"What is Odious in Death is not Death Itself, but the Act of Dying": John Stuart Mill on the Political Philosophy of Death and Dying

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John Stuart Mill (1806-1873) remains one of the most famous names in political philosophy and ethics. His *On Liberty* (1859) is viewed as *the* great defense of individual liberties, particularly freedom of speech. His *Utilitarianism* (1861) is a key work in one of the main schools of moral thought.

Death was a frequent presence in Mill's life. His lifelong concern with population control and family planning was catalyzed by finding the corpse of an abandoned baby when he was seventeen; a close friend killed himself on his 24th birthday; Mill's father died when Mill was only 30. Moreover, he was only able to marry his beloved Harriet Taylor after the death of her first husband, and was himself widower a mere seven years later. Dying, too, was a familiar concern: throughout their lives, he and his wife were plagued by ill-health: Taylor experienced a long period of intermittent paralysis[1]; Mill stood by powerless as Taylor nursed her husband through terminal cancer, likening the disease to "demons"[2]; as well as depression, Mill himself had recurrent heart and gastric problems. Most seriously, both Mill and Taylor suffered from tuberculosis, which eventually killed Taylor in 1858. The anguish caused by the disease also led Mill's much-loved younger brother George Grote Mill to kill himself in 1853.

Mill's utilitarian ethics gave him a specific view of death and dying, rooted in the view that "[t]he mere cessation of existence is no evil to anyone … What is odious in death is not death itself, but the act of dying, and its lugubrious accompaniments,"[3] which include the suffering of both those who die and those who care for them, and mourn their loss. Suffering is bad, for Mill, and not death itself. "[T]he idea" of death "is only formidable" Mill adds, "through the illusion of imagination which makes one conceive oneself as if one were alive and feeling oneself dead."[4] *That* would indeed be painful and terrible: but it is not anything we will *actually* experience. Death is a "cessation" of consciousness, and therefore of the experience of pain (or pleasure). We may know we are going to die, but we will never know that we are dead.

Dying, therefore, is of much greater concern in Mill's political and ethical philosophy than death. Mill sought to mitigate the suffering associated with dying. Death ought to be accepted as a fact of life – and in that respect, had an ethical function of reminding us that time was short in which to perform important duties and conduct "experiments in living."[5] Mill's is a life-affirming philosophy, fundamentally opposed to suffering, and championing equal opportunity to maximize our happiness in our own way.

In this chapter, I discuss the utilitarian background of Mill's view of death and dying; his controversial views on the death penalty; and how he viewed death as a potential spur to doing our duty. In the conclusion I also discuss some modern political implications of Mill's view.

Utilitarianism, Death and Dying

Mill was a utilitarian. He learned this philosophy from his father (James Mill) and mentor (Jeremy Bentham), but developed his own version of it over the course of his lifetime.[6] Utilitarianism is a form of consequentialism – that is, the system of ethics which says we should judge the morality of actions based on their outcomes (or consequences), in Utilitarianism's case whether the consequences produce happiness. "Utility," or happiness, means "pleasure … together with the absence of pain."[7] The fundamental principle of utilitarianism – sometimes called "the Greatest Happiness Principle" – "holds that actions are right in proportion as they tend to promote happiness, wrong as they tend to produce the reverse of happiness."[8]

Utilitarianism is not only a system of personal ethics, however, but a political project. Humans organize themselves into societies which have structures designed to make happiness more or less easy to achieve for different people. Monarchs, reformers, voters, legislators and policy-makers should act so as to promote the greatest *general* happiness. For instance, ill health is a major source of suffering and pain; societies which provide high-quality care to only a very few rich people are likely to have much lower general utility than societies which provide high-quality, free (or affordable) health-care to everyone. Similarly, living together in societies creates opportunities for pleasure, but social structures can bar access to those opportunities for some people. For example, in Mill's time women were not allowed to attend universities, or work in many professions; nor could they stand for political office. In Mill's view, this severely limited their opportunity to experience pleasure, and caused many women pain.[9]

