

ELITES, MINORITIES AND INDIVIDUALS¹

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ABSTRACT

Recently, F. Rosen has reminded us that, although Bentham was one of the greatest advocates of democracy, he never thought democracy should be government by the people. As a democrat, all his efforts were limited to the feasible, to reducing the harm caused by “sinister interests”, resulting from government by the “ruling few”. John Stuart Mill accepts this idea of the inevitability of minorities in politics and he went further than Bentham with his argument in favour of a limitation of the suffrage. Mill had already put forward, in general, a vindication of minorities in fields such as society, morality, religion, art, sexual freedom. He summed up that attitude in *On Liberty*, in his legitimation of that extreme minority, the individual, where he upheld the importance of respect for eccentricity. The respect for individuality was already present in Bentham (the defence of homosexuality, for example), but his enthusiasm for the objectivity of the rational prevented him from reaching Mill’s much more coherent conclusions. The examination of their different attitudes enables us to consider the value of an active role for minorities in society, a role that must be closely controlled when it leads them to the exercise of political power.

Keywords: Democracy, minorities, individuals, John Stuart Mill, Bentham.

RESUMEN

Recientemente, Fred Rosen nos ha recordado que, aunque Bentham fue uno de los grandes defensores de la democracia, él nunca pensó que la Democracia debiera ser el gobierno del pueblo. Como demócrata todos sus esfuerzos se limitaron a lo accesible, a reducir el daño causado por los “intereses siniestros” que proceden del poder de los “pocos que gobiernan”. John Stuart Mill acepta esta idea de la inevitabilidad de las minorías en la política y va más allá que Bentham con su argumento a favor de una limitación del sufragio. Mill ya había sostenido una defensa de las minorías en dominios como la sociedad, la moralidad, la religión, el arte o la libertad sexual. Resumió esta posición en *On Liberty* con su legiti-

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mación de la minoría extrema, el individuo, en la que sustentó la importancia del respeto por la excentricidad. El respeto por la individualidad siempre estuvo presente en Bentham (la defensa de la homosexualidad, por ejemplo), pero su entusiasmo por la objetividad de lo racional evitó que llegara a las mismas conclusiones mucho más coherentes de Mill. El examen de sus diferentes actitudes nos permite considerar el valor de un papel activo para las minorías dentro de la sociedad, un papel que debe estar estrechamente controlado cuando las conduce al ejercicio del poder político.

Palabras clave: Democracia, minorías, individuos, John Stuart Mill, Bentham.

John Stuart Mill was a convinced supporter of democracy. Naturally, the democracy he defended was not that of government by the people themselves. Not only did he support representative democracy, but he argued for a further restriction: the people's intervention in politics had to be very indirect, as corresponded to a modern mind, in great part an heir to Bentham's political thought. I could quote numerous passages from Mill's work to back up what I have just said, but I find most clarifying and expressive the following extract from *De Tocqueville on Democracy in America (I)*:

"The idea of a rational democracy is, not that the people themselves govern, but that they have security for good government. (...) A governing class not accountable to the people are sure, in the main, to sacrifice the people to the pursuit of separate interests and inclinations of their own. (...) In no government will the interests of the people be the object, except where the people are able to dismiss their rulers as soon as the devotion of those rulers to the interests of the people becomes questionable. But this is the only purpose for which it is good to intrust power to the people. Provided good intentions can be secured, the best government, (need it be said?) must be the government of the wisest, and these must always be a few." (Mill, 1977a: 71-2).

As I have said elsewhere (Escamilla, 2002), this is a negative democracy. But it is not the concept of democracy that concerns me here, rather it is the role of the elites in Mill's theory, in the context of contemporaneous political thought. The position I shall advocate is, precisely that Mill's theory on this issue is illuminating and puts forward an interesting solution (wholly compatible with liberal ideals) to the sorry image of the sense of elites current in western society.

