GROWTH AND DEVELOPMENT OF LIBERALISM IN THE UNITED KINGDOM

The philosophic thought of the seventeenth century makes it plain that the human mind had largely freed itself from dependence upon theological authority. Its predominant notes are secular and rational. It is confronted by the new mechanical explanation of Nature, and it evolves a doctrine to fit the postulates of that explanation. It is victory for utilitarianism in morals, for toleration in religion, for constitutional government in the sphere of politics. In the economic realm, the state becomes the handmaid of Commerce, its habits are modified to the new medium this has come to require. The men of the city began to play a conscious role in politics. Political parties have been born, the cabinet system has taken shape, the Kings is beneath, and not above, the law. The incidence of wealth has definitely shifted from the countryside to the town. The successful merchant is no longer a suppliant for the monarch's favour, he is aware that his interests shape the Whisper of the throne. England in the seventeenth century is the triumph of bourgeois virtue. It traces the outline of an empire. It puts the volume of its Commerce beyond the reach of contemporary rivalry. It teaches King and aristocracy alike that their privileges may not be incompatible with its interests. Having achieved the
internal administrative unity it requires, it determines, beyond peradventure, what that unity is for. Great as was the genius of Newton and Hobbes, that collective genius of the English middleclass which, in this age, wholly reshaped the framework of a Kingdom to its purposes, does not suffer by the comparison. For, in its achievement, it set the temper, and guided the spirit of its contemporaries not merely in the next age, but for two hundred years longer.¹

Although Hobbes, who wrote during the English civil wars, intended his work to serve as a defense of absolute monarchy, it was in fact an important influence in the development of eighteenth-century liberalism. In search of the basis of sovereignty Hobbes goes back to a hypothetical state of nature, described in the Leviathan in terms which are among the most famous in the literature of political philosophy. The state of nature is one in which individuals, driven by their appetites and aversions, are engaged in an endless quest for power. The result is a condition of warfare of indefinite duration, because the participants are so nearly equal in ability that one is unable to prevail permanently over the other. In this state of bellum omnium contra omnes, as Hobbes calls it, every man has a right to everything, but no man is secure, every man is free, but no man is happy. There is "no culture of

the earth, no navigation ... no commodious building ... no knowledge of the face of the earth ... no arts, no letters, no society ..." Life is, in Hobbes's famous phrase, "solitary, poor, nasty, brutish, and short". In these circumstances men, searching for peace and protection, enter into a covenant to give up the freedom which they have by natural right, the freedom, that is, to use their power for self-preservation. In this covenant or contract each agrees to surrender his natural right to govern himself to any man or group of men whom the majority selects. All are bound by the decision of this majority. Thus, for many sovereign wills, one will vested with absolute power and authority is substituted:

"A Commonwealth is said to be instituted when a multitude of men do agree and covenant, every one with every one, that to whatever man or assembly of men shall be given by the major part the right to present the person of them all, that is to say, to be their representative, every one, as well he that voted for it as he that voted against it, shall authorize all the actions and judgements of that man or assembly of man in the same manner as if they were his own, to the end to live peaceably amongst themselves and be protected against other men."  

2. Leviathan: CH. XIII.  
3. IBID.: CH. XVIII.
Each individual says, in effect, to every other:

"I authorize, and give up my right of governing myself to, this man or to this assembly of man, on this condition, that thou give up thy right to him and authorize all his actions in like manner."  

At present it is useful merely to notice certain features of the formula which are peculiarly significant. In the first place, the parties to the contract are individual natural men - not groups of any sort, not the "people", vaguely defined, and not any superior being or sovereign. A superior, or sovereign, exists only by virtue of the pact, not prior to it. Individuals, naturally equal, agree one with another to give up their natural rights to a common recipient, this recipient becomes by that fact their superior, but he himself is no party to the contract. In the second place, it is to be observed that submission to the voice of the majority in respect to the designation of the sovereign is an article of the contract, hence there is no ground left on which a minority can base just resistance. Finally, the end sought by the parties - internal peace and defence from external foes - is an internal element of the contract, and must therefore be regarded as a condition of its continued existence.

The function of the sovereign is to establish order and procure the safety of the people. This includes not

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4. IBID.: CH. XII.
only "a bare preservation, but also all other contentment of life, which every man by lawful industry, without danger, or hurt to the Commonwealth, shall acquire to himself."\(^5\) It is to the interest of the sovereign to promote men's material welfare, "for the good of the sovereign and people, cannot be separated". He advises the sovereign to use "education, and discipline" in that order of priority to control his subjects". For the actions of men proceed from their opinions, and in the well-governing of opinions, consisteth the well governing of men's actions, in order to their peace, and concord".\(^6\) Censorship and indoctrination are the most effective means possessed by the sovereign to reconcile men's conflicting interests. He recommends "public instruction" and asserts that "every sovereign ought to cause justice to be taught". For, he says, "the common people's minds, unless they be trained with dependence on the potent, or scribbled over with the opinions of their doctors, are like clean paper, fit to receive whatsoever by public authority shall be imprinted in them."\(^7\) The specific functions through which this supreme end is attained include, first, "the whole power of prescribing the rules whereby every man may know what goods he may enjoy and what actions he may do, without being molested by his

\(^5\) IBID.: CH. XXX.
\(^6\) IBID.: CH. xviii)
fellow-subjects, and this is it men call property. For before constitution of sovereign power all men had right to all things, which necessarily cause war and therefore this property being necessary to peace and depending on sovereign power is the act of that power, in order to the public peace. Second, the sovereign has the right of determining all controversies between subjects, i.e. the right of judicature. This is an obvious inference from the prime end of maintaining internal peace. Third, the whole right of making war and peace with other states, with absolute control of the resources of the subjects in carrying out the policy chosen, is an attribute of sovereignty. This again is an obvious inference from the first principles, for the military organization of the people is the sole security for that defence which is a prime end of the state, and the unity of this organization can exist only through a definite head. Fourth, and lastly, the sovereign is the sole source of official authority in counsellors and magistrates, of honours, wealth and privileges conferred for service to the state, and of the gradations of dignity among the recipients of such rewards.  

