

J. S. Mill's Political Thought

A Bicentennial Reassessment

Edited by

NADIA URBINATI

Columbia University

ALEX ZAKARAS

University of Vermont

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rule alone and unobstructed. By signaling to the outvoted minority community that losing power means losing everything, democratic elections are unlikely to pacify a multiethnic or multid denominational society or reconcile its various factions to peaceful coexistence. That is exactly what Mill's still-pertinent theory of the obstacles to democracy would lead us to expect.

Mill's "A Few Words on Non-Intervention"

A Commentary

Michael Walzer

Mill's "few words" actually make up a longish essay, which I shall reduce to a few paragraphs, for the purposes of commentary. I want to isolate the key arguments and consider whether they still make sense. They made a lot of sense in the 1960s, when Americans were arguing about the Vietnam War and when many liberal and leftist intellectuals first started thinking and writing about the question of military intervention. The Millian claim that Vietnamese freedom depended on the Vietnamese themselves – on how much they valued freedom and on what sacrifices they were prepared to make for its sake – was repeated by just about every American political and military leader, but it was the opponents of the war who took it most seriously. Mill's essay was a favorite text of the antiwar movement. But there was never a simple right-left disagreement on intervention. Depending on the local circumstances, each side has been ready to send troops into someone else's country, and each side has criticized the government that sent (or didn't send) them in. The right wanted to roll back Soviet tyranny in Europe; many leftists would probably have supported a military intervention to end apartheid in South Africa. Neither right nor left has been entirely consistent, and both have divided in unpredictable ways. Perhaps another look at Mill's categories and criteria might help us all maintain a steady course.

For Mill, the central issue was despotism, and in one way or another that still seemed true in the 1960s, in the Vietnam years, and it still seems true today (2005) when the United States is engaged in coercive "regime change" in Iraq. But we also have to consider, against all our hopes and expectations, the most frightening consequence of some (but not all) despotisms: mass murder. This is the major difference between the cases that preoccupied us 40 years ago and the cases that worry us today. The despots have certainly not gone away, but the threat they always posed to liberty has now been overwhelmed by the threat they pose to life. The latter threat, of course,

was always there: Nazi genocide and the Soviet Gulag were also the work of despotic regimes. Somehow, in the years after World War II, we convinced ourselves that the slogan “Never again!” would actually shape our common future. It obviously hasn’t. The twenty-first century looks to be a continuation of the twentieth and not a return to Mill’s nineteenth, whose politics looks, well, not bloodless but almost innocent. Still, whenever we need to argue about whether it is right or wrong, just or unjust, to send an army across a border, it is useful to return to Mill’s “few words.”

Textual commentary is not a common genre in political theory these days. Authoritative religious texts like the Bible and legal texts like the U.S. Constitution are often quoted and commented on – sometimes criticized, more often revised through interpretation. It is customary in such commentaries to claim that one is seeking the true meaning, the deepest meaning, of the text. I make no such claim with regard to Mill’s essay, which has neither religious nor constitutional authority. Nor do I want to claim that I am carrying on a conversation with Mill, since he is incapable of responding. As with any engagement with a long dead but still influential author, my commentary is an act of homage but also an act of appropriation and use.

The excerpts (in italics) on which I comment follow the development of Mill’s argument. They are all from the second part of the essay; the first part deals more narrowly with British foreign policy and is not of interest here.

We have heard something lately about being willing to go to war for an idea. To go to war for an idea, if the war is aggressive, not defensive, is as criminal as to go to war for territory or revenue; for it is as little justifiable to force our ideas on other people, as to compel them to submit to our will in any other respect. But there assuredly are cases in which it is allowable to go to war, without having been ourselves attacked, or threatened with attack; and it is very important that nations should make up their minds in time, as to what these cases are. There are few questions which more require to be taken in hand by ethical and political philosophers, with a view to establish some rule or criterion whereby the justifiableness of intervening in the affairs of other countries, and (what is sometimes fully as questionable) the justifiableness of refraining from intervention, may be brought to a definite and rational test. (CW XXI: 118)

I think that the “idea” in question was liberty, as it is democracy today, and Mill’s assertion that we cannot force such ideas on other people is as true today as it was in 1859. But the hard question, not dealt with in this opening paragraph, is how we respond to the radical deprivation of liberty and democracy, that is, to slavery and despotism. Do these two ever justify the

resort to war? This is a question that still needs to be “taken in hand.” Note that Mill is looking for a moral argument here – from “ethical and political philosophers.” But for more than a century after he wrote, the study of international politics was dominated by “realists,” who thought such arguments otiose. Mill looked old-fashioned to them. He is our contemporary. Indeed, I argue that he speaks directly to current U.S. debates about foreign policy and international society.

