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Author(s): Jacob Viner

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BENTHAM AND J. S. MILL: THE UTILITARIAN BACKGROUND*

By JACOB VINER

The one-hundredth anniversary of the publication of J. S. Mill's *Principles of Political Economy* falls in the year 1948, and the American Economic Association in the programming of its meetings takes advantage of anniversaries of births, deaths, and dates of publication to remind its members that our discipline has a past. This is a proper occasion, therefore, for a paper on J. S. Mill. The inclusion of Bentham in the scope of my paper is of my own contriving, but perhaps I can technically legitimatize it by appeal to the fact that British learned circles have been celebrating during 1948 the two-hundredth anniversary of Bentham's birth. There is no intellectual difficulty, however, in associating Bentham with Mill. The intellectual history of Mill is in large part a history, first, of faithful discipleship, then of rebellion from, and finally of substantial return, to the Benthamite set of doctrines.

The general lines of Bentham's thought were wholly of the eighteenth century, as I could demonstrate if there were time. Of English intellectuals who have had great influence, Bentham was perhaps the least original in his stock of general ideas, but clearly the most original in finding means and devices for putting his philosophy to practical use. To the nineteenth century Bentham was important as a carrier of eighteenth century thought and, still more, as a translator of this thought into a program of social reform. It was the seventeenth century which was the Age of Genius. The philosophers of the eighteenth century were, nonetheless, fertile in ideas. They were, however, almost completely devoid of zeal for the application of these ideas to change of institutions, or even of zeal in generating ideas which would call for change in existing institutions.

We economists like to think of Adam Smith as an exception in this regard, but he was so only to a moderate extent. The one social issue on which Adam Smith was a zealot was the issue of freedom of trade *versus* mercantilism. But Smith had little confidence in the ability of ideas to move worlds. It is often overlooked that it was with reference to internal and not to international free trade that Adam

^{*}This paper was presented at the meetings of the American Economic Association, December 29, 1948.

Smith made his famous statement that "To expect, indeed, that the freedom of trade should ever be entirely restored in Great Britain, is as absurd as to expect that an Oceana or Utopia should ever be established in it," and this although when he wrote, by obsolescence rather than by deliberate repeal, the restrictions on internal freedom of trade had already become largely inoperative. There is no evidence that Smith was more optimistic about the prospects for international than for domestic free trade, or that, beyond writing his book and preparing a few memoranda for the government when called upon, he ever felt moved to do anything, and especially to resort to anything rude or, in the eighteenth-century meaning of the term, to "enthusiasm," to obtain acceptance and execution of his reforming ideas.

The eighteenth century, in Britain if not in France, and before the American and the French Revolutions if not after, was the age of social complacency, political, economic, moral, of satisfaction with the status quo at least to the extent of belief that the costs of substantial change would exceed the benefits of removal or moderation of whatever evils were recognized to prevail. British eighteenth-century government was oligarchic, corrupt, inefficient, though it was generally not tyrannical in intent and usually too lax, too inert, too decentralized, and too sceptical to be seriously tyrannical in effect. Until the end of the century there was no major figure who even mildly suggested the need for major political reform. Whether the economic condition of the masses of the people was improving or deteriorating, and whatever its trend, whether it was desperately bad or moderately good as compared to later standards, I frankly have no idea. We may rest assured, however, that it was not idyllic, if only because it never is.

Nevertheless, there was not until the very last moments of the century either a single major political debate which turned on the economic conditions of the poor or a single major writer who had important suggestions as to how to improve them, with the sole exception of Adam Smith's plea for freedom of trade. It was even a common doctrine of the century that the poor should never be relieved of their poverty above the level of a bare subsistence plus perhaps a few crumbs of cake, and it was at least the quasi-official doctrine of the Church of England that the poverty of the poor—and the prosperity of the bishops—were in accordance with the Divine Will.

Bentham and the Benthamites, on the other hand, were never complacent about the condition of the people of England. They were "Radical Reformers," and they worked hard at their reforms: by working out detailed blueprints for them; by propaganda, agitation, intrigue, conspiracy; and, if truth be told, by encouragement to revolutionary movements up to—but not beyond—the point where resort to physical

force would be the next step. Bentham, moreover, was a successful social reformer, more successful perhaps than anyone else in history except Karl Marx—I have in mind here only the realization and not the merits of programs of change—if he is given credit for those changes which came after his death as the result largely of the efforts of his disciples.

The list of reforms in England which derive largely from Bentham is a truly impressive one, and I present it here only in part: fundamental law reform in many of its branches; prison reform; adult popular suffrage, including woman suffrage; free trade; reform in colonial government: legalization of trade unions: general education at public expense; free speech and free press; the secret ballot; a civil service appointed and promoted on merit; repeal of the usury laws; general registration of titles to property; reform of local government; a safety code for merchant shipping; sanitary reform and preventive medicine at public expense; systematic collection of statistics; free justice for the poor. Bentham was the first person to propose birth-control as a measure of economic reform, and this before Malthus had published his first Essay on the Principle of Population. The Ministry of Health which he proposed would be made responsible not only for general sanitation and routine public health work, but also for smoke prevention, local health-museums, and the policing of the medical profession to prevent their formation of monopolies.

Related to the conditions of the time when these reforms were proposed, Bentham's program was comprehensive, radical, and progressive without being visionary. The modern "democratic socialist" would find it wanting, since Bentham did not approve of tampering with the system of private property except through inheritance taxation and insisted on "compensation" where reform measures would involve violation of "reasonable expectations." He apparently never formulated any concrete proposals for social security on an insurance basis, but he approved in principle of government-administered and government-subsidized insurance against every conceivable type of social hazard for which individual prudence could not make adequate provision. It was too early for proposals to stabilize employment through monetary or fiscal measures, although Bentham did explore the possibility of increasing real investment and production through the "forced frugality" induced by the issue of paper money. Pronounced in-

¹See J. Bentham, "Situation and Relief of the Poor," Annals of Agriculture, Vol. XXIX (1797), pp. 422-23 (p. 31, in the separate pamphlet version). See also Norman E. Himes, "Jeremy Bentham and the Genesis of English Neo-Malthusianism," Economic History (Suppl. of The Economic Journal), Vol. III (1936), pp. 267-76.

