1995

A defense of J. S. Mill's utilitarian argument for liberty and democracy

Andrew Geoffrey Messchaert
San Jose State University

Follow this and additional works at: https://scholarworks.sjsu.edu/etd_theses

Recommended Citation

Messchaert, Andrew Geoffrey, "A defense of J. S. Mill's utilitarian argument for liberty and democracy" (1995). *Master's Theses*. 1017.
DOI: <https://doi.org/10.31979/etd.zmq4-y2w2>
https://scholarworks.sjsu.edu/etd_theses/1017

This Thesis is brought to you for free and open access by the Master's Theses and Graduate Research at SJSU ScholarWorks. It has been accepted for inclusion in Master's Theses by an authorized administrator of SJSU ScholarWorks. For more information, please contact scholarworks@sjsu.edu.

INFORMATION TO USERS

This manuscript has been reproduced from the microfilm master. UMI films the text directly from the original or copy submitted. Thus, some thesis and dissertation copies are in typewriter face, while others may be from any type of computer printer.

The quality of this reproduction is dependent upon the quality of the copy submitted. Broken or indistinct print, colored or poor quality illustrations and photographs, print bleedthrough, substandard margins, and improper alignment can adversely affect reproduction.

In the unlikely event that the author did not send UMI a complete manuscript and there are missing pages, these will be noted. Also, if unauthorized copyright material had to be removed, a note will indicate the deletion.

Oversize materials (e.g., maps, drawings, charts) are reproduced by sectioning the original, beginning at the upper left-hand corner and continuing from left to right in equal sections with small overlaps. Each original is also photographed in one exposure and is included in reduced form at the back of the book.

Photographs included in the original manuscript have been reproduced xerographically in this copy. Higher quality 6" x 9" black and white photographic prints are available for any photographs or illustrations appearing in this copy for an additional charge. Contact UMI directly to order.

UMI

A Bell & Howell Information Company
300 North Zeeb Road, Ann Arbor, MI 48106-1346 USA
313/761-4700 800/521-0600

A DEFENSE OF J. S. MILL'S UTILITARIAN ARGUMENT FOR LIBERTY
AND DEMOCRACY

A Thesis

Presented to

The Faculty of the Department of Philosophy
San Jose State University

In Partial Fulfillment
of the Requirements for the Degree
Master of Arts

by

Andrew Geoffrey Messchaert

May, 1995

UMI Number: 1374608

UMI Microform 1374608

Copyright 1995, by UMI Company. All rights reserved.

**This microform edition is protected against unauthorized
copying under Title 17, United States Code.**

UMI

**300 North Zeeb Road
Ann Arbor, MI 48103**

(c) 1995

Andrew Geoffrey Messchaert

ALL RIGHTS RESERVED

APPROVED FOR THE DEPARTMENT OF PHILOSOPHY

Sterling Harwood
Dr. Sterling Harwood

William H. Shaw
Dr. William Shaw

Tommy Lott
Dr. Tommy Lott

APPROVED FOR THE UNIVERSITY

Serena M. Stanford

ABSTRACT

A DEFENSE OF J. S. MILL'S UTILITARIAN ARGUMENT FOR LIBERTY AND DEMOCRACY

by Andrew Geoffrey Messchaert

This thesis details an interpretation of Mill based on a careful reading his Utilitarianism, On Liberty, and Considerations On Representative Government. This interpretation centers on how Utilitarianism and On Liberty are linked, and tries to demonstrate their compatibility and consistency. There are two features that link these three moral and political parts of Mill's philosophy together. First, Mill conceptualized happiness in an objective manner. Second, Mill's utilitarianism calculates utility by considering the progressive interests of people. These two features of Mill's philosophy provide the justification of liberty based on utilitarian arguments. Additionally, because of Mill's commitment to the idea that liberty and freedom from harm promote happiness, his philosophy is most compatible with a constitutional form of democracy.

DEDICATION

This thesis is for those who have touched my thinking.
My deepest love to you, Brita, Mom, Dad, Renee, Greg, Lisa,
Chris, and Gena.

TABLE OF CONTENTS

	page
CHAPTER 1: INTRODUCTION	1
CHAPTER 2: MILL'S UTILITARIANISM	8
CHAPTER 3: MILL'S UTILITARIAN DEFENSE OF LIBERTY	21
CHAPTER 4: THEORIES OF DEMOCRACY	30
Introduction	30
Identifying and Defining Democratic Theories	35
Theories of Direct Democracy	35
Theories of Representative Democracy	39
Theories of Constitutional Democracy	42
Conclusion	44
CHAPTER 5: WHY MILL'S UTILITARIANISM IS MOST COMPATIBLE WITH CONSTITUTIONAL DEMOCRACY	45
Introduction	45
Mill's Utilitarian-Democratic Alliance	45
Nelson's Critique of Mill's Argument	52
Securing Liberty Promotes Happiness	54
Conclusion	56
CHAPTER 6: SUMMARY & CONCLUSION	57
REFERENCES	62

CHAPTER 1: INTRODUCTION

Liberty is a political principle of individual freedom (Arblaster, 1987, p. 93; Cohen, 1972, p. 394; Feinberg, 1984, p. 7; Gould, 1988, p. 3; Hare, 1989, p. 71; Jefferson, 1981, p. 235). Utilitarianism is a moral doctrine holding that happiness is the only thing that is intrinsically morally valuable (Bentham, 1970, pp. 11-12; Glover, 1990, pp. 1-2; Harwood, 1993, p. 141; Magill, 1990, p. 401; Mill, 1863/1993, p. 36; Scheffler, 1988, p. 2). John Stuart Mill's On Liberty gives a famous and influential defense of liberty. Mill explains: "...the sole end for which mankind are warranted, individually or collectively, in interfering with the liberty or action of any of their number, is self-protection" (Mill, 1859/1993, p. 78). Mill defends liberty based on utilitarian principles (which he later expounded in Utilitarianism). Mill explains:

It is proper to state that I forego any advantage which could be derived to my argument from the idea of abstract right, as a thing independent of utility. I regard utility as the ultimate appeal on all ethical questions; but it must be utility in the largest sense, grounded on the permanent interests of a man as a progressive being. (Mill, 1859/1993, p. 79)

Though Mill does not defend a conception of liberty that is completely free from all restrictions, he does defend a general principle of liberty that is subject to only a few essential restrictions that serve to prevent liberty from defeating itself. Mill explains:

In this and most other civilised countries...an engagement by which a person should sell himself, or allow himself to be sold, as a slave, would be null and void; neither enforced by law nor opinion. The ground for thus limiting his power of voluntarily disposing of his own lot in life, is apparent, and is very clearly seen in this extreme case. The reason for not interfering, unless for the sake of others, with a person's voluntary acts, is consideration for his liberty....[B]y selling himself for a slave, he abdicates his liberty; he foregoes any future use of it beyond that single act. He therefore defeats, in his own case, the very purpose which is the justification of allowing him to dispose of himself. (Mill, 1859/1993, pp. 171-172)

Thus, Mill's philosophy not only respects liberty, it also seeks to sustain it. In other words, Mill's philosophy is very concerned with identifying and maintaining the conditions that provide for the continuation of liberty. Mill's philosophy may endorse restricting liberty in the short term to prevent the long term annihilation of liberty. Mill's presumption is that a system that seeks to sustain liberty in the long term consistently supports liberty by endorsing its continuation.

Though this thesis argues that Mill's philosophy is consistent, Alan Ryan and Robert Paul Wolff have each argued plausibly that Mill's philosophy is inconsistent and that one cannot adequately defend liberty consistently using utilitarian arguments. Ryan explains: "The problem with a defence of liberty on utilitarian grounds is that such a defence is defeasible; it can always be overridden by showing that restrictions will, in this case or that,

produce more good than harm" (Ryan, 1974, p. 132). Ryan bases his argument on the understanding that utilitarianism seeks to promote the greatest happiness or good for the greatest number of people. He insists that one can sometimes show that restrictions on liberty can promote more good than no restrictions on liberty. If this is the case, then utilitarianism must endorse limiting liberty rather than promoting it. As a result, utilitarianism cannot possibly offer any assurance that acts that restrict liberty will always be deemed bad acts. Ryan's interpretation of Mill overlooks the significant role that considering the progressive interests of people has in Mill's philosophy. Chapter 3 of this thesis examines the importance of this consideration when calculating utility. Wolff has concerns similar to Ryan's concerns. Wolff explains:

According to Mill, it follows from the greatest happiness principle that society must never interfere with an individual's private life or self-regarding actions even for the purpose of making him happier! On the face of it, this is a very paradoxical claim. (Wolff, 1968, pp. 7-8)

Wolff's identification of Mill's paradoxical claim seems alarming until one understands the appropriate method for calculating utility within Mill's utilitarianism. Mill's claim is paradoxical only if one assumes that interfering with liberty to promote individual happiness will, in fact, succeed in promoting the greatest possible happiness.

This thesis defends an interpretation of Mill that

demonstrates that one can justify liberty using Mill's utilitarian principles. In order to understand that Mill's philosophy in Utilitarianism and On Liberty is consistent, it is necessary to understand two key features of his philosophy. First, Mill conceptualized happiness in an objective manner. Second, Mill's utilitarianism calculates utility by considering the progressive interests of people. These two features of Mill's philosophy justify much liberty based on utilitarian arguments.

In addition to arguing that one can support liberty with utilitarian arguments, Mill also argued that his philosophy supports a representative democracy. However, this thesis argues that Mill's philosophy is actually most compatible with a constitutional form of democracy. This is because a constitutional democracy can support liberty and freedom from harm, two important conditions for happiness, with the same strength that Mill's utilitarianism does. A representative democracy cannot support these conditions with the same strength as Mill's utilitarianism.

