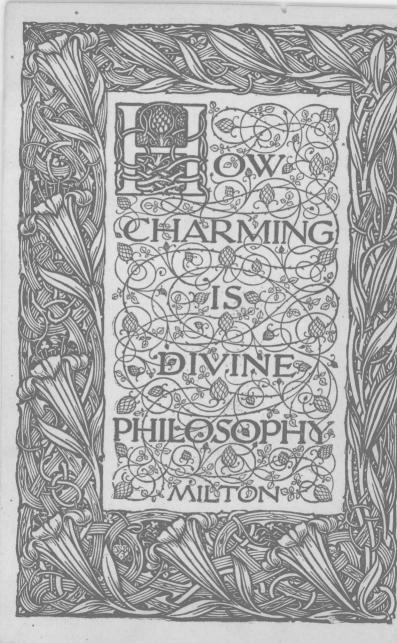


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PHILOSOPHY & THEOLOGY

UTILITARIANISM, LIBERTY, AND REPRESENTATIVE GOVERNMENT WITH AN INTRODUCTION BY A. D. LINDSAY

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INTRODUCTION

JOHN STUART MILL was born in 1806. He was brought up by his father, James Mill, and Jeremy Bentham to carry on the Utilitarian tradition, and after their death he was recognised as the leader, or at least the exponent, of the philosophical Radicals. He was appointed in 1823 to a clerkship in the India House, where finally he became head of his department in 1856. When the East India Company was abolished in 1857, he refused to accept a position under the re-constituted authority, and retired in the beginning of 1858. In 1865 he was elected Member of Parliament for Westminster, but was not re-elected in 1863. He spent the rest of his life till his death in 1873 in literary and philosophical pursuits.

Mill's position at the India House gave him considerable leisure for writing, and his total literary output was very large. But much the greater part of it consisted in reviews and articles for periodicals, mainly for the Westminster Review, and in editing Bentham's or his father's work. Of his more permanent writings, besides the three contained in this volume, the most important are his Logic, published in 1843, the Political Economy, published in 1848, the Examination of Sir William Hamilton's Philosophy, published in 1865, a treatise on The Subjection of Women, written in 1861 and published in 1869, and three posthumous essays on Nature, The Utility of Religion, and Theism.

Of the three works included in this volume, Utilitarianism, Liberty, and Considerations on Representative Government, the second is the most careful and studied expression of Mill's thought. It was planned in 1854 and revised with great care, owing much, as the dedication witnesses, to the cooperation and criticism of his wife. It was published after her death in 1859. It is justly the most famous of all his writings, and contains his most individual and characteristic doctrines. Utilitarianism, compiled from previously writteh papers, was published in Fraser's Magazine in 1861, and republished in 1863. The Considerations on Representative Government was published in 1861.

Mill was brought up in the strictest Utilitarian doctrine.

Never was such an organised and systematic attempt to fix a young mind unalterably in one mould as that stupendous plan of studies which Bentham and the elder Mill imposed upon their young hopeful. Yet in spite of it, few thinkers have been so open-minded and so sympathetic towards very varying opinions as John Stuart Mill. He fulfilled his father's hopes by carrying on the Utilitarian tradition, but, as we shall see, it was Utilitarianism with a difference. His eclecticism is both the strength and the weakness of Mill's writings-the strength because their very great popularity was largely due to the wideness of their appeal and their evident sympathy with what was best in opposing schools; the weakness because of the inconsistency and lack of real clearness of thought which so often goes with a sympathetic mind. Mill had a very great reverence for his father and for Bentham, and hardly realised how very different was the tenor of his mind from theirs. When he found that he had sympathies which they did not share, he did his best to minimise the differences. Where his reverence and loyalty were not thus engaged, he could admire and yet criticise freely. Comte, for example, exercised a great influence upon him, but Mill was always very conscious of where he and Comte differed. Could he have examined his father's and Bentham's principle as candidly, his own position would have been very differently expressed; but it was not in his nature.

