

Considerations of a Representative Government

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by John Stuart Mill (#2 in our series by John Stuart Mill)

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CONSIDERATIONS ON REPRESENTATIVE GOVERNMENT

BY JOHN STUART MILL,

AUTHOR OF "A SYSTEM OF LOGIC, RATIOCINATIVE AND INDUCTIVE"

Preface

Those who have done me the honor of reading my previous writings will probably receive no strong impression of novelty from the present volume; for the principles are those to which I have been working up during the greater part of my life, and most of the practical suggestions have been anticipated by others or by myself. There is novelty, however, in the fact of bringing them together, and exhibiting them in their connection, and also, I believe, in much that is brought forward in their support. Several of the opinions at all events, if not new, are for the present as little likely to meet with general acceptance as if they were.

It seems to me, however, from various indications, and from none more than the recent debates on Reform of Parliament, that both Conservatives and Liberals (if I may continue to call them what they still call themselves) have lost confidence in the political creeds which they nominally profess, while neither side appears to have made any progress in providing itself with a better. Yet such a better doctrine must be possible; not a mere compromise, by splitting the difference between the two, but something wider than either, which, in virtue of its superior comprehensiveness, might be adopted by either Liberal or Conservative without renouncing any thing which he really feels to be valuable in his own creed. When so many feel obscurely the want of such a doctrine, and so few even flatter themselves that they have attained it, any one may without presumption, offer what his own thoughts, and the best that he knows of those of others, are able to contribute towards its formation.

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Chapter I

To What Extent Forms of Government are a Matter of Choice.

All speculations concerning forms of government bear the impress, more or less exclusive, of two conflicting theories respecting political institutions; or, to speak more properly, conflicting conceptions of what political institutions are.

By some minds, government is conceived as strictly a practical art, giving rise to no questions but those of means and an end. Forms of government are assimilated to any other expedients for the attainment of human objects. They are regarded as wholly an affair of invention and contrivance. Being made by man, it is assumed that man has the choice either to make them or not, and how or on what pattern they shall be made.

Government, according to this conception, is a problem, to be worked like any other question of business. The first step is to define the purposes which governments are required to promote. The next, is to inquire what form of government is best fitted to fulfill those purposes. Having satisfied ourselves on these two points, and ascertained the form of government which combines the greatest amount of good with the least of evil, what further remains is to obtain the concurrence of our countrymen, or those for whom the institutions are intended, in the opinion which we have privately arrived at. To find the best form of government; to persuade others that it is the best; and, having done so, to stir them up to insist on having it, is the order of ideas in the minds of those who adopt this view of political philosophy. They look upon a constitution in the same light (difference of scale being allowed for) as they would upon a steam plow, or a threshing machine.

To these stand opposed another kind of political reasoners, who are so far from assimilating a form of government to a machine, that they regard it as a sort of spontaneous product, and the science of government as a branch (so to speak) of natural history. According to them, forms of government are not a matter of choice. We must take them, in the main, as we find them. Governments can not be constructed by premeditated design. They "are not made, but grow." Our business with them, as with the other facts of the universe, is to acquaint ourselves with their natural properties, and adapt ourselves to them. The fundamental political institutions of a people are considered by this school as a sort of organic growth from the nature and life of that people; a product of their habits, instincts, and unconscious wants and desires, scarcely at all of their deliberate purposes. Their will has had no part in the matter but that of meeting the necessities of the moment by the contrivances of the moment, which contrivances, if in sufficient conformity to the national feelings and character, commonly last, and, by successive aggregation, constitute a polity suited to the people who possess it, but which it would be vain to attempt to superinduce upon any people whose nature and circumstances had not spontaneously evolved it.