Chapter 2 of this thesis shows that Mill conceptualized happiness as consisting of various classes or kinds of pleasures. According to Mill, pleasures result from satisfying our natural appetites. Appetites originate from desires rooted in our nature. According to Mill, the possession of higher faculties and the desire to stimulate them are features that morally and biologically distinguish

human beings from other animals. According to Mill, the pleasure experienced by stimulating the higher faculties is the most valuable kind of pleasure. The fact that people acquainted with this kind of pleasure prefer it to other pleasures is evidence that this is the most valuable kind of pleasure. Thus, promoting happiness means, in Mill's system, promoting the stimulation of the higher faculties of individuals. Mill acknowledges that different activities may stimulate the higher faculties of different individuals. In other words, Mill acknowledges that not every activity provides enjoyment or stimulation for everyone. Thus, Mill's system provides a framework that allows each individual to stimulate his higher faculties in a manner that provides him with the most satisfaction.

Chapter 3 of this thesis shows that the nature of happiness has particular consequences for determining the method one must use to calculate utility. The method one must use to calculate utility within Mill's utilitarianism must consider the utility value of liberty. Because liberty generally has a positive utility value, liberty is defensible with utilitarian arguments. Mill's utilitarianism calculates utility by considering the progressive interests of people. As a result, the restrictions placed on liberty are minimal. The restrictions placed on liberty only seek to sustain liberty in the long term. Because Mill allows individuals as much

liberty as possible, they possess the freedom to pursue activities that promote the individual pleasures they prefer. As a result, Mill's philosophy promotes happiness.

Chapter 4 of this thesis surveys several forms of democracy. This survey uses the method of Ludwig Wittgenstein's idea of identifying family resemblances (Wittgenstein, 1958, p. 32). The purpose of this survey is to provide a familiarity with various families of democracy so that it is possible to determine which form is most compatible with Mill's utilitarianism. The families of democracy identified herein include direct democracy, representative democracy, and constitutional democracy. All of these families of democracy share the concept of the people governing themselves.

Chapter 5 of this thesis explains why a constitutional form of democracy is most compatible with Mill's philosophy. This explanation proceeds by first examining the arguments Mill used to try to link his utilitarianism with representative democracy. Next, the chapter explains William H. Nelson's argument that Mill fails to demonstrate adequately that representative democracy is most compatible with Mill's philosophy. Finally, the chapter explains that a form of democracy that provides constitutional safeguards for securing the conditions of liberty and freedom from harm promotes happiness. The chapter concludes with the idea that a constitutional democracy is the form of democracy

that is most compatible with Mill's philosophy.

Finally, chapter 6 summarizes the arguments of this thesis and draws together the main points of this thesis. The main conclusions are: 1) Mill conceptualized happiness in an objective manner; 2) according to Mill, liberty and freedom from harm are necessary conditions for promoting happiness; 3) democracy takes several major forms but not all of its forms provide safeguards for securing liberty and freedom from harm; and 4) a constitutional form of democracy is most compatible with Mill's utilitarianism.

CHAPTER 2: MILL'S UTILITARIANISM

To understand Mill's utilitarianism correctly, it is necessary to understand that Mill's philosophy conceptualizes the method of calculating utility in a special manner. Mill explains: "I regard utility as...utility in the largest sense, grounded on the permanent interests of a man as a progressive being" (Mill, 1859/1993, p. 79). What this means is that when calculating the utility of an act using Mill's utilitarianism, one must carefully consider the consequences for the progressive interests of people. In other words, when judging whether an act is good or bad, one needs not only to ask whether doing the act will promote good, but whether not doing the act or doing the act at a different time or in a different way would promote more good. Mill's utilitarianism does not judge acts as if they are completely isolated from other acts; rather it judges acts against the larger context of progress. Progress, for Mill, consists of promoting individuality per se. Mill explains:

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; and as the works partake the character of those who do them, by the same process human life also becomes rich, diversified, and animating, furnishing more abundant aliment to high thoughts and elevating feelings, and strengthening the tie which binds every individual to the race, by making the race infinitely better worth belonging to. In

proportion to the development of his individuality, each person becomes more valuable to himself, and is therefore capable of being more valuable to others. (Mill, 1859/1993, pp. 130-131).

Thus, the development of individuality is a characteristic of human beings that is noble and beautiful. Individuality promotes the use of high thoughts which, as this chapter will explain, is very important for promoting happiness. The development of this character is in the interest of people as progressive beings. Thus, acts that promote individualism are good. Mill explains:

Utilitarianism...could only attain its end by the general cultivation of nobleness of character, even if each individual were only benefited by the nobleness of others, and his own, so far as happiness is concerned, were a sheer deduction from the benefit. (Mill, 1863/1993, p. 12)

Thus, in the discussion that follows, when Mill seems to be considering more than simply the utility of an act when judging an act as right or wrong, he is actually contextualizing utility so that it takes into account the progressive interests of people.

In chapter 2 of Utilitarianism Mill identifies the doctrine of utilitarianism. Mill explains:

The creed which accepts as the foundation of morals, Utility, or the Greatest Happiness Principle, holds that actions are right in proportion as they tend to promote happiness, wrong as they tend to produce the reverse of happiness. By happiness is intended pleasure, and the absence of pain; by unhappiness, pain and the privation of pleasure. (Mill, 1863/1993, p. 7)

Having thus identified the greatest happiness principle,

Mill then occupies himself with the task of explaining which pleasures are most conducive for generating happiness. According to Mill, happiness is composed of particular pleasurable satisfactions. Essentially, happiness is not a composite of just anything, but is rather a composite of certain types of pleasurable feelings and it is in this sense that Mill conceptualized happiness objectively. The idea that Mill conceptualized happiness in an objective manner is not unique (Berger, 1984, p. 61; Brink, 1992, p. 68). What this idea entails is that happiness is not attained by engaging in just any pleasurable activities. On this view, according to Mill, some activities that are conducive to generating pleasure may fail to deliver or promote happiness. According to Mill, happiness is attained by engaging in a particular class or kind of activities.

However, though Mill conceptualized happiness objectively, he did not, as some scholars have previously supposed, identify particular activities as necessary for its attainment (Berger, 1984, p. 40; Palmer, 1988, p. 299). Both Fred R. Berger and Donald Palmer misinterpret Mill on this issue. Berger states: "...Mill was asserting that the requisites of happiness include a sense of one's independence, and self-determination, a sense of power, of freedom, a measure of excitement, and described generally, whatever is necessary to maintain human dignity" (Berger, 1984, p. 40). However, contrary to Berger's interpretation,

Mill does not claim that individuals must have a particular sense or feeling other than a feeling of happiness in order to be happy. Mill acknowledges the fact that each individual must have "...the freedom of pursuing his own good..." (Mill, 1863/1993, p. 62). This illustrates Mill's understanding that not all people who are happy have a sense of independence, self-determination, power, or freedom. Palmer's interpretation of Mill is similarly mistaken. Palmer writes: "Mill's conclusion was that 'some kinds of pleasure are more desirable and more valuable than others.' One assumes that he had in mind the reading of Shakespeare and Plato" (Palmer, 1988, p. 299). Contrary to Palmer's assumptions, Mill's concept of happiness does not identify particular acts that one must do in order to be happy. Mill explains:

If a person possesses any tolerable amount of common sense and experience, his own mode of laying out his existence is the best, not because it is the best in itself, but because it is his own mode. Human beings are not like sheep; and even sheep are not undistinguishably alike. A man cannot get a coat or a pair of boots to fit him unless they are either made to his measure, or he has a whole warehouseful to choose from: and is it easier to fit him with a life than with a coat, or are human beings more like one another in their whole physical and spiritual conformation than in the shape of their feet? If it were only that people have diversities of taste, that is reason enough for not attempting to shape them all after one model. But different persons also require different conditions for their spiritual development; and can no more exist healthily in the same moral, than all the variety of plants can in the same physical, atmosphere and climate. The same things which are helps to one person towards

the cultivation of higher nature are hindrances to another. (Mill, 1859/1993, pp. 135-136)

Thus, Mill acknowledged the fact that there are no particular acts that can guarantee happiness for everyone. Berger's and Palmer's interpretations do not follow from the textual evidence of either Utilitarianism or On Liberty.

According to Mill, there are particular kinds of pleasures that are better than others: "...some kinds of pleasure are more desirable and more valuable than others" (Mill, 1863/1993, p. 8). For Mill, pleasures, as a class or kind, are differentiated by their quality. The higher the quality of pleasure, the more it is conducive to happiness. Mill explains how to determine whether one pleasure is a higher quality than another as follows: "Of two pleasures, if there be one to which all or almost all who have experience of both give a decided preference, irrespective of any feeling of moral obligation to prefer it, that is the more desirable pleasure" (Mill, 1863/1993, pp. 8-9). This method of judging pleasures reveals that there is a class of pleasures that experienced people consistently deem to be more desirable than any other class of pleasure. Mill explains: "Now it is an unquestionable fact that those who are equally acquainted with, and equally capable of appreciating and enjoying, both, do give a most marked preference to the manner of existence which employs their higher faculties" (Mill, 1863/1993 p. 9). Thus, Mill

identifies pleasures that result from the employment of the higher faculties to be the class of pleasures that is of the highest quality.