² Bentham's treatment of this still remains in large part in manuscript. Extracts from these unpublished manuscripts and comments by Ricardo on them have recently been

dividualist though he was, his specific program of reforms in both the content and the processes of legislation, in governmental organization, and in public administration, made him a major source of inspiration for the Fabian socialists as well as for the laissez-faire liberals.

To belief in political democracy Bentham came only slowly, and only as their failure to adopt his proposals eroded his faith in the good intentions of the British aristocratic politicians. The Benthamite case for political democracy was first elaborately expounded by James Mill in his famous essay on Government first published in 1820. It turned out to be an embarrassment for Bentham and his other disciples because by the scholastic formalism of its argument and the extreme lengths to which it carried Bentham's doctrine it was seriously vulnerable to rebuttal and, even worse, to ridicule. Starting out from the proposition that the sole proper purpose of government is to promote the greatest happiness of mankind, James Mill proceeded by purely a priori analysis, without any reference to history or to contemporary fact, from the premise that legislators served only their "sinister interests"—a stock Benthamite term for the self-interest of rulers or a ruling class—to the conclusion that good government was therefore obtainable only by making it, through popular suffrage and frequent elections, the self-interest of the elected to serve the interests of the electors.

Bentham, writing in the 1780's, had conceded that if at any time legislators "have suffered the nation to be preyed upon by swarms of idle pensioners, or useless place-men, it has rather been from negligence and imbecility, than from any settled plan for oppressing and plundering of the people," but in 1814 he appended a note withdrawing the concession: "So thought Anno 1780 and 1790.—Not so Anno 1814.—J. Bentham." By that time he had adopted the doctrine of "Sinister Interests." But James Mill carried the doctrine further than was necessary to meet Bentham's requirements and probably further than Bentham's belief in it. As Tawney has remarked: "To [James Mill] the State is not a band of brothers, but a mutual detective society; the principal advantage of popular government is that there are more detectives, and therefore, presumably, fewer thieves." Bentham always, but James Mill rarely, if ever, conceded that men, even legislators, could not only be influenced by the praise and blame of other men,

published by Edmund Silberner, "Un Manuscrit Inédit de David Ricardo sur le Problème Monétaire," Revue d'Histoire Économique et Sociale, Vol. XXV (1940), 195-259, and were then also already in page proof in Piero Sraffa's long-forthcoming edition of Ricardo's works.

³ Bentham, "Principles of Morals and Legislation," Works (Edinburgh, 1838-1843), I. 5.

⁴ R. H. Taymey, prefere to Life and Strangles of William Legett new ed. (New York)

⁴ R. H. Tawney, preface to Life and Struggles of William Lovett, new ed. (New York, 1920), p. xxi.

but could even display some measure of pure benevolence. As Barker has commented: ". . . while all—or nearly all—of the theorems of Mill's article may be found in Bentham, they have undergone a change. The egoism is more egoistic; the negativism is more negative," and it may be added the *a priori* analysis more "high *priori*." In the seventeenth century Harrington had denied that Hobbes could work the miracle of "making you a king by geometry." Macaulay was now to deny that the Benthamites could depose an aristocracy by geometry.

Macaulay, a young man anxiously seeking fame by his fluent and facile pen, found the opportunity in James Mill's essay on Government. Reviewing in 1829, in the magisterial *Edinburgh Review*, a reprint of this essay of James Mill, Macaulay raked it high and low, primarily on the basis of its use, without benefit of historical induction or of reference to contemporary facts, of the *a priori* or, in the language of the time and earlier, the geometrical method, but also on the more concrete ground that the proposition that legislators *always* and *invariably* act in terms of their selfish interests was preposterous whatever the method by which it was attempted to establish it.⁶

The Benthamites were shaken by the attack, and J. S. Mill most so, as we shall see later. But Macaulay himself, without withdrawing anything of what he had written, soon thereafter made his peace with James Mill and from then on was an exponent of political democracy on the basis of a line of argument which Paxton in his *Civil Polity* had already presented in 1703, and which should have been the original and was to become the standard line of the Benthamites, namely, that only by democratic voting could there be an adequate guarantee that legislators would *always* or predominantly serve the general interest, without denial that they might sometimes do so even in the absence of democracy.

I come now to deal more systematically with the most difficult and the most controverted aspect of Benthamism, namely, its psychological and ethical justifications for utilitarianism as legislative policy.

Bentham's main concern with ethics was with the ethics which should be followed by moral leaders, not with the ethics of the ordinary man, not with private morals, except as they were data to be operated on by the elite. "The science," he said, "whose foundations we have explored can appeal only to lofty minds with whom the public welfare has become a passion." And by them, Bentham held, its lessons should be pressed on legislators, whether *their* minds were lofty ones or not.

⁵ Sir Ernest Barker, in the preface of his edition of James Mill, Essay on Government (Cambridge, England, 1937).

⁶ See the preface, pp. ix-xi and pp. 160 ff. of *The Miscellaneous Writings and Speeches of Lord Macaulay*, Popular Edition (London, 1891).

⁷ Theory of Legislation, C. M. Atkinson ed. (London, 1914), II. 337.

As Bentham acknowledged,⁸ he sometimes overlooked this, and wrote as if what he had to say was directed at private morals, and critics have made much of this oversight without treating it merely as a lapse from his fundamental purposes. It was Benthamism interpreted as a system of private ethics, didactic as well as descriptive, that has aroused the most violent and the most emotional antagonism. Even as private ethics, however, Benthamism has seemed so vulnerable a target to odium theologicum and odium ethicum only because the private ethics of the critics permitted them to attack Bentham's words without taking pains to ascertain what the thoughts were which these words were intended to communicate.

Bentham starts from the standard eighteenth-century proposition, common to theologians and to sceptical philosophers alike, that man operates "under the governance of two sovereign masters, pain and pleasure." Happiness is a net sum or aggregate of individually experienced pleasures and pains.9 Man, he claims, acts only in response to his "interests," by which he usually, and fundamentally, means whatever men are interested in, but, unfortunately, frequently allows to mean what men regard as in their self-interest. Men normally are interested to some extent in the happiness of others than themselves, and in exceptional cases are capable of "universal benevolence," or a dominating concern with the happiness of mankind at large, but generally, if they are left to themselves, there will be serious discrepancy between the actual behavior of individuals and the behavior which would conduce to "the greatest happiness of the greatest number." It is the function of legislation to coerce or bribe individuals to make their behavior coincide with that required by the greatest-happiness principle, and of education and moral leaders to mould men's desires so that they spontaneously associate the happiness of others with their own happiness.