There is a great difference . . . between the case in which the nations concerned are of the same, or something like the same, degree of civilization, and that in which one of the parties to the situation is of a high, and the other of a very low, grade of social improvement. To suppose that the same international customs, and the same rules of international morality, can obtain between one civilized nation and another, and between civilized nations and barbarians, is a grave error, and one which no statesman can fall into. . . . Among many reasons why the same rules cannot be applicable to situations so different, the two following are among the most important. In the first place, the rules of ordinary international morality imply reciprocity. But barbarians will not reciprocate. They cannot be depended on for observing any rules. Their minds are not capable of so great an effort, nor their will sufficiently under the influence of distant motives. In the next place, nations which are still barbarous have not got beyond the period during which it is likely to be for their benefit that they should be conquered and held in subjection by foreigners. (CW XXI: 118)

This doesn’t sound at all contemporary; indeed, it is politically incorrect in the strongest possible sense. And in this case, unlike many others, that description seems entirely justified. Surely it is astonishing that Mill should tell us that the people of India – the most relevant case, which he knew well – could not understand the idea of reciprocity or that Hindus and Muslims were incapable of “observing any rules” (it might have been a more legitimate criticism to say that they observed too many rules). But the last sentence of this excerpt requires more prolonged discussion. Even Karl Marx believed that it was in the interest of the Indians to be ruled by the British, although his account of “social improvement” was more dialectical and more violent than Mill’s. And it is probably true that many leaders of the Congress Party, India’s national liberation movement, believed that it had once been in the interests of Indians to be ruled by the British, however critical they were of many aspects of British rule. Still, I doubt that things like the (temporary) unification of the country, or the abolition of *sati*, or the establishment of a parliamentary system could actually justify the “conquest and subjection” of a country like India. And what about the destruction of the Indian cloth industry, the reinforcement of the caste system, and the

establishment of separate electoral lists for Hindus and Muslims? It would require a very complicated counterfactual analysis to figure out whether the sum of British actions was "to the benefit" of the Indians. And no other argument will do: for good reasons, we no longer believe that a theory of historical development or a belief in progress ("social improvement") is sufficient to the task.

If we give up any such theory, then we are forced to recognize the possible coexistence in time and space of civilization and barbarism – which opens the way for a more balanced argument about foreign intervention. Certain forms of barbarism can indeed justify a version of "conquest and subjection," and these forms can and do appear at very different levels of what Mill calls social improvement; they certainly appear in "advanced" European societies as well as in "backward" African and Asian societies (where Mill expected to find them). When a government begins a massacre of its own people or of some subset of its own people, or when it launches a program of "ethnic cleansing," or when it imposes a slave system, then it is greatly to the benefit of the victims and potential victims that their country be invaded and their government overthrown by foreign troops. We call this "humanitarian intervention," and it is widely defended these days, although not widely or reliably practiced. How to deal with governmental brutality short of massacre, ethnic cleansing, and enslavement – with ordinary authoritarianism – is, however, a question that still needs to be "taken in hand."

But among civilized peoples, members of an equal community of nations, like Christian Europe, the question assumes another aspect, and must be decided on totally different principles.

The principles are, in fact, the same across the community of nations, whether or not its members or, better, the governments of its members, are moral equals. It is precisely because governments are not equally just or benevolent or responsive to the needs of their people, in "Christian Europe" as well as in the rest of the world, that we need a theory of military intervention. But we also need, what no one has yet produced, a theoretical account of the full range of coercive responses to injustice, from diplomatic pressure to economic sanctions to the use of force short of war.