According to Mill, human beings are similar to animals because they share the same bodily appetites, yet they are set apart from animals by their mental appetites (Mill, 1863/1993, p. 8). Human beings are beings with higher faculties. Mill explains: "Human beings have faculties more elevated than the animal appetites, and when once made conscious of them, do not regard anything as happiness which does not include their gratification" (Mill, 1863/1993, p. 8). Thus, though we share the animal pleasures found in eating, sleeping, and sex, we also find pleasure in stimulating our higher faculties. Furthermore, human happiness requires stimulating the higher faculties. Mill explains:

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; but in spite of these liabilities he can never really wish to sink into what he feels to be a lower grade of existence. (Mill, 1863/1993, p. 9)

Thus, the higher faculties can be said to have at least three characteristics. First, the higher faculties exist naturally in human beings (Mill, 1863/1993, p. 8). Second, the higher faculties produce a feeling that must be satisfied much in the same way that the natural feeling of hunger must be satisfied (Mill, 1863/1993, p. 8). Third,

activities stimulating the higher faculties must occur if happiness is to occur (Mill, 1863/1993, p. 8). Mill summarizes his concept of happiness with the following thoughts:

It is better to be Socrates dissatisfied than a fool satisfied. And if the fool, or the pig, are of a different opinion, it is because they only know their own side of the question. The other party to the comparison knows both sides. (Mill, 1863/1993, p. 10)

It is important to emphasize that Mill does not identify particular activities, such as reading Plato or contemplating the meaning of the universe, as necessary for attaining happiness. Rather, Mill recognizes that human beings are beings possessing higher faculties, and he recognizes that the higher faculties produce a desire for stimulation that is so great that stimulating them is a necessary condition for happiness. One may object that infants who lack higher faculties or adults who stay in a drug-induced stupor do not stimulate their higher faculties and yet are happy. However, that objection fails to recognize that the higher faculties are present in all people and despite developmental stages or individual preferences, some degree of stimulation of the higher faculties must occur if happiness is to occur. However, Mill does not extend the same liberty to those who require the care of others. Mill explains: "Those who are still in a state to require being taken care of by others, must be

protected against their own actions as well as against external injury" (Mill, 1859/1993, p. 78). Those who require the care of others have higher faculties yet those faculties differ in their maturity. For those who do not require the care of others, the method of stimulation of the higher faculties is left to the discretion of the individual. Mill explains:

A cultivated mind--I do not mean that of a philosopher, but any mind to which the fountains of knowledge have been opened, and which has been taught, in any tolerable degree, to exercise its faculties--finds sources of inexhaustible interest in all that surrounds it; in the objects of nature, the achievements of art, the imaginations of poetry, the incidents of history, the ways of mankind, past and present, and their prospects in the future. (Mill, 1863/1993, p. 14)

Thus, there are many methods of stimulating the higher faculties that are sufficient to satisfy Mill's condition for happiness. Individuals may differ greatly in their methods, but it is the activity of stimulating the higher faculties that is Mill's central concern. Essentially, it is not how stimulating the higher faculties is done that is as important as the fact that it is done.

Having identified an objective conception of happiness, Mill next turned his attention to identifying two conditions that serve to promote happiness. These two conditions include liberty and freedom from harm. Mill's concept of liberty insures that individuals have as much freedom as possible in the long term to choose their methods for

stimulating their higher faculties. Freedom from harm serves to promote the greatest happiness by restricting actions that only promote pain and unhappiness.

According to Mill, liberty is an important condition for promoting happiness. Individual happiness can be achieved without liberty, but liberty often promotes greater happiness. The more restrictions that are placed on liberty, the more restrictions that are placed on the number of methods for stimulating the higher faculties. Mill explains:

In a world in which there is so much interest, so much to enjoy, and so much also to correct and improve...unless...a person, through bad laws, or subjection to the will of others, is denied the liberty to use the sources of happiness within his reach, he will not fail to find this enviable existence... (Mill, 1863/1993, p. 15)

What is especially important in the preceding quotation is Mill's confident belief that, given the right conditions, a person cannot fail to find happiness. Furthermore, it is one of Mill's primary concerns to identify the right conditions for bringing about this outcome. According to Mill, promoting happiness requires that individuals have the liberty to choose those actions that they prefer as methods for stimulating their higher faculties. Mill recognized that what one individual may find stimulating another may not. If one individual finds his higher faculties stimulated by brewing beer and another individual stimulates her higher faculties by oil painting, then each individual

must have the liberty to engage in those actions. Sustaining and protecting liberty will tend to insure that individuals will have many choices that may serve to stimulate their higher faculties. Thus liberty promotes happiness.

The variability of pleasure Mill identifies does not apply equally to the concept of harm. There is more agreement regarding sources of harm than there is regarding sources of pleasure. For example, most people dislike a poke in the eye with a sharp stick. Because of the greater agreement regarding sources of harm, society knows how to prevent and decrease some harms including harms individuals do to themselves better than it knows how to produce and increase benefits.

Though society may know how to prevent some self-inflicted harm, it is generally not justified in trying to prevent self-inflicted harm. This is because an individual is more likely to correctly determine what is in his own best interest than anyone else. The reasons for this are twofold. First, an individual has an immediate self-interest in what happens to him. A bureaucrat in the bowels of government cares about a person whose life he influences less than the person cares. Second, an individual, through diligence or hard work, is more likely to correctly determine what is in his own best interest than a disinterested second party. Kurt Baier explains these two

points as follows:

Surely, in the absence of any special reasons for preferring someone else's interests, everyone's interests are best served if everyone puts his own interests first. For, by and large, everyone is himself the best judge of what is in his own best interests, since everyone usually knows best what his plans, aims, ambitions, or aspirations are. Moreover, everyone is more diligent in the promotion of his own interests than that of others. (Baier, 1958, p. 307)

Thus, because individuals have a self-interest in what happens to them and are more diligent in determining what is in their own best interest, they are more likely to determine what action best serves them than a more disinterested second party. For these reasons, society is generally not justified in interfering in the life of an individual to prevent harm to self.

According to Mill, freedom from harm is important for promoting the greatest happiness principle. In relation to some other philosophers, Mill is vague about what exactly he means by the concept of harm (see e.g. Feinberg, 1984). However, based on the arguments in Utilitarianism, it is safe to assume that Mill at least meant that acts that cause physical damage to others are harmful acts. Mill explains:

The moral rules which forbid mankind to hurt one another (in which we must never forget to include wrongful interference with each other's freedom) are more vital to human well-being than any maxims, however important, which only point out the best mode of managing some department of human affairs. They have also the peculiarity, that they are the main element in determining the whole of the social feelings of mankind. It is their observance which alone preserves peace among human

beings: if obedience to them were not the rule, and disobedience the exception, every one would see in every one else an enemy, against whom he must be perpetually guarding himself....a person may possibly not need the benefits of others; but he always needs that they should not do him hurt. Thus the moralities which protect every individual from being harmed by others, either directly or by being hindered in his freedom of pursuing his own good, are at once those which he himself has most at heart, and those which he has the strongest interest in publishing and enforcing by word and deed. (Mill, 1863/1993, p. 62)

Thus, Mill identifies freedom from long term hurt or harm by others as a necessary condition for promoting the greatest happiness. Individuals may attain happiness even if they experience harm occasionally, but freedom from harm is a necessary condition for promoting the greatest amount of happiness.

The interpretation of Mill this chapter presents explains that Mill conceptualized happiness as consisting of various classes or kinds of pleasures. This does not mean that all human beings must engage in a specific activity before they can achieve happiness. Rather, human beings must engage in activities that produce certain kinds of pleasures before they can achieve happiness. Human beings possess higher faculties that require stimulation before they achieve the realization of the objective conception of happiness. Thus, promoting happiness means, in Mill's utilitarianism, promoting the stimulation of the higher faculties of individuals. In this manner, Mill's conception of happiness is objective. An objective conception of

happiness, unlike a subjective conception, identifies particular classes or kinds of pleasures as necessary for happiness. Mill acknowledged that different individuals may find their higher faculties stimulated by different activities. For this reason, Mill identified two conditions that tend to promote the greatest happiness. These conditions include liberty and freedom from harm from others. Without the conditions of liberty and freedom from harm from others, society fails to promote the greatest happiness. Thus, Mill's utilitarianism promotes a framework that allows each individual to stimulate his higher faculties in a manner that provides him with the most satisfaction.

CHAPTER 3: MILL'S UTILITARIAN DEFENSE OF LIBERTY

In On Liberty Mill concerns himself with identifying the limits of societal interference in the life of an individual. According to Mill, the only morally legitimate reason society has to restrict liberty is to prevent harm to others. Mill explains:

...the sole end for which mankind are warranted, individually or collectively, in interfering with the liberty or action of any of their number, is self-protection. That [is,] 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. His own good, either physical or moral, is not a sufficient warrant. He cannot rightfully be compelled to do or forbear because it will be better for him to do so, because it will make him happier, because, in the opinions of others, to do so would be wise, or even right. These are good reasons for remonstrating with him, or reasoning with him, or persuading him, or entreating him, but not for compelling him, or visiting him with any evil in case he do otherwise. To justify that, the conduct from which it is desired to deter him must be calculated to produce evil to some one else. The only part of the conduct of any one, for which he is amenable to society, is that which concerns others. In the part which merely concerns himself, his independence is, of right, absolute. Over himself, over his own body and mind, the individual is sovereign. (Mill, 1859/1993, pp. 78)

Thus, Mill asserted that society should always permit liberty, except when the actions of one person harm another. If one's actions do not harm another, it is morally permissible to attempt to persuade one to act otherwise, but it is morally impermissible to compel one to act otherwise.

On first consideration, the idea that society cannot justifiably compel one to do things that will make one

happier appears somewhat puzzling. It seems that if Mill's utilitarianism is concerned with promoting happiness, and compelling an individual to do something that will make him happier promotes more happiness, then Mill's utilitarianism would endorse compelling individuals to do things that make them happier. However, a careful consideration of Mill's concept of happiness and his method of calculating utility solves this apparent puzzle.