Bentham nowhere attempts or asserts the possibility of a positive demonstration that greatest happiness, whether as hedonism or as eudaemonism, is the proper moral objective for the common man, the moral leader, or the legislator, and his only argument in support of the greatest-happiness principle is the negative one that the rival principles proposed by other ethical systems are either resolvable upon scrutiny to verbal variants of the utility principle, or are sheer *ipse dixitism*, or are meaningless patterns of words.

⁸ Cf. for example, the preface, first added to the 1823 edition, of his *Introduction* to the Principles of Morals and Legislation, where he says that "an introduction to a penal code" would have been a title better indicating the nature of its contents.

⁹ Cf. "Gamaliel Smith" [=Jeremy Bentham], Not Paul, but Jesus (London, 1823), p. 394: "happiness, to be anything, must be composed of pleasures: and, be the man who he may, of what it is that gives pleasure to him, he alone can be judge."

"Pleasure" and "happiness" were to Bentham widely inclusive terms, involving not only the pleasures of the senses but also those of the heart and the mind. Pleasures, moreover, which in their "simple" or primary form, genetically speaking, were pleasures of self could by "association of ideas" become associated with the pleasures of others. Man. by living in society, by education, and by acts of parliament, could be made good. The eighteenth-century utilitarians may have traded, as a German philosopher has put it, "in the small wares of usefulness (Nutzlichkeitskrämerei)." Or it may be that to accept the pursuit of pleasure as a proper end of man is "swinish doctrine," if it be proper to assume that man pursues swinish pleasures. But a utilitarian does not have to be a Philistine. If in Bentham's exposition of his psychology there was often undue stress on the selfish sentiments, this fault—which was much more evident in James Mill than in Bentham—was the result of lack of imagination and of feeling, or of faulty observation—itself the consequence of these lacks—rather than any inherent incompatibility of broader views with the logic of his system. One important manifestation of this—systematic on the part of James Mill but only occasional and incidental on the part of Bentham—was the assumption that even when one's own pleasure had through association of ideas become involved in the pleasure of other persons, the affectionate sentiments toward others still contained an element of conscious reference back to one's own pleasures. This, by implication at least, was a proclamation of the universal prevalence of psychological hedonism.¹⁰

The eighteenth century is often termed the "Age of Reason," and it is correctly so termed if by the phrase is meant that it was the age in which philosophers held that the credibility of all things should be tested by reason. But from the point of view of its prevailing psychological doctrines, it could more properly be called the "Age of the Passions" because of its stress on the emotions and the instincts, the affections and aversions, and its playing down of the role of reason in the behavior of the ordinary man. David Hume was writing in the spirit of his times when he declared that: "Reason is and ought only to be the slave of the passions, and can never pretend to any other office than to serve and obey them." The normal role of reason was that of an obedient servant of the passions, a passive agent for the comparison of their relative intensities and for the justification of the choices made between them. "So convenient a thing," said Bentham in his Autobiography, "it is to be a reasonable creature, since it enables

¹⁰ In notes to his edition of James Mill, Analysis of the Phenomena of the Human Mind (London, 1869), J. S. Mill, without fully admitting that his father had held this doctrine, points out passages which could be interpreted as implying it. See II. 217, note; II. 224, note; II. 286 ff. note, etc.

one to find or make a reason for everything one has a mind to do."

For the moral philosopher and the properly conditioned legislator, however, Bentham assigned more important roles to reason, first, that of moulding the passions of individuals so that they would contribute more to the augmentation of general happiness, and second, that of providing a technique for the comparison of passions of individuals with a view to making a socially oriented choice between them where choice had to be or could be made. It was for this social purpose, and not for the routine behavior of routine individuals, that Bentham endeavored to construct what he at different times labelled as a "moral thermometer," a "moral arithmetic," a "felicific calculus."

Much amusement has been derived from Bentham's attempt to develop a technique by which the quantities of pleasure and pain could be measured by the legislator or the benevolent philosopher. Wesley Mitchell's well-known essay on "Bentham's Felicific Calculus," is the fullest and the least unsympathetic account I am acquainted with of Bentham's position on this question. Mitchell points out the excessive degree of hedonism attributed by Bentham to mankind, and comments penetratingly on Bentham's attempt to find a common denominator through money for the pleasures of different persons. Mitchell says that in fact Bentham used the calculus not as an instrument of calculation, but as a basis of ordinal classification. "It pointed out to him what elements should be considered in a given situation, and among these elements seriatim he was often able to make comparisons in terms of greater and less-." I think this is a somewhat misleading description of Bentham's method. The "classification" was not seriatim, was not in terms of higher and lower, but merely of pro and con, of pleasure and pain, and was wholly preliminary to rather than part of the calculus. The "calculus" as he actually used it was merely a mental comparison of the comparative weights of the pros and cons, a technique which neither calls for fancy labels nor is properly conducive either to merriment or to measurement.

Bentham did not invent the concept or the terminology of "moral arithmetic." Play with the idea of measuring the unmeasurable and resort to the language of measurement where it was silly to attempt to apply it goes back to at least the seventeenth century, when the prestige of geometry and later of algebra tended to trap all philosophers with scientific pretensions into casting their analysis into pseudomathematical form. Mandeville, as early as 1730, langhed at physicians who studied mathematics because it was fashionable, and cited one who had advised that for certain diseases "the doses of the medicines

¹¹ Reprinted in W. C. Mitchell, *The Backward Art of Spending Money* (New York, 1937), pp. 177-202.

are to be as the Squares of the Constitutions." Thomas Reid, in his *Essay on Quantity* of 1748, questioned the possibility of reducing to measurement such things as sensations, beauty, pleasure, and the affections and appetities of the mind, even though they "are capable of more and less," and he warned that to apply mathematical language to non-measurable things "is to make a show of mathematical reasoning, without advancing one step in real knowledge."