Mill's utilitarianism led him to focus throughout his life on improving people's opportunities to experience pleasure, and limit their likelihood of experiencing pain. He knew that some pain was unavoidable – for instance, we will likely all lose loved-ones, or experience disappointments in our personal lives or careers – but he thought suffering could be lessened. For instance, he argued forcefully for the provision of welfare to the unemployed saying that "it may be regarded as irrevocably established, that the fate of no member of the community needs to be abandoned to chance; that society can and therefore ought to insure every individual belonging to it against the extreme of want; [and] that the condition even of those who are unable to find their own support, needs not be one of physical suffering, or the dread of it."[10]

His famous arguments in *On Liberty* regarding the importance of allowing people maximal opportunities for "the free development of individuality"[11] and his long campaigns to eradicate the "aristocracies of colour, race, and sex,"[12] as well as to break down class barriers and class-based privileges[13] were all aimed at constructing a society in which people would have maximal and equal opportunities for pursuing their own happiness in their own way.

Mill's view of death and dying therefore, is conditioned by his concern for maximizing utility, and particularly for avoiding suffering. Understanding his utilitarianism helps us see why he thought dying was worse than death: death is a cessation of experience – there is neither pleasure nor pain. Dying is an experience often associated with a great deal of pain, both for the one who dies and those who mourn them. Ethically speaking, then, dying is of more concern than death.

The Death Penalty

Mill's position that dying is much worse than death helps to explain his opposition to abolishing the death penalty. Mill supported restricting the use of the death penalty, but believed contemporary society needed to retain this punishment for cases of aggravated murder (i.e. particularly violent murders) where the evidence is "conclusive," "the attendant circumstances suggest no palliation of the guilt" and "nothing … make[s] it probable that the crime was an exception to … [the perpetrator's] general character rather than the consequence of it."[14] His reasons were threefold. First, that for the security of life it was necessary to attach "impressive" and serious consequences to this crime. Mill saw security as "the most vital of all interests," and the "most indispensable of all necessaries, after physical nutriment."[15] Without security in regard to our lives, persons and the inviolability of our rights, we will always suffer – at the very least – the pains of anxiety and fear. And while so suffering, we can experience very few pleasures. Indeed, Mill adopts a very Hobbesian view of the primary importance of security: without the security of socially protected rights and liberties, Mill thinks life will be "solitary, nasty, brutish and short."[16] Given this prime importance, threats to security of life need to be taken seriously, and so Mill advocates the death penalty for aggravated murder as properly expressing society's commitment to everyone's security, and as the best means of deterring people from violating or threatening anyone's security of life.[17]

Mill's second reason for arguing against the abolition of the death penalty is that, of all the available options of the requisite severity, the death penalty inflicted the least suffering on the criminal. The alternative to the death penalty, in contemporary penal codes, was life imprisonment with hard labor. Mill felt "the short pang of rapid death" faced during execution involved less pain than being "immur[ed] in a living tomb, there to linger out what may be a long life in the hardest and most monotonous toil … debarred from all pleasant sights and sounds, and cut off from all earthly hope."[18] For the criminal, according to Mill, the death penalty, as opposed to a life of imprisonment with hard labor, was the better alternative.

It may seen strange to argue that the death penalty is "humane". But Mill challenged the idea that it was more "humane" to deprive someone of everything that makes life worth living rather than to sentence him to death. He asks, "[i]s death, then, the greatest of all earthly ills?" and added "[i]t is not human life only, not human life as such, that ought to be sacred to us, but human feelings. The human capacity of suffering is what we should cause to be respected, not the mere capacity of existing."[19] Judges and jurors who could not bring themselves to sentence someone to death were disregarding the pain they inflicted by what appeared more lenient sentences – they mistakenly thought a swift death was worse than a lifetime of suffering. Elsewhere, Mill criticized such jurors' "maudlin weakness and moral poltroonery;"[20] rebuked judges' "shortsighted tenderness;"[21] and commented, "the tender mercies of thoughtless people are cruel."[22]

Opponents of the death penalty, of course, reject Mill's arguments, especially opponents who think capital punishment is never even *prima facie* justifiable.[23] You may well not find Mill's views persuasive. They serve to show, however, the depth of Mill's commitment to the "sacred[ness] … of human feeling," and his deep-rooted belief that not only was "the human capacity for suffering … what we should cause to be respected, not the

mere capacity of existing" but that ceasing to exist, in and of itself, was neither good nor bad – it was the suffering associated with death which was an evil.