When calculating net utility, the only consideration one makes when judging an action is its tendency to promote net happiness for all in the long term. Given this rule, one can suppose that if we know that an action that will occur on its own in the future will promote happiness and will promote greater happiness because it happens on its own, and assuming that the duration of happiness will be the same for both occurrences of the action, it is our utilitarian duty to allow that action to occur on its own. There may be methods of prompting an action to occur on its own, but allowing an action to occur on its own, even with prompting, promotes more happiness than compelling that action by force. The reason for this is measurably true. If we assign numerical values to pleasure, and take into account that Mill's system identifies the employment of the higher faculties as more valuable, then we can calculate and test this claim. The result of this computation provides clear proof that this argument is sound.

Assume that there are two pleasures, equal in all respects. Since these two pleasures are identical, any number may suffice to represent their value. For our considerations, assume that these two pleasures each have a value of 1. Now we will begin to differentiate these two pleasures. Society compelled the first of the pleasures. Society compelled the individual experiencing this pleasure to do the act that generated the pleasure. The individual did the act, and became happier as a result of the act. This individual did not employ their higher faculties to choose the act. An individual chose the second of the pleasures voluntarily. The individual experiencing this pleasure voluntarily chose the act that generated the pleasure. The individual did the act, and became happier as a result of the act. This individual employed their higher faculties to choose the act. What now differentiates these two pleasures is that society compelled the first pleasure while an individual voluntarily chose the second pleasure and employed his higher faculties in conjunction with its occurrence. Mill explains the difference between the individuals experiencing these two different pleasures as follows:

He who lets the world, or his own portion of it, choose his plan of life for him, has no need of any other faculty than the ape-like one of imitation. He who chooses his plan for himself, employs all his faculties. (Mill, 1859/1993, p. 126)

For the purposes of our computation, let n be the utility value of an act that is chosen and thus employs the use of the higher faculties. The value of n is greater than 0. Thus, the first pleasure has a value of 1 and the second pleasure has a value of $1+n$. Thus, the second pleasure has greater utility because it has the additional advantage of having the added utility of an individual voluntarily choosing it.

Yet waiting for an individual to choose the act that promotes greater happiness but which is never chosen clearly promotes less utility than an identical act that occurs by compulsion. However, Mill's utilitarianism identifies conditions that ensure all mental states that society could attempt to compel to occur to promote utility will occur on their own. In chapter 2 of Utilitarianism Mill clearly asserts that, given the right conditions, an individual will not fail to find happiness. Mill explains: "...unless...a person, through bad laws, or subjection to the will of others, is denied the liberty to use the sources of happiness within his reach, he will not fail to find this enviable existence..." (Mill, 1863/1993, p. 15). And elsewhere Mill explains: "The present wretched education, and wretched social arrangements, are the only real hindrance to its [happiness] being attainable by almost all" (Mill, 1863/1993, p. 13). Hence, these conditions, simply put, are to allow actions to occur. The greatest happiness

will most probably happen if you leave open as many doors as possible to get it. Mill explains:

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. (Mill, 1859/1993, p. 127)

Thus, Mill believed that the tree of human development must be allowed to grow as it desires and should be pruned only when necessary. If an individual is allowed to develop on his own, he will find happiness. According to Mill, individuals, if left to grow, will find happiness because they are seeking it (Mill, 1863/1993, p. 39). One of the identifying characteristics of happiness is that people seek it. Mill explains:

...there is in reality nothing desired except happiness. Whatever is desired otherwise than as a means to some end beyond itself, and ultimately to happiness, is desired as itself a part of happiness, and is not desired for itself until it has become so. (Mill, 1863/1993, p. 39)

Furthermore, according to Mill, society usually fails to correctly determine what method of stimulating the higher faculties is best for promoting the happiness of a particular individual (Mill, 1859/1993, p. 152). Thus, society must ensure liberty if the greatest happiness is to be ensured. Mill explains: "But the strongest of all the arguments against the interference of the public with purely personal conduct is that, when it does interfere, the odds are that it interferes wrongly, and in the wrong place"

(Mill, 1859/1993, p. 152). And elsewhere Mill explains:

The reason for not interfering, unless for the sake of others, with a person's voluntary acts, is consideration for his liberty. His voluntary choice is evidence that what he so chooses is desirable, or at least endurable, to him, and his good is on the whole best provided for by allowing him to take his own means of pursuing it. (Mill, 1859/1993, pp. 171-172)

Mill believed that, left to one's own devices, one will find happiness more often than if society compelled one to do particular acts. Though a society might conceivably compel an individual to do acts that measurably make the individual happier, this is not a sufficient reason for compelling the individual to act because society is likely to err and to interfere in the wrong way. This argument buttresses the point that allowing an action to happen through choice generally promotes greater utility. One may object that if the duration of happiness more than compensates for the cost of compulsion then compulsion is justified. However, compulsion is generally not conducive to promoting individuality which is central to the progressive interests of human beings.

I have argued that choice requires the use of faculties that usually promote greater happiness. One is usually happier when one does an act of one's own free will. If society compels one to do that same act before he chooses it, society reduces the greatest possible happiness. A critic might respond that Mill is not defending liberty with

purely utilitarian arguments if he considers more than the simple consequences of increased utility that one attains by doing an act. However, recall from chapter 2 of this thesis that Mill's utilitarianism concerns itself with promoting utility in the context of people as progressive beings. This means that Mill concerns himself with asking not just if an act promotes utility, but also whether not doing the act or doing the act at a different time or in a different way promotes more good. Additionally, acts that promote individuality are morally good because they are in the interest of people as progressive beings. Considering utility in this context is important.

To best promote happiness, one must consider not only whether an act will generate momentary intense pleasure but also whether choosing to act otherwise would promote a more constant state of happiness. Mill explains:

If by happiness we meant a continuity of highly pleasurable excitement, it is evident enough that this is impossible. A state of exalted pleasure lasts only moments, or in some cases, and with some intermissions, hours or days, and is the occasional brilliant flash of enjoyment, not its permanent and steady flame....The happiness which they [philosophers who taught that happiness is the end of life] meant was not a life of rapture; but moments of such, in an existence made up of few and transitory pains, many and various pleasures, with a decided predominance of the active over the passive, and having as the foundation of the whole, not to expect more from life than is capable of bestowing. (Mill, 1863/1993, p. 13)

Thus, Mill's utilitarianism concerns itself with promoting the steady flame of happiness. Focusing consideration on

whether an act promotes utility immediately, in the short term, without carefully considering whether it does so by sacrificing the greater happiness of people as progressive beings, fails to consider conditions that tend to maximize happiness in the long term. Mill's critics are too concerned with promoting short term happiness rather than long term happiness (see e.g. Ryan, 1974, p. 132).

Despite championing the role liberty plays in the attainment of happiness, Mill identifies some restrictions on liberty. The restrictions he identifies only serve to prevent acts that are known to directly cause unhappiness. By unhappiness Mill meant, "...pain, and the privation of pleasure" (Mill, 1863/1993, p. 7). Any act that is clearly known to cause pain to others is an act that society may justifiably restrict on Mill's utilitarian principles. Mill explains:

Acts, of whatever kind, which, without justifiable cause, do harm to others, may be, and in the more important cases absolutely require to be, controlled by the unfavourable sentiments, and, when needful, by the active interference of mankind. The liberty of the individual must be thus far limited; he must not make himself a nuisance to other people. (Mill, 1859/1993, pp. 123-124)

Thus, causing harm and behaving as a nuisance are acts that one clearly knows promote pain and the privation of pleasure to others. Based on Mill's utilitarianism, these kinds of acts are justifiably restricted.

The interpretation of Mill this chapter presented

explained that in Mill's utilitarianism, the calculation of utility must always include a consideration of the progressive interests of people (see pp. 8-9 of this thesis for a clarification of those interests). Mill's philosophy identifies pleasures that result from the employment of one's higher faculties as more valuable than pleasures that result from acts that are coerced. Thus, when computing utility, one must take into account whether a pleasure employs the higher faculties. As a result of the method of utility calculation, Mill's utilitarianism justifies liberty in theory. The restrictions placed on liberty are minimal. These minimal restrictions on liberty only seek to prevent harm to others and to sustain liberty itself in the long term.

CHAPTER 4: THEORIES OF DEMOCRACY

Introduction

The purpose of this chapter is to conduct an analytical survey of three major families of democratic theories. These three families of democratic theory include direct democracy, representative democracy, and constitutional democracy. The three families this chapter discusses are hardly the only forms of democracy. Other families of democracy unexamined herein include polyarchal democracy and economic democracy (see e.g. Dahl, 1956, p. 63; Nelson, 1980, p. 72). Some forms of democracy overlap with each other. However, the three families of democracy examined herein serve to illustrate significantly different ways in which democracy manifests itself. In deciding which theories to discuss and how to group them, one conclusion seems evident: when examining a system of government it is unsatisfactory to conclude that the government in question either absolutely is or absolutely is not democratic. Rather, as the survey of these three major families of democracy serves to illustrate, democracy is probably best understood as a matter of degree. Fundamentally, the more the concept of the people ruling is applicable and central to the government, the more democratic that government is. The intention in surveying theories of democracy is neither to analyze democracy precisely as it is practiced nor to critique the theorists in detail. Though these different

theories share common elements, one can understand each as offering a solution to a particular problem in political philosophy that the theorist or theorists in question addressed. Because the three families of democratic theories discussed herein do not necessarily address all the same questions, they sometimes appear to be very different. However, though the theories appear different in particular areas, they all share some common elements and family resemblances that categorize these theories as within the family of democracies.