Bentham never went far afield for the sources of his ideas, and I suspect that Benjamin Franklin was his source, direct or indirect, for this idea of classification by "bipartition" plus "measurement" of the relative weight of the two classes. Franklin a few years earlier, in 1772, had been expounding it in private correspondence with Joseph Priestley and Richard Price—with all three of whom Bentham had personal contacts—in very much the same terms as Bentham was later to use, and under the similar, and already old, label of "moral or prudential algebra." ¹¹⁴

None of Bentham's immediate disciples showed any interest in this aspect of Bentham's thought, and it was not until Jevons drew attention to it and made it the basis of his subjective theory of economic value that it had any influence, for good or bad. I like to think, more so probably than Wesley Mitchell would have appreciated, that Bentham's felicific calculus was merely one more manifestation of the inferiority complex which practitioners of the social "sciences" had in the eighteenth century, and have reacquired in the twentieth, towards mathematics, towards the exact sciences, and towards quantification as one of the higher virtues. Since with the application of "political arithmetic" to "moral arithmetic" we now all accept without protest the derivation of measured "propensities" from correlations between psychologically and otherwise promiscuous statistical aggregates compiled catch-as-catch-can on anything up to global scale, our readiness to laugh at Bentham's modest and wholly platonic gestures in this direction excites my propensity for amazement.

There remains one question, specially important for economics, where the influence of Bentham on J. S. Mill is obvious, the question of laissez-faire, or the economic role of government. Élie Halèvy, in his great but tendentious work on the Benthamites, ¹⁵ has made much of the existence in Bentham's system of a conflict between his juristic and

¹² Bernard Mandeville, M.D., A Treatise of the Hypochondriack and Hysterick Diseases, 2nd ed. (London, 1730), p. 184. Compare the history of "Lullism."

¹³ The Works of Thomas Reid, Sir William Hamilton, ed., 3rd ed. (Edinburgh, 1852), p. 717.

¹⁴ The Monthly Repository, Vol. XII (1817), p. 13, and Proceedings of the Massachusetts Historical Society, 2nd ser., Vol. XVII (1903), p. 264.

¹⁶ La Formation du Radicalisme Philosophique, 3 vols. (Paris, 1901-1904). There is an inferior edition in English in one volume.

his economic doctrines. According to Halèvy, Bentham in his juristic theory makes it the primary function of government to create an *artificial* harmony between the interests of individuals and the public interest, whereas in his economic theory he reaches laissez-faire conclusions on the basis of an implied natural or spontaneous harmony of interests. This has become a stereotype of present-day comments on Bentham, and although there may be exceptions to the natural law which proclaims that stereotypes in the field of the history of ideas provide a light which blinds rather than guides, this is not one of them.

Bentham did interpret the function of government, under the influence largely of Helvétius, as that of creating, through the application of rewards and punishments, an approach to harmony between the interests of individuals and the social interests. He did prescribe limits for the field for governmental intervention in economic matters, but these limits were not, as we shall see, very narrow ones, and in any case were not so narrow as to give scope for a doctrine of natural harmony of interests, in the sense of a harmony preordained or inherent in the nature of man living in a society unregulated by government. Of explicit formulation by Bentham of a doctrine of natural harmony I can find not the slightest trace in his writings, and such a doctrine would be in basic conflict not only with his juristic theories but with his whole cosmological outlook. Faith in natural harmony always stems from either faith in the continuous intervention of a beneficent Author of Nature or faith in the workings of a natural evolutionary process, and the Benthamites rejected the former and had not vet heard of the latter.

It has been common since Adam Smith's day to take for granted in economics the role of the state with reference to the protection of legal property rights and the enforcement of contracts, leaving it to juristic inquiry to explore the problems of theory and of practice in this field. Such was also the procedure of Bentham, and in his juristic writings he keeps very much in mind that "passion . . . from the excesses of which, by reason of its strength, constancy, and universality, society has most to apprehend; I mean that which corresponds to the motive of pecuniary interest." Here he deals with the problem of "repression" of harmful economic activity by means of civil and penal law. If Bentham believed that there was a natural harmony of private and public interests in the economic field, it was one, therefore, which would prevail only after the magistrate and the constable had performed their duties. 17

¹⁶ "Introduction to the Principles of Morals and Legislation," Works, Vol. I, pp. 90-91.

¹⁷ Bentham deals briefly with the relations between political economy and law in "A General View of a Complete Code of Laws," Works, Vol. III, pp. 203-4.

But Bentham does not advocate anything like "anarchy plus the constable." His most general proposition of a laissez-faire character is as follows:

With the view of causing an increase to take place in the mass of national wealth, or with a view to increase of the means either of subsistence or enjoyment, without some special reason, the general rule is, that nothing ought to be done or attempted by Government. The motto, or watchword of Government, on these occasions, ought to be—Be Quiet.¹⁸

This may sound like a sweeping enough support of laissez-faire, if, as is common though rarely desirable practice in such matters, it be read carelessly and out of its context. There are important qualifications, explicit or implied, within this apparently emphatic text. First, the text deals with "encouragement" and not with "repression" of economic activity. As I have already pointed out, Bentham deals with the problem of repression of harmful economic activity as a problem in law and not in economics. Second, the general rule of doing nothing positive is applicable only if there is no special reason to the contrary. A rule is not equivalent for him to a principle, nor a "motto" to a dogma.

Bentham presents three grounds for the general rule against governmental activity of a positive kind in the economic field: (1) in this field, individuals know their own interest better than government can; (2) individuals operate more ardently and more skillfully in pursuit of their own interests than government can or will operate on their behalf; (3) governmental intervention means coercion, either directly or indirectly through taxation, and coercion involves "pain" and therefore is an evil.

Bentham is ready to approve of any departure from the general rule, however, if a case can be made for such departure on utility grounds. "Indiscriminate generalizations" are an error, he says, and "In laying down general rules, [even] fortuitous and transient cases ought not to be forgotten." And he lives up to his doctrine as, for instance, when he says that "what ought not to be done with the intention of supporting an unprofitable branch of trade, may yet be proper for preventing the ruin of the workmen employed in such business," or, when opposing in general any restrictions on the introduction of laborsaving machinery, he approves, however, of transitory aid to workmen injured economically by such introduction.

Bentham does not, moreover, limit his exceptions from the nonintervention rule to fortuitous and transient cases, but presents an elaborate analysis of the circumstances under which government should

¹⁸ "Manual of Political Economy," Works, Vol. III, p. 33. All subsequent citations of Bentham are from the "Manual."

not ("non-agenda") and those under which it should ("agenda") intervene. The argument may, to some tastes, be weighted too heavily on the side of *non-agenda*, but it is free from any dogma except the utilitarian one with which it is supposed by Halèvy to clash.

