

Mill and Taylor on equality and marriage philosophy essay



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John Stuart Mill's *The Subjection of Women* is an argument in favor of political equality between the sexes. He claims that no society could hope to approach justice so long as half its people were in subjection and laments that women were deprived of freedom and dignity. In this paper we argue that the perfect equality between the sexes, which Mill calls for in the first paragraph of *The Subjection*, is vitiated by his views on the position of women in marriage and family. In section I, we show that perfect equality is consonant with his liberal philosophy in *On Liberty*. In section II, we show that his views on marriage and family make his equality imperfect. If Mill's position on perfect equality is correct, and his liberal political philosophy argues that it is, then he drew the wrong consequences for marriage and family. In section III, we show that Harriet Taylor, in *The Enfranchisement of Women*, drew more egalitarian consequences for family life.

I

According to Mill happiness is the center of the moral life, the most desirable goal of human conduct. His utilitarian goal, the greatest happiness for the greatest number, cannot be realized apart from the greatest possible moral and intellectual advancement of the human race. Consequently, one of the principal purposes of social and political institutions is to develop human potential to the highest possible stage. Laws and social arrangements should connect the happiness of every individual with the common good. Education and public opinion, which form human character, should be used to establish individual happiness and thereby the good of all.

In *On Liberty*, Mill presents a theory of human nature which stresses individuality and self-development as characteristic traits of a progressive

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individual, which is what a good society should foster. Individuals ought to derive their views from experience and develop them with reason; they should seek truth, not follow dogma. Only human beings can strive for truth and attain dignity, the ideal and mark of the progressive individual, who epitomizes the dignity of a thinking being, who seeks truth rationally and exercises conscious choice among alternatives, rather than blindly following custom or prejudice. It is such an autonomous individual who expresses individuality, creativity, originality, and self-development—anything less than truth seeking makes one less than a human person. Machines can reproduce good copies, but this is not true of humans. An individual would not have personal worth if forced to copy a good model, for the notion of conscious choice between alternatives would be lost. This is central to Mill: our ideas and our characters are the products of our own choice.

Mill's argument for civil and social liberty is firmly based on the notion of "utility in the largest sense, grounded on the permanent interests of man as a progressive being." (1) Mill uses man in the generic sense and is concerned throughout with the individual—the person, the human being, the citizen—irrespective of gender. In Chapter 3, he cites Wilhelm von Humboldt's view that "the end of man...is the highest and most harmonious development of his powers to a complete and consistent whole." (2) and for this, freedom and variety of situation are necessary.

Early in *The Subjection* Mill makes it clear that the existing relations between the sexes violate principles of freedom and justice. The principle of subordination of one sex to the other is "wrong in itself," (3) and should be replaced by a principle of perfect equality. In *Happiness, Freedom, and*
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Justice Fred Berger claims that Mill does not advocate “strict” equality but rather that there is no basis for differential treatment. Instead, rewards and punishments should be apportioned according to desert. There may be areas where some will exercise power over others, but “policy” requires that competence be the basis for higher status. What this means is that the system of male domination over females violates a basic principle of justice because regard and advantage are based on birth, not merit or personal exertion. (4)

Mill denounces the injustice of denying to women the equal moral right to choose their occupations:

Would it be consistent with justice to refuse them their fair Share of honor and distinction, or to deny them the equal Moral right of all human beings to choose their own occupations (short of injury to others) according to their own preference, at their own risks? (5)

His expanded utilitarianism stresses that the importance of the change toward sexual equality would benefit individuals and society. By implementing sexual equality, there would be a doubling of mental faculties available for the higher service of humanity. He puts the argument in terms of the waste involved in a society that refuses to use one half of the talent it possesses.

It is not only freedom but also the opportunity to do something useful that is required for the development of individuals. Mill’s conception of the nature and needs of the individual human being emerges clearly:

If there is anything vitally important to the happiness of human beings, it is that they should relish their habitual pursuits.... Few persons are aware of the great amount of unhappiness produced...by the feeling of wasted life.... Every restraint on the freedom of conduct of any of their fellow human creatures...dries up...the principal fountain of human happiness, and leaves the species less rich...in all that makes life valuable to the individual human being. (6)

It is this idealistic conception of the nature and needs of the individual human being, and its integral relation to happiness, that is the ultimate justification of Mill's argument against the unjust and arbitrary situation of the subjection of women. His conception of the individual is thus the ultimate justification of Mill's case for sexual equality. This presupposes that women, as well as men, given better education and more opportunities, will flourish and be happy living a life in which they can freely and usefully exercise their talents.