The disputed question is that of interfering in the regulation of another country's internal concerns; the question whether a nation is justified in taking part, on either side, in the civil wars or party contests of another; and chiefly, whether it may justifiably aid the people of another country in struggling for liberty; or may impose on a country any particular government or institutions, either as being best for the country itself, or as necessary for the security of its neighbors. (CW XXI: 121)

This is Mill's subject. If he doesn't acknowledge the possibility of barbarism in Christian Europe, he does acknowledge the possibility of despotism. Can a foreign state and army come to the aid of people struggling to overthrow a despot? Can they simply intervene and overthrow the despot themselves, whether or not there is a popular struggle? The primary issue here is the "benefit" of the invaded country. But Mill also raises the question of preventive war, which he doesn't discuss in any sufficient way in this essay. Suppose that there is a tyrannical regime with a record of aggression against its neighbors or a regime (thought to be) prone to aggression – can its neighbors intervene to change the regime, in their own interests, for their own benefit? Preventive war is very hard to justify because the threat is speculative in nature, possibly also distant in time, and there are other things to do: military preparations and diplomatic alliances may well serve to deter any attack. On the other hand, the security of neighboring states seems a very good reason for regime change *after* the military defeat of an aggressor state, as in Germany after World War II. Before 1939, forceful measures short of war would probably have prevented the war and possibly also led to the downfall of the Nazi regime – Mill, as we will see, is not prepared to contemplate anything more. After 1945, he would have thought the allies right to "impose" a new (and democratic) government on the German people.

Assistance to the government of a country in keeping down the people, unhappily by far the most frequent case of foreign intervention, no one writing in a free country needs take the trouble of stigmatizing. A government which needs foreign support to enforce obedience from its own citizens, is one which ought not to exist; and the assistance given to it by foreigners is hardly ever anything but the sympathy of one despotism with another. A case requiring consideration is that of a protracted civil war, in which the contending parties are so equally balanced that there is no probability of a speedy issue; or if there is, the victorious side cannot hope to keep down the vanquished but by severities repugnant to humanity, and injurious to the permanent welfare of the country. In this exceptional case it seems now to be an admitted doctrine, that the neighboring nations, or one powerful neighbor with the acquiescence of the rest, are warranted in demanding that the contest shall cease, and a reconciliation take place on equitable terms of compromise. (CW XXI: 121)

Mill isn't thinking here of political and economic support for despotism, for then he would have to acknowledge that liberal and democratic governments have sometimes (often?) found it in their interest to ally themselves with despots. That is usually a bad policy, but it isn't what concerns him here. He also thinks it unnecessary "in a free country" to condemn military

intervention on behalf of despotism. But what about intervention in a “protracted civil war,” possibly between the forces of freedom and unfreedom? Mill claims that foreign powers should impose a compromise (rather than assist one side in the war); they should aim simply to stop the fighting, when the fighting itself has become the chief source of injury or when the victory of either side, given the division of the country, would lead to brutal repression of the other. He takes this to be uncontroversial, although it is hard to imagine a case where the question of who would actually impose the compromise and on what terms wouldn’t be contested in the international community. Mill never asks how such contests are best resolved. The standard answer today would be to turn to the United Nations (UN), and certainly it would be worthwhile to aim at creating a UN capable of formulating and enforcing “equitable terms.” But no such UN exists today. We haven’t gotten much further than Mill’s description of the available agents: “the neighboring nations or one powerful neighbor with [or, in practice, without: MW] the acquiescence of the rest.”

With respect to the question, whether one country is justified in helping the people of another in a struggle against their government for free institutions, the answer will be different, according as the yoke which the people are attempting to throw off is that of a purely native government, or of foreigners; considering as one of foreigners, every government which maintains itself by foreign support. When the contest is only with native rulers, and with such native strength as those rulers can enlist in their defense, the answer I should give to the question of the legitimacy of intervention is, as a general rule, No. The reason is, that there can seldom be anything approaching to assurance that intervention, even if successful, would be for the good of the people themselves. The only test possessing any real value, of a people’s having become fit for popular institutions, is that they, or a sufficient portion of them to prevail in the contest, are willing to brave labor and danger for their liberation. (CW XXI: 122)

Foreign states and armies can come to the aid of a national liberation struggle against foreign rule, but they cannot come to the aid of a revolutionary struggle against domestic despotism – this is Mill’s argument. French assistance to the American war for independence would be justified by his rule, and this was probably one of the cases in his mind, although his primary focus was on the failure of Britain to help the Hungarians in 1848. Presumably it is only when the liberation forces are losing the war (or perhaps only when they are sure to be overwhelmed, as the Hungarians were) that a military invasion would be justified. Mill’s rule would not have justified a Japanese invasion of India in 1940, even if its announced purpose had been to install a Congress government. It is because such invasions so

often have a different purpose that the justification is always problematic – also because third-party invasions may open the way to a wider war. Mill acknowledges this latter difficulty, and I return to it later.