Whether government should intervene, says Bentham, should depend on the extent of the power, intelligence, and inclination, and therefore the spontaneous initiative, possessed by the public, and this will vary as between countries. "In Russia, under Peter the Great, the list of sponte acta being a blank, that of agenda was proportionally abundant." Government has special responsibilities for providing security against food shortages as well as military security. He approves of government aid in the construction of roads, canals, iron railways, of public hospitals for the sick, hurt and helpless, of public establishments for the "occasional maintenance and employment of able-bodied poor," and, as we have seen, of public health activities on a scale still unknown. He was an ardent advocate of general education at public expense and he urged the extension of governmental registration services to make fraud more hazardous—and also of the systematic collection of economic statistics, but with a proviso which I suspect saps his concession of most of its virtue for modern statisticians, namely, that "no institution should be set on foot for the furnishing any such articles, without a previous indication of the benefit derivable from such knowledge, and a conviction that it will pay for the expense."

Whatever its merits or defects, this treatment of the economic role of government is not in manner or substance doctrinaire, is not in any detail, as far as I can see, inconsistent with his general "principle of utility," and does not have in it, explicitly or implicitly, any trace of a doctrine of natural harmony of interests. It is to be borne in mind, moreover, that the best Bentham hopes for after all that can be done artificially to harmonize private interests with the public interest will still be far from perfect harmony. This has, indeed, been made the basis from another point of view of attack by moral philosophers of other faiths against utilitarianism: it is taken to task for failing to build a bridge between individual and general happiness. But this would be a valid criticism only if either it had professed to have succeeded in doing so and failed, or if it were a proper demand of any moral philosophy that it should provide a *practicable* scheme of perfect harmony of interests. Bentham did not completely bridge the gulf between private interests and the general interest, but neither did he deny the existence of such a gulf, and he did propose two ways, education and government, by which the gulf could be somewhat narrowed—with religion, though grudgingly, accepted as a useful part of education in so far as it educates for virtue. Does anyone know of a third way?

I turn now to John Stuart Mill. His famous Autobiography—revealing, but not as much so as he no doubt intended—made generally known the extraordinary intellectual régime to which he had been subjected as a boy by his father, and the precocity which resulted from it. In 1822, at the age of sixteen, he was engaging the redoubtable Robert Torrens in battle in the pages of an important newspaper about the theory of (economic) value. Before he was twenty he had edited Bentham's three-volumed work on the Rationale of Evidence, had published at least seven major articles in important periodicals on economic, political, and legal matters, had pointed out with great assurance and even less reverence the literary, political, economic, philosophical, and ethical shortcomings of the august Edinburgh Review, and had been arrested for distributing birth-control pamphlets.

In this first stage of his career, drilled to a rigid adherence to the Benthamite canon, J. S. Mill was a zealous exponent of Bentham's, and of his father's moral and political doctrines and of Ricardo's economics. In 1826, however, when still in his twentieth year, he underwent a mental crisis, which continued intermittently for several years and which brought him sieges of mental depression, as well as an intellectual conversion which he was later, in his *Autobiography*, to describe as akin to a religious "conviction of sin," the sin being in effect Benthamism.

It is conceivable that J. S. Mill's main trouble was primarily due to overwork, but his own explanation was that the sudden realization that the Benthamite doctrines left the nobler human feelings too much out of account and did not offer a sufficiently full prospect for human happiness had proved more than he could take. During these and subsequent years, he manifested the characteristic which was to remain prominent in all the rest of his career, his susceptibility to influence from widely diverse ideas or, as he was later to put it in his Autobiography, his "great readiness and eagerness to learn from everybody, and to make room in my opinions for every new acquisition by adjusting the old and the new to one another." New winds of doctrine were impinging on his mind, which was then as open as a prairie: Wordsworth's naturepoetry, with its reverence for beauty and its revelation—for a Benthamite—that there were other fruitful sources of impressions than those provided by syllogisms; the reading of one of Comte's early works and personal associations with Saint-Simonians, which brought him into contact with the new historical approach to social thought; Macaulay's refutation in the Edinburgh Review of his father's a priori demonstration of the superiority of democracy to aristocratic government; the conservative political views and the more-or-less orthodox religious views of his friends John Sterling and Frederick Maurice; the feudalistic and prefascistic doctrines being expounded with fiery moral passion by Carlyle; and so forth. From all of them he borrowed something, although never as much as he then supposed, and for the most part not for keeps.

For a time, while his dour and magerful father still lived, the younger Mill did not break openly with the Benthamites, but his personal relations with the school became strained—more so, in fact, than he was ever to be aware of. Bentham, however, died in 1832 and James Mill in 1836, and freed from the restraint of their disapproval and evident disappointment, J. S. Mill began to explore the new ground on which he not too firmly stood by the hazardous procedure of putting his thoughts in print for the public to read.

The break was sharpest in the field of private ethics, where Bentham's and James Mill's interest had been least. In his economics. J. S. Mill remained faithful to the Ricardian doctrines as he understood them—and, to some extent, improved upon them in the process of interpreting them. In any case, the Ricardian economics was not wholly acceptable to Bentham, nor Bentham's economics at all acceptable to Ricardo. In the fields of politics and of law, J. S. Mill proclaimed some major departures in his thinking from the views of Bentham, but he never specified what they were. I think that, apart from some wavering as to the virtues of political democracy and some approaches to the benevolent Torvism of Coleridge, Wordsworth, Sterling, and Maurice, these were mainly methodological, loss of faith in the adequacy of the "geometrical" method in politics, rather than substantive. 19 With his father's writings he never, it seems to me, dealt with complete frankness, and he reserved for Bentham blows which could more justly have been directed against James Mill. The harshness and vehemence of the attack on Bentham was no doubt a subconscious manifestation of the urge he was under to free himself from what he had come to feel was an intellectual straitjacket, but it had been his father rather than Bentham who had placed it on him.

The attacks on Benthamism began in 1833, while his father was still living but after Bentham had died, with critical "Remarks on Bentham's Philosophy" included, under cover of anonymity, as an appendix to Bulwer Lytton's *England and the English*. In 1838, or two years after his father's death, he published in the *London and Westminster Review* his famous full-dress article on Bentham, again anonymous, but with the authorship inevitably known at once to friends

¹⁹ For his attempt to substitute, under Saint-Simonian influence, a philosophy-of-history approach, see his series of essays on "The Spirit of the Age," originally published anonymously in the *Examiner* in 1831, and reprinted in 1942 by the University of Chicago Press, with a characteristically learned and penetrating introduction by F. A. Hayek.

and foes. In 1840, he published in the same *Review* an article on Coleridge, which, by its sympathetic treatment of the latter's ethical and political views, was indirectly a criticism of Benthamism.