The conclusion of this argument is that the sovereign's power is and must be, absolutely unlimited. This, of course, is Hobbes's usual position, but in at least
one important passage he allows one exception to, one restriction of, the absolute power of the sovereign. This is the "subjects have liberty to defend their own bodies, even against them that lawfully invade them." To begin with, it should be obvious why logic requires Hobbes to allow that every man has a right to disobey if his sovereign command him to "kill, wound or mayme himself, or not to resist those that assault him, or to abstain from the use of food, and medicine, or any other thing, without which he cannot live ...." The reason is that, since men contract together to institute a sovereign only in order to save their lives, it cannot be maintained that they grant to the sovereign whom they thus set up the right to takes their lives. Moreover, the right to protect one's life against one's sovereign applies, clearly enough, not only in the case of a subject against whom criminal proceedings are threatened, but whenever any act of the sovereign endangers the life of one of his subjects. Thus a subject has a right to refuse to serve when he "is commanded as a Soldier to fight against the enemy." And this question of obedience is, of course, not limited to service in time of war. In fact, since "the end of obedience is protection", it follows that "the obligation of subjects to the sovereign, is understood to last as long, and no longer, than the power lasteth, by which he is able to protect them." 9 As for other liberties,

9. IBID.: CH. XXI (112,114)
they depend on the "Silence of the Law". In cases where the
sovereign has prescribed no rule, there is subject hath the
liberty to do, or forbeare, according to his own discretion.
And therefore such liberty is in some places more, and in
some less and in sometimes more, in other times less,
according as they that have the sovereignty shall think most
convenient. 10

Liberalism, both as a doctrine and as a political
program developed most fully in England between the
Glorious Revolution (1688) and the Reform Act of 1867.
Liberalism was first a limited appeal for constitutional
guarantees and individual rights. It became a positive
theory of economic and political organization and a
political program with broad national appeal extending to
many groups and classes. Neither on the Continent nor in
the United States did early liberalism develop in a similar
fashion. The experience of England stands alone, and the
term "classical liberalism" is ordinarily used with
reference to England. Liberalism in England first took the
form of a demand for religious liberties and toleration,
constitutionalism, and political rights. During the Puritan
revolution and the Commonwealth, written constitutions were
proposed and pamphlets published demanding a number of
liberties. Digger and Leveller tracts, the pamphlets of John
Lilburne, the more reflecting Commonwealth Of Oceana of

10. IBID.: CH. XXI (113).
James Harrington, and Milton's exalted defence of free speech in Areopagitica not only illustrate the scope of the constitutional controversy but also afford a sample of the political literature of the period. The revolution of 1688, the first "liberal revolution" in history, consolidated and gave definite constitutional form to the liberal gains of that century.\(^{11}\) The philosopher of the revolution was Locke, and his theories defined the essential outlines of Liberal doctrine for nearly two centuries. Locke's Treatise Of Civil Government is often described as a defence of the Revolution of 1688, and a justification of the Whig principles which became dominated in English politics during the following century. As a general description of the book that is undoubtedly true, for in his preface he stated explicity that he hoped "to establish the throne of our great restorer, our present King William, to make good his title in the consent of the people, ... and to justify to the world the people of England, whose love of their just and natural rights, with their resolution to preserve them, saved the nation, when it was on the very brink of slavery and ruin."\(^{12}\)

\(^{11}\) David L. Sills: International Encyclopaedia Of The Social Sciences, Volume 9, p.278.

The Second Treatise, like many other political treatises of this period, opens with an account of the state of nature. It is a condition in which men are free and equal, but it is not "a state of licence" in which they may prey on each other. "The state of nature has a law of nature to govern it, which obliges every one, and reason, which is that law, teaches all mankind ... that, being all equal and independent, no one Ought to harm another in his life, health, liberty, or possessions". This is because all are "the workmanship of one omnipotent and infinitely wise Maker, ... sent into the World by his order and about his business".13 A man who transgresses the law of nature "declares himself to live by another rule than that of reason and common equity ... and so he becomes dangerous to mankind". Everyman, therefore, "by the right he hath to preserve mankind in general ... hath a right to punish the offender, and be executioner of the law of nature."14 The state of nature is contrasted with "civil society", from which it differs through the "want of a common judge with authority", but the state of nature is not, as in Hobbes, essentially a state of war. The characteristic of a state of war is "force, or a declared design of force upon the

person of another, where there is no common superior on earth to appeal to for relief." But Locke did not imagine the state of nature to be a kind of paradise, and in fact war might well prevail in it. He admits the inconvenience of the state of nature, where every man "has the executive power of the law of nature" in his own hands, and he is aware that "ill-nature, passion, and revenge" may carry men "too far in punishing others, and hence nothing but confusion and disorder will follow".

