In the *History of Greece* Grote devoted several chapters to exploring in admirable detail the constitutional changes that took place in Athens since Solons' constitutional reform. His account along the lines of the mainstream liberal radicalism is indirectly, but revealingly so, a reflection on mid-Victorian politics and society.

After the expulsion of the Peisistratids Cleisthenes proceeded to revolutionary measures that effectively restructured the democratic system and transformed Athenian political loyalties. Though he preserved all the main features of the Solonian constitution, Cleisthenes introduced profound reforms that led to the consolidation of democracy. For instance, the *probouleutic*, or pre-considering senate of Four Hundred became a senate of Five Hundred, and its functions were considerably enlarged. The members were selected by lot, which was the Cleisthenean device equalizing the chance of gaining office between rich and poor,<sup>25</sup> yet Grote pointed out that *election* (despite the corruptive dangers of purchase of votes by the rich) would have been a more democratic option as it could allow the majority to exercise their right of Suffrage. Instead of the military power being vested exclusively with the polemarch archon, one general from each tribe was annually elected to assist him. Significantly, under the Cleisthenean constitution the people received the real attributes of sovereignty by being called into direct action as dikasts (judges) or jurors.<sup>26</sup> The powers of the *ekklēsia* (or the General Assembly) were extended by increasing the frequency of its meetings. The citizens were thus,

trained to the duty both of speakers and hearers, and each man, while he felt that he exercised his share of influence on the decision,

*identified his own safety and happiness with the vote of the majority*, and became familiarised with the notion of a sovereign authority which he neither could nor ought to resist. This was an idea new to the Athenian bosom. With it came the feelings *sanctifying free speech and equal law* – words which no Athenian citizen ever afterwards heard unmoved: together with that sentiment of the entire commonwealth as one and indivisible, which always overruled, though it did not supplant, the local and cantonal specialties.<sup>27</sup>

Cleisthenes' reforms re-constituted society on a democratic basis and infused into the Athenian mind a true liberal spirit. Grote's preference for Cleisthenes over Solon as the founder of democracy derived from his parliamentary experience as a Radical Member in the electoral system of the Great Reform Bill of 1832, and designates his predilection for radical parliamentary reform over the idea of the philosophical lawgiver of the eighteenth century.<sup>28</sup> While under Solon's constitution, only members of the first and the richest class (the *Pentakosiomedimnoi*) were eligible for the archonship, Cleisthenes extended eligibility to the first three classes. Nevertheless, in Grote's judgement, even the Cleisthenean constitution did not establish a fully democratic political system, for the fourth class of the Solonian division, the *thētes* (who constituted the numerical majority), were still excluded from all individual offices. Indeed, despite the progress in the process of democratization, there were substantial limitations in the constitutional innovations of Cleisthenes: first, the court of Areopagus survived the extensive reforms without material losses. Its formal power was still considerable and, worst of all it became the focus of the party of oligarchic resistance and thus a constant threat to democratic institutions. We thus see, Grote observed, how it happened that the past archons, when united in the senate of Areopagus, infused into that body the sympathies, prejudices, and sectarian interests of the richer classes.<sup>29</sup> Second, though Cleisthenes created the popular *dikastēria* (courts of justice), he still recognized the archons as judges to a considerable extent, and the third archon as joint military commander along with the *stratēgoi*, or Generals. Third, under the Cleisthenean constitution, the archons were elected annually by the body of citizens and not appointed by lot, the fourth class of citizens still being excluded from the archonship and other official posts. It was only after the battle of Plataea that the archonship was opened to all classes of Athenian citizens upon the proposition of Aristides. With this measure, rich and poor Athenian citizens were completely equalized in the possession of political advantages in a way

that has rarely been seen in the history of humankind. Of course, Athenian democracy required special qualifications for the appointment of *stratēgoi*, but the sovereignty of the people was secured by the introduction of the *dokimasia*, or preliminary examination of their life, character and potentials. Thus the power of deciding the competence and efficiency of administrators, and checking the performance of their various duties, still rested with the people who acted as the ultimate arbitrators and sovereign body through a sophisticated constitutional mechanism. The new democracy contributed to an overall improvement of administrative and professional functions. The transforming cause was

the principle and system of which such amendments formed the detail: the grand and new idea of the sovereign People, composed of free and equal citizens – or liberty and equality, to use words which so profoundly moved the French nation half a century ago. It was this comprehensive political idea which acted with electric effect upon the Athenians, creating within them a host of sentiments, motives, sympathies, and capacities, to which they had before been strangers. Democracy in Grecian antiquity possessed the privilege, not only of kindling an earnest and unanimous attachment to the constitution in the bosoms of the citizens, *but also of creating an energy of public and private action*, such as could never be obtained under an oligarchy, where the utmost that could be hoped for was a passive acquiescence and obedience.<sup>30</sup>

The Athenian constitution became truly democratic in the times of Ephialtes and Pericles when the privileged upper-class members of Areopagus encountered a decisive opposition. Depriving the magistrates and the Areopagus of their former judicial and legislative functions and passing these functions on to the popular courts of justice, to the Council of Five Hundred and to the Assembly, constituted the epitome of the democratic changes that originated with Solon. By eliminating, as much as possible, undue sectarian influence on legal procedures and political decision-making, Athenian society reached stability at a period that marked the culmination of democratic evolution. Yet, Grote emphasized that, following the transference of the functions and role of the Areopagus either to the Council or to the *dēmos* and the popular courts, the propertied classes were in no way offended or deprived of their political rights. Drawing on the policy of oligarchic parties in Athens during periods of transition and crisis, Grote reconfirmed the

recurrent utilitarian proposition that if the interests of powerful social groups are not in harmony with the interests of the state, then actions against liberty and the common welfare should be expected on a regular basis. Athenian democracy achieved such a unique distinction in the fifth century BC because it did not allow any pernicious (sinister) interests and particularism (as exemplified in traditional aristocratic ethos) to predominate over the common interest and the liberty of the city.

Thus Cleisthenes and Pericles, in Grote's mind, would seem to have partially succeeded to implement those socio-political changes he himself urged a few years earlier, in his *Essentials of Parliamentary Reform* (1831). In that pamphlet Grote defended extended suffrage, interestingly protesting against the separation and particularism of the British class system that kept people apart and the Parliament the focus of partial interests, disunion and conflict. Representation and universal suffrage would promote "the general interest," because it will enter "into every man's feelings of duty" and patriotism.<sup>31</sup> That was exactly the achievement of fifth-century Athenian democracy.

### **Pericles' funeral oration and classical republicanism**

The epitome of classical republicanism, a fusion of active-disinterested-citizen-participation associated with individual rights and freedom is encapsulated in Pericles' Funeral Oration. At this point, as elsewhere, Grote is consciously rehabilitating Athenian democracy with an eye to Victorian parliamentary context and mid-Victorian liberalism, which might have allowed him to explain the pragmatic and moral forces behind the nation's steps towards either progress or regress. It is worth transcribing at some length Grote's eulogy of the Periclean democratic ideal (Pericles is characteristically described as the Athenian "prime minister"):

The effect of the democratical constitution, with its diffused and equal citizenship, in calling forth not merely strong attachment, but painful self-sacrifice, on the part of all Athenians – is nowhere more forcibly insisted upon than in the words above cited of Perikles [...]. But the claims of patriotism, though put forward as essentially and deservedly paramount, are by no means understood to reign exclusively, or to absorb the whole of the democratical activity. Subject to these, and to those laws and sanction which protect both the public and individuals against wrong, it is the pride of Athens to exhibit

a rich and varied fund of human impulse – an unrestrained play of fancy and diversity of private pursuit, coupled with a reciprocity of cheerful indulgence between one individual and another [...]. This portion of the speech of Perikles deserves peculiar attention, because it serves to correct an assertion, often far too indiscriminately made, respecting antiquity as contrasted with modern societies – *an assertion that the ancient societies sacrificed the individual to the state*, and that only in modern times has individual agency been left free to the proper extent [...]. *[T]he stress which he lays upon the liberty of thought and action at Athens, not merely from excessive restraint of law, but also from practical intolerance between man and man, and tyranny of the majority over individual dissenters in taste and pursuit – deserves serious notice [...].* Within the limits of the law, assuredly as faithfully observed at Athens as anywhere in Greece, *individual impulse, taste, and even eccentricity, were accepted with indulgence*, instead of being a mark as elsewhere for the intolerance of neighbours or of the public. This remarkable feature in Athenian life will help us in a future chapter to explain the striking career of Sokrates [...]. None of the governments of modern times, democratical, aristocratical or monarchical, presents anything like the picture of generous tolerance towards social dissent, and spontaneity of individual taste, which we read in the speech of the Athenian statesman.<sup>32</sup>

Thus the foundational principle of Athenian democracy was that it associated democratic governance with personal self-definition. Further, in discussing the role of ostracism for the sustainability of Athenian democratic rule Grote called attention to the “*co-existence of freedom and self-imposed restraint* – of obedience to authority with unmeasured censure of the persons exercising it.”<sup>33</sup>

Ostracism, intrinsic to the institutional mechanisms of fifth-century democracy, was generated by the necessity of creating in the multitude

that rare and difficult sentiment which we may term a *constitutional morality* – a paramount reverence for the forms of the constitution, enforcing obedience to the authorities acting under and within these forms, yet combined with the habit of open speech.<sup>34</sup>

Political liberty is secured and protected only when the individual citizen is entitled to actually engage in deliberation and discussion on the state's policies. However, the minority must eventually submit to the will of the majority. Obedience to constitutional arrangements is

guaranteed when there is a perfect confidence that, despite bitter party contests or the intrusion of sectarian interests, the people will abide by the law and the constitution. Ostracism was, above all, a fundamental democratic lesson concerning the formation of self-imposed limits on ambition by establishing codes and values of political conduct. Ostracism reinforced “constitutional morality,” the force that binds together the citizens in the pursuit of an ideal common welfare. Further, it was a non-vindictive, safety-valve mechanism effectively crushing “sinister interests.” On another occasion, in analysing the Platonic *Crito*, in *Plato and the other Companions of Sokrates*, Grote emphasizes that this dialogue “embodies, and tries to reconcile, both the two distinct elements – constitutional allegiance, and Sokratic individuality.”<sup>35</sup> This was the political virtue of Athens.

### Deliberative democracy: Defence of the demagogues

The Athenian democracy reached an unparalleled splendour fostered by a sophisticated constitutional mechanism, but no less by the involvement of talented or charismatic individuals in the decision-making procedures. Part of the traditional misconceptions that surrounded the political history ideas of Athens, and which Grote tried to reverse, was that democracy was inherently linked to the manipulative demagogues who, being politically irresponsible, were systematically employing practices of abusive and premeditated rhetoric. Taking the infamous Cleon as the most representative example, the demagogues were indiscriminately presented as motivated by self-interest, lust for power and wealth. Grote in turn argued, first that Cleon’s policy resembled that of Pericles and was typical of an imperial rule;<sup>36</sup> and second, that the demagogic function was pragmatically integral to the working of the newly-born democracies. In his analysis of the demagogic phenomenon, Grote argued that Cleon belonged to a new generation of enlightened politicians, those who emerged from the world of business, trade and manufacture, and were the major political antagonists of the privileged by birth.<sup>37</sup> These new politicians, who emerged at the time of the Peloponnesian war, had to distinguish themselves by their rhetorical and intellectual abilities if they wished to become popular leaders (as the etymology of the word *demagōgos* originally signified). Cleon was one of them. His case was exceptionally interesting since he combined an aristocratic position with a strong and genuine democratic sentiment.<sup>38</sup> In this profound sense, the Philosophic Radicals at the time of the Reform Bill (the party of resistance against the

conservatives) had no real difference in demeanour or action from the Greek demagogues.

Grote's bold defence of Cleon against the dominant indictment must be seen in the light of his reflections on the role and function of the demagogues in ancient democracies.<sup>39</sup> But the radical politician and historian of ancient Greece could not resist drawing the analogy: the demagogues could find their modern counterpart in the "popular speakers or opposition speakers."<sup>40</sup> It may be conceded that Cleon was a man of fierce political antipathies, a bitter speaker endowed with a violent temper and even occasionally dishonest in his relations with political rivals, but "[t]hese are qualities which, in all countries of free debate, go to form what is called a great opposition speaker."<sup>41</sup> Of this tendency, Cleon made himself the emphatic representative. This talented demagogue was a politician who (like leading journals in modern times) often appeared to guide the people because he already knew their feelings and expectations. Cleon was exceptionally qualified for this role, and in the course of his career he often defended those who had suffered wrong (he was truly a *prostatēs tou dē mou*). Most importantly, Cleon and other demagogues helped the people emancipate themselves from the political control of the nobles, who by using either bribery or influence (or simply by taking advantage of the social sentiment towards them), were always able to have their narrow interests promoted. Grote emphasized that in Athens there existed several powerful anti-popular associations (the so-called oligarchic *hetairiai*), well-equipped and ever ready to conspire when the circumstances were safe and tempting, as for instance during the period preceding the oligarchy of Four Hundred. In this sense, the demagogues rendered great service to democracy by defending the people's rights, often exposing oligarchic conspiracies that tended to undermine popular sovereignty.

### Mill's Athenian republicanism

John Stuart Mill, like his father and Grote, never cherished the traditional picture of Athenian participatory democracy as inherently ochlocratic and oppressive of individual liberty.<sup>42</sup> Like Grote he believed that personal freedom in Athens coexisted with effective mechanisms of accountability (i.e. ostracism, *dokimasia*, citizenship roll scrutinies, etc.), and in this sense ancient democracy defined a source of his own liberal conception of how modern (representative) democracy should operate. Like Grote, Mill distinctly associated the political system of Athens with its unique development of philosophy, science, visual arts,



oratory, drama, and literature to a higher standard, ultimately becoming the leading cultural centre of the ancient Greek world.<sup>43</sup> Unlike classical republics, modern democracy was in danger of degenerating into “the only despotism of which in the modern world there is a real danger – the absolute rule of the head of the executive *over a congregation of isolated individuals*, all equals but all slaves.”<sup>44</sup> This has to be rectified exactly by instilling into modern democracy the spirit of classical republicanism: that is, extended popular participation in matters that concern their community combined with wise statesmanship (of a Platonizing type),<sup>45</sup> without which a viable liberal constitution could never be founded. Popular participation would be reinforced by enhancing the operation of “free institutions, which may be called the public education” and are instrumental to “the nourishment of public spirit and the development of intelligence.” In his review of Grote’s *History* Mill wrote,

Right or wrong, wise or foolish, Athenians are never ἀπαίδευτοι; theirs are never the errors of untaught or unexercised minds. They are always the same Athenians who have thrilled with the grandeur and pathos of Aeschylus and Sophocles, who were able to ransom themselves from captivity by reciting the verses of Euripides, who have had Pericles or Demosthenes for their daily instructor and adviser, and have heard every species of judicial case, public and private, civil and criminal, propounded for their decision, in the most finished compositions ever spoken to a public assembly.<sup>46</sup>

The existence of

local bodies, besides the function of electing, many citizens in turn have the chance of being elected, and many, either by selection or by rotation, fill one or other of the numerous local executive offices. In these positions they have to act, for public interests, as well as to think and to speak, and the thinking cannot all be done by proxy. It may be added, that these local functions, not being in general sought by the higher ranks, carry down the important political education which they are the means of conferring, to a much lower grade in society. The mental discipline being thus a more important feature in local concerns than in the general affairs of the State.<sup>47</sup>

John Stuart Mill’s political reflections spread throughout an amazing mass of published material (in journals, newspapers articles, books, and correspondence) display the range and breadth of his agreement

with Grote on issues related to Athenian democracy and classical republicanism, indeed to such an extent that it would not be an exaggeration to say that the maturing of Mill's political ideal owed much to Grote's re-interpretation of Greek politics, and that the political Mill cannot be fully understood without reference to the utilitarian historian of Greece.<sup>48</sup> The basic perspective through which both explored much of the Greek experience was the Philosophical Radicals' view of politics as a continuous struggle between tradition and change, tracing the evils of political life back to their root causes (e.g. aristocratic-sectional dominance, the subjection of the many, the rule of the few and the absence of philosophical theorizing about politics). The extent of their agreement on fundamental utilitarian and republican ideas is corroborated by a largely overlooked 1837 article, a review of Henry Taylor's *The Statesman* (London, 1836), the only piece in our possession co-authored by John Mill and Grote.<sup>49</sup> In that review they firmly advocated constitutional reform and universal education that would lead to "increased responsibility to the people," interestingly reinstating their common belief in the value of classical studies to invigorate revisionist considerations about statesmanship. Yet studying the classics is instructive not only about "statesmanship as a craft" but it should also be recommended "by still higher considerations: for the public obligations stood in the foreground of all the ancient morality; the idea of the commonwealth, as the supreme object of his [the citizen's] duty and solicitude, attracted to itself the strongest emotions in the bosom of every virtuous man."<sup>50</sup>

Despite the limitations of Greek democracy, which Mill recognized in his various reviews of Grote's *History*,<sup>51</sup> that is slavery, the exclusion of women from political life and the aristocratic temper of Athenian society, Athens was the closest example to democratic constitution: "It was a government of unlimited publicity, and freedom of censure and discussion"; the Athenian institutions were, during the one century that this form of society lasted, "eminently favourable to progress, shown by the splendid development of individual intellect" and diversity in opinions and modes of conduct. Moreover, it established a constitution with checks and balances, protecting life and property against every kind of legal or illegal violence.<sup>52</sup>

The deliberating *dēmos* depicted in Grote's Periclean *Epitaphios Logos* was a unique historical model of constitutional liberty founded on persuasion rather than coercion and allowing freedom in the self-regarding sphere of actions. In Athens the clash between liberty and authority had been to a great extent mitigated by active participatory citizenship.

