

FREEDOM IN THE THOUGHT OF
JOHN LOCKE AND JOHN STUART MILL

A Thesis for the M.A. Degree in Philosophy, Rhodes University,
by J.D. OMER-COOPER
1958

CONTENTS

	PAGE
INTRODUCTION	1
CHAPTER 1 The Sources of Locke's Ethical Thought	9
2 The Ethical Thought of John Locke	27
3 Locke's Treatment of Personal Identity and of the Freedom of the Will	50
4 Locke's Conception of Freedom	67
5 The Sources of John Stuart Mill's Ethical Thought.	99
6 The Ethical Thought of John Stuart Mill.	123
7 John Stuart Mill and the Freedom of the Will	138
8 John Stuart Mill's Conception of Freedom	147
CONCLUSION	184
BIBLIOGRAPHY OF WORKS CITED	197

INTRODUCTION

Recent history has abundantly justified J.S. Mill's fear that the power of society over the individual was likely to increase without limit if it were not prevented. One of the most obvious phenomena of our times has been the rise of so-called totalitarian systems of government; states which treat the individual as a being with no other end but the service of the state and which are prepared to use the advanced techniques which modern scientific research has made available to them to mould the individual as the perfect tool of the system.

In spite of the most destructive war in human history totalitarianism has not been overthrown and even now the world is divided into two camps between states which claim to base their policies on the belief in the value of personal liberty and those which consider the complete suppression of individual freedom in the name of the state to be justified.

The danger to freedom, however, does not arise only from the totalitarian ideal. Even within the so-called 'free world' processes are at work undermining the freedom of the individual. The stress and strain of the 'cold war' have forced the free world to learn many lessons from its opponents and have made it necessary that freedom should be defended with the weapons of oppression.

More generally, the continuous growth of populations - populations demanding an ever-increasing standard of living -, the continuous improvements in technique and the corresponding increase in specialisation and division of labour, and the improvement of communications which has knit countries closer together within themselves, linked distant lands together and made the life of each individual closely dependent on the behaviour of others far distant from him, have made an ever-increasing degree of organisation, control and regimentation a necessity. Not only have states within their boundaries found it necessary to exercise an increasing control over the economic life of their peoples but the increasing interdependence of one country on another is forcing the pace towards international planning and control. Within the free world the establishment of the European common market, the institution of a supra-national body and the project for the planned exploitation of atomic power within the bounds of the common market, Euratom, is perhaps the most obvious illustration of this tendency.

It is a serious question, indeed, whether the rise of totalitarian systems may not simply be an extreme and perverted case of a general tendency towards increasing social control over the individual: a tendency promoted by the general causes I have outlined and dependent not so much on the ambitions of individuals as on the inescapable facts of the situation. (I am not here suggesting that the 'facts of the situation'

are independent of the wills of human individuals. It is clearly possible for people to limit the growth of population voluntarily or to deny themselves increasing well-being in the name of freedom. The 'facts of the situation' only appear as concrete and objective so long as certain human attitudes are assumed to be constant. So long, however, as these attitudes do remain constant there is a sense in which the 'facts of the situation' do determine the course of development within certain broad limits independently of the aims of any particular individual or group of individuals.)

It can, of course, be argued that in spite of the increasing tendency of modern times towards the control of the individual, modern man has vastly more personal liberty than the savage in a primitive community whose life is narrowly circumscribed and hedged about by inviolable customs and taboos. It can be argued also that the very scientific advances which make the mass control of individuals by the state more effective also immeasurably increase the opportunities for the exercise of individual freedom.

These arguments are largely true. It is possible that even in the Soviet Union the individual has a degree of liberty unknown in the savage village or even perhaps mediaeval Europe. I do not believe that this is a cause for complacency. It is not so important to look at the actual state of affairs at the present time as the direction which events are taking. There can be no doubt that the techniques now available, with those that

probably will become available in the future, make it possible for individuals all over the world to be subjected to a form of control more complete and all-embracing than that to which savage man has ever been submitted in the narrow confines of the primitive village. While I do not believe, then, that it is possible, or even desirable, that the trend of affairs should be completely reversed, I do believe that it is of the utmost importance that people should be clear in their own minds as to why freedom is to be valued. It is only when people clearly appreciate why freedom is important and valuable that they can decide how far it can rightly be limited and how far it is worth sacrificing other goods in the name of liberty.

In such times as these, then, it is a binding obligation on all believers in the value of liberty to examine the foundations and basis of their belief. In such circumstances it can not, I think, be irrelevant to examine the conceptions of freedom held by two of the most important thinkers who have contributed to the Liberal tradition.

John Locke, the philosopher of the Revolution of 1688, was one of the intellectual founders of the British Liberal tradition. His thought provided also the basis of the Liberal doctrines held by French thinkers of the eighteenth century and, indeed, of that whole intellectual movement known as the Enlightenment which found its intellectual capital in Paris. Ideas derived from Locke are to be found enshrined in the American Declaration of Independence and, mingled with other ideas derived from a very different source, they went to form the ideals behind the French Revolution.

John Stuart Mill was not only associated with the group known as the Philosophic Radicals - men who may almost be regarded as the intellectual architects of nineteenth-century Liberalism in Great Britain - but in his developed thought he succeeded in transcending the rigid limits of their narrow creed and in his essay 'On Liberty' produced what is perhaps the most important and influential defence of freedom that has ever been written - a work that is often described as the 'classic' defence of individual freedom.

It is with these things in mind that I propose to examine the conceptions of freedom held by John Locke and John Stuart Mill. By 'freedom' here I mean social or political freedom - the freedom of man in society. The term 'freedom' employed in this sense, however, can be understood in two main ways. Freedom may be regarded as the attribute of the individual man, as the liberty of the individual in society to choose for himself and to make his choice effective without fear of punishment. It may, on the other hand, be regarded as an attribute of the social group rather than of the individual. When freedom is understood in this way a community is said to be free when its affairs are directed in accordance with the wishes of the majority in that community or at any rate when its affairs are directed by individuals who are themselves members of that community. This use of the term 'freedom' has been made popular in philosophic circles by Rousseau, Hegel and the neo-Hegelians. It is this kind of freedom that is invoked by politicians struggling to free their countries from control by a foreign power. It is obvious, however, that freedom understood in this

way does not necessarily imply freedom in the other sense. It is perfectly possible for individuals in countries that are free in the second sense to enjoy less individual freedom than others living in a country 'in bondage' to a foreign power. (I do not mean to suggest that national independence is irrelevant from the point of view of personal liberty. Clearly the fact that a certain community is under the governing authority of another power may imply restrictions on the liberty of individuals in that community which might be removed when the community becomes 'self-governing'. The fact that a community is free does create the possibility of a greater extension of individual liberty. That possibility, however, need not unfortunately become actual and there is no necessary connection between the freedom of the community and the freedom of the individuals who make it up.) It is of the utmost importance, then, to be clear which of these two meanings we are employing when we speak of freedom. Politicians can, and frequently do, use the emotional appeal of freedom in the individual sense in support of something which has no necessary connection with it: advocates of totalitarian systems themselves may even use the magic of the word freedom in the name of systems which involve the severe repression of individual liberty. I shall show that freedom as understood by John Locke and John Stuart Mill is the freedom of the individual and not of the group and that this is made necessary by the nature of the ethical grounds on which their conceptions of freedom are based.

Belief in the value and importance of freedom is essentially an ethical belief. The conception of freedom held by a thinker must necessarily be

conditioned by his general ethical ideas. The ideas of freedom held by Locke and Mill spring from, and are intimately related to, their ethical thought as a whole. In the case of J.S. Mill, indeed, his conception is so much part and parcel of his general ethical thought that it is very difficult to separate it out for special consideration. In Chapters 2 & 6, therefore, I shall examine the ethical thought of Locke and Mill as a background to their conceptions of freedom. The ethical thought of these two thinkers springs from very different philosophic traditions. I shall attempt to set their ideas in perspective to some extent by giving a brief account of the intellectual sources of their political thinking.

Closely connected with freedom in the social sense is the age-old problem of the freedom of the will. In Chapters 3 & 7 I shall examine the ways in which Locke and Mill tackle this problem. I shall try to show how their treatment of the freedom of the will sheds light on their conceptions of freedom in the social sense and in the Conclusion I shall consider how far their treatment of this problem provides adequate support for their views of freedom in the social sense.

In connection with Locke's conception of freedom it is interesting and valuable to examine his theory of the nature of personal identity. I shall do this in the first part of Chapter 3.

For convenience of treatment I shall separate chapters dealing with the thought of Locke from those concerned with that of Mill. I shall

summarise the comparison between their views of freedom and attempt to evaluate their joint contribution towards a true picture of the importance and value of freedom in the Conclusion.

I should like to express my thanks to the authorities responsible for granting me a scholarship to undertake the M.A. course and to Professor Barratt, my Supervisor for this thesis, for all his help and advice.

THE SOURCES OF LOCKE'S ETHICAL THOUGHT

The debt which Locke owed to previous thinkers is easily obscured by his tendency to claim complete originality for his thought and even to boast of his ignorance of earlier writers. In 'The Epistle to the Reader' at the commencement of his 'Essay Concerning Human Understanding' he asks the reader, "not to expect anything but what, being spun out of my own coarse thoughts, is fitted to men of my own size...."¹ Again, in a letter to the Bishop of Worcester he says of his ideas that they were spun barely out of his own thoughts and were not, that he knew of, derived from any other original.² This claim to ignorance of other writers was, however, largely an affectation: an affectation closely connected with that which made writers of the period attempt to make the results of years of labour appear as if they were the casually composed products of a few idle hours. (Several passages in 'The Epistle to the Reader' show the extent to which Locke was a disciple of this literary tradition.) Despite these assertions of ignorance there is in fact ample evidence to show that Locke had read very widely in the literature of his own century at least. His knowledge of the ancients seems not to have been very extensive though he must have come in contact with some of their ideas in the works of Cicero whom he frequently quotes and whom he recommends in his 'Some Thoughts concerning Reading and Studying for a Gentleman' as expressing the "quintessence of pagan philosophy".³

1 Epistle to the Reader, Works, Vol. I, fourth page of Epistle.

2 vide Letter to the Bishop of Worcester, Works, Vol. IV, page 49.

3 Works, Vol. III, page 272.

The tradition which exerted the greatest influence on Locke's ethical thinking and to which he can with some qualifications be said to belong was that which attempted to base morality on "Natural Law". This tradition goes back as far as the Stoics and was continued throughout the Middle Ages - noticeably in the writings of the greatest of the scholastic philosophers, St. Thomas Aquinas. The writers in this tradition who most influenced Locke, however, were not the philosophers of antiquity nor those of the late Middle Ages for whom he always expressed the most complete contempt¹ but writers of the seventeenth century who were eagerly reviving the tradition and applying it as a solution to problems of the contemporary world. On the Continent two great thinkers, the Dutch jurist, Grotius, and the German jurist, Puffendorf,² attempted to make the Natural Law the basis of a comprehensive theory of international law. In England they had been preceded at the end of the sixteenth century by Richard Hooker who is frequently quoted by Locke with the approving epithet of "the judicious Hooker". In the second half of the seventeenth century there had appeared a less well-known group of thinkers often known as the Cambridge Platonists. This movement had been started by two thinkers, Cumberland and Culverwell. Their

1 Locke's contempt for the scholastic philosophers led him to ignore the debt he owed to Mediaeval thought. There can be no doubt, however, that his university education must have made him familiar at least with the outlines of the thought of the great Mediaeval thinkers, while Hooker, one of the writers he most frequently quotes, is clearly steeped in the Mediaeval tradition. The extent of Locke's debt to the Middle Ages has been analysed by Krakowski in 'Les Sources Médiévales de la Philosophie de Locke', Paris, 1915.

2 Locke knew the works of these authors well and recommends them as essential reading for a gentleman, vide *Some Thoughts Concerning Education*, Works, Vol. IX, page 176, and also *Some Thoughts concerning Reading and Studying for a Gentleman*, Works, Vol. III, page 272.

work had been followed by others of whom some of the best known were Whichcote, Tillotson, and Ralph Cudworth. With Whichcote's sermons¹ Locke was undoubtedly familiar and he is said to have been Locke's favourite preacher. With Ralph Cudworth his affiliations were even closer. He specifically refers to his writings and in his 'Thoughts concerning Education' recommends Cudworth's "True Intellectual System".² He was, moreover, a close friend of the Cudworth family as can be seen from his letters to Thomas Cudworth, the son of the philosopher. In his old age he found a pleasant refuge in the house of Lady Masham, the daughter of Cudworth, at Oates. There can be no doubt, then, that he was fully acquainted with the thought of the school and it is with these thinkers that his ethical thought bears the closest affinity.

The theory of "Natural Law" was a theory well calculated to suit the needs of the seventeenth century. In an age of religious division when men fought one another over religious matters and when the contestants failed to recognise any moral obligations to their enemies of different religious persuasion, the need was acutely felt for some code which could bridge the gap of religious difference: a code which could be considered valid without reference to any particular creed and which was binding on all men by virtue of their humanity. It was with this idea in mind that Grotius and Puffendorf had revived the idea of the law of Nature to provide a universally applicable standard of morality upon which to ground a system of international law.

1 In a letter to the Reverend King, Locke says, "The sermons of Dr. Barrow, Archbishop Tillotson, and Mr. Whichcote, are masterpieces in this kind;" Works, Vol. X, page 306.

2 Some Thoughts Concerning Education, Works, Vol. IX, page 105.

The law of Nature which these thinkers took as the basis of their moral systems was regarded as a law in some sense inherent in the nature of things. Often they thought of it as analogous to the laws governing the occurrence of phenomena in the material world. Thus Whichcote in his 'Sermon Before the House of Commons' asked, "What other creature in nature doth vary from the state of its creation but man who ought to be most regular, constant and uniform? If the rest of the creatures should do so the world would soon be turned into a chaos and confusion."¹ All were agreed that the law, being part of the structure of the universe, was independent of the will of God and would be valid even if God ceased to exist. It was valid because of the nature of things and must remain valid so long as that nature remained unchanged. As Cudworth remarks, "the will and power of God have an absolute, infinite and unlimited command upon the existences of all created things to make them to be or not to be at pleasure; yet when things exist they are what they are, this or that, absolutely or relatively, not by will or arbitrary command but by necessity of their own nature."² All these writers too identified the law of Nature with a law of reason. That is to say, they regarded it as a law which was evident to reason if it were rightly employed and which reason could not consistently deny. "Natural right is the rule and dictate of Right Reason showing the moral deformity or moral necessity there is in any act according to its suitableness or unsuitableness to a moral nature."³ For this reason the law is absolutely unchangeable for a denial of the law of reason is sheer absurdity. God himself cannot change it for, "though the power of God

1 Whichcote, Works, Vol. I, page 140.

2 Cudworth, 'A Treatise Concerning Eternal and Immutable Morality', Chapter II, page 16.

3 Grotius, 'Concerning the Rights of War and Peace', Book I, Chapter I, XI.

be infinite yet we may say that there are some things to which this infinite power does not extend because they cannot be expressed by propositions that contain any sense but manifestly imply a contradiction as God cannot affect that twice two should not be four neither can he that what is intrinsically evil should not be evil."¹ The law of reason is, moreover, evident to any rational creature who chooses to employ his reason at all. "There is nothing in it but any man (having natural perfection of wit and ripeness of judgment) may by labour and travail find out."² It is a law, then, which every rational being is capable of knowing and cannot indeed avoid knowing unless he deliberately fails to employ his reason. This means that the law of Nature is in the fullest sense universal both because it is always the same - reason cannot give a different verdict in different places - and because it applies to all rational beings by virtue of their reason which enables them to apprehend it. By the same token too man by virtue of his reason obeys the law of Nature in a manner different from that in which other beings obey the laws of their nature. For man is capable of apprehending the law and thus by virtue of his reason becomes a responsible moral agent endowed with the rights and duties implied in the moral law.

Though, as we have seen, the seventeenth-century exponents of the theory of the law of Nature believed that that law could not be changed even by God and was valid independently of His existence, they were nevertheless agreed that God did in fact command obedience to that law. God was both

1 Grotius, 'Concerning the Rights of War and Peace',
Book I, Chapter I, XI, paragraph 5.

2 Richard Hooker, 'Ecclesiastical Polity', Book I, Chapter VIII,
Works, Vol. I, page 233.

good and rational and must necessarily be supposed to command that which is intrinsically good. God's will, in fact, does not act without reason. The law of reason in its perfection is that which guides the action of His will. As Whichcote says, "Those things which we call sinful have an intrinsic malignity in them; and therefore are forbidden by God because of their naughtiness."¹

Though it was agreed that God willed the law of Nature because it was good and that the law would be valid if God did not exist, there was some doubt as to whether the law could be considered obligatory without the sanction of divine command. Puffendorf indeed maintains that before the law of Nature can obtain the force of true law, "it must necessarily be supposed that there is a God, who governs all things by His providence, and that He has enjoined us mortals, to observe these dictates of our reason as laws, promulgated by Him to us by the powerful mediation of that light which is born with us."² Grotius, on the other hand, seems to have thought that a capacity to recognise the law was sufficient to render it binding independently of any external sanction. And the same view can be found in Whichcote's argument that the irrationality of an evil act is sufficient to make its avoidance obligatory - "You will easily grant that what is against reason ought not to be done at all we cannot say worse of a man than that he is an unreasonable person, nor worse of an action than that it is contrary to reason."³

- 1 Whichcote, 'A Sermon Before the House of Commons', Works, Vol. I, page 140.
- 2 Puffendorf, 'The Whole Duty of Man according to the Law of Nature', Book I, Chapter III X, page 44.
- 3 Whichcote, 'The Conversion of a Sinner', Works, Vol. I, Discourse XII, page 199.

A further aspect of the law of Nature in which all were agreed was that it was a law which concerned man not merely as an individual but as a social being. The writers on the law of Nature agree that law is concerned with the good of the whole human species. Thus, as Puffendorf says, "This is a fundamental Law of Nature that every man ought, as much as in him lies, to preserve and promote Society, that is the Welfare of Mankind."¹ Or, as Cumberland put it, "By the same parity of reasoning, nature being our guide, it is in my opinion universally agreed (and of necessity it must be so), that the good of all rationals is a greater good than the like good of any part belonging to the said all or whole."²

Though the Natural Law theorists were agreed that the precepts of Natural Law were in some sense concerned with man as a social being and relative to the good of the species as a whole they did not go on to conclude that moral rules must always be relative to the needs and circumstances of particular societies at particular times. Indeed, as I have shown, the very centre of the Natural Law doctrine lay in the belief that certain moral propositions could be shown to be objective and logically necessary moral truths valid at all times and in all places. They assumed, for example, that man could be shown to possess certain rights, rights which belong to him as man and not as a member of any particular society. These rights would belong to man even in a 'state of nature' which preceded the formation of politically organised society. They do not seem to have realised that there is an important sense in which rights can

1 Puffendorf, 'The Whole Duty of Man According to the Law of Nature', Book I, Chapter III IX, page 44.

2 Cumberland, 'Laws of Nature', Section III, page 135.

be said to be created by society and that rights are always relative to some extent to the structure of society within which they are enjoyed. In assuming the existence of rights in a pre-political state of nature they can be said to have assumed the existence in that state of conditions which are really the product of a highly developed society. The importance of this difficulty for Locke's conception of freedom will be discussed further in a later chapter.

Of the writers on the law of Nature, Grotius, Puffendorf and, to some extent, Hooker, were anxious to follow out the consequences of their principles for political life. They recognised that the law of Nature implies a certain freedom in man. The fact that man by virtue of his reason is capable of appreciating the law of reason makes him morally responsible to conduct his actions in accordance with that law. But it also implies that man is entitled to govern himself in accordance with that law alone unless he has specifically acquired an obligation valid under that law to obey some other authority. This was recognised to some extent by Hooker, Grotius and Puffendorf but they failed to carry it to its logical conclusion. They were agreed that man could only owe an obligation to obey an authority if he had acquired that obligation by a promise of obedience. Accordingly they traced the origin of political society to a contract by which men gave up their power and promised to obey a political authority. They recognised also that the law of Nature provided an absolute standard against which the actions of government could be measured; that it implied certain rights which could not morally be violated by any government. In practice,

however, they did not apply these principles consistently. They were chary of granting to the individual a right to resist constituted authority even when that authority was infringing the rights guaranteed to them by the law of Nature. The principle that man owed no obligation of obedience except in so far as he had acquired that obligation by a voluntary contract, was modified in various ways to ensure that government once established should be supreme. Grotius, for example, admits an exception to the principle when he argues that a people may be compelled to obey if they have been conquered in a just war. Hooker rendered the principle nugatory by arguing that once a social group had promised obedience to a constituted authority that promise was binding on all succeeding generations on the grounds that the society was a continuing corporation and did not perish with the individuals who made it up, so that it might be said, "we were then alive in our predecessors, and they in their successors do live still."¹

One of the greatest defects in the theories of these writers on the law of Nature was the absence of any satisfactory theory of knowledge to explain how reason came to understand the law of Nature or, indeed, of what reason itself was. Grotius, Puffendorf, and, to some extent, Hooker, tend to dismiss the problem by simply asserting that the moral principles of the law of Nature are axioms of reason evident in themselves without necessity of proof. This attempt to answer the problem was not felt to be entirely satisfactory and recourse was had to the argument that laws which are accepted without question by all rational beings must be

¹ Hooker, 'Ecclesiastical Polity', Book I, Chapter X, Works, Vol. I, page 246.

takes to represent the verdict of reason. In other words, that those moral principles which are universally accepted must be assumed to be true and valid by virtue of their acceptance by all rational beings. Thus Hooker argues that the precepts of the Natural Law may be known by signs and the best of these signs is universal consent. "The general and perpetual voice of men is as the sentence of God himself. For that which all men have at all times learned, Nature herself must needs have taught."¹ This attempt to solve the problem, however, was clearly unsatisfactory. For in the first place it was doubtful whether there was any such universal agreement on moral principles as the theory required and secondly the mere fact of the universal acceptance of a principle could not in itself prove that principle intrinsically valid. It had, indeed, long been recognised that universal human custom accepted such institutions as slavery which were considered contrary to the law of Nature. Grotius did not make the position any more satisfactory by arguing that in the absence of any genuinely universal acceptance of moral principles the unanimous verdict of the most civilized peoples should be considered decisive.² This clearly begs the whole question; for what is to be taken as the criterion of civilization?

Another attempt to solve the problem was the theory of innate ideas. According to this theory certain basic principles are printed and stamped by God upon the mind of man so that he cannot but recognise their validity.

- 1 Hooker, 'Ecclesiastical Polity', Book I, Chapter VIII, Works, Vol. I, page 227.
- 2 vide Grotius, 'Concerning the Rights of War and Peace', Book I, Chapter I, XII, paragraph I.

From these basic principles the whole moral law can then be deduced. This theory reached its most extreme expression in the thought of the Cambridge Platonists and Culverwell in 'A Discourse of the Light of Nature' claims that, "There's scattered in the soul of man some seeds of light which fill it with a vigorous pregnancy, with a multiplying fruitfulness so that it brings forth a numerous and sparkling posterity of secondary notions,...." ¹ He went on to elaborate this idea in even more luminous language, explaining that, "reason thus by warming and brooding upon these first and oval principles of her own laying, it being itself quickened with an heavenly vigour, does thus hatch the Law of Nature." ² The theory was not quite as absurd as Locke made it appear in the first book of his 'Essay Concerning Human Understanding'. It does not necessarily require one to believe that the new-born babe comes into the world with a complete set of moral principles. Puffendorf, indeed, denies this absurd interpretation of the theory. All that is required, he argues, is that they at first sight force the assent and get such root in the mind of man than nothing can afterwards eradicate them. ³ At best, however, the theory was inadequate as a solution of the difficulty for it had first to be proved that there were any such notions universally implanted in the human mind. This could only be established if it could be shown that there was a genuine, unanimous and universal acceptance by all mankind of certain moral principles.

1 Culverwell, 'A Discourse of the Light of Nature', Chapter VII, page 81.

2 Ibid., page 82.

3 vide Puffendorf, 'The Whole Duty of Man According to the Law of Nature', Book I, Chapter III, XII, page 47.

It depended, in fact, upon the supposition of universal consent which did not very obviously exist. Secondly, the mere fact that certain ideas have been imprinted upon the minds of all does not in itself ensure that those principles are in themselves valid. The fact that we could not doubt certain principles could not establish their logical validity - (they might have been implanted in our minds by the omnipotent deceiver which Descartes imagined). What was needed was a theory which would show not merely that certain principles could not in fact be doubted but that they were in their own nature logically indubitable.

The writers on the law of Nature were, then, united in certain beliefs. They were agreed that there existed a universal, absolute and immutable moral law which was inherent in the nature of things; which could not be changed by God Himself and which was valid without reference to His volition; that this law provided a standard to measure the rightness or wrongness of all actions whatever, the measure of the will of God Himself. They were agreed, too, that this law was evident to reason and hence binding on all rational beings. Furthermore, that man by virtue of his reason was subject to the law of Nature alone unless, and until, he incurred obligations under that law to give obedience to some other authority. It is these principles which, as I hope to show, form the essential basis of Locke's ethical doctrine and the starting point of his theory of liberty.

The great disadvantage of this theory had been the absence of any analysis of what is meant by reason and how we can come to know with certainty. It was to this problem that Locke was largely addressing himself when in his 'Essay Concerning Human Understanding' he set himself to analyse the basis and limits of human knowledge.

Though Locke's ethical writing is firmly rooted in the rationalist Natural Law tradition there is another doctrine to be found in his ethical thought - different from, and indeed, incompatible with, the Natural Law ethic - a theory which far from equating good and evil with the dictates of a rational law, identified them simply with pleasure and pain. The sources of this hedonistic element in Locke's thought are not so evident as are those of his rationalist ethic. It seems likely, however, that the influence of two philosophers, Gassendi and Hobbes, was largely responsible for this aspect of his thought.

One of the philosophers who exercised the most profound influence on every aspect of Locke's thinking was Pierre Gassendi. (Aaron points out that Locke was considered by Leibnitz to be a member of the Gassendist party.¹) This influence was exerted through the medium of Bernier whom Locke knew personally.² Bernier was the leading exponent of Gassendi's views on the Continent at that time and the author of an abridged edition of his works. Gassendi's influence was greatest on Locke's theory of

1 vide Aaron, 'John Locke', Second Edition, Oxford, 1955, page 31.

2 vide Ibid., page 33.

knowledge and in this sphere there was a great correspondence between the thought of the two philosophers. For example, Gassendi had insisted that all knowledge must be based on sense experience; that the mind, before receiving the imprint of sense impressions, could be regarded as a *tabula rasa* and that a blind man could never understand the meaning of colour, nor a deaf man that of sound. Though Gassendi's influence was strongest in this sphere it is probable that he had some influence on Locke's ethical thought also. In matters of morality Gassendi sought to revive the moral doctrine of Epicurus, considerably modified and shorn of its atheistic associations. Rightly understood, he argued, pleasure is the measure of good and the greatest good is the state of maximum pleasure, felicity. This did not mean, however, that one should abandon oneself to debauchery. Epicurus had clearly distinguished between the pleasures of the mind and pleasures of the body and had stated that those of the mind were superior; the highest state of pleasure of all being that achieved by one who possessed a healthy body and a tranquil mind. With this Gassendi agreed, arguing that the condition of felicity is achieved when there is a perfect harmony between body and mind in a state of complete tranquillity.¹ Pleasure, then, is the greatest, indeed the only, good and virtue is a good only because of its connection with pleasure. Moral science is, in fact, a science of prudence teaching us how to conduct ourselves so as to increase our happiness. The virtues which this science teaches are laws which conduce to happiness and it is for this reason that they are valid.

¹ vide Thomas, 'La Philosophie de Gassendi', Paris, 1609, Book III, Chapter I, beginning page 239.

The other philosopher whose thought may have influenced Locke's ethical thought in this direction was Thomas Hobbes. Locke, it is true, in several passages claims ignorance of Hobbes' work. In his 'Second Reply to the Bishop of Worcester' for example, he says, "I am not so well read in Hobbes or Spinoza as to be able to say what were their opinions in this matter."¹ It should be remembered, however, that Locke was very anxious not to be associated with a thinker so intensely unpopular as Hobbes and it is difficult to believe that he was really as ignorant of Hobbes' work as he claimed. Hobbes' philosophy was a source of great controversy at the time and it would hardly have been possible for anyone who moved in intellectual circles to have been ignorant of the main tenets of his teaching. In certain passages of his works, moreover, Locke shows that he was acquainted with some of his ideas at least. In the 'Essay Concerning Human Understanding', for example, he shows that he was acquainted with the Hobbesian principle that the obligation to keep contracts depends on the power of the commonwealth to punish. ("But if a Hobbist be asked why, he will answer, 'Because the public requires it, and the Leviathan will punish you if you do not.'"²) If further evidence is needed it can be found in the fact that Locke possessed a copy of Hobbes' "Leviathan" in his private library.³ Locke, it is true, was intensely hostile to many aspects of Hobbes' philosophy and it is probably true that Hobbes' influence on him was mainly negative. There are, however, certain close parallels between the thought of the two philosophers

1 Mr. Locke's Second Reply to the Bishop of Worcester, Works, Vol. IV, page 477.

2 Essay Concerning Human Understanding, Book I, Chapter III, Works, Vol. I, page 36.

3 vide Aaron, 'John Locke', footnote to page 30.

on some topics. This is specially the case with certain aspects of Locke's ethical thought and it seems likely that in this sphere he was influenced directly by the thought of the earlier thinker.