In consequence we find him in all his books enunciating with firmness the Utilitarian principles, then compelled by his fairness and openness of mind to admit exceptions and insert qualifications which the older Utilitarianism, complete but narrow, had never recognised. The resultant picture is much fairer to the facts, but presents much less of a consistent doctrine, and the critical reader is always wondering why, if Mill admits this or that, he persists in maintaining general principles with which the facts admitted are clearly inconsistent. The truth is that Mill's open-mindedness was too large for the system he inherited; his power of systemmaking too small for him to construct a new one. Had Mill possessed Bentham's saving irreverence, he would have broken away from Benthamism altogether, and tried to construct a system truer to the facts which he recognised. He was both too loyal and too little systematic, and preferred, like many others in a similar case, to make the principles to which he was loyal as elastic as possible, not troubling very

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much whether he stretched them beyond what they could bear. This procedure had certainly its temporary advantages, as such procedure always has. The open and candid character of Mill's writings won many adherents to the system; but it has had in time a prejudicial effect on Mill's reputation as a philosopher. For there are two ways of interpreting his writings. The first and the more natural is to take him on his own profession as a Utilitarian in the sense in which Bentham and the older Mill were Utilitarians. If we begin in that way. Mill's very open-mindedness works his downfall. For every admission and qualification becomes an excuse to recall him relentlessly to his professed creed, and to make him an unwilling witness to its inadequacy and falsehood. Such a method has its value as a logical exercise and in an examination of the historical development of Hedonism, but it misses the real value of Mill's writings. On the other hand, if we recognise that, just because of his historical position, we cannot look for a complete systematic exposition, we may take his writings rather as pointing the way to a new philosophy than as constituting one in themselves. Philosophy may suffer as much from narrowness as from inconsistency, and it is a great mistake to undervalue those writers who, by their receptive sympathy, ensure that philosophic problems shall be stated as widely and broadly as possible. At the same time, we must not minimise the debt Mill owed to his Utilitarian predecessors or regard his professed adherence to their principles as only a mistake to be regretted. He owed to Bentham and his father a love of clearness and precision, and a distrust of vague generalities and what he called mysticism, which were of great service in his work. In all study of human activity, whether in ethics, politics, or economics, the data with which we have to deal are so manifold and complicated that we are apt either to fix upon principles which shall be clear and simple and allow the facts to shift for themselvesthat had been the mistake of Bentham in politics and of the older economists in political economy-or, when we recognise that the facts are too big for these simple theories, to give up principles altogether and take refuge in suggestive but vague words which cloud as much as they reveal, or to advocate an empiricism which shall somehow describe the facts without discerning in them any principles whatsoever. Mill keeps firmly before himself and his readers the double necessity of clear thinking and unprejudiced observation.

Whether he achieved that clearness of thought to which he attached such importance is a question on which opinions Consistency and lucidity can never be far apart, and behind the immediate clearness of Mill's style there often lurks a confusing ambiguity of thought. In this he resembles his great predecessor Locke. Locke had the same openness of mind, the same unprejudiced willingness to admit facts. achieved popularity by the apparent ease of their writing, and both have suffered from the same repeated charges of inconsistency. With both the desire for precision and their dread of anything that savoured of intuition made them reluctant to follow up the full consequences of their admissions. Locke seems the simplest of writers in a cursory reading: try to work out the implications of his thought, insist that he shall always mean the same thing by the same words, and you find his system riddled with ambiguities. It is the same with Mill. The truth is that, while words which Mill disliked, such as organism and intuition, may in some cases cover confused and cloudy thinking, they need not do so, and without these conceptions no true view of society or of knowledge is possible. We constantly find Mill being led by the facts towards an organic view of society and then pulling himself back lest he should fall into ambiguity. The only way of escape was to go right on and think out a conception of society which should be clear because really philosophic. That he never achieved though he pointed the way.