Athenian democracy reconciled the liberal ideal (negative liberty) with republican ideology (vigorous and disinterested involvement in public affairs).<sup>53</sup>

Thus the republican blueprint defended in *On Liberty* was, in Mill's mind, embodied in classical Athens, minus contextually inherent defects (like exclusionism and slavery). According to Biagini, the long quotation from Grote's translation of the Funeral Oration – in fact, a reformulation of Grote's free translation – looks like “an introduction to *On Liberty*.”<sup>54</sup> Expectedly, Mill took seriously Grote's defence of the demagogues, or “opposition leaders”<sup>55</sup> for it was practically an argument in favour of rhetorical democracy, critical rationality and public deliberation (all essential to achieving political liberty), while allowing intellectual minorities to emerge as guides of public opinion.<sup>56</sup> According to Mill, the Philosophic Radicals, or the “thinking Radicals” (one among the many “divers [*sic*] schools of Radicals,” which includes Demagogic Radicals),

are those who in politics observe the common practice of philosophers – that is, who, when they are discussing means, begin by considering the end, and when they desire to produce effects, think of causes. These persons became radicals, because they saw immense practical evils existing in the government and social condition of this country; and because the same examination which showed them the evils, showed also that the cause of those evils was the aristocratic principle in our government – the subjection of the many to the control of a comparatively few, who had an interest, or who fancied they had an interest, in perpetuating those evils. These inquirers looked still farther, and saw, that in the present imperfect condition of human nature, nothing better than this self preference was ever to be expected from a dominant few; that the interests of the many were sure to be in their eyes a secondary consideration to their own ease or emolument. Perceiving, therefore, that we were ill-governed, and perceiving that so long as the aristocratic principle continued predominant in our government we could not expect to be otherwise, these persons became radicals, and the motto of their radicalism was, enmity to the Aristocratical principle.<sup>57</sup>

Mill took on Grote's revisionist assessment of democratic Athens with an eye to Victorian society, and applied it in his *On Liberty* and *Considerations of Representative Government*. His conception of British society at the time is portrayed in the last chapter of his *Autobiography*:

The old opinions in religion, morals, and politics, are so much discredited in the more intellectual minds as to have lost the greater part of their efficacy for good, while they have still life enough in them to be a powerful obstacle to the growing up of any better opinions on those subjects.<sup>58</sup>

This is why intellectual elites have a vital role to play in modern democracy: most importantly, to question the despotism of custom and unverified truths; to unsettle convinced opinion and to disrupt complacency through eccentricity and innovation. Direct democracy allowed elites to emerge, but representative democracy (which can transform democracy from the ancient to the modern world) required the intellectual devices meticulously sketched in *Considerations of Representative Government* in order to perform its proper functions. In that work, the ever inquisitive, cross-examining Socrates<sup>59</sup> seems to be harmonized with the Platonic vision of an intellectual elite –<sup>60</sup> indeed to such an extent that would have annoyed Grote. The problem can be generally defined as to whether radical democracy can solve the problem of leadership without authoritarian elitism. As Alan Ryan rightly observes, Mill in *Representative Government*, “frequently embraces the Platonic image of the happy society as one in which the people are willingly led by the wisdom of the Guardians” because “his age had not learned to see Plato as a totalitarian.”<sup>61</sup> Yet, Grote’s Platonic analysis is itself a testimony to the totalitarian features in Plato’s political ideal:

Such is the act of Uniformity promulgated by Plato for his new community of the Magnêtes, and such the terrible sanctions by which it is enforced. The lawgiver is the supreme and exclusive authority, spiritual as well as temporal [...]. No dissenters from the orthodoxy prescribed by him are admitted. [...] We seem to be under a legislation imbued with the persecuting spirit and self-satisfied infallibility of mediaeval Catholicism and the Inquisition.<sup>62</sup>

### **Mill’s classical republicanism and Grote’s Athenian liberalism compared**

Classical republicanism was for Mill an ideal model, which, to be operative, had to be adapted to the circumstances of modern mass societies through various institutional mechanisms, educational reform, and technological progress.<sup>63</sup> Archival material and published works amply confirm that Mill’s reading of Grote essentially provided him with the

historical apparatus to expand on the conceptual analogues between ancient and modern ideas of liberty. Mill, however, explicitly advanced a distinct if ambivalently nuanced kind of liberalism. He most prominently stands out as a philosopher who developed his own independent position on various issues related to the common good and essentialist individual improvement and when the occasion demands he diverted from Grote's interpretations.<sup>64</sup>

Therefore, a last observation is pertinent. Mill himself admitted in the *Autobiography* that in a crucial period of transition in his intellectual development, he turned into a kind of socialist, advocating state intervention. Considering the shifting ideological boundaries, Mill's ambivalent stance raises the apparently curious question as to whether Mill's understanding of classical republicanism briefly explored in this study can be considered on the whole an integral part of a strand in the liberal tradition – that is, a refinement of Athenian Republicanism adapted to modernity (in the stunning way Grote domesticated Athens in Victorian Britain) – or whether his political philosophy is directed towards the left-leaning socialist ideas of his times. If one takes into consideration that Mill, for all his radicalism, espoused some of the ideas of the French utopian idealists, German romanticism, declared himself a “socialist,” defended a kind of “benevolent imperialism,”<sup>65</sup> and ascribed great importance to the ideal of self-realization<sup>66</sup> through civic participation, then the so-called champion of individualist liberalism of Victorian Britain could be made to appear in the guise of a communitarian socialist of a non-Marxian type – or to put it mildly a liberal socialist.<sup>67</sup> So one can end up with a paradoxical reversal of the initial thesis of this chapter: whereas Grote's comprehensive interpretation of classical republicanism reinforced his attachment to individualist liberalism combined with some sort of state-wide policies which would have tended to maximize the general happiness of the community, Mill's classical republican imagery turned out to be an instrument for a well-integrated Platonically elitist and arguably organic theory of the state which might even place him in the chain of the immediate precursors of British Idealism.<sup>68</sup>

That could explain why the elderly Grote became increasingly concerned that Mill was deviating precariously from the Radicals' principles, imposing excessive constraints to individual agency.<sup>69</sup> Like James Mill, Grote had no sympathy with socialism and genuinely disliked forced state interference in economics and education.<sup>70</sup> He watched Mill expounding his later social and economic doctrines with disapproval (in *Principles of Political Economy*, 1848). He thus expressed his distress:

"I deeply regret [...] the mischievous teachings of John Mill. He has abandoned the true principles of political economy [...] I believe he is doing more injury than any man in the present day by his [...] socialist doctrines."<sup>71</sup> On Mill's own testimony Grote disapproved his arguments against the Ballot, which the historian defended in his *Parliamentary Reform* (1831). "Grote," Mill wrote, "I am afraid, will not like it, on account of the ballot, if not other points. But I attach importance to it, as a sort of revision of the theory of representative government." To admit, a few days later, that "Grote knows that I now differ with him on the ballot, and we have discussed it together, with no effect on either."<sup>72</sup>

Grote remained faithful to the utilitarian ideas he inherited from James Mill, firmly believing in the pervasive importance of reasoned discussion and in the exercise of the free judgment of each individual within a large zone of active citizenship. This explains why the historian of Greece left so much of *On Liberty* and the *System of Logic* to shape his interpretation of the inquisitive, ever searching Socratic Plato.<sup>73</sup> There he saw an uncompromising defence of individual judgment against conformity and tradition and a constant effort to get rid of error, without neglecting individuality's social dimensions in the fashion of the old utilitarian Radicals. But he was not prepared, as Clarke observes, "to recognize, with the younger Mill, that there might be some value in things established. John Mill, whom most people think of as the great Victorian champion of freedom, seemed to Grote to have dangerous tendencies in the other direction."<sup>74</sup> Unsurprisingly, Mill's essay on Coleridge appeared to Grote "an invitation to intolerance and the suppression of unpopular opinion,"<sup>75</sup> whereas his interpretation of the Protagorean man-measure formula appeared to the historian of Greece as posing serious threats to the freedom of subjective individual judgment.<sup>76</sup>

### Conclusion: Mill's riddle

At present there is a current of revisionist approaches to the historiography of ancient and modern democracy which in effect lend support to arguments in favour of a congruity between ancient and modern liberal ideas of freedom (interdependence of the notions of liberty and obligation).<sup>77</sup> Classical republicanism, on the one hand, is shown to have been not totally alien to the idea of individual liberty, and modern liberalism, on the other hand, not indifferent to the communitarian-participatory ideals of classical republicanism. Grote and John Mill definitely fit into that interpretative legacy, but the differences between them are not

easy to ignore: whereas Grote was consistent in viewing an indissoluble unity between Athenian constitutional liberalism and Socratic mentality (a consolidated compound between civic virtue and obligation along with individual freedom), Mill's ideal political rule seems to be far more complex, evolving out of a blend of supplementary influences. Even though the Socratic bent is never totally absent in his social dreams, and his respect for individuality never fainting, the Platonic ruler (or competent scientific governor, the authority of the best-instructed)<sup>78</sup> remains stuck in his mind as an archetype of wise statesmanship in a way Grote never imagined or approved of,<sup>79</sup> something that might produce a totally different version of political rule if motored by classical republicanism: a protectionist, possibly interventionist model of governance, paternalistically guided by intellectual elites and propounding an authoritarian state or a close resemblance to it.

Grote's and Mill's appropriation of classical republicanism, while having much in common, especially as regards the substantive overlaps between ancient and modern democracy, seems to have worked differently in their minds. Focussing on their intellectual interaction, exchange and their eventual disagreement regarding the scope of individuality and control within democracy is all the more interesting, since it somehow prophesizes Mill's future treatment in the world of academic research: Mill would be concurrently criticized for either being too much or not enough of a liberal. Perhaps this is why Mill stands out as the most intriguing and complex philosopher of the Victorian era.

Did Mill advocate a version of individualist liberalism, or an "aristocratic liberalism," a version of elitist Democracy, "liberal Socialism," "democratic Platonism," Imperial liberalism, Radical democracy, Leftish ideology? These are actual titles which appear in various studies on Mill's works. Was he a natural precursor of British Idealism, as Capaldi argues? I can only suggest that a number of these intriguing questions could be elucidated by exploring in depth his interpretation of Plato and Athenian democracy as well as his divide or concurrence with George Grote.<sup>80</sup>

## Notes

1. See Grote (1996).
2. Terence H. Irwin (1998) highlights Grote's eminence as a historian of Greece precisely on the grounds of being able to question traditional verdicts and producing evidence from unexpected sources.
3. Grote (1991). Bentham's influence on deriding non-observable entities and in fighting untested belief and superstition is more than obvious.

4. See Grote (1822). Religion is passionately criticized by the young Grote for being based "on extra-experimental belief": religious belief is a "persuasion uncertified by experience" (ibid.: 96–7). See also Fuller (2008). Catherine Fuller undertakes a comparison between the mss and the book, showing that "Grote's work as whole [...] echoes Bentham's text and summaries, but it is rewritten to accommodate Grote's own thoughts, and in his own style" (2008: 11).
5. Macaulay's Whig interpretation of Athenian history, though a step in the right direction, did not go as far as the Philosophical Radicals wished to go. See Macaulay (1824a, 1824b).
6. See also J.S. Mill's "Grote on Moral Obligation" (1822), in James Mill's *Commonplace Books*, vol. 2, f. 79v–80r. In his *Autobiography* J.S. Mill mentions that "in the summer of 1822 I wrote my first argumentative essay [...] [I]t was an attack on [the aristocratic prejudice that the rich were] superior in moral excellence to the poor. I set about this task unprompted, except by emulation of a little manuscript essay of Mr. Grote" (J.S. Mill, *Autobiography* (1873), *CW*, I.73). Interestingly, the younger Mill's essay was influenced by Plato – in 1819 J.S. Mill had already prepared an abstract of Plato's *Republic* (J.S. Mill to S. Bentham, 30 April 1819, *CW*, XII.8).
7. Barker (1937: xiv).
8. J. Mill (1820: 16) (emphasis added).
9. Hansen (2005: 25).
10. For an excellent contextual exploration of the discussion raised by Constant's lecture, see Liddel (2007: Introduction).
11. See J. Mill to M. Napier, 10 September 1819 (in Bain, 1882a: 188). James Mill noted that he "shall say nothing capable of alarming even a Whig." Thus James Mill's reference to the "defects of Democracy" may be part of his writing strategy (which was one of deception, according to Fenn, 1987: Ch. 4). See further Krouse (1982).
12. On Mitford's conservative historiography, see Turner (1981). The best monograph on Mitford is the unpublished doctoral thesis by John Stevenson Taylor (1984). For a resume of the pre-Grotean partisan Greek historiography, see *inter alia*, K.N. Demetriou (2004: I.xvii–xviii; 1999: Ch. 4). See also, Murray (2010).
13. The standard work on the Philosophic Radicals is still Thomas (1979). For an authentic account of the Philosophic Radicals, see H. Grote (1866).
14. Cf. John Lachs who traces the genealogy of the "full theoretical articulation of the idea of individual liberty" in Constant and points out the "striking similarity between Constant and Mill" (Lachs, 1992: 87ff).
15. See Schofield (2007: Preface and Ch. 5, section I; 1996: 223–4). See also Lieberman (2008); Long (1977) and Dinwiddy (1975). Bentham's commitment to fundamental constitutional reform, advocating near-universal manhood suffrage, can be found in Bentham (1817).
16. "It is not surprising, indeed, that the general views of Mr. Mitford should be eminently agreeable to the reigning interests in England" (Grote, 1826: 331). According to John Stuart Mill, Grote's *Westminster* article was "a very complete exposure and castigation of Mitford" (J.S. Mill, *Autobiography*, *CW*, I.99).
17. Grote (1826: 291–7).



18. Ibid.: 289. In the *History of Greece*, Grote employed several times the notion of “sinister interests” to define the partial interests of groups, individuals or parties against the common welfare.
19. Grote (1826: 278–9). See J.S. Mill’s comments in his Grote reviews, to the effect that the institutions of Athens were “altogether a full equivalent for the liberty of the press” (“Grote’s *History of Greece* [II]” (1853), *CW*, XI.324). That “Liberty of the Press” was the most important security against sinister interests, was a central argument of the Philosophic Radicals (see J. Mill, 1821).
20. Grote (1826: 277).
21. See Grote to G.C. Lewis, 24 October 1847 (in Grote, 1873: 178); see also, Bain (1873: 102–3).
22. Grote (1847: iii–iv).
23. Ibid.: 19. See also Grote (1831: 34) and J.S. Mill’s “Centralization” (1862), *CW*, XIX.581–613.
24. According to Mogens Hansen, “[t]he federal state is an example of ‘positive inspiration’ derived from the study of the classical tradition” (Hansen, 2010: xxviii). In the *History of Greece*, Grote praised the Olympic and other “Pan-Hellenic Festivals,” because they “took hold of the Greek mind by so great a variety of feelings, as to counterbalance in a high degree the political dis-severance; and to keep alive among their wide-spread cities, in the midst of constant jealousy and frequent quarrel, a feeling of brotherhood and congenial sentiment such as must otherwise have died away” (Grote, 1846–56: IV.251). Also, according to Grote, the alliance of the Greeks before the battle of Marathon,
 

is the first direct and positive historical manifestation of Hellas as an aggregate body [...] I have already pointed out several earlier incidents, showing how the Greek political mind, beginning from entire severance of states, became gradually prepared for this idea of a permanent league with mutual obligations and power of enforcement vested in a permanent chief.

(Ibid.: V.34)
- Grote never got tired in his insistence on the importance of a “Pan-Hellenic” Compact or a permanent confederacy founded on mutual rights and obligations.
25. Grote (1846–56: IV.315). Election, however, would have the serious disadvantage of excluding the lower classes from eligibility.
26. Cleisthenes prudently *took the people into partnership* (Grote, 1846–56: III.339) (emphasis added).
27. Grote (1846–56: IV.312) (emphasis added).
28. See Murray (2010: 158).
29. Grote (1846–56: IV.321).
30. Ibid.: IV.345 (emphasis added).
31. Grote (1831: 31–5).
32. Grote (1846–56: VI.180–2) (emphasis added).
33. Ibid.: III.372 (emphasis added).
34. Ibid.: IV.321, 324–5. The concept of “constitutional morality” or “the ethics of representative government” is also employed by J.S. Mill in *Considerations*

on *Representative Government*. Mill defines constitutional morality as that “temper of mind which the electors ought to bring to the discharge of their functions” (CW, XIX.504). In *Plato and the other Companions of Sokrates*, Grote, in analysing Plato’s *Crito*, writes that “[t]he laws allow to every citizen full liberty of trying to persuade the assembled public: but the citizen who fails in persuading, must obey the public when they enact a law adverse to his views” (Grote, 1865: I.300) and that “Sokrates is thus made to express the feelings and repeat the language of a devoted democratical patriot” (ibid.: 302).

35. Grote (1865: I.304). Grote also noted that “[t]he laws allow to every citizen full liberty of trying to persuade the assembled public: but the citizen who fails in persuading, must obey the public when they enact a law adverse to his views” (ibid.: 300).
36. See Bell (2006). According to C.A. Ataç, “[w]hat the British historian did was to contribute to this quest for ideal imperial governance by favouring the Athenian model,” (Ataç, 2006: 645).
37. See W.R. Connor (1992: Ch. 3) for similarities between Grote’s interpretation and the modern reception of the demagogues. See also M.I. Finley (1985: 38–76) for the revisionist approach. As K.E. Whedbee noted, Grote’s historical “defense of Athens depended in part on defending the demagogue and, by so doing, vindicating popular oratory as a legitimate means of political decision making” (2004: 71–2).
38. See Grote’s picture of Cleon (Grote, 1846–56: VII.48–57).
39. His defence of Cleon against Thucydides’ accusations provoked a fiercely critical pamphlet by Richard Shilleto and a reaction to it by John Grote, George Grote’s brother. For the context of this dispute, see Stray (1997).
40. Grote (1846–56: VIII.38).
41. Ibid.: VII.52.
42. James Mill wrote several notes on the people and institutions of Athens, scattered especially in his *Commonplace Books*. See also Loizides (2011: Chs 3 and 4). For the elder Mill Athenian democracy bore “an exquisite fruit” (Loizides, 2011: 119) due to the free space it allowed individual merit, yet it was a defective system because it was not a representative democracy (J. Mill, 1835: 279ff). In his manuscripts, he quoted Mitford:

I am willing to take as my foundation, the ground laid by a man not over fond of liberty, the historian Mitford. “The only principle,” he says, “on which a free government can be firmly founded, is, that the aggregate of private good should make public good.” Again, “The great [defect] of the constitution of Athens was the want [...] of the principle of representation. The advantage of this is, not merely that a great nation can do that conveniently by its representatives which even a small one cannot by its assembled members; but, farther, that responsibility may be attached to every constituted power; by which alone, whatever the name or form of the government may be, real despotism can be obviated.”