Hobbes sets out to treat a political theory as an organic part of a system of philosophy embracing the whole nature of man and of the universe. The basis of this system was a thoroughgoing materialism. Hobbes indeed declares that the term 'incorporeal substance' is a contradiction in terms.¹ Nothing, then, exists but matter and motion and man must be regarded as a complicated material mechanism acted on by mechanical forces. External influences, he argued, acted on man through the medium of the senses and set up a series of motions in the matter of the brain. These motions are frequently transmitted from the brain to the other organs. They may be of two kinds - those which enliven the vital processes and cause a movement towards the object which has produced them, and those which hinder the vital processes and cause a movement away from the object which has caused them. The former are pleasures, the latter pains. The search for pleasure and the avoidance of pain are, then, the only possible motives of human action.² Good is simply to be identified with pleasure and evil with pain.

On these assumptions man is incapable of any but selfish motives. He can know no other moral standard but that of his own greatest pleasure. In a condition where there exists no governmental authority men find

1 vide Hobbes, 'Leviathan', Part I, Chapter IV, page 23.
Ed. Gakeshott, Blackwell, 1946.

2 vide Ibid., Chapter VI, page 33.

themselves in competition with one another for the means of satisfaction; the result is a ceaseless strife, a war of all against all. Hobbes, it is true, recognises that reason can discover a law for the regulation of human conduct. But this law of reason had a very different meaning from that which it had for the rationalists. The war of all against all creates a condition of total insecurity where man's life is, "solitary, poor, nasty, brutish and short."¹ The individual is capable of recognising that this state of affairs is not in his best interest and that he would be better off if all were to live according to a code. This code is Hobbes' law of reason. It is simply a series of counsels of prudence based on calculated self-interest. Its chief tenet is to seek peace wherever possible and, when it is not possible, to make use of all the advantages of war. Though reason shows that the best interest of each would be served if all lived in accordance with a common code, however, the code cannot be binding until there exists a political authority. For there would be no advantage in obeying the code unless one could be certain that everyone else would do so. Man, in fact, can only remove himself from the insecurity of the "state of Nature" by establishing a supreme power capable of holding all in awe and capable, through his power to punish, of making obedience to laws coincident with self-interest. The sovereign once established, good and evil come to be equated with positive law for he is capable of ensuring that disobedience to the law will be contrary to self-interest.

¹ Hobbes, 'Leviathan', Part I, Chapter XIII, page 82.

These, then, are the chief movements of thought which influenced Locke's ethical thought. The first, and by far the most important, that of the writers on Natural Law. The second, that of Hobbes and Gassendi which went to the formation of the hedonistic element in Locke's thought, strangely in contrast with his basic rationalist ethic.

.....

THE ETHICAL THOUGHT OF JOHN LOCKE

One of the difficulties encountered in an attempt to analyse Locke's ethical thought arises from the fact that he never published a complete and systematic work on the subject. Though he claimed that morality was capable of demonstration he never actually went so far as to construct a complete moral system based on his principle. He was indeed repeatedly urged to do so by his friend Molyneux who, in a letter to Locke, says, "One thing I must needs insist on to you, which is that you would think of obliging the world with a 'treatise of morals' drawn up according to the hints you frequently give in your Essay, of being demonstrable according to the mathematical method."¹ It may be that the fragment on 'Ethics in General' was intended as an answer to this request but Locke never finished this and never published it so that no systematic work on the subject is to be found amongst his work. The materials for an analysis of Locke's ethical thought must then be derived from the relatively scattered and fragmentary references to the subject which are to be found chiefly in the 'Essay Concerning Human Understanding' and in the 'Treatises of Civil Government'. Though this means that we are unable to discover what Locke's ethical thought would have meant in terms of detailed application we can discover the general principles of his ethical thinking and this is all that is necessary for an understanding of his conception of freedom.

¹ Letter, Molyneux to Locke, Works, Vol. IX, page 291.

Locke's 'Essay Concerning Human Understanding' is usually regarded simply as an outstanding contribution to the theory of knowledge and the starting point of subsequent empirical epistemology. Yet in a sense the examination of the grounds of human knowledge for which the Essay is so renowned was secondary to Locke's main purpose. This main purpose was to establish the certainty of moral principles on firm theoretic foundations. This is made amply clear in the 'Epistle to the Reader' at the commencement of the Essay where he says, "Were it fit to trouble thee with the history of this Essay, I should tell thee, that five or six friends meeting at my chamber, and discoursing on a subject very remote from this, found themselves quickly at a stand, by the difficulties that rose on every side it came into my thoughts that we took a wrong course; and that before we set ourselves upon inquiries of that nature, it was necessary to examine our own abilities, and see what objects our understandings were, or were not, fitted to deal with." ¹ The subject of discussion, we learn, was "about the principles of morality and revealed religion". ²

Locke's purpose in writing the Essay, then, was to make good the defect so obvious in the earlier writers on Natural Law, the absence of a sound theory of knowledge on which to base their belief in a moral law

¹ Epistle to the Reader, Works, Vol. 1.

² This information comes from a marginal note in Tyrrell's copy of the Essay kept in the British Museum. Lamprecht, 'The Moral and Political Philosophy of John Locke', Columbia University Press, 1916, page 4, footnote 17.

which was evident to reason. Locke, like Descartes, would only give the name 'knowledge' to something of such self-evidence that it could not logically be doubted. Only those things which were either self-evident themselves or deduced by valid logical processes from propositions possessing such self-evidence could be regarded as knowledge. Everything else, no matter how firmly it was held, was not knowledge but faith or opinion.¹ Such knowledge he thought to be obtainable in the field of morality and his purpose, far from being that of demonstrating the impossibility of any knowledge other than that derived by inductive generalisation from experience, was to establish more firmly the grounds of absolute knowledge in moral subjects by analysing the process by which knowledge was gained and showing clearly where knowledge in his strict sense was, and was not, possible. His purpose in short was "to inquire into the original, certainty, and extent of human knowledge, together with the grounds and degrees of belief, opinion, and assent....."² and "to be employed as an under-labourer in clearing the ground a little, and removing some of the rubbish that lies in the way to knowledge....."³

To achieve this purpose his first task was to attack what he considered a false theory of the origins of human knowledge, the theory that that knowledge originated in innate ideas impressed indelibly upon the human soul. This theory he felt to be entirely inadequate; at best it merely claimed that certain ideas must be taken as true because as a

1 vide Essay Concerning Human Understanding, Book IV, Chapter II, Works, Vol. II, page 304.

2 Ibid, Introduction, Book I, Chapter 1, Works, Vol. I, page 1.

3 Epistle to the Reader, Works, Vol. I.

matter of psychological fact it was impossible to doubt them. This clearly supplied no logical grounds for the certainty of these principles and, as he remarks, "If it be the privilege of innate principles to be received upon their own authority without examination, I know not what may not be believed, or how any one's principles can be questioned." ¹ This did not mean that he doubted that certain principles were self-evident. On the contrary he held that certain propositions were self-evidently true and that in their case the mind could perceive the truth "as the eye doth light, only by being directed towards it." ² He merely wished to establish that this self-evidence was a logical one arising from the logical nature of the proposition concerned and not dependent on a mere supposed psychological fact. The vigour of Locke's denunciation of the theory of innate ideas arose chiefly from the fact that he felt it opened the way to any amount of shoddy thinking and, far from establishing the certainty of knowledge, tended to undermine a belief in that certainty altogether by basing it on faulty foundations.

The false theory of innate ideas disposed of, Locke turned to the constructive task of elaborating his own theory of knowledge. In this attempt he puts to himself first the question 'what are the materials which form the basis of human knowledge and whence are they derived?' His answer to this is that the materials of human knowledge are derived

¹ Essay Concerning Human Understanding, Book I, Chapter III, Works, Vol. I, page 51.

² Ibid. Book IV, Chapter II, Works, Vol. II, page 297.

ultimately from experience. "In that all our knowledge is founded; and from that it ultimately derives itself." ¹ External objects, he holds, act upon the senses and produce ideas in our minds while the mind receives further ideas by reflection on its own operations. These twin sources supply the basic materials of all our knowledge. The ideas furnished to us through the two processes of sensation and reflection may appear in complicated pattern. These, however, can be analysed into their component "simple ideas" and these simple ideas are the basic units of all knowledge. The mind can combine these simple ideas in an infinity of ways but it cannot itself create one nor can it destroy one that it already possesses. "When the understanding is once stored with these simple ideas, it has the power to repeat, compare, and unite them even to an almost infinite variety; and so can make at pleasure new complex ideas. But it is not in the power of the most exalted wit or enlarged understanding, by any quickness or variety of thought, to invent or frame one new simple idea in the mind,...." ² Thus, though it is possible for the mind to construct ideas outside the range of its experience it can only do so by putting together simple ideas that have been derived from this source. It is not possible to form a conception which involves simple ideas which we have never experienced. Hence it is impossible for the blind man, by any reasoning or imagination, to form the idea of colour or for one who has not tasted a pineapple to gain an adequate idea of the taste of that fruit. The human mind, then,

1 Essay Concerning Human Understanding, Book II, Chapter I, Works, Vol. 1, page 77.

2 Ibid, Book II, Chapter II, Works, Vol. 1, page 94.

in all its operations is bounded by the limits set to it by the material on which it has to work and, "All these sublime thoughts which tower above the clouds, and reach as high as heaven itself, take their rise and footing here; in all that great extent wherein the mind wanders, in those remote speculations, it may seem to be elevated with, it stirs not one jot beyond those ideas which sense or reflection have offered for its contemplation,"¹

Thus Locke believed that the materials of all our knowledge are simple ideas derived from experience and to be consistent he should have gone on to argue that human knowledge was concerned entirely with these ideas. Yet Locke did not accept this at all. He was firmly convinced of the reality of a world external to us and independent of our ideas and even argued that, "if our knowledge of our ideas terminate in them and reach no further, where there is something further intended, our most serious thoughts will be of little more use than the reveries of a crazy brain....."² Certain of our ideas, he argues, have, as it were, archetypes in the nature of things. They resemble qualities in the objects which cause them and so can be said to represent a reality beyond themselves. "It is evident the mind knows not things immediately but only by the intervention of the ideas it has of them. Our knowledge, therefore, is real, only so far as there is a conformity between our ideas and the reality of things."³ This way of looking at ideas both

1 Essay Concerning Human Understanding, Book II, Chapter I, Works, Vol. I, page 92.

2 Ibid. Book IV, Chapter IV, Works, Vol. II, page 354.

3 Ibid.

as the ultimate objects of knowledge, "whatsoever is the object of the understanding when a man thinks....."¹ and sometimes as the means to the knowledge of something different from themselves which they represent, leads to considerable ambiguity in Locke's theory of knowledge.² This ambiguity affects Locke's whole conception of knowledge including his theory of our knowledge of moral principles.

From the assumption that the materials of our knowledge are restricted by the limits of our experience Locke went on to argue that our knowledge of substances in the real world was restricted to the observation of the pattern of simple ideas presented to our senses when such a substance was observed. "I say our specifick ideas of substances are nothing else but a collection of a certain number of simple ideas considered as united in one thing."³ It was impossible, he thought, to go further than this and form the idea of a substratum in which the various qualities we observe in a single object could be said to inhere and which could provide a logical explanation of the nature of the qualities we observe. Our minds being limited to materials derived from experience, we could not possibly form the idea of anything which lay behind the qualities we observe. The search for such a substratum was indeed a forlorn quest and he who embarked on it would "not be in a much better case than the Indian before mentioned who, saying that the world was supported by a great elephant, was asked what the elephant rested on;

- 1 Essay Concerning Human Understanding, Introduction, Book I, Chapter 1, Works, Vol. 1, page 6.
- 2 vide Gibson, 'Locke's Theory of Knowledge', published Cambridge, 1917, Chapter 1, page 15 following.
- 3 Essay Concerning Human Understanding, Book II, Chapter XXIII, Works, Vol. II, page 16.

to which his answer was, a great tortoise. But being again pressed to know what gave support to the broad-backed tortoise, replied, something, he know not what." ¹ Our ideas, then, of substances outside ourselves are restricted to the observed pattern of co-existing qualities: "all the ideas we have of particular distinct sorts of substances are nothing but several combinations of simple ideas, co-existing in such, though unknown, cause of their union, as makes the whole subsist of itself." ²

The same reasoning which led him to attack the old idea of substance led him also to attack the idea that we could discover real classes of things corresponding to different "real essences". All that we know about things is that certain qualities coexist in a certain pattern in a single thing. The qualities in themselves have no logical relationship with one another. The fact that gold is yellow, malleable, and ductile, for example, cannot be logically connected with the fact that it is soluble in aqua regia. It is hopeless, therefore, to seek to understand the inner nature of things in such a way that it would be possible from a knowledge of that nature to deduce the qualities which the thing concerned must display. (Locke indeed firmly believed that substances did, in fact, possess such internal constitutions that from a knowledge of them the qualities they displayed could be deduced. He was certain, however, that

¹ Essay Concerning Human Understanding, Book II, Chapter XXIII, Works, Vol. II, page 3.

² Ibid, page 11.

the human mind could not possibly attain to the knowledge of these "real essences".) Man must necessarily be content with a knowledge of nominal essences which are just definitive descriptions based on the observed quality of things. The human mind, therefore, was restricted to grouping things on the basis of observed similarities and though there might in reality exist real classes corresponding to "real essences" this was irrelevant to human knowledge and classification of substances as far as man was concerned must be to a certain extent arbitrary, being based merely on the observed similarities of things.

From this it follows that our knowledge of substances must be derived by generalisation from the observation of the coexistence of qualities in things. It cannot possess that self-evidence and intuitive certainty required of true knowledge. ¹

If certain knowledge is impossible of the objects of our experience where, then, is it to be found? Locke's answer is that knowledge rightly understood is nothing more than the perception of the agreement or disagreement of any of our ideas. "Knowledge then seems to me to be nothing but the perception of the connection and agreement or disagreement and repugnancy of any of our ideas. In this alone it consists. Where this perception is, there is knowledge and where it is not, there though we may fancy, guess or believe, yet we always come short of knowledge." ²

¹ vide Essay Concerning Human Understanding, Book IV, Chapter III, Works, Vol. II, pages 334-340.

² Essay Concerning Human Understanding, Book IV, Chapter I, Works, Vol. II, page 287.

This definition of knowledge was unsatisfactory on Locke's own showing. It ran contrary to his own requirement that knowledge should refer to a reality distinct from ideas. It is an example of the difficulties imported into his work by the ambiguity in his treatment of ideas that has been discussed above. (In his treatment of knowledge Locke makes allowance for subjects of knowledge which cannot be adequately described in terms of the agreement and disagreement of ideas. This is noticeable in his treatment of sensitive knowledge i.e. the knowledge that our simple ideas represent a reality outside themselves and in his belief that the existence of God is capable of logical demonstration).

Knowledge in the strict sense, then, was in the main only possible when the mind was not bound to accept its ideas from experience but was free to construct them for itself by combination of simple ideas. In such cases the mind could combine ideas in such a way that the resulting complex idea would possess a definable constitution such that a knowledge of its properties could be logically deduced from it. The mind, in fact, being free to frame its ideas as it pleases can construct them on the plan of a knowable "real essence" from which remaining properties of the complex idea can be deduced. The most obvious example of this type of knowledge was mathematics. In mathematics it was possible to deduce with logical certainty the properties of triangles because the idea of a triangle was constructed by the mind in accordance with a basic definition.

Though mathematics was the most obvious example of a sphere within which knowledge in the strict sense could be obtained Locke did not think it was the only one in which it was obtainable. In the first place he thought that the existence of a God could be demonstrated with logical certainty. In the second place he thought that morality could be made a matter of demonstration. Morals, he argues, are as capable of demonstration as mathematics and, "from self-evident propositions, by necessary consequences as incontestable as those in mathematics, the measures of right and wrong might be made out to anyone that will apply himself with the same indifferency and attention to the one, as he does to the other of these sciences." ¹ Morality, then, he regards as a subject of certain knowledge based upon self-evident principles evident to the reason of any who choose to think about the matter. This is the central thesis in Locke's ethical thought - that the moral law is a code based on self-evident axioms and evident to reason. Moral behaviour, therefore, consists in the conduct of action in accordance with the dictates of reason.

Locke had thus established the certainty of moral knowledge but only at the expense of cutting it off from reality. Morality, in fact, was to be, like mathematics, a science concerned with the agreement and disagreement of ideas framed by the mind independently of experience.

¹ Essay Concerning Human Understanding, Book IV, Chapter III, Works, Vol. II, page 340.

"In the same manner the truth and certainty of moral discourses abstracts from the lives of men and the existence of those virtues in the world whereof they treat"¹ It is indeed precisely because morality is based upon the comparison of ideas which are framed by the mind that it is capable of absolute certainty for, as in the case of mathematics, the mind is able to construct complex ideas in the field of morality around a "real essence". Hence, he says, "mixed modes, especially those belonging to morality, being most of them such combinations of ideas as the mind puts together of its own choice, and whereof there are not always standing patterns to be found existing;" may be perfectly and exactly defined."² and, "Upon this ground it is that I am bold to think that morality is capable of demonstration, as well as mathematics; since the precise real essence of the things moral words stand for may be perfectly known and so the congruity and incongruity of the things themselves be certainly discovered; in which consists perfect knowledge."³

Locke thus appears to reduce morality to the study of the logical implications of moral terms and it would seem that all that is necessary for a complete study of morality is a good dictionary from which one could discover which moral terms were included in the definitions of

1 Essay Concerning Human Understanding, Book IV, Chapter IV, Works, Vol. II, page 358.

2 Ibid. Book III, Chapter XI, Works, Vol. II, page 277.

3 Ibid. Book III, Chapter XI, Works, Vol. II, page 278.

other terms. Locke indeed sees the difficulty to some extent and argues that although morality is an entirely abstract study it is not entirely divorced from reality because, "If it be true in speculation, i.e. in idea, that murder deserves death, it will also be true in reality of any action that exists conformable to that idea of murder." ¹

The difficulty, however, goes deeper than this for the fact that x implies y can never give rise to a value judgment unless a standard of value different from, and independent of, the standard of logical coherence is introduced. The difficulties of Locke's system are all too obvious when in the Essay he attempts to give examples of the demonstration of moral propositions. To take one example, he argues that, "Where there is no property there is no injustice" is a proposition as certain as any demonstration in Euclid: for the idea of property, being a right to anything; and the idea to which the name 'injustice' is given, being the invasion or violation of that right; it is evident that these ideas being thus established, and these names annexed to them, I can as certainly know this proposition to be true as that a triangle has three angles equal to two right ones." ² This argument is clearly tautologous; the conclusion being assumed in the original definition of the terms. By Locke's own standards it is no more than a "trifling proposition".

1 Essay Concerning Human Understanding, Book IV, Chapter IV, Works, Vol. II, page 350.

2 Ibid, Book IV, Chapter III, Works, Vol. II, page 340.

The central difficulty with Locke's rationalist ethic is indeed that it is impossible by any logical process to deduce that anything is right or wrong unless a statement of value is included in the original premises from which the deduction is made. Value judgements are quite different in nature from statements of logical implication. To say that "A" logically implies "B" does not tell us anything about the rightness or wrongness of "B" unless we have already assumed that "A" is either right or wrong. This difficulty was clearly appreciated by Hume.¹ Any attempt to demonstrate a logically necessary code of morals is, then, bound to result in the construction of a system in which the logical consequences of certain previously assumed moral axioms and definitions are displayed. It is impossible by any logical process to break away from a circle and demonstrate the basic moral premises themselves.

A further difficulty with Locke's rationalist ethical theory, and, indeed, with any ethical theory of this type, is that it assumes that actions can be demonstrated to be either right or wrong in their own nature and without reference to the circumstances in which they are performed and the probable effects of their performance. If this is not assumed the whole attempt to demonstrate morality must collapse. As Locke himself recognises, it is impossible to demonstrate logically necessary propositions about the nature and behaviour of the objects of experience. Propositions of this kind can never possess absolute logical certainty and can only be derived by induction from experience

¹ vide Hume, 'A Treatise of Human Nature', Book III, Part 1, Section 1, Selby-Bigge edition, page 469.

(see above). If, then, it be agreed that the rightness or wrongness of anything depends to some extent upon the effects it produces, it will have to be admitted that the attempt to deduce a logically necessary system of morality is doomed to failure: that statements of right and wrong can only be probable statements based to some extent at least upon generalisation from experience. It is only too obvious, however, that moral judgements cannot be made in abstraction from the consequences of actions. Indeed, the consequences of actions are part and parcel of the actions themselves. There is no such thing as a condition of intrinsic drunkenness in abstraction from the consequences of being drunk. The difficulty here is one with which Kant was to grapple but to which he failed to find a satisfactory answer.

Amongst the circumstances which affect the moral complexion of actions some of the most important are clearly the political, economic and social structure, moral attitudes and customs of the society within which a particular action is performed. If one private individual kills another he commits murder but when the public executioner kills a condemned criminal he is only performing his duty. The difference in the moral nature of the two acts of killing depends upon the structure of society and the position and function of the executioner within that society. Moral judgements, then, cannot be made in abstraction from a social context. These basic difficulties with Locke's rationalist ethic will be considered further with reference to his conception of freedom in a later chapter.

Though when Locke attempts to deduce moral propositions on the strict lines he has laid down he is left with mere trifling propositions, he does profess to deduce propositions with a definite positive ethical content. Thus in the 'Second Treatise of Civil Government' he deduces from the natural equality of man that, "creatures of the same species and rank, promiscuously born to all the same advantages of Nature, and the use of the same faculties, should also be equal one amongst another, without subordination or subjection,"¹ Or, again, that, "men being once born, have a right to their preservation, and consequently to meat and drink and such other things as Nature affords for their subsistence;"² To obtain such propositions, however, Locke has to come to grips with reality in a way which appears to be excluded by his own theory of moral knowledge; for though it is clear that these propositions contain positive ethical content it is equally clear that they cannot be adequately described in terms of the observed implications of moral definitions. That Locke should have been unaware of this inconsistency is probably due to the ambiguity in his treatment of ideas taking them sometimes as the ultimate objects of knowledge, sometimes as the means to the knowledge of a reality beyond themselves. This ambiguity, as has been pointed out above, imports confusion into this whole theory of knowledge.

1 Second Treatise of Civil Government, Chapter II, Works, Vol. V, page 340.

2 Ibid, Chapter V, Works, Vol. V, page 352.

However inconsistent Locke may have been in applying his principles, his main point is clear. This is that morality, like mathematics, is a subject capable of demonstration; that moral propositions, like mathematical ones, can be known with such certainty and self-evidence that they are logically indubitable; that morality accordingly consists in a code of law evident to reason, a code which a rational being cannot fail to apprehend if he applies his mind to it. This central theme is found throughout Locke's treatment of moral subjects. In the 'Treatises of Civil Government', for example, Locke reintroduces the term "law of Nature" but only to identify it with the law of reason. In one passage, indeed, he identifies the law of Nature with reason itself. "The state of Nature has a law of Nature to govern it, which obliges every one: and reason which is that law, teaches all mankind who will but consult it, that being all equal and independent, no one ought to harm another in his life, health, liberty or possessions....." ¹ Or, again, "The law that was to govern Adam was the same that was to govern all his posterity, the law of reason," ²

Though Locke thought that knowledge was only possible in very restricted spheres he did think that it was possible to know with certainty not only propositions in the field of mathematics and morality but also certain propositions concerning real existence. Most important, he thought it possible to demonstrate the existence of an all-wise, all-

¹ Second Treatise of Civil Government, Chapter II, Works, Vol. V, page 341.

² Ibid. Chapter VI, Works, Vol. V, page 369.

powerful creator. Now if it is possible to know that the universe is the workmanship of a wise and good God this must have consequences for morality. Locke indeed thought that a belief in the existence of God was one of the essential bases of a sound moral theory. It was on this account that he excluded atheists from the toleration he would extend to every religious body for he felt that their denial of the existence of God made it impossible for them to keep faith or to feel themselves in any way the subjects of moral obligation.¹ The existence of God in fact forms for Locke the most important premise from which the law of reason is to be deduced. Thus, he argues, "The idea of a supreme Being, infinite in power, goodness and wisdom, whose workmanship we are and on whom we depend; and the idea of ourselves as understanding rational creatures; being such as are clear in us, would, I suppose, if duly considered and pursued, afford such foundations of our duty and rules of action as might place morality amongst the sciences capable of demonstration;....."² Belief in the existence of God is, then, fundamental to a true ethical system but this does not mean that morality is dependent on the arbitrary will of God; that the difference between right and wrong is simply that God has, as a matter of fact, enjoined the one and prohibited the other. (Locke does sometimes make use of the idea of God in such a way that morality appears to be the product of His arbitrary will but this belongs to another aspect of

1 vide A Letter Concerning Toleration, Works Vol. VI, page 47.

2 Essay Concerning Human Understanding, Book IV, Chapter III, Works, Vol. II, page 340.

Locke's ethical thought which will be discussed below.) God, indeed, does not act arbitrarily but in accordance with that which is intrinsically right. The moral code revealed in the Scriptures is in the main identical with the dictates of reason and Locke constantly recommends the Scriptures as the surest guide to the moral law. The rules it contains could have been discovered by the unaided use of reason but God has seen fit to make them abundantly clear to all by positive revelation. Though it is possible to arrive at a knowledge of them by reason alone it is easier to learn them through revelation and this is how most men have come to know them. "It is no diminishing to revelation, that reason gives its suffrage too, to the truths revelation has discovered. But it is our mistake to think, that because reason confirms them to us, we had the first certain knowledge of them from thence; and in that clear evidence we now possess them." ¹

There is, however, another theory of morality to be found in Locke's ethical thought; a theory in complete contrast to his basic ethical principles. According to this theory good and evil are to be equated simply with pleasure and pain. "Things then are good and evil, only in reference to pleasure or pain. That we call good, which is apt to cause or increase pleasure, or diminish pain in us; or else to procure or preserve us in the possession of any other good, or absence of any evil." ² This clearly represents an entirely different approach to

¹ The Reasonableness of Christianity, Works, Vol. VII, page 145.

² Essay Concerning Human Understanding, Book II, Chapter XX, Works, Vol. I, page 216.

moral problems. So far from the standard of good being that which reason shows to be intrinsically right, the standard, as far as this argument is concerned, is to be measured by the pleasure or pain that an action brings to its performer. On this theory actions can only be obligatory if it can be shown that it is to our advantage to perform them and Locke argues that there are two ways by which actions become binding on us - either through the pleasure or pain they bring upon us in the ordinary course of things or by virtue of the rewards and punishments which God attaches to their performance or avoidance. This second way by which actions are made obligatory seemed to Locke by far the most important for the pains and pleasures which God can bestow are infinitely greater than those of this world. "The rewards and punishments of another life, which the Almighty has established as the enforcements of His law, are of weight enough to determine the choice against whatever pleasure or pain this life can show, when the eternal state is considered but in its bare possibility, which nobody can make any doubt of." ¹ Morality, then, comes to consist in directing our actions in accordance with a rational calculation of the pains and pleasures likely to result from their performance or avoidance. "Moral good and evil, then, is only the conformity or disagreement of our voluntary actions to some law, whereby good or evil is drawn on us by the will and power of the law-maker;....." ² The contrast between this way of looking at morality and Locke's usual rationalistic ethic was probably obscured for him by

1 Essay Concerning Human Understanding, Book II, Chapter XXI, Works, Vol. I, page 269.

2 Ibid, Book II, Chapter XXVIII, Works, Vol. II, page 89.

his concentration on the rewards and penalties accorded by God for the performance or avoidance of certain actions. As he was convinced that God rewarded what was in itself good and punished what was of itself evil, it was easy for him to assume that the results of a truly rational calculation of the pleasures or pains likely to result from any action exactly coincided with the dictates of reason perceiving the intrinsic rightness or wrongness of actions. In this way it was possible for him to hold these two different theories of morality without observing any contradiction: the rewards and penalties given by God making that which is in itself right also the most profitable. (The contradiction, however, cannot so easily be resolved. If good and evil are really to be equated with pleasure and pain, how are we to account for the actions of God Himself? We have presumably to suppose that God establishes laws simply so as to give Himself the greatest amount of pleasure. This would mean that moral laws are the arbitrary product of the will of God obligatory only because God has seen fit to reward their observance and punish their breach. The only way out of this difficulty is to assume that God rewards and punishes what is itself right or wrong but this implies another standard of right and wrong and that pleasure and pain are not really the ultimate standards of good and evil.)

Though the hedonistic standard which Locke introduces into his ethical theory is really in contradiction with his more usual rationalistic principles it has something in common with them. Though a different

standard of good and evil is introduced it is still true that moral behaviour consists in being guided by reason; reason now no longer reveals a self-evident moral law but indicates the pleasures or pains we can expect to follow a certain line of action. The basis of moral action is in fact action in accordance with reason and the preference of vice to virtue is a "manifest wrong judgment".¹

The main tenets of Locke's ethical thought are, then, thoroughly rationalist. His main argument is that the moral law consists in a series of self-evident principles together with the consequences that can be logically deduced from it. This system is evident to the reason of any who chooses to apply himself to it. Right action is thus action in accordance with reason and man is moral in so far as he acts in accordance with reason's dictates. It is therefore the possession of reason which makes man a moral being, for it makes him capable of perceiving, and acting in accordance with, a moral law; a law itself the embodiment of reason. It is reason, then, which raises man above the brutes and "which places him almost equal to angels."²

There can indeed be found in his work the other theory of morality, discussed above, which makes pleasure and pain the ultimate criteria of good and evil yet even on this theory morality at the human level means taking reason for one's guide. Whichever aspect of Locke's ethical

1 Essay Concerning Human Understanding, Book II, Chapter XXI, Works, Vol. I, page 268.

2 First Treatise of Civil Government, Book I, Chapter VI, Works, Vol. V, page 255.

thinking we take we come back to this - that moral behaviour is action in accordance with reason; "The principle of all virtue and excellency lies in a power of denying ourselves the satisfaction of our own desires where reason does not authorise them."¹ and "He that has not a mastery over his inclinations, he that knows not how to resist the impertunity of present pleasure or pain, for the sake of what reason tells him is fit to be done wants the true principle of virtue and industry, and is in danger of never being good for anything.....".² To act rightly, then, is simply to obey reason and man is a moral being by virtue of his capacity for rational action. This is the central conclusion of Locke's ethical thought and it is on this that his idea of freedom depends.