Mill's previous argument may seem to be in some tension with his final reason for opposing abolition of the death penalty. Mill thought it was the best deterrent for future criminals. "There is not," he wrote, "any human infliction which makes an impression of the imagination so entirely out of proportion to its real severity as the punishment of death."[24] Although this terror might not have the same effect on "hardened criminals," such "a punishment which acts principally through the imagination" makes an immense impression on "those who are still innocent," arousing feelings of "horror" and exerting a "restraining influence" on temptation.[25] Mill wanted the general public to retain this "horror" of death, such that the death penalty would be an effective deterrent against murder. But he *also* wanted jurors (drawn at random from the general public) to recognize that a life-time of suffering was *worse* than a swift death, and thus actually impose the death penalty. If jurors did not impose the penalty, then it was worthless as a deterrent: but it seems in order to impose it, jurors must have lost some of their "horror" of death. That is, they must have lost some of the very "horror" that makes the death penalty an effective deterrent.[26]

This may be a contradiction in Mill's thought, and show that his arguments for the death penalty do not really hold water. But his emphasis on the reality and seriousness of suffering retains relevance for countries who have the death penalty, particularly around the suffering involved in executions, and in the often long periods of incarceration before death.

Mill's views have other implications for penal policy. His strictures against judges and juries who were content to "immuring" people "in a living tomb" remain significant today, even where the alternative punishment is not death. "[H]as it been considered what sort of mercy this is?" Mill asks.[27] If we were really able to comprehend the horror of long terms of imprisonment, particularly with hard labor, this would "be so shocking that when the memory of the crime is no longer fresh, there will be almost insuperable difficultly" in continuing to enforce such punishment. But, Mill says, "very probably," the reality of imprisonment will not be "realized in all its rigor by the popular imagination." This insight may have salience for modern juries, judges and legislators, as well as parole boards, especially in societies where "getting tough on crime" seems only to mean increasing sentences.

Jurors – in Mill's view – over-estimated the "horror" of death, and were lacking in the imaginative capacity which would allow them to properly realize the "horror" of lengthy imprisonment. Although motivated by a dislike of inflicting suffering, they were – on his view – actually lacking in sympathy for those they sentenced to long terms of incarceration. Sympathy was a vital element of Mill's philosophy, and his battle to develop it is linked to death and dying in at least two moments of his own life.

Mill on Sympathy, Death, and Duty

Mill's education by his father has become infamous in the annals of both philosophy and pedagogy.[28] He was educated almost entirely by his father; his relationship with his mother was strained throughout his life; and his relationship with his siblings was clouded by the fact that his father made Mill their teacher. Despite living in a large family, Mill had a very isolated childhood. In order to curb arrogance, his father also impressed on Mill that he

himself was nothing special, and that any little boy with so dedicated a father could have achieved as much in the same amount of time, if not more quickly.[29]

Mill's intellectual capabilities – in languages, history, experimental science, geography, political economy, and philosophy – were carefully calculated, as was his physical exercise: Mill had dancing lessons, rode horses, went for long walks and even trained in a gymnasium set up by Bentham, complete with trapeze.[30] Looking back on his childhood during a period he referred to as "a crisis in my mental history,"[31] Mill felt his emotional capacities had been ignored. Indeed, he thought his education had left him incapable of feeling emotion.

He was rescued from this fear when he was "moved to tears" on reading a passage from Jean-Francois Marmontel's *Memoirs* about Marmontel's father's death: "the distressed position of the family, and the sudden inspiration by which he, then a mere boy, felt and made them feel he would be everything to them – would supply the place of all they had lost." "The oppression of the thought that all feeling was dead within me was gone," Mill says. "I was no longer hopeless: I was not a stock or a stone. I had still, it seemed, some of the material out of which all worth of character, and all capacity for happiness, are made."[32] This realization shaped Mill's understanding of human nature (that we are emotional and feeling creatures as well as rational ones), contributed to his views on the importance of sympathy, and helped distinguish his approach to utilitarianism from Bentham's.