The establishment of a government, but not of an absolute government, is the proper remedy for this. Moreover, man was not intended to be alone, God "put him under strong obligations of necessity, convenience, and inclination, to drive him into society, as well as fitted him with understanding and language to continue and enjoy it". There is a natural society in the family, but it falls short of political society, since the paterfamilias "has no legislative power of life and death" over the members of his family, and indeed has no powers "but what a mistress of a family may have as well as he". Political

15. IBID.: CH. III, 19.
17. IBID.: CH. VII,77.
18. IBID.: Except over slaves, whose subjection when are "Captives taken in a just war" Locke justifies by "the right of nature". His discussion of slavery is brief and perfunctory (CH. IV, 24, CH. VII, 85), and had he given more thought to it he would surely have recognised its incompatibility with his fundamental doctrine of individual liberty.
19. IBID.:CH.VII,86.
society exists only where men have agreed to give up their natural powers, and to erect a common authority to decide disputes and punish offenders. This can only be done by agreement and consent, but liberty, whether natural or political, does not mean that a man can do exactly as he pleases, regardless of any law at all. "The natural liberty of man is to be free from any superior power on earth, and not to be under the will or legislative authority of man", but even in the state of nature he always has "the law of nature for his rule". Under government, a man is free when he is "under no other legislative power but that established by consent in the Commonwealth," and has "a standing rule to live by, common to every one of that society, and made by the legislative power erected in it". The essence of political liberty, in fact, is that a man shall not be "subject to the inconstant, uncertain, unknown, arbitrary will of another man". Law is not incompatible with liberty, on the contrary it is indispensable to it, since the "end of law is not to abolish or restrain, but to preserve and enlarge freedom .... For liberty is to be free from restraint and violence from others, which cannot be where there is no law."  

20. IBID.: CH. IV, 22.  
Holding that the purpose of government is to safeguard man's natural rights Locke maintains that these rights belong to him in the state of nature, and he is anxious to prove that among them is the right of property. He assumes that God gave the earth and all it contains to mankind in common, but, he proceeds, "every man has a property in his own person. This nobody has any right to but himself. The labour of his body and the work of his hands ... are properly his. Whosoever, then, he removes out of the state that nature hath provided and left it in, he hath mixed his labour with it, and joined to it something that is his own, and thereby makes it his property."\textsuperscript{22} It should also be remembered that while he declared that "the great and chief end ... of men uniting into commonwealths, and putting themselves under government, is the preservation of their property",\textsuperscript{23} he defined a man's property as "his life, liberty, and estate" - in other words, himself and his natural rights as a whole, not only his property in its ordinary sense.\textsuperscript{24}

To conclude, the power that every individual gave the society when he entered into it, can never revert to the individuals again as long as the society last, but will

\textsuperscript{22} IBID.: CH. V. 27.
\textsuperscript{23} IBID.: CH. IX, 124.
always remain in the community, because without this there can be no community, no commonwealth, which is contrary to the original agreement, so also when the society hath placed the legislative in any assembly of men to continue in them and their successors, with direction and authority for providing such successors, the legislative can never revert to the people whilst that government lasts, because having provided a legislative with power to continue for ever, they have given up their political power to the legislative and cannot resume it. But if they have set limits to the duration of their legislative, and made this supreme power in any person or assembly only temporary, or else when by the miscarriages of those in authority it is forfeited, upon the forfeited, or at the determination of the time set, it reverts to the society, and the people have a right to act as supreme, and continue the legislative in themselves: or place it in a new form, or new hands as they think good.

It is customary to call the period between the Reformation and the French Revolution the age of mercantilism, and it is certainly true that until the latter part of the eighteenth century, there was no wide appreciation of liberalism in the economic field. But we must beware of thinking of mercantilist theory as a coherent body of doctrine in the sense of the classical economy of the nineteenth century. It was, as Adam Smith was careful to
note, "political economy considered as a branch of the science of a statesman or legislator", not as a study of "Nature and causes of the wealth of nations." It assumed, that is, the inevitability, perhaps even the desirability, of a government which regulated the economic affairs of the commonwealth, and, for the most part, its discussion turned upon the principles that regulation should adopt. Its debates centre around problems which mostly assume interventionism, and, for that reason, its analysis of elementary postulates is naturally rare. It is not difficult to understand why despotic governments in this period should accept these views, they inherited the notion that economic life was subordinate to regulation from the medieval society out of which they emerged. The rising bourgeoisie adapts, first religion, then culture, to its purposes, the state is the last of its conquests. It is seeking freedom not as a universal end, but as a means to the enjoyment of the wealth that is open to it. It attacks its antagonists were they are weakest. It makes of the state first ally, then enemy, in the pursuit of its objective. It is inhibited by the medieval economic order, it uses secular power to destroy its discipline by attacking the Church. That means a century and a half of warfare during which the

Crown and middle class in partnership make a new discipline to replace the old. It is only when the new order of things has firmly established its foundations, when freedom in the economic sphere seems an obvious inference from its attainment elsewhere that the bourgeois moves to the final assault. He has then supreme coercive power in his hands. The chief use of the state is merely as a policy agency.