1. ELITES AND MINORITIES

In the first place, we must make a conceptual clarification and distinguish between minorities and elites. Semantically, elites are only a special type of minority, those who, from a certain point of view, are better than the majority from whom they are torn off. This is the point of view that Bentham held. For him, minorities posed two main problems in political practice. One was concerned with the observance of the utilitarian principle in its normative version, and this is that the greatest happiness of the greatest number cannot be attained if minorities are sacrificed. There is an egalitarian tendency in Bentham (Rosen (1983): 201 ff.) that is resolved in an application of the principle of decreasing marginal utility. The problem was acutely analysed by L. Stephen (Stephen, 1900: 307-8). To put it very shortly, the first units of any good produced are considered of greater utility than the subsequent ones, and much greater than the last; to add supplementary felicity to the majority at the cost of the diminishing it for the minority results in a considerable net decrease in the overall amount of happiness in a given society. If the increase in the happiness of the majority succeeds in totally eliminating the happiness of the minority (as would occur if it were subjected to slavery or poverty), the sum of felicity in the specific society would be drastically reduced. Let us reserve the word 'minority' for this supposition, in which Bentham assumes a *protective* position. In democratic political theory, this vision is transformed into a principle that forbids the rule of majorities being taken to the point where minorities are annulled, particularly the prohibition that would eliminate the possibility of the minority someday becoming the majority. But let us leave on one side, for the moment, these minorities in need of protection, to concentrate on that other minority, on the elites.

In fact, the second important problem of minorities in political practice that Bentham raises is that if those minorities occupy a ruling position in the state, they would sacrifice the interests of the majority, and even the general interest of society, to satisfy their particular interests. In the term coined by Bentham and which has remained in use since then, the "sinister interests of the ruling few" would be imposed on society (Bentham, 1993: 43, e.g.). That imposition would inexorably occur, according to Bentham, as a result of the individual version of the utilitarian principle ("Nature has placed mankind under the governance of two sovereign masters, *pain* and *pleasure*" –Bentham, 1996:11–) unless artificial hindrances are put in place (that is to say, politics). As Élie Halévy authoritatively pointed out³, this is the problem derived

3 Authoritative but wrong in his main conclusion: Bentham was not –as Halévy said– an authoritarian anti-liberal. Probably, he was not a classic liberal either, lacking sufficient flexibility to be brought up to date (Rosen, 1987: 59 ff.).

from arguing that particular and general interests can contradict each other (Halévy, 1901: 23-4; 191 ff.); in this case, particular interests that come into conflict with the general are those of the ruling few. Bentham basically put two obstacles to avoid the sacrifice of general interests to “sinister interests”, the “interest and duty junction principle” and its correlative principle of universal inspection, the central principle of the celebrated Panopticon. Although it is often ignored, this was a principle with a reversible action; it could be applied to those in the Panopticon (convicts, paupers lodged in the Panopticon workhouses or labourers in the Panopticon-workshops), but it could equally be applied to watching over the guards (Semple, 1993: 53). The universal inspection principle would have to be employed to control the ruling minority through the Tribunal of Public Opinion. Both of these principles, the “interest and duty junction principle” and the principle of universal inspection, could be summed up as responsibility to the people, which as we have just seen, was for Mill, what democracy was.

Bentham’s obvious suspicion of elites (once he had overcome the fascination he felt for the Enlightened despots of the 18th century) was passed on to Mill, who equally insisted on democratic control of their conduct, which in no way was an obstacle to the recognition that both Mill and Bentham made of its convenience, its necessity even, for the good course of government:

“We have from the first affirmed, and unvaryingly kept in view, the coequal importance of two great requisites of government: responsibility to those, for whose benefit political power ought to be, and always professes to be, employed; and jointly therewith, to obtain, in the greatest measure possible, for the function of government, the benefits of superior intellect, trained by long meditation and practical discipline to that special task.” (Mill, 1977c: 506).

Our authors shared this positive judgement of elites with Alexis de Tocqueville, whom Mill held in such high esteem. We have, in short, in this moment, consolidated a certain opinion on elites in the state among those whom we could call 19th century liberal democrats. This opinion combines the positive consideration of their intervention at the head of the democratic state with the call for control of their conduct in charge of the majority; this control would come through the universal inspection that the Tribunal of Public Opinion must make under the authority of the enlightened elite.