Meanwhile, in 1835, in a review in the London and Westminster of a book by Adam Sedgwick which criticized utilitarian ethics as expounded by Paley, he had defended the principle of utility when properly expounded, but without mentioning any names had remarked that for a full exposition of it additional materials were needed beyond those already to be found in the writings of philosophers.

In these articles Mill was clearly endeavoring to salvage, or at least shrinking from abandoning, a utilitarian system of ethics while rejecting such features of Bentham's system as he could no longer tolerate. There was high praise, therefore, for Bentham as well as sharp blame. His main criticism of Bentham related to his treatment of private morals and of psychology, and especially the stress Bentham put on the role played in human behavior by calculation of gain or loss. He objected also that Bentham, by shifting from a technical (or broad) meaning of terms—and especially of the term "interest" to a popular (or narrow) meaning, often slid into an account of human behavior which pictured it as inherently selfish. He explained this—unkindly—in terms of Bentham's personality. Bentham, said Mill, intellectually recognized the possibility of generous action, of benevolence, but "the incompleteness of his own mind as a representative of universal human nature" led him to regard genuine benevolence as rare and therefore unimportant in real life.

In many of the most natural and strongest feelings of human nature he had no sympathy; from many of its graver experiences he was altogether cut off; and the faculty by which one mind understands a mind different from itself, and throws itself into the feelings of that other mind, was denied him by his deficiency of Imagination.²⁰

There was a basis for Mill's criticisms. That Bentham frequently fell into language which pictured human behavior as if it consisted almost solely of action based on calculations of personal gain and that his imagination was deficient with respect to the possible range of human emotions is beyond dispute. But Mill goes further in his criticism at some points than the texts he cites, or their context, justifies, and in doing so disregards peculiarities of the Benthamite terminology which at other times, when his attitude had changed, he was to invoke against misinterpretations of Bentham at other hands. I can here deal with only one of these misinterpretations. Mill points out that if in

²⁰ "Bentham," reprinted in J. S. Mill, Dissertations and Discussions, 3rd ed., L. 1875, I. 353.

Bentham's Table of the Springs of Action we find such words as "Conscience," "Principle," "Moral Rectitude," "Moral Duty," which in the mouths of others represent recognition of such a thing as conscience as a thing distinct from philanthropy, affection, or self-interest in this world or the next, it is as synonymous for "love of reputation," and that the word "self-respect" appears not at all either here or in any of Bentham's writings. The critics of Bentham who have since made the same criticism and cited his Table of the Springs of Action as evidence are beyond enumeration.

There is only too much ground for criticism of Bentham for not using words quite as other men do, provided that deviation on his part from the common use of terms is not taken as reliable evidence of deviation from the common run of thought on the questions with which these words are usually associated. But Mill, who should have known better, makes use here of this kind of argument against the one person of all who by his discussions of the logic of language had made himself least vulnerable to it. Moreover, Bentham in his writings does use "conscience" and "duty" very much as other men do, and if he did not use "self-respect," his stock of synonyms was adequate to fill the void.

The Table of the Springs of Action, however, itself provides a more direct, though only a partial, answer to Mill's criticism. The psychology of Hartley and of James Mill from which Bentham started distinguished between "simple" pleasures, and "complex" or "compound" pleasures derived from the "simple" ones genetically by the processes of "association of ideas." Benevolence, generosity, duty, justice, conscience, and so forth would be "compound" pleasures. But Bentham expressly says of the Table—which is sufficiently formidable as it stands—that: "The pleasures and pains here brought to view are, every one of them, simple and elementary."22 He does cite a few "Compound Pleasures," as illustrative of one broad category of such excluded from the table. One of these, "Love of Justice," has as one of its components "Sympathy for the community at large, in respect of the interest which it has in the maintenance of justice." Mill was later to emphasize love of justice as one of the major virtues. His present refusal to be satisfied with Bentham's recognition of it as one of the "Springs of Action" was perhaps a not too captious suspicion that the words added to it by Bentham made of it a less admirable virtue than if Bentham had written merely "Love of Justice (Period)." But it was common ground among the Benthamites, including J. S. Mill, that the tone and moral significance of "compound pleasures" could be radically different from

²¹ Ibid., I. 359.

²² Works, I. 207.

the tone and original significance of their component elements, the "simple pleasures" from which they had been compounded.

By the time Mill was working on his *Principles of Political Economy*, he had swung back a large part though not all of the way to Bentham's political theory and moral philosophy. What was left of his revolt was confined mostly to a continued insistence on recognition of the complete range of human feelings and a consequent endeavor to avoid exaggerating the role of rationalistic hedonism in human behavior.

William Whewell, an anti-utilitarian professor of moral philosophy at Cambridge University where an even narrower type of utilitarianism with hell-fire trimmings—"theological utilitarianism," it was later to be labelled—had until his advent reigned unchallenged for over a century, in 1838, on the appearance of Mill's article on Bentham, had in private correspondence with a friend welcomed Mill's recantation, but complained—with some justice—of its manner:

It is certainly very encouraging to see on all sides strong tendencies to a reform of the prevalent system of morals. The article [by Mill] in the *London Review* is an indication of this, and appears to me to be in many important points right, and at any rate right in the vigorous rejection of Bentham's doctrines and keen criticism of his character. But I confess I do not look with much respect upon a body of writers, who, after habitually showering the most bitter abuse on those who oppose Bentham's principles, come round to the side of their opponents, without a single word of apology, and with an air of imperturbable complacency, as if they had been right before and after the change. Nor do I see any security, in their present creed, against a change of equal magnitude hereafter.²³

This was real prescience on Whewell's part. In 1843, in conversation about the surviving disciples of Bentham, Mill made the remark which "though smilingly uttered . . . was not at all a jest" that as for himself: "And I am Peter, who denied his Master." In 1852 Mill was to write a critical review of Whewell's Lectures on the History of Moral Philosophy in England, published in the same year. Conceding very little error in the Benthamite doctrine, Mill rejected vehemently Whewell's objections to utilitarian ethics in general and to Bentham in particular, even when they were very similar indeed to his own criticism of Bentham in 1838.