1 Some Thoughts Concerning Education,
Works, Vol. IX, page 32.

2 Ibid.

LOCKE'S TREATMENT OF PERSONAL IDENTITY
AND OF THE FREEDOM OF THE WILL

Before proceeding to consider Locke's conception of freedom it is necessary to look at his account of two closely related problems.

Firstly, the problem of personal identity and of what constitutes an individual personality and secondly, the problem of the freedom of the will.

PERSONAL IDENTITY

Locke's treatment of personal identity is to be found in his 'Essay Concerning Human Understanding'. (When Locke composed the first edition of the Essay he does not seem to have been aware of the problem and Chapter XXVII of Book II where he deals with this problem was added in the second edition.) Here he treats the problem of personal identity and individual personality as one aspect of the problem of identity in general. Locke recognises that identity is a term which can be used with varying meanings. In the first place it can be used to mean the simple identity of a thing with itself. Thus he says, "When we see anything to be in any place in any instant of time, we are sure (be it what it will) that it is that very thing and not another....." ¹ or it can be used to mean the identity of the same thing through time. This is the identity of a thing which exists through time without change and, "when the ideas it is attributed to vary not at all from what they were that moment wherein we consider their former existence, and to which we compare the present." ² Since it is only possible for one thing of the same kind to

¹ Essay Concerning Human Understanding, Book II, Chapter XXVII, Works, Vol. II, page 44.

² Ibid.

exist at a given time and place this identity can be defined with reference to origin in space and time - "That, therefore, that had one beginning, is the same thing; and that which had a different beginning in time and place from that, is not the same but diverse." ¹ This type of identity Locke calls 'identity of substance'. The term identity, however, can be used in other ways. It is used in quite a different sense when it is applied to living matter or to individual personality. We often use the term identity where there is no identity of substance at all; when we apply it to living matter, for example: "an oak growing from a plant to a great tree and then lepped, is still the same oak; and a colt grown up to a horse, sometimes fat, sometimes lean, is all the while the same horse; though in both these cases there may be a manifest change of the parts; so that truly they are not either of them the same masses of matter, though they be truly one of them the same oak, and the other the same horse." ² The identity here is not an identity of substance at all. The substance which makes up a living body is continually changing. The identity which is meant here is identity of organisation. "That being then one plant which has such an organisation of parts in one coherent body partaking of one common life, it continues to be the same plant as long as it partakes of the same life, though that life be communicated to new particles of matter vitally united to the living plant, in a like continued organisation conformable to that sort of plants." ³ The same principle, he argues, applies in the

1 Essay Concerning Human Understanding, Book II, Chapter XXVII, Works, Vol. II, page 45.

2 Ibid, page 47.

3 Ibid.



case of man and the identity of a man is the identity of his bodily organisation, "a participation of the same continued life, by constantly floating particles of matter, in succession vitally united to the same organized body." ¹ The identity of man, then, like that of plants and animals is the identity of his bodily organisation and Locke argues that if we try to place the identity of man in any other principle we shall find it impossible to establish a criterion of what constitutes the same man without doing violence to the ordinary use of language. If, for example, we assert that the identity of man consists in the identity of an immaterial soul then it will be possible for "Seth, Immanuel, Socrates, Pilate, St. Austin, and Caesar Borgia, to be the same man. For if the identity of the soul alone makes the same man and there be nothing in the nature of matter why the same individual spirit may not be united to different bodies, it will be possible that these men living in distant ages, and of different tempers, may have been the same man....." ² The idea of man is thus dependent on the idea of a certain bodily organisation. Locke illustrates this point by quoting a story about a parrot that could speak and act intelligently. He argues that even if creatures like parrots could habitually act rationally they could not rightly be called men. ³

Though Locke places the identity of man in that of bodily organisation he distinguishes this from identity of personality. The

1 Essay Concerning Human Understanding, Book II, Chapter XXVII, Works, Vol. II, page 43.

2 Ibid.

3 vide Ibid. pages 50-52.

term 'person', he thinks, implies something different from the term 'man' and identity of personality is different from, and indeed independent of, the identity of the human body. The idea of a person is entirely different from the idea of body. It is the idea of an identical thinking being, "a thinking intelligent being, that has reason and reflection and can consider itself as itself....." ¹ This, however, is only possible through "that consciousness which is inseparable from thinking, and, as it seems to me, essential to it: it being impossible for any one to perceive without perceiving that he does perceive." ² The distinguishing characteristic of a person, then, is that he is a continuous, self-conscious, thinking being and it is in continuity of consciousness that personal identity consists. So long as a man can recall certain acts as his own he is the same man as performed those acts and it is only when he is conscious of such acts that he can be said to be the same person that performed them: "as far as this consciousness can be extended backwards to any past action or thought so far reaches the identity of that person." ³

Identity of personality, he argues, does not necessarily imply identity of substance either material or immaterial. If it be possible for different thinking substances to share the same consciousness as it is for different material particles to partake of the same living

1 Essay Concerning Human Understanding, Book II, Chapter XXVII, Works, Vol. II, page 52.

2 Ibid.

3 Ibid.

organisation, then it will be possible for the same person to be made up of different thinking substances. The criterion of personal identity is not identity of substance, material or immaterial, but continuity of consciousness. It is logically possible for men living at different times to be the same person and for one man to possess two personalities. "Could we suppose two distinct incommunicable consciousnesses acting the same body, the one constantly by day, the other by night; and on the other side, the same consciousness acting by intervals two distinct bodies: I ask in the first case, whether the day and the night man would not be two as distinct persons, as Socrates and Plato? And whether, in the second case, there would not be one person in two distinct bodies, as much as one man is the same in two distinct clothings." ¹ (This answer to the problem of what constitutes personal identity is open to many objections. The classic objection brought against it is that of Reid's problem. Suppose a boy, who was beaten for stealing apples - he grows up, becomes an officer and captures a standard. Later in life he is promoted to the rank of General. At the time he captured the standard he was conscious of having been beaten for stealing apples. At the time he became a general he was conscious of having captured the standard but he was not conscious of having been beaten for stealing apples. This will mean that the man who captured the standard was the same person who stole the apples. The man who became a general was the same person as the officer who captured the standard. But the general was not the same person as the boy who stole the apples. This is absurd.

¹ Essay Concerning Human Understanding, Book II, Chapter XXVII, Works, Vol. II, page 62.

A further difficulty is that it fails to take account of the fact that people do forget things without the possibility of remembering them again - the phenomenon of amnesia - while, on the other hand, they often have vivid 'memories' of things which have never happened or which they have had nothing to do with. The difficulties of the theory have been analysed in an article by A. Flew.¹ Locke's treatment of personality has been examined and criticised in the light of Hegelian dialectic by J.W. Hudson.²⁾

Locke goes on to argue that it is as an identical, continuous consciousness that man is the subject of moral responsibility. A person, he argues, can be held responsible only for what he is conscious of having performed. To punish someone for something which he could never remember as his act would be to punish one person for the actions of another: "if the same Socrates waking and sleeping do not partake of the same consciousness, Socrates waking and sleeping is not the same person. And to punish Socrates waking for what sleeping Socrates thought, and waking Socrates was never conscious of, would be no more right, than to punish one twin for what his brother-twin did,....because their outsides were so like that they could not be distinguished;....."³

- 1 A. Flew, 'Locke and the Problem of Personal Identity', in 'Philosophy', Jan. 1951.
- 2 J.W. Hudson, 'The Treatment of Personality by Locke, Berkeley and Hume', University of Missouri, 'Studies in Philosophy and Education', Series I 1, Columbia, Missouri, 1911.
- 3 Essay Concerning Human Understanding, Book II, Chapter XXVII, Works, Vol. II, page 60.

Locke, then, considers that what makes an individual identical person is continuity of consciousness. The individual person might be described as the ultimate reasoning unit. Its identity consists in that it and it alone is conscious of itself as itself and of its past acts, thoughts and experiences as its own. It is as this ultimate unit of rational consciousness that a person is the subject of moral responsibility. A person is responsible for those acts, and those only, of which he is conscious as being his own. This conception of what constitutes personal identity is of considerable importance to an understanding of Locke's conception of freedom.

THE FREEDOM OF THE WILL.

Locke's treatment of the vexed problem of the freedom of the will is to be found in his chapter on the idea of Power in Book II of the 'Essay Concerning Human Understanding'. Locke seems to have found the question of freedom and necessity one of the most baffling he was called upon to answer. His first attempt to answer it was radically changed in the second edition; a change that he explains in the 'Epistle to the Reader' at the commencement of the Essay - "What I had there writ concerning liberty and the will, I thought deserved as accurate a view, as I was capable of:..... Upon a closer inspection into the working of men's minds, and a strieter examination of those motives and views they are turned by I have found reason somewhat to alter the thoughts I formerly had concerning that, which gives the last determination to the will in all voluntary actions. This I cannot forbear to acknowledge to the world with as much freedom and

readiness, as I at first published what then seemed to me to be right." ¹ Locke's attempt to answer the problem of the freedom of the will largely consists in denying that any problem exists. Freedom, he argues, is simply a power to execute what one prefers. The will is a power of preferring one action to another. "This at least, I think evident - that we find in ourselves a power to begin or forbear, continue or end several thoughts of our minds, and motions of our body, barely by the choice or preference of the mind. This power which the mind has to prefer the consideration of any idea, or the forbearing to consider it; or to prefer the motion of any part of the body to its rest, is that which we call the Will." ² The will, then, is an ability to make effective choice and to ask whether the will is free is an absurdity. "If this be so I leave it to be considered, whether it may not help to put an end to that long agitated, and, I think, unreasonable, because unintelligible question, viz. whether man's will be free or no? For if I mistake not, it follows from what I have said, that the question itself is altogether improper; and it is as insignificant to ask whether man's will be free, as to ask whether his sleep be swift, or his virtue square:....." ³ The will, indeed, is simply a power or ability and to ask whether the will is free is to ask whether one ability can possess another: "a question at first sight too grossly absurd to make a dispute, or need an answer." ⁴ The

1 Epistle to the Reader, Works, Vol. 1.

2 Essay Concerning Human Understanding, Book II, Chapter XXI, Fraser's Edition, Volume 1, page 319.

3 Ibid. page 319.

4 Ibid. page 321.

error, he thinks, has its source in the habit of calling powers of the mind "faculties" and then treating these faculties as if they were not powers but existing entities. It is this way of talking which has led men to talk of the will as a thing, rather than as a power of something else. It is from this error that men come to speak of the will operating on the understanding or the understanding on the will. This way of speaking is, however, absurd. "And we may as properly say that it is the singing faculty sings, and the dancing faculty dances, as that the will chooses, or the understanding conceives;" 1

The question as to whether the will is free or not is, then, an absurdity. Freedom cannot be attributed to the will but only to the man. An agent is free, he argues, when he is able to perform or not to perform an action as the choice of his mind directs. Where he does not have that power he is not free; "the idea of liberty is the idea of a power in any agent to do or forbear any particular action, according to the determination or thought of the mind, whereby either of them is preferred to the other: where either of them is not in the power of the agent to be produced by him according to his volition, there he is not at liberty; that agent is under necessity." 2 A man walking along a cliffside, for example, is free to jump over the edge or not to jump but once he has jumped he is no longer free because he has no

1 Essay Concerning Human Understanding, Book, II, Chapter XXI,
 Fraser's Edition, Vol. I, page 322.

2 Ibid. page 316.

longer the power to fall or not to fall as he chooses but must inevitably continue falling. Locke goes on to argue that a man may be under necessity even when he is doing something which pleases him. "Again: suppose a man to be carried, while fast asleep, into a room where is a person he longs to see and speak with; and there locked fast in beyond his power to get out: he awakes, and is glad to find himself in so desirable company, which he stays willingly in, i.e. prefers his stay to going away. I ask is not this stay voluntary? I think nobody will doubt it: and yet being locked fast in it is evident he is not at liberty not to stay, he has not freedom to be gone." ¹ Freedom thus implies the genuine possibility of making a choice and carrying it into effect. Wherever that possibility does not exist even if the agent be compelled to do something he would choose anyway he is not free.

Though Locke appears to dismiss the question of the freedom of the will as an absurdity he does attempt an answer to the question whether the choice of the mind is determined and what it is that determines it. His answer in the first edition of the Essay is that the choice of the mind is inevitably determined and determined by something outside itself. "Is then a man indifferent to be pleased or not pleased more with one thing than another? Is it in his choice, whether he will or will not be better pleased with one thing than another? And to this I think everyone's experience is ready to make answer no. From whence it

¹ Essay Concerning Human Understanding, Book II, Chapter XXI, Fraser's Edition, Vol. I, page 317.

follows that the will or preference is determine by something without itself." 1

In the first edition Locke argues that the will is determined by pleasure and pain so that the mind inevitably chooses the greatest pleasure and Locke goes on to argue that this does not detract from man's freedom at all. It would be no advantage to man if his will operated by chance. Is it, he asks, worth the name of freedom, "to be at liberty to play the fool?" 2

Locke's first answer to the problem of free will, then, leaves man no real freedom of choice at all. All human actions are determined either by external factors which prevent the choice of the will from becoming effective or else by the necessary determination of the will by the greatest pleasure. Locke indeed argues that this does not destroy human freedom but by freedom he means the unrestrained activity of the will. We might say that human actions are governed by two necessities. First, the necessity imposed by external conditions and secondly, the necessary determination of the will by the greatest pleasure. Locke seems to mean no more by freedom than actions controlled by this second necessity alone. He makes no allowance for actions which are not necessarily determined in one of these ways.

- 1 Essay Concerning Human Understanding, Book II, Chapter XXI, paragraphs 28 & 29 in the First Edition: vide Fraser's Edition, Vol. I, Note to Chapter XXI, page 375.
- 2 Essay Concerning Human Understanding, Book II, Chapter XXI, Fraser's Edition, Vol. I, Note to Chapter XXI, page 376.

In the second edition of the Essay Locke attempts another answer to the problem. Not only does he evolve a different theory of the determination of the will but he produces a theory of the operation of the will which leaves some room for genuine freedom of choice. In this edition Locke tries to give a new theory of the determination of the will analogous to the causal determination of events in the physical world by physical forces. On this theory that which determines the will is not the greatest ideal good (or what is the same thing, the greatest attainable pleasure) but a present existing pain or uneasiness. "To return, then, to the inquiry, What is it that determines the will in regard to our actions? And that, upon second thoughts, I am apt to imagine is not, as is generally supposed, the greater good in view; but some (and for the most part the most pressing) uneasiness a man is at present under." ¹ The reason for this is that for a cause to operate it must be present. The idea of future pleasure is the idea of something which is absent and, "it is against the nature of things, that what is absent should operate where it is not." ² The contemplation of a future good can, then, only act as a cause determining the choice of the will in so far as it produces an existent, present uneasiness. "It may be said that absent good may, by contemplation, be brought home to the mind and

- 1 Essay Concerning Human Understanding, Book II, Chapter XXI, paragraph 31 in the Second Edition; Fraser's Edition, Volume I, page 332.
- 2 Essay Concerning Human Understanding, Book II, Chapter XXI, paragraph 37 in the Second Edition; Fraser's Edition, Vol. I, page 336.

made present. The idea of it indeed may be in the mind, and viewed as present there; but nothing will be in the mind as a present good, able to counterbalance the removal of any uneasiness which we are under, till it raises our desire; and the uneasiness of that has the prevalency in determining the will." ¹ The will, therefore, is determined not by the contemplation of the greatest possible good but by the presence of a spur to action in the form of present uneasiness. and it is the relative strength of these existing pains which determines which will influence the choice of the mind. "The greatest present uneasiness is the spur to action, that is constantly most felt, and for the most part determines the will in its choice of the next action." ² The strength of the desire provoked in us by the contemplation of absent good is unfortunately not in direct proportion to the actual value of the good itself. The contemplation of the greatest good may, in fact, produce less present uneasiness in us than the want of something relatively trivial. "This, I think, any one may observe in himself and others - that the greater visible good does not always raise men's desires in proportion to the greatness it appears, and is acknowledged, to have: though every little trouble moves us and sets us on work to get rid of it." ³ A drunkard, for example, may recognise that his drinking is costing him his health, his money, and eventually the very

1 Essay Concerning Human Understanding, Book II, Chapter XXI, paragraph 37 in the Second Edition; Fraser's Edition, Vol. I, pages 336-337.

2 Ibid. paragraph 41; Ibid. pages 339-340.

3 Ibid. paragraph 45; Ibid. page 342.

possibility of obtaining his beloved liquor. He may recognise that the good he is losing by his course of action far outweighs the pleasure he derives from drink and the idle chatter of his companions. Yet once he feels uneasiness at missing his friends and his cups he is forced back to the tavern. The present uneasiness outweighs the contemplation of the greater good and his good resolutions are cast aside. This accounts for the dilemma of the man who complained "Video meliora proboque sed deteriora sequor." It accounts for the apparent irrationality of human behaviour for if men's actions were really determined by the contemplation of the greatest good the contemplation of infinite and eternal happiness, even if it were considered as a mere possibility, would "regularly and constantly determine the will in all the successive actions it directs; and then we should keep constantly and steadily in our course towards heaven, without ever standing still, or directing our actions to any other end:"¹

This new theory of the determination of the will opened the way for a new view of the operation of the will, a view which allows a certain amount of room for genuine freedom of choice. Locke now argues that the mind has an ability to suspend the execution of even

¹ Essay Concerning Human Understanding, Book II, Chapter XXI, paragraph 36 in the Second Edition; Fraser's Edition, Vol. I, page 337.

the most pressing desire. This gives time for reason to contemplate the objects of desire before the mind and, by throwing its weight into the balance, to influence action in the direction of the rationally preferable alternative. "There being in us a great many uneasinesses, always soliciting and ready to determine the will, it is natural, as I have said, that the greatest and most pressing should determine the will to the next action; and so it does for the most part, but not always. For the mind having in most cases, a power to suspend the execution and satisfaction of any of its desires; is at liberty to consider the objects of them, examine them on all sides, and weigh them with others." ¹

In the period of suspension reason is able to operate. It does not work as a direct spur to action itself. It simply subjects the objects of desire to rational contemplation and by that contemplation increases the strength of the desire for the object of rational choice. In this way it alters the balance of forces and directs the will towards the greater good. Human freedom of choice, then, consists in an ability to resist the strongest desire for long enough to enable reason to direct the will in favour of a rational choice. "This is the hinge on which turns the liberty of intellectual beings, in their constant endeavours after, and a steady prosecution of true felicity - that they can suspend this prosecution in particular cases, till they have looked before them, and informed themselves whether that particular thing which is then preferred or desired lie in the way to their main end, and make a real part of that which is their greatest good." ²

- 1 Essay Concerning Human Understanding, Book II, Chapter XXI, paragraph 40 in the Second Edition: Fraser's Edition, Vol. I, page 345.
- 2 Ibid. paragraph 53: Ibid. page 349.

Locke's treatment of the question of freedom and necessity is conducted from beginning to end on the hedonistic theory of human motivation which has been discussed in connection with his ethical theory. In the first edition he argues that human choice is completely determined by the greatest pleasure in prospect. This means that no true liberty exists and that the distinction between freedom and necessity is simply the distinction between actions determined by external factors and actions determined by the internal necessity of the determination of the will by the greatest pleasure. In the second edition, however, a new point of view allows for the limited operation of free choice. When this is allowed for it is seen to consist in an ability to prevent the immediate operation of the strongest desire so that choice can ultimately be determined in accordance with the verdict of reason. In so far, then, as Locke allows for any freedom of choice at all it consists in the possibility of exercising rational choice.

From Locke's consideration of freedom and necessity the point also emerges that freedom of man in his external relations consists in freedom to act in accordance with the actual preference of his mind. This conception of freedom implies the possibility of alternative courses of action. Locke is clear on the point that man cannot be said to be free if he is given no choice even though the thing he is compelled to do is something he would choose were he free

to do so. The implications of this aspect of Locke's treatment of freedom and necessity will be discussed at greater length in the next chapter.

.....

LOCKE'S CONCEPTION OF FREEDOM

The 'Two Treatises of Government' from which we must draw most of our material for a study of Locke's idea of freedom suffer from one important defect. They were not, like his 'Essay Concerning Human Understanding', academic philosophic works giving an impartial analysis of the true principles underlying the authority of the state. They were written partly for this purpose but partly for the more directly practical purpose of justifying the revolution and settlement of 1688. Part of Locke's purpose was to "establish the throne of our great restorer, our present King William;..... and to justify to the world the people of England, whose love of their just and natural rights, with their resolution to preserve them, saved the nation when it was on the very brink of slavery and ruin." ¹ This, however, was only part of Locke's intention. The Treatises were written partly as a defence of an actual existing state of affairs but partly also as a philosophic examination of the principles underlying all politically organised societies. Though Locke writes with an eye to the contemporary situation in England he also writes in terms of principles of universal application, principles which in some cases do not tally with the facts of the Revolution settlement. The work, then, is partly a political pamphlet and partly a philosophic examination of "The True Original, Extent and End of Civil Government" (sub-title of the Second Treatise). Locke is never noted for consistency and when we have to derive our material from such a work as this we should expect the inconsistencies to be even more glaring than usual. Locke's

¹ The Preface to the Two Treatises of Government, Works, Vol. V, page 209.

political thought is, in fact, capable of widely different interpretations and any attempt to analyse his political conceptions must inevitably involve a certain element of subjective judgement. In spite of this, however, I believe that it is possible to get a clear picture of the central points in Locke's conception of freedom, a conception consistent with, and indeed dependent on, his attitude to ethical problems in general.

Locke's conception of freedom is in its essentials a necessary corollary of his ethical thought. Locke's ethical thought, as has been shown in a previous chapter (see above, Chapter 2), varied between what might be described as a pure rationalist theory and a hedonistic one. On the first theory morality consisted in a code of behaviour intrinsically right and evident to reason. This was the dominant theory in Locke's ethical thought. It has its source in the natural law tradition, a tradition which can be traced back to the Stoics but which was known to Locke chiefly through the seventeenth-century writers who made natural law the basis of their moral and legal theorising. (See above, Chapter 1.) It is this theory which appears in the 'Two Treatises of Government' and the moral law is there equated with a natural law itself a law of reason. The second theory equated good and evil with pleasure and pain. It is less important in Locke's ethical thought but influences his conception of the freedom of the will. (See above, Chapter 3.) To whichever aspect of his ethical thought we turn, however, we find one common element. In both cases moral behaviour means action in accordance with the dictates of reason. This may mean acting in accordance with a law which reason shows to be intrinsically right or

it may mean acting in a way which reason shows to be the most profitable in terms of pleasure and pain. In either case to act morally is to obey reason. It is, then, the possession of reason which makes man capable of moral action. Locke, as has been shown above, believes that human freedom of choice consists in the possibility of resisting desire and following reason. (See above, Chapter 3, Part II.) It is reason which makes it possible for man to feel a sense of moral obligation. It is reason, therefore, which makes man a moral being and raises him above the brutes.

From this, Locke's conception of freedom follows as a necessary corollary. If man is a moral being by virtue of his reason and moral action is action in accordance with reason then the possession of reason must automatically imply a right to the freedom to direct one's activities by that light. This right is implicit in the nature of man as a rational being. It is no more than the right of a moral being to act morally; the right of a man to be a man. To deprive a man of this right will be contrary to reason for it will be treating man as less than a man. However much it may be infringed the right can never disappear for it is implied in the conception of a rational being and must continue to be valid as long as a man retains his reason. This conception of man's right to freedom is clearly expressed in the *Second Treatise of Civil Government*. Here Locke argues that man's right to freedom depends directly on the possession of reason which enables him to know the moral law. "The freedom then of man, and liberty of acting according to his own will, is grounded on his having reason, which is able to instruct him in that law he is to govern himself by, and make him know how far he is left to the freedom of his own will."¹

¹ *Second Treatise of Civil Government*, Chapter VI, Works, Vol. V, page 373.

The principle that the right to freedom depends upon the possession of reason has as its converse that those who do not possess, or have not yet the use of reason, are not free. Children, therefore, before their reason is fully developed are rightly under the control of their parents. "The law that was to govern Adam, was the same that was to govern all his posterity, the law of reason. But his offspring having another way of entrance into the world,..... that produced them ignorant, and without the use of reason, they were not presently under that law. and Adam's children being not presently, as soon as born, under this law of reason, were not presently free." ¹ Where some defect has permanently deprived anyone of the use of reason, as in the case of idiots and lunatics, he remains permanently in tutelage and must be guided by the reason of others. "And so lunatics and idiots are never set free from the government of their parents:" ² In all other cases, however, man becomes free as soon as his reason is sufficiently developed for him to be capable of rational moral action. The right to freedom, then, is implied in the possession of reason and "we are born free as we are born rational".³ This is the central point in Locke's conception of freedom.

Freedom is thus the birthright of every rational being. This, however, is only one way of looking at the question. If the possession of reason implies the right to the freedom to conduct one's actions as reason directs, reason itself recognises that this is so. The injunction to recognise this right is, then, one of the basic tenets of that moral law which reason reveals.

1 Second Treatise of Civil Government, Chapter VI, Works, Vol. V, page 370.

2 Ibid., page 372.

3 Ibid.

Thus Locke argues that the natural law "teaches all mankind who will but consult it, that being all equal and independent, no one ought to harm another in his life, health, liberty or possessions;....."¹ Man's right to freedom, then, can be considered from two points of view. First, man's right to freedom depends on his possession of reason. His possession of reason makes him, as it were, intrinsically free. Secondly, reason recognises this and the law of reason forbids any infringement of this right.

So far we have considered freedom simply as a right which it would be wrong to infringe. We can, however, look at it in another way - from the point of view of the moral obligations of the subject. A man's freedom may perhaps be taken away by force for example but does this mean that he acquires a duty to obey? As has been shown above (see Chapter 2), to act morally is to act rationally. Man cannot possibly owe any obligation except where reason shows that obligation to be valid. Reason, however, though it shows that we are bound to obey certain moral laws in our dealings with other men, does not show that we owe political obedience to anyone. On the contrary, it shows that men are, morally speaking, by nature equal and independent of one another and that the state of nature is "A state also of equality, wherein all the power and jurisdiction is reciprocal, no one having more than another; there being nothing more evident than that creatures of the same species and rank, promiscuously born to all the same advantages of nature, and the use of the same faculties, should also be equal one amongst another, without subordination or subjection, unless the lord and master of them all should, by any

¹ Second Treatise of Civil Government, Chapter II, Works, Vol. V, page 341.

manifest declaration of his will, set one above another, and confer on him, by an evident and clear appointment, an undoubted right to dominion and sovereignty." ¹ Reason, then, shows no obligation intrinsic to the nature of things for any man to obey another. A man cannot therefore owe any obligation to obey another unless he has acquired that obligation by some act which reason shows to be binding upon him. He can only acquire such an obligation by a voluntary promise of obedience for reason shows that one must keep one's promises. Man, then, can only owe an obligation to obey anyone by voluntarily consenting so to obey. "Men being, as has been said, by nature all free, equal, and independent, no one can be put out of this estate and subjected to the political power of another without his own consent....." ²

Freedom is thus an inalienable right and man can only be deprived of it by his own voluntary consent. Even when that consent is given, however, a man cannot deprive himself of his freedom entirely. He cannot place himself under the absolute and arbitrary will of another. To do this, Locke maintains, would amount to a surrender of his life and no man can give to another a power greater than he possesses himself. As man does not possess the right to take his own life he cannot put it at the arbitrary disposal of another. A man cannot by voluntary act make himself a slave. Locke, it is true, does make allowance for one case in which the institution of slavery is permissible; but he treats this case in such a way as to illustrate, rather than contradict, his own principles. If a man, or group of men, attack their neighbours in violation of the law of

¹ Second Treatise of Civil Government, Chapter II, Works, Vol. V, page 340.

² Ibid., Chapter VIII, Works, Vol. V, page 394.

nature they put themselves in what he calls "a state of war".¹ When this occurs the offended parties have a right to kill them for by abandoning the law of reason they have put themselves outside the bonds of human society and classed themselves with the wild beasts which are a danger to mankind. In such a state of war the injured parties, if they conquer, may put the offenders to death. They may, however, prefer to leave them alive and treat them as slaves. They can only do this, however, because the slaves have forfeited their lives and are, as it were, morally dead. The state of slavery is in fact nothing more than a continuance of the state of war. Once the victors enter into any form of contract with their slaves the state of war is ended and the absolute power of the victors lapses. Though men may thus be kept as slaves when they are conquered in a just war they do not thereby become subject to any obligation to obey their masters. They are morally entitled to resist and bring the penalty of death upon themselves.

The freedom to which man has an inalienable right is moreover a freedom which belongs to individuals as individuals. The right to freedom, as has been shown above, is based on man's capacity for guiding himself by the light of reason. If freedom depends on the capacity for rational conduct then that freedom must belong to individuals as individuals. For a man can only be said to be acting rationally - as a rational moral agent - when he is acting in accordance with his own reason. This is clear from Locke's treatment of the nature of personality. The very essence of personal identity, as we have seen above (see Chapter 3, Part I),

¹ vide Second Treatise of Civil Government, Chapters III & IV.

lies in the fact that a person is to be defined as a continuing strand of consciousness: conscious of actions in the past as his own. This conception of personality was fundamental to moral responsibility. Locke argued that a person could only be held responsible for acts he could recognise as his own. To punish anyone for an act of which he was never conscious would be to punish one person for the crimes of another. The essence of moral responsibility, then, is that it applies to individuals as individuals. It applies as far as any individual is concerned only to those actions of which he is conscious as his own. (See above, Chapter 3, Part I.) To act as a morally responsible being, therefore, must be to act in accordance with one's own reason. The distinction, indeed, between a being possessed of reason and capable of rational moral action and one who does not possess such reason and is not so capable, is that the former can guide his actions by the light of his own reason while the latter must be guided by the reason of others.¹ The freedom, then, to act as reason directs, the freedom implied by the possession of that reason, is a freedom which belongs to rational beings as individuals. The right to this freedom is not a right to group freedom - to the freedom to obey the majority, but a freedom for each to obey the dictates of his own reason. This is made clear when Locke argues that for an individual to become a member of a political society with a duty of obedience to the government of that society he must have given his own individual consent to become a member and own that duty of obedience. "It is true that whatever engagements or promises any one has made for himself, he is under the obligation of them, but cannot by any compact whatsoever bind his children or posterity."² And, again, "foreigners

1 vide Second Treatise of Civil Government, Chapter VI, Works, Vol. V, page 372.