Revolutions, by contrast, must be won or lost by the local forces that initiate them. This is Mill’s hardest argument and, leaving aside his views about civilization and barbarism, it is by far his most controversial argument. People have a right (this is our language, not Mill’s) to be rescued from foreign rule, but not from domestic despotism – because domestic despotism is taken to be reflective of their own history and culture. Revolution is always a *kulturkampf*, and the transformation of a political culture can only be the work of the people whose culture it is. Consider the Jacobin claim that Louis XVI was not really a Frenchman and therefore not a traitor, as the Girondins claimed, but an “enemy of the people.” In the Jacobin mind, Europe was ruled by an international aristocracy, a continental (and familial) alliance of kings and feudal nobles, whose members were citizens and patriots nowhere, with no loyalty except to one another. If we imagine a Europe of that sort, then aristocratic rule could justly be opposed by an international alliance of democrats. The military intervention of any democratic nation (had there been any) in support of the French revolutionaries would have been justified. But if, more plausibly, we think of Louis as a Frenchman, even as an embodiment of Frenchness, then he has to be dealt with, and a new embodiment realized (or not), by the French themselves. Only they can do that because it is only in the course of doing it that they will create the new political culture necessary to support a free state.

Mill writes as if his argument is about desert: the revolutionaries must prove by “braving labor and danger” that they are worthy of freedom. But he also knows that the worthiness of some may not be sufficient. He is willing to let the revolutionaries lose, even if their cause is just, even if each of them is very brave, so long as they are unable to mobilize a sufficient number of their fellows. And the reason for this has less to do with desert than, more practically, as we shall see, with the preconditions of stable democratic rule.

But the evil is, that if they have not sufficient love of liberty to be able to wrest it from merely domestic oppressors, the liberty which is bestowed on them by other hands than their own, will have nothing real, nothing permanent. No people ever was and remained free, but because it was determined to be so. (CW XXI: 122)

Here is Mill’s argument against what is now called, and what I have already been calling, “regime change.” It doesn’t work. Free institutions require free men and (Mill may be the first political theorist for whom this addition is necessary) free women. That doesn’t mean “free” in the

minimalist sense of “not slaves.” What is required to sustain a free politics is much more than that: a body of men and women, fellow citizens, who value their freedom, who act freely in the political arena, and who are prepared to defend their right to act freely. And citizens like that are themselves created in the course of creating the politics that makes them free. This is a very attractive argument, especially so, perhaps, to political activists. But it has an obvious problem. It accounts only for the freedom of the first generation. The next generation doesn’t have to “brave labor and danger” to be free – which may be why Thomas Jefferson, a Millian before Mill, wrote to a friend after Shays’s Rebellion: “God forbid we should be 20 years without such a rebellion, . . . What country can preserve its liberties if their rulers are not warned from time to time that their people preserve the spirit of resistance?” And then, more famously, “The tree of liberty must be refreshed from time to time with the blood of patriots and tyrants. It is its natural manure.” That is almost certainly Mill’s argument as well, although he was too sober a writer to put it so bluntly. The political culture of freedom is sustained not only by vigilance but also by active participation. Mill has a very stern view of citizenship: if it is especially hard for the first generation of citizens, it is never easy. The claim of foreigners to bring the gift of liberty must always be rejected. This is a poisonous gift, for the people who accept it and then think themselves free will not be able to sustain their freedom. They will find their masters, or their masters will find them.

So, again, when a nation, in her own defense, has gone to war with a despot, and has had the rare good fortune not only to succeed in her own resistance, but to hold the conditions of peace in her own hands, she is entitled to say that she will make no treaty, unless with some other ruler than the one whose existence as such may be a perpetual menace to her safety and freedom. (CW XXI: 123)

Mill may have an example in mind, but for us the most obvious case is that of World War II, which I have already described. The allies were, rightly, not prepared to sign a peace treaty with Hitler or with any representative of the Nazi regime. But note that Mill does not explicitly endorse military occupation and political reconstruction by the victors. He would presumably have preferred that the people of the defeated nation themselves produce “some other ruler” than the despot who began the war. But given the character of modern totalitarian regimes and the destructiveness of modern warfare, this may not be possible. Instead, it may be necessary for the victors to rebuild not only the economy but also the government of the people they have defeated. If this is so, then we need an account, which Mill does not provide, of the regulative conditions of this work – a theory of *jus post bellum* (Mill seems interested only in the more standard questions of *jus ad bellum*). Perhaps

it should be a feature of any such theory that the singular “nation” that is the subject of Mill’s argument has to be joined in the work by other nations or by some regional or international organization that can set limits on the self-interested behavior that commonly accompanies singularity.