43. See Biagini (1996) and Riley (2007). In similar studies, J.S. Mill’s high debt to Grote is insufficiently drawn. Nadia Urbinati (2002) argues that Mill’s conception of liberty does not fit into the duality negative – positive liberty. Mill and George Grote, in pursuing their radical programmes against

- the conservatives, were “forced to defend Athens against Sparta,” accepting basic similarities between the ancients and the moderns (Urbinati, 2002: 14).
44. J.S. Mill, *Autobiography*, CW, I.201 (emphasis added).
  45. Wise statesmanship in Mill is related to the communitarian Platonic vision, even though Grote would later criticize the *Republic* on the grounds of expounding a dogma and thus abandoning “philosophy as reasoned truth.” Malcolm Schofield points out that it is to Plato’s *Statesman* Grote (and Mill) found what scientific government is: “a philosophic and reasoned knowledge of human affairs – of what is best for mankind” (see Schofield, 2006: 140).
  46. J.S. Mill, “Grote’s *History* [II],” CW, XI.317.
  47. J.S. Mill, *Considerations*, CW, XIX.535–6.
  48. The analogies that can be drawn between Grote’s understanding of Periclean democracy and Mill’s political ideal can be a subject of another study. Arlene Saxonhouse emphasizes the continuity between Grote’s and Mill’s ideas on the ancients (1996: 18–22), while T.H. Irwin (1998) overstretches the differences between their interpretation of classical Athens, which he thinks were a product of their different philosophical outlooks.
  49. J.S. Mill and G. Grote, “Taylor’s *Statesman*” (1838), CW, XIX.617–47.
  50. *Ibid.*: 623–5.
  51. Stefan Collini calls Mill’s reviews of Grote “manifestos for democracy” (Collini, 1991: 136).
  52. J.S. Mill, “Grote’s *History of Greece* [5],” CW, XXV.1161.
  53. See Miller (2000: 89).
  54. Biagini (1996: 33).
  55. See “Grote’s *History* [II],” CW, XI.328–31; “Grote’s *Greece* [5],” CW, XXV.1161.
  56. According to Biagini, Mill was “an effective platform speaker.” “Like the philosophers in the ecclesia, he played the role of the ‘public moralist’” (Biagini, 1996: 39); Collini calls him “an extreme radical in his popular speeches on those topics which most stirred him in his last phase, especially non-sectarian education, the enfranchisement of women, and land reform” (Collini, 1991: 167).
  57. J.S. Mill, “Fonblanque’s England” (1837), CW, VI.353; see also J.S. Mill to A. Fonblanque, 30 January 1838, CW, XIII.370.
  58. J.S. Mill, *Autobiography*, CW, I.245–7.
  59. On nineteenth-century Socratic hero-worship, see Jenkyns (1980: 229–32). According to Jenkyns, “[J.S.] Mill affords the most moving example of devotion to Socrates” (*ibid.*: 230). See also, Giorgini (2009).
  60. See L.J. Snyder, on the various limits on participation and involvement in government by Mill in his political works (Snyder, 2006: 210–11). On Mill’s “early illiberalism” see Raeder (2002: 82ff). See further, Kahan (1992).
  61. Ryan (1974: 130).
  62. Grote (1865: III.409–10). For an example, Grote noted that Plato in the *Republic* “is himself on the throne of King Nomos: the infallible authority [...], by whom orthodoxy is determined [...] Free-thinking minds, who take views of their own [...] become inconvenient and dangerous” (*ibid.*: 212). See also J.S. Mill’s criticism, under the influence of Grote’s Platonic

commentary, of Plato's "half truth," that is postulating infallibility to his rulers ("Grote's *Plato*," *CW*, XI.436).

63. See Kurfirst (1991).
64. See Williams (1982) (especially p. 13). Gareth William's work was pioneering with regard to Mill's appropriation of the classics.
65. See Pitts (2005: 160–2). In examining Mill's writings on India, Pitts exposes Mill's stark contradictions intrinsic to his notion of "benevolent imperialism," "legitimate despotism," and so on, which represent a departure from standard Benthamite views on colonial rule, introducing new elements in his idea of liberty.
66. "Human nature," Mill writes in *On Liberty*, "is [...] a tree which requires to grow and develop itself on all sides, according to the tendency of inward forces which make it a living thing" (*CW*, XVIII.263). Plato, in the *Republic*, argues that in order to achieve happiness, people must live *according to their nature*. Bradley's "My Station and Its Duties" argues that one is led to self-realization by performing the moral duties he has as a member of a community (justice is doing one's own work, that is, the work he is naturally fitted – *oikeiopragia* in Plato's terms).
67. On what Mill perceived as the limitations of Socialism see *Chapters on Socialism* (1879), *CW*, V.737ff. See also the interesting comment by L.S. Feuer:

Marx regarded Mill as the best representative of those who tried to harmonize the classical political economy with the demands of the rising working class. He respected Mill's political activity on behalf of the English proletariat, and therefore said it would be very wrong to classify him with "the herd of vulgar economic apologists."

Marx felt, however, that Mill's later ideas and actions could not be reconciled with the traditional economic dogmas to which he still held. Mill, he therefore said, was trying "to reconcile irreconcilables" (1949: 297; Feuer cites Marx, 1867: I.19–20, 669). See further, Miller (2003).

68. The older, widely-accepted argument was that British Idealism spread out of a reaction to utilitarian empiricism and Spencerian atomic liberalism. The advent of Idealism in England was "providing a theory of the state which, in opposition to the individualism of Mill and Spencer, justified the new trend towards collectivism in public affairs" (Ensor, 1936: 162–3, quoted in Collini, 1978: 88). I am inclined to agree with Nicholas Capaldi that, granted Mill's intellectual development in the context of the variegated cultural and intellectual currents of the nineteenth-century, "we should not be surprised that British Idealism is the natural heir to Mill's philosophical endeavor" (Capaldi, 2004: 93). The analogies and differences between Mill's position regarding "the development of human individuality and diversity" and the British Idealists, are carefully examined by Peter P. Nicholson (1998). Nicholson concludes that "[i]n political thought, Mill and the British Idealists are two overlapping and intertwining strands in the tradition of liberalism, and Idealist views do not so much replace Mill's ideas as complement and extend them" (1998: 488). See further, Nicholson (1990) and Boucher (1994). Colin Tyler (2006a) contests conservative interpretations and links the British idealist tradition with the liberal ideas of state and citizenship. He argues that "Green and Caird found much to admire in Mill's

- Considerations*, nevertheless they saw deep problems with his constitutional prescriptions firstly, regarding the social atomism which they believed it presupposed and, secondly, regarding the rather ambiguous trust that it placed in the respectable poor" (see Tyler, 2006b). Indeed, contemporary revisionist approaches tend to accommodate the Idealist philosophical theory of the state firmly within the liberal tradition. Cf. Weinstein (2007) and Robert Devigne (2006). Devigne notes however that "some of Mill's closest contemporaries [like Spencer and Bosanquet] pointed out an idealist current in his thought" (2006: 243). See however Holloway (1960).
69. Many commentators have pursued this line of interpretation concerning Mill's "illiberal" proclivities, often carried to extremes, which, in turn, has sparked many responses. Some key texts in this discussion are: Cowling (1963); Burns (1969); Himmelfarb (1974); Rees (1985); Justman (1991); Hamburger (1999). See also, Sullivan (1983: 607).
  70. Every individual is by nature governed by rational self-interest. The thesis is to be found in "Bentham's utilitarianism and in James Mill's *Analysis of the Human Mind* (1829), and is a mainstay of classical political economy [...]. [E]nlightened self-interest implies that human beings can manage their own affair without government interference" (Capaldi, 2004: 44).
  71. See Clarke (1962: 177). See also G. Grote to G.C. Lewis, 24 October 1857 (in Grote, 1873: 178) where Grote criticized John Mill for his eulogistic comments on Comte's philosophy of history.
  72. J.S. Mill to A. Bain, [Feb. 1859], CW, XV.592 (also in Bain, 1882b: 103).
  73. I explore this in Demetriou (2011: Ch. 7), or alternatively, Demetriou (2009).
  74. On his attachment to political Platonism, see *Considerations on Representative Government*, CW, XIX.384–8; "Coleridge," CW, X.154. See also in secondary literature on Mill's Platonizing trend, *inter alia*, Shorey (1938: 224); Irwin (1998: 433–9); Villa (2001: 61); Ryan (1997: xiv).
  75. Clarke (1962: 184–5). "In politics, everything must be done by co-operation, and single individuals can rarely claim an undivided merit" (Bain, 1882b: 192). According to Bain, the faithful utilitarian cognitive psychologist, Mill in *Representative Government* exposes "the dangers and difficulties attending on Democracy" (ibid.: 117, emphasis added).
  76. On their disagreement regarding the interpretation of the *homo mensura* doctrine, see J.S. Mill "Grote's Aristotle" (1873), CW, XI.500–1n.
  77. See for example, Hansen (2005); Ostwald (1969). See also, Robinson (2004: part 4). There are of course many scholars that still insist on the differences between ancient and modern liberty, like Raaflaub, Brunt, et al. See an enlightening discussion in Piovan (2008).
  78. D. Kelly rightly points out this inner contradiction in Mill's thought: "Mill welcomed Plato's belief that rulers had to be inured against the malignant effects of customary despotism in order to be able to do their job, whilst still praising the virtues of Athenian democracy" (2010: 189). Duncan describes Mill's position as no less than "democratic Platonism" (1973: 263–4).
  79. Cf. Thomas who argues that Grote's "ideal of a governing class is exactly like Mill's" (1969: 412).
  80. I am grateful to Antis Loizides for reading a draft of this paper and making useful comments that improved my argument by increasing the level of my uncertainty about some dimensions of Mill's liberalism. Peter Nicholson has

helped to alert me on the complexity, and eventual inconclusiveness on the issue of Mill's relation to the Idealist tradition, and I am thankful to him too. He argues that the British Idealists' complaint against J.S. Mill was at a basic philosophical level: they accused him of abstract individualism, of working with what today people call the "unencumbered self." They had no difficulty in showing the inadequacy of abstract individualism, but they were not fair in pinning this on Mill, whose writings taken in the round show he was well aware of the social dimensions of individuality (one can see this even in *On Liberty*).

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# 8

## Three Visions of Liberty: John Stuart Mill, Isaiah Berlin, Quentin Skinner

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In this chapter, I wish to examine John Stuart Mill's concept of liberty as it emerges especially from *On Liberty* (1859) in the light of Isaiah Berlin's and Quentin Skinner's interpretations. Mill's view of liberty as absence of constraints in self-regarding actions has been hailed by Berlin as the quintessential notion of "negative liberty" (an expression originally coined by Samuel Pufendorf and then used by Jeremy Bentham).<sup>1</sup> On the other hand, Skinner has emphasized Mill's belief that a minimum level of interference from the government, together with a maximum of social tolerance, was needed to promote "individuality" and "eccentricity"; in this respect Mill's view of liberty cannot be described as merely negative for it has a positive goal. After examining the respective merits of their interpretations, I conclude that both Berlin and Skinner had a political agenda in their interpretation of Mill which was dictated by the practical circumstances as well as by their different interpretative sensibilities. What emerges clearly from this comparison and study in reception is the complexity and comprehensiveness of Mill's notion of liberty, which cannot be easily pinpointed and hastily attributed to a political or philosophical camp: according to the aspects of his thought emphasized by the authors, Mill's concept of liberty can be characterized either as "negative" or as "positive." My conclusion is that by examining Berlin's and Skinner's contrasting interpretations we can achieve not only a better understanding of John Stuart Mill; we can also realize how Mill's profound and many-faceted view of freedom can still enlighten us and prevent us from either confounding it with other concepts such as justice or right or conflating it with economic freedom.

## Isaiah Berlin and John Stuart Mill

In 1959, Isaiah Berlin was asked to deliver the Robert Waley Cohen Memorial Lecture, whose general subject is tolerance; Berlin chose to speak on John Stuart Mill, whose essay *On Liberty* had been published exactly 100 years before. In his speech, and subsequent essay,<sup>2</sup> Berlin set Mill in the context of nineteenth-century intellectual history and described his “great short book” (in Sir Richard Livingstone’s words) as “the classic statement of the case for individual freedom.”<sup>3</sup> With his typical breadth of perspective, Berlin depicted a very sympathetic portrait of Mill, whom he called the founder of modern liberalism, although he was not unaware of the numerous difficulties and inconsistencies in his thought.<sup>4</sup> In any case, Mill’s straightforward devotion to the cause of freedom and toleration induced Berlin to interpret even these incoherence problems as a mark of Mill’s humanity, of his desire to account for the complexity of life and of the world, and of the many-sidedness of truth. Berlin was struck by the breach that separated John Mill from his Utilitarian progenitors, including his father James and his mentor Jeremy Bentham, a noteworthy departure especially considering his strictly Utilitarian upbringing. He remarked that while for Bentham individualism was simply a psychological datum, for John Mill it was an ideal to fight for. James Mill’s and Bentham’s guiding principle of the greatest happiness for the greatest number of human beings – Berlin pointedly remarked – could be fulfilled by a medicine giving people a sensation of permanent contentment; John Mill would have rejected this solution as degrading because it deprived human beings of the possibility to choose, to choose the ends of their lives and not only the means to reach their image of happiness. Mill – Berlin added – liked dissent, independence, and therefore solitary thinkers, those who defied the establishment as well as “heretics, apostates, and blasphemers.”<sup>5</sup> Mill worked all his life for the extension of individual freedom; he fought for causes that did not have a particular connection with the “greatest happiness principle” but rather concerned the issue of human rights, especially liberty and toleration. Berlin’s central contention concerning Mill’s view of liberty was that for Mill freedom was a means and not an end; it enabled people to seek pleasure and happiness in their own characteristic and original way. Accordingly, as it is testified by his own biography, for Mill the ends of society, which included the common good of all just political arrangements, were individual liberty, variety, and justice. Berlin correctly, and interestingly, connected this statement – the importance of liberty and

variety – with Mill's view of knowledge. For Mill thought that knowledge is never complete and is always fallible; especially in human affairs, all solutions must therefore be tentative and provisional and we need freedom in order to explore ways and means that are untried and not yet experienced. It is to be noted that this position is hardly reconcilable with traditional Utilitarianism, which held that there exists an unalterable nature of things, and it is therefore possible to scientifically discover solutions to social and political problems once and for all.<sup>6</sup> Berlin also emphasized that Mill was acutely aware of the forces that endangered individuality and originality in his age: "he detested and feared standardization" and he perceived that "in the name of philanthropy, democracy and equality, a society was being created in which human objectives were artificially made narrower and smaller [...]."<sup>7</sup> Social pressure, conformism, the "tyranny of the prevailing opinion and feeling," and the "despotism of custom" were for Mill the dangers hovering over democratic societies and the new challenges to individual freedom.<sup>8</sup>

Berlin's interpretation reaches the core of Mill's thought when he dwells on the notion of "experiments in thought as well as in living." For Mill men are made human by their capacity for choice, choice of evil as well as good. Freedom to choose and to experiment distinguishes human beings from the rest of nature; according to Berlin, of all of Mill's ideas, it is this view that ensured his lasting fame. It is worth recalling that in his *Autobiography* Mill stated that *On Liberty* was sort of a philosophical textbook on one single truth, namely the importance, to man and society, of a large variety of characters and of giving full freedom to human nature to expand itself in innumerable and conflicting directions. By freedom Mill meant a condition in which men were not prevented from choosing the object and the manner of their worship, since freedom concerns both means and ends.<sup>9</sup> We need freedom to experiment because we can never tell, until we have tried, where greater truth or happiness may lie; at the same time, we need tolerance because other people's experiments may offend our moral sensibilities as well as our religious creeds. Quoting Herbert Butterfield, a previous lecturer in the Cohen series, Berlin stated that tolerance implies a certain disrespect, since one tolerates what one does not like, but "without tolerance the conditions for rational criticism, rational condemnation, are destroyed."<sup>10</sup> This is why Mill pleaded for freedom, reason, and toleration at all costs throughout his life. He knew very well that a powerful objection to his view was the argument that it is actually possible to discover the true ends of life with the consequence that all those who

object to such identification are in fact deniers of the truth. The conviction that there exists a single human nature, knowable and always the same, has been upheld by all sorts of philosophers, from Plato to Marx. And – we may add – the worst crimes against mankind have been perpetrated by well-meaning people who thought they knew the truth, as Socrates' and Jesus' cases testify. Mill, instead, believed that in ethics, politics, religion, and more generally in the entire realm of human affairs, only probability reigns; here it is necessary to allow full liberty of opinion and argument in order to rationally achieve provisional truths.<sup>11</sup> Mill's argument is plausible only on the assumption that human knowledge is in principle never complete, and always fallible; that there is no single, universally visible, truth. Mill assumed that finality is impossible – Berlin remarked – and implied that it is undesirable too, although he never produced a demonstration for his persuasion.<sup>12</sup> Berlin lamented that Mill made use of bad arguments to conceal his scepticism about truth, perhaps even from himself, and some of his opinions appear to be somewhat self-contradictory. At this stage Berlin quotes a famous sentence from *On Liberty*: "In an imperfect state of the human mind, the interests of the truth require a diversity of opinions." Berlin points out that, notwithstanding these premises about truth, "Mill is ready to stake a very great deal on the truth of his convictions about what he thinks to be the deepest and most permanent interests of men."<sup>13</sup> For instance, Mill believed in liberty, that is, in the rigid limitation of the right to coerce; he put forth a celebrated distinction between self-regarding and other-regarding actions in order to provide a rule of thumb for setting the limits of the legitimate power of society over the individual. However – Berlin acutely observed – if damage to others is what concerns Mill most (as he professes), then

the fact that resistance to this or that belief is instinctive, or intuitive, or founded on no rational ground, does not make it less painful, and, to that extent, damaging to them. Why should rational men be entitled to the satisfaction of their ends more than the irrational? Why not the irrational, if the greatest happiness of the greatest number (and the greatest number are seldom rational) is the sole justified purpose of action?<sup>14</sup>

If there is no other moral criterion, then the question whether the burning of witches or the advance in knowledge and rationality yielded a higher balance of happiness is only a matter of actuarial calculation – Berlin concluded. Mill, however, was not interested in those

considerations. On the other hand, he was “acutely aware of the many-sidedness of the truth and of the irreducible complexity of life, which rules out the very possibility of any simple solution, or the idea of a final answer to any concrete problem.”<sup>15</sup> This awareness made him a wary and cautious supporter of democracy and he tried to devise moral and institutional remedies against uncontrolled democracy. He shared Tocqueville’s qualms about the moral effects that a democratic regime, or rather the spirit of democracy, produces on citizens; he feared and warned his contemporaries of the dangers of conformity, uniformity, and “collective mediocrity” brought about by democracy. The solution he found, Berlin observed, was not original, as it had been tried by Goethe and Wilhelm von Humboldt: it was “an attempt to fuse rationalism and romanticism” by educating people and creating a character that was rich, many-sided, and yet rational. This kind of education would be possible only in an open and tolerant society and would therefore be the opposite of coercion and indoctrination.