II

Subjection is being under the power and control of another in a state of obedience and submissiveness. Mill argues that patriarchy, the subjection of women to men, is a theory unsupported by experience because no other principle has ever been tried. Patriarchy is not the result of fair experiment, trial, and refutation. (7)

The adoption of a system of inequality was not the result of any deliberation or forethought but arose from the physical power of men over women. Mill contends that women's smaller degree of muscular strength renders them

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subject to the principle of force: in less advanced societies it is expressed as “might makes right,” (8) and in civilized cultures as paternalism.

Paternalism is subtler since control by men is based on chivalry and generosity. Bribery and intimidation are used instead of brutality to secure obedience; deference and gratitude for protection render women economically and morally dependent on men. The law completes the intimidation with discriminatory statutes. Like other forms of slavery and domination, patriarchy serves the interests of the dominant. Only one could be king and only a few owned slaves, but every man could dominate women. Power is nice, especially over those closely tied to one's interests, and it is also gratifying when one has so little power over larger social matters. (We may be powerless over the environment, the economy, or nuclear war, but at least we have some power-over women.) Women are in a peculiarly bad position since, unlike slaves and workers, they are more dispersed and isolated, which makes them more difficult to organize. Further, “men want more than mere obedience”; they want women to be happy in the process. (9)

Not only is the superiority of patriarchy unsupported by experience, but the entire course of human progress provides evidence against a principle of inequality. In past societies people were born to roles, positions, and stations. The salient feature of modern societies is the idea that people should be free to employ their faculties and to choose their roles, positions, and stations.

It is not that all processes are supposed to be equally good, or all persons to be equally qualified for everything; but that freedom of individual choice is

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now known to be the only thing which procures the adoption of the best processes, and throws each operation into the hands of those who are best qualified for it. (10)

Even if women are, as a group, less strong than men, there are many exceptional and overlapping cases. Any sex-biased social policy that excluded women is an injustice to those who can perform the task. The subordination of women stands out as a glaring injustice in modern society, a breach of what has become a fundamental rule, a relic of an old-world of thought and practice.

Since we have tried only the principle of domination, we cannot argue for it from comparative experience. For the same reason, that we have tried only domination, we cannot argue for it by appealing to the nature of women. Since we have not seen women in different social arrangements, we do not know what their nature is. “What is now called the nature of women is an eminently artificial thing-the result of forced repression in some direction, unnatural stimulation in others.” (11) Mill insists that nobody is in a position to know anything about women’s nature because so far we have not seen anything that we could call natural; all we have seen is manifestations of the altogether understandable desire to conform to a stereotype. We do know a great deal more about psychology today but nowhere near enough to answer with certainty the questions of human nature. However, what we do know suggests that the differences that relate to political equality are largely socially conditioned.

But suppose we discover the contrary, that women are fitted by nature for subordinate social roles. Could this be used as an argument to support social policies of domination? Such arguments, although surprisingly common, are incoherent. If women are fitted for those roles by nature, restrictive social policies are unnecessary. This is Mill's coup de grace. What he argues for is a society without such restrictions, a society of perfect equality where every individual, regardless of sex, is free to choose his or her own role on the basis of individual talents and exertion.

III

Though Mill was overtly arguing for women's right to self-development and the assertion of their human capacities, their functions in the household remained unrevised in his thought: he advocates freedom of choice but favors the traditional division of labor within the family. It cannot be casually dismissed as an acceptable tension between advocacy of sexual equality in the area of civil rights for women, and simultaneously an implicit acceptance of traditional sex roles. Mill believes that women ought to have a choice of career or marriage but assumes that the majority of women are likely to continue to prefer marriage and that this choice is the equivalent of choosing a career. Unless equality extends to the family, however, Mill's perfect equality between the sexes is limited.

Although Mill urges that the shackles of custom be lifted from unmarried women and from women whose children have grown up and left home, he complacently relies on such custom to keep married women "in their place."

(12) The sex-based division of labor within marriage can be safely trusted to

social opinion, which “ rightly directed” will support it; women will by and large continue to prefer the one vocation to which there is no competition; and thus continue to perform those tasks which “ cannot be filled by others, or...[which] others do not think worthy of acceptance.” (13)

If it is customary for women to be child-rearers, and if, on the basis of their nature, society assigns this role to women, then it seems that being born female does affect their opportunities and prescribes choices throughout a considerable part of their lives. Their education, for example, will be affected by this customary destiny. Hence, demands for sexual equality become problematic. Mill falls prey to the same argument from nature that he criticizes.