It is difficult to decide which of these doctrines would be the most absurd, if we could suppose either of them held as an exclusive theory. But the principles which men profess, on any controverted subject, are usually a very incomplete exponent of the opinions they really hold. No one believes that every people is capable of working every sort of institution. Carry the analogy of mechanical contrivances as far as we will, a man does not choose even an instrument of timber and iron on the sole ground that it is in itself the best. He considers whether he possesses the other requisites which must be combined with it to render its employment advantageous, and, in particular whether those by whom it will have to be worked possess the knowledge and skill necessary for its management. On the other hand, neither are those who speak of institutions as if they were a kind of living organisms really the political fatalists they give themselves out to be. They do not pretend that mankind have absolutely no range of choice as to the government they will live under, or that a consideration of the consequences which flow from different forms of polity is no element at all in deciding which of them should be preferred. But, though each side greatly exaggerates its own theory, out of opposition to the other, and no one holds without modification to either, the two doctrines correspond to a deep-seated difference between two modes of thought; and though it is evident that neither of these is entirely in the right, yet it being equally evident that neither is wholly in the wrong, we must endeavour to get down to what is at the root of each, and avail ourselves of the amount of truth which exists in either.

Let us remember, then, in the first place, that political institutions (however the proposition may be at times ignored) are the work of men--owe their origin and their whole existence to human will. Men did not wake on a summer morning and find them sprung up. Neither do they resemble trees, which, once planted, "are aye

growing" while men "are sleeping." In every stage of their existence they are made what they are by human voluntary agency. Like all things, therefore, which are made by men, they may be either well or ill made; judgment and skill may have been exercised in their production, or the reverse of these. And again, if a people have omitted, or from outward pressure have not had it in their power to give themselves a constitution by the tentative process of applying a corrective to each evil as it arose, or as the sufferers gained strength to resist it, this retardation of political progress is no doubt a great disadvantage to them, but it does not prove that what has been found good for others would not have been good also for them, and will not be so still when they think fit to adopt it.

On the other hand, it is also to be borne in mind that political machinery does not act of itself. As it is first made, so it has to be worked, by men, and even by ordinary men. It needs, not their simple acquiescence, but their active participation; and must be adjusted to the capacities and qualities of such men as are available. This implies three conditions. The people for whom the form of government is intended must be willing to accept it, or, at least not so unwilling as to oppose an insurmountable obstacle to its establishment. They must be willing and able to do what is necessary to keep it standing. And they must be willing and able to do what it requires of them to enable it to fulfill its purposes. The word "do" is to be understood as including forbearances as well as acts. They must be capable of fulfilling the conditions of action and the conditions of self-restraint, which are necessary either for keeping the established polity in existence, or for enabling it to achieve the ends, its conduciveness to which forms its recommendation.

The failure of any of these conditions renders a form of government, whatever favorable promise it may otherwise hold out, unsuitable to the particular case.

The first obstacle, the repugnance of the people to the particular form of government, needs little illustration, because it never can in theory have been overlooked. The case is of perpetual occurrence. Nothing but foreign force would induce a tribe of North American Indians to submit to the restraints of a regular and civilized government. The same might have been said, though somewhat less absolutely, of the barbarians who overran the Roman Empire. It required centuries of time, and an entire change of circumstances, to discipline them into regular obedience even to their own leaders, when not actually serving under their banner. There are nations who will not voluntarily submit to any government but that of certain families, which have from time immemorial had the privilege of supplying them with chiefs. Some nations could not, except by foreign conquest, be made to endure a monarchy; others are equally averse to a republic. The hindrance often amounts, for the time being, to impracticability.

