

5-2005

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**John Stuart Mill's Conflicting Theories in Relationship with Elected Officials in the
United States Government**

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April 29th, 2005

History 499

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It was important enough for it to be the first item listed by the Constitutional Congress on the Bill of Rights. It is important enough for people all over the world for the past two hundred years up till today to move to the United States so they can have this freedom. It is also one of the reasons that the War in Iraq is being fought. This item which is so important is, of course, the freedom of speech. However, there is one overlooked problem with freedom of speech that is of the utmost importance, and crucial when dealing with representative government. The role of government free speech is significant in that it is not just governmental free speech, but is made up of the elected individuals who are the voice of three different voices: themselves, the people they represent, and the government voice itself. John Stuart Mill, a major voice of Classical Liberalism, which is a movement in which freedom of speech is an ideal, wrote about the importance of free speech yet did not mention governmental free speech. This paper will deal with this issue, and analyze Mill's views and come to a conclusion as to whether Mill is a champion of Classical Liberalism or not.

The problem with Mill is that his arguments about the individual freedom of speech is full of contradictions. In the work that made his career, John Stuart Mill was an advocate of individual opinions and expressions. Mill's book, *On Liberty*, written in 1859, was a close look at the freedoms and liberties of every human being and the necessity of society, that is to say everyone else, to hear out all opinions presented. For if the individual's thoughts and opinions are right, then the truth is known, and if the individual is wrong, then the truth is known with more certainty for being questioned. In the same work, Mill also proposes that the role of government should be democratic and representative for the principle just described. However, Mill, "expressed a strong preference for a limited and

small government,”¹ in the role of democracy. This is where the major contradiction of Mill’s theory of individual freedom of expression appears. If every individual’s voice should be heard, then how is an elected representative government official, who is part of a government that is not supposed to limit this free exchange of ideas, supposed to have his or her voice heard? This topic will be addressed more closely later in this essay.

Not only are there political freedom issues dealing with individual freedom of speech, but also socially oppressed free speech issues. This part of the essay will address the problems of Mill’s theories that deal with the social pressures of governmental representatives that even if Mill’s freedom of speech was followed, they would not have the freedom to speak. Published after his death in 1873, Mill’s *On Social Freedom* appears to show that Mill is not so sure in his previous thoughts on individual freedom of speech. In this work, Mill notes that the pressures put on individuals have the most affect on individual’s scope on the freedom of speech. This realization that society controls the actions taken by individuals by Mill is the opposite of what he published earlier. However, although everyone has a right to change his opinions, Mill’s new theory still limits the voice of a particular group of people who, under Mill’s first theory, are supposed to have the freedom of speech.

As a precursor, the argument of this paper will not cover the conflict of religious free speech and the elected official in the United States government. While freedom of speech and the freedom of religion are in the same amendment of the Bill of Rights, for the purposes here the issue of religious freedom will not be included in the discussion. The reasons for this are different in matter but both equally cause sufficient reasons not to include religious

freedom in this essay. The first is that John Stuart Mill did not commit enough material of his thoughts about the freedom of religion in relation to freedom of speech or social pressures. The second reason is that even though religious freedom in the government work area has been the topic of many recent media publications, religious freedom is different from the freedom of speech. The United States Constitution does not specifically outline any clear and concise decision on the freedom of religious speech. Also, the issue of religious free speech, although relevant to the topic discussed here, is far too complicated and subjective to be analyzed in the short amount of space provided for this essay. The controversy of the Ten Commandments in courtrooms and other religious symbols has been extensively covered.

To begin with, before the concepts of Mill's theories can be fully analyzed, what is governmental free speech and has it been discussed before? For the purposes of this essay, government free speech is the action of the government taking a stand and using its voice on an issue in the form of an elected representative. There is no actual definition of governmental free speech, although there are basic ideas of what it entails. The United States Constitution's First Amendment gives the right of free speech to individuals, but it says nothing about what the government can say.² This is for the reason that the founding fathers wanted to limit what the government can do. The Constitution is full of limits for what the government can not do. Like Mill, the framers wanted to limit the authority of the government and make sure that no one person or group acquires too much power.