2 Ibid., Chapter VIII, Works, Vol. V, page 407.

by living all their lives under another government, and enjoying the privileges and protection of it, though they are bound, even in conscience, to submit to its administration as far forth as any denizen, yet do not thereby come to be subjects or members of that commonwealth. Nothing can make any man so but his actually entering into it by positive engagement and express promise and compact." 1

Locke's conception of freedom, moreover, implies a genuine opportunity of choosing between alternative lines of action and making that choice effective. We have seen how in the 'Essay Concerning Human Understanding' he argues that liberty consists in the possibility of directing one's actions in accordance with the preference of one's own mind. (See above, Chapter 3, Part II.) He maintained, indeed, that a man who was compelled to do something which he actually wanted to do could not be considered free because he could not choose to do something else with the possibility of making that choice effective.

It is clear, then, that freedom for Locke meant something quite different from the interpretation put upon the term by such philosophers as Rousseau or Hegel. On Locke's principles freedom could not be interpreted to mean what Rousseau understood by it: the right to be guided by a 'general will' supposed to represent the real will of the community as a whole though different from the particular wills of the individuals as individuals. (On Locke's principles Rousseau's argument that a man might be "forced to be free" would be sheer nonsense.) Still

1 Second Treatise of Civil Government, Chapter VIII, Works, Vol. V, page 411.

less could Locke's conception of freedom be taken to mean that, as Hegel thought, freedom lies in obedience to the will of the state: a will more universal and therefore more real than that of the individual. To Locke freedom meant what it does to most people - a genuine possibility of acting in accordance with one's own individual judgment.

Against this view of Locke's conception of freedom it could be pointed out that Locke, in several passages, uses the term 'Natural law' in such a way as to suggest that it is concerned with individuals in their social aspect as members of the human species rather than with individuals as individuals. He says, for example, "the fundamental law of Nature being the preservation of mankind, no human sanction can be good or valid against it,"¹ Or again, "the fundamental law of Nature, man being to be preserved as much as possible,....."² Such statements seem to suggest that the law of Nature, far from being a law concerned with the rights and duties of individuals as individuals was primarily concerned with the preservation of the human species as a whole. Thus Locke argues that the right which every man has in the state of Nature to kill a murderer arises from the fact that by abandoning the rule of reason the murderer has "declared war against all mankind,....."³ It could be noted further that Locke in the Second Treatise often makes use of the term 'the public good' in such a way as to suggest that the criterion of a just exercise of political power is not to be found in whether it is exercised to the detriment of individual rights but in whether it is used to the detriment

1 Second Treatise of Civil Government, Chapter XI, Works, Vol.V, page 419.

2 Ibid., Chapter III, Works, Vol.V, page 347.

3 Ibid., Chapter II, Works, Vol.V, page 344.

of the public good. These passages might be taken to mean that the rights of individuals are essentially social rights and relative to the wishes of the majority in a community: that the freedom of the individual is really nothing more than the freedom to be governed as the majority approves.

To interpret Locke's conception of freedom in this way, however, would be to ignore the whole basis of that conception, the capacity of a rational being to direct his actions in accordance with reason. It would, moreover, contradict Locke's conception of personal responsibility. Locke, as we have seen, considered that a person could only be held responsible for the acts he was conscious of as his own. Moral responsibility in fact belongs to individuals as individuals. It is as an individual, then, that man is a responsible moral being and the freedom which is implied in his capacity for moral action must belong to him as an individual. In addition to this Locke, as shown above, makes it clear that it is to individuals as individuals that freedom belongs by insisting that a man can only become a member of a political community by his own individual and explicit consent. (Locke makes this clear at some length in the Second Treatise. It is unlikely that he would have insisted on it so forcibly - particularly in view of the difficulty of reconciling this principle with actual political practice - if he had not felt that it was fundamental to his whole conception of political obligation.)

Locke was notorious for his inconsistency and it is not surprising if we find passages in his works which seem inconsistent with his general attitude to freedom and human rights in general. To suppose, however,

that these passages give Locke's main thoughts on these topics would be to assume a radical inconsistency in his work for which there is no adequate evidence. It is more natural to assume that these passages express a point of view different from Locke's main theses depending on his ethical principles in general and clearly expressed in many passages in the Second Treatise of Civil Government. It is probable, in fact, that Locke failed, as he so often did, to realise that the passages in which he seems to assume that the Natural law concerns men in their social aspect and that their rights are essentially social rights, were capable of interpretation in a way inconsistent with his more general view that rights belong to individuals as individuals. The idea that the law of Nature is directed towards the preservation of mankind as a species is to be found, as we have seen, in the earlier writers on Natural law and it is probably from them that he derived this conception. (See above, Chapter 1). It is probable that he failed to realise the potential clash between this conception and his more usual views because he assumed that the preservation of the species could best be achieved by the preservation of the individual rights of the members who made it up; because in fact he assumed that the two conceptions led to identical conclusions. It is true that Locke felt the danger to individual liberty came from the side of absolute monarchy or oligarchy rather than from the tyranny of the majority. In the historical circumstances in which he lived the problem of the tyranny of the majority was hardly a practical one. In spite of this, however, if the main principles of Locke's conception of freedom are considered they will be found to provide grounds for the defence of individual freedom against any attempt to deprive a man of it even if this attempt be made by a numerical majority. As Locke himself

remarks, it is not only from monarchy that tyranny is to be feared. It can arise in any form of government, however large the numbers who make up the legislative may be, whenever they are so wicked as to attempt to deprive the individual of his just rights.¹

These, then, are the central themes of Locke's conception of freedom. I intend now to give a brief analysis of Locke's political principles to show how his treatment of the principles which lie behind government illustrate his conception of freedom and how his whole political theory depends on principles in which his conception of freedom is necessarily implied. Locke begins his treatment of political theory with an account of the "state of Nature". His idea of the state of Nature is, in a sense, the hinge on which his whole political thought turns. The state of Nature can be regarded in two ways. First, it is a hypothetical condition of human existence which precedes the establishment of any organised political society (though Locke seems to have thought that it may have had an historical existence). Considered under this aspect the state of Nature is transcended when political society is established. Secondly, the state of Nature represents the system of moral relationships natural to man because it is implied in human nature. In this sense the state of Nature is never completely transcended. It may be modified by the conditions of politically organised society. These conditions may impose new obligations on man which do not belong to him simply as man. They can, however, never destroy those moral obligations implicit in human nature. The moral law to which man is subject simply because he is a man can never be made obsolete.

¹ vide Second Treatise of Civil Government, Chapter XVIII, Works, Vol. V, page 458.

The state of Nature is a condition of life in which men are free and independent of one another, being bound together by a common moral law binding on them as rational beings. As Locke puts it, "though this be a state of liberty, yet it is not a state of licence;"¹ Men in the state of Nature are subject to a law of reason, the law of Nature which lays down their duties to one another. "The state of Nature has a law of Nature to govern it, which obliges every one, and reason, which is that law, teaches all mankind who will but consult it, that being all equal and independent, no one ought to harm another in his life, health, liberty or possessions;"² In the state of Nature all men are free to guide their actions by the light of reason. This, however, means that there is no judge who can be appealed to in the case of a breach of the moral law. Each individual must be the executor of the law of Nature and punish offences against it as far as he is able. "And that all men may be restrained from invading others' rights, and from doing hurt to one another, and the law of Nature be observed,..... the execution of the law of Nature is in that state put into every man's hands, whereby every one has a right to punish the transgressors of that law to such a degree as may hinder its violation."³ Such a condition, however, is accompanied by many inconveniences. In the first place, though the precepts of the law of Nature are evident to reason, "yet men, being biased by their interest, as well as ignorant for want of study of it, are not apt to allow of it as a law binding to them in the application of it to their particular cases."⁴ In the second place, there is in the state of Nature no known and impartial judge to decide disputes.

1 Second Treatise of Civil Government, Chapter II, Works, Vol.V, page 341.

2 Ibid.

3 Ibid.

4 Ibid., Chapter IX, Works, Vol.V, page 412.

Each man has to be a judge in his own cause. Finally, where each man individually is the executor of the law of Nature it often happens that those who transgress against the law are able to muster the greater force and prevent their punishment. To avoid these inconveniences men agree together to form a community, to give up their individual powers to execute the law of Nature to a common authority. "And thus all private judgment of every particular member being excluded, the community comes to be umpire by settled standing rules, indifferent and the same to all parties....." ¹ By entering into a civil community men promise to give up their power to the community as a whole or to the government that community shall establish and to take its judgements as their guide. To be binding this promise must be made voluntarily and, as we have seen, must be made by the explicit compact of every individual who becomes a member of the community.

In agreeing to form a community, Locke argues, every man "puts himself under an obligation, to every one of that society, to submit to the determination of the majority, and to be concluded by it....." ² The argument by which Locke justifies this position illustrates very clearly the basic principles of his political thought. The argument is that a community cannot continue to exist as a community unless the decision of the majority is allowed to be conclusive: "it being necessary to that which is one body to move one way; it is necessary that the body should move that way whither the greater force carries it, which is the consent of

¹ Second Treatise of Civil Government, Chapter VII, Works, Vol.V, page 366.

² Ibid., Chapter VIII, Works, Vol.V, page 395.

the majority: or else it is impossible it should act or continue one body, one community, which the consent of every individual that united into it, agreed that it should"¹ The individuals, then, are bound to accept the will of the majority as binding on them because that was involved in their original consent to form a community (unless "they expressly agreed in any number greater than the majority."²). The obligation of the individual to obey the majority thus depends upon the fact that he has promised to do so. It goes back to the primary obligation to keep faith, an obligation which reason reveals and which "belongs to men as men, and not as members of society".³

Men, then, enter into society to avoid the inconveniences of the state of Nature. The end for which they do so Locke describes as the preservation of their property. He even argues that government has "no other end but the preservation of property".⁴ By property, however, Locke means much more than mere material possessions. To Locke the idea of property was simply the idea of "a right to anything."⁵ and, as he states in the Second Treatise, the property which society is to protect embraces men's "lives, liberties and estates, which I call by the general name - property."⁶ Of these rights the specific right to liberty is one

1 Second Treatise of Civil Government, Chapter VIII, Works, Vol.V, page 395.

2 Ibid., page 396.

3 Ibid., Chapter II, Works, Vol.V, page 346.

4 Ibid., Chapter VII, Works, Vol.V, page 393.

5 An Essay Concerning Human Understanding, Book IV, Chapter III, Works, Vol.II, page 340.

6 Second Treatise of Civil Government, Chapter IX, Works, Vol.V, page 412.

of the most important. It is, indeed, the guarantee of all other rights so that "He that in the state of Nature would take away the freedom that belongs to any one in that state, must necessarily be supposed to have a design to take away everything else, that freedom being the foundation of all the rest; as he that in the state of society would take away the freedom belonging to those of that society or commonwealth, must be supposed to design to take away from them everything else, and so be looked on as in the state of war." ¹ The specific right to freedom, then, is one of the most important rights which society is created to protect. Locke maintains, in fact, that the creation of a society with a fixed law is not intended to diminish but to increase freedom. "So that, however it may be mistaken, the end of law is not to abolish or restrain, but to preserve and enlarge freedom: for in all states of created beings capable of laws 'where there is no law, there is no freedom' for liberty is to be free from restraint and violence from others which cannot be where there is no law." ² In truth, however, all the rights which are guaranteed by society are connected with human freedom. The right to property, in the narrow sense of material possessions, for example, is essential to individual freedom and Locke in one passage includes in the idea of freedom "a liberty to dispose and order as he lists, his person, actions, possessions, and his whole property....." ³

1 Second Treatise of Civil Government, Chapter III, Works, Vol.V, page 348.

2 Ibid., Chapter VI, Works, Vol.V, page 370.

3 Ibid.

The end for which civil society is created, therefore, is the protection of individual rights. Of these rights the specific right to freedom is one of the most important but all of them are involved in the conception of freedom, for all of them are conditions of individual independence of action. Society, in fact, exists to secure the individual in the free enjoyment of his individual rights.

To achieve these ends for which society has been established it is necessary to establish some fixed legislative body. "The great end of men's entering into society being the enjoyment of their properties in peace and safety, and the great instrument and means of that being the laws established in that society; the first and fundamental positive law of all commonwealths is the establishing of the legislative power;....." ¹ The legislative power may take several forms. The majority may retain it in their own hands or confer it on some other group or person. In whatever form it is established, however, the legislative is the supreme power in the society and remains "sacred and unalterable in the hands where the community have once placed it....." ² Its powers, however, are not unlimited. In the first place, the powers of the legislative are limited by the moral law. The formation of a civil society does not abrogate the law of Nature. "The obligations of the law of Nature cease not in society, but only in many cases are drawn closer, and have by human laws known penalties annexed to them to enforce their observation." ³ The

1 Second Treatise of Civil Government, Chapter XI, Works, Vol.V, page 416.

2 Ibid.

3 Ibid., page 418.

legislative, then, cannot rightly act contrary to that law and "the law of Nature stands as an eternal rule to all men, legislators as well as others. The rules that they make for other men's actions must, as well as their own and other men's actions, be conformable to that law of Nature,"¹ In the second place, the legislative was created to fulfil the purposes for which society was established, the protection of individual rights. The powers vested in the legislative, therefore, can be regarded as a trust vested in them for the protection of the rights of individuals, "a fiduciary power to act for certain ends....."² The powers of the legislative are morally limited by the nature of the trust reposed in them. The legislative cannot rightly make its power over the citizens absolute and arbitrary nor can it take away the material property of the subjects without their consent. This would mean that the legislative was acting contrary to the purposes for which it had been created. It would be violating the trust placed in it. If the legislative were to act in this way the duty of obedience owed by the subject would lapse. "Whenever the legislators endeavour to take away the property of the people or to reduce them to slavery under arbitrary power, they put themselves in a state of war with the people who are thereupon absolved from any further obedience, and are left to the common refuge, which God hath provided for all men, against force and violence."³ The obligation to obedience ceases because in violating the trust placed in it the legislative has destroyed the ground on which the original compact was based. The people, then, have a right to rebel or, as Locke puts it, "to appeal to heaven". "And thus

1 Second Treatise of Civil Government, Chapter XI, Works, Vol.V, page 418.

2 Ibid., Chapter XIII, Works, Vol.V, page 426.

3 Ibid., Chapter XIX, Works, Vol.V, page 469.

the community perpetually retains a supreme power of saving themselves from the attempts and designs of anybody, even of their legislators, whenever they shall be so foolish or so wicked as to lay and carry on designs against the liberties and properties of the subject." ¹ Locke makes it clear that it is not only from a monarch that such a danger is to be feared. It is possible in all forms of government and whenever it happens the individuals will have a right to resist. "It is a mistake to think this fault is proper only to monarchies; other forms of government are liable to it as well as that: for wherever the power that is put in any hands for the government of the people and the preservation of their properties is applied to other ends, and made use of to impoverish, harrass, or subdue them to the arbitrary and irregular commands of those that have it; there it presently becomes tyranny, whether those that thus use it are one or many." ²

The powers of the legislative, therefore, are limited to the preservation of the rights of the individual citizens. Firstly, because to go against this would be to act contrary to Natural law; secondly, because it would be acting contrary to the purpose for which the members of the society had established the legislative and given it power; and finally, because the obligations of the individual to obey are limited by the conditions under which he promised to do so.

1 Second Treatise of Civil Government, Chapter XIII, Works, Vol.V, page 427.

2 Ibid., Chapter XVIII, Works, Vol.V, page 450.

From this consideration of Locke's political theory several important points emerge. In the first place, Locke's whole political theory depends on the principle that moral action is action in accordance with the dictates of reason. It is for this reason that the origin of political society must be traced to a voluntary compact between all the individuals concerned. The basis of political obligation goes back to the obligation to keep faith, an obligation which reason shows to be binding on men as men. It is on the same principle that the powers of government are limited. A government which went beyond the purposes for which it had been created would be acting contrary to what reason reveals to be right in itself. By so doing it would remove the grounds of any obligation on the part of its citizens. This principle involves, as we have seen, an inalienable right in every rational being to order his actions in accordance with the dictates of his reason. Locke's political theory is, in fact, based upon his general ethical principles, principles which necessarily involve his conception of freedom.

In the second place, the purpose of politically organised society is to protect individuals in the enjoyment of their rights. Of these rights the specific right to freedom is one of the most important. All the rights which society exists to protect, however, are aspects of freedom in the sense that they are rights which enable the individual to dispose of himself and his possessions as he wishes. Finally, these rights are rights which belong to individuals as individuals. This is clear from Locke's whole treatment of the question. It is made specially evident in his

insistence that an individual can become a member of a political society only with his own individual and explicit consent.

It remains now to consider some of the arguments which Locke uses in treating of a specific case of freedom, the problem of freedom of religious conscience. The 'Letters concerning Toleration', from which we must derive our material for this study, are not ideal as sources in which to discover the basic principles of Locke's conception of freedom. In the first place, they were not intended to be academic discussions of the principles involved in the conception of religious freedom but practically persuasive pamphlets. In the second place, the subject they were concerned with involved many considerations which were peculiar to itself and have little to do with the question of the right to freedom in general. For example, the argument that the dogmas necessary for salvation are really very few in number and in any case accepted by most of the sects who persecute one another (Locke considered this argument of considerable importance and we find it again in his 'Reasonableness of Christianity') is obviously relevant to religious questions only and has nothing to do with the grounds of human freedom in general. In spite of this, however, an examination of the 'Letters concerning Toleration' shows that Locke does make use of arguments which are central to his conception of freedom. I intend to consider two of the most important arguments in the 'Letters concerning Toleration' to show how these are connected with his basic idea of freedom and to show what further light they shed upon that conception.

One of the chief arguments which Locke uses to defend freedom of religious conscience is that the ends of religion are not involved in, and do not conflict with, the ends for which civil society has been created. The purpose for which men entered into a political community with one another was a protection of their rights or, as Locke expresses it in the 'First Letter concerning Toleration', - "The commonwealth seems to me to be a society of men constituted only for the procuring, preserving, and advancing their own civil interests. Civil interests I call life, liberty, health, and indolency of body; and the possession of outward things such as money, lands, houses, furniture, and the like."¹ Men have made a compact with one another to enter into a political community and surrender their powers to a central authority for the fulfilment of these ends. So long as the government of the society is acting in accordance with these ends they have a moral duty of submission. The government, however, has no right to go beyond the purposes for which it has been formed, nor are the citizens in conscience bound to obey it if it does so. The end of religion, however, is the worship of God in a manner believed to be pleasing to Him and the salvation of the individual soul. These ends are not involved in the ends of civil society. The way in which a man chooses to worship does not affect the civil rights of others. Furthermore, Locke argues, it is clear that the individuals who form civil society did not intend that that society should have power to regulate their progress to salvation. "Nor can any such power be vested in the magistrate by the consent of the people; because no man can so far abandon the care of his own salvation, as blindly to leave it to the choice of any other...."²

1 A Letter concerning Toleration, Works, Vol. VI, page 10.

2 Ibid., page 11.

The civil power, then, cannot rightly interfere with the religious worship of its subjects so long as that worship does not interfere with the civil rights which society exists to protect. This principle means that all religious bodies are entitled to freedom - Locke indeed would extend this toleration even to non-Christian religious bodies - so long as no article of their worship conflicts with the rights protected by society. If it is lawful for a man to slaughter a calf in his own house it should be lawful for him to sacrifice it in a place of public worship.¹ Locke does in fact exclude two groups from general toleration - Catholics and atheists. This exclusion, however, was directly based on the principles examined above. Catholics are not to be tolerated because their religious beliefs involve the attempt to subject citizens as a whole to the domination of a foreign power. (Locke does not allude to the Catholics directly in this context. His discussion of the reasons for the exclusion of any group from toleration, however, makes it clear that he has them in mind. The example he gives is of the Mahometans whose faith obliges them to owe allegiance to "the Mufti of Constantinople; who himself is entirely obedient to the Ottoman emperor, and frames the feigned oracles of that religion according to his pleasure." 2) Atheists are excluded because Locke believes that the denial of the existence of a God makes it impossible for them to behave as morally responsible citizens. "Those are not at all to be tolerated who deny the being of God. Promises, covenants, and oaths, which are the bonds of human society, can have no hold upon an atheist." 3

1 vide A Letter concerning Toleration, Works, Vol. VI, page 34.

2 Ibid., Works, Vol. VI, page 47.

3 Ibid.

This argument in defence of toleration gives a clear illustration of the basic principles which lie behind Locke's conception of freedom. It rests on the principle that we have seen running through Locke's political thought, the principle that a man cannot be deprived of his freedom or owe any duty of obedience except where he has promised to surrender such freedom by voluntary consent. This takes us back to the basis of Locke's conception of freedom; the idea that a man is only morally obliged to act in a certain way when his own reason shows that this is binding on him.

Further, this argument seems to give some indication of the limits which Locke would have placed to human freedom. The principle on which freedom of religious conscience is defended is that such religious freedom does not involve a conflict with the civil rights of others. Whenever the activities of a religious sect do interfere with the rights of others that sect is no longer entitled to freedom. This seems to indicate that the limits of man's freedom in civil society are to be found when his exercise of that freedom infringes on the rights of others. If this is true it would throw some light on one of the most difficult aspects of Locke's conception of freedom. Locke, as we have seen, makes it clear that man as a moral being has a right to direct his activities in accordance with his own judgement: that he can only be deprived of this right by his own consent and even then only with the purpose of enlarging, rather than restricting, his enjoyment of it. We may well feel inclined to ask wherein this right to freedom consists and how it is possible that man can give up his

freedom of the state of Nature (as Locke admits he does when he enters civil society) in order to increase it? Locke gives us no clear answer to this problem. He is content to talk about freedom as an abstract right without telling us in any detail what it is and where its limits lie. I believe, however, that a consideration of this argument for religious toleration gives us some indication of how Locke would have answered the question. This becomes more evident when it is taken together with his argument in the 'Second Treatise of Civil Government' that law is the essential condition of true freedom because it protects individuals from the violation of their rights by others: "for liberty is to be free from restraint and violence from others which cannot be where there is no law."¹ From these two arguments taken together it would seem probable that Locke's answer to the problem would have been that the right to freedom consists in the right to order one's actions in accordance with one's own judgement so far as this does not conflict with the rights of other individual members of the community. In other words, that man has a right to the freedom to do what he will so long as his exercise of this right does not conflict with the freedom of others. If this interpretation is correct it will show that Locke's conception of the content and limits of the right to freedom was substantially identical with that which John Stuart Mill was to advance in his essay 'On Liberty'.

b 16 4

¹ Second Treatise of Civil Government, Chapter VI, Works, Vol. V, page 370.

The second argument I wish to consider here is the view that religious persecution is wrong because the value of religious belief consists in its moral aspect as an inner persuasion of the mind: "true and saving religion consists in the inward persuasion of the mind without which nothing can be acceptable to God,"¹ From this Locke goes on to argue that religious persecution is futile and wrong. The use of force is inappropriate to change the inner persuasion of the mind. It can only force men to be guilty of hypocrisy. This illustrates Locke's idea that morality applies to individuals as individuals; that it is as individuals acting according to the persuasion of their own judgement that men are responsible moral agents. This is particularly evident in the religious sphere because the value and importance of religion lies in belief and not in any overt act which may bring man into conflict with the rights of his fellows. This argument for the freedom of religious conscience, then, illustrates once again Locke's belief that it is as individuals that men are responsible moral beings and the subjects of the right to freedom. This freedom is to be unlimited in the sphere of religion precisely because the essence of religion lies in the determination of the judgement to accept true belief and not in public acts which may infringe the rights of others and so be the proper subject of social control.

Locke's conception of freedom, as we have seen, rests on his general ethical principles. It is based on the idea that moral conduct is conduct

¹ A Letter concerning Toleration, Works, Vol. VI, page 11.

in accordance with reason. This idea implies that it is by virtue of his reason that man is a moral being raised above the level of the brutes, "almost equal to angels". It implies also that man as a rational being has an inalienable right to act in accordance with that reason. "We are born free as we are born rational". This right is nothing more than the right of a man to be a man. Locke's conception of freedom in fact is based on the conception of the dignity of man as a being with a capacity for rational action. This central theme in Locke's conception of freedom is, as I hope to show, not very different from the central idea which lay behind John Stuart Mill's conviction of the supreme value of human liberty. The freedom to which man has this right is furthermore a right which belongs to him as an individual. It is not a right to social or group freedom, but a right which entitles the individual to conduct his actions in accordance with the choice of his own personal judgement. I shall show that this conception of the nature of freedom was fundamental to the thought of John Stuart Mill also.

Locke's conception of freedom, based as it is on his rationalist Natural Law theory of morality, may well seem to be undermined by the objections which can be brought against that theory and some of which I have considered above. (See Chapter 2.) His conception of freedom, and indeed his whole political thought, depends very largely, as I have shown, on the assumption that man can be demonstrated to be the subject of certain inalienable rights which belong to him as a man and not as a member of a particular society. It is not really possible,

however, to make absolute and certain moral statements which will hold valid at all times and in all places. All moral judgements must be made with some reference to the context of the particular society concerned.

This is true of all value judgements but it is particularly obvious when we come to talk of the rights to which individuals are entitled. In the first place, there is an important sense in which society can be said to create rights; clearly no individual can enjoy a right unless he lives in a society made up of persons who recognise mutual rights in one another and who, through the public authority of the community, give effective protection to the enjoyment of those rights.¹ The continued enjoyment of rights will depend on the continued existence of the society which protects and recognises them. All rights, then, must be subject to some extent to the over-riding claims of the community within which they are enjoyed. There can be no precisely established individual rights which may not need to be limited or altered in the face of social change or public emergency. This, of course, becomes most obvious in times of war.

Then, again, the nature of rights which individuals enjoy is intimately bound up with the whole fabric of the society in which they live. This is perhaps most obvious in the case of property rights. In any community property rights form an integral part of the social and

1 This point was made very effectively by T.H. Green: see for example his 'Lectures on the Principles of Political Obligation', London, Longmans, 1895, Lecture G., page 122.

economic structure. In primitive communities, for example, land (the most important commodity in such communities) is usually regarded as the common possession of the community as a whole controlled and administered by the political authority of the community whether this be a chief or a democratic village meeting. Individuals in these circumstances are regarded as possessing no more than a right to the use of land and to the products of their own industry on it subject to the control of the political authority of the community. This conception of property rights only breaks down under the impact of social and economic change. The conception of freehold rights to land is a relatively modern one intimately related to the growth of commerce and industry and the move away from a basically agricultural subsistence economy.

We cannot, then, talk meaningfully about individuals possessing a right to property unless we very clearly define what we mean by property and this can only be done with reference to the structure of the society within which those property rights are to be enjoyed. This becomes very obvious in Locke's own defence of property in the 'Second Treatise of Civil Government'. In the chapter 'Of Property' Locke bases the right to property on labour. When an individual employs his labour on anything he mixes with it something of his own and makes it his. He goes on to support this view with an argument to show that it is human labour which creates the greater part of the value of anything. Locke uses this argument to show that the individual possesses a natural right to property which cannot justly be infringed without his consent or that of his representatives. By property, of course, Locke means property as

it was understood in his own times and the argument is intended as a defence of the hereditary rights of property owners and of their traditional right to be exempt from taxation except where taxes had been authorised by Parliament. The argument, however, might just as easily be used by socialists to attack the whole system of hereditary property rights and to replace it by a system based on the principle that the means of production should be owned by those who actually work on them.

Locke's conception of freedom, then, cannot be regarded as adequate as it stands. The conception of a natural and inalienable right to freedom will have to be modified to take account of social circumstances.

This does not mean, however, that Locke's conception of freedom loses all its value or that belief in the value of individual freedom must yield place to a conception of social or group freedom of the type held by Rousseau or Hegel. The central theme in Locke's conception of the value of individual liberty lies, as I have tried to show, in the idea that because men as rational beings are capable of discerning moral values they are in the nature of things entitled to the freedom to exercise moral choice. They are entitled to the liberty to act in accordance with their nature as moral beings. This view, I believe to be fundamental to any adequate conception of freedom. It is not necessarily invalidated however much we may criticise the ethical system from which Locke derives it. We may have to admit that no absolute and fixed right to freedom can be demonstrated which will be valid at all

times and in all places. We can still agree, however, that man's capacity for exercising moral choice renders it of fundamental moral importance that men as individuals be allowed the freedom to exercise that choice though the limits within which that freedom can be employed must necessarily be related to social circumstances.

.....