These characteristics of Mill's writings are illustrated nowhere better than in the short treatise on Utilitarianism It was published later than Liberty, but, as its scope is wider. a general sketch of Utilitarianism as a system, it deserves prior consideration. In the chapter on the meaning of Utilitarianism. Mill begins by a statement of what was practically the position of Bentham. "The creed which accepts as the foundation of morals utility, or the greatest happiness principle, holds that actions are right in proportion as they tend to promote happiness, wrong as they tend to produce the reverse of happiness. By happiness is intended pleasure and the absence of pain: by unhappiness, pain and the privation of pleasure." To the first part of this statement Mill adheres throughout, and it is the main principle which this treatise advocates: but to the second he appends so many qualifications and exceptions that its presence is only confusing. For Bentham the second part was all-important. For his system was

founded on a psychological assumption, as simple as it is unwarrantable, that pleasure or relief from pain is the sole possible object of desire or will. That implies that there is no sense in saying that you ought to desire pleasure. Every one, as a matter of psychological necessity, acts in that way which he thinks will give him most pleasure. This is the essential fact of human nature, the inherent selfishness of mankind. with which the legislator must reckon. To this was added the all-important assumption that pleasure is calculable: that there is meaning in talking of a sum or calculus of pleasures. That involves that all pleasure is qualitatively the same, for pleasures of different qualities cannot be summed. Pleasure, therefore. is an object of desire, which can be regarded in complete abstraction from the objects which produce it (pushpin is as good as poetry) and from those who feel it (each to count as one and no one to count as more than one). It is not too much to say that all those assumptions are clearly untrue. For desire is not for pleasure but for objects. We only feel pleasure when we get what we want. We must therefore want something first. That in its turn involves that we cannot separate pleasure from the objects which produce it. Only a crude psychology could suppose that pleasures were statable in "amounts" of each other. There is no meaning in talking of two sums of pleasure being the same, although the pleasures making up the two sums are entirely different. There is as little in assuming that the pleasures of different persons can be quantitatively compared: that we can regard society as an aggregate of individuals each of whom the wise and successful legislator would see to possess or enjoy an equal lot of pleasure. Now none of these three assumptions are really essential to John Stuart Mill's position. The second he explicitly denies in his well-known statement of the qualitative distinction of pleasures, which immediately follows the preliminary definition we have quoted. The third is denied in the statement, p. 9, "Better to be Socrates dissatisfied than a fool satisfied." The first is thrown over in Mill's statement of the paradox of Hedonism that, "the conscious ability to do without happiness gives the best prospect of realising such happiness as is attainable," p. 15. Within thirteen pages there is nothing left of the main principles of Benthamism. For the calculus of pleasures and self-interest are the very essence of Bentham's Utilitarianism. His is a philosophy for the legislator who is to deal with men as units capable equally of pleasure, which he, the legislator, is to put within their grasp. If the law is to be impartial, it cannot afford to deal with fine shades of qualitative difference. Its only concern is to ask whether each individual has the chance of an equal amount of pleasure; of what kind his pleasures may be is not the law's concern, provided always that the enjoyment of them does not interfere with other people. This determined narrowness and heroic simplification of the problem was a strength in a system whose object was mainly to destroy "sinister interests" and to remedy abuses. When it had to face the problem of construction its weaknesses were more apparent, and, as we shall see, John Stuart Mill came at a time when the destructive work was mainly done, and the difficulties of constructive work were beginning to reveal themselves.

If Benthamism then is given up, what is left, or what has taken its place? This will best be seen if we examine more closely Mill's qualification of pleasures and his treatment of the relation of the individual's pleasure to that of other people. Pleasures, Mill asserts, are so different in kind that any question of quantity may be disregarded. "A being of higher faculties requires more to make him happy, is capable probably of more acute suffering, and is certainly accessible to it at more points than one of an inferior type; but in spite of these liabilities, he can never really wish to sink into what he feels to be a lower grade of existence." Pleasure, then, as such, is not the good; men do not as a matter of fact simply desire pleasure. The motive that determines them to seek one pleasure rather than another is not statable in amounts of pleasure. A man will be happier in one way with less pleasure than he would be in another way with more. This is asserting a distinction between happiness and pleasure, and in doing this Mill is taking part with Aristotle against Aristippus, with Eudæmonism against Hedonism. But because he never explicitly recognises that he has committed himself to this distinction, he recurs to the arguments of Hedonism and does not thoroughly face the problem of Eudæmonism. If happiness be the end of man, how is that happiness constituted? Once see that pleasurableness cannot be the test of happiness and it becomes apparent that some other test must be found. Further, that the question cannot be solved by simple empiricism, for different men are made happy in different ways. We must come to some decision between them. For Aristotle this is the main problem of