Almost thirty years later (in 1853-4) Mill and Taylor both became very ill. Taylor was so ill, in fact, that they decided to separate for the first time since their marriage (in April 1852) so she could seek a healthful climate.[33] Mill likened separation from her to a kind of living death – "words of love in absence are … what keeps the blood going in the veins – but for them … I should have only a sort of hibernating existence like those animals found in the inside of a rock"[34] – that is, a kind of fossilized existence. (What he writes in this letter, when Taylor was merely away on holiday, gives us a glimpse of how he must have felt after her death: apparently, during all the time it took for his step-daughter Helen Taylor to hear of her mother's decease, and travel from England to Avignon, Mill had not left the room in which Taylor died, and was plunged into a very deep depression.)

There is a strong sense in these passages that life without sympathy, love, and the other "imaginative" emotions is a "living death." Love, however, is a sort of charm against death, or at least dying:

> What a sense of protection is given by the consciousness of being loved, and what an additional sense, over and above this, by being near the one by whom one is and wishes to be loved the best. I have experience at present of both these things; for I feel as if no really dangerous illness could actually happen to me while I have her to care for me; and yet I feel as if by coming away from her I had parted with a kind of talisman, and was more open to the attacks of the enemy than while I was with her.[35]

In both passages, Mill uses the language of being "stone" and "rock" to describe life without sympathetic emotions. Sympathy for others, and an imaginative capacity to feel their pain as our own, were vital, Mill believed, for humanity and "worth of character."[36] A general capacity for imagination and feeling were vital for *any* real happiness.

Indeed, sympathy was a central element of Mill's utilitarianism, being what makes utilitarianism psychologically feasible. It is sympathy which, on Mill's view, forms the basic bond of human society: without it we would be in a Hobbesian state of nature.[37] Once we cease to live in relations of "master and slave", and form a "society", our "social feelings" are gradually improved (over centuries), until we "grow up unable to conceive as possible … a state of total disregard for other people's interests."[38] Mill looked forward to a "perfection" of this feeling of sympathy, and a society of equals arising from (and helping to sustain) it, in which we could "never think of, or desire, any beneficial condition" for ourselves "in the benefits of which" everyone else is "not included."[39] In such a world we might not have managed to eradicate all suffering – most obviously, we will not be able to avoid *all* the "lugubrious accompaniments" of death, such as, for instance, grief. Indeed, we might feel *more* sorrow because of our more expansive sympathies. But we would, Mill thought, have the best possible chance of achieving the greatest happiness of the greatest number. For one thing, truly being "in unity" with others might make us more willing to act so as to end preventable death and suffering (including from preventable diseases, poverty, pollution, or poor health and safety standards), because it would no longer be possible to ignore the interests of those who suffer from these things.

In modern societies, though "the smallest germs of the feeling are laid hold of and nourished by the contagion of sympathy and the influences of education … and external sanctions," the embedded and enduring "aristocracies of colour, race, and sex"[40] mean there are "large portions of mankind whose happiness it is … practicable to disregard."[41] That is, a lack of sympathy means we find it easy to disregard the interests – and therefore the happiness – of a great many people, particularly if we occupy positions of power in society, most notably being white, male, and rich.

In Mill's personal experience, cultivation of sympathy had a close relationship to death and dying, but it could be cultivated through a variety of experiences, educational practices, and institutions, including what he called the "Religion de l'Avenir", or the Religion of Tomorrow, sometimes also called the Religion of Humanity.[42]

Mill was brought up, and remained, an agnostic.[43] His interest in religion was primarily in its social and individual utility, and his preferred religion had no "supernatural" element.[44] He view religion as arising – as a sociological phenomenon – from the fact that human existence is "girt round with mystery", and because human life was so often filled with suffering for which we sought consolation.[45] He saw it as a powerful tool for educating the sympathies, and improving people's ability to be good utilitarians.