Among the shared elements of various theories of democracy are the historical origins of the word democracy and the ideals commonly associated with it. One can trace the origin of the word democracy to the fifth century when the Greek historian, Herodotus used it (Herodotus, 1958). "Demos, the people, and kratein, to rule, are the Greek roots of the word: democracy is government by the people, self-government, the rule of a community by its members" (Cohen, 1972, p. 394). However, democracy as the ancient Greeks practiced it bears little resemblance to the democracy contemporary theories describe. As H. B. Mayo explains: "The original democratic system of Athens could be described in one phrase as 'rule by the people,' if 'people' was construed narrowly to mean adult male citizens, comprising a small proportion of the total persons in a small state" (Mayo, 1960, p. 58). Since the germination of

the word, democracy has grown to embody many degrees of approximation of the ideals of self-rule or rule by the people. Greek democracy seems quite undemocratic when contrasted with contemporary theory because current ideas about who counts as a person and what it means to be equal are much more inclusive than the common expression of those ideas in ancient Greece (Mayo, 1960, p. 43).

Because merely calling a political system democratic does not make it so, we need to examine more closely the ideals forming the essence of democracy. Carl Cohen characterizes democracy as follows:

Democracy appears to be many things. It is a form of government in which participating citizens take much pride; it is a set of ideals toward which much of the world now earnestly strives. It is a way of pursuing objects held in common and a process through which disputes may be resolved, at least temporarily, and action taken on matters of high controversy. Democracy is sometimes identified with a set of institutions -- the representative parliament, the secret ballot, the use of a majority rule; and it is closely tied to certain attitudes, dispositions, and perspectives on society and its problems. (Cohen, 1972, p. 394)

Though the citation from Cohen is somewhat vague, it very helpfully identifies ideals commonly pursued by many different theories of democracy. These ideals include a form of government that citizens have positive feelings about and systematic methods for resolving controversies.

Jean Bethke Elshtain characterizes democracy as follows:

Democracy is precisely an institutional, cultural, habitual way of acknowledging the pervasiveness of conflict and the fact that our loyalties are not

one; our wills are not single; our opinions are not uniform; our ideals are not cut from the same cloth. (Elshtain, 1995, p. 113)

Thus, Elshtain characterizes democracy as being a government that recognizes and polls many diverse opinions. Democracy acknowledges the fact that all people do not agree on all issues.

Joseph A. Schumpeter, in a more specific manner, characterizes democracy as being a particular kind of competition for leadership: "...a free competition for a free vote" (Schumpeter, 1950, p. 271). Democracy seems to involve free and fair competition for votes that determine governmental policy.

More specific definitions of democracy almost immediately begin to stray into descriptions of one specific theory of democracy or another. For example, H. B. Mayo offers a contemporary definition of democracy:

...a democratic political system is one in which public policies are made, on a majority basis, by representatives subject to effective popular control at periodic elections which are conducted on the principle of political equality and under conditions of political freedom. The definition is hardly remarkable; others of a similar kind have frequently been constructed. (Mayo, 1960, p. 70)

Mayo's definition, by including references to representative government and political freedom, characterizes a specific type of democracy rather than expressing elements common to all theories of democracy. Different answers to questions regarding representation, political freedom, and other

political issues are the seeds from which various democratic theories grow.

Regardless of the particular theory of democracy in question, all theories of democracy share the common historical idea of the people ruling themselves. H. B. Mayo identifies what he refers to as characteristics of democracies in the following manner: "...a political system is democratic to the extent that the decision-makers are under effective popular control" (Mayo, 1960, p. 60). Thomas Jefferson described the concept of democracy as follows:

...it means a government by its citizens in mass, acting directly and personally, according to rules established by the majority; and that every other government is more or less republican, in proportion as it has in its composition more or less of this ingredient of the direct action of the citizens. (Jefferson, 1963, p. 252)

Robert A. Dahl contends that people have historically identified certain ideas with democracy: "Running through the whole history of democratic theories is the identification of 'democracy' with political equality, popular sovereignty, and rule by majorities" (Dahl, 1956, p. 34). Ideas about how the people should rule themselves, whether representation is necessary, whether voting should be public or private, what counts as a majority, and whether the government should protect the interests of the minority, manifest themselves in particular theories. In conducting this analytical survey of three families of democracy, we

will see that democracy can appear in radically different forms and yet one can still justifiably understand each form as being democratic.

Identifying and Defining Democratic Theories

As several scholars note, "democracy" is defined only with difficulty (Cohen, 1972, p. 394; Dahl, 1956, p. 2; Mayo, 1960, pp. 21-34; Nelson, 1980, p. 2; Schumpeter, 1950, pp. 243-247; Sartori, 1962, pp. 3-4). Perhaps this difficulty explains why theories of democracy vary so widely. A survey of the literature on theories of democracy reveals much material on definitions and little consistency or agreement on identifying theories. In some texts, different theorists refer to essentially equivalent concepts using different terminology. For example, what Nelson identifies as "democracy as popular sovereignty" (Nelson, 1980, p. 53) seems to be essentially what Dahl identifies as "populistic democracy" (Dahl, 1956, p. 34). Hence, the following survey of theories is an attempt to identify certain family resemblances in various democratic theories.

Theories of Direct Democracy

Direct democracy is perhaps both the form of democracy that is most clearly democratic and the form that is the most morally problematic. Within the family of direct democracy theories this chapter includes what Nelson refers to as "majoritarian democracy" (Nelson, 1980, p. 18), what Mayo identifies as "Athenian democracy" (Mayo, 1960, p. 35),

and what Dahl terms "populistic democracy" (Dahl, 1956, p. 34). Each of these forms share the concept of democracy as majority rule.

Direct democracy, as this thesis has identified it, is essentially a form of majority rule. However, a direct democracy does not need to be majoritarian in nature. A direct democracy can instead require unanimous consent. However, as a practical matter, unanimous consent is almost certainly an impossible ideal on at least some key issues when a population exceeds a few individuals. As Nelson describes it, direct democracy "...makes social choice depend on the preferences of the individuals making up the community" (Nelson, 1980, p. 18). Likewise, in Athenian democracy "...the citizens themselves made some of the political decisions directly, and controlled others, in contrast with other types of city-state where policy was both made and controlled by a few rulers or by one" (Mayo, 1960, p. 36). Dahl offers a more analytical definition:

The only rule compatible with decision-making in a populistic democracy is the majority principle....
 THE RULE: The principle of majority rule prescribes that in choosing among alternatives, the alternative preferred by the greater number is selected. That is, given two or more alternatives x, y, etc., in order for x to be government policy it is a necessary and sufficient condition that the number who prefer x to any alternative is greater than the number who prefer any single alternative to x. (Dahl, 1956, pp. 37-38)

Hence, in direct democracy, for any issue requiring a choice, the government decides by determining the

preferences of the individuals in the community. Mayo describes this idea in Athenian democracy as follows:

"...when all the arguments were in, a question had to be settled by taking a vote; and both the Assembly and the large 'juries' took the majority vote as that of the whole..." (Mayo, 1960, p. 40). In this form, each individual gets one vote for each issue. Thus, the votes of citizens are essentially equally important with each other and the competing alternative issues are essentially equal in their ability to get votes. No citizen's vote is more important than any other. The government considers no issue more desirable than any other until the votes are tallied. Direct democracy has the feature of satisfying what Nelson identifies as "formal equality conditions" (Nelson, 1980, p. 19). The conditions in question are anonymity and neutrality:

Anonymity requires that the outcome of an election be unaffected by who votes on which side: each person's vote counts the same, and the outcome depends only on the number of persons voting one way or the other. Neutrality requires that the procedure be neutral among the proposals being voted on. It requires that every proposal have an equal chance of winning. The simple majority rule satisfies both of these conditions....[D]emocracy gives a certain amount of power to individuals by making social choice depend on the preferences of members of the community; but...it does not give special power to any individual. It distributes power in an equal way. (Nelson, 1980, p. 19)

Hence, a controlling concept in direct democracy is the commitment to equality. Each citizen has one vote that is

necessarily equally as powerful as any other citizen's vote. The government considers each issue voted upon as equally desirable for the society as any other alternative until the voting is complete. The society chooses alternatives, either issues or candidates, by determining which was granted the majority of the votes.

This chapter introduced the topic of direct democracy by describing it as morally problematic. Direct democracy becomes morally problematic when we ask questions such as whether the majority is free to band together to decide issues in a way that will unfairly discriminate against a minority. Part of the appeal of direct democracy is its fairness of treating each individual and issue in an apparently equal manner. Yet without restraints the majority can all too readily form what some call tyranny of the majority (Dahl, 1956, p. 9). Dahl contends:

...so far as I am aware, no one has ever advocated and no one except its enemies has ever defined democracy to mean, that a majority would or should do anything it felt an impulse to do. Every advocate of democracy of whom I am aware, and every friendly definition of it, includes the idea of restraints on majorities. (Dahl, 1956, p. 36)

It is reasonable to imagine that the appeal of democracy, to those who advocate it, is its seeming promise of fairness and equality. An unrestrained majority would endanger the existence of these ideals. However, an unrestrained majority can meet the formal equality conditions Nelson identifies in the previous paragraph and hence it can avoid

being undemocratic for that reason. However, the potential threat of tyranny of the majority is a problem for direct democracy and solutions to it have given rise to more complex democratic theories. Lord Acton's famous saying reminds us of the threat that a majority's unrestrained power poses: "Power tends to corrupt and absolute power corrupts absolutely" (Bartlett, 1992, p. 521).