Specifically, does Mill discuss or define governmental free speech at all? Mill does not specifically discuss or write about the term "government free speech" in any of his writings. He does, however, discuss the limits of what a government can do and act. Since

Mill does not directly address the topic, has a definition of governmental free speech been issued by others? There have been cases in which the situation of government speech being impeded has been discussed. One is the flying of the Confederate Flag that will be talked about later in this essay. Other instances have to deal with non-elected government employees like the police and public school teachers. However, those examples are not like an elected government official for the fact they are not elected and hence have no direct connection to the public. An elected government official is not representing just the government, but also the people and him or herself. Because of the limits of the scope of the examination of government officials, we will not be discussing other government officials here.

However, there have been a few cases in the Supreme court that have come close to dealing with the issue discussed here. One of these such cases is *United Public Workers v. Mitchell*, which was heard by the Supreme Court in 1947. In this case, the government made it illegal for executive branch employees to take part in a political campaign. The Supreme Court ruled in favor of the government.³ This case may not appear to deal with the topic discussed here, but on further inspection it has a close relationship indeed. The governmental employee, although not in an elected position in this case, could be. If that person was, then a governmental employee's free speech and action are limited. Although the law has an appearance of trying to keep unfair involvement out of elections, it still limits the free expression and opinions of an elected government official.

Overall, a relative few of the thousands of free speech court cases have been about governmental free speech, most are about the government infringing an individual's freedom

of speech. However, a couple of generalized rules have been fashioned out of the few court cases on government free speech. Governmental free speech is permissible unless:

1. It abridges “equality of status in the field of ideas” by granting the use of public forums to some groups but not others.
2. It drowns out other sources of speech by monopolizing the “marketplace of ideas.”
3. It compels “persons to support candidates, parties, ideologies or cause that they are against.”⁴

The three stipulations are easy to understand why the courts would rule in this way. The power of the government could crush an individual’s freedoms, and no doubt Mill would concur with these limits. However, it still treats the government as a single identity and the hundreds of individuals who make up the portion of elected individuals are not noticed. It appears that the individuals in the government are silenced by the overall authority of the government.

Another topic that needs to be addressed is the word “liberty” and what it means to Mill, because this word will be used often in this essay and a working definition would be helpful. The way that it has been answered by Mill is, “he identified liberty with license and absence of law.”⁵ This is known as “negative” liberty for it does not say what a person has a freedom to do, but instead what he or she has a freedom from. This concept has been an issue in many works about Mill. However, this definition of Mill’s did not last his entire life. This definition echoes philosophers from the century before, and it would end up not fitting Mill’s ideals.⁶ His new definition is that, “personal liberty required, in Mill’s well-known view, equality of opportunity.”⁷ This new definition is better suited to what Mill tries to argue with what is called Utilitarianism, which is an interesting concept that does not fit well with representative government or its elected officials.

Before the issue of Mill's Utilitarianism is discussed, one more issue with liberty needs to be addressed. Although from the previous statements it would appear that Mill wants all individuals to have the same "equal opportunity" to be able to speak their minds. However, does an elected official have the opportunity to openly and freely speak his or her mind? If one did, what would be the consequences? The word consequence is used here is an important one for it is common knowledge that an elected official does not speak his or her mind because if one did, then he or she has a chance at offending someone, which is not desirable. This will be examined further down in the essay. The last piece on liberty is, "Mill holds that people do not value liberty high enough; they do not understand that liberty is a necessary part of civilization, education and culture."⁸

The intellectual individual of Mill's ideal government can flourish with his open opinion policy. Mill is well known for his ideal of utility, or happiness for all within a society. In his essay *Utilitarianism*, Mill describes this phrase as follows: "Utilitarianism, therefore, 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."⁹ It appears as though Mill is saying that the general happiness of an individual could benefit from the happiness, nobility, or utility of others even if they themselves did not have the same features. However, one historian states that Mill, "was also extremely wary of his own humanistic and utilitarian version."¹⁰ This is an occurrence that will repeat itself throughout this essay which is Mill's inconsistency and repeated questioning of his own ideas and theories.