Mill knew that his opponents would say that it was "impossible that great and elevated feelings can connect themselves with anything laid out on so small a scale" as a single human life.[46] But Mill denied this. "*Carpe diem*" was a rational response to the shortness of our own lives, and could be a useful spur to doing our duties.[47] "But" he adds – crucially – "that because life is short we should care for nothing beyond it is not a legitimate conclusion; and the supposition, that human beings in general are not capable of feeling deep and even the deepest interest in things which they will never life to see, is a view of human nature as false as it is abject."

In particular, though an individual life may be short, "the life of the human species is not short," indeed it is "practically equivalent to endlessness."[48] Moreover, the human species

has an "indefinite capability of improvement," and thus "offers to the imagination and sympathies a large enough object to satisfy any reasonable demand for grandeur of aspiration." Thus, we do not need the idea of Heaven to have an idea of eternal life – it is just not *our* life, but that of our species. In this way, "Humanity" could inspire and fulfil, through similar feelings of eternity and perfection, the human craving for "higher things". It could also fulfil our human need for "consolation", currently so often filled by supernatural elements of religion (most obviously, the idea of life after death).

One way "Humanity" could offer consolation was by holding out the ideal of a world without suffering, and giving us a sense that we were working to achieve this by engaging in campaigns for social improvement. That is, we could range ourselves on the side of "Good" in an epic battle between "Good" and "Evil" in this world, without needing a supernatural element, as provided by many religions. We would not ourselves experience the consolations of Heaven in this future Heaven on Earth, but we could experience the consolation of knowing we had done our bit to achieve it as soon as possible.

In the shorter-term, Mill thought we should become closer to "our younger contemporaries", and "live … in the life of those who are to follow" us "up to the hour of death," knowing that their lives would continue, and sharing in their hopes for progress which might be achieved in their lifetimes, or that of *their* "younger contemporaries."[49] (This may be one reason Mill kept up correspondences with younger political reformers right up to his own death.) Inter-generational relations, then, could help lessen some of the "lugubrious accompaniments" of death, because we would be consoled, not by the idea of Heaven, but by the thought of the happiness which lay ahead for those we leave when we die. And the grief of the living might be lessened through the consolation of knowing we were continuing a battle for human progress in which those we loved had been our comrades – in some sense, they would "live on" in our continued fight, and we could find consolation in achieving aims they too wanted to see realized.

Finally, Heaven, Mill thought, was most strenuously desired by those "who have never been happy" in this life: "Those who have had their happiness can bear to part with existence: but it is hard to die without ever having lived".[50] Utilitarian reform, and the expansion of our sympathetic capacities, could do away with some of the need for "consolation" by making it less likely that *anybody* would "never have lived", not least because it would be almost impossible for those with power to ignore the interests (and thus the happiness) of those without.

The Religion of Humanity, is in some ways a means of "overcoming" or "defeating" death. Mill did think, however, that a certain awareness of death is "needed for the performance of our duties." He was emphatic that we should not brood on death[51]: we should, though, be sufficiently aware of it that we are prudent about our own lives and the lives of other people.

This thought may also have been drawn from personal experience. Mill and Taylor's decline in health in the 1850s prompted Mill to consider "the shortness & uncertainty of life, & the wrongness of having so much of the best of what we have to say, too long unwritten & in the power of chance."[52] He added, "I am determined to make better use of what time we have."[53] He set himself and Taylor a challenge of trying to complete what they felt they

wanted to say within two years, and out of that came many of their most famous writings, including *On Liberty*.

One might think that, as utilitarians, Mill and Taylor would have felt a pressing duty to write these works even without the spur of approaching death. But we should remember that there is often a gap between the dictates of morality and individual motivation – even for philosophers – and we can read Mill as seeing knowledge of death as helping bridge that gap. In particular, we may feel we have a duty to do something of benefit to others *at some time*, but we should be aware that time is not unlimited in which to do that, and recognition of our own morality makes us less like to pass up on important opportunities to fulfil our duties.

Conclusion

Mill's view of death and dying has implications for a wide range of areas including for welfare spending, health and safety legislation, regulation of pollution, farming standards, and more personal ethical questions around vegetarianism and veganism. Here, though, I want to conclude by focus on some questions pertaining to medical ethics and public health.