This was not the first time that Berlin displayed a sympathetic interest for John Stuart Mill’s thought. In his inaugural lecture delivered before the University of Oxford when he entered the Chichele Chair of Social and Political Theory the previous year, dedicated to the elucidation of what he labelled *Two Concepts of Liberty*, Berlin had drawn heavily on John Mill’s thought and had hailed him as one of the emblematic supporters of “negative liberty.” The best service we can do to this immensely influential essay, one of the most seminal and most quoted pieces in political philosophy of the twentieth century, is to set it in context. Doing this we are faithful to Berlin’s own methodological stance: for in this very essay he said that “political words and notions and acts are not intelligible save in the context of the issues that divide the men who use them.”<sup>16</sup> If we read this essay abstracting from its historical context we miss completely its gist and purpose; in fact, it is evident right from the *incipit* and the first paragraphs that Berlin is not interested in doing a merely intellectual exploration or historical investigation of the concept of liberty but, rather, has a political agenda. He states clearly at the outset that there has probably been no other time in modern history when ideas and social and political doctrines influenced more the lives of entire nations; the allusion to the Marxist creed and the communist regimes spread all around the world is evident. Berlin flatly states that ideas can be weapons and people accustomed to work with ideas, philosophers like himself, should bear the responsibility to disarm those weapons, and then he adds that “it is only a very vulgar historical materialism that denies the power of ideas, and says that ideals are mere

material interests in disguise."<sup>17</sup> Conceptual clarification is the sharpest tool to dispel the intellectual fog that breeds oppression and it is not surprising that Berlin decided to tackle the question of the meaning of "liberty," for "freedom from hunger" and "freedom from needs" were catchwords of the communist propaganda. He was very aware that such conceptual clarification could not happen in an ideological vacuum because the interpreter inevitably carries with him some moral belief, metaphysical commitment and political allegiance.<sup>18</sup>

Berlin opened the essay on *Two Concepts of Liberty* with a swift and apparently crystal-clear definition of the two terms: negative liberty should be conceived as absence of interference and, accordingly, of coercion; positive liberty consists in self-realization and, in a more political perspective, in self-government. He phrased his dichotomy in a very Millian way, since he believed that the limits of interference by other people mark the boundaries of the negative concept of liberty. It is the deliberate interference of other human beings who prevent me from acting as I otherwise would that should be construed as coercion. It follows that a person may say she lacks political liberty only if she is prevented from attaining a goal by other human beings; mere incapacity to attain a goal cannot be described as coercion or lack of political freedom. In Berlin's view, freedom consists in the opportunity to act, not in action itself and, briefly put, "the wider the area of non-interference the wider my freedom."<sup>19</sup> This is the meaning of the word when we find it used by classical English political philosophers (Berlin quoted Hobbes and Bentham) as well as by authors such as Constant and Tocqueville. Berlin added that since human purposes and activities do not automatically harmonize with one another, liberal thinkers have been prepared to curtail freedom in the interests of other values and, indeed, of freedom itself.<sup>20</sup> For them it was therefore obvious that the sphere of men's free action should be limited by law while, at the same time, preserving a certain minimum area of personal freedom which must not be violated for any reason. They typically thought that a line should be drawn between the sphere of private life and that of public authority; disagreement obviously could arise as to where that line should be traced. Berlin quoted the traditional saying that "freedom for the pike is death for the minnows" – the liberty of some must depend on the restraint of others. It is at this level that Mill's theorization of liberty becomes relevant for Berlin's discourse. For Mill believed that the protection of individual freedom was of the utmost importance for society; because without it both the individual and his society would suffer and be unable to progress. Mill, however, confused two distinct notions: the idea that



coercion is bad as such, although it may have to be applied to prevent other evils, because it prevents human beings from pursuing their desired goals while non-interference is good as such, and the conviction that only freedom enables men to discover the truth and to develop a critical, original, and independent character of which Mill approved. Berlin noticed that Mill's two goals proved to be incompatible, as James Fitzjames Stephen showed in his *Liberty, Equality, Fraternity* (1874); moreover, appealing to history, Stephen showed that genius can flourish also in very disciplined communities where free thinking is unacceptable.<sup>21</sup> Here Berlin parted ways with Mill: for Mill, in his opinion, came to believe that there was an objective truth in the realm of value judgements which was attainable by human beings and there was thus a correct notion of what is good, although the conditions for discovering such truth exist only in a society that allows individuals freedom of inquiry and discussion. Berlin, on the other hand, believed that such notion did not exist and that human ends inevitably collide and men are therefore compelled to make choices. This is why "the very concept of an ideal life, a life in which nothing of value need ever be lost or sacrificed [...] is not merely utopian, but incoherent."<sup>22</sup> This was one of Berlin's most enduring convictions: as he would summarize it near the end of his life in his "On the Pursuit of the Ideal" (his address at the award ceremony when he received the Agnelli Prize in 1988): "We are doomed to choose, and every choice may entail an irreparable loss."<sup>23</sup> It is however true that both authors did not attribute a merely instrumental value and role to freedom, notwithstanding Berlin's claims about Mill. They both believed that freedom was a good in itself, as well as being a necessary and constitutive element of men's happiness because without it they would be deprived of the possibility of choosing their ends and attaining them.<sup>24</sup>

From this historical observation Berlin concluded that negative liberty "is not incompatible with some kinds of autocracy, or at any rate with the absence of self-government" because the absence of interference invoked can be obtained also, say, by a liberal despot. This is one of Berlin's most controversial points, which may at first sight assimilate him more to Hobbes than to Mill. I believe it is possible to untangle the question by looking at the political point Berlin was trying to make and at its philosophical premise. The latter is that conceptual clarification may deliver us from many political ills; the basic rule in this field is aptly summarized by Bishop Butler's celebrated statement that "Everything is what it is and not another thing." On this premise, there is no logical connection between this notion of negative freedom and democracy or

self-government, no necessary relation between individual liberty and democratic rule. Liberty and democracy are two valuable things but they are distinct ideals and goals. The distinction, and the difference, may seem tenuous – positive liberty consists in being one's own master and negative liberty consists in not being interfered by other people in making one's own choices – but the two concepts “historically developed in divergent directions not always by logically reputable steps, until, in the end, they came into direct conflict with each other.” Berlin remarked that the kind of evil against which the concept of negative liberty was directed as a weapon was not *laissez-faire*, but despotism.<sup>25</sup> In fact, “the rise and fall of the two concepts can largely be traced to the specific dangers which, at a given moment, threatened a group or society most: on the one hand excessive control and interference, or, on the other, an uncontrolled ‘market’ economy.” This is the heart of the problem and the focus of interest for Berlin: how these two notions were implemented and gave rise to very different political arrangements.<sup>26</sup> Here Berlin's prose rises in tone, as he points out that the positive conception of freedom as self-mastery entails a suggestion of a man divided against himself and, with a “sleight of hand,” attributes purposes to his “real” self, liberated by reason, which are not even dreamed of by his empirical self. This doctrine of liberation by reason, when socialized, gives rise to all sorts of authoritarian and totalitarian political arrangements, including the nationalist and communist regimes of his days. At the heart of this view of “liberty” there is always the notion that “the sage knows you better than you know yourself, for you are the victim of your passions, a slave living a heteronomous life, purblind, unable to understand your true goals”<sup>27</sup> – we can almost hear Berlin's low-keyed, indignant voice pronouncing these words! He goes on quoting Cranmer's epigram “Whose service is perfect freedom” to maintain that this notion can be secularized and the State, or the nation, or a dictator can replace God “without thereby rendering the word ‘freedom’ wholly meaningless.”<sup>28</sup> The danger Berlin fears is that freedom as interpreted by such authors as Rousseau could lead to what Jacob L. Talmon a few years before had labelled “totalitarian democracy.”<sup>29</sup> Such positive freedom could easily and almost imperceptibly sap many of the negative liberties treasured by liberals such as Mill and Tocqueville: democracy, and its related sovereignty of the people, can erode and even crush the freedom and sovereignty of the individuals when the goal assigned to democratic government is to attain some substantial good and unity and unanimity are considered more valuable than diversity of opinions and interests. In fact – Berlin remarked in the “Introduction” to *Four*

*Essays on Liberty* – the perversion of the notion of positive liberty into its opposite – the apotheosis of authority – did occur, and has for a long while been one of the most familiar and depressing phenomena of our time.<sup>30</sup>

The contrast between a positive and a negative concept of freedom can thus be interpreted also as the contrast between a liberal, empirical concept of democracy and an idealistic or totalitarian view of it. In the former, some frontiers, laws, rules, and rights always bar and prevent the government and other entities from trespassing on the freedom of individuals to choose their own image of happiness: basic human rights, for instance, are always a negative notion of liberty, or rather, they always somehow embody it – they are a wall against oppressors.<sup>31</sup> Legal liberties, on the other hand, are compatible with extremes of exploitation, brutality, and injustice. Although Berlin never stated that the two concepts of liberty identified by him are mutually exclusive it seems clear that, being ends in themselves, they may clash irreparably; in addition, it is evident that they lead to conflicting ideological commitments and political arrangements. In similar vein Berlin observed that “These are not two different interpretations of a single concept, but two profoundly divergent and irreconcilable attitudes to the ends of life.”<sup>32</sup> Pluralism, with the measure of “negative” liberty that it entails, seems to Berlin “a truer and more humane ideal than the goals of those who seek in the great, disciplined, authoritarian structures the ideal of ‘positive’ self-mastery by classes, or peoples, or the whole of mankind.”<sup>33</sup> It is again John Mill who comes to our mind when we hear Berlin restate that “The fundamental sense of freedom is freedom from chains, from imprisonment, from enslavement by others. The rest is extension of this sense, or else metaphor.” Berlin feels the appeal on people of “the paramount need to satisfy the claims of other, no less ultimate, values: justice, happiness, love, the realization of capacities to create new things and experiences and ideas, the discovery of the truth.” However, he firmly believes that “nothing is gained by identifying freedom proper, in either of its senses, with these values, or with the conditions of freedom, or by confounding types of freedom with one another.”<sup>34</sup> On the contrary, all these things have very little to do with freedom as it was properly understood by such authors as John Stuart Mill. I believe it is apparent at this point that Berlin did not only share many of Mill’s conclusions about liberty, its meaning, and its consequences; he also evidently sympathized with Mill’s personal elaboration of this concept and its bearings on his private life and admired Mill’s staunch defence of it against diverse and non-obvious threats.

In sarcastic vein, Berlin concluded his celebration of Mill by remarking that "It may be that the ideal of freedom to choose ends without claiming eternal validity for them, and the pluralism of values connected with this, is only the late fruit of our declining capitalist civilization." Principles, however, are not less sacred because their duration cannot be guaranteed.<sup>35</sup> This conclusion is perfectly in line with Berlin's open-ended view of life and with John Stuart Mill's conviction that freedom is the medium for attaining the proper goal of a human being, the achievement of that individuality and originality which is open to all men who are unfettered by their political regimes.

### **A different John Stuart Mill: Quentin Skinner and the Neo-Roman notion of liberty**

While for Isaiah Berlin it was obvious that John Stuart Mill, notwithstanding his complexities and occasional inconsistencies, held a "negative" view of liberty many critics and interpreters found that the question was more complicated and, indeed, the very notions of "positive" and "negative" liberty had to be re-evaluated. Among them, the interpretation of liberty put forth by Quentin Skinner stands out for the elaborate historical narrative into which it is set; in addition, Skinner examines in depth both Mill's and Berlin's view of liberty and therefore offers us a different perspective from which we can appreciate Mill's contribution. Finally, since Skinner too seems to be intent on elaborating not only a historical reconstruction but also a philosophical-political programme, we will be able to evaluate what Mill has to contribute to the contemporary debate on liberty and justice. Let's now therefore turn to another famous inaugural lecture, Quentin Skinner's *Liberty before Liberalism*, delivered before the University of Cambridge in 1997, when he was appointed Regius Professor of Modern History. Skinner started his lecture by remarking that liberal theory, with its connected negative concept of liberty as absence of impediments and coercion, had become hegemonic in contemporary political philosophy. I would like to stress immediately that, although Skinner never stated it explicitly, he had in mind as the target of his criticism "cold war" liberals such as Friedrich von Hayek and contemporary American libertarians such as Robert Nozick: the negative, narrow view of liberty that he depicts and criticizes is the one embraced by contemporary Anglo-American conservatives and consists in restraining as much as possible government action and in considering every reduction of it an enlargement of citizens' freedom. As he had stated in his 1984 Tanner Lectures dedicated to

*The Paradoxes of Political Liberty* “contemporary liberalism, especially in its so-called libertarian form, is in danger of sweeping the public arena bare of any concepts save those of self-interest and individual rights.”<sup>36</sup> To this view Skinner does not oppose a “positive” concept of liberty but rather tries to revive a different, “negative” concept of liberty as civil liberty, namely a view of individual liberty that connects it inextricably with the form of government in which it is exercised. Because of its ancestry in Roman philosophical and legal thought, Skinner labels it the “Neo-Roman” concept of civil liberty and goes on to say that the ideological triumph of Liberalism left it discredited and caused its eclipse from the political horizon. Classical authors, such as the Roman historians Sallust, Livy, and Tacitus, as well as seventeenth-century Republican authors and politicians, such as the critics of Charles I Stuart’s absolutist-*turn* Henry Neville and Henry Parker, considered freedom threatened in all political arrangements where citizens are dependent on the goodwill of some monarch. They saw civil liberty as consisting mainly in an equal right to participate in the creation of the laws; this view of liberty was connected to the ideal of a mixed and well-balanced constitution. Their conclusion was that it is possible to be free only inside a free State. The Neo-Roman authors rejected the central tenet of liberalism that force or the threat of force are the only forms of constraint that interfere with individual freedom. According to them, living in a condition of dependence is itself a source and a form of constraint. They also upheld a different view of autonomy: for the liberal human will is free if it is simply not coerced; for the Neo-Roman the will is autonomous only if there is no danger that an individual *can* be coerced.<sup>37</sup> The main objection to this conception of liberty famously came from Hobbes and it has subsequently been repeated many times – the main examples have been Benjamin Constant and Isaiah Berlin:<sup>38</sup> there is no connection between public and private liberty; it is mere confusion to see the freedom of the individual as necessarily connected to the institution of a free political regime. Hobbes charged these Neo-Roman authors with utopianism but, Skinner retorts, utopianism is not necessarily an objection to a political theory: moral and political theory aspire to tell us what course of action should follow from the values we profess to uphold; when theory and practice collide, this should not be seen as a critique to our too exacting principles but rather to our unsatisfactory practice.<sup>39</sup>

The Neo-Roman authors – Skinner insisted – were fully persuaded that the extension of our liberty should be measured according to how free we are from coercion. They would not object to Jeremy Bentham’s belief that liberty is a merely negative concept,<sup>40</sup> that it is characterized by

the absence of some form of restriction or coercion. Only, they were persuaded that the awareness of living in a condition of dependence is in itself a sort of coercion because it forces people to refrain from fully exercising their civil rights. The ascent of classical Utilitarianism in the eighteenth century saw the theory of free States becoming more and more discredited, and when Henry Sidgwick wrote his *Elements of Politics* (1897), he could maintain as an obvious truth that individual freedom had no necessary connection with the forms of government: for him it was evident that to speak of individual freedom meant to speak of absence of external impediments to action, such as physical or moral coercion, imprisonment or threats.<sup>41</sup> It is this background that we should bear in mind – Skinner warns us – when we turn to examine Berlin's famous essay on the two concepts of liberty. In fact, Berlin introduced himself as someone interested in a purely philosophical exercise, that of clarifying the "essence of the notion of liberty"; he stated outright that the confusion of liberty with equality and independence was of no service to the truth. But – Skinner observes – it is surprising that Berlin, in his "neutral" analysis, followed exactly the same path previously taken by classic liberals as if he were enchanted by the magic of their intellectual legacy. He took for granted that freedom should properly be conceived as absence of interference, but it is exactly this assumption that should be questioned. From this premise Berlin concluded that the protection of this value, freedom, depends on how much power we give to someone, not on who has the power; and he could accordingly conclude that it is a mistake to suppose that there is a necessary connection between individual freedom and democratic government. Moreover, according to Berlin positive concepts of liberty force us to accept a specific social model, thus eliminating our autonomy. Berlin, however, neglected the fundamentally Christian pattern in which the English ideas of liberty were moulded, which made these authors ask the question: Under what form of government should we live if we want to maximize our liberty? We should pose ourselves the same question and act accordingly: almost paraphrasing the title of Ronald Dworkin's famous book, Skinner maintains that we have to take our duties seriously and, instead of effacing anything that goes beyond "the minimum demands of social life," we should try to fulfil our public duties in the best possible way.<sup>42</sup> Skinner is well aware that a critic might reply that this amounts only to nostalgic anti-modernism but he retorts that he believes that an increase in public participation could improve the reliability of our *soi disant* representatives. Skinner's own eloquent conclusion is that if we do not put our

duties before our rights, we should expect to find that our own rights are imperilled.

The Inaugural Lecture at Cambridge University is only one of the occasions when Skinner tackled the orthodox liberal view of negative liberty and critically examined Mill's and Berlin's contribution. In an earlier essay, "The Idea of Negative Liberty,"<sup>43</sup> Skinner set out to question the agreement on the fact that freedom is essentially a negative concept, characterized by the absence of something, namely absence of impediments. He stated that the assumption that the only coherent idea of liberty is that of being unimpeded traces back to Hobbes and has underpinned the development of modern contractarian political thought.<sup>44</sup> Skinner then observed that many modern theorists of negative liberty simply followed Hobbes' lead and maintained that "it is a dangerous error to connect individual liberty with the ideals of virtue and public service"; he then went on to quote as an example Isaiah Berlin's remark to the extent that to speak of rendering oneself free by virtuously performing one's social duties, thereby equating duty with interest, is simply "to throw a metaphysical blanket over either self-deceit or deliberate hypocrisy."<sup>45</sup> What Skinner questioned here was the sweeping way in which authors like Berlin accepted the English canon of political liberty in the line that goes from Hobbes through Bentham and Mill down to Berlin and many of his contemporaries, including Rawls: what is important to realize is that these authors gave a very narrow and highly polemical definition of liberty, which should be set in its context and evaluated accordingly. By emphasizing the polemical context of these visions of liberty, Skinner meant to remind us that liberty is not a neutral term; on the contrary, it is a "battle-word" that assumes a specific meaning according to the context and the user, even when it seems to be merely the object of an historical reconstruction. I believe we should apply this awareness to Skinner himself.