“The public opinion tribunal, as Bentham conceived it, was a judicial body that could judge and criticize laws and policies, and while accommodating the views of the people generally, it was linked fairly directly to educated critical opinion. This intelligent and critical opinion in society would tend to uphold Mill’s own principle of liberty (...).” (Rosen, 2003: 243).

2. ELITES AND TOTALITARIANISM

In the political history of the 19th and 20th centuries liberal democrats were succeeded by democrats pure and simple. It is the culmination of Jacobinism: carrying out the will of the people is the prior and almost only aim. Marxists, the first 'pure' democrats defined the people by one of their integral parts, the proletariat. Thus they wanted to follow the path marked out by Sieyès in 1789 when, defining the whole by one of its parts he said that the third estate was all, everything. In that moment, Sieyès was radically redefining social reality; he was constituting it from the beginning. With his definition, the nobility and the clergy disappeared from the French scene as political players. With Karl Marx, the people became a synonym for the proletariat, and the proletariat removed all the upper classes as counter-revolutionaries; they, too, disappeared from the political scene. Transitionally, while the classless society was being attained, the communist society, the proletariat-people would send out an advance party, who like scouts, would point out the path to follow. It was the Party, with its successive exploratory vanguards, fewer and fewer in number. They are new elites, but at the end of the day, they are elites.

In common with the elites of Bentham and Mill, those of Marxism have the source of their qualification for political pre-eminence. They can lead the march of the people-proletariat because they know, they understand, the direction of that march; they know the objective, *scientific* laws of History. Their legitimacy as political elites comes from their superior knowledge. To that objective legitimacy must be added the subjective legitimacy that comes from their belonging to the proletariat, to whom they must account for the objective coincidence of their acts with the (revolutionary) historical interests of the proletariat (universal people, people-Humanity, since the march to emancipation is irresistible).

"An original new era arose in the history of our country, a different form of society, a different system of government, the government of a Party, the Party of the workers, formed by the best workers, created with the full participation of the masses, so we can declare justly and with reason that it is the vanguard of the workers and truly represents the workers in our workers' revolutionary democracy. This will be a thousand times more democratic than bourgeois democracy, since we shall go towards administrative and political forms that involve the constant participation of the masses in society's problems; and this through the corresponding organism, through the Party at all levels."

(...) Our Party will educate the masses; our Party will educate its members. We understand it well: our Party. No other Party, only our Party and its Central Committee!" (Castro, 1969: 80-1).

The proletariat elite deserves then no reproaches on the score of its democratic relevance. When the theory of revolutionary Marxism was put into practice in the 20th century, the vanguards, the elites who showed the way would have a clear path through all terrains, on which they would circulate surrounded by the grateful admiration of the masses. Picasso, Maiakovski or Isadora Duncan would substitute St. Ignatius Loyola or St. Teresa of Ávila as incarnations of popular desires.

Other totalitarianisms followed the Marxist in the 20th century. Nazism (or its pale imitations in Italy, Spain, Hungary, etc.) redefined in their turn people and their elites. The people again came to be characterized by one of its parts, on this occasion delimited by race and culture. The ruling elites were reduced to one charismatic leader, who came from the people, united to them by a metaphysical bond and who, through action and reaction, structures the people from whom he comes, leading them by a path that they must follow in military formation behind their natural hierarchs.

“(...) with a Führer who exercises personal power, the people do not govern themselves. They are governed, or more correctly speaking, they are led. The identification of the governor with the governed, which makes up the essence of true democracy, does not exist. (...) The people have in him a “leader”, a “guide”, who has separated himself from them and has gone forward with the aim of leading the people (Führung).” (Bonnard, 1950: 88-89).

In the perspective of Bentham and Mill, elites in the political field were considered as something that had to be treated with suspicion, but also as something positive if the right machinery to limit and control their power was to hand. The 20th century totalitarianisms attempted to eliminate those precautions as a consequence of the declaration of the kindness of the elites, as indispensable instruments of the presumably genuine democracy that those totalitarianisms pretended to be. Schumpeter attempted to relativise the role of the elite in politics with his theory of competitive polyarchy, which fixed the role that the elites must play among those who accept partial democracy, representative democracy. The elites continue to be inevitable, although they present some positive aspects. With an argumentation in Rousseau's style, the elites, in their competition permit us to choose among them at least once every four years (Schumpeter, 1950: Ch. 22).