But there are also cases in which, though not averse to a form of government--possibly even desiring it--a people may be unwilling or unable to fulfill its conditions. They may be incapable of fulfilling such of them as are necessary to keep the government even in nominal existence. Thus a people may prefer a free government; but if, from indolence, or carelessness, or cowardice, or want of public spirit, they are unequal to the exertions necessary for preserving it; if they will not fight for it when it is directly attacked; if they can be deluded by the artifices used to cheat them out of it; if, by momentary discouragement, or temporary panic, or a fit of enthusiasm for an individual, they can be induced to lay their liberties at the feet even of a great man, or trust him with powers which enable him to subvert their institutions--in all these cases they are more or less unfit for liberty; and though it may be for their good to have had it even for a short time, they are unlikely long to enjoy it. Again, a people may be unwilling or unable to fulfill the duties which a particular form of government requires of them. A rude people, though in some degree alive to the benefits of civilized society, may be unable to practice the forbearances which it demands; their passions may be too violent, or their personal pride too exacting, to forego private conflict, and leave to the laws the avenging of their real or supposed wrongs. In such a case, a civilized government, to be really advantageous to them, will require to be in a considerable degree despotic; one over which they do not themselves exercise control, and which imposes a great amount of forcible restraint upon their actions. Again, a people must be considered unfit for more than a limited and qualified freedom who will not co-operate actively with the law and the public authorities in the repression of evil-doers. A people who are more disposed to shelter a criminal than to apprehend him; who,

like the Hindoos, will perjure themselves to screen the man who has robbed them, rather than take trouble or expose themselves to vindictiveness by giving evidence against him; who, like some nations of Europe down to a recent date, if a man poniards another in the public street, pass by on the other side, because it is the business of the police to look to the matter, and it is safer not to interfere in what does not concern them; a people who are revolted by an execution, but not shocked at an assassination--require that the public authorities should be armed with much sterner powers of repression than elsewhere, since the first indispensable requisites of civilized life have nothing else to rest on. These deplorable states of feeling, in any people who have emerged from savage life, are, no doubt, usually the consequence of previous bad government, which has taught them to regard the law as made for other ends than their good, and its administrators as worse enemies than those who openly violate it. But, however little blame may be due to those in whom these mental habits have grown up, and however the habits may be ultimately conquerable by better government, yet, while they exist, a people so disposed can not be governed with as little power exercised over them as a people whose sympathies are on the side of the law, and who are willing to give active assistance in its enforcement. Again, representative institutions are of little value, and may be a mere instrument of tyranny or intrigue, when the generality of electors are not sufficiently interested in their own government to give their vote, or, if they vote at all, do not bestow their suffrages on public grounds, but sell them for money, or vote at the beck of some one who has control over them, or whom for private reasons they desire to propitiate. Popular election thus practiced, instead of a security against misgovernment, is but an additional wheel in its machinery.

Besides these moral hindrances, mechanical difficulties are often an insuperable impediment to forms of government. In the ancient world, though there might be, and often was, great individual or local independence, there could be nothing like a regulated popular government beyond the bounds of a single city-community; because there did not exist the physical conditions for the formation and propagation of a public opinion, except among those who could be brought together to discuss public matters in the same agora. This obstacle is generally thought to have ceased by the adoption of the representative system. But to surmount it completely, required the press, and even the newspaper press, the real equivalent, though not in all respects an adequate one, of the Pnyx and the Forum. There have been states of society in which even a monarchy of any great territorial extent could not subsist, but unavoidably broke up into petty principalities, either mutually independent, or held together by a loose tie like the feudal: because the machinery of authority was not perfect enough to carry orders into effect at a great distance from the person of the ruler. He depended mainly upon voluntary fidelity for the obedience even of his army, nor did there exist the means of making the people pay an amount of taxes sufficient for keeping up the force necessary to compel obedience throughout a large territory. In these and all similar cases, it must be understood that the amount of the hindrance may be either greater or less. It may be so great as to make the form of government work very ill, without absolutely precluding its existence, or hindering it from being practically preferable to any other which can be had. This last question mainly depends upon a consideration which we have not yet arrived at--the tendencies of different forms of government to promote Progress.