The view that dying is worse than death might make us look carefully at the question of how to fund high-quality end-of-life or elderly care for everyone, an increasingly salient question for those of us living in societies with aging populations. Relatives – often spouses or children – may have to shoulder a significant financial burden, perform tasks which they find distressing, and watch loved-ones suffer. Mill's utilitarianism asks us challenging questions about the support they are offered from the state and society, and on whom the burden of providing care should fall.

Relatedly, Mill's view has implications for questions around funding for research into increasing longevity: is this research spurred by a real response to human need (and to the alleviation of suffering), or wrong-headed aversion to death? Are these longer lives going to be of good quality, or merely increasing periods of suffering? Sometimes, these debates can seem like science fiction, with people living forever via their "consciousness" being "uploaded" to a computer program. The question of suffering in this case is rarely considered, yet these consciousness would have to witness the death of old friends, loved ones, and all familiar landmarks as an eternity of time passed. Would this be overall worth it, for extended life, on a utilitarian calculus? We cannot know the answer to these questions, but philosophy has been pondering problems relating to eternal life for millennia, and the answer is not unequivocally that it would be a good thing.

Thirdly, Mill's view impacts on questions around legalizing euthanasia, or assisted dying, for those experiencing great suffering. If what is bad about death is the suffering that surrounds it, then this should be seriously considered when debating the law around assisted dying. This is particularly the case when we contemplate the suffering experienced not just by the person dying, but their loved ones as they take on the risks and burdens associated with helping their loved-one achieve their wish of assisted dying – which can involve arrest, fines, and even imprisonment. Of course, there are good arguments on the other side of the debate, too. But Mill's argument certainly has bite when we consider terminal degenerative diseases which involve a great deal of suffering that people would very much like to avoid, but are currently prevented from doing so by the state.

Lastly, there are consequences for considerations about public health. One of Mill's longest friendships was with public health campaigner Edwin Chadwick, and his views have relevance for modern times, too. People's mental suffering during "lockdown" responses to the COVID-19 pandemic, for instance, remind us that it is not always good, or healthy, to "dwell" on death. On the other hand, death rates which were unimaginable at the beginning of 2020 led many to argue that politicians ought to have "dwelled" on the human cost of disease, death and dying rather more.

Similarly, taking seriously death's closeness and reality – as Mill advised – without "dwelling" on it, might help with individual people's decision-making when it comes to complying with public health edicts, for instance wearing facemasks. In comparison with the suffering experienced by many of those who contract COVID-19, and the suffering of the families of those who are infected and who die from it, the claim that wearing a mask is an intolerable burden to the otherwise healthy seems less plausible when we consider our global public health crisis in light of Mill's own utilitarian theory.

Mill hoped we could be spurred by the consciousness of our own certain death to act in ways which helped increase happiness – of people we know and love, but also more generally, if we had the chance to be a "public benefactor."[54] Sympathy was key to improving people's motivations and actions, and Mill thought it was very important that all social institutions aimed at improving our sympathetic capacities. In Mill's era and our own, there are still vast swathes of the world's population whose interests can, and are, "practicably ignored." Progress towards "political improvement," which for Mill entailed the "levelling of those inequalities of … privilege between individuals or classes," seems to be moving at a glacial rate, if not actually receding.

It is life, for Mill, which is important – not mere life, but *living*. Death, as a cessation of experience, is bad, but not as bad as we imagine it to be, and certainly not as bad as the often-painful process of dying. We should the significant badness of suffering very seriously in political decision making. We should not dwell on the unavoidability of death, though we should pay it due attention, using that inevitability as a spur to perform our duties. Most importantly, we should cherish intimate relationships, which are the life-blood of happiness, and expand the range of our sympathies beyond our immediate friends and family to embrace society – perhaps even the world – at large, and help secure the ethical end of general happiness.