We can see the first beginnings of this attitude in the seventeenth century, mainly in England, and predominantly in England after the Restoration, for the period of the Commonwealth, though it is one of passionate constitutional debate, is also one of profound revolutionary disturbance and that consequential distress which promotes rather than diminishes, state interference. The history of the seventeenth century is a protest against interventionism until the outbreak of the civil war. There then comes a period of regulation wider and deeper than that which evoked disapproval under the first two Stuarts, this is the response to the distress evoked by conflict. After the Restoration, the movement towards Laissez-Faire gains new momentum. By the end of the century, the attitude is prepared out of which Hume can urge, and Adam Smith demonstrate, the full philosophy of economic liberalism.26

It is in the atmosphere of this outlook that Adam Smith wrote his great work. To grasp its significance, we must realize that the Wealth Of Nations is but a part of an incomplete philosophic system of society. "The science of the connecting principles of nature" is to "render the theatre of nature a more coherent and therefore more magnificent spectacle". He seeks to introduce order into chaos, to make the principles of wealthgetting apparent to the educated man. What are the keynotes of the book? It is secular in tone, rationalist in method, and individualist in outlook. It starts from the assumption that each man is best fitted to be the judge of his own actions, as he had written in the Moral Sentiments, "every man is by nature first and principally recommended to his own case." That is his real task, and it is his good fortune that, as he attends to his own wants, he is "led by an invisible hand to promote an end which was no part of his intention." For Adam Smith the myriad spontaneous actions of individuals, made for their own private benefit, results, by a mysterious alchemy, in social good. We do better for society by this "simple system of natural liberty" than if we consciously contrived its advantage. Underlying the


structure of the universe is sympathy which compels the good of others to be involved in my good. Out of it is born justice "the main pillar" of the state. It is implanted in men's nature, giving him a consciousness of good and ill, a fear of punishment where he does wrong. He is bound by moral rules, and, in the long run, he can only attain his end by obedience to them. This enables him to be optimistic in outlook.

Hence emerges Adam Smith's dislike of state-action. Supreme coercive power is mainly of use to protect us against injustice and violence, especially violence to property. It may act for education, or for those public works in the making of which the individual cannot find profit. But beyond a narrow-ambit, his supreme purpose is to protect the spontaneous activity of the individual. When that "insidious and crafty animal vulgarly called the statesman or politician", 29 has given us external peace and internal order, his main work is done. It is useful to begin with the well-known enumeration of government functions which appears in The Wealth Of Nations. The sovereign has only three duties to attend to:

"... First, the duty of protecting the society from the violence and invasion of other independent societies, secondly, the

29. IBID.: Book IV, CH. II.
duty of protecting, as far as possible, every member of the society from the injustice and oppression of every other member of it, or the duty of establishing an exact administration of justice, and, thirdly, the duty of erecting and maintaining certain public works and certain public institutions, which it can never be for the interest of any individual, or small number of individuals, to erect and maintain ....“

Smith too leveled a vigorous attack on tariffs, trade combinations, whether of capital or labour, bounties, labour legislation, monopolies. He sees industry as a mass of interrelated actions by individuals who will do well enough so long as promises are kept and violence prohibited, and the fuller the competition between them the greater will be the public advantage. Where the system of liberty obtains, each man has the maximum inducement to labour, since he has then the certainty of reaping the maximum reward from it. He makes a little of differences between men in natural endowments. A beautiful Providence has created an order of Nature in which the individual owner of property is compelled in following his own objectives to labour for the common good. For he has to produce in order to exchange.

30. IBID: Book V, CH. I.
To life, he must satisfy the wants of others.

To sum up, Adam Smith was the prophet of industrialism, and its transformed Great Britain into the workshop of the world. It was the exponent of free trade, and it created a world-market which has broken down the isolation even of the most distant peoples. It was the advocate of religious toleration, and it both broke the temporal power of Rome and ended the right of religion to define the boundaries of citizenship. It insisted that statehood should be in general coterminous with the boundaries of state, and, under its aegis, Italy and Greece, Hungary and Bulgaria, realized a new consciousness of self. It established universal suffrage and parliamentarianism almost as principles of natural law, and those who, in Western Europe opposed their advent, were always on the defensive. There is a sense, indeed, in which American civilization of the last-hundred years may not illegitimately be regarded as the fulfilment of the liberal ideal.

One path of retreat from the Stark Laissez-Faire doctrines of the "dismal science" originated with a man who was himself the friend and patron of the classical economists - Jeremy Bentham, an eccentric philosopher. Bentham projected dozens of schemes to improve the human race, among them a model prison and reformatory. He coined new words by the dozen too, including "Minimize, Codify, and International". Bentham founded his social teachings on the
concept of utility: that the goal of action should be to achieve the greatest good for the greatest number. Bentham declared the idea of "natural rights" to be "nonsense upon stilts". He dismissed the eighteenth century theory of political contracts as a mere fiction. Ordinarily, he believed, governments could best safeguard the well-being of the community by governing as little as possible. In social and economic matters, they should act as "passive policemen" and give private initiative a generally free hand. Yet Bentham realized that the state might become a more active policeman when the pursuit of self-interest by some individuals worked against the best interests of other individuals, since the goal was the greatest good for the greatest number. If the pains endured by the many exceeded the pleasures enjoyed by the few, then the state should step in. If the central question of political philosophy is taken to be: "Why, if at all, should the citizen obey the state?" the utilitarian answer is quite clear. The citizen should obey just so far as obedience well contribute more to the general happiness than disobedience. If the central question is taken to be the nature and ontological status of the state, the answer is equally clear: the state is not a super-entity with purposes and a will of its own, but a human contrivance to enable men to realize as many of their desires as possible.
The "general happiness", or "the interest of the community in general" is always, in Bentham, to be understood as the resultant of the hedonic calculus, the sum of the pleasures and pains of individuals. In such a situation Bentham believed the state to be "omnicompetent" - fit to undertake anything for the general welfare.