Finally, in 2001 Skinner gave the Isaiah Berlin Lecture at the British Academy where, after paying due and sincere homage to the great historian of ideas, he tackled directly Berlin's view of liberty.<sup>46</sup> Skinner first expressed his persuasion that Berlin's most original contribution lay with the description of positive liberty; he found the sources for Berlin's description of positive liberty, especially in the British idealist philosophers Bernard Bosanquet and Thomas Hill Green,<sup>47</sup> and notably in their view that "real freedom consists in the whole man having found his object" – in T.H. Green's phrasing.<sup>48</sup> This implies that human nature has an essence and that we are free when we realize it. A second important point made by Skinner concerns Hobbes' theory of liberty, which lies at

the foundation of modern theories of negative liberty. Skinner reminds us that Hobbes' definition of liberty was highly polemical and directed against the "Democratical Gentlemen" who were promoting the cause of Parliament against the Crown: these authors insisted that our liberty is restricted not only by actual interference but also by the mere knowledge that we are dependent on the goodwill of others. They were successfully attacked by Hobbes, whose interpretation of liberty succeeded in eclipsing all other theories of liberty. Skinner concludes that what we have inherited in our European tradition of political thought is in fact two rival and incommensurable theories of negative liberty, one as non-interference and one as non-domination.<sup>49</sup> This awareness – we may add – should broaden both our philosophical and our political horizons and remind us that the battle for liberty is not only a battle against threats but also for its content.

### **A re-examination of John Stuart Mill's notion of liberty**

In conclusion, let's now look at John Stuart Mill's view of liberty and try to ascertain if he can really be considered one of the foremost champions of "negative" liberty as Berlin hailed him or if his concept of liberty has the "positive" connotations Skinner finds. In the opening lines of his celebrated essay *On Liberty* Mill clarifies that the subject of his essay is not the philosophical concept of liberty – liberty of the will as opposed to determinism – but rather "civil, or social liberty: the nature and limits of the power which can be legitimately exercised by society over the individual":<sup>50</sup> interestingly, Mill speaks of "society" and not of government or State because in his view the new threat to liberty is not at the political but rather at the social level. In fact he immediately adds that "in old times [...] by liberty was meant protection against the tyranny of the political rulers." Mill refers to the limitation of the sovereign power through constitutionalism which guaranteed the citizens' freedom in the eighteenth century and paved the way to constitutional monarchy in Europe. Subsequently, in order to prevent that the interests of rulers should collide with those of the people, the last generation of European liberals tried to identify the rulers with the people. If we conceive of Liberalism as a response to the challenge of the times,<sup>51</sup> we may not only agree with Mill, and Tocqueville, that social coercion and conformism were the new threats to liberty in their age; but we can also appreciate that both Berlin and Skinner were in fact reacting and responding to what they perceived as the new challenge to liberty in their time. In the case of Berlin it was Soviet totalitarianism and the



fascination of many Western intellectuals with the Marxist doctrine; in the case of Skinner it is the narrow concept of liberty typical of "cold war" Liberals and libertarian authors.

As for Mill, the introductory part of his essay is very reminiscent of Tocqueville and of his fear of the "tyranny of the majority."<sup>52</sup> Describing the new social threat to freedom Mill advocates protection against "the tyranny of the prevailing opinion and feeling" and states that "there is a limit to the legitimate interference of collective opinion with individual independence." Finding that limit is just as important for freedom as devising protections against the distinct evil of "political despotism." Famously, Mill finds the solution in "one very simple principle": mankind can interfere with an individual's liberty of action only for self-protection, namely to prevent harms to others. As he puts it:

The only part of the conduct of anyone for which he is amenable to society is that which concerns others. In the part which merely concerns himself, his independence is, of right, absolute. Over himself, over his own body and mind, the individual is sovereign.<sup>53</sup>

This seems all neat and clear. "It is, perhaps, hardly necessary to say" – Mill goes on to say – "that this doctrine is meant to apply only to human beings in the maturity of their faculties." Accordingly, children and young persons under the age of maturity set by the law are excluded as are also the "backward states of society" in which an entire people or race are in a, so to speak, state of minority. It is only consistent with this outlook, then, that Mill may continue on to state that "despotism is a legitimate mode of government in dealing with barbarians, provided the end be their improvement."<sup>54</sup> We may wonder what the defining feature of barbarism or nonage for a people is, and Mill's answer is that "liberty, as a principle, has no application to any state of things anterior to the time when mankind have become capable of being improved by free and equal discussion." This obviously poses many problems to any consideration of Mill as a strenuous defender of the merely negative liberty of the individual. For it is obvious that here Mill is saying that individuals, and even entire peoples, do not deserve their liberty until when they have the capacity to improve through "conviction or persuasion" and are able to hold a discussion, and defend a position through rational argument. He is therefore thinking that their liberty should be curtailed in order to make them progress to a more advanced state: "negative" liberty, freedom to pursue our own good in our own way, is subordinated to the "positive" goal of

attaining maturity and civility – as they are described by adult and civilized people.

These convictions are echoed in another essay which appeared the same year on *Fraser's Magazine*, "A Few Words on Non-Intervention." Here Mill reaffirmed that "nations which are still barbarous have not got beyond the period during which it is likely to be for their benefit that they should be conquered and held in subjection by foreigners"; he added that "The only moral laws for the relation between a civilized and a barbarous government, are the universal rules of morality between man and man."<sup>55</sup> This is why Mill recommends non-intervention into the affairs of countries whose people do not have enough love for freedom to fight for it: liberty is useless to such people because their rulers would soon turn to some form of despotism.<sup>56</sup> Leaving aside the patronizing, and even slightly colonialist, undertones of these statements, we realize that it makes Mill's view of liberty more nuanced and complicated. For they show that for Mill liberty is a means towards self-improvement and development as well as an end in itself. True, Mill does not seem to be completely unaware of this problem for he states:

I regard utility as the ultimate appeal on all ethical questions; but it must be utility in the largest sense, grounded on the permanent interests of man as a progressive being. Those interests, I contend, authorise the subjection of individual spontaneity to external control.

I admit I find this statement contradictory, perhaps even deliberately so: how can we speak of "permanent interests" of a "progressive being"?<sup>57</sup> Moreover, who decides what is permanent and what is transient, what is important and what is superimposed? And, finally, who establishes what the target of this progress is? It is noteworthy that Mill did not realize how contradictory it was to advocate absolute freedom to pursue one's own image of happiness in one's own way and, at the same time, to deny it to those whose ways and tastes we find unpalatable and objectionable.<sup>58</sup> This is even more striking if we consider that Mill himself later in the essay *On Liberty* states that "I am not aware that any community has a right to force another to be civilised."<sup>59</sup> Furthermore, he chose the case of the emperor Marcus Aurelius to stigmatize the power of uncritically accepted truth: "the gentlest and most amiable of philosophers and rulers, under a solemn sense of duty, authorized the persecution of Christianity. To my mind this is one of the most tragic facts in all history."<sup>60</sup> This example shows that good nature and education cannot

prevent crimes accomplished in the name of someone else's good if the person in charge feels infallible. It is because of his sense of infallibility that the philosopher-ruler Marcus Aurelius erred; it is because he did not apply his own standards to his convictions that Mill made the same mistake of taking for universal what was actually particular, located in time and space.

This persuasion, we may add, the conviction that it is possible to identify through reasoning an objective notion of what is really good for human beings, runs deep in all of Mill's writings, including the essay *On Liberty*. Here Mill expresses his belief that "as mankind improve, the number of doctrines which are no longer disputed or doubted will be constantly on the increase."<sup>61</sup> This statement shows in all evidence Mill's Utilitarian social optimism and I, for one, do not believe it is valid either historically or theoretically. It is not correct because the proportion between knowledge and ignorance is destined to remain the same: the more we acquire information and discover new truths the more we realize there are facts previously unknown to us and other truths to be discovered. This is what the history of philosophy and the history of science show us in all evidence. Socrates was in this respect right: the more we know the more we realize we do not know. Mill is more Platonic and even more optimistic than Socrates in believing that "moral truths" can be discovered. Mill speaks of a necessary "gradual narrowing of the bounds of diversity of opinion," where necessary means both inevitable and indispensable. Again, Mill immediately shows he is not unaware that the progress towards the universal recognition of truth is not completely unproblematic: it will bring about conformity instead of discussion and explanation; this should be resisted by contriving to show all the difficulties that surround the newly accepted truths. This view seems to me to be in line with Mill's belief that "in an imperfect state of the human mind the interests of truth require a diversity of opinion"<sup>62</sup> which, as a consequence, requires that "while mankind are imperfect there should be different opinions, so it is that there should be different experiments in living." Mill stresses many times the importance of spontaneity, originality, eccentricity, "individuality of desires and impulses," but evidently these are to be praised only in "the present low state of the human mind".<sup>63</sup> in the future, a future seen as a progress towards truth, agreement on truth, on what is a truly good way of life for human beings, will inevitably cause more conformity and similarity. So when we hear Mill proclaiming that "it is essential that different persons should be allowed to lead different lives" and that "it is desirable [...] that people should be eccentric"<sup>64</sup> we should bear in mind that this

refers only to our society whose condition of great imperfection makes freedom something to be valued as an end in itself. At the same time, freedom is both the powerful engine of social and philosophical progress and is, as a consequence, also a means to a higher, truer good. We may argue that Mill's vision of the progress of liberty, and of mankind, is dialectical in the sense that he does not envision a state where contrast of opinion or experimentation in living will be disposable: far from being perfect such a state would create human beings devoid of what is typically human – the capacity to evaluate and to make choices – and would favour ape-like imitation. Conformity, even to truth and the good is never desirable.

### **Concluding remarks**

We are now in a better position to reach some conclusion about John Stuart Mill's concept of liberty: I believe it is indeed many-sided and it entails two features which, when individually emphasized, yield the impression that his view of liberty is, alternatively, "positive" or "negative." For, if we stress the absolute sovereignty of a person on her own body or mind, and the consequent notion that only self-protection allows society to interfere in her life, we have a patent example of "negative" liberty. On the other hand, if we lay the emphasis on the importance of original development of mind and character, on spontaneity and originality as a fundamental component of self-realization and as a means towards the improvement of society and mankind itself, we have a definitely "positive" view of liberty. Perhaps Mill's greatness lies exactly in his capacity to encompass both views of liberty in a vision of the interaction between individual, State and society where freedom is both a means and an end. This is why Mill's lesson is still important for political theorists today, when the new challenges to individuality and freedom do not come from Communistic totalitarianism or from some narrow libertarian philosophical outlook. Mill reminds the communitarian critics, who maintain that liberalism does not have an overarching notion of the good nor a fair appreciation of the role of the community, that liberty is an absolute value, is an end in itself, but it is inextricably linked to another end, the creation of a fully developed human being: the real individual, not the pale abstraction present in many current liberal visions. Mill's notion of individuality, together with his appreciation for nuances and the complexities of human relations, enables us to counter also the impoverished vision of the individual as informed selfish agent in a political "market" where the government

plays a minimal role, typical of many economically influenced current political doctrines. And, last but not least, Mill reminds contemporary deconstructionists and social constructionists of truth that liberty and individuality are real notions and values for which many people fought to the end of their lives.

## Notes

1. See Samuel Pufendorf (2002), who uses the term “negative liberty” to attack and refute the doctrines of predestination and predetermination: 65 and passim. Jeremy Bentham notoriously defined liberty as “neither more nor less than the absence of coercion” and went on to say that “the idea of it is an idea purely negative”: Bentham Manuscripts University College London: Ixix.44. For a critical discussion of the interpretation of Bentham’s (and Hobbes’) views of liberty as purely negative see Rosen (2003: Ch. 15).
2. Isaiah Berlin, “John Stuart Mill and the Ends of Life,” in Berlin (1969). There exists a more recent, augmented edition, Berlin (2002).
3. Berlin (1969: 174). Berlin remarked that the very same year 1859 “saw the death of the two best-known champions of individual liberty in Europe, Macaulay and Tocqueville” and the centenary of the birth of Friedrich Schiller – “the poet of the free and creative personality.”
4. Richard Wollheim (1979) shows that Mill was less inconsistent than Berlin had thought and that their ideas are even more similar than Berlin had acknowledged.
5. Berlin (1969: 178–9).
6. *Ibid.*: 182.
7. *Ibid.*: 183.
8. A good examination of social pressure conceived as a constraint on liberty can be found in MacCallum (1967).
9. Berlin (1969: 206).
10. *Ibid.*: 184.
11. *Ibid.*: 187.
12. *Ibid.*: 189.
13. *Ibid.*: 190.
14. *Ibid.*: 192.
15. *Ibid.*: 192.
16. Isaiah Berlin, “Two Concepts of Liberty,” in Berlin (1969: 121).
17. *Ibid.*: 119–20. Berlin’s evident political agenda was exposed in a very unfavourable review by Marshall Cohen, who proclaimed it “less an event in philosophy than in the cold war” (Cohen, 1960: 216).
18. This point is well caught by John Gray in his very interesting re-examination of Berlin’s essay (Gray, 1990). See also Gray (1983).
19. Berlin (1969: 123). This neat dichotomy is questioned by Taylor (1979).
20. Berlin (1969: 123–4).
21. *Ibid.*: 128. See Stephen (1993).
22. Berlin (1969: li). On the importance of Berlin’s criticism of monistic conceptions of value see Kenny (2000) and Bellamy (1999). See also Bellamy (1992).

23. Isaiah Berlin, "On the Pursuit of the Ideal" (later published in Berlin, 1997).
24. On this point see the penetrating review of MacFarlane (1966) and Rees (1966), a sharp review of Maurice Cowling's book on Mill (Cowling, 1963). Berlin himself criticises Cowling's interpretation of Mill, together with Letwin (1965), without mentioning either of them in the last footnote of *Four Essays on Liberty* (Berlin, 1969: 206n).
25. Berlin (1969: xlv).
26. Ibid.: 131–2.
27. Ibid.: 149–50.
28. Ibid.: 160. This interpretation of "positive liberty" has been defended by Polanowska-Syngulska (1989). For an assessment of the problem see Weinstein (1965).
29. Talmon (1952). In this work Jacob L. Talmon described totalitarian democracy as based on the belief in the existence of one and only absolute political truth and connected it to a messianic view of politics. He included Rousseau among the fathers of totalitarian democracy.
30. Berlin (1969: xlvii).
31. Ibid: xlv.
32. Ibid.: 166.
33. Ibid.: 171.
34. Ibid.: lvi.
35. Ibid.: 172.
36. Skinner (1985: 249).
37. Skinner (1998: 55).
38. Ibid.: 41.
39. Ibid.: 52. John Rawls' theory of justice is, in his view, utopian but not less valuable for this reason.
40. Skinner reminds the readers that Bentham speaks of his discovery in a letter to John Lind of 1776; for a discussion of this letter he refers to Long (1977: 54–55).
41. Skinner (1998: 64). See Henry Sidgwick (1897): his debt to Bentham and John Stuart Mill is acknowledged since the first pages; for Sidgwick's account of freedom see especially, Sidgwick (1897: Ch. 4).
42. Skinner (1998: 99). The reference is obviously to that little classic of Liberalism, Ronald Dworkin's *Taking Rights Seriously* (Dworkin, 1977).
43. Skinner, "The Idea of Negative Liberty: Machiavellian and Modern Perspectives," in Q. Skinner, 2002b: II.186–212 (a revised version of Skinner, 1984). See also Skinner (1993).
44. Skinner (2002b: 187).
45. Ibid.: 190.
46. Skinner (2002a).
47. Skinner quotes B. Bosanquet (1899) and T.H. Green (1989, 1991).
48. Green (1886: 309).
49. Skinner (2002a: 262).
50. J.S. Mill, *On Liberty* (1859), *CW*, XVIII.217.
51. This is the description of Liberalism that we find in Matteucci (1972).
52. See Tocqueville (1835–40).
53. J.S. Mill, *On Liberty* (1859), *CW*, XVIII.224.
54. Ibid.

55. J.S. Mill, "A Few Words on Non-Intervention" (1859), *CW*, XXI.118–9.
56. *Ibid.*: 122. The same point is reiterated in J.S. Mill, *Considerations on Representative Government* (1861), where Mill speaks of the necessity of a "government of leading-strings" for "savage" people to guide them towards self-government (*CW*, XIX.395–6).
57. J.S. Mill, *On Liberty*, *CW*, XVIII.224. Mill attempts to explain this in his *Considerations on Representative Government* (*CW*, XIX.384ff), where he says that a good government can be judged by its capacity to "promote the general mental advancement of the community, including under that phrase advancement in intellect, in virtue, and in practical activity and efficiency" (*CW*, XIX.392).
58. It is interesting to notice that Mill charged Bentham with considering only the moral aspect of actions and neglecting completely their sentimental and aesthetic side to the point of forbidding people from using in his presence phrases such as "good" and "bad taste":

He [Bentham] thought it an insolent piece of dogmatism in one person to praise or condemn another in a matter of taste: as if men's likings and dislikings, on things in themselves indifferent, were not full of the most important inferences as to every point of their character; as if a person's tastes did not show him to be wise or a fool, cultivated or ignorant, gentle or rough, sensitive or callous, generous or sordid, benevolent or selfish, conscientious or depraved.

(J.S. Mill, "Bentham," 1838, *CW*, X.113)

59. J.S. Mill, *On Liberty*, *CW*, XVIII.272.
60. *Ibid.*: 237.
61. *Ibid.*: 250.
62. *Ibid.*: 254.
63. *Ibid.*: 272.
64. *Ibid.*: 269.