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[1] Jacobs reads this as a symptom of syphilis (Jacobs, *The Voice of Harriet Taylor Mill*, 134-46). However, Taylor's symptoms do not support this posthumous diagnosis. For instance, the paralysis caused by syphilis is permanent and irreversible, but Taylor recovered.
[2] Taylor, *Complete Works of Harriet Taylor Mill*, 366-7.
[3] John Stuart Mill, *Three Essays on Religion*, 427.
[4] *Ibid*.
[5] Mill, *On Liberty*, 281.
[6] For good accounts of Mill's utilitarianism, see Wendy Donner, *The Liberal Self*; Jonathan Riley, *Liberal Utilitarianism*; and David Brink, "Mill's Deliberative Utilitarianism," among others.
[7] Mill, *Utilitarianism*, 209.
[8] *Ibid*., 210.
[9] Mill, *Subjection of Women*; and *On Liberty*, 260-75.
[10] Mill, *Principles of Political Economy*, 360.
[11] Mill, *On Liberty*, 261.
[12] Mill, *Utilitarianism*, 259; see also *Subjection of Women* and *The Negro Question*.
[13] E.g. Mill, *Autobiography*, 239-241; Mill, *Principles*, 758; Mill, *Reform Party*, 487-88.
[14] Mill, *Capital Punishment*, 267.
[15] Mill, *Utilitarianism*, 251.
[16] Mill, *Chapters on Socialism*, 749.
[17] For more on the importance of security to Mill's utilitarianism, see Riley, *Liberal Utilitarianism*.
[18] Mill, *Capital Punishment*, 268.
[19] *Ibid*., 269-70.
[20] Mill (and Harriet Taylor), *The Acquittal of Captain Johnstone*, 865.
[21] Mill (and Harriet Taylor), *Corporal Punishment*, 1138.
[22] Mill (and Harriet Taylor), *The Case of William Burn*, 954.
[23] See, for example, Hugo Adam Bedau, "Capital punishment", 148–82 and *The Death Penalty in America*; Jeffrey Reiman, "Why the death penalty should be abolished in America", 67-133; and C.L Ten, "Mill's Defense of Capital Punishment",141-151.
[24] Mill, *Capital Punishment*, 268.
[25] *Ibid*., 269. People opposed to utilitarianism often also dislike this view of punishment, which is using one person as a means to affect the actions of other people. Deontologists, for instance, think we can only punish for retributivist reasons: Mill thinks retributivism is fundamentally flawed.
[26] See also Ten's argument that Mill's view of death as "relatively minor evil" increases the likelihood that people will view murder as not so very serious a crime, and perhaps commit it *more* when there is a death-penalty if they have adopted Mill's reasoning (Ten, "Mill's Defense of Capital Punishment",141-151).
[27] Mill, *Capital Punishment*, 267.
[28] For Mill's account (in which, notably, his mother is never once mentioned), see *Autobiography* pp.5-39.
[29] Mill, *Autobiography* 35-7. Mill continued to believe this, as *Autobiography* p.33-7 shows.
[30] Jeremy Bentham, Letter 3208, p.136; Mill, *Journal of a Year in France*, *CW* XXVI, p.35.
[31] Mill, *Autobiography*, 137.
[32] Mill, Letter 122, 145.
[33] Mill, Letter 100, 108; Mill, Letter 103, 111.
[34] Mill, Letter 102, 110.
[35] Mill, *Diary*, 641.
[36] See also Mill, *Utilitarianism*, 211-13.
[37] Mill quotes this passage from Hobbes in *Chapters on Socialism*, 749, but it underpins his discussion of sympathy in *Utilitarianism*, 230-32.
[38] Mill, *Utilitarianism*, 231.
[39] *Ibid*.
[40] *Ibid*., 259.
[41] *Ibid*., 232.
[42] Mill, Letter 126, 152.
[43] Mill, *Autobiography*, 41-5.
[44] Mill, *Three Essays on Religion*, 403-5.
[45] *Ibid*., 418-19.
[46] *Ibid*., 420.
[47] *Ibid*.

[48] *Ibid*., 420; and *Utilitarianism*, 216.
[49] Mill, *Three Essays on Religion*, 426; Mill, *Utilitarianism*, 215.
[50] Mill, *Three Essays on Religion*, 426.
[51] *Ibid*., 484.
[52] Mill, Letter 122, 141.
[53] *Ibid*.
[54] Mill, *Utilitarianism*, 220.