The end and aim of a legislator should be the happiness of the people. In matters of legislation, General Utility should be his guiding principle. The science of legislation consists, therefore, in determining what makes for the good of the particular community whose interests are at stake, while its art consists in contriving some means of realization .... To apply [this principle] with complete efficiency, that is, to make it the very foundation of a system of reasoning, three conditions must be fulfilled. First, we must attach to the word Utility a clear and precise connotation .... Second, we must assert the supreme and undivided sovereignty of this principle by rigorously discarding every other .... No exception to its applicability can, in any circumstances, be allowed. Thirdly, we must discover some calculus or process of "moral arithmetic" by means of which we may arrive at uniform results ....


Bentham clarifies:

"Nature has placed mankind under the governance of two sovereign masters, Pain and Pleasure. It is for them alone to point out what we ought to do ....They govern us in all we do, in all we say, in all we think; every effort we can make to throw off our subjection, will serve but to demonstrate and confirm it .... The Principle Of Utility recognizes this subjection, and assumes it for the foundation of that system, the object of which is to rear the fabric of felicity by the hands of reason and of law. Systems which attempt to question it, deal in sounds instead of sense, in Caprice instead of reason, in darkness instead of light ...." 33

The interest of the community is one of the most general expressions that can occur in the phraseology of morals:

"No wonder that the meaning of it is often lost .... The community is a fictitious body, composed of the individual persons who are considered as constituting as it were its members. The interest of the community then is, what? -- the sum of the interests of the several members who compose it. It is in vain to talk of the interest of the community, without understanding what is the interest of the individual. A thing is said to promote the interest, or to be for the

interest, of an individual, when it tends to add to the sum total of his pleasures: or, what comes to the same thing, to diminish the sum total of his pains."  

It is, then, with government as it is with medicine, its only business is the choice of evils. Every law is an evil, because every law is a violation of liberty, so that government, I say again, can only choose between evils. What should be the aim of the legislator when making this choice? He should satisfy himself of two things: First, that in all cases the events which he strives to prevent are really evils, and, secondly, that these evils are greater than those he is about to employ as the means of prevention.... The legislator ought to confer rights with alacrity, because they are in themselves a benefit, he ought to impose obligations with reluctance, because they are in themselves an evil. The principle of Utility requires that he should never impose a burden except for the purpose of conferring a benefit of greater value .... Now, every curtailment of liberty is, in the nature of things, likely to be followed by a feeling of pain, more or less great, and this, quite independently of such suffering and inconvenience as may be occasioned by the form of restraint resorted to in the particular case. It follows, therefore,

34. IBID.: CH.1, IV, V.
that no restriction ought to be imposed, no power conferred, 
no coercive law sanctioned, save on some specific and 
sufficient grounds .... [For the same reason] the care of 
providing enjoyments should be left almost entirely to the 
individual himself, the principal function of government 
being to protect him from suffering ....

In prescribing and distributing rights and 
obligations, the legislator should seek as his end and aim 
the happiness of the body politic. Inquiring more 
particularly wherein this happiness consists, we find four 
subordinate objects: 'Subsistence', 'Abundance', 
'Equality', 'Security' .... All the functions of law may be 
referred to one or other of these four heads: to provide 
subsistence, to aim at abundance, to encourage equality, and 
to maintain security .... 'Subsistence' ... is included in 
'abundance': and yet it is very necessary to consider it 
separately, inasmuch as the law ought to approve many 
things with a view of providing subsistence, which it should 
by no means suffer for the mere purpose of promoting 
abundance .... I have ranked 'equality' among the objects 
of the law. In any arrangement contrived to give to all men 
the greatest possible sum of happiness, there is no reason 
why the law should cast about to give more to one man than 
to another .... But herein lies the peril: a single mistake 
[in extending equality too far] may overthrow the social 
order and dissolve the bonds of society.
Some persons may be surprised to find that 'Liberty' is not ranked among the principal objects of the law. But, if we would avoid confusion we must regard it as a branch of 'security', 'personal liberty' is security against a certain class of wrongs which affect the person, while what is called 'political liberty' is also a branch of security - security against injustice at the hand of the persons intrusted with government .... What is done in the interests of 'security' may, at the same time, promote 'subsistence' and 'abundance'. But, on the other hand, circumstances occur in which it is not possible to reconcile these objects, and a measure suggested by one principle will be condemned by another. For example, 'equality', might require such a distribution of property as would be incompatible with 'security'. When, between two of these ends, conflict, in fact, occurs, we must needs determine which is to prevail .... Now, at the first glance it is plain that 'subsistence' and 'security' rise together to the same height, while 'abundance' and 'equality' manifestly stand at a lower level. Indeed, without security, equality could not endure for a day, and without subsistence, abundance would obviously be an impossibility. The first two objects are life itself, the last two serve, so to speak, as the embellishments of life ....

there certainly were political theorists in the nineteenth century, it is fair to say that this interest in practice has become more and more dominant. There is no doubt that to-day Bentham's type of argument is more sympathetic than is Locke's. Even though the latter's thesis is embedded in the American Constitution, we have only to read a newspaper editorial, listen to a debate in Congress, or study a decision of the Supreme Court in order to see how pervasive Bentham's point of view is. It is not fashionable to-day to argue in favour of a piece of legislation that it is 'right' - i.e., in agreement with some intuitively recognized moral principle. We rather support the proposal by urging that it is 'good' - i.e., that it will produce more happiness than the alternative. And even if we do hold the action to be right, it is usually only on the ground that it is productive of some good. In a word, like Bentham, we are more interested in results than we are in principles. In this broad sense Bentham may be said to have been a harbinger of the ever increasingly pragmatic temper of the modern mind.

