

Individuals and Majorities: Tocqueville, Mill, and Rawls

Tocqueville:

- Went to America at 25 years old.
- From aristocratic families in France.
- Went to study the prison system in America.
- Equality:
 - Equality was a fundamental principle of democracy. [Page 26]
 - It was a defining element of American democracy.
 - Americans had no history of aristocracy, as such, there was great equality.
 - He noticed that everybody is born equal in America.
 - Equality offers great opportunities, but also carries great dangers. The dangers are that you do not know how people are going to act, because they do not know their place in society, unlike that of aristocracy.
 - He says this system that America follows will consume the rest of the world.
 - The spirit of democracy needs to be guided, and they need to find a way to check the powers of democracy.
 - He was very optimistic about the prospects that democracy can bring.
 - "We need to understand how democracy works, so we can make the best of it, as it is not going anywhere."
- Political Associations:
 - Ubiquitous in America.
 - In democracy it's the people who are sovereign. This is through the will of the majority.
 - Dangerous freedom, but necessary to combat power of the majority.
 - Associations have the ability to promote harmful things such as racism. There is a danger to associations for this reason. He says they are necessary because when the majority wields power, they hold a lot of it.
 - Associations provide the ability for some to combat the power of the majority.
 - The will of the majority can function as a tyrant.
 - The power of the majority can be checked.
 - Associations is the solution to dealing with problems. If people have an issue, they get together and form a committee. He says in America, from a very young age, that if you have a problem you solve it yourself. "you solve your own problems".
 - Public opinion controlled by the majority in America.
 - Religion: the foremost of the political institutions in America.
 - He was impressed by the religious pluralism in America.
 - He claimed that Christianity holds a deal of power in America.
 - If you look at the religions in the U.S, religion does not play a part in politics. So long as religion and politics stayed apart. Religion had the ability to be a check on the power of the majority.
 - How powerful is this tyranny?
 - ▶ He says that although the U.S is built on equality, there is no freedom of opinion and expression. They were both held back by the will of the majority. [Page 29].
 - ▶ In other words, once public opinion has settled on a typical problem, the discussion is over. People no longer retain the freedom to criticize that view.
 - ▶ It's a form of tyranny, where dungeons look like nothing according to him.
- Individualism:
 - Natural outgrowth of democratic equality
 - ▶ People start to look at themselves, instead of their place in society.
 - ▶ For authoritative opinions, people look at themselves.
 - ▶ One of the problems is when we have problems, we do not look for experts. We believe we can solve them ourselves.
 - ▶ This notion of individualism is dangerous because it causes an inward looking sense. You lose sight of those around you.
 - Can degenerate into selfishness
 - ▶ Threatens public spiritedness
 - Combated through self-interest rightly understood
 - ▶ [Page 33] "Second full paragraph about half-way through."

Summary of Tocqueville

- He identifies dimensions of democratic politics, they often show great promise. He says watch out because there is a danger to it. The power of the majority can be even worse than that of an absolute prince. Individualism leads people to lose of community. He is getting people to think about the relationship between majorities and individuals.

Mill:

Civil Liberty:

- "The nature and limits of the power which can be legitimately exercised by society over the individual." [Page 34]
- Mill says on [page 35] that the problem is that individuals will place tyranny upon themselves.