The final stage in Mill's presentation of his ethical views was in 1863, when his essays on Utilitarianism appeared. In form, these still represented an adherence to the doctrine, but so modified by the admission without obvious absorption of foreign elements that they have

²³ Mrs. Stair Douglas, Life of William Whewell (London, 1881), pp. 270-71.

²⁴ David Masson, "Memories of London in the 'Forties'," Blackwood's, Vol. CLXXXIII (1908), p. 553.

been the despair of its friends and the delight of its critics ever since. Acts were to be morally appraised solely in terms of their consequences for happiness—a strictly Benthamite proposition. All consequences, however, were to be taken into account, including the effects on the character of the agent—an early doctrine of Mill's, which he derived from Coleridge and which he regarded as contrary to Bentham's views, mistakenly, I think. Happiness was conceived broadly enough to cover every type of wish or aspiration man could experience. Mill—unwisely, I think—went a step further than Bentham ever ventured by offering a "proof" that happiness was the proper criterion of virtue: namely, that competent judges accepted it as such, a type of proof which eighteenth century critics of the "moral sense" school of ethics had exposed to ridicule for its circularity.

Mill now attempted also to incorporate into utilitarianism a novel element for it and one which many moral philosophers hold to be incompatible with it, namely, the recognition of non-homogeneity of pleasures and consequently the existence of qualitative differences of a hierarchial nature, as well as quantitative differences, between pleasures:

It is quite compatible with the principle of utility to recognize the fact, that some *kinds* of pleasure are more desirable and more valuable than others. It would be absurd that while, in estimating all other things, quality is considered as well as quantity, the estimation of pleasures should be supposed to depend on quantity alone.²⁵

The test of quality as between two pleasures was the preference "by those who are competently acquainted with both" of the one above the other despite the fact that the other represented a much greater quantity of pleasure.²⁶

I venture to suggest: (1) that the problem as Mill presents it, that is, within the limits of utilitarianism, is a spurious one; (2) that what he proffers as a solution is even more spurious; and (3) that Bentham and his predecessors to some extent and modern economists using utility theory to a larger extent, have provided a technique which, while it does not solve any fundamental moral problem, suffices to show that a dichotomy and possible clash between ratings of values on the basis of quality and their rating on the basis of quantity is not one of the fundamental moral problems.

²⁵ J. S. Mill, *Utilitarianism*, 3rd ed. (London, 1867), pp. 11-12.

²⁶ Ibid., p. 12. In an undated manuscript "On Social Freedom," found in Mill's house at Avignon after his death, and published, among other places, in *Living Age*, 7th ser., Vol. XXXVI (1907), pp. 323-36, there is a stronger statement of the higher-lower thesis with the order of rank made a pure matter of "feeling," not subject to demonstration or to argument—a complete swing back to the eighteenth century "moral sense" school.

Pleasures—or desires—are of course not homogeneous with respect to every conceivable quality they may possess—any more than are any other objects of human attention except abstract numbers. Comparison is—or should be—always with respect to specified qualities of objects, and if there is possibility of and proper occasion for measurement the measurement is also with reference to these specified qualities.

Mill confuses the issue by attempting at the same time to give predominant importance to the ordering of classes of pleasures on a higher-lower scale and to leave room for legitimate preference in particular cases of a pleasure of a lower order over one of a higher. This is the famous and ancient false dilemma of the water-versus-diamonds problem in economics, extended to the whole field of values. Whatever may be the case for didactic purposes, for actual behavior—including "moral" behavior—the issues arise in the form of necessary choices between units and not between classes of objects. Bentham's famous dictum "Quantum of pleasure being equal, pushpin [a children's game] is as good as poetry" would meet all the proper requirements of the utilitarian principle if restated somewhat as follows: "Desire being equal at the margin of choice, a marginal unit of pushpin is as good as a marginal unit of poetry." The utilitarian but didactic moralist would still be free to insist that since in fact experienced choosers don't plump for even a first unit of pushpin until they are gorged with poetry, in that sense poetry as a class is higher on the scale of values than pushpin as a class.

I come now at long last to Mill's Principles of Political Economy. He wrote this two-volume book in less than two years, and when he began it he expected it to take only a few months to write. For at least ten years prior to this, he had not given much attention to economics. It was designed to do for Mill's time what Adam Smith had done for his, and to present what was known of the "Principles of Political Economy" as a science, together with their applications to concrete problems and, in the words of its title page, "some of their Applications to Social Philosophy." By the "science" of political economy Mill meant a body of deductive analysis, resting on psychological premises derived from introspection and observation of one's neighbors, and even with respect to these premises abstracting from all aspects of human behavior except those most intimately and most generally associated with the business of buying and selling. When Malthus, in 1824, objected that the "new school" of Ricardians had "altered the theories of Adam Smith upon pure speculation," Mill had replied: "it would, indeed, have been somewhat surprising if they had altered them on any other ground."²⁷ Later, as the result of Comtean influence and of his investigations in logical method, Mill was more receptive in principle to the possibilities of historical induction. But it is clear that he never assigned to it the right to an independent role in the "science" of political economy. Writing in 1835 with respect to the historical form of the inductive method, he had said:

History is not the foundation, but the verification, of the social science; it corroborates, and often suggests, political truths, but cannot prove them. The proof of them is drawn from the laws of human nature; ascertained through the study of ourselves by reflection, and of mankind by actual intercourse with them... The usefulness of history depends upon its being kept in the second place.²⁸

This was, of course, standard methodological doctrine, and to a large extent practice, in English social thought since Hobbes. Inquiry was to be pursued by means of deductive reasoning resting on psychological premises obtained empirically, but chiefly through introspection —which, it should always be remembered, was universally regarded in the past, whatever may be the fashion today, as an "empirical" technique of investigation, and sharply distinguished from intuition, or "innate ideas." But in J. S. Mill, as methodological doctrine, it has less significance than for most of his predecessors, since he confines it to the "scientific" part of Political Economy, stresses the importance of "applications" which can proceed by a wider range of logical methods, gives repeatedly at least platonic warnings that any abstraction from reality must be allowed for before the results of such analysis are made the basis for pronouncements on policy, and rejects it for every other established branch of social thought.