Next, the topic will continue with the issue of the type of person Mill praised within

the utilitarian ideal. This person was described by Mill with understandable words, yet the true understanding is harder to comprehend. "Mill preferred one type of personality to others. He admired the man who had 'character,' who could think for himself."¹¹ This is consistent with the expected Classical Liberal view. A well informed person can think for him or herself. Mill himself has written about how the well informed individual is necessary to representative government. However, one historian has noticed that *On Liberty* has "ambiguous remarks on the need for education."¹² This could be because representative government is based on the unknowing individual. With representative government, a person is chosen to take one's place because of the assumption that he or she knows more and can make more informed decisions.

However, it seems contradictory that a man, such as Mill who has been coined a champion of Classical Liberalism, which includes mass education of the public, would not go at great lengths to talk about how to go about doing it. If indeed Mill wanted the elected government official to be the only one of the many to be educated, then why is Mill also a follower of the ideal of Utilitarianism? Perhaps he was trying to provide a way for those who could not get educated with the fact that they had to trust in others and somehow this was better for them anyway. Maybe this is also the reason why society has formed a way in which to control those representatives, which is social pressure and limiting the freedom using that pressure. More on the topic of social freedoms and limits later in the essay.

How is an educated elected official any different from an educated despot or any other authority? The despot was normally the most educated and wealthy person of a society, if it is true that Mill wanted an educated man in charge of the non-governmental portion of the

population, why is representative government needed? Perhaps, it is because in Mill's time, the despot was no longer that engaged in the major function of the government and instead power was in the hands of elected representatives. However, he still wanted those representatives to be educated and well informed. Education was not a cheap thing to acquire, so in a way here, Mill is again endorsing a form of elitism. Although it is a form of elitism, those representatives still desire the same freedoms and rights as a non-governmental employee. Mill still wanted though, "to bring people under common influences and give them access to the general store of facts and sentiments."¹³ This continuing change in Mill's theories is very puzzling indeed.

Where does the elected government official fall in Mill's political and individual free speech? As stated before, Mill does not make many distinctions between government representatives and regular individuals. Mill does, however, believe that the representative has more reasonability's than others when it comes to individual progress. Before, when an individual has a freedom to search for the truth and use his or her open expression of thought, if the individual were wrong, then the truth was known that much greater. In terms of a representative, though, Mill states, "Whatever change he introduces, should be a step in the direction in which a further advance is, or will be hereafter, desirable."¹⁴ It is because of his or her responsibilities to the people one represents that the representative leads to not explore the wrong path, even if it helps the representative find the truth. In this instance, Mill states that government officials can not receive the same freedoms as non-government individuals.

It has been mentioned that John Stuart Mill was a cautious advocate of democracy and the representatives who hold the offices within it. There are some statements that concur

with this. One of them is, "Not to determine whether democracy shall come, but how to make the best of it when it does come."¹⁵ From this statement it could be assumed that Mill would believe that democracy is a natural form of government that would eventually be the best form of government. However, this might not be entirely true. Mill also states that, "Our ideal of ultimate improvement is far beyond Democracy and would class us decidedly under the general designation of Socialists."¹⁶ This appears that Mill thinks that democracy would lead to socialism, which would, under Mill's opinion, be the best for society. Perhaps this is the reason that Mill has a hard time defining the state of the representative in democracy, for he believes that the inconsistencies will be solved in time with the coming of socialism.

Where does Mill's views on individual freedom of speech and government limitations work in the modern United States? The fact is that they do not work with any total consistency. Although Mill appears to have endorsed the Classical Liberal idea of free speech that the United States government uses as one of its founding principles, Mill's ideas do not clearly fit with the modern United States. As one historian says, despite appearances, "we do not attempt to enlist Mill with the 'moderns'."¹⁷ Mill's ideas have been from the Classical Liberal era, but do not have them in conjuncture with today's societal formation from them.