THE SOURCES OF JOHN STUART MILL'S ETHICAL THOUGHT

As John Stuart Mill himself admits he was bred, and one might even say born, in the tradition of Benthamite Utilitarianism.¹ This way of thinking found its greatest expositor in Bentham himself and was wholeheartedly adopted by John Stuart's father, James Mill. The essence of Benthamism lay in the attempt to find a scientific basis for morals and politics. Bentham had found the inspiration to become a moral theorist in a contemplation of the absurd irrationalities of the existing legal system. What was needed, he felt, was some sure and scientific principles of human conduct which could serve as the basis for a thoroughgoing rationalisation of the legal system and indeed of political society as a whole. He wished to do for morals what Newton had done for physics - to discover the simple laws of human conduct from which the solution to all the problems of organised society could be rationally deduced. "What is known as Utilitarianism, or Philosophie Radicalism, can be defined as nothing but an attempt to apply the principles of Newton to the affairs of politics and of morals."² The source from which Bentham found the material for his answer to this problem was very largely the work of David Hume. Hume's greatest work was entitled "A Treatise of Human Nature" or "An attempt to introduce the experimental method of reasoning into moral subjects". In this work Hume took the empirical tendencies to be found in

1 "dans laquelle je fus élevé, et même je puis presque dire dans laquelle je naquis."

'Lettres Inédites de John Stuart Mill A Auguste Comte', Levy-Bruhl, Paris 1899, page 3.

2 Elie Halévy, 'The Growth of Philosophie Radicalism', Faber & Faber, London, 1952, Chapter I, page 6.

Locke's Essay and in the works of Berkeley to their logical conclusion. He argued that the only objects of human knowledge were impressions of sense and ideas derived from those impressions. Further, that our knowledge of the world and even of ourselves must be derived from an observation of the way these impressions and ideas were actually associated with one another in experience. All knowledge, then, except in the restricted sphere of mathematics must be based upon generalisations from the observed coexistence or sequence of sense impressions. One of the most famous examples of the application of this way of reasoning was his attack on the usual philosophic conception of causation. The relation between cause and effect had been assumed by philosophers to be a necessary one, analogous in some way to the relation between premises and conclusion in a deductive argument. It had been assumed that if the cause occurred it was not only probable, but absolutely certain and indubitable, that the effect must follow. Hume attacked this by pointing out that our only evidence for the constancy of a causal sequence was that whenever we observe the cause we observe the effect to follow it. Nothing more than this was given. We never observed any necessary connection but simply one impression of sense which, as a matter of fact, was invariably followed by another. The mere repetition of instances, however, could never give any logically certain guarantee that the same sequence of events would occur in the future. There was in fact no objective necessity to be discovered at all. The apparent necessity of the cause/effect sequence must be traced to a feeling of the mind, an intense conviction that when the cause occurred the event would follow. The sources of this

conviction, Hume thought, lay in the operation of a law of the association of ideas, "a kind of ATTRACTION, which in the mental world will be found to have as extraordinary effects as in the natural,"¹ (The conception that mental activities were governed by a law of the association of ideas was to be further developed by Hartley and formed one of the basic conceptions of Benthamite Utilitarianism.) This principle of attraction between ideas was itself nothing more than a generalisation from the way in which ideas could be observed to follow one another.

In the field of morality Hume's principles meant the complete rejection of the rationalist doctrine of natural law and the system of natural rights. The terms 'good' and 'evil' must be reinterpreted in terms of some actually observable facts about human experience. The only facts which can be discovered in this connection are that some actions or characters by their mere contemplation cause in us a pleasurable feeling of approval and others a disagreeable feeling of disapproval. The distinction between good and evil, then, is the distinction between what causes in us this special kind of pleasurable sensation and what causes the disagreeable one: "virtue is distinguished by the pleasure, and vice by the pain, that any action, sentiment, or character gives us by the mere view and contemplation."² In other words,

1 Hume, 'A Treatise of Human Nature', Book I, Part I, Section IV, Selby-Bigge edition, pages 12-13.

2 Ibid., Book III, Part I, Section II, page 475.

that "when you pronounce any action or character to be vicious, you mean nothing, but that from the constitution of your nature you have a feeling or sentiment of blame from the contemplation of it." ¹

The only question that then remains is to find why certain actions give us this pleasurable feeling of approval or disagreeable feeling of blame. "Why any action or sentiment upon the general view or survey, gives a certain satisfaction or uneasiness," ² The answer to this is found in the operation of the self-seeking emotions combined with that of other emotions like sympathy which makes us associate the joys or sufferings of others with ourselves so that, "we reap a pleasure from the view of a character, which is naturally fitted to be useful to others, or to the person himself, or which is agreeable to others, or to the person himself." ³ Good and evil, then, can be defined in terms of the tendency of any action to produce pleasure or pain for ourselves or others. This conclusion that good and evil are to be defined in terms of pleasure and pain was to provide the basis of the Utilitarian philosophy. It should be noted, however, that on Hume's principles he could not assert any necessary connection between moral approval and pleasure. He could only argue that as a matter of fact what we approve happened to be that which brought the greatest pleasure to ourselves and others.

1 Hume, 'A Treatise of Human Nature', Book III, Part I, Section I, Selby-Bigge edition, page 469.

2 Ibid., Section II, page 475.

3 Ibid., Part III, Section I, page 591.

Bentham always professed the profoundest admiration for the work of Hume and claimed to have derived a great deal of his inspiration from him. When he read the Treatise he felt, he declared, "as if scales had fallen from my eyes." ¹ Like Hume, Bentham ridiculed the rationalist doctrine of natural law and the system of natural rights: and Hume's empirical theory of knowledge, together with the theory of association of ideas, form some of the basic doctrines of the Benthamite Utilitarians. They are to be found in the writings of James Mill and their influence is continued in J.S. Mill's 'A System of Logic'.

Paradoxically, however, though Bentham and the early Utilitarians generally claimed to rest their thought on the empirical principles of which Hume was the greatest exponent, the method of thought which Bentham actually employed was far from being in accord with these principles. It was, if anything, nearer to the method of the rationalists he derided than to that of the Hume he admired. Hume, as we have seen, had argued that it was impossible to arrive at any knowledge of fact except by generalisation from experience. On these principles it is impossible to lay down any law of human behaviour except on the basis of detailed observation of the way human beings do in fact behave. By the same principle any law discovered in this way will still be an hypothesis and will retain its validity only so long as experience continues to justify it. Bentham, however, far from accepting the

¹ Jeremy Bentham, 'A Fragment on Government', Chapter I, footnote 2. to paragraph 36. Edition Blackwell, 1948, published together with 'An Introduction to the Principles of *Morals and Legislation*', page 50.

approach implied in this way of looking at things, assumed that human behaviour must obey a simple law, an assumption he seems to have felt required no further justification. Starting then from this simple law which he assumes to be the universal law of human behaviour - analogous in the moral world to the Newtonian laws of motion in the physical - he then proceeds to deduce in a typically rationalist way the structure of a satisfactory politically organised society. Bentham, though he claimed to base his thought on the empirical principles of David Hume, in fact produced a rigidly deductive system based upon certain unquestioned assumptions about human nature, assumptions that were certainly not based on any accurate observation of human behaviour.

The basic assumptions of the Benthamite system were extremely simple. In the first place he assumed that the only motives of human action were pleasure and pain. These were the only moving forces of human conduct. As the only possible objects of human striving they must be equated with good and evil. Not only, then, did men in fact seek pleasure and avoid pain but pleasure and pain are what they ought to seek and avoid for pleasure is good and pain evil. "Nature has placed mankind under the governance of two sovereign masters, pain and pleasure. It is for them alone to point out what we ought to do, as well as to determine what we shall do. On the one hand the standard of right and wrong, on the other the chain of causes and effects, are fastened to their throne." ¹

¹ Jeremy Bentham, 'An Introduction to the Principles of Morals and Legislation', Chapter 1, paragraph 1, Edition Blackwell, 1948, published together with 'A Fragment on Government', page 125.

In the second place Bentham assumes that the term "community" is simply a name for an aggregate of individuals. "The community is a fictitious body, composed of the individual persons who are considered as constituting as it were its members." ¹ Any question, then, which concerns the interest of the community as a whole can be broken down into a series of questions concerning the particular interests of the individuals who make it up. "The interest of the community then is, what? - the sum of the interests of the several members who compose it." ² The particular interest of the individual is, as we have seen, simply the increase of his pleasure and the diminution of his pain. "A thing is said to promote the interest, or to be for the interest, of an individual, when it tends to add to the sum total of his pleasures; or, what comes to the same thing, to diminish the sum total of his pains." ³

Bentham then assumed that as far as questions which concern social or political groups are concerned, "the greatest happiness of all those whose interest is in question," is "the right and proper, and only right and proper and universally desirable, end of human action:....." ⁴ This was what he called the "principle of utility" or "the greatest happiness principle".

As it stands, however, the principle of utility is too vague to be of much practical value. It is not much use deciding that the

1 Jeremy Bentham, 'An Introduction to the Principles of Morals and Legislation', Chapter 1, paragraph 4, page 126.

2 Ibid.

3 Ibid. paragraph 5, page 127.

4 Ibid. paragraph 1, footnote to page 125.

greatest happiness of the greatest number must be the guiding principle of political action unless we have some method of determining what that greatest happiness is. Bentham accordingly assumed that happiness could be defined as a sum total of pleasures and that pleasures could be measured in terms of quantity alone according to a simple scale. This being assumed, the happiness of the community can be calculated by adding up the pleasures of each individual according to their values in the 'felicific calculus' and subtracting the pains.

With these principles questions of law and politics reduce themselves to what we might call social mechanics. The purpose of law is simply to procure the greatest happiness for the greatest number by bringing the self-interest of each individual into line with the interest of the community as a whole. This is done by imposing penalties on some actions and giving rewards for others so that individual self-interest will always coincide with that of the greatest number. The penalties to be attached to anti-social actions must be calculated according to various criteria (such as, for example, the probability of capture and conviction) so that they will definitely counterbalance the expectation of any pleasure to be derived from committing the action. They must not be too small or they will be inefficient. They must not be too large for any unnecessary pain is sheer waste, a minus without a corresponding plus.

The same principles could be applied to the structure of government itself and this was done very largely on the initiative of James Mill. (It is possible that without the influence of James Mill, Bentham would never have become a democratic reformer.¹) The problem here is that every

¹ vide Halévy, 'The Growth of Philosophic Radicalism', Part II, Chapter III.

individual pursues pleasure and avoids pain. Any group of individuals, therefore, will always tend to pursue the greatest happiness of the greatest number within that group. Any group of individuals entrusted with political power will, on these principles, inevitably constitute what Bentham called a "sinister interest". As James Mill put it, "Whenever the powers of government are placed in any hands other than those of the community, whether those of one man, of a few, or of several, these principles of human nature which imply that government is at all necessary, imply that those persons will make use of them to defeat the very end for which government exists." ¹ The answer might seem to lie in leaving power to the community as a whole. But this was felt to be worse than useless for in the first place to assemble the whole of a community whenever government business needed to be transacted would make the ordinary work of the community virtually impossible. In the second place, if political power were left in the hands of the community as a whole it would necessitate assemblies far too numerous and unwieldy for the effective transaction of business. The only answer to the problem, then, is to make the interest of the individuals who make up the government artificially coincide with those of the community as a whole. This can only be achieved through a representative system. In such a system the interest which an individual member has to be returned to power at the next election will automatically make him seek the interests of the majority of his constituents.

¹ James Mill, 'An Essay on Government', Cambridge 1937, Chapter III, page 13.

In order for this system to work satisfactorily, however, representatives must not be elected on a limited franchise. If they were so elected they would inevitably seek to serve the sinister interest of the limited electoral body. It is only when the government is in the hands of representatives elected by the community as a whole that the interest of the governing body will be identical with that of the community and the end of government - the greatest happiness of the greatest number - be procured. Government, then, must be in the hands of elected representatives elected on the basis of universal suffrage. (James Mill, however, excluded women from the vote on the grounds that their interest is involved in that of their fathers or their husbands.)

The early Utilitarians had thus arrived at a set of simple, almost mechanical principles which could serve as the basis for practical reform. The simplicity and rigidity of their principles was to be of great value from the practical point of view and the philosophic radicals were probably responsible for bringing about more beneficial changes in the political, economic and social spheres than any other philosopher, or group of philosophers, can claim to have done.

It is obvious, however, that the Benthamite principles were only arrived at by a gross over-simplification of the facts of human experience. In assuming that the only motive of human action is the search for pleasure and avoidance of pain, the early Utilitarians ignored the obvious

objection that before anything can give pleasure it must first be desired. A man who seeks a meal does not primarily do so because he wants to enjoy the pleasure which eating gives him but because he is hungry. It is only when his desire for food is in the process of being satisfied that pleasure is experienced. It is true that the experience of pleasure in the satisfaction of the desire for anything does tend to increase the strength of that desire on future occasions. There is, however, no simple psychological law that the strength of the desire for anything is always proportional to the amount of pleasure which is likely to be experienced when it is obtained. Indeed, people often have very strong desires for things which bring them very little pleasure or even positive pain.

Human motivation is in fact extremely complex. It depends upon many factors some of which are purely instinctive and irrational and many of which cannot normally be consciously recognised lying as they do in what psychologists term "the subconscious". The principle that human beings always act so as to obtain the greatest amount of pleasure is thus a falsely simplified account of human motivation. Its defects are most obvious when we come to consider emotions like love, sympathy, patriotism and so on, which are clearly not directed towards obtaining pleasure for the self but towards the good and happiness of others. To fit these other-directed emotions into the Benthamite scheme it has to be argued that when under the influence of sympathy we seek the happiness of others even at the expense of personal pain we only do so because the happiness

of others causes pleasure to ourselves and the motive of our action is to obtain this particular type of pleasure.¹ It must surely be obvious, however, that we only gain pleasure from the happiness of others because we desire their happiness for its own sake; because in fact we really do feel for them and emotionally identify ourselves with their happiness and suffering.

It is, of course, possible to make the principle that the motive of all voluntary action is the search for pleasure a matter of definition. If this is done, however, the principle loses all value as a principle of explanation and we are still left with the fact that whereas some actions are what we should normally call selfish, others are not.

A further difficulty with the Benthamite theory is the view so essential to it that pleasures and pains can be measured and compared in accordance with a simple quantitative scale. Nothing could really be more obvious than that it is impossible to compare pleasures of the mind with those of the body in terms of quantity alone or than that happiness cannot be regarded as a mathematical sum of quantities of pleasure. What Bentham does is to draw a picture of man as a being moved solely by the desire to acquire and accumulate quantities of pleasure just as the economists depicted man in the economic field as a being whose actions in this sphere are dictated by the single desire

¹ vide Bentham, 'An Introduction to the Principles of Morals and Legislation', Chapter V, page 157, and Ibid, Chapter X, page 228.

to acquire and accumulate wealth. As John Stuart Mill was himself to say, one of the errors which Bentham made was "the mistake of supposing that the business part of human affairs was the whole of them; all at least that the legislator and the moralist had to do with." 1

Corresponding to this view of man is the Benthamite conception of society as a sort of mechanical aggregate of self-contained pleasure-seeking individuals each of whom acts in accordance with the simple law of seeking pleasure and avoiding pain. It is a picture which reminds us very much of the contemporary notion of the physical world as an aggregate of material particles whose movements are determined by simple mechanical laws. This over-simplified picture of society clearly does violence to the facts of human experience. The social feelings which bind human beings together and provide the essential cementing force of society are ignored, or interpreted in terms of self-interest, to fit into the artificial Benthamite scheme.

It is clear, however, that account must be taken of the extremely complex pattern of social feelings and responses which relate an individual to the society he lives in and which make him a part of that society in a much more intimate sense than as a mere mechanical part.

Many of the changes which John Stuart Mill's philosophy was to undergo in the course of his intellectual development lay in the direction

1 *Dissertations and Discussions*, Vol.1,
page 336 - London, 1859.

of breaking away from the rigid and narrow Benthamite conception of human nature. Yet it is true that although his developed thought is radically different from Benthamism in many ways and although he does much to restore a sense of the richness of human experience, John Stuart Mill is still inclined rather too much to regard society as an aggregate of self-contained 'atomic' individuals.

It was in this creed that John Stuart Mill was raised. His father undertook the extremely laborious task involved in subjecting him to one of the most intensive courses of intellectual cramming ever inflicted on a child with the definite purpose of bringing him up as the young apostle of the new doctrine. He was not, it is true, made to read Bentham's works at an early age but his whole education had been "in a certain sense, already a course of Benthamism."¹ His father took care throughout his studies to point the moral of any political or historical event: the young boy became so accustomed to thinking and evaluating in terms of the Benthamite principles that when at last he came to read Bentham's writings - "The feeling rushed upon me, that all previous moralists were superseded, and that here indeed was the commencement of a new era in thought."² John Stuart Mill, then, was as a young man thoroughly imbued with the rigid principles of Benthamite Utilitarianism and the first years of his active life as a thinker and writer were spent in defending and propagating the

1 Autobiography, John Stuart Mill, Chapter III, Oxford University Press, 1955, page 54.

2 Ibid.

Benthamite doctrine. It seems likely, however, that very early Mill felt some dissatisfaction with the doctrines he had been brought up in. He early disagreed with his father over the question of women's suffrage, while in some of his earliest articles we find him defending freedom of expression with a conviction that seems hardly likely to have been derived simply from Benthamite principles.¹ His dissatisfaction with the narrow tenets of Benthamite Utilitarianism reached its climax in what he calls "A crisis in my mental history".² This crisis lasted through "the melancholy winter of 1826-7."³ Until then Mill had felt himself a man with a purpose working for a definite end - the reform of the English social and political system in accordance with Benthamite principles. Now he suddenly found himself without any real enthusiasm for the task before him. He asked himself: "Suppose that all your objects in life were realized; that all the changes in institutions and opinions which you are looking forward to, could be completely effected at this very instant: would this be a great joy and happiness to you?" And an irrepressible self-consciousness distinctly answered, "No!"⁴ The chief cause of his distress was his apparent incapacity for any warmth of feeling. The habit of analysing his feelings had, he felt, ended by destroying them altogether. "I was thus, as I said to myself, left stranded at the commencement of my voyage, with a well-equipped ship and a rudder, but no sail; without any real desire for the ends which I had been so carefully fitted out to work for: no

1 These articles are three letters to the "Morning Chronicle" on Liberty of Expression submitted by J.S. Mill under the signature of Wycliffe; they appeared on January 28, February 8 & 12, 1823.

2 Autobiography, Chapter V, page 112 following.

3 Ibid., page 118.

4 Ibid., page 113.

delight in virtue, or the general good, but also just as little in anything else." ¹ For a time John Stuart was in the depths of despair and even contemplated suicide. At last, however, the gloom began to lighten and the cloud of depression to disperse. The turning point occurs, he tells us, when "I was reading, accidentally, Marmontel's 'Memoires,' and came to the passage which relates to his father's death, the distressed position of the family, and the sudden inspiration by which he, then a mere boy, felt and made them feel that he would be everything to them - would supply the place of all that they had lost. A vivid conception of the scene and its feelings came over me, and I was moved to tears. From this moment my burden grew lighter. The oppression of the thought that all feeling was dead within me, was gone, I was no longer hopeless:....." ²

Though the immediate crisis soon passed Mill could never return to an unquestioning acceptance of the Benthamite doctrine. From henceforth he was always conscious that this doctrine was too rigid and narrow to give a satisfactory account of human actions and inspirations. His ambition now was to break away from the rigid shackles by which his thought had been confined and to attain what he called 'many-sidedness'; to develop a theory more true to the depth and rich variety of human nature. His first tendency when the immediate gloom began to lighten was to throw himself into the thought of people who took a quite different view of things from that of Bentham and his father.

Amongst the schools of thought which influenced him in

¹ Autobiography, Chapter V, pages 117 & 118.

² Ibid., page 119.

this period a place must be given to that of the Saint-Simonians. His acquaintance with this strange philosophic sect came through his meeting with Gustave d'Eichthal, a keen adherent of the Saint-Simonian doctrine. The doctrine, founded by the Comte de Saint-Simon and further elaborated by his followers, taught that history progresses through a series of stages, stages of construction during which certain basic premises are accepted unchallenged by society as a whole and stages of destruction when society has outgrown the possibilities of advance inherent in that set of basic premises. (An example of this could be found in the long period of growth in Mediaeval society based firmly on Catholic doctrine and the destructive phase of the Reformation which occurred when those doctrines proved inadequate for an advancing society.) This process was to culminate in a new society based on the achievements of science. The new society was to transcend wasteful competition and to be based on a sort of ideal communism. Everyone was to receive in accordance with his actual service to the community. The life of the community was to be planned and controlled from the centre by a government of experts comprised chiefly of "les grands industriels" and the international bankers. This body was in turn to receive inspiration and guidance from a hierarchy of intellectuals ("les lumieres"). It was at this point that the Saint-Simonian doctrine left the ground of serious political thought for flights of the wildest and often most absurd fantasy. Every age of construction required a faith to hold it together. The new society, then, required a new religion brought into line with the advance made by the thinkers. This new religion required

a hierarchy of priests and because of the supreme importance of the spiritual element in society the spiritual hierarchy must be supreme. The Saint-Simonians seem to have thought also that women were essentially spiritual and that a woman of immense originality would eventually be found to head the whole system and proclaim the new relationship between the sexes. (Many of their energies were expended in a long and fruitless search for this supreme mother, a quest which took them on one occasion as far afield as Turkey.)

Closely associated with the Saint-Simonian doctrine was the thought of Auguste Comte. He started, indeed, as a follower of Saint-Simon but later broke away and founded his own philosophic sect. Like the Saint-Simonians Comte believed that society progressed through a series of stages, stages which he thought corresponded to different ways of looking at the world. These stages could be reduced to three - the theological, the metaphysical and the positive or scientific. At the first stage men account for events by supposing them to be directly produced by supernatural agencies. In the second stage they explain them in terms of supposed forces or abstract forms. In the final stage they realise that knowledge about the world can only be gained by generalisation from experience and are content to observe and describe the sequences which actually occur. (On the basis of these observed regularities they can go on to predict future events and make use of their knowledge in a practical way.) Like the Saint-Simonians, Comte believed that the new society which would correspond to the positive stage of human knowledge needed an organised religion. He proposed to establish a cult of

humanity. This strange, scientific, humanistic religion was to be in the keeping of a hierarchy to be headed by himself. The hierarchy was to be separate from the political government of society but was to serve as the guiding light of society as a whole and in particular was to have complete control of all education.

John Stuart Mill at first took an active, and even enthusiastic, interest in these new doctrines. (In his first letter to Comte he expressed such enthusiastic admiration for the positivist system of thought that Comte was fully convinced he had acquired a devoted disciple. It was to cost Mill a great deal of embarrassment to disentangle himself from this false position.¹) In spite of this, however, he always retained his reservations. He was never prepared to follow either of these lines of thought into their more fantastic extravagancies and it was not long before he had to separate himself quite definitely from both of them. The chief idea he gleaned from them was that society is continually progressing and that human character is capable of continuous progress and improvement with changing society.² He learnt also that institutions which considered in themselves seemed capable of producing nothing but evil may, at a certain stage in human history, be the indispensable requisites of further progress.

- 1 vide 'Lettres Inédites de John Stuart Mill A August Comte', Levy-Bruhl, Introduction. Also Mill's first letter to Comte.
- 2 vide Mill's essay 'The Spirit of the Age' written when he was most under the Saint-Simonian influence.

Another writer who for some time exercised a considerable influence on Mill's thought was Thomas Carlyle. Carlyle, in a sense, represented the very antithesis of Benthamite Utilitarianism. Whereas that was precise, clear and logical, Carlyle despised logic and his thought was vague, often incoherent, mystical and obscure. His beliefs centred around the idea that the purpose of man's existence was to fulfil some part of a divine plan; a plan, however, which was completely incomprehensible to man and which he could not, and must not, try to understand. Every individual is born to a station in which he must labour patiently to fulfil his part in the fulfilment of the inscrutable purpose of the universe. Amongst men there is a natural aristocracy born to rule as others are to obey. At times, however, this ideal scheme breaks down. Men try to solve the riddle of their being instead of patiently fulfilling the tasks to which they are born. The aristocracy becomes degenerate and instead of ruling like God-sent benefactors, allow their power to become selfish and corrupt. Chaos and disorder then ensue until the divine purpose sends a man of more than human stature into the world to restore the balance. The Hero is a man of almost superhuman powers. The secret of His nature is a sacred mystery. By sheer force of personality He is able to turn the tide (whether this is done by persuasion or physical force) and, leading men back to harmony with the infinite, to restore the Golden Age. The emotional adoration of the Hero, the man whose sheer strength of personality makes him lead, (it doesn't much matter where) was the very essence of Carlyle's thought.

One of the most important influences in the development of John Stuart Mill's thought was his reading of the Romantic poets, particularly Wordsworth and Coleridge. For Wordsworth he had a great admiration and patiently tried to make his friend Sterling see the beauty of his nature poetry.¹ Coleridge, as he admits in his 'Autobiography' was one of the writers who exercised the most profound influence on his thought. In two articles to the "Westminster Review"² he takes Bentham and Coleridge as representative champions of the two great schools of political thought in nineteenth-century England. He tries in these articles to show that though they are radically opposed to one another each, to some extent, supplies the defects in the other. Coleridge, like Carlyle, despised long chains of reasoning. He claimed that truth could only be apprehended through the brilliant light of direct intuition. He saw the existing framework of society as the expression of profound truths about human nature. He recognised that social institutions had been marred and desecrated by ill practice but he valued these institutions not for what they actually were but for what they might become if they were made all that they had the possibility of being. His dream was of a Golden Age when the institutions of society should be all that they might be; a devoted Church, supported by unquestioning faith, and social classes recognising their differences and harmoniously working together. In spite of the excesses of his early reaction against Benthamism, John Stuart always remained closer to the Radical Democratic camp than to that of the

1 vide 'Letters of John Stuart Mill', ed. Eliot, Longmans, 1910.

2 reprinted in 'Dissertations and Discussions'.

Romantic Conservatives. Indeed, it is doubtful whether Coleridge's views as theories of society made much permanent impression on his political thought. From Wordsworth and Coleridge, however, Mill did gain something of vital importance to the development of his ethical and political thinking. His depression at the time of his mental crisis had been due to his sense of a lack of feeling. He found relief from this by breaking away from the dry and unemotional thought of the Utilitarians and plunging himself into the poetry of the Romantics. They supplied what he lacked - a warmth and richness of feeling so noticeably absent in the narrow precision of the Benthamite morality. It was indeed as poets rather than as theorists that they influenced him. From the Romantics Mill gained a new conception of human nature; a romantic, almost aesthetic, conception of what man could be at his best. This new conception cannot be ascribed to the influence of the Romantic poets alone though I believe that it is mainly due to them. The new conception probably owes something to Carlyle's conception of the Hero. One might say that Mill regarded every human individual as a potential Hero. This conception owes something also to the doctrine gleaned from Comte and the Saint-Simonians that society continually progresses and that human nature is capable of indefinite improvement.

This new conception of the dignity of the human individual, this romantic belief in the nobility of man, was an idea quite foreign to the narrow profit and loss morality of the Benthamite Utilitarians. It was to prove one of the most important elements in J.S. Mill's ethical thought and the basis of his belief in individual freedom.

It remains to consider two other influences which helped in the development of John Stuart Mill's thought. One of these was De Tocqueville's book on democracy in America. In this work De Tocqueville had attempted an exhaustive analysis of the workings and effects of the only thoroughly democratic system in the contemporary world. In the course of this attempt he had drawn attention to the advantages of the system and to its dangers. One of the greatest of these he had seen as the danger of the tyranny of the majority and the dead hand of public opinion; a tyranny which might result in the levelling down of everyone to the same dead level and the ultimate triumph of uninspired mediocrity. Mill reviewed the work at length.¹ It seems to have produced a profound effect on him. One cannot but be struck by the similarity which many of the passages he quotes from De Tocqueville bear to passages in his own essay 'On Liberty'.

The influence which Harriet Taylor (subsequently the wife of John Stuart Mill) had on his work is a subject of some controversy. Packer, for example, believes her influence to have been deep and profound and that the essay 'On Liberty' was as much hers as his.² It seems likely, however, that her influence on him however important lay more in the direction of increasing the fire and conviction with which he held to his ideas than in turning his thought into any new channel. Her influence is most marked in the ardour with which Mill

¹ His review is reprinted in his 'Dissertations and Discussions',
¹ vide Packer, 'John Stuart Mill'.

in his later years threw himself into the cause of the emancipation of women. Mill, however, had long been convinced that women were entitled to the vote. This had been the subject of one of his earliest disagreements with his father. To take another example, the ideas expressed in one of Harriet Taylor's earliest essays on the subject of individual liberty¹ are remarkably similar to those held independently by John Stuart Mill.

.....

¹ vide Hayek, 'John Stuart Mill and Harriet Taylor',
Routledge & Kegan Paul, London, 1951, Appendix.

THE ETHICAL THOUGHT OF JOHN STUART MILL

John Stuart Mill, as I have shown in the last chapter, was brought up in the strict and rigid doctrine of Benthamite Utilitarianism. He was never to find in any other single system of thought the satisfaction he had originally felt with Benthamism. So far as he retained any formal system of thought at all it was to that system that he clung and he even retained the name Utilitarianism for his own ethical thought. However much formal resemblance there might be, however, between his thought and that of the Benthamites, it was in reality fundamentally different. As he himself expresses it in a letter to Thomas Carlyle in which he was attempting to explain his differences from that writer, "Another of our differences is, that I am still, and am likely to remain, a Utilitarian though not one of the "people called Utilitarians"; indeed, having scarcely one of my secondary premises in common with them; nor a Utilitarian at all unless in quite another sense from what perhaps anyone except myself understands by the word." ¹

Much of the material for a study of J.S. Mill's ethical thought must be derived from his essay entitled 'Utilitarianism'. ² In this work Mill begins by giving a definition of Utilitarianism in typical Benthamite terms. "The creed which accepts as the foundation of morals,

1 Letter to Thomas Carlyle, 12 January, 1834, 'Letters of John Stuart Mill', ed. Eliot.

2 This essay was first published in Fraser's Magazine, 1861: references are to J.S. Mill's 'Utilitarianism', 'Liberty', and 'Representative Government', Everyman's Library, London, 1954.