We have now examined the three fundamental conditions of the adaptation of forms of government to the people who are to be governed by them. If the supporters of what may be termed the naturalistic theory of politics, mean but to insist on the necessity of these three conditions; if they only mean that no government can permanently exist which does not fulfill the first and second conditions, and, in some considerable measure, the third; their doctrine, thus limited, is incontestable. Whatever they mean more than this appears to me untenable. All that we are told about the necessity of an historical basis for institutions, of their being in harmony with the national usages and character, and the like, means either this, or nothing to the purpose. There is a great quantity of mere sentimentality connected with these and similar phrases, over and above the amount of rational meaning contained in them. But, considered practically, these alleged requisites of political institutions are merely so many facilities for realising the three conditions. When an institution, or a set of institutions, has the way prepared for it by the opinions, tastes, and habits of the people, they are not only more easily induced to accept it, but will more easily learn, and will be, from the beginning, better disposed, to do what is required of them both for the preservation of the institutions, and for bringing them into such

action as enables them to produce their best results. It would be a great mistake in any legislator not to shape his measures so as to take advantage of such pre-existing habits and feelings when available. On the other hand, it is an exaggeration to elevate these mere aids and facilities into necessary conditions. People are more easily induced to do, and do more easily, what they are already used to; but people also learn to do things new to them. Familiarity is a great help; but much dwelling on an idea will make it familiar, even when strange at first. There are abundant instances in which a whole people have been eager for untried things. The amount of capacity which a people possess for doing new things, and adapting themselves to new circumstances; is itself one of the elements of the question. It is a quality in which different nations, and different stages of civilization, differ much from one another. The capability of any given people for fulfilling the conditions of a given form of government can not be pronounced on by any sweeping rule. Knowledge of the particular people, and general practical judgment and sagacity, must be the guides.

There is also another consideration not to be lost sight of. A people may be unprepared for good institutions; but to kindle a desire for them is a necessary part of the preparation. To recommend and advocate a particular institution or form of government, and set its advantages in the strongest light, is one of the modes, often the only mode within reach, of educating the mind of the nation not only for accepting or claiming, but also for working, the institution. What means had Italian patriots, during the last and present generation, of preparing the Italian people for freedom in unity, but by inciting them to demand it? Those, however, who undertake such a task, need to be duly impressed, not solely with the benefits of the institution or polity which they recommend, but also with the capacities, moral, intellectual, and active, required for working it; that they may avoid, if possible, stirring up a desire too much in advance of the capacity.

The result of what has been said is, that, within the limits set by the three conditions so often adverted to, institutions and forms of government are a matter of choice. To inquire into the best form of government in the abstract (as it is called) is not a chimerical, but a highly practical employment of scientific intellect; and to introduce into any country the best institutions which, in the existing state of that country, are capable of, in any tolerable degree, fulfilling the conditions, is one of the most rational objects to which practical effort can address itself. Every thing which can be said by way of disparaging the efficacy of human will and purpose in matters of government might be said of it in every other of its applications. In all things there are very strict limits to human power. It can only act by wielding some one or more of the forces of nature. Forces, therefore, that can be applied to the desired use must exist; and will only act according to their own laws. We can not make the river run backwards; but we do not therefore say that watermills "are not made, but grow." In politics, as in mechanics, the power which is to keep the engine going must be sought for *outside* the machinery; and if it is not forthcoming, or is insufficient to surmount the obstacles which may reasonably be expected, the contrivance will fail. This is no peculiarity of the political art; and amounts only to saying that it is subject to the same limitations and conditions as all other arts.

At this point we are met by another objection, or the same objection in a different form. The forces, it is contended, on which the greater political phenomena depend, are not amenable to the direction of politicians or philosophers. The government of a country, it is affirmed, is, in all substantial respects, fixed and determined beforehand by the state of the country in regard to the distribution of the elements of social power. Whatever is the strongest power in society will obtain the governing authority; and a change in the political constitution can not be durable unless preceded or accompanied by an altered distribution of power in society itself. A nation, therefore, can not choose its form of government. The mere details, and practical organization, it may choose; but the essence of the whole, the seat of the supreme power, is determined for it by social circumstances.