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# 9

## John Stuart Mill through Rawls

*Gregory I. Molivas*

John Rawls makes three well-known basic interrelated points about utilitarianism: It undermines the distinctness between persons and reduces the diversity of individual plans into a single scale of value. It superficially accommodates equality within its structure, for equality can never be in genuine conflict with maximization. Rights, rules, claims of desert are but first-order maxims, nothing more than efficient rules of thumb, based on generalized experience. This is what we may call Rawls' mainstream critique of what he usually calls "classical utilitarianism." However, Rawls articulates more sophisticated interpretations of utilitarianism, when he introduces, for example, the "practice" view of rules, which places constraints on direct maximization. He further allows for modifications that broaden the concept of utility, provided that the category of the right does not become part of it. Sometimes he even seems to adopt a rather broad understanding of utilitarianism. For example, in "Two Concepts of Rules" he includes among "classical utilitarians" David Hume, Jeremy Bentham, John Stuart Mill, Henry Sidgwick, and even Thomas Hobbes,<sup>1</sup> and one naturally might wonder in what sense Hobbes' theory undermines the separateness of persons! Moreover, Rawls insists that Hume adopts a very "loose"<sup>2</sup> conception of utility, but he also claims that Hume's notion of the "judicial spectator" naturally draws him close to the classical utilitarian view.<sup>3</sup> Yet Hume appears to respect the distinctness of individuals, a view that the classical conception cannot accommodate.<sup>4</sup> Rawls, however, is even more ambivalent with respect to Mill. On the one hand, he regards Mill among the leading utilitarian theorists,<sup>5</sup> but on the other, he tends to bring Mill rather closer to the orbit of the rationalist tradition of thought, along with Immanuel Kant,<sup>6</sup> emphasizing Mill's commitment to *ex ante* equality and individual liberty.<sup>7</sup>

Rawls places Mill in the grand tradition of liberalism together with Constant and Tocqueville, as Rawls follows Berlin's conception of liberalism, namely, the system which respects that "equal citizens have different and indeed incompatible and irreconcilable conceptions of the good."<sup>8</sup> This association is interesting, because "classical" utilitarianism seems to defy the possibility of incomparable goods. In a similar vein, while Rawls links Mill to the "practice" view of rules which domesticates utilitarianism through acceptable constraints,<sup>9</sup> he also attributes to the latter the "summary" view or rules that fits better an unconstrained version of utilitarianism.<sup>10</sup>

In his *Lectures on the History of Political Philosophy* (2007) Rawls devotes a separate chapter to Mill. Rawls' stated purpose is to give a plausible explanation of the notable similarities he discerns between his own and Mill's conclusions. More specifically, he is wondering how "does it happen that an apparently utilitarian view leads to the same substantive content [...] as justice as fairness?"<sup>11</sup> The picture remains complicated. On the one hand, Rawls concedes that for Mill utility is the "supreme moral principle,"<sup>12</sup> standing above perfectionist values and liberty.<sup>13</sup> On the other hand, he asserts that "[w]hether his conception of utility is itself utilitarian is an altogether different question."<sup>14</sup> The question then of whether Mill is a utilitarian in the "appropriate sense"<sup>15</sup> boils down to the question of whether he follows the premises which dominated welfare economics<sup>16</sup> as these were theoretically elaborated initially by Bentham, Edgeworth, and Sidgwick.<sup>17</sup> Unlike Sidgwick, who is perfectly consistent as a utilitarian in the above sense, Mill often departs from the "strict" classical utilitarian line.<sup>18</sup>

In what follows, I shall be concerned with how discrepancies such as those already alleged are reflected on two issues that emerge from Rawls' comments on Mill. The first focuses on the "priority problem" and deals with Rawls' general view of utilitarianism – as the typical example of what he calls "dominant end theory"<sup>19</sup> – in light of his remarks on Mill's idea of higher pleasures. Mill appears to be both a monist, as a typical utilitarian, and a pluralist, as a specific kind of hedonist. The second issue, to which I shall concentrate more my attention, arises in the context of assimilating the Rawlsian difference principle with Mill's conception of the unity of human species, and concerns individualism. On the one hand, as a mainstream utilitarian, Mill cannot be a thorough individualist, that is, he cannot respect the separateness of individuals. On the other hand, to the extent that Mill has an argument similar to the difference principle – as Rawls claims to be the case – he is an individualist of the right sort, namely, he endorses the contractarian principle

of reciprocity at the expense of sympathy. However, when Rawls further considers the idea of social union, Mill seems to be transformed into an extreme individualist who does not accept the idea of perennial interdependence of human beings.

It is not easy to fully account for these discrepancies. But to a large extent they are due to what Rawls reads into utilitarianism, based on welfare economics conceptions of it, while at the same time he realizes that Mill's exposition does not fit easily into this picture. Consequently, there is a tension between elements composing Rawls' overall view. I believe that Rawls and Mill have indeed many shared ideals, although Rawls' mainstream interpretation of utilitarianism often sneaks in the picture and leads him to misconceive Mill's rationale. This, I suggest, is the case especially with Rawls' interpretation of Mill's idea of "our unity with others." Rawls tries to integrate Mill in his own theoretical framework, by dispelling the latter's alleged confusion on utility. However, Rawls *tacitly* attributes to Mill the "classical" view of utility – which does not leave room for the separateness of persons – and then he contends that this cannot be Mill's real argument. For if Rawls did not attribute to Mill the classical utilitarian view, he would not have reason to extend the Kantian/contractarian reading to Mill's apparently utilitarian pronouncements. Nevertheless, it is not obvious that Mill's utilitarianism could not encompass ideas which Rawls considers akin to his own. After all, it might not be the case that Mill is confused, but that he understands utility in a considerably different way than Rawls. I shall start by considering Rawls' statements about Mill, first in relation to the priority problem and then in relation to the difference principle as a better explanation than utility of Mill's idea of the unity of humankind.

### **Mill and the priority problem**

The basic idea behind Rawls' critique of utilitarianism is that the latter is a poor and pure monistic theory, for it ignores the plurality of distinct incommensurable values.<sup>20</sup> However, the other side of utilitarian monism – characteristic of the structure of a teleological theory focusing on the pursuit of a dominant end – is its ability for systematization. In discussing the defects of intuitionism, Rawls attributes to both Mill and Sidgwick – as the exponents of classical utilitarianism – an adherence to moral monism, on the grounds that they believe that an ultimate principle "can systematize our judgments" or solve conflicts among first-order moral precepts. Rawls considers this as one of the attractions of classical utilitarianism in relation to the priority

problem. Several pages below, he becomes even more explicit when he says that "Mill argued correctly that so long as one remains at the level of common sense precepts, no reconciliation of these maxims of justice is possible."<sup>21</sup> According to Rawls to be able to judge the relative weight of those precepts another principle at a superior level is required, which could be even one among them elevated. The appeal to "[s]ome higher principle" is necessary but this need not be utility as Mill mistakenly thought. Rawls concludes that his own principles of justice define another, albeit the right one, alternative higher-order criterion.<sup>22</sup>

We should emphasize that it is when Rawls concedes the methodological advantage of utilitarianism and refers to Mill's endorsement of monism in relation to the priority problem that he introduces his own conception of lexical ordering of the principles of justice.<sup>23</sup> He does so trying in a way to combine the hierarchical structure of utilitarianism with the intuitionist plurality of values. It is exactly at this point that Rawls associates the idea of lexical order with Francis Hutcheson's and Mill's relatively similar view of "[p]leasures of higher kinds."<sup>24</sup> Mill assigns to the "dignity" of pleasure, Rawls observes, superior worth irrespective of its intensity and duration. William David Ross' priority of moral worth over non-moral values, Kant's priority of right, and William Stanley Jevons' hierarchy among wants are provided by Rawls as further examples of lexical ordering.<sup>25</sup>

On the face of it, how should we describe Mill's theory? As a typical utilitarian, Mill is initially considered to advocate a version of monism: utility is the supreme value that systematizes inferior precepts and gives determinate solutions to value conflicts in an orderly way. Inspired partially by this second element of utilitarianism, Rawls introduces his lexicographic ordering of principles, striking a balance between monism and pluralistic intuitionism. He then points to the similarity between his view and Mill's higher ordering of certain kind of pleasures. To that extent Mill's theory is transformed from monism to a sort of constrained pluralism, similar to the one implied in Rawlsian lexicographic hierarchy of principles. Rawls' interpretation entails that Mill would accept ordinary pleasures as being valuable, but would assert that superior pleasures are incommensurably more valuable as experiences of a different nature. The existence of different kinds of pleasure signifies discontinuities in a potential unique scale of maximization. The two categories of pleasure simply cannot be components of a linear scale of value, as the "dominant end" interpretation of utilitarianism requires. Nevertheless, lower pleasures still have value but should always give way to superior ones. For example, when individual rights override collective welfare or

the improvement of the well-being of the least advantaged social class, it does not mean that well-being loses its value.<sup>26</sup> Without addressing the immensely thorny problem of qualitative pleasures in Mill, the point here is that, in so far as the similarity Rawls mentions between Mill's distinction among pleasures and lexical ordering is tenable, and in so far as the lower pleasures are not *absorbed* by higher ones, Mill's theory is *structurally* similar to a form of constrained pluralism rather than monism. In fact, elsewhere, Rawls is even more unequivocal about the connection between Mill's view of pleasures and a hierarchy of interests.<sup>27</sup> If we turn to Rawls' *Lectures*, it is even more evident that he takes seriously the structural similarity between kinds of pleasures and his own principles. He observes "that the distinction between the quality and the quantity of pleasures rests on special structural features and priorities embedded in the preferred schedule of activities specifying our way of life."<sup>28</sup> Rawls stresses the fact that pleasure or happiness in Mill does not signify "simple" or even "complex" feelings or "introspective qualities," but "a mode" or "a way of life"<sup>29</sup> which we consider our own and it is good in our eyes. The association of pleasures with kinds of activities allows Rawls to see them as complementary parts<sup>30</sup> of life and to assign priority to higher pleasures/activities, once a minimum of the lower ones (whose role is to maintain us in good mood and physical condition) is satisfied.<sup>31</sup>

It might be objected that the issue of monism and pluralism refers to non-moral intrinsic values, such as desire/pleasure, and not to principles governing our conduct with respect to what we consider valuable, namely, utility, equality, priority, sufficiency, and so on. Nevertheless, Rawls himself does not stick to such a distinction, despite the fact that he believes that the defect of utilitarianism is that it defines the good independently of the right and then the right as maximizing the good. He extends his view of lexical ordering both to notions of right as have been expounded by Kant and Ross and to superior goods, that is, pleasures or desires as these are understood by Hutcheson or Jevons, as already mentioned. He thinks it appropriate to place qualitative pleasures on a par with moral worth as possible constraints on other values, despite the fact that the source of pleasure's quality, according to Mill, should not be attributed to a sense of obligation.<sup>32</sup> Thus the pluralistic landscape implied by a genuinely lexicographical ordering is not confined exclusively to the concept of right.

In fact, this aspect is more important than the description of the theory as pluralistic or monistic. For Rawls seems to concede that a good-based concept (i.e. "a choice criterion of value") can work exactly

like a right-based concept in terms of placing incommensurable constraints. Now this might raise interesting questions concerning Rawls' outspoken affirmation of the absolute priority of the right over the good. In our case the interesting question could be put as follows: If a good-based concept (i.e. a choice criterion of value), as Mill's superior pleasures, can, by Rawlsian standards, be employed to arrive at a distinction between practically incommensurable elements (i.e. different kinds of desires), why can't a good-based concept similarly account for the practical incommensurability of justice? In other words, why should Rawls see any problem with Mill's attempt to capture the inestimable significance of ideas of justice and rights through the notion of security, which is itself interest-based, and therefore falls equally into the category of the good? For example, addressing the concept of rights in *Utilitarianism*, Mill refers to "the extraordinarily important and impressive kind of utility" involved in "security" which is "to every one's feelings the most vital of all interests," and on which "we depend for all our immunity from evil, and for the whole value of all and every good, beyond the passing moment."<sup>33</sup> Strong feelings about security transform "difference[s] of degree" to "difference[s] in kind" and lead to claims having "that character of absoluteness, that apparent infinity, and *incommensurability with all other considerations*, which constitute the distinction between the feeling of right and wrong and that of ordinary expediency and in expediency."<sup>34</sup> No matter what is thought of about the validity of Mill's arguments, he is at least consistent in employing in both cases (his hedonism and his defence of rights/justice) a good-based approach to arrive at incommensurability. Although Rawls does not regard the quality of pleasure as a problem in this connection, he fails to appreciate Mill's analogous appeal to the inestimable utility of security in order to account for the importance of justice and rights.<sup>35</sup> On the contrary, Rawls regards Mill's relevant passages as signs of abandoning utilitarianism and adopting a contract view like his own, based on reciprocity. This leads us to the second issue of our concern, namely the interpretation of the difference principle.<sup>36</sup>

### Mill as upholding the difference principle

In discussing the principles of moral psychology in §76 of *Theory of Justice*, Rawls makes an interesting remark about the similarity between Mill's ideas and the difference principle by way of exploring the notions of sympathy and reciprocity. If we are to appreciate the force of the

Rawlsian comments on Mill here, it is essential that we do not lose sight of two elements: first, according to Rawls, utilitarianism cannot account for the principle of reciprocity;<sup>37</sup> second, the criticism on utilitarianism's inability to respect the separateness of persons is based on the assumption that the sympathy of the impartial spectator<sup>38</sup> conflates individuals' interests and consequently their rightful individual claims.

Rawls formulates three laws of psychology, intending to show that when the principle of reciprocity is operative, feelings of attachment towards our fellows are naturally generated and strengthened in a well-ordered society. In contrast, the utilitarian cannot accept the principle of reciprocity as revealed in the Kantian interpretation of the difference principle, and thus necessarily she has to resort to sympathy in order to fill the gap of individual motivation. Since the benefit of each individual is not included in the pursuit of the benefit of others, then it is only through sympathy that it is possible for everybody to accept his own loss as a means of increasing social benefit.<sup>39</sup> By contrast, in justice as fairness "identification with the good of others" "is possible only because of the mutuality already implicit in the principles of justice." Having said that, Rawls makes the remarkable suggestion that Mill agrees with his "conclusion," because the latter admits that – with the progress of civilization – it is possible that each one will happily realize that his own interest is tightly connected with those of others.

Mill maintains that when this state of mind is perfected, it leads the individual to desire for himself only those things in the benefits of which others are included. One of a person's natural wants is that there should be harmony between his feelings and those of his fellow citizens. He desires to know that his aims and theirs are not in opposition, that he is not setting himself against their good but is furthering what they really wish for.

Citing *Utilitarianism* (Ch. III, pars. 10–11), Rawls maintains that "the desire Mill characterizes here is the desire to act upon the difference principle (or some similar criterion), and not a desire to act on the principle of utility. Although Mill does not notice the discrepancy," Rawls continues, he intuitively considers the reconciliation of all interests in the just society as "acceptable to them all" through the "notion of reciprocity."<sup>40</sup> Therefore, it is justice as fairness and not the principle of utility that better expresses Mill's view of "natural sentiments of unity and fellow feeling."<sup>41</sup> This is a crucial point, although it is not the only occasion where Rawls interprets Mill as abandoning utilitarianism



or as being confused about the implications of his own theory.<sup>42</sup> He thinks further that the way in which Mill explains the origin of the sense of justice reinforces Rawls' own interpretation. He says that Mill plays down the impact of sympathy and stresses the role of reciprocity in the "natural instinct of self-protection and the desire for security." Thus Mill's notion of the sense of justice is a compromise between sympathy and reciprocity, a balance between altruism and the claims of the self.<sup>43</sup>

The affinity between the Rawlsian and the Millian outlook here is in no doubt, or at least I do not wish to dispute it.<sup>44</sup> However, Rawls' point is that what makes the affinity logically possible is the contractarian view that he himself endorses and Mill would adopt had he thought more clearly what is at issue. Sympathy, the leading motive of ideal spectator which leads agents to "act on utility," undermines the perspective of the Kantian–Rawlsian contract. However, Mill on crucial points assigns an inferior role to sympathy and accordingly elevates the concept of self-interest, thus leaving room for contractarian individualism, which entails leaving behind utilitarianism. This is, I think, a compressed but fair description of what Rawls is up to.

Several questions can be raised about Rawls' interpretation of Mill here: Would Mill consider the difference principle superior to utility in terms of motives, if he would ever raise such an issue at all? Would Mill regard sympathy as a threat on individuality, like Rawls? Would he think that a balance between altruism and egoism naturally leads to the difference principle rather than to utility? Would it be necessary for Mill to abandon his utilitarian theoretical framework, as Rawls assumes, in order to account for individuality and the unity of human species? Although, it is not easy to give conclusive answers to such questions, an attempt to deal with them can help us to access the limitations of Rawls' interpretation.

### Utility above or through secondary principles

Mill primarily considers utility as a criterion of right and wrong<sup>45</sup> and not something that can easily be directly employed as a practical guide of behaviour. This does not mean that utility cannot be a motive or one among human motives, as Rawls assumes to be the case for Mill. However, as it is clear from his refutation of intuitionism, Mill insists that utility works through secondary practical rules and explains their normative significance. Utility for Mill is, in its broad signification, the only way for advancing rational arguments concerning practical principles.

Given this, one might wonder whether a fruitful comparison can be made at the level of human motivation between the difference principle and utility, since the two ideas play considerably different role in the respective theories. Mill says:

It is when two or more of the secondary principles conflict, that a direct appeal to some first principle becomes necessary; and then commences the practical importance of the utilitarian controversy; which is in other respects, a question of arrangement and logical subordination rather than of practice; important principally in a purely scientific point of view, for the sake of the systematic unity and coherency of ethical philosophy.<sup>46</sup>

Rawls invokes this view of Mill in relation to the priority problem delineated above, but he ignores its significance in discussing the superiority of the difference principle over utility. Moreover, Mill's way of comparing principles does not support Rawls' conclusions. For example, in *Utilitarianism* Mill refers to something close to the difference principle (although Rawls does not have this passage in mind) in the context of dealing with conflicting intuitions of justice. The idea, for example, that "society is bound in justice rather to make compensation to the less favoured, for this unmerited inequality of advantages, than to aggravate it"<sup>47</sup> is indeed very reminiscent of the difference principle. However, Mill opposes this idea to desert and labour efficiency, but not to utility.<sup>48</sup> Utility stands above the level of conflicting prima-facie principles of justice. Admitting a strong case for each of those alternative intuitions, Mill concludes that the "choice between them, on the grounds of justice, must be perfectly arbitrary. Social Utility alone can decide the preference."<sup>49</sup> Thus, even when Mill explicitly considers a rule which dictates that priority should be given to individuals inhabiting the worst-off position (i.e. the difference principle in the Rawlsian terminology), utility simply does not show up among its conflicting alternatives.

Further, even when utility operates as a substantial value, Mill insists on its complex character, since it cannot be achieved but through the operation and combination of intermediary practical guiding principles.

We think utility, or happiness, much too complex and 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[.]<sup>50</sup>

Those who adopt utility as a standard can seldom apply it truly except through the secondary principles; those who reject it, generally do no more than erect those secondary principles into first principles.<sup>51</sup>

On the face of it, Mill would probably regard the difference principle as a common-sense principle of much usefulness in certain historical conditions, rather than as a genuine opponent to utility.