ethics, and its solution is the task of reason. Now Mill's perception of the complexities of men's natures and their very different capacities for happiness seems to be leading him in the same direction. "Happiness," he says (p. 35), "is not an abstract idea, but a concrete whole;" or again, "The ingredients of happiness are very various." He sees, therefore, that there is a problem, that some decision must be made between these qualitatively different pleasures. He leaves it in the end to "the verdict of the only competent judges." That is reminiscent of Aristotle's appeal to the wise man. But for Mill the competency of the judges is determined in an almost mechanical way. "Of two pleasures, if there be one to which all or almost all who have experience of both give a decided preference, irrespective of any feeling of moral obligation to prefer it, that is the more desirable pleasure," and also. Mill's argument involves, the nobler and the higher. If taken literally this reduces itself to a mere counting of heads, and it is questionable whether such an operation would give the result Mill assumes. Further, when Mill talks of "those who are equally acquainted with and equally capable of appreciating and enjoying both," how is this capacity of equal appreciation to be judged? May not the gourmand object to the philosopher that, while no doubt the latter has eaten dinners, he has not the palate to appreciate them properly, and that therefore he the gourmand is as authoritative in his sphere as the philosopher pretends to be in his. The truth is that Mill is not really prepared to submit to any such mechanical test, and it is impossible to read these pages without feeling that the competent judge for him is not the man who has had most experience, who, like Plato's democratic man, tries everything in turn, but the best man or the most reasonable man. He is pointing to a position very like that of Aristotle, but in the actual argument he stops short of it.

His treatment of the problem of the relation of the happiness of the individual to the happiness of other people has the same features. He gives up Bentham's notion of the happiness of society being built up of the irremediably selfish interests of the individuals who compose it, a paradoxical combination of an unshaken optimism as regards social law, and a most pessimistic view of individual character. He admits that in the imperfect state of the world the happiness of others may best be served by the absolute sacrifice of the happiness of the individual. Instead of looking forward cheerfully to

every one being selfish, he insists that the power of doing without happiness is a necessary social virtue. But that involves the existence of motives quite other than the universal desire for pleasure which Bentham postulated. This Mill freely admits, and, except in the grotesque argument at the beginning of chapter iv., bases his Utilitarianism on social motives. The firm foundation of the Utilitarian morality is, he says, "the social feelings of mankind: the desire to be in unity with our fellow creatures." "The social state," he says, "is at once so natural, so necessary, and so habitual to man, that, except in some unusual circumstances or by an effort of voluntary abstraction, he never conceives himself otherwise than as a member of a body." This doctrine that man is by nature a social being means that society cannot be regarded as an aggregate of individuals, moved only by self-seeking motives. It involves an organic view of society. Here again Mill's real thought seems to point to profounder principles than he will himself recognise. His nominal adherence to his inherited system makes him obscure those principles by his use of the doctrine of sanctions, a doctrine only in place in a Hedonistic system, and the abstract distinction between motive and intention, and patch up any incoherence by the theory of indissoluble association, that mysterious maid-of-all-work of Utilitarianism. But these are excrescences. His real teaching has little to do with the mechanism of sanctions or association.