Theories of Representative Democracy

The second member of the family of democratic theories is representative democracy which shares some of the fundamental concepts of direct democracy. But instead of every individual voting on all issues, only elected representatives vote on most issues. The family of representative democracy theories includes what Schumpeter refers to as "classical democracy" (Schumpeter, 1950, p. 250), what Nelson identifies as "representative government" (Nelson, 1980, p. 69), and what Mill refers to as "representative government" (Mill, 1861/1993, p. 246). Each of these forms share the concept of government through representation.

Theories of representative democracy essentially include the concept of a representative representing groups of individuals. However, representation is democratic only if a majority of competent adults in the community elect the representatives. Nelson explains that "...one person represents another when the former acts for the latter,

where 'acting for' is understood as 'acting in the interest of'. A representative government is a government in which citizens' representatives make political decisions" (Nelson, 1980, p. 69). Schumpeter's definition of "classical democracy" is similar to Nelson's concept of representation: "...the democratic method is that institutional arrangement for arriving at political decisions which realizes the common good by making the people itself decide issues through the election of individuals who are to assemble in order to carry out its will" (Schumpeter, 1950, p. 250).

Mill defines representative government as follows:

The meaning of representative government is, that the whole people, or some numerous portion of them, exercise through deputies periodically elected by themselves the ultimate controlling power, which, in every constitution, must reside somewhere. This ultimate power they must possess in all its completeness. They must be masters, whenever they please, of all the operations of government. (Mill, 1861/1993, p. 246)

Thus, based on the arguments of Nelson, Schumpeter, and Mill, this chapter concludes that we should understand representative democracy as being a system wherein individuals of a community elect others whose role is to make governing decisions.

Representative democracy becomes problematic when confronting Nelson's issue of "popular sovereignty", which is, does the government respect the people's choices? Popular sovereignty, according to Nelson, is the notion that the people rule themselves. He explains:

When I speak...of the claim that the people rule, I have in mind the claim that, roughly, the people's choices, preferences, or values are reflected in laws and governmental policy. To say that the people are self governing is to say that what they believe ought to be done by the state is done. (Nelson, 1980, pp. 53-54)

Hence, according to Nelson, to the extent that a government ignores the preferences of its people it is unrepresentative. Nelson's claim is true. You would scarcely be the ruler if the people you believed you ruled consistently ignored your wishes. The term democracy literally means rule by the people. Hence, in any form of democracy, the policy of the government must reflect the people's wishes. For example, if alcoholic beverages are illegal and almost all the people believe that the government should make alcoholic beverages legal and yet the representatives ignore this preference, then that government is undemocratic on this issue at least. Some may counter that by electing representatives the government fully respects the people's preferences. However, such an argument is inadequate because in electing representatives the government only polls the preferences of the citizens regarding which candidates are most preferred. Even if an individual's preferred candidate wins an election and becomes a representative, it is uncertain that the representative will consider any of that individual's preferences regarding laws and governmental policy. Furthermore, it is unlikely that the views of society will

become so homogeneous that the preferences of representatives and voters will perfectly coincide. In light of these practical considerations, a representative democracy is at least somewhat problematic. However, elections, the threat of impeachment, and legislative implementation of shorter terms give at least some imperfect guarantees that representatives will consider some of the preferences of their constituents.

Theories of Constitutional Democracy

The third member of the family of democratic theories is constitutional democracy. The political system of the United States of America is a constitutional democracy. Within the family of constitutional democracy theories this chapter includes what Dahl refers to as "Madisonian democracy" (Dahl, 1956, p. 4), and what J. A. Corry and Henry J. Abraham call "constitutionalism" (Corry & Abraham, 1964, p. 41).

Constitutional democracy is a form of democracy whereby a constitution prevents a majority tyranny and specifies the limits of sovereignty. A constitution that simply specifies restrictions designed to prevent the majority from abusing a minority solves the problem of the tyranny of the majority which we discussed in the previous section on theories of representative democracy. A constitution essentially identifies the limits of those in power in order to protect the interests of some individuals within the community.

Dahl explains the Madisonian theory of democracy as a method designed to prevent a tyranny of the majority:

What I am going to call the 'Madisonian' theory of democracy is an effort to bring off a compromise between the power of majorities and the power of minorities, between the political equality of all adult citizens on the one side, and the desire to limit their sovereignty on the other. As a political system the compromise, except for one important interlude, has proved to be durable. What is more, Americans seem to like it. As a political theory, however, the compromise delicately papers over a number of cracks without quite concealing them. (Dahl, 1956, p. 4)

Corry and Abraham explain constitutionalism, defined below, with a similar reference to preventing a majority tyranny and limiting the power of sovereignty:

...the main features of the democratic constitution are designed to ensure that those who exercise the powers of government shall act with a sense of responsibility. The phenomenon of a government conforming to the dictates of a settled constitution is known as constitutionalism. (Corry & Abraham, 1964, p. 52)

Regarding the Constitution of the United States of America, Mayo also discusses the idea of preventing majority tyranny and limiting the power of sovereignty:

When they came to devise a new constitution, many of the Founding Fathers of the United States were suspicious of the majority...and talked a good deal, for instance, of 'elective despotisms.' So they put some rights in the constitution itself beyond the reach of a bare majority, and to make doubly and trebly certain that the majority could not prevail, they devised [a]...mechanism of government that would make it difficult for any majority to get its way. (Mayo, 1960, p. 191)

Thus, constitutional democracy is primarily concerned with legally guaranteeing certain rights among the members of the

community in order to prevent majority tyranny and limit the power of the rulers.

Conclusion

This chapter has surveyed only three of the various forms of democratic theory. These three forms include direct democracy, representative democracy, and constitutional democracy. Common to all theories of democracy is the central concept that the people should govern themselves in accordance with procedural rights. Democratic theories more particular than the general forms discussed herein contain more detailed ideas about exactly how the people should govern themselves in a democracy.

CHAPTER 5: WHY MILL'S UTILITARIANISM IS MOST COMPATIBLE WITH CONSTITUTIONAL DEMOCRACY

Introduction

Mill's objective conception of happiness commits him to supporting liberty. As a result of this commitment, Mill's philosophy in Utilitarianism and On Liberty is most compatible with a constitutional form of democracy. His philosophy can succeed in democracies lacking a constitution, but a constitutional democracy is the form of democracy examined herein that can most clearly and specifically endorse and promote the conditions Mill identifies as necessary for happiness. All references to "happiness" in this chapter refer to Mill's objective conception of happiness. The conditions Mill identifies as necessary for best promoting happiness include liberty and freedom from harm. Direct democracy and representative democracy, without a constitution providing safeguards for sustaining these conditions, are less concerned with legally securing these conditions. However, Mill argued that a representative democracy is the form of democracy that is most compatible with his philosophy. This chapter tries to show how Mill linked democracy and utilitarianism, where the flaws in his arguments are, and why a constitutional form of democracy is most compatible with his philosophy.

Mill's Utilitarian-Democratic Alliance

In On Liberty, Mill argues that society ought to protect

individual liberties because doing so will serve to promote the moral principle of the greatest happiness for the greatest number (Mill, 1859/1993, pp. 81). Mill inquires about how much government interference with liberty is morally unjustified, and he concludes that any amount that is paternalistic is indeed morally unjustified (Mill, 1859/1993, p. 78). Mill was also concerned with society in general restricting liberty. He cautioned:

Society can and does execute its own mandates: and if it issues wrong mandates instead of right, or any mandates at all in things with which it ought not to meddle, it practices 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. Protection, therefore, against the tyranny of the magistrate is not enough: there needs protection also against the tyranny of the prevailing opinion and feeling; against the tendency of society to impose, by other means than civil penalties, its own ideas and practices as rules of conduct on those who dissent from them; to fetter the development, and, if possible, prevent the formation, of any individuality not in harmony with its ways, and compel all characters to fashion themselves upon the model of its own. (Mill, 1859/1993, p. 73).

The preceding quotation emphasizes Mill's belief that individualism, the concept that society should promote individual liberties, is central to best promoting the greatest happiness.

Although in the above passage, Mill emphasizes that society can tyrannize individuals in many ways, in the context of this thesis we are particularly concerned about a

society using government to draft legislation to impose penalties on those acting in particular ways. When the government imposes penalties on particular activities it infringes on individual liberty. When the government meddles excessively in the lives of the citizens, it jeopardizes individualism together with happiness. Because any government must affect the lives of the governed, Mill prudently outlined what he believed to be the legitimate limits of the government. Mill argued that self-protection is the sole end for interfering with individual liberty.