The most characteristic statement of nineteenth-century Individualism is to be found in the works of John Stuart Mill entitled On Liberty and Representative Government. He insists on regarding every political question in terms of the happiness or unhappiness of human
beings, and not, as did the lawyers and the Hegelians, in terms of an abstraction such as the General Will or the personality of the State. While conceding, therefore, the contention of the Absolutists that, since the state is a natural growth or organism, it is only in the State that the individual can enjoy the fullest happiness of which his nature is capable, he goes on to point out that this discussion does not mean that the State does not exist for the happiness of individuals. He then proceeds to draw the conclusion that it is the business of Government actively to promote the happiness of individuals, and that, if it fails in this respect, it must give way to some other form of social organization that succeeds.

The essay On Liberty was an elaborate discussion on the theme and its relation to politics. The opening passages of the essay set the stage for a profound discussion. "The subject of this Essay is ... Civil or Social Liberty:

"The nature and limits of the power which can be legitimately exercised by society over the individual. A question seldom stated, and hardly ever discussed, in general terms, but which profoundly influences the practical controversies of the age by its latent presence, and is likely soon to make itself recognized as the vital question of the future. It is so for being new, that, in a
certain sense, it has divided mankind, almost from the remotest ages, but in the stage of progress into which the more civilized portions of the species have now entered, it presents itself under new conditions, and requires a different and more fundamental treatment."

The central argument of "On Liberty" is the claim that a liberal society is the only kind of society in which men confident of their own manifold possibilities but critical of their own powers and of each other, men who aspire to the status of autonomous agents and who cherish their own individuality, will consent to live. His conception of man as a progressive being suggests to Mill the necessity of defining the sphere of legitimate social control in such a way as to promote the development of men as autonomous agents and he does this by proposing the famous "Principle of liberty. In fact this principle assumes various forms at different stages in Mill's argument, but its main force is contained in the injection that the liberty of the individual should be restricted by society or by the state only if his actions are (or may be) injurious to the interests of others. These qualities must, as stated

36. On Liberty: CH.I.
above, be the first consideration in any estimate of the social well-being what must be the fundamental condition in the relation between the government and the individuals over whom it exercises authority, is set forth by Mill in his celebrated essay On Liberty. The thesis of this essay is:

"... that the sole end for which mankind are warranted, individually or collectively, in interfering with the freedom of action of any of their number, is self-protection - that the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others. His own good, either physical or moral, is not a sufficient warrant." 38

So far as his actions concern the interests of no person but himself, "advice, instruction, persuasion and avoidance by other people if thought necessary by them for their own good, are the only measures by which society can justifiably express its dislike or disapprobation of his conduct". Mill's development of this doctrine, on the basis of utility, broadly conceived, as the standard of right, embodies a complete and symmetrical philosophy of individualism and Laissez-Faire. In his plea for

38. On Liberty: CH. I.
individuality, there is an appeal to the idea of intrinsic goodness which he combined with instrumental arguments. The free development of individuality is indeed socially advantageous, it makes for improvement progress, and variety in ways of living. But it means also that men may choose to live their own lives in their own distinctive ways, and Mill insisted that a man's own mode of "laying out his existence" is best simply because it is his own mode. Moreover, it is only by cultivating individuality that we can become well-developed human beings, and "what more or better can be said of any condition of human affairs than that it bring human beings themselves nearer to the best thing they can be?" Mill therefore believed in liberty both as a good in itself and as a means to happiness and progress: for him the ideas of happiness and progress were thoroughly infused with his conception of a freely choosing human agent. 39

It was Mill's realization that popular government is no guarantee of freedom that gave much of the driving force to On Liberty. Tocqueville's account of democracy in America strengthened Mill's misgivings about the Benthamite assumption that to identify the interests of rulers and ruled is a necessary and sufficient condition of good government. Even a government based on the Will of the

people can exercise Tyranny, and more than that, the informal pressures of society can become oppressive, especially in England, where, in contrast with France, the weight of public opinion was heavier than that of the law. Mill believed that the restrictions imposed on individuals, whether by law or by opinion, ought to be based on some recognized principle rather than on the preferences and prejudices of powerful sections of the public, and he set himself the task of formulating such a principle and of illustrating how it would work. When he proceeded to discuss the form of government that would best apply the basic principles of liberty as he conceived them, it was likewise to his own land that he went for his chief inspiration.

Ideally the best form of government Mill held to be that in which "the sovereignty, or supreme controlling power in the last resort, is vested in the entire aggregate of the community", every citizen not only having a voice in the expression of the sovereign will, but also, at least occasionally, an actual part in the discharge of some public function. The excellence of such a form of government was deduced from two principles: first, that any task is done best by those whose rights and interests are immediately involved, and second, that the faculties of men moral, intellectual and practical -- are most developed and
improved when they are in active exercise. This form of government is no novelty in the speculations of political theory. It is the ideal of a host of thinkers since, and including Aristotle. It is indeed a form of state rather than of government, though Mill ignores such a distinction. He names it "representative government", and makes it conform strictly to its name by ascribing to it as its essential characteristic this:

"... that the whole people, or some numerous portion of them exercise, through deputies periodically elected by themselves, the ultimate controlling power, which, in every constitution, must reside somewhere. This ultimate power they must possess in all its completeness. They must be masters, whenever they please, of all the operations of government."