What does Mill have to say about the party systems that have taken control of representative government system in the United States? According to the thoughts of Thompson, Mill did not like the party systems and was in fact very much against them. In his view, Mill thought that the "party discipline largely overshadows any choice between a

representative's independence and his constituents' wishes."¹⁸ This statement is interesting for we have already seen that also according to Mill, that the representatives should not act according to what their constituents' want. This is another contradictory statement that Mill has left in his numerous ideas on government and representatives. Another author also noted how Mill felt about political parties, "[Mill] says remarkably little about parties, and where they are referred to no constructive influence is imputed to them."¹⁹ This dislike for political parties is an interesting topic for the reason that almost all politicians get elected using the power gathered by their respected parties. It appears that even though our society is the best example of Classical Liberal thought, it does not always follow the doctrine of all Classical Liberal thinkers.

This matter gets even more muddled when taking into account another reason that John Stuart Mill did not like the party system in representative government. In Britain during Mill's era the party system was already in place and even more so today. It could be said that the United States since its founding in the late 18th century has always been a party political system of representative government and in the modern world obviously greater interest is put on political parties. In his dislike of the party system, Mill is a champion for Classical Liberalism for his interest in having the individual think for his or herself instead of going with the party crowd. According to Thompson, Mill does not like the party system for its "highly disciplined parties would weaken the tie that Mill thought so important to maintain between voters and their representatives."²⁰ However, again, Mill's views conflict with each other. Which view should prevail here, the representative that does not listen to constituents' wishes or the representative who should form a close tie with the voters that put him or her

into office? Unfortunately, Mill does not say which idea has better merit, but it would appear that in today's political society, representatives follow all that Mill had to say. They use political parties to get close to the voters and then decide on their own agenda, but only so far as to not get themselves voted out of office.

Another view of elected governmental officials could be that even though they are chosen to be in charge, they are also a minority compared to all others, and Mill believes that minorities are to be heard. This goes to the direct center of the problem in which we are discussing. A small minority of the population's voices are not being heard, but they hold the power of the representative government in which they participate.

Besides the political freedoms that the governmental officials must fight for, they also have to fight the social oppressed freedoms imposed by society. As stated earlier, Mill was starting to become more interested in the affect that society had on the individual. The historian Scanlan notes, "*(On Social Freedom)* is remarkable...(for) in some significant respects it contradicts *On Liberty*."²¹ This statement is echoing the thought that Mill was also trying to cope with the fact that society had as much effect on individuals as personal liberty does. Through social pressures, the governmental officials are encouraged not to exercise their personal freedom of thought. It is widely known that elected government officials are just that, representatives of the people who elected them to be their representatives in the government and make decisions for them. Therefore, following that line of thinking, the voice that comes from the elected official should be the voice of the people to use the cliché. However, what about the voice of the individual representative him or herself? Is that voice the same as those he or she represents or is it a unique voice of its own?

Later in his life, Mill wrote about the societal pressures and the importance of society over the individual. However, there are a few historians who have written that this was not the first instance that this has happened. In fact, some have come to the conclusion that John Stuart Mill might have had socialist tendencies much sooner in his life than previously thought. Besides the work *On Social Freedom*, earlier works of Mill's have socialistic ideas. Claeys writes, "Some have seen the idea that Mill could have been converted to socialism as anathema to his increasingly central defense as liberty after the early 1840's."²² This is a very crucial observance to what Mill has written, especially considering that this would mean that Mill started his socialistic thought at least a decade before he wrote *On Liberty*, Mill's most decorated Classical Liberal work.

While that piece of information is interesting and raises questions as to what Mill's real intentions are, other historians, who agree that Mill had socialistic tendencies before what was originally thought, believe that Mill started even before the 1840's. In the 1820s, when Mill was also in his 20s, he wrote an essay called, "Spirit of the Age." Within its pages are ambiguous passages that could be interpreted differently by historians. One such passage reads as follows: "Mankind have outgrown old institutions and old doctrines, and have not yet acquired new ones."²³ As stated before, this could have reference to Mill's thoughts about freedoms and liberty, but knowing what we know now, it could be an indication of a socialistic tendency. Another passage from the same text is, "Society demands, and anticipates, not merely a new machine, but a machine constructed in another manner."²⁴ This new discovery is perplexing.