### Sympathy and the interests of the self

Let us now consider Rawls' comment about what the compromise of altruism and the "claims of the self" entails. While he distinguishes clearly individualism and egoism (*Theory of Justice* §23), there is an ambiguity in his pronouncements as to whether the interests *of* the self are equivalent to the interests *in* the self. Setting this ambiguity aside, even if the claims of the self are tantamount to self-regarding interest (so that the distinction with altruism be clear-cut), it is still not obvious why the balance of altruism and self-interest leads to the difference principle rather than to utility – assuming both of them are guiding principles. The perfect altruist, at least as described by Hume, would rationally prefer the destruction of himself, if that was necessary even for a minor good to be received by others; while the perfect egoist would prefer the destruction of the world to his own minor injury. Thus, the balance between the claims of the egoist and the altruist seems to require that the agent himself is able to give equal weight to equal amounts of good – no matter whose good it happens to be – and not to press his claims against others irrespective of their weight.<sup>52</sup> But this rationale would lead to a utilitarian interpretation of equality rather than to the difference principle. Rawls, of course, does not accept that there is room for equality in utilitarianism as a matter of principle.<sup>53</sup> Bentham's dictum that "every one should count for one" is "doing justice to pleasures" and not to individuals, and Mill rightly interpreted it as part of the meaning of utility and not as establishing *ex ante* individual rights to happiness.<sup>54</sup> But this leaves open a thorny problem that Rawls copiously tries to face; namely, on what basis the affinity between the institutions of his own and Mill's well-ordered society can be established, since both have equality as their cornerstone.<sup>55</sup> I shall not pursue that issue here, but I shall be concerned with the balance between sympathy and self-interest, which is also crucial to Rawls' interpretation.

Taken in isolation, the difference principle is a form of prioritarianism that responds better than utility to the "urgency" of claims, but

also it can notoriously lead to irrational sacrifice of amounts of good. On the other hand, on certain assumptions, utility, the difference principle and equality can coincide, but neither of the first two principles is closer to equality as such. However, Rawls insists that the difference between these principles would emerge when it is allowed to aggregate the interests of many, producing a strong collective claim that overrides a still strong, but a bit less strong, individual claim. Rawls cautions that we should not trust the law of diminishing marginal utility in such cases but ensure that the principles guaranteeing the separateness of individuals are applied. He assumes that utilitarianism somehow must resort to direct aggregation of goods across individual boundaries. It is at this point that his claim about the sympathetic and generous heart of the impartial spectator conflating the distinctness of persons becomes vital. In other words, utilitarian altruism is incompatible with genuine individualism. For that reason Rawls tries to reduce the impact of sympathy.

Rawls' teleological conception of utilitarianism as an inherently aggregative doctrine and inimical to individuality is far removed from the way in which Mill understands his theory.<sup>56</sup> Actually almost everything Mill says about individual perfection and human progress – let alone his famous formulations in *On Liberty* – would not make any sense along the lines of utilitarianism as conceived by Rawls and expressed in his mainstream interpretation, leaving no room for personhood and reflection. When Rawls stumbles upon certain statements by Mill, which do not conform to Rawls' own interpretation of classical utilitarianism, he typically believes that Mill simply has somehow confusedly abandoned utilitarianism. It does not occur to him that Mill might have understood *ab initio* differently than Rawls what commitment to utilitarianism entails. Actually, Mill *systematically* links ideas which Rawls would think as contradictory. It is implausible to reduce such a firm stance to a mere confusion,<sup>57</sup> rather than to regard it as a deliberate attempt to articulate a different, coherent on its own terms, theoretical framework.

For example, Mill does not see any contradiction in rejecting aggregation and invoking, in the very same context, the notion of sympathy:

A morality grounded on large and wise views of the good of the whole, *neither sacrificing the individual to the aggregate nor the aggregate to the individual*, but giving to duty on the one hand and to freedom and spontaneity on the other their proper province, would *derive its*

*power in the superior natures from sympathy and benevolence and the passion for ideal excellence[.]*<sup>58</sup>

This is an incomprehensible combination of ideas in Rawlsian terms. Further, Mill connects the modern regeneration of justice with sympathy, in a way that reverses the Rawlsian priorities:

We are entering into an order of things in which justice will again be the primary virtue; grounded as before [i.e. in the ancient republics] on equal, but now also on sympathetic association, having its root *no longer in the instinct of equals for self-protection*, but in a cultivated sympathy between them; and no one being now left out[.]<sup>59</sup>

Obviously here sympathy – and not self-protection – signifies an advancement of civilization in terms of justice. Rawls employs the motive of sympathy to capture the device of the ideal spectator that transcends individual boundaries, in order to explain the sacrifice of separate persons to the collective good. He therefore attributes to Mill the contractarian view of reciprocity by playing down the role of sympathy and upgrading the significance of self-interest. However, Mill does not view the collective good in opposition to distributive claims.<sup>60</sup> Accordingly, his references to the impartial spectator do not reveal something close to Rawls' concern about conflating persons. On the contrary, the distinctness of individuals is presupposed. Thus Mill says: "As between his own happiness and that of others, utilitarianism requires him to be as strictly impartial as a disinterested and benevolent spectator." Then Mill invokes the golden rule of Jesus – requiring one to "do as one would be done by" – as reflecting the "complete spirit of the ethics of utility."<sup>61</sup> Without assuming the distinctness of persons the reference to the golden rule does not make any sense at all. Contrary to the Rawlsian approach, Mill explicitly links the impartial spectator with reciprocity – which is implied in the very rationale of the golden rule – and the "complete spirit" of utilitarian ethics.<sup>62</sup>

Mill no doubt places emphasis on security and takes self-interest as an observable rudimentary fact of human nature that cannot and must not be ignored. On the other hand, since he is not worried that sympathetic identification with the general good might be taken to entail the conflation of individuals, is not under pressure to upgrade the interest of the self at the expense of sympathy, as Rawls suggests. Mill criticizes virulently the idea that "all virtue is self-interest," "one of the crotchets of the philosophy of the age," a doctrine adopted by the Church at

the expense of the real spirit of Christianity which requires "loving and practising good from pure love, simply because it is good."<sup>63</sup> He further stresses the role of sympathy and imagination at the expense of self-interest, through which one can partake in the long-term interests of humanity that surpass him as a living being.<sup>64</sup> No doubt "selfishness is natural," but "sympathy is natural also" and on the latter "important fact rests the possibility of any cultivation of goodness and nobleness, and the hope of their *ultimate entire ascendancy*."<sup>65</sup> Mill credits the "unselfish part" as a source of "moral feelings."<sup>66</sup> He even associates sympathy with the stability of a community, the sense of fellow feeling, and the elimination of racial or ethnic segregation.<sup>67</sup> Moreover, Mill believes that the identification of the self with other-regarding goods can constitute individual happiness.<sup>68</sup>

The natural extension of this "utilitarian" conception is Mill's idea that every individual is going "to desire for himself only those things in the benefits of which others are included," which Rawls associates with the difference principle. Propagating the "disinterested" "religion of humanity," Mill maintains that it "carries the thoughts and feelings out of the self, and fixes them on an unselfish object, loved and pursued as an end for its own sake."<sup>69</sup> He contends that under the spell of this kind of social religion "a sense of *unity with mankind*, and a deep feeling for the general good, may be cultivated into a sentiment and a principle capable of fulfilling every important function of religion."<sup>70</sup> Interestingly enough, after the very lines in *Utilitarianism* on which Rawls draws to establish the similarity between Mill's view and the difference principle, Mill links the "feeling of unity" with our fellows to such a kind of "religion" that has the "ultimate sanction for the Happiness morality."<sup>71</sup>

Mill hopes that the drive of self-interest will be mitigated by appropriate character cultivation in a more advanced stage of civilization. He also suggests that the public good might require the suppression not only of individual egoism but also of class partialities.<sup>72</sup> Cultivation might hopefully foster a better second nature, less egoistic and short-sighted.<sup>73</sup> At one point he goes so far as to affirm the role of intelligence alone as being sufficient for everyone to apprehend "a community of interest between himself and the human society of which he forms a part."<sup>74</sup> Mill complains for the lack of "public spirit" during his times, while "[h]istory bears witness to the success with which large bodies of human beings may be trained to feel the public interest their own."<sup>75</sup> This suggests that the public interest gives content to what is to be appropriately regarded by the *cultivated individual himself* as his own interest.<sup>76</sup> It means that the individual interest should not be exclusively

self-regarding, which is a very narrow-minded view, without any hint about the fusion of individual boundaries.

Therefore, according to Mill, the identification with others and the general good instead of thwarting the self simply leads to a better self. There is no point to suppress the operation of sympathy, as it simply broadens the visions of the self, and is the distinctive feature of suitably cultivated and developed human character. At the same time, nowhere in the relevant discussions – either when Mill talks about the public good, or the superiority of sympathetic identification with others as opposed to the short-sightedness of self-interest – figures something close to the Rawlsian view of extinguishing individuality, merging it into a shapeless totality. On the other hand, given that Rawls considers the sacrifice of individuals to the sum of collective benefits as the essence of utilitarianism, when he observes Mill to resent social inequalities which allow to “disregard” the happiness of “portions of mankind,”<sup>77</sup> he naturally thinks that utilitarianism cannot inform Mill’s conception. Instead, Rawls believes that Mill must have implicitly appealed to a principle of justice like his own, according to which our claims should not be “neglected or overridden for the sake of a larger sum of benefits.”<sup>78</sup> However, Mill could not understand his utilitarianism in those terms, so as to have reason to abandon it in order to be able to make his points.

Now let us go back to Rawls’ statement of his own view. To the extent that the boundaries separating individuals are secure, there is ample space for altruistic attitudes:

It would be a *mistake*, however, to *emphasize the perspective of one feeling more than the other* in the complete moral conception. For the theory of right and justice is founded on the notion of reciprocity which reconciles the points of view of the self and of others as equal moral persons. This reciprocity has the consequence that both perspectives characterize moral thought and feeling, usually in roughly even measure. *Neither concern for others nor for self has priority*, for all are equal; and the balance between persons is given by the principles of justice. And where this balance moves to one side, as with the moralities of supererogation, it does so from the election of self, which freely takes on the larger part.<sup>79</sup>

This passage, despite the contractarian language, can easily be read as an explanation of the unity of our species according to the utilitarian formula of equality, in the way Mill would understand it. What is required is to abandon the conception of individual as a mere locus of

the good, which suits an administrative conception of utilitarianism, an idea, however, that Rawls, Amartya Sen, and others, but definitely not Mill, have forced upon utilitarianism.

### Difference principle as reciprocity

Let me now consider closer the difference principle as an expression of reciprocity. Rawls' exposition here is interesting. He says that Mill partially belongs to the rationalist tradition, according to which reciprocity is a source of social feelings. Rawls believes that altruism backfires. Although it does not lead to the emptiness of the self – as the morality of authority, for example, does – at any rate, it tends to undermine self-esteem and at the end “weakens the capacity for sympathy and distorts the development of affective ties.”<sup>80</sup> Therefore, while at first it seems that utilitarian benevolence is built on genuine altruism, Rawls contends that this conception becomes unstable and corrosive of permanent affection to others. Requiring from one to fully identify with the good of others at the expense of one's own good transcends the ability of human nature.<sup>81</sup> In contrast, Rawls argues that according to the principles of justice, concern for our good by others is “unconditional,”<sup>82</sup> which presumably means that it does not depend upon the calculus of social benefit. However, it still sounds peculiar (given the exposition in *Theory of Justice* §17, etc.) to maintain that the principle of reciprocity, which – unlike utilitarianism – motivates justice as fairness, entails an *unconditional* concern for individual good. It is the Rawlsian view, and not utility, that supposes that one has concern for the good of others only *on condition* that they care for his own good. Rawls misrepresents the case or at least overstates his point in his attempt to entrench his anti-utilitarian stance and make the individual good not dependent on calculations of overall welfare. The difference principle is reciprocal exactly because it is conditional. In this respect, it is sympathy that appears to be unconditional. Indeed, in §75 Rawls admits that “even the sense of justice, arises from the manifest intention of other persons to act for our good. *Because* we recognize that they wish us well, we care for their well-being *in return*.”<sup>83</sup> That is to say, we care for others on condition that they care for us.

Rawls' argument (preceding his remark on Mill about the idea of unity of humanity) rests on the idea that reciprocity underlies a broad variety of sentiments, ranging from the sense of justice and sociability to fraternity and love. This could not reasonably mean that one cannot genuinely love another person, if one is not himself the object of love.



In other words, reciprocity may be less important for generating certain feelings, but may have an indispensable role in solidifying their presence. In the long run, one might think that the object of one's love that does not reciprocate does not deserve the love one bestows on him/her. Further, reciprocity as such is not enough for generating or strengthening social sentiments. For example, if individuals are motivated by self-regarding reasons, they can perfectly respond to each others' conduct on a fully reciprocal basis. This does not mean that one will acquire in the long run stronger social motives, other than those required for upholding instrumental beneficial mutual exchanges. Since reciprocity as such can be compatible with mutually self-interested bargaining, it is hardly obvious how it alone tends to solidify strong social bonds or foster fraternity. Sympathy may require too much and it may be rare.<sup>84</sup> But it is one thing for a principle to be too demanding (i.e. sympathy) and quite another to present the less demanding principle (i.e. reciprocity) as a more genuine moral principle, as Rawls tries to do. Of course, Rawls would reject an egoistic implication of the principle of reciprocity, but Mill also would reject a "course of life on the plan of paying no regard to others except so far as their own private interest compels."<sup>85</sup>

### **The difference principle and the complementary character of human nature**

So far we have seen that Rawls regards Mill as an ally in explicating the "social nature of mankind," by attributing to him the perspective of the difference principle. However, the notion of reciprocity which Rawls used in this context to arrive at the Kantian conception of contract that supports the difference principle obviously cannot work as a way of intelligibly connecting individuals across generations. Perhaps this can explain the different direction that Rawls' argument takes when placing the difference principle in a historically more sensitive setting. The notion of reciprocity is shadowed in this context and an image of individuals achieving their potentialities through others emerges, expressing an idea of deep social dependence and historical continuity. One would expect Mill to figure as an ally of Rawls here too,<sup>86</sup> but instead he is rather an opponent this time. According to this strand of Rawls' argument, Mill's view of the person is over-individualistic and less socially dependant than his own.

Commenting on the idea of social union Rawls follows Wilhelm von Humboldt, who – as it is well known – also inspired Mill, and observes that:

it is through social union founded upon the needs and potentialities of its members that each person can participate in the total sum of the realized natural assets of the others. We are led to the notion of the community of humankind the members of which enjoy one another's excellences and individuality elicited by free institutions, and they recognize the good of each as an element in the complete activity the whole scheme of which is consented to and gives pleasure to all.<sup>87</sup>

He extends this argument to the complementary contribution of each generation in human history. Rawls contends that his own (and Humboldt's) conception is similar to the Kantian view as this is expounded in the "Idea for a Universal History," noticing that it is rather strange that the issue is completely ignored by Friedrich Schiller and the romantics. He continues by explicitly differentiating himself from Karl Marx and Mill on the grounds that they both present a less socially dependent view of humans than his own. He says that "it is important not to confuse the idea of social union with the high value put upon human diversity and individuality, as found in Mill's *On Liberty*, ch. III."<sup>88</sup> Rawls borrows this image from Humboldt, so as to set out the interpersonally complementary character of human nature, which Mill is said to underestimate. "It is a feature of human sociability that we are by ourselves but parts of what we might be. We must look to others to attain the excellences that we must leave aside, or lack altogether."<sup>89</sup>

Rawls considers two alternatives. Either that individuals rarely possess similar powers, in which case they achieve "by a coordination of activities among peers [namely, as a group] the same totality of capacities latent in each," or that their powers are different and complementary and they "express the sum of potentialities of the membership as a whole in activities that are intrinsically good and not merely cooperation for social or economic gain."<sup>90</sup> Obviously the most reasonable assumption is the second alternative. It is interesting to compare this statement with the view articulated in earlier parts of *Theory of Justice*, where the idea of cooperation for the socioeconomic gain of each member is an appropriate way to arrive at the difference principle. But here Rawls speaks explicitly of the intrinsic value of arriving at completion through others, who realize aspects of ourselves destined to remain mere uncultivated potentialities for us. Society does not provide a mere opportunity to achieve atomic perfection through cultivating the diversity of individuality, a view that Rawls attributes to Mill. Rawls points to the fact that in *On Liberty* Mill conceives of human flourishing as

an individual achievement (under favourable social circumstances) in relative isolation from others, an approach which underestimates the social dependence between humans and the generic incompleteness of human individuality. If this is true, then Mill's account of the unity of human species (which previously was presented as the link with the difference principle) is defective, only this time it is because of Mill's untrammelled individualism. However, even in *On Liberty*, Mill invokes ideals which Rawls associates with Humboldt and Kant, but not with Mill. For example, Mill says that diversity strengthens "the tie which binds every individual to the race" and that "[i]n proportion to the development of his individuality, each person becomes more valuable to himself, and is therefore capable of being more valuable to others."<sup>91</sup> Even more explicitly, he observes that "the unlikeness of one person to another is generally the first thing which draws the attention of either to the imperfection of his own type, and the superiority of another, or the possibility, by combining the advantages of both, of producing something better than either."<sup>92</sup>

## Conclusion

Let us sum up. Rawls implicitly extended to Mill his interpretation of utilitarianism which he mainly derived from welfare economics. Then, in order to account for some notable similarities with his own views, he attributed to Mill confusion or betrayal of utilitarianism. But Rawls' conception of utility seems quite alien to Mill's own understanding. Rawls does not consider seriously the possibility that Mill might have articulated an alternative path within his own utilitarian normative framework, which could lead to some shared ideals with Rawls so far as the relation of individual and society is concerned. In this context, I have tried to bring out some interesting tensions within Rawls' view of Mill: Mill as a mainstream utilitarian espouses a monistic conception of value, but as a qualitative hedonist he appears to endorse a constrained pluralist theory of value, in a sense structurally similar to that of Rawls. Rawls allows for a good-based justification of incommensurability as part of Mill's conception of qualitative pleasures, whilst disallowing for a similar good-based grounding of the significance Mill attached to security and justice. Similarly, trapped within his own mainstream interpretation of classical utilitarianism, Rawls seems to be thinking of self-interest as a vital component of the sentiment of justice, because he worries that an exclusive appeal to sympathy would inevitably lead to the concept of the impartial spectator, whose generosity renders any

distinction between persons irrelevant. Thus, while Rawls undervalues the role of sympathy in Mill's thought, Mill himself, instead of viewing it as a threat to individuality, time and again associates it with the enrichment of individual distinct selves. Further, Rawls invokes the idea of unity of human species for two rather conflicting images. On the one hand, herein Rawls locates the evidence of Mill's endorsement of a contractarian argument leading to the difference principle, which is based on reciprocity giving birth to social concerns and fellow feeling. On the other hand, Rawls attributes to Mill an inadequate conception of the unity of human species, because the latter fails to capture the complementary aspect and social interdependence of humans owing to his supposedly extreme individualism.