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." ¹ This impression is heightened by the proof which Mill attempts to give of the principle of utility. In Chapter IV of his 'essay on Utilitarianism' he argues - "The only proof capable of being given that an object is visible, is that people actually see it. The only proof that a sound is audible, is that people hear it; and so of the other sources of our experience. In like manner, I apprehend, the sole evidence it is possible to produce that anything is desirable, is that people do actually desire it..... No reason can be given why the general happiness is desirable, except that each person, so far as he believes it to be attainable, desires his own happiness." ² Mill in fact argued in typical Benthamite style that pleasure and pain must be taken as the measure of right and wrong because they are the only possible motives to human action, the only possible objects of desire or aversion: "that nothing is a good to human beings but in so far as it is either itself pleasurable, or a means of attaining pleasure or averting pain." ³ In certain passages, then, Mill's ethical thought in this work appears to be pure Benthamism. In fact, however, he introduces other elements into his argument which amount to a complete rejection of the simple Benthamite formulae.

1 Essay on Utilitarianism, Chapter II, page 6.

2 Ibid., Chapter IV, pages 32-33.

3 Ibid., page 36.

One of the central planks of the Benthamite doctrine had been the theory that pleasures and pains were commensurable according to a simple quantitative scale. It was this assumption which gave meaning to the Benthamite principle of utility. Hardly had Mill stated his acceptance of the basic Benthamite principle, however, than he proceeded to destroy the hypothesis which made it meaningful. Far from accepting the view that pleasures can be compared with one another in terms of quantity alone he now declares that - "It is quite compatible with the principle of utility to recognise the fact, that some kinds of pleasure are more desirable and more valuable than others. It would be absurd that while, in estimating all other things, quality is considered as well as quantity, the estimation of pleasures should be supposed to depend on quantity alone." ¹ Some pleasures, then, are of greater intrinsic value than others, regardless of mere differences in quantity. Mill then goes on to argue that the basis on which this distinction is made is simply that certain pleasures are actually preferred to others by all who have had the opportunity of experiencing them. "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." ² He seems here to be arguing that the distinction between pleasures of higher and lower quality is simply the actual preference of mankind. It would seem that if we wish to decide which of two types of pleasure is the more desirable all we have to do is

¹ Essay on Utilitarianism, Chapter II, page 7.

² Ibid., page 8.

to collect a number of persons who have experienced both and take their vote on which they actually prefer. It is difficult, however, to believe that Mill really regarded the distinction between pleasures of higher and lower quality as dependent on the view of the majority. He seems to have assumed quite arbitrarily that all who have experienced the higher as well as the lower pleasures, "do give a most marked preference to the manner of existence which employs their higher faculties." ¹ It is clear that Mill never thought of making any broad enquiry into the actual preferences of mankind to see whether they really did prefer the higher pleasures. If he had done so it is probable that he would have been disappointed. He seems, indeed, to have realised that there was a difficulty here for he devotes some space to trying to explain away the fact "that many who are capable of the higher pleasures, occasionally, under the influence of temptation, postpone them to the lower." ² Mill in fact does not make a serious attempt to base the distinction between higher and lower pleasures on the suffrage of mankind because he was really convinced that certain pleasures were intrinsically, and in their own nature, superior to others and assumed rather easily that all who had experienced them would inevitably prefer them. The language he uses, the continual use of such terms as "higher" and "lower" applied both to pleasures and to faculties, shows quite clearly that he is thinking of a distinction in the nature of the things themselves and not in the mere preference of the majority. He is appealing to a criterion quite

¹ Essay on Utilitarianism, Chapter II, page 8.

² Ibid., page 9.

independent of pleasure itself by which pleasures are to be judged. This becomes quite clear in his argument that certain characters are intrinsically superior to others. "It is better to be a human being dissatisfied than a pig satisfied; better to be Socrates dissatisfied than a fool satisfied." ¹ The basis of the distinction here is that the superior characters are those who have their higher faculties most developed. They are the persons in whom the capacities inherent in human nature have reached their greatest fulfilment. Mill is prepared to allow that, "A being of higher faculties requires more to make him happy, is capable probably of more acute suffering, and certainly accessible to it at more points, than one of an inferior type;....." ² Yet he still feels that a person of the higher type could never wish to change with one of a lower category for that would be, "to sink into what he feels to be a lower grade of existence." ³ Mill's ideal, then, is not really the state of maximum pleasure but a state to which he gives the name 'happiness'. This ideal is quite different from that of the Benthamites and depends upon his conception of the potential nobility of the human personality. It is a state of existence in which the highest and most noble capacities of the human personality achieve their greatest fulfilment.

In opposition to the Benthamites again Mill, in some passages, rejects the idea that self-interest is the only possible motive of human action and argues that the very basis of morality is a capacity for

¹ Essay on Utilitarianism, Chapter II, page 9.

² Ibid., page 8.

³ Ibid.

altruistic social feeling. "This firm foundation is that of the social feelings of mankind; the desire to be in unity with our fellow creatures, which is already a powerful principle in human nature, and happily one of those which tend to become stronger, even without express inculcation, from the influences of advancing civilisation,"¹ Virtue, far from being equated with rational self-interest, is to be found in a devotion to mankind as a whole, a devotion which may even imply the deliberate sacrifice of personal happiness in the interests of others. "Though it is only in a very imperfect state of the world's arrangements that any one can best serve the happiness of others by the absolute sacrifice of his own, yet so long as the world is in that imperfect state, I fully acknowledge that the readiness to make such a sacrifice is the highest virtue which can be found in man."² What is more, the capacity for altruistic self-sacrifice proves to be one of the ingredients of that state of the fullest possible individual development to which J.S. Mill gives the name of happiness. He declares that in the present state of the world, "paradoxical as the assertion may be, the conscious ability to do without happiness gives the best prospect of realising such happiness as is attainable."³ He even argues that the conscious search for happiness for oneself, far from being a means to its attainment, is apt to make that attainment more difficult. "When people who are tolerably fortunate in their outward lot do not find in life sufficient enjoyment to make it valuable to them, the cause generally is, caring for nobody but themselves."⁴ (This might be regarded as a sort of reductio ad

1 Essay on Utilitarianism, Chapter III, page 29.

2 Ibid., Chapter II, page 15.

3 Ibid.

4 Ibid. page 13.

absurdum of the Benthamite doctrine.)

The central theme of Mill's ethical theory, then, lies in his conception of the dignity of the individual human personality. The happiness which is the ultimate end of human action is not to be regarded simply as a state of maximum pleasure but a state of existence in which the individual realises to the full the intellectual and moral capacities that are within him. This did not mean, however, that Mill regarded material considerations as of no importance. On the contrary, he seems to have thought that material prosperity was a good in itself and a necessary constituent of human happiness. The way in which these two ideals - that of material well-being and that of the development of the highest moral and intellectual capacities of the individual - were combined in his thought can be seen from a study of his ideas about the structure of government and political economy.

In his 'essay on Representative Government' Mill argues that there are two criteria of the good form of government. The first is the criterion of efficiency: the success with which the government makes use of the available talent in the country to further the interests of the citizens and advance their material prosperity. The second, the extent to which it promotes the mental and moral advancement of the individuals in the community. On both these grounds Mill argues that representative government is the best possible form.

In the first place, representative government is best calculated to advance the well-being of the citizens. "Its superiority in reference to

present well-being rests upon two principles, of as universal truth and applicability as any general propositions which can be laid down respecting human affairs. The first is, that the rights and interests of every or any person are only secure from being disregarded when the person interested is himself able, and habitually disposed, to stand up for them. The second is, that the general prosperity attains a greater height, and is more widely diffused, in proportion to the amount and variety of the personal energies enlisted in promoting it." ¹ Representative government, then, is efficient in the Benthamite sense of promoting the present well-being and material prosperity of the citizens.

To the second criterion Mill gives a much more extensive treatment. Representative government, he feels, is an invaluable means to the development of the individual character. The great value of representative democracy is that it takes the individual out of the petty circle of his own private and family interest and makes him feel a part of a wider community. The responsibility implied in being allowed a voice in the affairs of the nation has an ennobling effect upon human character. The ability and the duty to take part in the public affairs of the community as a whole increases man's moral stature. "He is called upon, while so engaged, to weigh interests not his own; to be guided, in case of conflicting claims, by another rule than his private partialities; to apply, at every turn, principles and maxims which have for their reason of existence the common good: and he usually finds associated with him in the same work minds more familiarised than his own with these ideas

¹ Essay on Representative Government , Chapter III, page 206.

and operations, whose study it will be to supply reasons to his understanding, and stimulation to his feeling for the general interest." ¹ Where the opportunity to take part in the public affairs of the community does not exist on the other hand, the individual's moral and intellectual development will be stunted. He will be imprisoned, as it were, in the narrow circle of his own selfish interests. "Wherever the sphere of action of human beings is artificially circumscribed, their sentiments are narrowed and dwarfed in the same proportion. The food of feeling is action: even domestic affection lives upon voluntary good offices. Let a person have nothing to do for his country, and he will not care for it." ² Representative government is thus the best possible form of government both because it best serves the well-being of the citizens and, more importantly, because it is an invaluable means to the growth of human character and personality to its full stature. "It is both more favourable to present good government, and promotes a better and higher form of national character, than any other polity whatsoever." ³

In Mill's treatment of economic problems we find again that he makes constant use of these two criteria. To take one example, Mill advocates the system of peasant proprietorship⁴ both because he feels that it will be efficient at the material level and because he thinks it will be a means to the improvement and development of character. In the first place, peasant proprietorship is likely to be efficient because the

1 Essay on Representative Government, Chapter III, page 217.

2 Ibid., page 204.

3 Ibid., page 208.

4 (In his Political Economy and elsewhere, noticeably in his speeches on Ireland).

peasant will feel a direct interest in his land and will be prepared to work hard and make sacrifices to tend and improve it. The magic of property turns sand into gold. In the second place, if land were owned by the people who tilled it the peasants would gain a sense of responsibility, a capacity for wisdom and foresight. The advantages of peasant proprietorship, in fact, were both material and moral.

The same criteria can be seen in Mill's treatment of such questions as the ownership of industrial property. He seems to have thought that a system of co-operative ownership whereby the factory would be owned by the men who worked in it and managed by elected managers, was superior to one of capitalist enterprise. (Mill's interest in the system of co-operative ownership can be seen in many passages of his 'Political Economy'. He was keenly interested in the growth of the movement towards such co-operative ownership and even contributed to a fund to help sustain one of the co-operative enterprises against unfair competition from capitalist owners.) On the one hand he thought that co-operative ownership was likely to be efficient in the economic sense as the men would feel a direct interest in the efficiency of the enterprise and would be prepared to work hard to make it a success. On the other hand, he felt that the sense of taking part in a co-operative venture as a full member and the experience involved in participating in the management of the affairs of a great business concern would be an invaluable means to the moral and intellectual development of the men concerned.

On the same principles he condemned the capitalist system in industry as it operated at that time. He felt that it was both inefficient as a means of production and unfair in the distribution of material goods; while it was also intellectually and morally stunting. A system in which the owners of factories hire men for wages to work for them is not likely to be the most efficient. The men have no incentive to work hard for any increased profits are simply taken by the owner. The men, in fact, have every reason to slack if they can get away with it. At the same time the way in which material rewards were distributed under that system as it then was was grossly unfair. Such rewards were distributed, "almost in an inverse ratio to the labour - the largest portions to those who had never worked at all, the next largest to those whose work is almost nominal and so in a descending scale, until the most fatiguing and exhausting bodily labour cannot count with certainty on being able to earn even the necessaries of life"¹ The capitalist system, then, (as it existed in 1832) was to be condemned for its inefficiency in terms of Benthamite standards. It was also to be condemned, Mill thought, because it stunted the moral and intellectual development of the labourer. By treating labour as a commodity the labourer was turned into a sort of hired slave. He was given no direct interest in the work he was engaged upon and no part in the direction of the enterprise. Such a state of affairs deprived the labourer of any stimulus to moral and intellectual advancement and forced him back on purely selfish interests.

¹ Principles of Political Economy, ed. Ashley, Longmans, 1909 - text of Seventh Edition, 1871, with notes on the significant changes made in the first six editions - Book II, Chapter I.

In these examples, as we have seen, Mill judges the value of institutions according to two criteria, the tendency of anything to promote material well-being and its tendency to the improvement of character. J.S. Mill's ethical thought, indeed, seems closest to that of Aristotle. His ideal is like Aristotle's, a state of well-being, a condition in which the individual is functioning at his best. Like Aristotle too, moreover, he seems to have thought that this state required as its basis a minimum at least of material welfare.¹ Thus we find Mill accepting the criterion of efficiency in the Benthamite sense alongside the more important ideal of the full development of human personality. This latter is for Mill the more important; the very centre of his ethical thinking. In the Benthamite system the individual had been important merely as the unit of calculation, the ultimate subject of pleasure or pain. In Mill's system the individual, with his potential capacities, becomes the very centre of the picture. If Mill's system is to be called Utilitarian at all it must be with strict qualifications. He still thought that the criterion of right and wrong must be sought in the tendency of anything to promote or detract from human well-being. His idea of what constituted well-being, however, involved the conception of the development of the highest in human nature, a conception quite foreign to Bentham. As he himself expresses it - "I have never, at least since I had any convictions of my own, belonged to the benevolent soup-kitchen school. Though I hold the good of the species (or rather of its separate units) to be the ultimate end (which is the alpha and omega

1 vide Aristotle, 'Ethica Nicomachea', Book I.8 in 'The Works of Aristotle', ed. Smith and Ross, O.U.P. 1949, Vol. IX, 1099^a- 1099^b.

of my Utilitarianism) I believe with the fullest belief that the end can in no other way be forwarded but by the means you speak of, namely by each taking for his exclusive aim the development of what is best in himself." 1

It is interesting here to compare the ethical position which Mill arrives at with that of John Locke. Superficially there could be nothing more opposed to Locke's 'Natural Law' morality than that of the Benthamites which formed the starting point of J.S. Mill's ethical thought. Bentham delighted in pouring scorn on the theory of 'Natural Law' and natural rights. (It was indeed certain passages in Bentham's work in which this condemnation was expressed that first impressed the young John Stuart Mill. "What thus impressed me was the chapter in which Bentham passed judgment on the common modes of reasoning in morals and legislation, deduced from phrases like 'law of nature,' 'right reason,' 'the moral sense,' 'natural rectitude,' and the like, and characterized them as dogmatism in disguise, imposing its sentiments upon others under cover of sounding expressions which convey no reason for the sentiment, but set up the sentiment as its own reason." 2)

Although Benthamism was radically opposed to the 'Natural Law' theory which formed the most important strand in Locke's ethical thought, there were elements in Benthamism which were remarkably close to some of

1 Letter to Thomas Carlyle, 12 January, 1834, 'Letters of John Stuart Mill', ed. Eliot, page 92.

2 Autobiography, Chapter III, page 54.

Locke's main principles. I have shown above that there was a hedonistic strand in Locke's ethical thought and that Locke sometimes identifies good and evil with pleasure and pain. This hedonistic theory was reconciled with the Natural Law ethic by the assumption that God, by supernatural rewards and punishments, brings the dictates of rational self-interest into accord with what is in itself right. (See above, Chapter 2.)

If we were to exclude from Locke's theory the operation of the Deity we should be left with something very like the starting point of Benthamite Utilitarianism. (It might even be argued that the government, through the medium of law with its attendant rewards and punishments, plays very much the same part in Bentham's system that God does in Locke's. It brings self-interest into line with the social good.)

Then again, Bentham's system, like that of Locke, was thoroughly rationalist in character. Where Locke assumed a self-evident system of Natural Law the Benthamites equally assumed that certain principles of human conduct were indubitable. They did not attempt, any more than Locke did, to base their conclusions about human motivation and moral values on any empirical study of the value judgements men do actually make. It was indeed because they took their first principles as self-evident without bothering to see whether they were really in accord with human psychology that they were able to construct their neat and simple system. What is more, Bentham's system, like that of Locke, depended on the assumption that moral conduct is rational conduct. In Bentham's case, moral conduct simply meant action in accordance with a correct calculation of pleasures and pains. (One of Bentham's greatest errors

indeed lay in the assumption that human beings always do act in accordance with such rational calculations. He failed to observe that human motives are really much more complicated than this and that the strength of the desire for anything is not necessarily proportional to the pleasure likely to result from obtaining it.) Benthamite Utilitarianism, then, the starting point of J.S. Mill's ethical thought, was not really so opposed to the Lockean system as might at first appear. As J.S. Mill's thought developed, moreover, it came still closer to Locke's central ideas. The main theme of Locke's ethical thought was that right conduct consisted in action in accordance with the law of reason. Man was a moral being, superior to the brute by virtue of his possession of reason which made it possible for him to apprehend this law and obey it knowingly. Right conduct was rational conduct and because man was a rational being this meant action in accordance with his nature. The central point of Mill's ethical thought, as we have seen, is to be found in his conception of happiness as the state in which the individual realises to the full his intellectual and moral capacity. It is, in fact, as we might be tempted to say, the condition arrived at when man acts in accord with his real nature. However great the differences between the ethical ideas of Locke and John Stuart Mill may seem to be, then, there is in reality a great deal of common ground between the two thinkers. This similarity becomes more obvious when we consider John Stuart Mill's conception of freedom.

.....

CHAPTER 7

JOHN STUART MILL AND THE FREEDOM OF THE WILL.

The problem of how to reconcile the apparent freedom of human choice with the universal constancy of causal laws was one which weighed heavily on the young John Stuart Mill. He tells us in his 'Autobiography' that it was one factor in his state of depression at the time of his mental crisis: "during the later returns of my dejection, the doctrine of what is called Philosophical Necessity weighed on my existence like an incubus, I felt as if I was scientifically proved to be the helpless slave of antecedent circumstances; as if my character and that of all others had been formed for us by agencies beyond our control, and was wholly out of our own power." ¹

To understand the nature of the problem which faced him and the way he tried to answer it it is necessary to consider his theory of causation in general. In his 'System of Logic' Mill adopts a position very close to the empiricism of David Hume. He accepts the view that the source of all our knowledge must be found in experience and that, "It may, therefore, safely be laid down as a truth both obvious in itself, and admitted by all whom it is at present necessary to take into consideration, that of the outward world, we know and can know absolutely nothing, except the sensations which we experience from it." ² Our knowledge of the external world, then, is confined to sensation and Mill even argues in his 'Examination of Sir William Hamilton's Philosophy' that external reality

¹ Autobiography, Chapter V, page 143.

² A System of Logic, Book I, Chapter III, Vol. I, page 67, 9th Edition, Longmans, 1875.

must be defined as "a permanent possibility of sensation." The same is true, moreover, of our knowledge of our own minds and, "All which we are aware of, even in our own minds, is (in the words of James Mill) a certain "thread of consciousness;" a series of feelings, that is of sensations, thoughts, emotions and volitions, more or less numerous and complicated." ¹

Starting from this basis he accepts also the Humeian criticism of causation. The only evidence we can possibly have for any causal sequence is observed constant succession. There is no possibility of discovering a priori that "a" must be followed by "b" nor can our knowledge that "b" does in fact always follow "a" amount to the logical certainty of a deductive proof. All our knowledge about the real world, then, must be based upon induction from experience. (Mill's treatment of the methods of induction, however, shows that he was not really a consistent empiricist. He always assumed that there must be fixed and simple laws behind the flow of events. The complexities of his position - "experientialist" yet not "empiricist" - have been analysed by R.P. Anschutz, ²)

Though Mill accepted the view that our knowledge of the way events occur must be built upon induction from experience he nevertheless believed that we must accept the proposition that the course of nature is uniform. The principle of the Uniformity of Nature, he argues, is

1 A System of Logic, Book I, Chapter III, Vol. I, page 68.

2 R.P. Anschutz, 'The Philosophy of J.S. Mill', Oxford, 1953.

essential to the validity of the inductive process. "We must first observe, that there is a principle implied in the very statement of what Induction is; an assumption with regard to the course of nature and the order of the universe, namely that there are such things in nature as parallel cases; that what happens once, will under a sufficient degree of similarity of circumstances, happen again and not only again, but as often as the same circumstances recur." ¹ This principle, then is "the fundamental principle, or general axiom, of induction".² Mill, however, does not mean to suggest that it is known a priori. On the contrary, it is "itself an instance of induction and induction by no means of the most obvious kind." ³ This principle, which is to be the basis of all our arguments from experience, must itself have been derived from experience. The question then arises, "in what sense then can a principle, which is so far from being our earliest induction, be regarded as our warrant for all the others?" ⁴ His answer to this is that the principle of the uniformity of nature forms the logical basis of our belief in the validity of any particular inductive argument. If any proof is required of such an argument, the principle of the uniformity of nature will have to be invoked as the major premise from which such a proof can be deduced. (In this argument Mill is leading himself into all kinds of logical difficulties. They are difficulties, moreover, of his own creation; the result of yielding to the temptation to try to turn inductive arguments into the deductive form. What he is trying to do here is to turn particular inductions into

1 A System of Logic, Book III, Chapter III, Vol. I, page 355.

2 Ibid., page 356.

3 Ibid.

4 Ibid.

the deductive form by the assumption of a universally valid principle of the uniformity of nature. The attempt is a transparent failure because, as he admits himself, the principle from which the validity of other inductive arguments is to be deduced, is itself a particular inductive argument. Indeed, part of the evidence for the truth of the wider principle is simply the validity of the particular inductions of which the one in question is an example.)

The principle of the uniformity of nature is therefore the ultimate premise in all cases of induction but in its general form it is too vague to form the basis of scientific argument. We need to know more than just that nature is uniform. We need to know that it is uniform in one certain respect i.e. in respect of succession. If we are to be able to argue about the future, or indeed the past, we must discover some law of succession and "This fundamental law must resemble the truths of geometry in their most remarkable peculiarity, that of never being in any instance whatever, defeated or superseded by any change of circumstances." ¹ This law is the law of universal causation; the law that, "For every event there exists some combination of objects or events, some given concurrence of circumstances, positive and negative, the occurrence of which is always followed by that phenomenon." ² This, like the law of the uniformity of nature, is derived by induction from experience. The evidence for our belief in its universal validity is

¹ A System of Logic, Book III, Chapter V, Vol. I, page 376.

² Ibid.

that "the truth that every fact which has a beginning has a cause is coextensive with human experience." ¹

Though this is so, however, we must accept it as universally valid and it is from this assumption that the canons of inductive logic draw their validity. This principle, moreover, must be accepted for mental events as well as physical. This is required on Mill's principles to make any scientific study of human conduct possible. (J.S. Mill was particularly anxious to show the possibility of such a science - the science he calls Ethology.) He argues, therefore, that, "given the motives which are present to an individual mind and given likewise the character and disposition of the individual the manner in which he will act might be unerringly inferred." ²

It would seem, then, that all human actions are inevitably determined by precedent conditions and that human freedom of choice is no more than an illusion. Mill, however, was not prepared to accept this. He was convinced that human beings do have some part in shaping their characters and their destinies. He believed, moreover, that a conviction that this was so was essential to morality. He was faced with the problem of how to reconcile a belief that human beings do play an active part in the development of their own characters with the belief that every mental event is determined by a set of precedent conditions.

¹ A System of Logic, Book III, Chapter V, Vol. I, page 376.

² Ibid, Book VI, Chapter II, Vol. II, page 422.

Mill attempts to answer this problem by denying that there is a real conflict between free will and universal causation. This apparent conflict arises because of a misconception about causes. We tend to think that cause and effect are linked by some sort of magical bond so that the cause forces the effect to follow. If this mistaken view of the cause/effect relationship is applied to the causation of mental events it "conflicts with our consciousness and revolts our feelings. We are certain, that, in the case of our volitions, there is not this mysterious constraint. We know that we are not compelled, as by a magical spell, to obey any particular motive." ¹ The law of causation, however, does not imply any such mysterious constraint. It merely states that every event is preceded by a set of conditions from a knowledge of which its occurrence could have been inferred. This does not imply that there is any compulsive relation between cause and effect at all. "What experience makes known, is the fact of an invariable sequence between every event and some special combination of antecedent conditions, in such sort, that wherever and whenever that union of antecedents exists, the event does not fail to occur. Any must in the case, any necessity, other than the unconditional universality of the fact, we know nothing of." ²

He goes on to argue that the solution of the problem lies in the recognition that the wishes and feelings of the person concerned are themselves part of the antecedent conditions which determine the actions

¹ A System of Logic, Book VI, Chapter II, Vol. II, page 423.

² An Examination of Sir William Hamilton's Philosophy, 3rd Edition, London, Longmans, 1867, page 560.

he performs. The consciousness of freedom is, he argues, no more than the consciousness that we could have acted differently if we had wanted to. The fact that our wishes are themselves caused by previous circumstances does not alter the situation. So long as we believe that the wishes of human beings are effective to some extent at least in directing their course of action we have all that we require for a true theory of the freedom of the will: "this conviction, whether termed consciousness or only belief that our will is free - what is it? I ask my consciousness what I do feel, and I find indeed, that I feel (or am convinced) that I could and even should, have chosen the other course if I had preferred it, that is if I had liked it better; but not that I could have chosen one course while I preferred the other." ¹

This theory of the freedom of the will, Mill maintains, provides us with a satisfactory basis for a theory of moral responsibility. To say that someone is morally responsible for anything is much the same as saying that he could rightly be punished for doing or not doing it. Punishment is usually accorded to actions which harm individuals or society as a whole. The fact that such actions proceed inevitably from motives of hatred or dislike for a certain man or mankind in general does not make us believe that they do not deserve punishment. On the contrary, the actions which we consider most worthy of punishment are precisely those which we know to have been the inevitable consequence of such motives. Punishment, indeed, is one of the ways by which we hope to

¹ An Examination of Sir William Hamilton's Philosophy, pages 365-366.

alter these motives. To say that a man cannot do well unless he wants to does not make him morally irresponsible. It is only if we ignore the fact that human wishes are partly responsible for human conduct that we are forced to adopt the theory of fatalism. This theory does indeed destroy human moral responsibility but only because it assumes that our actions are entirely determined by causes lying outside ourselves and that we are helpless to do anything about it even if we want to. The theory that human actions are spontaneous or uncaused would not be very much better. It would lead us to the conclusion that our actions and characters are the product of mere chance. The true theory of the freedom of the will maintains in opposition to both these views, "that not only our conduct but our character, is in part accessible to our will; that we can, by employing the proper means, improve our character; and that if our character is such that while it remains what it is it necessitates us to do wrong, it will be just to apply motives which will necessitate us to strive for its improvement and so emancipate ourselves from the other necessity."¹

Mill's solution of the problem of the freedom of the will is far from satisfactory. The attempt to reconcile real freedom of choice with universal causation by assuming that our own preferences are part causes of our actions and characters breaks down as soon as you look into it. The difficulty is that even if our wishes are part causes of our actions, these wishes are themselves the products of previous causes. It is not

¹ An Examination of Sir William Hamilton's Philosophy, page 569.

much use saying that we are free because we can improve ourselves if we want to when we cannot help wanting what we do actually want with the exact strength that we want it.

In spite of its failing, however, Mill's theory of the freedom of the will does have some importance for an understanding of his idea of freedom. In the first place, Mill believes that the individual is able, to some extent at least, to shape his own character. In the second place, he believes that the freedom of the will consists in the possibility of acting in accordance with our wishes; not, as Kant would have had it, in accordance with some transcendental law of our existence. Freedom, in fact, so far as the will is concerned, is the freedom to act as we wish.

.....

JOHN STUART MILL'S CONCEPTION OF FREEDOM

J.S. Mill's conception of freedom is so intimately bound up with his ethical ideas that to analyse and discuss them separately must seem to some extent artificial. The central idea in Mill's ethical thought was his idea of the potential dignity and nobility of the human personality. His idea of happiness was that of a state in which the human character should reach its fullest development: a condition in which the highest and most noble faculties function to their fullest extent. For an individual to express the highest that is in him he must develop the characteristics which belong to him as a unique individual. The man whose character and opinions are the expression of his own deliberate choice is essentially a more noble being than one who allows them to be formed for him by others. "It is not by wearing down into uniformity all that is individual in themselves, but by cultivating it, and calling it forth, within the limits imposed by the rights and interests of others, that human beings become a noble and beautiful object of contemplation:....." ¹ And again, "Human nature is not a machine to be built after a model, and set to do exactly the work prescribed for it, but a tree, which requires to grow and develop itself on all sides, according to the tendency of the inward forces which make it a living thing." ² If an individual is to be able to express himself as an individual he must be free. It is only when he is free to choose and actually does exercise that freedom of choice

1 Essay on Liberty, Chapter III, page 120.

2 Ibid., page 117.

that human personality can be fully developed. "The human faculties of perception, judgment, discriminative feeling, mental activity, and even moral preference, are exercised only in making a choice."¹ It might indeed be argued that if a man allows himself to be guided by others he may be kept out of harm's way without the necessity of exercising these faculties; but, Mill asks, what will be his value as a human being? "It really is of importance, not only what men do, but also what manner of men they are that do it. Among the works of man, which human life is rightly employed in perfecting and beautifying, the first in importance surely is man himself."² The peculiar evil of depriving a man of his freedom, however this may be done, is that it makes him less than a man. It prevents the full flowering of human personality and produces individuals cramped and warped like trees "clipped into pollards, or cut out into figures of animals"³ This is the central theme of J.S. Mill's defence of liberty and he argues in one passage that, "Having said that individuality is the same thing with development, and that it is only the cultivation of individuality which produces, or can produce, well-developed human beings, I might here close the argument: for what more or better can be said of any condition of human affairs than that it brings human beings themselves nearer to the best thing they can be?"⁴

Mill, however, does not rely on this argument alone. I have shown in discussing his ethical thought that Mill makes use of two criteria in assessing the moral value of anything. The first and most important criterion is whether the thing concerned encourages the

1 Essay on Liberty, Chapter III, page 116.

2 Ibid., page 117.

3 Ibid., page 120.

4 Ibid., page 121.

development and expression of the noblest elements in human character. The second criterion is that of usefulness in a more Benthamite sense. In his attitude to freedom Mill makes use of these two criteria also. His main argument is that freedom is essential to character development but he argues also that freedom is valuable as a means to other ends. For example, he argues that the free development of individuality is essential to the continued progress of the human species; that where custom succeeds in submitting everyone to its yoke, progress stops and society becomes stagnant. "The greater part of the world has, properly speaking, no history, because the despotism of Custom is complete. This is the case over the whole East And we see the result. These nations must once have had originality; they did not start out of the ground populous, lettered, and versed in many of the arts of life; they made themselves all this, and were then the greatest and most powerful nations of the world. What are they now? The subjects or dependents of tribes whose forefathers wandered in the forests when theirs had magnificent palaces and gorgeous temples, but over whom custom exercised only a divided rule with liberty and progress." ¹

The way in which Mill makes use of the criterion of usefulness can perhaps best be illustrated from his chapter on the 'Liberty of Thought and Discussion' in his essay 'On Liberty'. In this chapter he argues that absolute freedom of thought and expression is essential to the continued intellectual progress of the human species - "the peculiar evil of

¹ Essay On Liberty, Chapter III, page 128.

silencing the expression of an opinion is, that it is robbing the human race; posterity as well as the existing generation;..... If the opinion is right, they are deprived of the opportunity of exchanging error for truth: if wrong, they lose, what is almost as great a benefit, the clearer perception and livelier impression of truth, produced by its collision with error." ¹

An opinion for which liberty of expression is sought may always be true. The fact that those who wish to suppress it believe it to be false does not necessarily mean that it is so even if those persons constitute the vast majority. To assume that because most people believe an opinion to be false it must necessarily be so is an assumption of infallibility - an assumption which is equally wrong if it is made on behalf of society as a whole as it is on the part of a single individual. "Yet it is as evident in itself, as any amount of argument can make it, that ages are no more infallible than individuals; every age having held many opinions which subsequent ages have deemed not only false but absurd;....." ² Human beings individually, or in the mass, are far from being infallible. On the contrary, "on any matter not self-evident, there are ninety-nine persons totally incapable of judging it for one who is capable;....." ³ The only reason why rational opinions and reasonable conduct have on the whole prevailed 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. He is capable of rectifying his mistakes, by discussion and experience." ⁴ To prohibit the expression of

¹ Essay on Liberty, Chapter II, page 79.