What does this have to do with the elected government official? The point of these

findings is that we can not take any document of Mill's at face value. A darkened shadow has fallen on Mill's idealized theory of individual expression of speech and opinion. If Mill did was indeed geared to socialistic thoughts, then does it matter if the elected government official performs his responsibilities within the government? The government that Mill proposes in one his most renown works, *Considerations on Representative Government*, endorses the type of government on which the work is named. It has also been suggested, even in the preface of *Considerations on Representative Government*, that Mill's work had an elitist ideology as well²⁵. Could he have been a socialist endorser on an individualist level and an elitist when it can to government and decision making? That is an interesting topic, but one for another paper.

Also, according to Mill, society has a need for itself, and in that need the interaction of individuals with each other is the most important, then why would Mill want an individual keep quite about their speech? The answer to this question is not an easy one, for Mill did not have time to reflect on all that he wrote before his death. Mill's *Autobiography* was written before his death and as stated earlier so was his *On Social Freedom*, both of which were published posthumously and discussed socialistic thought. It does appear that Mill was changing his view about the importance about society's interaction with the individual being more important than individual liberty.²⁶ In the way that Mill describes social pressure and the liberty of the individual, both which have been addressed earlier in this essay, it could be concluded that while Mill would like all individuals to be well informed and for the individual to be the start and end of politics, this is an unobtainable goal. Mill began to understand this towards the end of his life, that the individual's liberty is swayed by the

interaction of society. In *On Social Freedom*, which has a socialist feel to the way it reads, Mill is coming to this conclusion. With social interaction being more intense in the information age that is today's society, the individual loses their freedom to the society. This would include the elected governmental representative, who with perhaps celebrities being the only exception, have more interaction than other "normal" individuals. Thornton, who has written extensively on Mill, has this to say about Mill on society: "It is founded upon a misunderstanding of the relationship between the individual and society; when closely examined it is found, the indictment runs, to be obscure, even unintelligible."²⁷ In other words, according to Mill, society and the individual are inseparable.

With all of these discrepancies, which is more important to Mill, the individual or society as a whole? This answer is not an easy one, but with Mill writing for most of his about the freedom of the individual and only towards the end of his life writing about societies sway on the individual, Mill's focus is still on the individual. Because of the importance of the individual to Mill, he tried to see exactly how the individual was impacted by society. Mill was realizing the power of society and the great impact that it had on the individual. The discrepancies that infiltrate Mill's works are there for the same reasons that we still ask the same questions that political philosophers have been asking since Mill's time. The reason is that we still do not know the answer and neither did Mill. He thought that he had found the answers, but was reexamining them. It is this that gives the complexity of his answers, for he had many.

Examining closer into the topic of the impact society has on the individual, Mill has more to say about the subject. In these statements, Mill does not distinguish between the

elected government representative, but includes him or her along with all individuals together. “That power masses more and more from individuals, and small knots of individuals, to masses: that the importance of the masses becomes constantly greater, that of individuals less.”²⁸ From what was stated earlier in this essay, with democracy eventually giving way to socialism, this quote directly agrees with what Mill said. This is first in this paper in consistency by Mill. Another statement is, “For, even when men are free of government or social disapprobation, society still has means of inducing them to act rationally, disinterestedly and with a view to maximizing utility.”²⁹ This does not concur with the individual interaction theory set forth by Mill in *Representative Government*, but agrees with the socialistic view that Mill started to adopt. These statements are just more proof of the fact that Mill was not sure about which ideal was better suited for elected government officials.