Of his earlier rebellion against the psychology of Bentham and of his father, the most important residue for his economics was probably his repeated emphasis on the importance of custom as a rival to the competitive principle, especially in connection with land-tenure and the relations of landlord and tenant. Here he showed the influence of Richard Jones, one of the pioneer advocates of resort to systematic induction in economics. But this presented J. S. Mill with somewhat of a methodological dilemma, which he never succeeded in resolving. "It is unphilosophical," he wrote, "to construct a science out of a few of the agencies by which the phenomena are determined, and leave the rest to the routine of practice or the sagacity of conjecture." On

²⁷ In a review of the article by Malthus in the *Quarterly Review*, No. LX, criticizing McCulloch's "Political Economy" article in the *Supplement* to the fourth edition of the *Encyclopaedia Britannica*, Westminster Review, Vol. III (1825), p. 213.

²⁸ "Professor Sedgwick's Discourse on the Studies of the University of Cambridge," Dissertations and Discussions, Vol. I, pp. 112-13.

²⁰ A System of Logic, 3rd ed., Vol. II, p. 472.

the other hand, "only through the principle of competition has political economy any pretension to the character of a science," a proposition which F. Y. Edgeworth was later in effect to repeat, when he wrote that if monopoly should prevail over a large part of the economic order:

Among those who would suffer by the new regime there would be [included] . . . the abstract economists, who would be deprived of their occupation, the investigation of the conditions which determine value. There would survive only the empirical school, flourishing in a chaos congenial to their mentality.³¹

We seem, however, to have found another alternative, that of becoming amateur lawyers.

Mill thus had no technique for dealing systematically with the analysis of economic process where competition was encroached upon either by custom or by monopoly, and when he did mention custom—or monopoly—he left it to the reader to estimate its importance and to make the necessary corrections in the conclusions he had reached on the basis of abstractions from these complicating factors. For himself, he assumed the responsibility only for that "uncertain and slippery intermediate region," between "ultimate aims" and "the immediately useful and practicable." Logicians and physical scientists have the right, I suppose, to jeer at Mill's failure to extricate himself from this plight. For those among us, however, upon whom the redeeming grace has not as yet been bestowed of that special ideology which takes the form of faith in the capacity of statistical method to perform logical miracles, humility is prescribed, since we are all in the same fix.

The *Principles* thus has no single methodological character. As is the case with the *Wealth of Nations* of Adam Smith, some portions are predominantly abstract and a priori; in others, there is a substantial measure of factual data and of inference from history. Its wide range of subject matter; the success with which the lucidity of its style and the nobility of its outlook on life divert attention from its lack of logical rigor; the patent honesty and open mindedness with which controversial issues are treated; these and other qualities made it probably the longest-lived textbook our discipline has ever had or ever will have. It was the text used in the first college course in economics I took, over sixty years after its first publication. Francis Walker's *Political Economy* was also assigned to us, and I think we showed good judgment when we labelled the course, as students will, "Milk and Water." Writing in 1832, Mill had presented a forceful case in defense

²⁰ Principles of Political Economy, Bk. II, Chap. IV, "Of Competition and Custom."

²¹ "The Pure Theory of Monopoly," [1897], Papers Relating to Political Economy (London, 1925), Vol. I, pp. 138-39.

³² Autobiography (London, 1873), p. 189.

of ambiguity in language, on the ground that it was for many persons the price which would have to be paid if important ideas which by their richness and variety of content it is difficult to make clear were not to be sacrificed on the altar of logical clarity.³³ The *Principles*, I think, demonstrate that for Mill himself this was good doctrine; it would have been an inferior book, much less rich in content—and much smaller in size—if Mill had thrown out all that was ambiguous and lacking in strict logical consistency.

What most struck his contemporaries in the contents of the *Principles* was the sympathetic manner in which Mill dealt with proposals for radical change along socialist lines in the economic structure of society. The sympathy was in large degree platonic, for in no major concrete instance did Mill actually commit himself to the desirability of a specific drastic change. Mill aspired after the millennium, but he found abundant reason why it was not and should not be wished to be imminent. He looked forward, mostly on ethical and humanitarian grounds, to substantial socialization of the institution of property at some time in the vague future. Meanwhile, however, he warned against any weakening of the institutions of private property, free competition, and the rule of the market. This combination of hard-headed rules and utopian aspirations was just exactly the doctrine that Victorians of goodwill yearned for, and it made a large contribution to the popular success of the book.

Mill's handling of the problem of laissez-faire was a case in point. Except for the difference in tone and feeling, the fuller expression of lofty ideals and impracticable aspirations, it was substantially similar in method of analysis and nature of conclusions to Bentham's treatment. Like Bentham, and like all the other major classical economists except perhaps Senior—who was not a Benthamite—J. S. Mill gave only a very qualified adherence to laissez-faire. It was for him only a rule of expediency, always subordinate to the principle of utility, and never a dogma. The dogmatic exponents of laissez-faire of the time were the Manchester School, and Mill—like Torrens before him and Cairnes, Jevons, Sidgwick, Marshall, Edgeworth and others after him—denied repeatedly, and forcefully almost to the point of blasphemy, that the Cobdenites had either authority or logic to support them when they invoked the "Laws of Political Economy" to stop government from coming to the relief of distress.

It is, fortunately, not part of my assignment to appraise the technical economics of Mill's *Principles*. What I have tried to do is to show the intellectual relations between two men important in the history of our

³⁸ Review of G. C. Lewis, Use and Abuse of Political Terms, Tait's Edinburgh Magazine, Vol. I (1832), p. 164 ff,

discipline. From these two men several generations of British and American—and above all Canadian—economists, and to some extent also "liberal" continental economists, derived in large part the psychological, ethical, political, and methodological presuppositions upon which they built their economic analysis. With the ebbing of liberalism in the profession, the importance of knowing what its intellectual foundations were has become chiefly historical, and to those under fifty the historical is not obviously important. But for those over fifty, a comment of Tawney's is relevant. "It is a wise philosopher," he writes, the flatterer really meaning "economist," "who knows the source of his own premises."34 I would go even further. It is an unusually alert economist who knows what his premises are, regardless of their source. For those over fifty study of Bentham and of Mill can do something to remedy both of these lacks. Beyond this remark, I make no attempt to draw any moral from what I have said. But I believe that in exercising this unaccustomed measure of self-restraint I am conforming to the "Principle of Utility" if broadly enough interpreted.

³⁴ Introduction to Raymond W. Firth, *Primitive Economics of the New Zealand Maori* (London, 1939).