Mill thus commits himself to the dogma of a determinate and absolute human sovereign combining the peculiarly ill-assorted thoughts of Austin and Blackstone. There will always be, he says, a single depositary of ultimate power, whether by constitutional prescription or by unwritten custom. In this position Mill separates himself from the French liberals like Guizot, who insisted that absolute

40. Representative Government: CH. iii.
41. IBID: CH. V.
power in any human depositary, even "society or the "people", was incompatible with rational liberty, and that "the principle of the representative system is the destruction of all sovereignty of permanent right, that is to say, of all absolute power upon earth." 42

When J.S. Mill wrote his Principles Of Political Economy, he had already come under the influence of Coleridge and Comte, led him to break in certain important respects with the Benthamite school in which he had been raised, quite literally, from infancy. After noting that Coleridge was "at issue with the let alone doctrine, or the theory that governments can do no better than do nothing", Mill adds that Laissez-Faire was "a doctrine generated by the manifest selfishness and incompetence of modern European governments, but ... as a general theory, we may now be permitted to say that one-half of it is true and the other half false." 43 It is in this mood that Mill later distinguished between the "necessary" and the "optional" functions of government. 44 The former are universally accepted as inseparable from the idea of government, the latter while important, are not indispensable and are the


44. The Principles Of Political Economy, P. 796.
subject of some disagreement. The necessary functions of government, he reminds his readers, are not as simple and definite as many would like to believe. They include more than the mere protection against force and fraud to which many of Mill's contemporaries believed that government action should be confined. If government must act against the evil of violence and fraud, why not against other evils? "If nothing but what people cannot possible do for themselves, can be fit to be done by government, people might be required to protect themselves by their skill and courage even against force, or to beg or buy protection against it ...").

It may be concluded that, while limiting the agenda of government, Mill is by no means among the most extreme partisans of this point of view. Mill was one of the few classical liberals who, while accepting the institution of private property and the system of free private enterprise for the visible future, was willing to re-examine both and even to contemplate the possibility, at least in the remote future, of such a radical program of government intervention as socialism. He was willing to allow numerous exceptions to the proposition, universally entertained by the classical liberals, that men are the best judges of their

45. IBID.: PP. 796-97.
own interests. But basically he favoured "restricting to the narrowest compass the intervention of a public authority in the business of the community". "Laissez-Faire", he wrote, "should be the general practice: every departure from it, unless required by some great good, is a certain evil".  

Another road towards a combination of Liberal and democratic ideas is followed by a thinker of the Hegelian school Thomas Hill Green. His essay on Freedom Of Contract, written in 1880, contains a frontal attack on the entire social problem, and is of capital importance for the development of English Liberalism. We are told, says Green, that the workman must be left to make his own terms in the contract of labour. If the law protects him, it destroys his freedom and degrades him, that is the position of the Liberal of Cobden's generation. But our times present us with new problems, which cannot be solved without interfering with the liberty of contract. To the spirit of our fathers' love of liberty, says Green, we still adhere, but for that very reason we are compelled to depart from its letter. What is freedom? We do not understand it as a mere absence of restriction, still less do we think than one man may enjoy freedom at the expense of others. When we speak of freedom as something to be highly prized, we mean a

46. IBID. : P.950.
positive power or capacity of doing or enjoying something worth doing or enjoying, which we do or enjoy in common with others. When we measure the progress of a society by its growth in freedom, we measure it by the increasing development of all those powers which constitute social well-being. But the mere removal of restrictions is not by itself a contribution to true freedom. In a sense no one is so free to do what he likes as the savage, yet we do not count him truly free, because his freedom is not strength but weakness, he is not the slave of man, but he is the slave of nature. Even in the ancient civilization to which we owe so much, the extraordinary efflorescence of the privileged class was accompanied and conditioned by the slavery of the multitude, and therefore the freedom of the ancients was short-lived because partial and exceptional.

If this is the true conception of freedom, not formal and negative but substantial, freedom of contract must be regarded as a means to this end. No one has any right to do what he likes with his own in such a way as to contravene freedom. He only owns his property because Society secures it to him, and this security is based upon a common interest which limits and controls the activities of individuals. Hence one man cannot be the property of another, and a contract by which one man undertakes to enslave himself to another is for us null and void. This is
a limitation of freedom of contract which every one recognizes as just. But are there not contracts which amount to the same thing, less obviously indeed, but not less really? Let us consider contracts relating to labour. As the economists tell us, labour is a commodity that can be bought and sold like any other. In a sense that is true, but it is a commodity peculiarly bound up with human personality, and therefore, society is within its rights when it limits the freedom of contracts for the sale of labour. Similar considerations apply to education, health, and so forth. If it is contended that enlightened self-interest or individual benevolence, working in a system of unlimited freedom of contract, can fulfil these demands spontaneously, the answer is pain: left to itself, or to the operation of a casual benevolence, a population becomes more and more degraded. State intervention is therefore inevitable. 47

Another problem attacked by Green is that of natural rights. Bentham had tried to deny their existence, and replace them by the principle of self-interest, but the jurists like Austin, who followed him, extracted once more from the formula of self-interest the idea of individual and primordial rights, and in the theory of Manchester