To end this argument, an example of this conflict in the United States today would help to understand the tension behind this predicament. One of the many examples of this conflict is the flying of the Confederate Battle Flag over state property which includes state capitals and monuments. The issue here is not over what the flag stands for or what it symbolizes, although that issue is closely related to this topic. The issue here is whether or not a state has the right to fly that flag over state property. In all cases, the flying of the flag was decided by the representatives of that state in general assembly. This is a classical example of the fight over whose voice the representative is using. If the flag being flown is upsetting to the constituents, then the officials would have been voted out. However, the flags being flown have been flying on state property for decades.

When the Confederate Flag is displayed over State property, whose free speech is being vocalized? The ironic thing is this: everyone's voice is being heard. According to the Constitution, which is a document that uses Mill's theory on individual freedom of thought, the government voice is spoken through an individual who echoes his own voice with the power of all the individual people behind him or her. But the social pressures that Mill wrote about at the end of his life also get applied when the voice of the many silences the minority. It is through society that the elected government official is silenced, but it is also through the elected government official the society gets its voice. It is not a question of which theory of Mill's is being used, but which one holds the sway politically. Unfortunately this does not have a concrete answer, for society's pressures and opinions change with each topic and generation. Prohibition is an example of this struggle between society and individual thought in political matters.

Both of the principles of Mill's are struggling against each other in this case. On one hand, the flag being flown is a wish of the representatives, for the flying of the Confederate Flag was not on any campaign agendas. But what about societies' wishes? According to Mill the representatives need not listen to the constituents, but at least know what the voters are thinking. In this case, it is not the lack of what John Stuart Mill wrote about, but choosing which one of his thoughts to follow.

Which principle of Mill's is being utilized and does it follow what Mill would have thought to be right? What Mill thought to be right changed over the course of his life time, but it would appear that Mill's last thoughts on the subject of society would want the Confederate Flag to be removed only if the harm put forth by society is harmful to the

individual. But this conflicts with the representative form of government that he outlined in *On Representative Government*. A reason for Mill's change in opinion could be from that fact that during the course of his life, the affect of media circulation improved greatly. With the spread of news from far away coming much quicker, perhaps Mill noticed how much society could affect the individual and sought to explain this in *On Social Freedom*. It is certain that the spread of media and information has increased the knowledge of the individual as well as the pressure put forth by society. It is clear, that the principles of Mill's theories are being put forth by today's society and government. The voice of the government is its people, and when the government speaks, so do the people. The problem is what Mill had feared early in his career, the minority is not being listened to.

The whole of John Stuart Mill's arguments are contradicting and are forever going to be disagreeing with each other. For a political philosopher and a human being, this is not uncommon, nor unexpected for, we as an ever changing identity, need to change and challenge previous assessments. The problem begins, however, when the United States government, whose role is to protect the people (who make up the government) and yet at the same time be its own identity. It is said that the United States Constitution is a living, breathing document, yet while it can change, it needs to have some solidarity to it. It appears that the Constitution is indeed a Mill type document, with contradictions and varying sediments. "It is obvious that Mill's position needs further clarification,"³⁰ as one historian notes. However, unlike Mill, who never decided one way or the other in the face of contradiction and make a decision, a final, complete decision about the maximum free speech that an elected government official can have. It is in this way that Mill can not be a

champion of Classical Liberalism, for he fails to address this issue to its proper end. “The principle needs to be supplemented by an account of the possible reasons against restriction and of the principles, if any, on which we are to weight the reasons for and the reasons against.”³¹ One can only hope that the societal oppression placed upon these same officials is as well informed as Mill hoped the public would be one day.