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## Notes

1. Rawls, "Two Concepts of Rules," in Rawls (1999a: 26n11).
2. Rawls (2007: 174, 180).
3. Ibid.: 186, 375.
4. "Hume often emphasizes that *every* man must benefit" ("Justice as Fairness," in Rawls (1999a: 51n5); see also "Justice as Reciprocity," *ibid.*: 196n4).
5. See especially the connection with Sidgwick (Rawls, 2007: 257; see also pp. 272, xvii, 159, 163).
6. He distinguishes the tradition of "utilitarians from Hume to Sidgwick" from the "other tradition of moral learning [that] derives from rationalist thought and is illustrated by Rousseau and Kant, and sometimes by J. S. Mill" (Rawls, 1971: 458–9).
7. "[T]he comprehensive liberalism of Kant and Mill" (Rawls, 1993: 156; also pp. 191, 194, 198); "except that for Mill's view we substitute the utilitarianism of Bentham and Sidgwick" (*ibid.*: 169); "A society united on a form of utilitarianism, or on the moral views of Kant or Mill" (*ibid.*: 34); "Thus if the principle of equal liberty is commonly associated with Kant [...] it may be claimed that it can also be found in J. S. Mill's *On Liberty* and elsewhere" ("Justice as Fairness," in Rawls (1999a: 48–9n2); also "Justice as Reciprocity," *ibid.*: 19n3; Rawls (2007: 274, 295, 305)).
8. Rawls (1993: 303–4 and fn 18; see also p. 197n32).
9. See "Justice as Fairness," in Rawls (1999a: 50–1).
10. See "Two Concepts of Rules," *ibid.*: 45.
11. Rawls (2007: 267; also p. 297).
12. "Or more safely, it is the supreme principle of his account of moral right and wrong, and of political and social justice" (*ibid.*: 300); "The result is that only

certain kinds of reasons – only certain kind of utilities – are appropriate to invoke in Mill's form of public reason" (ibid.: 293).

13. Ibid.: 269, 289. Consider also pp. 293, 311, 375.
14. Ibid.: 269n6.
15. Ibid.: 280.
16. See especially ibid.: 388–92, 396–409.
17. Ibid.: 375, 378.
18. Ibid.: 378, 397. See also pp. 162, 176–7, 254.
19. "Thus it is easy to see why the idea of there being a single dominant end (as opposed to an inclusive end) at which it is rational to aim is highly appealing. For if there exists such an end to which all other ends are subordinate, then presumably all desires, insofar as they are rational, admit of an analysis which shows the counting principles to apply. The procedure for making a rational choice, and the conception of such a choice, would then be perfectly clear: deliberation would always concern means to ends, all lesser ends in turn being ordered as means to one single dominant end. The many finite chains of reasons eventually converge and meet at same point. Hence a rational decision is always in principle possible, since only difficulties of computation and lack of information remain" (Rawls, 1971: 552).
20. "Human good is heterogeneous because the aims of the self are heterogeneous. Although to subordinate all our aims to one end does not strictly speaking violate the principles of rational choice (not the counting principles anyway), it still strikes us as irrational, or more likely as mad. The self is disfigured and put in the service of one of its ends for the sake of system" (ibid.: 554).
21. Ibid.: 304; see also Rawls (2007: 384–5), and especially p. 390, where he discusses classical utilitarianism.
22. Rawls (1971: 305). "The criticism of teleological theories cannot fruitfully proceed piecemeal. We must attempt to construct another kind of view which has the same virtues of clarity and system but which yields a more discriminating interpretation of our moral sensibilities" (ibid.: 586–7; cf. Mill's understanding of "Teleology, of the Doctrine of Ends," in J.S. Mill, *A System of Logic* (1843), CW, VIII.949–52).
23. Rawls (1971: 42).
24. Ibid.: 42n23; J.S. Mill (1998, Ch. II, §6–8).
25. Rawls (1971: 43n23); cf. his comments about the dignity of pleasures in Rawls (2007: 264–5).
26. Actually the idea of rights as trumps presupposes that a *prima facie* accepted policy is constrained by a superior principle; it does not entail that the policy is of no value. Cf. Rawls' comment that Dworkin's distinction between matters of principle and matters of policy is anticipated by Mill, in Rawls (2007: 276).
27. In the revised edition of *Theory of Justice* (1999b), 476 and fn.13 Rawls observes: "Thus the persons in the original position are moved by a certain hierarchy of interests. They must first secure their highest-order interest and fundamental aims [...] and this fact is reflected in the precedence they give to liberty [...] But once the required social conditions and level of satisfaction of needs and material wants is attained, as they are in a well-ordered

society under favorable circumstances, the higher-order interests are regulative from then on. Indeed, as Mill supposed, these interests become more intense as the situation of society enables them to be expressed effectively, so that eventually they are regulative and reveal their prior place." At this point Rawls adds in the footnote: "See J. S. Mill, *Principles of Political Economy*, ed. by W.S. Ashley (London, Longmans Green, 1909), p. 210. The reference is to the first part of the last paragraph of §3 ch. 1 of bk. II. *If we read this passage to imply the notion of a hierarchy of interests, which leads to a lexical ordering* [my emphasis], the view I express in the text is essentially Mill's. His contention here fits the passage in *Utilitarianism*, ch. II, pars. 6–8, which was cited along with other references in footnote 23 of ch. I." Footnote 23 is exactly the place where Rawls links Mill's view of hedonism to lexical ordering. See Rawls (1971: 42–3) and p. 38 of the revised edition.

28. Rawls (2007: 263; also p. 264).
29. *Ibid.*: 259, 263.
30. "[A] way of life – which includes in due degree and variety a suitable place for both the higher and the lower pleasures, that is, a suitable place for the exercise of both the higher and the lower faculties in an appropriate ordering of enjoyable activities" (*ibid.*: 259).
31. *Ibid.*: 261–2.
32. Something that Rawls concedes, for in the relevant context he claims that Mill "adopts, in effect, a choice criterion of value" (Rawls, 1971: 209). "The decided preference arrived at must not be influenced by a sense of moral obligation" (Rawls, 2007: 260).
33. Mill (1998: 98, V. §25, lines 10–15).
34. *Ibid.* lines 24–8 (my emphasis). "It appears from what has been said, that justice is a name for certain moral requirements, which, regarded collectively, stand higher in the scale of social utility, and are therefore of more paramount obligation, than any others" (*ibid.*: 106, V. §37, lines 1–5).
35. However, in his *Lectures on the History of Political Philosophy*, Rawls fosters a strong link between Mill's moral rights and his view about "the essentials of human well-being" (Rawls, 2007: 275–7, 301). But he thinks that a good-based justification of rights is inadequate. He wonders how Mill could be so confident that rights would consistently promote in the long run the maximization of utility, and seeks to provide a plausible answer drawing on Mill's conception of psychology and the permanent interests of human beings (*ibid.*: 279, 294–5, 300).
36. An issue which he raises, but does not pursue further, see *ibid.*: 282n14.
37. Rawls has in mind here the classical utilitarianism as expressed by Bentham and Sidgwick, see "Justice as Reciprocity," in Rawls (1999a: 192); "the fundamental idea in the concept of justice is fairness [...] this aspect of justice for which utilitarianism, in its classical form, is unable to account" ("Justice as Fairness," *ibid.*: 47).
38. Cf. his comment on Hume and its relation to classical utilitarianism in Rawls (2007: 186, 375).
39. Rawls (1971: 499–500).
40. *Ibid.*: 502; see also "Distributive Justice: Some Addenda," in Rawls (1999a: 172); Rawls (2007: 282–3).

41. Rawls (1971: 502); cf. "the point of view of the judicious spectator is our *principle of humanity*, or fellow-feeling" (reference made in relation to Hume), Rawls (2007: 186).
42. "It might seem as if J. S. Mill, in paragraph 36 of chapter 5 of *Utilitarianism*, expressed the utilitarian principle in this modified form, but in the remaining two paragraphs of the chapter, and elsewhere, he would appear not to grasp the significance of the change" ("Justice as Fairness," in Rawls (1999a: 51n5); see also "Justice as Reciprocity," *ibid.*: 196n4).
43. "And this conclusion is borne out by Mill's account of the roots of the sense of justice, for he believes that this sentiment arises not only from sympathy but also from the natural instinct of self-protection and the desire for security. [He cites *Utilitarianism*, Ch. V §16–25] This double origin suggests that, in his view, justice strikes a balance between altruism and the claims of self and therefore involves a notion of reciprocity" (Rawls, 1971: 502).
44. Cf. Singer (1977: 146).
45. E.g.: "He committed the error which is often, but falsely, charged against the whole class of utilitarian moralists; he required that the test of conduct should also be the exclusive motive to it" (J.S. Mill, *Auguste Comte and Positivism* (1865), *CW*, X.335); "This is utility – this is pleasure and pain. When real reasons are wanted, the repudiated happiness-principle is always the resource" ("Whewell on Moral Philosophy" (1852), *CW*, X.192).
46. J.S. Mill, "Bentham" (1838), *CW*, X.111; see also "Blakey's History of Moral Science" (1833), *CW*, X.29; Mill (1998: 72, II §25, lines 35–6); *Logic*, *CW*, VIII.951.
47. J.S. Mill (1998: 101, V §30, lines 10–11). Another formulation of it ("others think it just that those should receive most whose needs are greatest") is similarly opposed to exact equality or to remuneration according to contribution, see *ibid.*: 91, V §9, lines 24–7.
48. Moreover, Mill does not link here efficiency to utility, as Rawls typically does.
49. J.S. Mill (1998: 102, V §30, lines 23–5; see also p. 99, V §28, lines 12–15).
50. J.S. Mill, "Bentham," *CW*: X.110; see also "Sedgwick's Discourse" (1835), *CW*, X.64; "Whewell on Moral Philosophy," *CW*: X.172–3, 192–3; "And as that end (the *general good*) is a *very complex* state of things, comprising as its component elements many requisites which are *neither of one and the same nature*, nor attainable by one the same means" ("Coleridge" (1840), *CW*, X.154 – my emphasis).
51. J.S. Mill, "Bentham," *CW*, X.111; "It is a strange notion that the acknowledgment of a first principle is inconsistent with the admission of secondary ones." "Whatever we adopt as the fundamental principle of morality, we require subordinate principles to apply it by" (Mill, 1998: 70, 71, II §24, lines 36–8, 52–3).
52. See Broad (1934: 240–1).
53. E.g.: "the principle of utility puts no weight at all on *equality* (in the sense of an equal distribution of utility): the only thing that counts is *total utility*" (Rawls, 2007: 392).
54. *Ibid.*: 279.
55. E.g. *ibid.*: 305.
56. Note also the shift in Rawls' wording in statements concerning the notion of aggregation and Mill's view of utility in *ibid.*: 277, 278, 299, 308.

57. This is perhaps an overstatement in the light of what Rawls says about Mill in his *Lectures* (Rawls, 2007: 268, 270).
58. J.S. Mill, *Three Essays on Religion* (1874), *CW*, X.421 (the emphasis is mine). Notice again, that, while rejecting the conflation of individuals, Mill links the cultivation of "benevolent affections" to "the habitual wish" in everybody "to share" his enjoyments "with others," and to "scorning to desire anything for oneself which is incapable of being so shared" (J.S. Mill, *Auguste Comte and Positivism*, *CW*, X.339). Needless to say that the last sentence is equivalent to the motive upholding the different principle, according to Rawls.
59. J.S. Mill, *The Subjection of Women* (1869), *CW*, XXI.294. Note that a few lines below he adds that the "true virtue of human beings is fitness to live together as equals; *claiming nothing for themselves but what they as freely concede to every one else*" (my emphasis in both passages).
60. E.g.: "[I]t will always be necessary to convince them that the exclusive appropriation is good for mankind on the whole, themselves included" (J.S. Mill, *Principles of Political Economy* (1848), *CW*, II.230); "May it not be the fact that *mankind, who after all are made up of single human beings*, obtain a greater sum of happiness when each pursues his own, under rules and conditions required by the good of the rest, than when each makes the good of the rest his only object, and allows himself no personal pleasures not indispensable to the preservation of this faculties?" (*Auguste Comte and Positivism*, *CW*, X.337 – my emphasis); "the notion of a happiness for all, procured by the self-sacrifice of each [...] is a contradiction" (ibid.: 338); "They are also familiar with the fact of co-operating with others, and proposing to themselves a collective, not an individual interest, as the aim [...] of their actions. So long as they are co-operating, their ends are identified with those of others; there is at least a temporary feeling that the interests of others are their own interests" (Mill, 1998: 78, III §10, lines 27–32).
61. J.S. Mill (1998: 64, II §18, lines 4–9). Another reference to "sympathising spectator" in an individualistic context is in ibid.: 104, V §34, lines 18–23: "Few hurts which human beings can sustain are greater, and none wound more, than when that on which they habitually and with full assurance relied, fails them in the hour of need; and few wrongs are greater than this mere withholding of good; none excite more resentment, either in the person suffering, or in a sympathizing spectator."
62. Moreover, the whole discussion of justice and its relation to utility presupposes the concept of individuality, e.g.: "There is involved, in addition, the conception of some definite person who suffers by the infringement" (J.S. Mill, 1998: 97, V §23, lines 4–5); "a hurt to some assignable person or persons" (ibid.: §24, lines 4–5; see also p. 94, V §15, lines 29–30 and p. 95, §18). See also Rawls (2007: 274). See further Fred Rosen's emphasis on individuality in Bentham's theory in dealing with Rawls' challenge (Rosen, 1983: 104–5, 51).
63. J.S. Mill, "Coleridge," *CW*, X.145.
64. J.S. Mill, *Principles of Political Economy*, *CW*, II.327; *Three Essays on Religion*, *CW*, X.420; see also Mill (1998: 61, II §13, lines 19–25). Cf. Rawls' pronouncements in the last section below.



65. J.S. Mill, *Three Essays on Religion*, CW, X.394 (my emphasis). Mill thinks that the influence of self-interested motives has been exaggerated, for example, cf. *Logic*, CW, VIII.891, 906.
66. J.S. Mill, "Sedgwick's Discourse," CW, X. 69 (cf.: *ibid.*: 59, 61); "what is moral is, the exclusive subordination of it [the feeling of retaliation] to the social sympathies"; "but when moralized by the social feeling, it only acts in the directions conformable to the general good" (J.S. Mill, 1998: 96, V §21, lines 6, 9–10).
67. "We mean a principle of sympathy, not of hostility; of union, not of separation. We mean a feeling of common interest among those who live under the same government [...] and do not desire selfishly to free themselves from their share of any common inconvenience by severing the connexion" (J.S. Mill, "Coleridge," CW, X.135). Consider also his reference to "ideal sympathy" vs. the "miserable smallness of mere self in the face of this great universe" (J.S. Mill, *The Subjection of Women*, CW, XXI.254; see also pp. 254, 293, 324).
68. See e.g. J.S. Mill, "Whewell on Moral Philosophy," CW, X.184n.
69. J.S. Mill, *Three Essays on Religion*, CW, X.422.
70. *Ibid.* (my emphasis).
71. J.S. Mill (1998: 78–9, III §10, lines 55–63).
72. Note the strong link between sympathetic identification and cultivation as a way of overcoming wider notions of selfishness such as class interest (J.S. Mill, *Three Essays on Religion*, CW, X.394. See also "Whewell on Moral Philosophy," CW: X. 186; "Bentham," CW, X.110; "De Tocqueville on Democracy in America II" (1840), CW, XVIII.181 and "De Tocqueville on Democracy in America I" (1835), CW, XVIII.71. See especially his reference to the "tie of sympathy" in J.S. Mill, "Rationale of Representation" (1835), CW, XVIII.26).
73. "[S]elf regarding virtues [...] might be supposed to be congenial even to the uncultivated mind" (J.S. Mill, *Three Essays on Religion*, CW, X.394); "Further, as the strongest propensities of uncultivated or half-cultivated human nature (being the purely selfish ones, and those of a sympathetic character which partake most of the nature of selfishness) evidently tend in themselves to dis-unite mankind, not to unite them, –to make them rivals, not confederates" (J.S. Mill, *Logic*, CW, VIII.926).
74. J.S. Mill (1998: 96, V §20, lines 10–15); cf.: "Next to selfishness, the principal cause which makes life unsatisfactory, is want of mental cultivation" (*ibid.*: 61, II §13, lines 25–6).
75. J.S. Mill, *Principles of Political Economy*, CW, II.205.
76. "[U]ntil he has reached that high degree of mental cultivation at which the public good [...] acquires a paramount ascendancy" (*ibid.*: 327; see also *Three Essays on Religion*, CW, X.421).
77. J.S. Mill (1998: 78, III §10, lines 50–3).
78. Rawls (1971: 499).
79. *Ibid.*: 484–5 (my emphasis).
80. *Ibid.*: 500–1.
81. *Ibid.*: 499–500.
82. *Ibid.*: 499.
83. *Ibid.*: 494 (my emphasis).
84. A "weaker and less common" inclination, see Rawls (1971: 501).

85. J.S. Mill (1998: 80, III §11, lines 31–3).
86. Consider for example statements such as the following: “And when reflection, guided by history, has taught us the intimacy of the connexion of every age of humanity with every other, making us see in the earthly destiny of mankind the playing out of a great drama, or the action of a prolonged epic, all the generations of mankind become indissolubly united into a single image, combining all the power over the mind of the idea of Posterity, with our best feelings towards the living world which surrounds us, and towards the predecessors who made us what we are” (*Auguste Comte and Positivism*, CW, X.334). Cf. Singer (1977: 145).
87. Rawls (1971: 523).
88. Ibid. 524n4. Rawls seems to have modified his view in his *Lectures on Political Philosophy*, where he stresses that Mill does not defend eccentricity and difference just for the sake of difference, see Rawls (2007: 310–11).
89. Rawls (1971: 529); “In a fully just society persons seek their good in ways peculiar to themselves, and they rely upon their associates to do things they could not have done, as well as things they might have done but did not” (ibid.: 529).
90. Ibid.: 524–5n4.
91. J.S. Mill, *On Liberty* (1859) CW, XVIII.269.
92. Ibid.: 275. There are even more remarkable passages to that effect: “[N]othing can be so little interesting to a man as his own double; but, *reciprocal superiority*. Each of us knows many things which the other knows not, & can do many things which the other values but cannot himself do, or not so well. There is also just that difference of character between us which renders us highly valuable to each other [...] We are almost as much the natural complement of one another as man and woman are” (J.S. Mill to W.B. Adams, 20 October 1832, CW, XII.123. Antis Loizides drew my attention to this passage).

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