Liberalism the antithesis between the individual and the State had finally come to express itself in the very terminology of eighteenth-century jusnaturalism. For Green, too, the idea of natural rights as representing the demands of spiritual autonomy in the face of State despotism has an indestructible substratum. But the naive idea of a right antecedent to Society, which is implied in the phrase natural right, is false, rights only arise within social life, and only between persons, in the ethical sense of the word, can there be legal relations. Natural rights may, however, be defended, regarded as ends inherent in Society itself, ideals whose realization is the work of social life. Such an idea does not contradict the modern doctrine, accepted by Green, of the ethical State, for its ethical character does not consist in its directly promoting or creating the good, but in its promoting the conditions of life in which, morality is possible. Thus Green can accept Hegel's view of freedom as realizing itself in the State, with the qualification that the freedom of the individual is freedom only so far as it is recognized by the State.48

To sum up, at the base of Green's system is an idealistic acceptance of the state as an organic society superior to its component individuals. Man is a political

48. Lectures On The Principles Of Political Obligation', Works, ii.6, 33, 39, 44, 47.
animals, and the crude antithesis of the individual and the State is a false as that of a whole and its parts. The State is the consequence of morality and is usually right because it draws on the whole inheritance of past wisdom. Will, not force, is its foundation and the will of the individual must freely acquiesce. Even where the individual judges an act of the state immoral he should in a parliamentary State conforms in practice. Overt disobedience is justifiable only in those states where the individual has no channels of peaceful agitation against the act which he considers immoral. Green consistently repudiated the generally accepted ethics of the utilitarian school, particularly as applied to actual problems involving the relations between the state and individual. To limit state interference to policing individual selfishness represented to him a denial of moral value to the acts of the state, that is, a denial of moral value to the common life of society. True ethics and these are substantially traditional Christian ethics - demand that the state interfere to insure the possibility of a good life to all its members.
To conclude, the Glorious Revolution of 1688, the first "liberal revolution" in history, consolidated and gave definite constitutional form to the liberal gains of that century. The liberalism recognized and vindicated in 1689 was essential negative in character, protecting groups and individuals from government, especially from the prerogatives of the Crown. It was also aimed at securing chiefly political rather than economic objectives. Among those political objectives are some of the most important principles of liberal constitutionalism: the right of opposition, the rule of law, and the separation of powers. The settlement also included a recognition of important civil liberties by acts securing toleration, in 1688, and liberty of the press, in 1695.

The constitutional settlement and civil peace gave enormous impetus to a second theme of classical liberalism: the theory and practice of economic liberty. The English liberal economists, led by Adam Smith, were neither the first nor the only group of erect a theory upon the postulate of Laissez-Faire, but they were the most influential. Their ideals were: in the juridical sphere, free contract and the rule of law, in the economic sphere, a self-regulating market, unrestrained either by monopoly or political intervention, and in the social sphere, voluntarism and collaboration for mutual benefit. The
Laizzez-Faire doctrine and the practical organization of the economy that the classical economists advocated greatly strengthened liberalism.

In the late nineteenth and early twentieth centuries classical liberalism and the traditions of thought and policy closely related to it were progressively modified. Later liberalism - especially the Great Britain and the United States, but to some extent almost everywhere in the modern world - has emphasized the positive rather than the negative aspect of liberty: the opportunity to form and accomplish self-appointed goals, rather than freedom from the state. Along with the shifting of proximate goals of liberalism came an adoption of new methods. The central value of the liberated individual, of man as far as possible his own sovereign, did not change, the understanding of that value and of the means for achieving it did. An important cause of this revision was the success of liberalism itself: the securing of a considerable measure of political and economic liberty and the conversion of liberalism from a sectarian demand for noninterference into a program of political and economic organization. Thus, liberals split among themselves. One group argued for a remedy of abuses other than those perpetrated by the state. Another group clung to the dogmas of nonintervention and free trade. They made the means of liberalism into ends in themselves and liberalism itself into a conservative ideology. So, one
heir of Bentham and Adam Smith is John Stuart Mill, and another is Herbert Spencer.

With the establishment of the East India Company's rule in the sub-continent and consequent establishment of the educational institution on the Western lines, the European value system became a role model for the emerging elite of India. Although the classical orientalist tradition highlighted the rich cultural heritage of the East, yet Western value system remain the dominant discourse. Raja Rammohun Roy was one of the first Indians to expound the idea of a rationally ordered society along lines suggested by Jeremy Bentham and James Mill. The works of John Stuart Mill, James' son, were particularly impressive to Indians. His political writings, On Liberty, an essay in which he showed that social tyranny might be more oppressive even than political subjugation, and Consideration On Representative Government, were as influential among educated Indians as they were among Europeans. Of special importance to social reformers was Mill's Subjection Of Women from which arguments in favour of female equality were often taken almost verbatim. It was perhaps through Mill also that Indians became aware of the philosophy of Comte, Mill's Aug. Comte And Positivism was published in 1865. Comte's ideas received great attention in Indian circles, in particular his "scientific" approach to the problems of critical social changes brought about by
the disorganization of traditional ways of life, and his effort to discover "the laws of progress".

Those Indians who remained true to the ideals of the reformer found inspiration also in the writings of Herbert Spencer, who was concerned more with the process than with the ends of social change. Spencer's ideas of evolution as applied to human society showed that change in social institutions was a "natural" process, that it could be guided by men, that no violent breaks with the past were called for, and that ultimate progress was a certainty. Ranade, like Spencer, held that there are several similarities between the society and a living organism or human body.