As the century advanced and the perverse nature of totalitarianisms was revealed, the elites, their indispensable instrument, were discredited along with them to the point of being in a situation worse than they had in the theory of the 19th century democrats. In fact, in our days, after the theoretical collapse of Marxism that occurred with the defeat of the

Soviet block in the Cold War, they came to be seen not as a positive element, of which one had to be careful, but as an evil, possibly inevitable, whose existence was to be regretted and whose disappearance would be desirable. Elites are not now a benign minority who must be prevented from putting political power at the service of their own sinister interests, but constitute a sinister minority in themselves; they are incapable of any positive action, even marginally. And this is not only when they act as representatives of the people, but even in their role as formers of public opinion, of the machinery that permits popular control of political action, the essence of representative democracy. Elites, then, turn out to be something inevitable in political life, even in representative democracy and something that, also inevitably, pervert politics, annuls democracy:

“(..) it is enough for representative democracy to function, that there is a public opinion that is truly *of* the public. But it is less and less certain, since a video-cracy is making an opinion totally directed by others that apparently reinforces, but in substance empties, democracy as government of opinion. That is why television is shown as the spokesperson of public opinion which in reality is only the echo (of the return) of its own voice.” (Sartori, 1998: 76).

This negative view of the political elites, moreover, extended to all other elites in the most varied fields; in art, education, social uses and customs, sport, entertainment, the criteria of the majorities ruled. All aspects of social life were “democratised”, but while democracy is, as indeed it is, a desirable political regime (although it is so because it is the least bad form of government we have), it is not a desirable way of life. If every facet of life, and not just the political is democratised, we shall have all human life (or entire terrestrial life, since to a great extent life on our planet depends on the human being) moulded according to the dictates of the majority. And it must be remembered, that as we have just shown, majorities continue to be undesirably directed by others, conformist. If as a result of the unfortunate role of the elites in the political sphere, elites were to disappear from the rest of life, we would see a new totalitarianism looming ahead, but now not only in politics but also in life itself or, in other words, a planetary totalitarianism. We would find ourselves under a new totalitarian government by a new elite that would inevitably lead those social majorities who would be the apparent leaders of the new totalitarian society. If elites were to disappear from non-political social relations (in the strict sense of the word; everything social is political in the wider sense), we should not have democratic education, culture, art, but rather we would be subject to the dictates of an exclusive, all-embracing elite; an elite that, although only a fragment of society, would, nevertheless, present itself as the authentic expression of the whole.

3. BACK TO MILL (AND HUMBOLDT)

There is no need to insist on the importance of individuality for J. S. Mill. It is so important that it comes to be an end in itself. Individuality is a synonym for humanity:

“He who lets the world, or his own portion of it, choose his plan of life for him, has no need of any other faculty than the ape-like one of imitation. (...) what will be his comparative worth as a human being? It really is of importance not only what men do, but also what manner of men they are that do it.” (Mill, 1977b: 262-3).

So important is it that individuality is preserved that a measure of a society's *humanity* is the extent to which it respects eccentricity (Mill, 1977b: 269 ff.). Eccentricity permits individualities to flourish, that is to say critical consciences (and also self-critical and, therefore, conscious of themselves). At the same time, it serves as a standard of the existence of a society of individualities, which is why it is so important. Mill's defence of eccentricity is necessary if one starts, as our author does, from the liberal principle of the multiplicity of ways to discover the truth. In this, Mill separates himself from Bentham, who was convinced of the existence of objective truth within the reach of any rational mind free from prejudices. Hence, Bentham's suspicion of minorities in Mill's case became transformed into this defence of the extreme minority, the eccentric individual.