- ¹ Harry A. Holloway, "Mill's Liberty, 1859-1959." *Ethics*, Vol. 71, No. 2 (Jan., 1961): 130.
- ² J. Michael Martinez, "Confederate Symbols, the Courts, and the Political Question Doctrine." In *Confederate Symbols in the Contemporary South*, ed. J. Michael Martinez, William D. Richardson, and Ron McNinch-Su (Gainesville, Florida: University of Florida Press, 2000), 230
- ³ "United Public Workers v. Mitchell," in *Freedom of Expression in the Supreme Court*, ed. Terry Eastland (Boston: Rowman & Littlefield Publishers, Inc., 2000), 73
- ⁴ Martinez, 231
- ⁵ Nadia Urbinati, *Mill on Democracy*. (Chicago: University of Chicago Press, 2002), 159.
- ⁶ Ibid., 159.
- ⁷ Robert B. Ekelund Jr. and Robert D. Tollison, "The New Political Economy of J. S. Mill: The Means to Social Justice." *The Canadian Journal of Economics*, Vol. 9, No. 2 (May, 1976): 216.
- ⁸ Mark Strasser, "Mill and the Utility of Liberty." *The Philosophical Quarterly*, Vol.34, No. 134 (Jan., 1984): 64
- ⁹ John Stuart Mill, *Utilitarianism*, 14.
- ¹⁰ Allen D. Megill, "J. S. Mill's Religion of Humanity and the Second Justification for the Writing of On Liberty." *The Journal of Politics*, Vol. 34, No. 2 (May, 1972): 613.
- ¹¹ C.L. Ten, "Mill and Liberty." *Journal of the History of Ideas*, Vol. 30, No. 1 (Jan. - Mar., 1969): 49.
- ¹² Holloway, 130
- ¹³ Mill, *On Liberty*, 64-65.
- ¹⁴ Mill, "Thoughts on Parliamentary Reform." In *Essays on Politics and Culture*, ed. Gertrude Himmelfarb (New York: Doubleday & Company, Inc., 1962), 329.
- ¹⁵ Mill, "Tocqueville on Democracy in America, vol. I." In *Essays on Politics and Culture*, ed. Gertrude Himmelfarb (New York: Doubleday & Company, Inc., 1962), 189.
- ¹⁶ Mill, "Conversion to Socialism (From the *Autobiography*, Chapters V, VI, VII)." In *Socialism*, ed. W.D.P. Bliss (New York: The Humboldt Publishing Co., 1891), 1.
- ¹⁷ Ekelund, 215
- ¹⁸ Dennis F. Thompson, *John Stuart Mill and Representative Government*. (Princeton, New Jersey: Princeton University Press, 1976), 118-119.
- ¹⁹ Bruce L. Kinzer, "J.S. Mill and the Problem of Party." *The Journal of British Studies*, Vol. 21, No. 1 (Autumn, 1981): 106.
- ²⁰ Thompson, 119

- ²¹ James Scanlan, "J. S. Mill and the Definition of Freedom." *Ethics*, Vol. 68, No. 3 (Apr., 1958): 194.
- ²² Gregory Claeys, "Justice, Independence, and Industrial Democracy: The Development of John Stuart Mill's Views on Socialism." *The Journal of Politics*, Vol. 49, No.1 (Feb., 1987): 122.
- ²³ Mill, *The Spirit of the Age*, 6.
- ²⁴ *Ibid.*, 7
- ²⁵ Mill, *Considerations on Representative Government*, XXVI.
- ²⁶ Mill, *On Social Freedom*, 12.
- ²⁷ Neil Thornton, *The Problem of Liberalism in the Thought of John Stuart Mill*. (New York: Garland Pub., 1987), 50.
- ²⁸ Mill, "Civilization." In *Essays on Politics and Culture*, ed. Gertrude Himmelfarb (New York: Doubleday & Company, Inc., 1962), 53.
- ²⁹ Maurice Cowling, *Mill and Liberalism*. (Cambridge, England: Cambridge University Press, 1963), 102.
- ³⁰ Fred Kort, "The Issue of a Science of Politics in Utilitarian Thought." *The American Political Science Review*, Vol. 46, No. 4 (Dec., 1952): 1148.
- ³¹ D.G. Brown, "Mill on Liberty and Morality." *The Philosophical Review*, Vol. 81, No. 2 (Apr., 1972): 136.