Mill argues in favor of equal property rights for married women, rights to property inherited or earned by the woman herself, not rights to equal shares in family income. According to Mill, “ The rule is simple; whatever would be the husband’s or wife’s if they were not married, should be under their exclusive control during marriage.” (14) Hence, the income of the male earner is his, as much after marriage as before; Mill does not seem to recognize that since women’s work in the home is unpaid labor, their freedom of choice is severely restricted and equality becomes a sham. (15)

Harriet Taylor’s *Enfranchisement of Women* takes a stronger stand: women must earn a living because if they do, their position in society and the family would improve significantly. (16) Mill agrees that married women must be able to support themselves, but he explicitly rejects the idea that they should actually do so because it is liable to lead to the neglect of the

household and children. Consequently, Taylor's view is more attuned to present day feminism than Mill's. She recognizes, as he does not, the importance to women of continuous economic independence, both within the marriage and in case of its disintegration.

The Enfranchisement is more radical and speaks more strongly than the Subjection in favor of the married women's need to have a life and career of their own and be more than a mere appendage of a man, attached to him for the purpose of bringing up his children and making his home pleasant.

Liberals such as Mill proposed that each individual should be able to rise in society just as far as her or his talents permit, unhindered by restraints of law or custom. What qualities should count as talents and how they should be regarded is to be determined by the support of and demand for those talents within the market economy. In order to guarantee that the most genuinely talented individuals are identified, it is necessary to ensure that everyone has an equal opportunity to develop his or her talents.

Women discover self-respect and equality of standing with men only if they earn an income. This seems much more important to a sound relationship between the sexes than mere economic improvement in the family. Mill's timid assertion that women should draw self-respect from an ability to earn, of which in fact they make no use, when married is sentimental; Taylor is more aware of the realities of power. If women as wives will largely be confined to the small circle of family, they will find it hard to use their vote to protect their interests. Women will not be able to learn what their interests are without experience outside domestic life.

For Mill it is unthinkable that men would want to manage their households and care for their children. Yet the jobs need doing. Since women who bear children and live in the household will have a natural interest in doing the job well, they will do a better job than uninterested hired hands. The solution, according to Mill, is to keep up the public opinion that teaches women that if they marry, they are “freely choosing” the duties of the family mistress.

Mill's defense of traditional sex roles within the family amounts to a denial of freedom of opportunity and individual expression of talents to the majority of women who he assumes would always choose to marry. Mill is aware that care of a household is an incessantly preoccupying duty, and that this is a major reason why, comparatively, women lack achievement in the arts and sciences; in fact, he condones the continuance of this barrier for most women. Mill refuses to concede that the tiresome details of domestic life should be shared by both sexes, and his failure to question the social institutions that make such sharing practically impossible is interesting because he recognizes that the principal means by which the world recognizes equals is by success in fields monopolized by men. The only way of dispelling prejudicial beliefs about women's inferiority is proof by examples. If a majority of women are going to remain practically, if not legally barred from such achievements, how will deep-seated prejudices change?

The Enfranchisement is both frank and clear about the claim that liberation will lead to greater happiness for women. Even if women in general do not experience frustration or feel that their position is intolerable, this cannot be used to argue for the status quo. Taylor claims, for example, that Asian

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women do not mind being in purdah and that they find the thought of going about freely shocking. However, this does not mean that they should not be liberated from seclusion, or that they would not appreciate freedom once they had it. Custom hardens people: it prompts them to adhere to situations by deadening that part of their nature that would resist it. “ How does the objector know that women do not desire equality and freedom?” (17) It would be overly simple to suppose that if they do desire it, they would say so. Taylor claims their position is “ like that of the tenants or labourers who vote against their own political interests to please their landlords or employers; with the unique addition, that submission [for women] is inculcated in them from childhood, as the peculiar grace and attraction of their character.” (18)

Taylor is not committing the brutal political fallacy of discounting people’s expressed desires in favor of those they “ would have if their natural selves (according to the privileged ideology) had not been corrupted.” (19) She is not suggesting that any restrictions be imposed; she is arguing that restrictions be lifted so that people can pursue and satisfy their desires.

It is because of his assumptions and convictions about the family and its traditional role that Mill’s feminism falls short of advocating true equality and freedom for married women. Although he does reject the legalized inequalities of its patriarchal form, he regards the family itself as essential for humanity and assures his readers that the family has nothing to lose, but much to gain, from the complete political and civil equality of the sexes. Mill attempts to apply the principle of liberalism to women. He eschews

patriarchy within the family and views the legal and political subordination of
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women as anachronisms in the modern age, a gross violation of liberty and justice. However, although Mill is a forward-looking feminist in many ways, he fails to perceive the injustice involved in situations and practices which allow a man to have a career and economic independence, and a home life and children, but which force women to choose between the two. It is Mill's failure to question the traditional family and its demands on women which limits his liberal feminism.