- Just because you have popular government, does not mean you escaped the risk of tyranny.
- Mill is not talking about electoral government. What he is talking about is the tyranny in the realm of opinion.
- Tyranny is the ability for the power of the majority to change your soul. "Hand up in class example"
- This is dangerous because it needs no tools of power to operate. There is no proving what has been done. "The majority has many ways of exerting its power to conformity."
- Under popular rule, greatest threats to liberty come from the majority.
- Tyranny of the majority is "more formidable than many forms of political oppression" [page 36]
- Public opinion could be turned to good effects.
- Customs lead people to believe rules are self-justified. "Why do you have to be 16 to drive" We accept a lot of rules because that's just how it's always been.
- What are the principles we are using to formulate rules?
 - [Page 38] The starting point is that over yourself you are sovereign, nobody else. The only portion of your behaviour that you need to justify to others, are ones that affect others. If an action does not affect somebody, it is not their business.
 - Mill uses the doctrine of utility. He is a utilitarian.
- Interfering in the lives of individuals:
 - The individual is sovereign
 - Utilitarian defence of liberty
 - Self vs. other-regarding actions
 - There is a difference between self-regarding actions and other actions. Other actions affect others.
 - Harm principle "Smoking on a patio example." You can tell somebody how gross smoking is and how bad it is for them, that still does not allow you to stop them from smoking in front of you. But if you can prove that smoking affects you, then there can be a discussion."
- Individuality:
 - "Human nature is not a machine to be built after a model." [page 42] In other words, You do not perfect humanity, by being the same as everybody in the room.
 - Mankind is better off if one is allowed to say anything they want. This is because if our aim in life and society is progress, we must conduct "experimenting in life". He says sometimes you have to try out things, it might be bad, it might be good. We have to allow others to try new things, as long as it does not harm others.
 - The problem with turning power over to the public opinion, is first, it is not always enlightened and second, it tends towards mediocrity.
 - Greatness from a society comes when someone says "I'm going to do things differently." Everybody doing the same and looking the same does not progress society.
 - Popular government is the best way to ensure the greater progress of our species.
 - He thinks representative government is better than direct.
- The term utilitarianism is often seen as a "bad word."
- Justice becomes a relevant concept, when a conflict arises. When people's perceptions of what is right, there must be a way to find out who is right. These perceptions can be altered by greed, selfishness etc....(other common human nature traits.)
- Justice gives a way to solve the conflict. Although justice is a very ambiguous term, as there are different accounts of what justice truly is.
- Mill believed that individuals have to live their life in their own way and not be constrained by social norms. (he demonstrated this by his relationship.)
- Utilitarianism is based upon utility.
- Utility describes human action and prescribes it at the same time.
- Mill says that any rational behavior is seeking pleasure over pain. Mill says that no matter what action, as long as it is rational, the action will always lead to a concept that we do things because we want pleasure over pain. You can trace any rational action to this concept, according to Mill.
- Mill says that the standard of justice (what is right and wrong) is to promote pleasure over pain. Thus, whatever maximizes utility is the "good" action.
- For Mill, it is possible to calculate utility. Happiness and utility is always at an individual level. To Mill, there is no "group utility."
- You can use "aggregate utility" to calculate the utility of a group. Pg. 137. In classical utilitarianism (Mill's father) they believed that you give rankings to the happiness of people.
- John Stuart Mill departed from classical utilitarianism because he first he says that utility is based upon activities. Secondly, once people and society develop themselves into a certain development stage (developed, western world), they must make choices to develop their individuality. For Mill, happiness is not pre-decided, you must find it by yourself and discover it through individualism. Happiness was both individual and pluralist, happiness differs from person to person. Thirdly, happiness is qualitative and hierarchical, it is not all about the quantity of happiness but sometimes the quality matters. On page 140, "It's better to be a human being dissatisfied, than a pig satisfied." Mill says that there is a difference between bodily pleasures and mental pleasure. Higher pleasures are ones which are harder to do, while lower pleasures are easy to do. For example: higher pleasure would be piano lessons, while lower pleasures would be watching reality television. The greater pleasure usually

involves dealing with a lot of pain and frustration and once you get passed that, you get pleasure from it. You know the difference between Lower and higher pleasures, because if you ask somebody who has achieved both pleasures, they will always say they want the higher pleasure over the lower pleasure. You would not trade nay amount of the higher pleasure for any amount of the lower pleasure.