² Ibid., page 80.

³ Ibid., page 81.

⁴ Ibid., page 82.

opinions believed to be false, then, would be to deny to humanity the only means to continue intellectual progress. One argument by which the suppression of certain opinions is sometimes justified is the argument that they are socially dangerous. On these grounds it is argued that opinions may be rightly suppressed without any implied claim to infallibility. Mill rejects this argument on the grounds that if the truth or falsity of an opinion is a matter open to discussion its usefulness is equally so. Indeed, the social value of an opinion is intimately connected with its truth and it is doubtful if a false opinion can really possess any lasting social value. To assert that a certain opinion cannot be questioned because it is socially valuable constitutes a claim to infallibility just as much as the argument that an opinion can be suppressed because it is believed to be false and, "so far from the assumption being less objectionable or less dangerous because the opinion is called immoral or impious, this is the case of all others in which it is most fatal. These are exactly the occasions on which the men of one generation commit those dreadful mistakes which excite the astonishment and horror of posterity." ¹

He argues further that even if an opinion be false it is wrong to suppress it. This is so because even if the accepted doctrine be true unless it is open to criticism it will "be held as a dead dogma, not a living truth." ² Such a doctrine will no longer possess the force to

¹ Essay on Liberty, Chapter II, page 85.

² Ibid., page 95.

govern men's actions but will remain as a mere verbal formula. The way in which this can take place can be illustrated, Mill thinks, from the history of Christianity: "the maxims and precepts contained in the New Testament. These are considered sacred, and accepted as laws, by all professing Christians. Yet it is scarcely too much to say that not one Christian in a thousand guides or tests his individual conduct by reference to those laws."¹ Things were very different when Christianity was in its infancy and had to struggle for acceptance against pagan religions. In those days even the weakest knew what he was fighting for. The Christian rules of life really meant something and people really did direct their lives by them to such an extent that even their enemies could say, "see how these Christians love one another" - a statement which Mill thinks was hardly likely to be made in his time. The very universality with which a belief is accepted may in the end prove a means to its rejection for, "to shut out discussion entirely is seldom possible, and when once it gets in, beliefs not grounded on conviction are apt to give way before the slightest semblance of an argument."² Absolute freedom of discussion, then, is valuable and indeed essential to continued intellectual progress, whether the opinions for which this freedom is sought are true or false. In most cases both the received opinion and the new opinion contain an element of truth but not the whole truth. In such cases it is obvious that freedom of expression is essential to human intellectual advance.

1 Essay on Liberty, Chapter II, page 101.

2 Ibid., page 95/96.

In this chapter, then, Mill argues for freedom of discussion chiefly on the grounds that such freedom is an essential means to the advance of human knowledge and to human progress generally. In several passages in this chapter, however, we find reference to the other criterion also. It is not only because it is useful that freedom of discussion should be allowed but because the denial of such freedom is intellectually stunting. A man who holds an opinion simply because he is never allowed to hear it questioned does not hold it in a manner worthy of a rational being. The suppression of freedom of discussion detracts from the potential stature of human beings. "A state of things in which a large portion of the most active and inquiring intellects find it advisable to keep the general principles and grounds of their convictions within their own breasts, and attempt, in what they address to the public, to fit as much as they can of their own conclusions to premises which they have internally renounced, cannot send forth the open, fearless characters, and logical, consistent intellects who once adorned the thinking world."¹ The denial of freedom of discussion inevitably cramps and deforms human character. No one can be a great thinker unless he believes that his first duty is to follow his reason wherever it may lead. "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."²

J.S. Mill's conception of freedom, then, is rooted in his general ethical ideas. His belief in the supreme importance of human liberty is part and

1 Essay on Liberty, Chapter II, page 93.

2 Ibid., page 94.

parcel of his romantic, even aesthetic, conception of the potential nobility of the human personality. At the same time Mill does not ignore the criterion of social utility. He argues that freedom is an essential means to the intellectual and material progress of society and he justifies it on those grounds also.

Freedom regarded in this way as the essential means to the full development of personality must obviously mean the freedom of an individual as an individual. As I have shown in a previous chapter (see above, Chapter 4), Locke often uses expressions which seem to indicate that he regarded freedom as an attribute of society rather than of the individual. I have attempted to show that it would be unfair to interpret Locke in this way and that the whole basis of his conception of freedom is such that it must apply to individuals as individuals. It is true, however, that Locke failed to realise very clearly that there was a potential clash between the principle of individual freedom and that of majority rule. Mill sees this difficulty much more clearly. He makes it abundantly clear that it is the freedom of the individual as an individual that he is defending and that he fears attacks on that freedom from the side of the majority even more than from anywhere else. In his essay 'On Liberty' he points out that so long as men were governed by monarchs whose interests were opposed to those of the majority of the population, the people aspired to no more than to erect barriers against the tyranny and rapacity of their ruler. "The aim, therefore, of patriots was to set limits to the power which the ruler should be suffered to exercise over the community; and this limitation was what they meant by liberty."¹ In time, however, men began

¹ Essay on Liberty, Introductory, page 66.

to reject the idea that their rulers must necessarily be an independent power opposed in interest to themselves. They began to feel that they should be delegates of the people and responsible to them. As the struggle to bring this about progressed it was thought that it was no longer necessary to limit the power of rulers. All that was important was to make sure that those rulers should be identified with the people. It was felt that "The nation did not need to be protected against its own will. There was no fear of its tyrannising over itself. Let the rulers be effectually responsible to it, promptly removable by it, and it could afford to trust them with power of which it could itself dictate the use to be made." ¹ Later, however, representative democracy became an established fact over a large area of the earth. Once this had taken place the true state of affairs soon became apparent. "It was now perceived that such phrases as "self-government", and "the power of the people over themselves," do not express the true state of the case. The "people" who exercise the power are not always the same people with those over whom it is exercised; and the "self-government" spoken of is not the government of each by himself, but of each by all the rest." ² The popular will means in practice the will of the majority and it is quite possible that the majority will wish to tyrannise over the minority. "The limitation, therefore, of the power of government over individuals loses none of its importance when the holders of power are regularly accountable to the community,....." ³ The danger to the liberty of the

¹ Essay on Liberty, Introductory, page 67.

² Ibid.

³ Ibid., page 68.

individual involved in placing governmental power in the hands of persons elected by the majority was one which troubled Mill very deeply. His essay on 'Representative Government' was largely concerned with the attempt to find an answer to this difficulty.

Mill felt that the danger of majority tyranny was made much more severe by the existing method of election in Great Britain. Where representatives were elected to represent constituencies and where a seat in Parliament was given to the winner by a bare majority within the constituency the majority alone was represented. The minority had no representation at all. In a representative system it is necessarily the case that the views of the majority shall prevail but, Mill asks, "does it follow that the minority should have no representatives at all? Because the majority ought to prevail over the minority, must the majority have all the votes, the minority none? Is it necessary that the minority should not even be heard?"¹ Under such a system it is possible that the members of Parliament will represent no more than a bare majority of the electors in the country. When these members proceed to decide things by a bare majority of themselves it is quite possible that this "majority of a majority" may not even represent the views of the majority in the country. Minority groups, on the other hand, which may have considerable strength in the country are disenfranchised altogether. Under such a system there is every encouragement for the majority to tyrannise over the minority and there is no reason to suppose that they will be any more loath to exercise that power than monarchs or aristocracies. "Suppose the

¹ Essay on Representative Government, Chapter VII, page 257.

majority to be whites, the minority negroes, or vice versa: is it likely that the majority would allow equal justice to the minority? Suppose the majority Catholics, the minority Protestants, or the reverse; will there not be the same danger?"¹

The most obvious danger, Mill thought, was that of the tyranny of a single class. "In all countries, there is a majority of poor, a minority who, in contradistinction, may be called rich. Between these two classes, on many questions, there is complete opposition of apparent interest."² In a system of representative government there was a serious danger that the poor would tyrannise over the rich. This danger was not lessened by the fact that the exercise of such tyranny would be contrary to the real long-term interests of the poor classes themselves for "It is not what their interest is, but what they suppose it to be, that is the important consideration with respect to their conduct:....."³ This danger could not be entirely alleviated by any electoral system other than that of a restricted franchise. Mill felt, however, that the danger could be much reduced if a system of proportional representation or what he called 'personal representation' were substituted for the existing electoral procedure.

The plan which Mill advocated was that proposed by Mr. Hare. Its object was to secure the representation of all points of view in proportion to their strength in the country as a whole. The provisions of this plan were complicated. The central idea was that a seat in Parliament should

1 Essay on Representative Government, Chapter VI, page 249/250.

2 Ibid., page 250.

3 Ibid.

be given to any candidate who obtained a certain number of votes. Every voter would be allowed to cast his vote for any candidate anywhere in the country. To avoid the danger of votes being piled up needlessly for candidates who had already exceeded the minimum required the voter would be allowed to vote for a list of candidates in order of preference. Then if his first choice was already elected his vote would be given to the second choice, and so on. In this way, Mill hoped, it would be possible to ensure that every minority group was represented by a number of members of Parliament proportional to its voting strength in the country. One of the greatest merits of this system, Mill thought, was that it provided for the representation of the more highly educated members of society in proportion to their numbers in the country. This was particularly important because, "The only quarter in which to look for a supplement, or completing corrective, to the instincts of a democratic majority, is the instructed minority:....."¹ It was of the utmost importance that provision should be made for the election of representatives of this group for although their numbers in Parliament might be small they would at least be able to make their views heard and their knowledge would give them an influence out of proportion to their mere voting strength. "The instructed minority would, in the actual voting, count only for their numbers, but as a moral power they would count for much more, in virtue of their knowledge, and of the influence it would give them over the rest."²

Mill had the highest hopes for the beneficial effects of this system in ameliorating the dangers of majority tyranny. He was not prepared,

¹ Essay on Representative Government, Chapter VII, page 268.

² Ibid., page 269.

however, to remain content with that alone. In addition to the system of personal representation he suggested a complicated system of plural voting. On this scheme every adult, with some few unimportant exceptions, was to possess a vote but those of higher educational attainments were to be given additional votes in accordance with their stage of educational attainment. To avoid any unfairness the qualifications required for the exercise of more than one vote were to be obtained by examinations open to all. In these ways Mill thought it would be possible to obviate the most serious danger of majority tyranny and to provide the means for the expression of originality and independence of thought.

Although Mill feared the danger of majority tyranny through the instrument of governmental power and tried to find a means by which this danger could be obviated he did not believe that the only danger to individual freedom from the majority lay in their control of political power. On the contrary, he feared that the tyranny of the majority might be exercised in other ways just as dangerous to individual freedom and cramping to human self-development. "Like other tyrannies, the tyranny of the majority was at first, and is still vulgarly, held in dread, chiefly as operating through the acts of the public authorities. But reflecting persons perceived that when society is itself the tyrant - society collectively over the separate individuals who compose it - its means of tyrannising are not restricted to the acts which it may do by the hands of its political functionaries."¹ Even more dangerous than the tyranny of the majority through the means of political power is the tyranny of

¹ Essay on Liberty, Introductory, page 68.

public opinion, "a social tyranny more formidable than many kinds of political oppression, since, though not usually upheld by such extreme penalties, it leaves fewer means of escape, penetrating much more deeply into the details of life, and enslaving the soul itself."¹ This danger Mill believed to be one which was likely to grow rather than to diminish. The tendency of all the changes taking place in the world was to strengthen the power of society vis-à-vis the individual. The tendency of mankind to wish to impose its own opinions as rules upon other people was so strongly supported by many of the noblest, as well as the worst, instincts of human nature that it was hardly likely to be restrained except by a lack of power. In a world where the power of society was growing ever stronger the danger of the individual being deprived of any freedom to independence of thought and action by the dead hand of public opinion must grow ever more acute. It was necessary, therefore, to erect barriers against this sort of tyranny as much as against any other. It was, of course, impossible to protect the individual against the tyranny of society by any legislative enactment. The only means by which he could be secured against this subtle form of oppression lay in a strong tradition of individual liberty. It was most important, Mill felt, that individuals should resist the force of social disapproval and assert their right to think and behave in ways different from those of society as a whole. At times indeed Mill argues in favour of eccentricity for eccentricity's sake. "In this age, the mere example of non-conformity, the mere refusal to bend the knee to custom, is itself a service. Precisely because the tyranny of opinion is such as to make eccentricity a reproach, it is desirable, in order to break through that tyranny, that people should be eccentric."²

¹ Essay on Liberty, Introductory, page 68.

² Ibid., Chapter III, pages 124/125.

At this point it is perhaps worth considering one of the most serious objections that can be brought against John Stuart Mill's whole treatment of freedom, namely that it rests upon a misconception of the relationship between the individual and the society in which he lives. Though Mill clearly has a much greater understanding of the importance of the social feelings which bind men together in communities than his father or Bentham had (see above Chapter 6, page 120), it can be argued that he still commits the error of the early Utilitarians in treating society as if it was a loose aggregate of self-contained individuals each of which develops his individual characteristics without much reference to the society in which he lives.

This is very evident when Mill is describing the dangers of the tyranny of public opinion and the necessity for the individual to resist that tyranny by asserting his individuality. It is obvious again in those passages where he is defending liberty of thought and expression. Here Mill seems to regard society as an aggregate of individuals each one of whom possesses a private set of moral, religious and intellectual ideas. Different individuals in their words and actions put forward different ideas and these alternative views are regarded as being in intellectual competition with one another. In the course of this constant clash of ideas and alternative ways of life the most beneficial and valuable are expected to emerge triumphant and in this way the continual moral and intellectual progress of society will be assured. The picture is very like that of the world of business as seen by the advocates of

'free enterprise'. Under this system it is supposed individuals are continually introducing new products and methods of production. In conditions of free competition it is imagined that those which prove themselves economically valuable will survive, those that do not will fail. In this way it is thought the economic progress of society will be most effectively secured both because absence of restraint will ensure that new economic experiments will continually be made and because the economic struggle for survival will automatically eliminate enterprises that do not prove themselves economically valuable.

This picture is really inadequate even when it is applied to the sphere of economics. It is even more obviously a failure when it is applied to the whole life of man in society. The development of the individual cannot be abstracted from the context of the society in which he lives in this way. The moral standards which an individual comes to accept as binding and the moral choices he makes are intimately bound up with the society around him. It is impossible for anyone to exercise moral choice in a vacuum. Even when an individual rebels against the accepted standards of his society that very rebellion is conditioned by the morality against which it is directed.

In the first place, no act can be judged as right or wrong without some reference to the circumstances in which the act is performed and the probable consequences of its performance. The circumstances in which

things are done and the consequences which flow from actions are, however, very largely determined by the accepted morality and the whole structure, social, political and economic of the society within which the act is performed.

Then, again, it is psychologically impossible for an individual to be unaware of the moral attitudes of people around him and virtually impossible for him not to attempt to conform himself in some measure to the way of life which is approved by those with whom he comes in contact. It is doubtful, indeed, whether an individual can lead a balanced life at all unless he can gain at least a minimum of acceptance from his fellows by conforming himself to the rules and standards which they consider important. Thus it is that any group of human beings, whether it is as large as the state or as small as a club or even a single family, comes to have very often by an almost unconscious process a set of rules of behaviour which are accepted for the most part by the members who make it up. Unless, indeed, a human society has a fairly fixed set of rules of this nature it becomes impossible for the individuals who make it up to lead morally balanced lives. If the pace of social change becomes too great and the standards accepted by a community come to change too fast we find a general breakdown of moral responsibility amongst the individuals who comprise that society. The context within which these individuals exercise moral choice changes too fast for them to adjust their moral attitudes to the changed circumstances. This is perhaps most obvious in the well-known phenomenon of moral breakdown amongst peoples whose way of life has been violently disrupted by contact with European civilization.

It is also a serious question whether the pace of social change produced by rapid scientific and technical advance is not producing the same phenomenon in all modern industrial societies.

It is clear, then, that the individual cannot be isolated and protected from society and public opinion in the way that Mill seems to desire. The moral development of the individual is intimately and necessarily related to the society in which he lives. John Stuart Mill has obviously laid far too little stress on the cohesion of society and the interdependence of individuals within it.

This point was made most forcibly by those idealist philosophers who followed Hegel in arguing that the State must be regarded as a truly organic entity transcending the individuals of which it is composed and absorbing them in a wider common self. On this view the very being of an individual is to be an organic part of a greater whole. The nature of an individual is thought to be most fully expressed when he functions as a subordinate part of such a whole so that he is most fully himself and most fully free when his actions are completely subordinate to the will of the State.¹ The organic view of the State when taken to extremes leads in fact to the paradoxical position that the name 'freedom' is applied to a situation which we would normally describe as the very reverse.

¹ vide, for example, Bosanquet, 'The Philosophical Theory of the State', Chapters V & VI.

It is obvious, however, that the relation between individual and society is not nearly so close as the organic theory supposes. Individuals are not so closely bound up with the society in which they live that they have no being except as parts of the wider whole. The very fact that individuals can, and frequently do, leave one state and go and live in another without apparently suffering any major revolution in their characters is sufficient to show the inadequacy of the organic view. The experience of any individual is essentially private to himself. One man cannot feel another man's pain. He cannot even know what another man is thinking or feeling except through the expression of those thoughts and feelings in words, actions, facial expressions and so on. (The fact that we can never directly experience the feelings of others and can only know them through their objective manifestation in actions, words, gestures, etc. leads to the vexed personal problem of how we come to know other minds at all.) There is, in fact, no common consciousness to two or more persons and when we speak of two or more people sharing the same ideas or feelings we do not mean that there is one feeling common to them both but that the different feelings which they have as individuals happen to be similar, or even identical, in content. There can, therefore, be no common self in which the individual selves of individuals who make up a state are fused; (except, of course, in a metaphorical sense). However close the bonds which bind an individual to the society in which he lives he can never lose his individuality completely in a wider whole. Indeed, society can only affect the individual through the private consciousness of that individual himself. In the same way, although it is true that an individual can

ly exercise moral choice in the context of the society in which he lives and although the choices he makes and the moral standards he accepts are inevitably conditioned by the climate of moral opinion in which he finds himself, it is still true that moral choice is essentially the private act of an individual. It is only in so far as an individual accepts the standards which are accepted by others in his society that these standards have a moral significance for him as an individual. However close, then, the relationship of man to society it still remains true that it is the individual that is the ultimate unit of moral responsibility. Though it may be true that the individual cannot develop as a moral being except in a social context and though a relatively stable framework of generally accepted moral rules within a society is essential for the moral development of the individuals who make it up, it is also true that an individual only acts as a moral being when he chooses to act in a way that appears to him as an individual to be right. A man can only develop as a moral being if he has liberty to exercise moral choice and this means that he must have some liberty to reject the standards of society as well as to accept them.

There must, then, be provision for the moral cohesion of society. It must be recognised that individuals cannot develop as moral beings in a vacuum and that to insulate the individual from the control of society entirely and so to destroy any common framework of social mores would be to destroy the very possibility of moral development that it is designed to enlarge. It must be recognised also that the problem of the degree to which individuals can be allowed freedom of choice is not one that can be

solved without reference to the structure and circumstances of the particular society within which that freedom is to be exercised.

It is equally true, however, that if individuals are to develop as moral beings there must be provision for flexibility as well as cohesion. The possibility of exercising independent moral choice must not be destroyed by giving society too great a coercive authority over the individual. It is of the utmost importance that amongst the values accepted by society should be the principle that the possibility of exercising individual independence of action is a thing to be treasured and that it is always better to put up with behaviour which we consider undesirable for the sake of the greater good of human freedom unless absolute social necessity obliges the state or public opinion to intervene.

John Stuart Mill's conception of freedom does, then, require to be modified to take account more adequately of the interdependence of the individual and society. His central argument, however, that to allow society to deprive the individual of the opportunity of exercising conscious choice means stunting his development as a moral and intellectual being remains valid.

The problem involved in the necessity of taking account both of the importance of allowing the individual a measure of freedom of moral choice and of the importance of recognising the interdependence of society and the individual can be most clearly seen when Mill comes to discuss the question of the limits within which individuals can be allowed to exercise freedom of choice.

The essential prerequisite to the defence of individual liberty against the tyranny of society, Mill felt, lay in a clear recognition of the limits within which society is morally entitled to exercise control over the individual and, conversely, of the sphere in which the individual can rightly claim to direct his actions according to his preference.

I have shown in a previous chapter (see above, Chapter 4), that the question of the extent and limits of human freedom was one which Locke very largely ignored. He frequently speaks of a right to freedom but makes no serious attempt to show wherein this right consists and what its limits are. I have shown also that although Locke does not specifically discuss this problem we can gain from his writings some idea of what his answer to it would have been. The answer which seems to be implied in several passages is that the individual has a right to order his actions according to his own choice so long as that right does not conflict with the rights of others.

Mill recognised this problem very clearly and regarded it as the most important problem of his time; a problem, moreover, which had never been satisfactorily answered: "the practical question, where to place the limit - how to make the fitting adjustment between individual independence and social control - is a subject on which nearly everything remains to be done Some rules of conduct, therefore, must be imposed What these rules should be is the principal question in human affairs; but if we except a few of the most obvious cases, it is one of those which least progress has been made in resolving." ¹ It was with the intention of

¹ Essay on Liberty, Introductory, page 68/69.

providing an answer to this question, a simple principle by which the rectitude of social control over the individual could be tested, that the essay 'On Liberty' was written.

The answer which Mill gives is substantially the same as that which I have shown to be implicit in the thought of John Locke. The principle which Mill puts forward, "as entitled to govern absolutely the dealings of society with the individual in the way of compulsion,...."¹ is "That the only purpose for which power can be rightfully exercised over any member of a civilised community, against his will, is to prevent harm to others."² Society is not justified in interfering with the actions of an individual simply for the good of that individual himself.

The actions of an individual which directly affect the interests of others can rightly be subjected to social control either by the means of physical compulsion acting through the laws or by the moral force of public opinion. Society can justly require that acts which are harmful to its members be not committed. It can also demand that the individual shall perform certain duties for the benefit of other people. "There are also many positive acts for the benefit of others, which he may rightfully be compelled to perform; such as to give evidence in a court of justice; to bear his fair share in the common defence, or in any other joint work necessary to the interest of the society of which he enjoys the protection; and to perform certain acts of individual beneficence, such as saving a fellow-creature's life, things which whenever it is obviously a man's duty to do, he may rightfully be made responsible to society for not doing."³

1 Essay on Liberty, Introductory, page 72.

2 Ibid., page 73.

3 Ibid., page 74.

Beyond these limits, however, there lies a sphere of human activity in which the individual should be entirely free to order his conduct in accordance with his own preference. This is the sphere of actions which directly concerns nobody but the individual himself. This principle, Mill argues, implies absolute freedom of conscience; the freedom to hold any opinion or sentiment on any subject together with a freedom to the expression of such opinions and sentiments. It implies also the freedom to follow one's own tastes and inclinations, to choose one's plan of life for oneself so long as one does no direct harm to others. Finally, it implies the freedom to combine with others for any purpose which is not directly injurious to others.

This principle, then, is to decide in all cases the due limits of human freedom and the extent to which society is entitled to exercise control over the individual. The principle, however, does not of itself solve the problem of defining the due limits of social control. For another difficulty immediately arises. How do we decide whether a given action directly affects the interests of others or not? It is obvious that practically every action which an individual performs affects other individuals in some way or other. If a man ruins his health by drink, for example, he may make himself unable to perform his obligations to his dependents and, more generally, he may make himself incapable of performing his obligations to society as a whole. He may even come to be a burden which society will have to support. Mill recognises that this is a serious problem and attempts to answer it. His general conclusion is that society can only rightly control the actions of an individual when those actions directly affect the interests of others. In cases where the influence of an

individual's actions on others is only indirect and contingent, society has no right to interfere. If, for example, a man by drink or extravagance makes himself incapable of supporting his family or paying his debts, "he is deservedly reprobated, and might be justly punished; but it is for the breach of duty to his family or creditors, not for the extravagance."¹ On the same principle, a person who disables himself for the performance of some definite public duty is guilty of an offence against society. "No person ought to be punished simply for being drunk; but a soldier or a policeman should be punished for being drunk on duty."²

The way in which Mill attempted to deal with the problem posed by the difficulty of defining the cases in which the actions of an individual concern himself alone is illustrated by the examples he gives in his essay 'On Liberty'. One of these is to be found in his treatment of the proposed prohibition of the trade in alcoholic liquors. The supporters of this movement argued that even if drinking was an activity which concerned the individual alone the sale of liquor was a social act subject to social control. They argued, furthermore, that the sale of liquor directly interfered with their "social rights". It interfered with the citizens' basic right to security by provoking social disorder and disturbance. It conflicted with their right to equality by making a profit from the misery which the taxpayer was forced to support. Finally, it placed obstacles in the way of self-improvement by surrounding the citizens with moral pitfalls. Mill dismisses these arguments with contempt. The prohibition of the sale of liquor on

1 Essay on Liberty, Chapter IV, page 130.

2 Ibid.

on grounds that trade is a social act cannot, he thinks, be justified or, "the infringement complained of is not on the liberty of the seller, but on that of the buyer and consumer; since the State might just as well forbid him to drink wine as purposely make it impossible for him to obtain it."¹ The theory of social rights claimed by the supporters of this measure he describes as "A theory of "social rights" the like of which probably never before found its way into distinct language: being nothing short of this - that it is the absolute social right of every individual, that every other individual shall act in every respect exactly as he ought; that whosoever fails thereof in the smallest particular violates my social right, and entitles me to demand from the legislature the removal of the grievance."² Mill, then, dismisses the arguments in favour of the prohibition of the trade in liquor on the grounds that this constitutes interference in the sphere of activities which directly concern the individual alone. The doctrine invoked in its support, he argues, "ascribes to all mankind a vested interest in each other's moral, intellectual, and even physical perfection, to be defined by each claimant according to his own standard."³

A further problem then arises. It may be agreed that the direct prohibition of the trade in liquor would constitute an unjust interference with the liberty of the individual but may not the state be entitled to tax the liquor trade so as to discourage a practice which leads to results

1 Essay on Liberty, Chapter IV, page 145.

2 Ibid., page 146.

3 Ibid.

that are socially undesirable? Mill's answer to this problem is very unsatisfactory. It involves him in complicated casuistry and illustrates the breakdown of his principle as a simple and adequate rule for deciding where interference with individual liberty is permissible and where it is not. He argues on the one hand that "Every increase of cost is a prohibition, to those whose means do not come up to the augmented price; and to those who do, it is a penalty laid on them for gratifying a particular taste."¹ The special taxation of liquor, then, would seem to be unjustified on the grounds that it constitutes an interference with the liberty of the individual to choose his pleasures according to his taste. On the other hand, however, Mill argues that taxation is inevitable for governmental purposes and that a great deal of this taxation will have to be indirect. The government, therefore, has a duty to decide for purposes of taxation which commodities the consumers can best afford to spare. It has a right, and even a duty, to select for taxation those which it considers to be positively harmful. The state is thus entitled, if it needs money, to tax the liquor trade up to the extent at which the maximum revenue will be produced though it would not be entitled to do so for the specific purpose of making liquor more difficult to obtain. This argument breaks down as soon as it is looked at. To single out a certain product for taxation is obviously an interference with the individual's choice of pleasures no matter for what purpose those taxes are levied. Indeed, the principle on which the liquor trade is to be selected for taxation for revenue purposes is precisely the same as that which might

¹ Essay on Liberty, Chapter V, page 156.

be used to justify a tax for the specific purpose of reducing drunkenness, namely that the government considers excessive drinking socially harmful.