That there is a portion of truth in this doctrine I at once admit; but to make it of any use, it must be reduced to a distinct expression and proper limits. When it is said that the strongest power in society will make itself strongest in the government, what is meant by power? Not thews and sinews; otherwise pure democracy would be the only form of polity that could exist. To mere muscular strength, add two other elements, property and intelligence, and we are nearer the truth, but far from having yet reached it. Not only is a greater

number often kept down by a less, but the greater number may have a preponderance in property, and individually in intelligence, and may yet be held in subjection, forcibly or otherwise, by a minority in both respects inferior to it. To make these various elements of power politically influential they must be organized; and the advantage in organization is necessarily with those who are in possession of the government. A much weaker party in all other elements of power may greatly preponderate when the powers of government are thrown into the scale; and may long retain its predominance through this alone: though, no doubt, a government so situated is in the condition called in mechanics unstable equilibrium, like a thing balanced on its smaller end, which, if once disturbed, tends more and more to depart from, instead of reverting to, its previous state.

But there are still stronger objections to this theory of government in the terms in which it is usually stated. The power in society which has any tendency to convert itself into political power is not power quiescent, power merely passive, but active power; in other words, power actually exerted; that is to say, a very small portion of all the power in existence. Politically speaking, a great part of all power consists in will. How is it possible, then, to compute the elements of political power, while we omit from the computation any thing which acts on the will? To think that, because those who wield the power in society wield in the end that of government, therefore it is of no use to attempt to influence the constitution of the government by acting on opinion, is to forget that opinion is itself one of the greatest active social forces. One person with a belief is a social power equal to ninety-nine who have only interests. They who can succeed in creating a general persuasion that a certain form of government, or social fact of any kind, deserves to be preferred, have made nearly the most important step which can possibly be taken toward ranging the powers of society on its side. On the day when the protomartyr was stoned to death at Jerusalem, while he who was to be the Apostle of the Gentiles stood by "consenting unto his death," would any one have supposed that the party of that stoned man were then and there the strongest power in society? And has not the event proved that they were so? Because theirs was the most powerful of then existing beliefs. The same element made a monk of Wittenberg, at the meeting of the Diet of Worms, a more powerful social force than the Emperor Charles the Fifth, and all the princes there assembled. But these, it may be said, are cases in which religion was concerned, and religious convictions are something peculiar in their strength. Then let us take a case purely political, where religion, if concerned at all, was chiefly on the losing side. If any one requires to be convinced that speculative thought is one of the chief elements of social power, let him bethink himself of the age in which there was scarcely a throne in Europe which was not filled by a liberal and reforming king, a liberal and reforming emperor, or, strangest of all, a liberal and reforming pope; the age of Frederic the Great, of Catherine the Second, of Joseph the Second, of Peter Leopold, of Benedict XIV., of Ganganelli, of Pombal, of D'Aranda; when the very Bourbons of Naples were liberals and reformers, and all the active minds among the noblesse of France were filled with the ideas which were soon after to cost them so dear. Surely a conclusive example how far mere physical and economic power is from being the whole of social power. It was not by any change in the distribution of material interests, but by the spread of moral convictions, that negro slavery has been put an end to in the British Empire and elsewhere. The serfs in Russia owe their emancipation, if not to a sentiment of duty, at least to the growth of a more enlightened opinion respecting the true interest of the state. It is what men think that determines how they act; and though the persuasions and convictions of average men are in a much greater degree determined by their personal position than by reason, no little power is exercised over them by the persuasions and convictions of those whose personal position is different, and by the united authority of the instructed. When, therefore, the instructed in general can be brought to recognize one social arrangement, or political or other institution, as good, and another as bad--one as desirable, another as condemnable, very much has been done towards giving to the one, or withdrawing from the other, that preponderance of social force which enables it to subsist. And the maxim, that the government of a country is what the social forces in existence compel it to be, is true only in the sense in which it favors, instead of discouraging, the attempt to exercise, among all forms of government practicable in the existing condition of society, a rational choice.