The force of Mill's doctrine is understood best in contrast with the theories to which he was most opposed. Throughout the Utilitarianism he refers to the intuitive school as providing to his own position an alternative which is clearly wrong. It is the great merit of Mill's work that he insists on those elements in morality of which intuitionism is unappreciative. He has no mercy for that way of thinking which prefers to leave things uncriticised, and does so by calling them mysteries. Utilitarianism for him is primarily an insistence that all moral acts shall conduce to one end, and that an end recognised and attainable in life. A great deal of his argument is really a contention on behalf of reason, a demand that all human life should be seen as having a rational purpose, a demand inspired by an optimistic conviction that the clear recognition of that purpose is a long step towards its attainment. Yet Mill does not make the mistake of supposing that you may demand a reason for everything. That ultimate principles cannot be proved he asserts as strongly as any intuitionist, but contends

at the same time that this does not mean that they are unintelligible and cannot be reflected upon. He is able to conceive of the moral life as a slow growth, as having its origin in something that would not be recognised as distinctively moral, and yet to see that the absolute validity of moral laws is in no way affected by their history. He is afraid of an à priori which would do without experience or an intuition which would save the trouble of thinking; but his own position, if its implications are properly understood, affirms a moral experience involving ultimate principles for which in the end he claims intuitive assent. No rationalist system of morals can afford to ignore the importance of the empirical element in ethics, so well brought out in his analysis of conscience or his admirable account of justice in the last chapter.

That last chapter ends with the assertion of a principle of much importance for Mill's political doctrine. The belief that utility is the ultimate standard of all value is quite compatible with holding that there are "certain social utilities which are vastly more important and therefore more absolute and imperative than any others are as a class (though not more so than others may be in particular instances), and which therefore, ought to be, as well as naturally are, guarded by a sentiment not only different in degree but in kind." The greatest of these in Mill's eyes was liberty. While Utilitarianism seems to demand that everything ought to yield to the demands of social happiness and that we can lay down no absolute principles as to what constitutes that happiness, but must follow the guidings of experience, his treatise on Liberty is an eloquent assertion of one principle which is so truly the foundation of all social happiness that any experiment which encroaches on it is foredoomed.

Here again Mill differed from the earlier Utilitarians. They recognised the claims of liberty, but they regarded it only as a means to social happiness and that not necessarily the most important. It had sometimes to yield to security. The change in John Stuart Mill is intelligible in the light of the political developments of the time. The elder Utilitarians had been warring against privilege and the sinister interests of the few. They could easily persuade themselves that social distress and political abuses were the work of those minorities whom they were attacking. But Mill wrote at a time when much of this destructive work was done, when it was becoming apparent that the taking away of unjust privileges from minorities did

not of itself give social happiness. Power had passed from an oligarchy to a democracy, and the people for whom the Utilitarians had laboured so hard were not at all inclined to follow their advice. The comparatively simple task of amending the machinery of government had been largely successful. but that success had raised the problem as to what the renovated machinery should do, and the orthodox Utilitarians saw with strong disapproval that the people were disposed to make government interfere not less but more than formerly. The stricter Utilitarians held on to their principles and cursed the facts. If all was not well, it was because sinister interests though scotched were not killed; or if the workings of unrestricted competition were not so beneficent as Bentham had supposed they would be, interference with them would only make matters worse. Mill's wider sympathies made him view the problem differently. He agreed with Carlyle on the urgency of the "condition of England" question. He had sympathies with Chartism. He was not prepared to condemn trade unions. He came to have a qualified approval even of socialism. He had an optimistic belief in the amount of good that could be done by wise social interference. His treatise is, therefore, no mere individualist's denunciation of government, not one of those common announcements of the woe and misery certain to follow on political changes which the course of events has so often falsified and relegated to a just oblivion. Certain fears expressed in the treatise have been falsified: certain distinctions Mill makes between right and wrong interference would now be given up by almost universal consent; but as a whole this book has much more than an historical importance. It is an eloquent and reasoned appeal on behalf of a principle whose recognition Mill thought to be the most precious thing in society, and has as such a permanent value and interest.