The crux of his argument is as follows:

...the sole end for which mankind are warranted individually or collectively, interfering with the liberty of actions of any of their number, is self-protection. That [is,] the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others. His own good, either physical or moral, is not a sufficient warrant. He cannot rightfully be compelled to do or forbear because it will be better for him to do so, because it will make him happier, because, in the opinions of others, to do so would be wise, or even right. These are good reasons for remonstrating with him, or reasoning with him, or persuading him, or entreating him, but not for compelling him, or visiting him with any evil in case he do otherwise. To justify that, the conduct from which it is desired to deter him, must be calculated to produce evil to someone else. The only part of the conduct of anyone, for which he is amenable to society, is that which concerns others. In the part which merely concerns himself, his independence is, of right, absolute. Over himself, over his own body and mind, the individual is sovereign. (Mill, 1859/1993, pp. 78)

So, for Mill, liberty and freedom are essential to

individualism which, in turn, is essential to happiness. A government that promotes the greatest individual freedoms, while imposing a minimal amount of restrictions, promotes the greatest happiness. Mill writes:

No society in which these liberties are not, on the whole, respected, is free, whatever may be its form of government; and none is completely free in which they do not exist absolute and unqualified. The only freedom which deserves the name, is that of pursuing our own good in our own way, so long as we do not attempt to deprive others of theirs, or impede their efforts to obtain it. Each is the proper guardian of his own health, whether bodily, or mental and spiritual. Mankind are greater gainers by suffering each other to live as seems good in themselves, than by compelling each to live as seems good to the rest. (Mill, 1859/1993, p. 81)

One may object that Mill cannot consistently enforce the harm principle because of the following alleged counter example. This example involves three individuals named Art, Betty, and Chuck. Art wants to restrict the distribution of communist literature. Betty wants to read communist literature. Chuck wants to restrict Art's liberty to restrict the distribution of communist literature. Chuck seems to want to enforce the harm principle. However, the harm principle states that the only reason one can restrict another's liberty is to prevent harm. The question in this example is whether Chuck, acting as an enforcer of the harm principle, is preventing harm. If he is not, then he cannot justifiably restrict Art's liberty. According to Mill's philosophy, Chuck is justified in restricting Art's actions

because of the necessity of the marketplace of ideas. Mill explains:

...the peculiar evil of silencing the expression of an opinion is, that it is robbing the human race; posterity as well as the existing generation; those who dissent from the opinion, still more than those who hold it. 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. (Mill, 1859/1993, p. 85).

If Art acts to restrict Betty's liberty to read communist literature by making it illegal, Chuck may justifiably use the harm principle to restrict Art's action. The restriction of liberty is generally a restriction of information. Restrictions on information may lead to more false ideas which may be harmful. Thus, one may justifiably prevent the restriction of liberty by the harm principle.

But what sort of government is best suited for guaranteeing individual liberties? Mill argued that a government in which citizens participate is best suited for guaranteeing individual liberties. To scrutinize Mill's answer to this question, one must examine his ideas in Considerations On Representative Government.

In Considerations On Representative Government, Mill argues that the best type of government is, in general, one in which the citizens participate. Mill explains:

There is no difficulty in showing that the ideally best form of government is that in which the sovereignty, or supreme controlling power in the last resort, is vested in the entire aggregate

of the community; every citizen not only having a voice in the exercise of that ultimate sovereignty, but being, at least occasionally, called on to take an actual part in the government, by the personal discharge of some public function, local or general. (Mill, 1861/1993, p. 223)

Mill's moral and political writings in Utilitarianism, Considerations On Representative Government, and On Liberty form a single and coherent program. As previously examined in chapter 2 of this thesis, morality, for Mill, consists of choosing activities with higher quality in order to maximize happiness for all in the long term. Mill argues that a government in which the citizens participate best cultivates particular good character qualities in its citizens (Mill, 1861/1993, p. 233). As it turns out, the character traits that Mill believes citizen participation promotes are the same traits of character necessary for Mill's utilitarian morality. This close correspondence of traits strongly tends to show how democracy and utilitarianism are compatible in Mill's philosophy.

Mill contrasts as follows what he perceives to be the difference in character development of a citizen who participates in decision making with one who does not:

Still more salutary is the moral part of the instruction afforded by the participation of the private citizen, if even rarely, in public functions. 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 and operations, whose study it will be to supply reasons to his understanding, and stimulation to his feeling for the general interest. He is made to feel himself one of the public, and whatever is for their benefit to be for his benefit. Where this school of public spirit does not exist, scarcely any sense is entertained that private persons, in no eminent social situation, owe any duties to society, except to obey the laws and submit to the government. (Mill, 1861/1993, pp. 233-234)

By participating in public decision making processes, the citizen is led to weigh the alternatives in order to choose the one best suited for promoting the interests of all. Thus, Mill argues that citizens' participation in government cultivates in those citizens a concern for the general good and an awareness of living in unity with other members of the society.

In deciding which form of participatory government is best, Mill argues that a representative democracy is the best form of government for promoting morally desired traits of character in its citizens. Mill explains:

From these accumulated considerations it is evident that the only government which can fully satisfy all the exigencies of the social state is one in which the whole people participate; that any participation, even in the smallest public function, is useful; that the participation should everywhere be as great as the general degree of improvement of the community will allow; and that nothing less can be ultimately desirable than the admission of all to a share in the sovereign power of the state. But since all cannot, in a community exceeding a single small town, participate personally in any but some very minor portions of the public business, it follows that the ideal type of a perfect government must be representative. (Mill, 1861/1993, p. 234)

Hence, though Mill's argument seems to best support direct democracy, Mill discards direct democracy as impractical. Mill thinks direct democracy is impractical because most communities are too large to allow each individual to participate personally in governmental decisions. Mill supports instead what he argues is the closest to direct democracy and the next best form of democracy: representative democracy.

Thus, Mill combines representative democracy and his version of utilitarianism by specifically identifying liberty as a necessary condition for happiness and participation in government as a necessary element for generating a feeling unity within society. And, as previously examined in this thesis, the people's participation is as central to all versions of democracy as best promoting the greatest amount of happiness is to all versions of utilitarianism. As Mill presents his argument, it seems as though the key elements of these particular versions of utilitarianism and democracy are spectacularly intertwined in a virtually symbiotic relationship.

Nelson's Critique of Mill's Argument

William H. Nelson presents an argument contending that Mill fails to prove that Mill's utilitarianism supports a representative democracy (Nelson, 1980, p. 114). Though Nelson does not argue that representative democracy and Mill's utilitarianism are incompatible, he does attack

Mill's conclusion that because direct democracy seems impractical representative democracy is the next best form of government. Nelson argues:

It [representative democracy] may be the best, but we need further argument to show this. Specifically, we would need to show that it will perform functions like that of protecting the rights of individuals as well as any alternative. There are clearly difficult questions here. For example, will everyone be represented, or represented equally well, in a representative democracy? And will it make a difference whether Parliament operates on a simple majority rule or on some alternative kind of rule? (Nelson, 1980, p. 114)

Mill gave arguments supporting the conclusion that direct democracy is the ideal form of democracy, yet his conclusion is that representative democracy is the best available form of democracy. Nelson concludes, "This is a non sequitur. If direct democracy is ideal, but unfeasible, it does not follow that the feasible alternative most similar, namely representative democracy, is therefore the best of the feasible alternatives" (Nelson, 1980, p. 114).

Nelson's point seems correct. Suppose, for example, that it is infeasible for you to buy the ideal Mona Lisa but that a forgery or copy is feasible to buy and the most similar art to it. It does not follow that the forgery or copy is necessarily the best art to buy among the feasible alternatives. For instance, an original M. C. Escher carving might be a better buy than a copy of the Mona Lisa. Recall, from chapter 4 of this thesis, that direct democracy

and representative democracy are two different concepts. Though these two concepts seem to share some family resemblances, they are nevertheless distinct. According to Nelson, if Mill's utilitarianism and representative democracy are compatible, as this thesis claims, it is not easily and readily apparent from examining Mill's arguments.

Securing Liberty Promotes Happiness

Mill's utilitarianism consistently supports liberty because establishing and sustaining liberty and freedom from harm are necessary for best promoting happiness. For any political system to be consistent with Mill's utilitarianism, it must sustain liberty. If a form of democracy tolerates conditions that fail to sustain liberty and freedom from harm, then it is less compatible with Mill's philosophy than a form of democracy that provides better safeguards for securing these conditions.

According to Mill, a political system where the citizens participate tends to require that those citizens judge which actions promote the good for society (Mill, 1861/1993, p. 224). If an individual in a democratic society may vote before he fully develops the moral sense of a Millian utilitarian, then his voting in conjunction with others on particular issues may seriously jeopardize the conditions that best promote happiness, in particular, liberty and freedom from harm. According to Mill, by participating in the voting process, citizens greatly tend to develop

character traits that are harmonious with Mill's utilitarian morality (Mill, 1861/1993, p. 233).

However, there is no certainty that an individual who is participating in a vote who has incompletely developed the character necessary to understand the importance of sustaining liberty and freedom from harm, will not vote in favor of actions that fail to sustain these conditions. In other words, though a voter may have some sense that liberty and freedom from harm are valuable and necessary for best promoting happiness, without completely understanding their value, he may still vote in favor of actions that reduce or eliminate these conditions. As previously examined in chapter 4 of this thesis, direct democracy and representative democracy fail to provide any particular safeguards for securing these conditions. Only a constitutional form of democracy can specifically concern itself with best securing liberty and freedom from harm. Whether a direct democracy or a representative democracy can sustain these conditions depends on the desires and votes of its citizens. This hardly means that every constitutional democracy with safeguards for securing these conditions will avoid jeopardizing these conditions because of the choices of its citizens, but if the spirit of the constitution is respected, it does secure these conditions. For these reasons, Mill's philosophy is most compatible with a constitutional form of democracy that has the best

safeguards for securing liberty and freedom from harm.

Conclusion

Mill combines democracy and his version of utilitarianism by specifically identifying liberty and freedom from harm as necessary conditions for happiness and participation in government as a necessary element for generating a concern for the common good and a feeling unity within society and this in turn best promotes happiness. And, as previously examined in this thesis, the people's participation is as central to all versions of democracy as promoting the greatest amount of happiness is to all versions of utilitarianism. Mill concludes that a representative democracy is most compatible with his philosophy (Mill, 1861/1993, p. 234). However, as illustrated by Nelson's analysis, Mill fails to provide adequate arguments for the conclusion that representative democracy really is the form of democracy that is most compatible with his philosophy. Additionally, when citizens lacking a fully developed sense that society should sustain liberty and freedom from harm are allowed to vote, a democracy without a constitution that provides safeguards for securing these conditions fails to best promote the necessary conditions for happiness. A constitution would provide the best safeguards for securing liberty and freedom from harm. Therefore, constitutional democracy is the form of democracy most compatible with Mill's philosophy.