Then, the minority, as individuality must be thought of positively; it is not merely something to protect but rather something to encourage. However, it should be borne in mind that there is no exact coincidence between minority and extravagance. Extravagance is good because diversity is good; but, in its turn, diversity is good because it leads to excellence. Minority is something more than mere eccentricity: if minority is not the masses, it is critical of itself and of the others. And, if it is critical, it aspires to something better than, at the moment, it does not have. In the true concept of minority (the individual too, as a radical minority) is the aspiration to achieve an ideal, in itself and in the world, since only a certain circumstance allows us to be men and not masses. Only if that minority aspires to the realization of an ideal, from the liberal (modern) point of view, only then can we achieve the total realization of our best possibilities. If we do not want to become just part of the masses, we must strive to attain that ideal. If we do not want to transform the others into the masses (in the case that we could or that they let us), we cannot try to impose that ideal. Surrounded by the masses, we ourselves would become the masses. Mill comes full circle (when as he himself encourages us to do with his recurrent references to him), when

we complement him with his admired Wilhelm von Humboldt's signal to the goal of excellence.

But in this case, the minority is more than that; it is transformed, by that aspiration to excellence, into an elite. Elites are, thus, a condition of the truly human society, when they do not impose themselves on the others by physical or psychological coercion, but limit themselves to aspire to be followed by the force of conviction; when they do not oblige others to follow them, but only aspire to persuade by their own excellence in a situation of perfect competition with all other elites. Elites, however, do not cease to be an evil to put up with (and that with great and constant precautions) when they have political power. And they are a fearsome evil, which all noble spirits must do all in their power to eradicate, when, in the exercise of political power, they break all the restrictions of the rule of law and strive to impose an idea of the good instead of limiting themselves to punishing the intolerably evil.

REFERENCES

- Bentham, Jeremy (1993): "Defence of Economy against the Right Honourable Edmund Burke", in *Official Aptitude Maximized, Expense Minimized*, ed. P. Schofield, Oxford, -1817-.
- Bentham, Jeremy (1996): *An Introduction to the Principles of Morals and Legislation*, ed. J. H. Burns and H. L. A. Hart, with a New Introduction by F. Rosen, Oxford, -1780-.
- Bonnard, Roger (1950): *El Derecho y el Estado en la Doctrina Nacional-Socialista*, Roger Bonnard, trad. J. M. Pi Suñer, Barcelona.
- Castro, Fidel (1969): "Discurso con ocasión de la Constitución del Partido Comunista de Cuba", 3 October 1965, in *Révolution Cubaine II (Textes Choisis 1962-1968)*, ed. L. Constant, Paris.
- Escamilla, Manuel (2002): "La Democracia negativa", *Anales de la Cátedra Francisco Suárez*, 36: 281-302.
- Halévy, Élie (1901): *La Formation du Radicalisme Philosophique. I. La Jeunesse de Bentham*, Paris.
- Mill, John Stuart (1977a): *De Tocqueville on Democracy in America (I)*, in *Collected Works, XVIII, Essays on Politics and Society, i*, ed. J. M. Robson, reprint. 2001, London -1835-.
- Mill, John Stuart (1977b): *On Liberty*, in *Collected Works, XVIII, Essays on Politics and Society, i*, ed. J. M. Robson, reprint. 2001, London -1859-.
- Mill, John Stuart (1977c): *Considerations on Representative Government*, in *Collected Works, XVIII, Essays on Politics and Society, ii*, ed. J. M. Robson, reprint. 2001, London -1861-.

- Rosen, Fred (1983): *Jeremy Bentham and Representative Democracy. A Study of the Constitutional Code*, Oxford.
- Rosen, Fred (1987): "Elie Halévy and Bentham's Authoritarian Liberalism", in *Enlightenment and Dissent*, 6.
- Rosen, Fred (2003): *Classical Utilitarianism from Hume to Mill*, London.
- Sartori, Giovanni (1998): *Homo videns. La sociedad teledirigida*, Madrid.
- Semple, Janet (1993): *Bentham's Prison. A Study of the Panopticon Penitentiary*, Oxford.
- Schumpeter, Joseph A. (1950): *Capitalism, Socialism and Democracy*, New York-London.
- Stephen, Leslie (1900): *The English Utilitarians, Vol. I: Jeremy Bentham*, London.