Mill, however, imagined himself to be doing much more than urging the inestimable value of the spirit of liberty. He professed to discover a principle which should enable us to decide what legislation impairs that spirit. This is a very different matter, and one where Mill's arguments are much more open to question. For its proper answer depends on a just conception of the relation of society and liberty. Mill clings to some extent to the notion that a state interference as such is an infringement of liberty, with the implied prejudice against any interference at all. Yet his ideal of liberty as

described is not merely negative but quite clearly implies society. He sees that without the state and without considerable state interference liberty is impossible; but his principle of differentiation is based on a distinction between what concerns the state and what concerns the individual, which

is really incompatible with his ideal.

His real problem might be presented more clearly with reference to present-day opinions. There are no more enthusiastic defenders of freedom of thought than many modern socialists. This is not merely because they are in a minority and have suffered from intolerance. Many of them obviously care intensely for individuality, for that variety and freedom of experiment which Mill prized so highly. They would emphatically deny that this betrayed a general inconsistency, but would assert that they were socialists because only through socialism could a state be developed in which personality had free scope. While desiring an immense amount of collective interference by society, they would be the first to insist that there are some things which must not be organised just because their life is in their spontaneity. Now their position is not in principle very different from Mill's. He wanted more interference on some lines. His fault was to believe too strongly in the improvability of society by educational and political machinery. Yet he was intensely jealous of state interference on other lines. Now a fair appreciation of this position must make us recognise two things. Firstly, that state interference as such is not incompatible with liberty. Only a shallow thinker or a political partisan will argue that if state interference is approved in one thing it must be approved in all, that voting for municipal trams is a step towards voting for municipal churches, or that you cannot approve of the collective control of capital without wishing for state-produced poetry. Secondly, that the most ardent advocates of state interference are strenuously opposed to some forms of interference, and it becomes necessary even for the socialist to discover what is the difference between the interference you are to welcome and that which you are to forbid.

An examination of the second and third chapters of Mill's treatise will make it clear that his praise of the spirit of liberty is independent of his principle for deciding between free and tyrannical legislation. These chapters are much the finest part of the book, and serve as an inspiration for all who care

for personality, whether they be socialists or individualists. Mill is expressing what was best in himself, his sympathy and reverence for others' individuality, and his own generous nature shines through the writing. The liberty he praises in these chapters is no mere negation. It is a very positive ideal. His complaint is not against the state and its organisation. but against the servile and intolerant spirit of its citizens. His ideal demands a state whose members are really individuals, proud of their individuality and variety, and respecting personality in themselves and in their neighbours, contrasting as much as possible with that ape-like imitation he deplores. It was a characteristic Greek view that the best state was that which is most like a society of friends. Mill seems to be holding up to society the highest ideal of friendship, where friends are different and respect each others' differences. Now this is a spiritual ideal, and its attainment is only possible through the spiritual development of men. It is not an ideal which legislation can affect. This Mill himself admits (p. 115), "In maintaining this principle, the greatest difficulty to be encountered does not lie in the appreciation of means towards an acknowledged end, but in the indifference of persons in general to the end itself. If it were felt that the free development of individuality is one of the leading essentials of well-being: that it is not only a co-ordinate element with all that is designated by the terms civilisation, instruction, education, culture, but is itself a necessary part and condition of all those things: there would be no danger that liberty should be undervalued, and the adjustment of the boundaries between it and social control would present no extraordinary difficulty." It is the spirit that matters: if only individuals will feel and act rightly, the laws can take care of themselves. Given a society of individuals who cared intensely for liberty, they might do the most socialistic of things and take no harm from it. It is not the laws but the spirit of the people who work them that preserves or destroys liberty.

This is all very well, but unfortunately there is a woeful lack of the true spirit of liberty, Mill thought, in present society; and some legislation may help and some may hinder its growth. Thus we pass to the question of the criterion of justifiable state interference. But here a difficulty presents itself. Is there anything to be done beyond exhortation? Can a public opinion as intolerant as Mill describes be induced to pass tolerant laws without being converted to real