Mill thought equalizing access to the vote, to property, to education, and to public occupations was enough, but he underestimated the importance of economic power, as well as revisions of the roles in the family. Merely providing more equal opportunities for women outside the family would not suffice, without revision of the underlying structures—both private and public—that reinforced and perpetuated the very subjection of women that the essay was denouncing.

In the Subjection Mill is genuinely concerned about the harm caused by men to women behind the closed doors of the family home. The government could act, not to restrict the behavior of individuals, but to promote the development of progressive individuality. If one takes liberty seriously, however, state intervention may well be required to secure its conditions. This would be a matter of justice, for it would be wrong to deprive women of the necessary conditions of freedom, of independence, of equal opportunity.

Genuine equality of opportunity requires radical change in the way women are raised and educated and in social opinion about their proper place. If women are to have equal freedom of opportunity, they cannot be channeled

by education, public opinion, and the economic structure into the belief that they have but one useful vocation in life-dutiful mother and obedient wife. We must instead restructure our social institutions for the free development of originality in women as well as in men.

It may seem a bit unfair to criticize Mill. He wrote the Subjection over a hundred years ago and his views and personal behavior were far in advance of his time. He also made it poignantly clear in his Autobiography that his intellectual debt to both his wife and daughter was great. But in the Enfranchisement Taylor shows that she was aware of the shortcomings: with respect to the place of women in marriage and the family Mill held views far less liberal than what follows from his general political position. Feminists have ranged far into biology and psychology, history and anthropology, religion and literature. They have offered a myriad of alternative lifestyles and social systems. But with the exception of his discussion on marriage and the family, no one has articulated the fundamental feminist case as clearly or argued it as well as John Stuart Mill:

The object of this Essay is to explain as clearly as I am able, the grounds of an opinion which I have held from the very earliest period when I formed any opinions at all on social or political matters, and which, instead of being weakened or modified, had been constantly growing stronger by the progress of reflection and the experience of life: That the principle which regulates the existing social relations between the two sexes-the legal subordination of one sex to the other-is wrong in itself, and now one of the chief hindrances to human improvement; and that it ought to be replaced by

a principle of perfect equality, admitting no power or privilege on the one side, nor disability on the other. (20) [Emphasis added.]

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NOTES

Mill. On Liberty, 70. In “On Rawls On Mill On Liberty and so on,” Marcus Singer claims that the views presented in On Liberty are so strongly influenced by Harriet Taylor that they are fundamentally different from Mill’s own views in Utilitarianism. This is an interesting idea that we would like to pursue at another time. In the Subjection, also influenced by Taylor, Mill often appeals to justice in ways that seem to be uncharacteristic of utilitarianism. Fred Berger also discussed this point at some length in Happiness, Freedom, and Justice. Nevertheless, Mill moved some distance from Bentham and, in Chapter V of Utilitarianism, did account for justice in terms of utility. As he says, he is appealing to “utility in the largest sense.” Still, the question remains whether utilitarianism can justify absolute equality between the sexes in all circumstances-which is what justice would require.

Mill, On Liberty, 121.

Mill, Subjection, 1.

Berger, 197.

Mill, Subjection, 77.

Mill, Subjection, 186.

Mill, Subjection, 8.

Mill, Subjection, 10-17; Taylor, 12-13.

Mill, Subjection, 26.

Mill, Subjection, 32.

Mill, Subjection, 38.

For Mill, the actual position of married women in his day resembled that of slaves in several ways: the economic and social system gave women little alternative to marriage; once married, the legal personality of women was subsumed in that of their husbands and the abuses of human dignity permitted by custom and law within the marriage were egregious.

Mill, Subjection, 172.

Mill, Subjection, 86.

Goldstein, 319-34.

We have referred to Harriet Taylor as the author of *Enfranchisement of Women*, although it was first published anonymously (see page iii, New Introduction in Mill's *Subjection*, Virago Press). Although there is some uncertainty about who the author is, in the introduction to the *Subjection* Mill says it is Harriet Taylor's work. However, we do not wish here to engage in a complicated debate about the extent of Taylor's contribution of Mill's work.

Taylor, 19.

Taylor, 39.

Taylor, 40.

Mill, Subjection, 1.