But the case of a people struggling against a foreign yoke, or against a native tyranny upheld by foreign arms, illustrates the reasons for non-intervention in an opposite way; for in this case the reasons themselves do not exist. A people the most attached to freedom, the most capable of defending and of making a good use of free institutions, may be unable to contend successfully for them against the military strength of another nation much more powerful. To assist a people thus kept down, is not to disturb the balance of forces on which the permanent maintenance of freedom in a country depends, but to redress that balance when it is already unfairly and violently disturbed. . . . Intervention to enforce non-intervention is always rightful, always moral, if not always prudent. (CW XXI: 123)

Here is a classic example of the exception that proves the rule. Non-intervention in the politics of another people is the rule, but sometimes intervention is the only way to make the rule good, and then, and only then, can it be right to intervene, that is, to send an army across a political frontier. We are barred from trying to shape political conditions in another country, but we are permitted, perhaps required, to prevent anyone else from doing that. Even here, we are only to intervene if local resistance is about to be overwhelmed. If a nation is able to defend its own freedom or to win its own freedom, even at high cost, Mill would not intervene simply to reduce the cost. The difficulty here is that when a people is about to be overwhelmed by superior force, the same superior force may make any intervention on their behalf dangerous – not only to the intervening state but to many other states as well. The obvious case is Hungary again: a little over a century after the British declined to intervene in 1848, the United States declined to intervene in 1956 – in both cases against the Russian army. Contemporary Tibet is another example: no one will risk a full-scale war with China for the sake of Tibetan freedom. As Mill says, intervention in such cases is justified but “not always prudent.” Still, one might think here of measures short of war, which, if they were imposed internationally, with a disciplined refusal of “business as usual,” might be effective.

The first nation which, being powerful enough to make its voice effectual, has the spirit and courage to say that not a gun shall be fired in Europe by soldiers of one Power against the revolted subjects of another, will be the idol of the friends of freedom. . . . The declaration alone will ensure the almost immediate emancipation of every people which desires liberty sufficiently to be capable of

maintaining it; and the nation which gives the word will soon find itself at the head of an alliance of free peoples. . . . The prize is too glorious not be snatched sooner or later by some free country, and the time may not be distant when England, if she does not take this heroic part because of its heroism, will be compelled to take it from consideration of her own safety. (CW XXI: 124)

Mill's ambition for his country is very grand (although I come in a moment to its important limits): he wants Britain to be not only a beacon of freedom but an active political and, if necessary, military agent. He predicts that if it acts with sufficient courage, it will find itself "at the head of an alliance of free peoples." But what he is advocating, at the first moment, is unilateral action. All this has a familiar ring in these latter days. It is important to note, therefore, that Mill's mandate for Britain extends only to Europe – if only because the barbarism (in his eyes) of the rest of the world does not invite a politics of freedom. The moral prerequisites of freedom must exist before foreign powers can open the way for the achievement of freedom. This is an argument that one might make even without Mill's theory of "social improvement." But his ambition is limited in another sense: all he wants Britain to do is to open the way. The actual achievement must still be the work of people who "desire liberty sufficiently to be able to maintain it." Looking at the despotic regimes of Europe, Mill hopes for regime change, but he does not pin his hopes on the British Royal Navy (the nineteenth-century equivalent of the U.S. Air Force) but on the energy and commitment of ordinary people in the countries the despots rule.

Mill would be heartened, I think, by the development of an international civil society in which nongovernmental, and hence nonmilitary, organizations support a politics of freedom in other people's countries without undermining the necessary self-help of those same people. Groups such as Human Rights Watch and Amnesty International, although they cannot describe their projects in this way, work effectively for regime change. But they don't enlist the military power of any nation in their pursuit of the "glorious" prize of liberty; they don't impose a new regime, and the success of their work depends ultimately on local energy and commitment. We might think of the support they provide for the forces of freedom and democracy as a contemporary version of what the old left called "solidarity." It is an intervention of hearts and minds, but not of armies, and it falls well within the Millian program.

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