CHAPTER 6: SUMMARY & CONCLUSION

Mill's philosophical system, as developed in Utilitarianism and On Liberty, is coherent and consistent. Though both of these works discuss a multitude of issues, each has a purpose that unites it with the other work. Utilitarianism identifies and explains Mill's version of utilitarianism. On Liberty identifies and explains the legitimate limits of societal interference with the life of an individual. What unites these two works is Mill's objective conception of happiness and Mill's method of calculating utility by considering the progressive interests of people.

The interpretation of Mill this thesis presents commits itself to four main points. Textual evidence from Utilitarianism, On Liberty, or Considerations On Representative Government (or all three) supports each of these points. First, all people have higher faculties that they must stimulate for happiness to be achieved. Second, since one may use many methods to stimulate the higher faculties, society must ensure liberty to ensure many methods of stimulation. Third, the calculation of utility must always include a careful consideration of the progressive interests of people. Fourth, restrictions on liberty that prevent pain or promote the continuation of liberty support liberty. This interpretation of Mill supports the four main conclusions of this thesis. These

conclusions are: 1) Mill conceptualized happiness in an objective manner; 2) according to Mill, liberty and freedom from harm are necessary conditions for promoting happiness; 3) democracy takes several major forms but not all of its forms provide the best safeguards for securing liberty and freedom from harm; and 4) a constitutional form of democracy is most compatible with Mill's utilitarianism.

As chapter 2 of this thesis examined, according to Mill, the necessary conditions for best promoting happiness include freedom and individual liberties (Mill, 1859/1993, pp. 73-74). One who has a variety of information on a variety of subjects and who engages in many experiences best develops a noticeable preference for experiences that stimulate the higher faculties. Experiencing stimulation of the higher faculties is what Mill specifically identifies as objective happiness (Mill, 1863/1993, p. 8). Yet Mill hardly indicates that an individual must somehow engage in solving problems or generating solutions to intellectual puzzles in order to experience happiness. Rather, Mill believes a happy individual is a thinking individual. This thought is most clearly expressed in Mill's words, "...better to be Socrates dissatisfied than a fool satisfied..." (Mill, 1863/1993, p. 10). Thus, when Mill advocates utilitarianism he is scarcely advocating a purely hedonistic society, which would conceptualize happiness in a subjective manner. Rather, Mill's particular conception of

happiness includes an objective notion of the nature of happiness. A subjective conception of happiness, unlike an objective conception, avoids identifying any necessary conditions that apply to all people as a condition for happiness. The only restriction Mill places on the liberties of individuals is a restriction to prevent harm to others. If society permitted some people to kill others who wished not to be harmed to the point of death, then obviously the dead could not exercise their liberties. Mill's restriction is a way of best trying to ensure that all individuals are allowed the maximum amount of happiness.

Chapter 3 of this thesis showed that the nature of happiness has particular consequences for determining the method one must use to calculate utility. The method one must use to calculate utility with Mill's utilitarianism defends liberty. This method requires that calculations of utility consider the progressive interests of human beings. According to Mill, liberty is a condition that is in the progressive interest of human beings (Mill, 1859/1993 pp. 171-172). As a result, Mill's restrictions on liberty are minimal. Mill's restrictions on liberty only seek to sustain liberty and in this manner utilitarianism strongly supports liberty. By allowing so much liberty, individuals possess the freedom to pursue activities that best promote the individual pleasures they prefer. As a result, Mill's philosophy best promotes happiness.

Chapter 4 used Ludwig Wittgenstein's method of identifying family resemblances (Wittgenstein, 1958, p. 32) to survey the concept of democracy. The chapter identified three families of democratic theories: direct democracy, representative democracy, and constitutional democracy. The chapter explained that all of these families of democracy share the key concept of the people governing themselves. Though all three families of democracy surveyed in the chapter share the concept of the people governing themselves, they differ widely in other areas such as who votes on which issues.

Chapter 5 of this thesis explained why a constitutional form of democracy is most compatible with Mill's philosophy. This explanation proceeded by first examining the arguments Mill used to try to link his utilitarianism with representative democracy. Mill's formulation of utilitarianism led him to argue that utilitarianism directly supports a representative democracy with the free exchange of ideas. Next, the chapter explained and endorsed Nelson's argument that Mill fails to demonstrate adequately that representative democracy is most compatible with Mill's philosophy. Finally, the chapter supplemented Mill's inadequate demonstration and explained that a constitutional form of democracy that provides legal safeguards for securing the conditions of liberty and freedom from harm best promotes happiness. The chapter concluded with the

idea that a constitutional democracy is the form of democracy that is most compatible with Mill's philosophy.

After contemplating the philosophical question of what happiness is, Mill concluded that happiness is how you feel when you are happy. According to Mill, the feeling of happiness is the same in each of us, though the path to that end varies with each person. Mill's philosophy concerns itself with identifying conditions that allow each of us the freedom to walk the path to our happiness. Mill's philosophy consistently advocates the idea that people should be allowed to do what they want as long as they do not hurt or harm others. The happiness of most people is jeopardized when the will of others is imposed upon them. Mill's philosophy is thoughtful and practical.

REFERENCES

- Arblaster, Anthony. (1987). Democracy. Minneapolis: University of Minnesota Press.
- Baier, Kurt. (1958). The moral point of view: A rational basis of ethics. New York: Cornell University Press.
- Bartlett, John. (Ed.). (1992). Bartlett's familiar quotations (16th ed.). New York: Little Brown.
- Bentham, Jeremy. (1970). Introduction to the principles of morals and legislation. J. H. Burns & H. L. A. Hart (Eds.). London: The Athlone Press. (Original work published 1789)
- Berger, Fred R. (1984). Happiness, justice, & freedom: The moral & political philosophy of John Stuart Mill. Berkeley: University of California Press.
- Brink, David O. (1992). Mill's deliberative utilitarianism. Philosophy & Public Affairs, 21, 66-103.
- Cohen, Carl. (Ed.). (1972). Communism, fascism, and democracy: The theoretical foundations (2nd ed.). New York: Random House Inc.
- Corry, J. A. & Abraham, Henry J. (1964). Elements of a democratic government (4th ed.). New York: Oxford University Press.
- Dahl, Robert A. (1956). A preface to democratic theory. Chicago: University of Chicago Press.
- Elshtain, Jean Bethke. (1995). Democracy on trial. New York: Basic Books.
- Feinberg, Joel. (1984). Harm to others: The moral limits of the criminal law. New York: Oxford University Press.
- Glover, Jonathan. (Ed.). (1990). Utilitarianism and its critics. New York: Macmillan Publishing Company.
- Gould, Carol C. (1988). Rethinking democracy: Freedom and social cooperation in politics, economy, and society. New York: Cambridge University Press.
- Hare, R. M. (1989). Essays on political morality. New York: Clarendon Press.

- Harwood, Sterling. (1993). Eleven objections to utilitarianism. In L. Pojman (Ed.), Moral philosophy: A reader (pp. 141-154). Indianapolis: Hackett Publishing Company Inc.
- Herodotus. (1958). The histories of Herodotus of Halicarnassus (H. Carter, Trans.). New York: Heritage Press.
- Jefferson, Thomas. (1963). Letters. In J. Somerville and R. E. Santoni (Eds.), Social and political philosophy: Readings from Plato to Gandhi (p. 252-273). New York: Anchor Books Doubleday. (Original work dated 1817)
- Jefferson, Thomas. (1981). The Declaration of Independence. In M. D. Peterson (Ed.), The portable Thomas Jefferson (pp. 235-241). New York: Penguin Books. (Original work dated 1776)
- Magill, Frank N. (Ed.). (1990). Masterpieces of world philosophy. New York: Harper Collins Publishers.
- Mayo, H. B. (1960). An introduction to democratic theory. New York: Oxford University Press.
- Mill, John Stuart. (1859). On liberty. In G. Williams (Ed.), Utilitarianism, on liberty, considerations on representative government, remarks on Bentham's philosophy (1993) (pp. 69-185). Rutland: Charles E. Tuttle Co.
- Mill, John Stuart. (1861). Representative government. In G. Williams (Ed.), Utilitarianism, on liberty, considerations on representative government, remarks on Bentham's philosophy (1993) (pp. 187-428). Rutland: Charles E. Tuttle Co.
- Mill, John Stuart. (1863). Utilitarianism. In G. Williams (Ed.), Utilitarianism, on liberty, considerations on representative government, remarks on Bentham's philosophy (1993) (pp. 1-67). Rutland: Charles E. Tuttle Co.
- Nelson, William H. (1980). On justifying democracy. Boston: Routledge & Kegan Paul.
- Palmer, Donald. (1988). Looking at philosophy: The unbearable heaviness of philosophy made lighter. Mountain View: Mayfield Publishing Company.

- Ryan, Alan. (1974). J. S. Mill. Boston: Routledge & Kegan Paul.
- Sartori, Giovanni. (1962). Democratic theory. Detroit: Wayne State University Press.
- Scheffler, Samuel. (Ed.). (1991). Consequentialism and its critics. Oxford: Oxford University Press.
- Schumpeter, Joseph A. (1950). Capitalism, socialism and democracy (3rd ed.). New York: Harper & Row.
- Wittgenstein, Ludwig. (1958). Philosophical investigations (3rd ed.). (G. E. M. Anscombe, Trans.). New York: Macmillan Publishing Co. Inc.
- Wolff, Robert Paul. (1968). The poverty of liberalism. Boston: Beacon Press.