- The problem with this is that the utilitarian calculus is more complex to solve. Mill moves away from the easy calculation, because you now have to different units which are not comparable.
- Mill saw human beings as progressive. Individuals are beings that are capable of progress. On page 144, second line, Mill responds to criticism of utilitarianism by saying that the contented life is where you have moments of happiness, and you go on your life where you receive minimal amounts of happiness. Not every moment in your life is full of rapturous amounts of happiness. The contented life, is not one where you have to be a famous singer or movie star. You do things that you like and you enjoy it. Mill says this “life” should be achievable to anyone. He says the achievability of this “life” may not be achievable if not in a developed area, as they can not make individual choices.
- The person who lives a generous life will die a happier person, than the selfish one.
- Mill also says that if you live a minimal life where you do not challenge yourself and cultivate your mind, you will live an unsatisfied life.
- Mill recognizes that human beings can be selfish, although he says that if human beings try to stop this it can be achievable to remove as human beings are progressive.
- The distinction between higher and lower pleasures, is related to the progression of humans. Mill believed that if we rank higher pleasures, over lower ones, humans will naturally progress to reach these higher pleasures. And ultimately, this movement of a lower pleasure to higher one, promotes the betterment of society as for example, “writing a novel increases the general aggregate utility, but watching reality television does not.”
- What do you do with people who openly sacrifice their own happiness?: Mill says they sacrifice themselves for the good of the people. They don’t just do it for “fun” they do it for a purpose, which is to Mill, the happiness of others. The only cases where this action is rational is when is sacrificing his life for the belief he holds that his life will give greater happiness to others. Pg. 148.
- For the calculus of utilitarianism to function properly there must be impartiality in the calculation and rankings. You must follow the calculations, not simply look at your own happiness and pick whichever one is better.
- For Mill utilitarianism, the ends matter more than the motives. It does not matter why you did something, as long as the end result was a good action. Example: you saved a child from drowning because you want to be famous, it does not matter your motives as long as the boy is saved. Pleasure is greater than pain.
- “Trolley Situation from Sandel”: For a utilitarian, you would kill the one person over the five.
- The problem with the situations from Sandel, is that it characterizes utilitarianism. Page 158.
- Mill says that we defend freedom of speech because it increases the general utility. It allows us to gain greater amounts of knowledge because the people who are right give us positive information and the people who are wrong are able to be refuted, thus allowing people to see the right answer. With people being able to say whatever they want, it increases society’s general store of knowledge, thus increasing the utility of society. When you prevent knowledge from getting out, you diminish the utility of that discourse, either because you don’t allow the knowledge of this to come out, or you do not allow the information to be analyzed and refuted, thus allowing others to perfect their arguments and give more absolute truths.
- *Quick Summary:*
 - Happiness is the ultimate end to all rational actions.
 - Because this is the end, it is the moral standard.
 - Happiness is always individual.
 - There is a calculus, to find out the aggregate utility of society, which literally is adding up the happiness of the people.
 - There are higher forms of pleasures, higher and lower.
 - The utilitarianism calculus must always be impartial.

- Rawls:

- Justice

- ▶ The problem with utilitarianism
 - Rawls says an individual you may make decisions based on "what provides me more happiness."
 - Rawls says the problem is that it wrongfully provides the option of choice to societies.
 - ▶ Original contract
 - ▶ Original position and the veil of ignorance
 - Rational, mutually-disinterested individuals
 - ▶ Two principles of justice:
 - Equality principle
 - Justice principle

- Rawls principles are simplified by saying that “one cuts, one chooses.”
- Questions of justice are not applicable in a lone dessert island. This is because there is nobody around you to distribute or

communicate with.

- To achieve a sense of justice you must bring other people into your world.
- One of the things that must be present if there is a sense of justice is a community because justice is based on distribution.
- For there to be justice there must be a sense of scarcity.
- Questions based on justice are difficult to answer because there is no clear right or wrong answer.
- The term utilitarianism is often seen as a “bad word.”
- Justice becomes a relevant concept, when a conflict arises. When people’s perceptions of what is right, there must be a way to find out who is right. These perceptions can be altered by greed, selfishness etc....(other common human nature traits.)
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