Bibliography

Primary

- Mill, John Stuart. "Civilization." In *Essays on Politics and Culture*, ed. Gertrude Himmelfarb, 51-84. New York: Doubleday & Company, Inc., 1962.
- Mill, John Stuart. *Considerations on Representative Government*. New York: Liberal Arts Press, 1958.
- Mill, John Stuart. "Conversion to Socialism (From the *Autobiography*, Chapters V, VI, VII)." In *Socialism*, ed. W.D.P. Bliss, 1-15. New York: The Humboldt Publishing Co., 1891.
- Mill, John Stuart. *On Liberty*. Wheeling, Illinois: Harlan Davidson, 1947.
- Mill, John Stuart. *On Social Freedom*. New York: Columbia University Press, 1941.
- Mill, John Stuart. *The Spirit of the Age*. Chicago: University of Chicago Press, 1942
- Mill, John Stuart. "Thoughts on Parliamentary Reform." In *Essays on Politics and Culture*, ed. Gertrude Himmelfarb, 328-358. New York: Doubleday & Company, Inc., 1962.
- Mill, John Stuart. "Tocqueville on Democracy in America, vol. I." In *Essays on Politics and Culture*, ed. Gertrude Himmelfarb, 187-229. New York: Doubleday & Company, Inc., 1962.
- Mill, John Stuart. *Utilitarianism*. New York: E.P. Dutton and Company, Inc., 1951
- "United Public Workers v. Mitchell," in *Freedom of Expression in the Supreme Court*, ed. Terry Eastland, 73-78. Boston: Rowman & Littlefield Publishers, Inc., 2000

Secondary

- Brown, D.G. "Mill on Liberty and Morality." *The Philosophical Review*, Vol. 81, No. 2 (Apr., 1972): 133-158.
- Claeys, Gregory. "Justice, Independence, and Industrial Democracy: The Development of John Stuart Mill's Views on Socialism." *The Journal of Politics*, Vol. 49, No.1 (Feb., 1987): 122-147.
- Cowling, Maurice. *Mill and Liberalism*. Cambridge, England: Cambridge University Press, 1963.

Ekelund Jr., Robert B.; Robert D. Tollison. "The New Political Economy of J. S. Mill: The Means to Social Justice." *The Canadian Journal of Economics*, Vol. 9, No. 2 (May, 1976): 213-231.

Holloway, Harry A. "Mill's Liberty, 1859-1959." *Ethics*, Vol. 71, No. 2 (Jan., 1961): 130-132.

Kinzer, Bruce L. "J.S. Mill and the Problem of Party." *The Journal of British Studies*, Vol. 21, No. 1 (Autumn, 1981): 106-122.

Kort, Fred. "The Issue of a Science of Politics in Utilitarian Thought." *The American Political Science Review*, Vol. 46, No. 4 (Dec., 1952): 1140-1152

Martinez, J. Michael. "Confederate Symbols, the Courts, and the Political Question Doctrine." In *Confederate Symbols in the Contemporary South*, ed. J. Michael Martinez, William D. Richardson, and Ron McNinch-Su, 224-239. Gainesville, Florida: University of Florida Press, 2000.

Megill, Allen D. "J. S. Mill's Religion of Humanity and the Second Justification for the Writing of On Liberty." *The Journal of Politics*, Vol. 34, No. 2 (May, 1972): 612-629.

Scanlan, James. "J. S. Mill and the Definition of Freedom." *Ethics*, Vol. 68, No. 3 (Apr., 1958): 194-206.

Strasser, Mark. "Mill and the Utility of Liberty." *The Philosophical Quarterly*, Vol. 34, No. 134 (Jan., 1984): 63-68.

Ten, C.L. "Mill and Liberty." *Journal of the History of Ideas*, Vol. 30, No. 1 (Jan. - Mar., 1969): 47-68.

Thompson, Dennis F. *John Stuart Mill and Representative Government*. Princeton, New Jersey: Princeton University Press, 1976.

Thornton, Neil. *The Problem of Liberalism in the Thought of John Stuart Mill*. New York: Garland Pub., 1987.

Urbinati, Nadia. *Mill on Democracy*. Chicago: University of Chicago Press, 2002.