The way in which Mill's principle breaks down when it is treated as a hard and fast rule in borderline cases is even more obvious in another example. One aspect of human life which is normally considered the peculiar province of the individual is that of the relation between the sexes. Mill, indeed, considered his relationship with Harriet Taylor, who subsequently became his wife, an entirely private matter and deeply resented any interference on the part of his friends and relations. On the other hand Mill followed Malthus in believing that the natural tendency of humanity to increase would, if it were not checked, lead to a constant condition of over-population: a condition in which the population was limited by starvation. So strongly did Mill believe this, and so horrified was he at the misery resulting from the production of children in excess of the means of subsistence, that he once took part in distributing pamphlets on the methods of birth control. He was arrested on this occasion for the offence of distributing obscene literature and the incident formed the subject of a vulgar lampoon. With these beliefs Mill could not but feel that to bring children into the world was a serious social responsibility. Thus we find him arguing that "To undertake this responsibility - to bestow a life which may be either a curse or a blessing - unless the being on whom it is to be bestowed will have at least the ordinary chances of a desirable existence, is a crime against that being."¹

¹ Essay on Liberty, Chapter V, page 163.

He argues, furthermore, that where a country is over-populated and the production of more children means increasing the competition for work and reducing its reward, the production of such children is a crime against the labouring population as a whole. On this basis he maintains that, "The laws which, in many countries on the Continent, forbid marriage unless the parties can show that they have the means of supporting a family, do not exceed the legitimate powers of the State:....."¹ In one of his letters we even find him writing in support of the iniquitous system of compulsory separation of married couples enforced in the poorhouses at that time.²

Mill's principle that the right to exercise control over the individual is limited to the sphere of actions which directly concern other people clearly breaks down when he tries to use it as a hard and fast rule to decide in all cases and for all times the distinction between the legitimate sphere of social control and of individual freedom. This does not mean, however, that Mill's principle is entirely valueless. On the contrary, I believe that it is a fruitful approach to this problem. If it is to be used as a means of deciding the limits of social control, however, it will have to be used in a much more flexible manner than Mill indicates. It is obvious that the distinction between the sphere of activities which concern the individual alone and those which affect others will differ according to the structure of society. To take an example - in a society made up of a fairly small number of people living in a large and fruitful territory there

¹ Essay on Liberty, Chapter V, page 163.

² Letter to Edward Hereford, January, 1850.

'Letters of John Stuart Mill', ed. Eliot, page 151.

would be every reason for arguing that the use which an individual farmer makes of his land is entirely his own concern. No matter how badly he farms his land no one but himself and his immediate dependents need suffer very severely. In the populous industrial society with very restricted land, however, the position will be very different. The misuse of land by a single farmer means depriving the community of part of its essential means of subsistence. If the misuse involves the ruin of the land for agricultural purposes it means depriving future generations of part of the limited sources of food supply available to the community. In such conditions there is every reason for considering the misuse of land a social offence and subjecting the individual to social control to the extent at least of preventing him from conduct likely to result in the permanent destruction of the society's agricultural resources. Such considerations have in fact led to the introduction of laws in many countries by which the use an individual makes of his land is controlled to some extent in the interest of society as a whole. In Great Britain, for example, misuse of land may lead to actual confiscation and in many other countries, including South Africa, the use an individual makes of his land is limited by laws designed to prevent the growth of soil erosion, the spread of noxious weeds, etc.

The difference between actions which concern the individual alone and those of a direct interest to society depends very much on the structure of that society itself. If Mill's principle is to be used to clarify the distinction between the spheres of individual liberty and social control it must be understood not as a simple, hard and fast rule

to decide all cases, once and for all, but as an approach that should be adopted towards the solution of individual cases within a given social context. Mill's principle might be interpreted to mean that in deciding the limits of individual freedom in any given case we should first ask ourselves whether it is socially possible to consider the activity concerned as one which directly affects the individual alone. If this approach is interpreted in the light of the maxim that where there is a clash between the principle of individual liberty and the claims of society, the presumption should always be in favour of liberty. It will constitute a tolerable, though not perhaps a perfect, solution of this vexed problem.

John Stuart Mill's conception of the importance of freedom as a means to the moral and intellectual development of the individual runs through his thought on many different topics. I shall show here how this is illustrated in his treatment of two topics - that of education and that of the economic structure of society.

In spite of his belief in the value of individual freedom Mill believed that the state had a right to compel parents to educate their children. He even says, "Is it not almost a self-evident axiom, that the State should require and compel the education, up to a certain standard, of every human being who is born its citizen?"¹ This may seem to be a denial of the whole argument in favour of individual freedom. In fact, however, Mill advocates compulsory education on the same principles that lead him to argue in defence of individual liberty in other matters.

¹ Essay on Liberty, Chapter V, page 160.

In this case it is not so much the liberty of the parents which is at stake as the opportunities of the child for moral and intellectual development. The question whether or not a child shall be sent to school is not a question which concerns the parents alone. It is one which vitally affects the whole life of the child. To allow the parents the right to decide whether or not their child shall be given an education is not to secure the liberty of the parents but rather to secure their power over their child. "One would almost think that a man's children were supposed to be literally, and not metaphorically, a part of himself, so jealous is opinion of the smallest interference of law with his absolute and exclusive control over them;....." ¹ This is a sphere, then, in which the state is entitled to interfere. It is entitled to do so because this is a case in which the actions of an individual parent concern not only himself but his child and society as a whole. The interference of the state is justified, moreover, because in this case it interferes to increase, rather than to diminish, opportunities for individual self-development.

When he comes to the nature of the education which children are to receive, however, Mill is extremely jealous of state interference. To allow the state to control education would be to place in its hands a formidable means of exercising a moral despotism over the minds of its citizens. What is more, the mere fact that only one system of education existed would militate against individual freedom. It would deprive society of the sources of varied points of view and in the long run

¹ Essay on Liberty, Chapter V, page 160.

prevent the individual from exercising freedom of intellectual judgement by lessening his opportunity of hearing different views put forward. "A general State education is a mere contrivance for moulding people to be exactly like one another: and as the mould in which it casts them is that which pleases the predominant power in the government, in proportion as it is efficient and successful, it establishes a despotism over the mind, leading by natural tendency to one over the body." ¹

Mill's antipathy to any attempt to mould the opinions and actions of people into a single pattern provided the source of his most acute disagreement with Auguste Comte. Mill always professed the warmest admiration for many of Comte's ideas. One of that thinker's ideas, however, was that the whole intellectual and spiritual life of the community should be controlled by a hierarchy of philosopher priests of the new humanistic religion. This hierarchy was to be headed by a "Grand Pontiff of Humanity" and would exercise its power very largely through an absolute control of education. This plan, Mill described as, "the completest system of spiritual and temporal despotism which ever yet emanated from a human brain, unless possibly that of Ignatius Loyola: a system by which the yoke of general opinion, wielded by an organized body of spiritual teachers and rulers, would be made supreme over every action, and as far as is in human possibility, every thought, of every member of the community,....." ² If the liberty of the individual was to be maintained it seemed to Mill that it was of the utmost importance that education should be to a great extent independent of state control and, furthermore, that different independent systems of education should exist side by side. "All that has been said of the importance of individuality

¹ Essay on Liberty, Chapter V, page 161.

² Autobiography, Chapter VI, page 180.

of character, and diversity in opinions and modes of conduct, involves, as of the same unspeakable importance, diversity of education." ¹ If the state were to take a direct hand in education at all the state system should be only one amongst many systems of education. "An education established and controlled by the State should only exist, if it exist at all, as one among many competing experiments, carried on for the purpose of example and stimulus, to keep the others up to a certain standard of excellence." ²

Mill's views on the social and economic structure of society underwent considerable changes in the course of his active intellectual life. These changing views are to be found in the successive editions of his 'Principles of Political Economy'. In the First Edition of this work Mill had placed himself on the side of personal property. He had dismissed arguments in favour of socialism in any form as impractical and unrealistic. In later editions, however, we find a great change. In the preface to the Third Edition he explains that the chapter on property has been almost entirely rewritten and states that, "I was far from intending that the statement which it contained of the objections to the best known socialist schemes should be understood as a condemnation of Socialism regarded as an ultimate result of human progress." ³ In this, and subsequent editions, we find him very conscious of the defects of the existing system of social and economic organisation. He argues, indeed, that if the existing system were to be compared with a system of

¹ Essay on Liberty, Chapter V, page 161.

² Ibid.

³ Preface to Third Edition, Principles of Political Economy, published July, 1852.

communism the system of communism must be preferred with all its dangers and difficulties. (This change of opinion was no doubt due to some extent to Mill's interest in the Socialist movements of his time. His interest in Saint-Simonianism is one example. It is likely, however, that the influence of Harriet Taylor was important in bringing this change about. In an article entitled "The Enfranchisement of Women" ¹ Harriet Taylor says, "With respect to the future, we neither believe that improvident multiplication, and the consequent excessive difficulty of gaining a subsistence will always continue, nor that the division of mankind into capitalists and hired labourers, and the regulation of the reward of labourers mainly by demand and supply, will be for ever, or even much longer, the rule of the world," ² It is noteworthy also that in the last edition which Mill prepared of the 'Principles of Political Economy', after the death of Harriet Taylor, he seems to revert to a definite preference for private property.) Even when Mill was most favourably disposed towards Socialism, however, he always retained his doubts. Though he could see that a communistic social organisation had many advantages he was afraid that it might mean a threat to individual freedom. Thus he says, "The question is whether there would be any asylum left for individuality of character: whether public opinion would not be a tyrannical yoke; whether the absolute dependence

- 1 Written by Harriet Taylor and edited by J.S. Mill, this article was published under his name and reprinted in his 'Dissertations and Discussions', Vol. II, beginning page 412.
- 2 vide Dissertations and Discussions, Vol. II, page 429 - London, 1859.

of each on all, and surveillance of each by all, would not grind them all down into a tame uniformity of thoughts, feelings and actions." 1 He felt certain that the existing system of private property was unjust and that to be acceptable it would have to be greatly reformed. As I have mentioned in a previous chapter (see above, Chapter 6), his preference was for a system of ownership based on voluntary partnership between labourers or between labourers and capitalists. He was far from certain, however, whether the alternative to the existing system lay in Socialism or in a reformed system of private property. The ultimate choice would depend, he thought, on "which of the two systems is consistent with the greatest amount of human liberty and spontaneity." 2 The ultimate end of all changes in the structure of society was in fact to be a combination of individual freedom with the most just distribution of the rewards of labour.

Mill's conception of freedom rests upon his conception of the inherent possibilities of human nature. Man must be allowed freedom of choice because it is only by exercising such freedom that he can attain his full moral and intellectual stature. In addition, Mill believed that individual freedom was in the fullest sense socially useful. This freedom was to be a freedom which of its very nature applied to individuals as individuals rather than as social groups. It was to be

1 Principles of Political Economy, ed. Ashley, Book II, Chapter I, page 210.

2 Ibid.

protected against the tyranny of the majority whether acting through control of the powers of government or the force of public opinion, as much as it was against any other form of tyranny. The freedom of the individual was to consist in a freedom to choose his opinions and direct his conduct in accordance with his own individual preference. Its limits were to be found where the actions of an individual involved the possibility of directly inflicting harm on others.

In spite of the long period of time which separates the writings of J.S. Mill from those of John Locke and despite the considerable divergence in the starting points of their ethical and political thought, there is a remarkable similarity between them in their approach to the problem of freedom. Both base their conception of freedom on the inherent capacities of human nature. Both regard freedom as an attribute of the individual. Both consider that the limits of human freedom are to be found when the exercise of such freedom by an individual interferes with the interests of others. These fundamental similarities of approach will be examined more fully in the next chapter.

.....

CONCLUSION

The ideas of freedom of John Locke and John Stuart Mill are closely connected with their ethical views. Locke's conception of freedom arises from an ethical system firmly rooted in the rationalist 'Natural Law' tradition. The central theme of Locke's ethical thought is that moral action is action in accordance with the law evident to reason. There is, it is true, another theory to be found in Locke's ethical thought, a theory which may have been suggested to him by his reading of Gassendi and Hobbes and which identifies good and evil with pleasure and pain. This theory is, however, less important in Locke's ethical thinking than his more usual belief in a self-evident moral law. It is the Natural Law theory which he uses as the basis of his political thought in the 'Second Treatise of Civil Government'. The hedonistic theory which we find in Locke has moreover its rationalist aspect. Even when the equation of good and evil with pleasure and pain is made right action is seen as action in accordance with reason: action, that is to say, in accordance with a rational calculation of the probable consequences rather than in accordance with a law which reason shows to be binding. It is this idea that moral action is rational action that, as I have shown, provides the basis for Locke's view of freedom.

John Stuart Mill, on the other hand, was born and brought up in his early years in the narrow creed of Benthamite Utilitarianism. The thinkers of this school had nothing but contempt for the venerable

doctrine of the Natural Law and its apparatus of "natural rights". They sought to reduce everything to the touchstone of the Greatest Happiness Principle: happiness being measured in terms of simple quantities of pleasure measured according to a felicific calculus. The early Utilitarians, in spite of their antipathy to the rationalist Natural Law school and their admiration for the empiricism of Hume, were really in their own methods of thought much closer to the former than the latter. The very essence of Benthamism lay in the way that legal and political theories were logically deduced from simple assumptions. These assumptions were taken as axiomatic and were certainly not derived from any empirical study of human behaviour and psychology. It could not, indeed, be otherwise for Bentham was essentially a reformer. He was not concerned to discover what principles, if any, underlie the moral judgements which men actually do make but to show that the "Greatest Happiness Principle" must be accepted as the basis of all moral judgements and to reform the legal and political system in the light of this simple principle. In this sense, then, the thought of the Benthamites was not so different from the ethical thought of Locke as might at first appear. Locke's hedonistic theory, of course, brings them still closer and, indeed, Locke must be taken to be one of the sources from which Benthamite Utilitarianism was ultimately derived.

Benthamism, however, was not the only or, for our purposes, the most important intellectual influence to which J.S. Mill was subject. I have shown how J.S. Mill came to form a romantic conception of the

potential nobility of the individual human character and how he came to regard happiness as that state in which a man's faculties are developed to the fullest extent and in which he attains his full moral and intellectual stature. The source of this almost aesthetic conception is probably to be found in his reading of the Romantic poets but it is not unlikely that Carlyle's romantic Hero-worship may have contributed to the development of this idea. We can imagine that Mill took the romantic conception of the Hero; a being regarded by Carlyle as unique and, as it were, superhuman; and applied it to the potentialities of human individuals in general. This romantic conception provides one of the bases of Mill's belief in freedom.

Mill's defence of liberty rests, in fact, upon a double basis. First, and most important, is this conception of the potential dignity of the individual and, closely connected therewith, the idea that a person whose actions are the result of his own deliberate moral choice and whose opinions are based on his own intellectual conviction is essentially a greater and better man than one whose actions and opinions are the result of external compulsion. Secondly, the idea that individual liberty, by stimulating originality both in opinions and modes of behaviour and so giving opportunity for the trial of new ideas and patterns of life, provides an invaluable means to the intellectual, moral and material progress of humanity.

Starting as they do from different starting points, then, we find that John Locke and John Stuart Mill base their views of freedom on

grounds which are very much the same. In the thought of them both the value and importance of freedom is seen to depend on a conception of the potentialities of human individuals. For Locke, the possession of reason which makes man a moral being entitles him to the freedom to exercise moral choice. For Mill, the potential nobility of man when he is allowed to develop to his full moral and intellectual stature is the over-riding consideration. This it is which makes it imperative that individuals be allowed the liberty to develop to their fullest for, as he says, "a State which dwarfs its men, in order that they may be more docile instruments in its hands even for beneficial purposes - will find that with small men no great thing can really be accomplished;...."¹ Alfred North Whitehead in the 'Adventures of Ideas'² tries to trace the evolution of all European ideas of freedom from the conception of the human potentiality implied in the Platonic and Christian conceptions of the soul. Whatever the value of this attempt to trace the development of the idea of freedom as the development and transmutation of a single original idea, I feel convinced that a conception of the moral potentialities of human individuals provides the surest foundation for any cogent defence of freedom.

Compared with this argument for the intrinsic moral value of freedom the argument which Mill also employs that freedom provides the best means to the continued material, moral and intellectual progress of mankind, seems weak and inconclusive. The question as to whether

¹ Essay on Liberty, Chapter V, page 170.

² vide A.N. Whitehead, 'Adventures of Ideas', Part I.

a system based on individual liberty is in fact the most efficient system of human organisation is a question of fact which can only be determined in the light of experience. Whereas in the nineteenth century it might have seemed fairly obvious that liberalism had proved itself supremely efficient, it is far less clear today. Human progress clearly depends upon organised and disciplined co-operation as much as it does upon individual initiative and originality. In these times when vast organised bodies of knowledge exist in the sciences and technical disciplines and when production has become so highly centralised and so technically complicated that no new industrial project of importance can be carried out except by the State or huge, highly centralised business organisations, it is much easier to see the value of disciplined co-operation and much easier to regard the free competition of individuals in all spheres as wasteful, retarding human progress, frittering away human energies and rendering impossible the mass teamwork required to deal with truly vast intellectual and industrial problems. Even if it be true that in the very long run freedom means greater efficiency and more solid progress men will always be inclined to judge the issue in the light of the present and immediate evidence. The argument will only carry conviction so long as countries whose organisation is based to some extent on a belief in the value of individual liberty can actually retain the lead in those matters which command the greatest attention at the present time, namely industrial and scientific advance. This is particularly poignant today in the light of recent Russian scientific successes. To many it must seem as though the long-nurtured

myth of the superior efficiency of freedom vis-à-vis regimentation has finally been blown to pieces. If individual freedom is really to be adequately defended it must be shown that individual liberty possesses a moral value in itself which transcends all considerations of utility; that, as Mr. Savage was to discover, the economic, scientific and organisational marvels of a brave new world are not worth the price paid in the cramping and stunting of human personality.¹ The basis for this justification of individual freedom can be found, I believe, in that idea common to Locke and Mill that freedom of choice is the only condition in which the individual can realise his moral potentialities and rise to his full dignity as a man.

This defence of freedom is open to the objection that it takes far too little account of society; that it is based upon a conception of the individual abstracted from the context of the society in which he lives. Locke's conception of freedom is open to the objection that it depends too much on a theory of abstract 'natural rights' thought to belong to individual men as men regardless of the social context in which they are living. Mill is liable to a similar criticism on the grounds that he, like the early Utilitarians, had little conception of the bonds which knit society together and that he tends to regard society as a loose aggregate of self-contained competing individuals.

Though we may admit that both our writers place too little emphasis on the togetherness of society we should be careful not to fall into the

¹ vide Aldous Huxley 'Brave New World' - especially Chapter 17.

opposite error of the Hegelian school and conclude that the personality of the individual is completely absorbed in the greater personality of the state. However close the bonds which bind individuals together in society may be the particularity of the individual consciousness and individual conscience can never be transcended in any wider whole. We can only speak of the public conscience or the will of the state by way of a metaphor. To take these metaphors in a literal sense can only confuse the issue. Any human society must always remain an association of individuals. Though the bonds which bind such an association together are much closer and more important than those of a mere mechanical aggregate, and though the individuals who make up such an association are undoubtedly affected by the fact of their membership, it is still the individual who remains the ultimate unit of moral responsibility. If, then, a man is ever to be fully himself he must as an individual be allowed freedom of choice. The theory which would deprive the individual of his liberty on the grounds that he expresses his personality most fully in subordination to the greater whole, the State, is based on a false conception of the relationship of the individual to the society around him and can only result in the thwarting and stunting of human personality.

The difficulty of relating individual liberty to a social context is perhaps most apparent when we come to deal with the problem of laying down the limits within which individual freedom can rightly be exercised. Locke, as I have shown (see above, Chapter 4), does not explicitly tackle this problem though we can gather from his writings that the principle

he would have employed in attempting to solve it would have been that the individual is entitled to exercise liberty of choice except where such liberty infringes the rights of others. This principle is very similar to that employed by J.S. Mill. Mill takes the problem of defining the limits of human freedom very seriously. The solution he proposes is that the individual is entitled to unqualified freedom to follow his own preference with regard to actions which may be considered as directly concerning only that individual himself. He can only be subjected to social control when his actions are directly harmful to others.

This principle, as I have shown (see above, Chapter 8), is not adequate as it stands. It is difficult, if not impossible, to decide what actions directly affect only the individual himself. What is more, the distinction between actions of this kind and actions which directly affect others may well be changed with changing social circumstances. Mill's principle must, then, be modified to take account of the social context within which freedom is to be exercised. I have suggested in a previous chapter that it might be modified so as to mean that the individual should be allowed freedom of choice in all matters which it is socially possible to regard as the direct concern of that individual alone. If this is done, however, it is obvious that we no longer have a hard and fast rule to settle all cases. This is admittedly unfortunate. It would be much more convenient if we could lay down a definite line beyond which society's control of the individual should under no circumstances be allowed to extend. The facts, however, seem to preclude

this possibility. Whatever line we lay down, social changes or emergencies may always make crossing it imperative. Whenever this happens, whenever people feel that their safety or livelihood are seriously in danger by the exercise of individual freedom in a particular direction, they will find arguments to justify restrictions of their freedom. Indeed, to define the limits of freedom too closely, to say 'up to this exact point and no further may the individual be controlled for the good of the community' may prove a positive disservice. If circumstances dictate that our 'Rubicon' must be crossed people will tend to feel that individual liberty must be entirely repudiated and that there is no longer any point in attempting to protect the exercise of such liberty against further encroachments. Freedom can in the long run only be defended if people are convinced of the moral value and importance of allowing the individual the greatest possible liberty to choose for himself. If people can be convinced of this they can safely be left to determine in particular circumstances the limits within which it is possible for such liberty to be exercised. If they are not so convinced, the barriers we may erect to hedge around the liberty of the individual will prove of no avail.

The conceptions of freedom of Locke and Mill, based as they are on the idea that individual liberty is the essential condition for the full development of human potentialities, need to be supported by a theory of the freedom of the will. There would be little moral value in allowing the individual the liberty to choose for himself if the choice an individual makes is in any case completely determined by precedent conditions.

If this is the case, there seems no particular reason why society should not introduce other determining factors into the individual's environment in the form of rules backed by the sanction of punishment so as to alter the pattern of individual behaviour to a form that is socially useful. Freedom in the sense that Locke and Mill understand it can only be justified if it can be shown that there is a sense in which the individual really can choose for himself, a sense in which he can be regarded as really responsible for his own actions. The ways in which Locke and Mill attempt to deal with the freedom of the will have been considered in previous chapters (see above, Chapters 3 & 7). Neither of them seem to have arrived at a solution which is really adequate as a foundation for their conceptions of freedom. Locke made two attempts to tackle the problem. His first leads to the conclusion that human choice is inevitably determined by the greatest pleasure in view. If this is so, I cannot see that man is in any way more a moral being than the lower animals whose actions are inevitably determined by the promptings of instinct. This theory of human motivation seems to destroy the very basis of the argument that man as a rational being, capable of exercising moral choice, is entitled to the freedom to exercise that choice and to fulfil his nature as a moral being. Locke's second answer to the problem is somewhat more satisfactory and I believe is the nearest approach made by either of these writers towards an adequate account of the freedom of the will. On this view, the motive to human action is no longer the greatest pleasure but a present uneasiness. In most cases it is the greatest present uneasiness which determines the mind. The mind,

however, does possess a power to suspend action until reason can consider the matter. The contemplation of the pleasure likely to be derived from different lines of action tends to increase the strength of that uneasiness which prompts to action in a direction likely to lead to the achievement of the greatest pleasure. Reason, in this way, alters the balance of forces and directs the mind towards the object of rational preference (see above, Chapter 3, pages 63/65). This theory does seem to allow the individual a certain genuine freedom of choice. In spite of this, however, the individual is still being treated far too much as an elaborate mechanism. The only freedom he is allowed is that of suspending choice until reason has altered the balance of forces in favour of the more profitable line of action. This theory may perhaps provide an adequate account of human motivation if the hedonistic theory which we find in Locke is accepted. It does not, however, give us any reason to believe that the individual is capable of denying himself pleasure for the sake of something which reason shows to be intrinsically right. Locke's conception of freedom, however, depends on precisely this possibility. It is based, as I have tried to show, on the theory that man by virtue of his reason is capable of apprehending the moral law and of choosing to act in accordance with it. Locke's second answer to the problem of the freedom of the will, though admittedly more satisfactory than his first, still does not seem entirely adequate to support his conception of freedom.

Mill's treatment of the freedom of the will is more unsatisfactory still. It is of little value to argue that human freedom of choice is adequately accounted for when we accept the fact that an individual's desires are a part cause of his choice for these desires are admittedly themselves the inevitable result of a previous chain of causes stretching right back to the birth of the child (or presumably still further back to the very day of Creation). The theory denies any spontaneity to the individual for the choices he makes must be the inevitable product of causes which in the last instance lie outside his control. It cannot, moreover, provide a satisfactory basis for a belief in individual moral responsibility. It does, it is true, provide the basis for a justification of punishment. Punishment can be regarded as yet another causal factor likely to alter the structure of the individual character and so influence a man's future choices in a socially desirable direction. In spite of this we still do not have a theory of moral responsibility. We may consider a certain type of character socially undesirable and wish to exert a force on it which will change it to a pattern we prefer. But this does not mean that we consider each individual responsible for his character and his actions, neither can we do so so long as we believe that the choices an individual makes are the inevitable product of a series of causes which in the last instance lie outside his control. This conception of the freedom of the will seems to undermine the very basis of Mill's conception of freedom. There can be no point in allowing the individual to express the best that is in himself if that self is really always the product of causes which lie outside it.

The problem of the freedom of the will is one of the most vexed and difficult of all philosophic problems. No solution to it has yet been found which has won general acceptance. This does not necessarily mean, however, that the basic idea which lies behind the conceptions of freedom of John Locke and John Stuart Mill must be abandoned. Though no adequate explanation and account of what is meant by the freedom of the will has yet been put forward, the belief that we are in some sense free to choose and in some sense the subjects of moral responsibility, is almost universal. This belief can, I think, be taken as a working assumption on which to base our belief in the value of individual freedom in the social sense. It must be admitted, however, that any defence of freedom on these lines will lack perfect intellectual cogency until a truly satisfactory answer to the problem of the freedom of the will has been discovered.

BIBLIOGRAPHY OF WORKS CITEDWORKS BY LOCKE:

Works, 10 Volumes, London, 10th Edition, 1801.

An Essay Concerning Human Understanding, Fraser's annotated edition,
Oxford, 1894.

.....

WORKS BY MILL:

Autobiography, The World's Classic Series, Oxford University Press, 1955.

Utilitarianism. Liberty. Representative Government, Everyman's Library,
London, 1954.

Principles of Political Economy, annotated edition by Ashley, Longmans, 1909.

A System of Logic, Longmans, 1875.

An Examination of Sir William Hamilton's Philosophy, London, Longmans, 1867.

Dissertations and Discussions, London, 1859/75.

Letters of John Stuart Mill, edition Elliott, Longmans, 1910.

Lettres Inédites de John Stuart Mill A Auguste Comte, Levy-Bruhl, Paris, 1899.

Three letters in the "Morning Chronicle", January 28, February 8 & 12, 1823.

.....

OTHER WORKS CITED (in alphabetical order):

Aaron, John Locke, Oxford, 1955.

Anschutz, The Philosophy of J.S. Mill, Oxford, 1953.

Aristotle, Ethica Nicomachea, in The Works of Aristotle, edited Smith & Ross,
Oxford University Press, 1949.

- Bentham, Jeremy, A Fragment on Government and An Introduction to the Principles of Morals and Legislation, published together in Blackwell's edition, Oxford, 1948.
- Bosanquet, The Philosophical Theory of the State, Macmillan, 1899.
- Cudworth, Ralph, A Treatise Concerning Eternal and Immutable Morality, James and John Knapton, London, 1731.
- " " The True Intellectual System of the Universe, London, 1620.
- Culverwell, Nathaniel, A Discourse of The Light of Nature, Edinburgh, 1659.
- Cumberland, A Philosophical Enquiry into the Laws of Nature, translated Towers, Dublin, 1730.
- Flew, Locke and the Problem of Personal Identity, in Philosophy, January, 1951.
- Gibson, Locke's Theory of Knowledge, Cambridge, 1917.
- Green, T.H., Lectures on the Principles of Political Obligation, London, Longmans, 1895.
- Grotius, Concerning The Rights of War and Peace, translated Barbeyrac, London, 1730.
- Halévy, The Growth of Philosophic Radicalism, Faber & Faber, London, 1932.
- Hayek, John Stuart Mill and Harriet Taylor, Routledge and Kegan Paul, London, 1951.
- Hobbes, Leviathan, edition Oakeshott, Blackwell, Oxford, 1946.
- Hooker, The Works of Mr. Richard Hooker, edited Keble, Oxford, 1888.
- Hudson, The Treatment of Personality by Locke, Berkeley and Hume, University of Missouri, Studies in Philosophy and Education, Series 1(1), Columbia, Missouri, 1911.
- Hume, A Treatise of Human Nature, Selby-Bigge edition, Oxford, 1896.
- Huxley, Aldous, Brave New World, Penguin Books, 1955.
- Krakowski, Les Sources Médiévales de la Philosophie de Locke, Paris, 1915.

- Lamprecht, The Moral and Political Philosophy of John Locke,
Columbia University Press, 1918.
- Mill, James, An Essay on Government, Cambridge, 1937.
- Paekke, The Life of John Stuart Mill, Secker and Warburg, 1934.
- Puffendorf, The Whole Duty of Man According to the Law of Nature,
First English Edition, London, 1691.
- Thomas, La Philosophie de Gassendi, Paris, 1899.
- Whicheote, Works, 4 Volumes, Aberdeen, 1751.
- Whitehead, Alfred North, Adventures of Ideas, Cambridge, 1938.

.....