

**The Institute of Philosophy and Psychology “Constantin Rădulescu-Motru” –
Romanian Academy
Department of History of Western Philosophy**

International Conference

**John Stuart Mill and the Positive Philosophy of the Nineteenth Century
On the 150th anniversary of Mill's death**

19-20 October 2023

Online via Google Meets

Thursday 19 October 2023

13:05 – 13:20 Joining the meeting via conference link
Opening

Session I Chair: Tinca PRUNEA-BRETONNET

13:20 – 14:00 Lei NIU (University of Cologne), *What is Wrong with Mill's Tolerant Attitude?*

14:00 – 14:40 Claudiu BACIU (Institute of Philosophy of the Romanian Academy), *On the Premises of John Stuart Mill's Ethics*

14:40 – 15:20 Marian PANAIT (Institute of Philosophy of the Romanian Academy) *Truth and Utility – Where Does Mill Stand*

15:20 – 16:00 Darren MEDEIROS (Rice University), *Positively Pleasurable: Understanding Mill on the Higher Pleasures*

16:00 – 16:20 Coffee Break

Session II Chair: Darren MEDEIROS

16:20 – 17:20 Plenary lecture: Nicholas CAPALDI (Loyola University New Orleans), *Mill vs. Bentham: Romantic Liberal vs. Radical Liberal Progenitor*

17:20 – 18:00 Gabriela TĂNĂSESCU (ISPRI, Romanian Academy), *Mill as a “Philosophe Sociologiste.” The Dimensions of Millian Conservative Liberalism*

18:00 – 18:40 Paulo M. BARROSO (Nova University of Lisbon), *Unshackling Minds: Revisiting Mill's Legacy of Free Speech in the Era of Manipulation and Disinformation*

18:40 – 19:10 Coffee Break

Session III Chair: Nicholas CAPALDI

19:10 – 20:10 Plenary lecture: Christopher MACLEOD (University of Lancaster), *The Problem of Objectivity and Freedom of Discussion*

20:10 – 20:50 Constantin STOENESCU (University of Bucharest), *The Millian Model of Scientific Explanation*

20:50 – 21:30 Andrei Ionuț Mărășoiu (University of Bucharest), *Positivistic induction: the Mill-Whewell debate revisited*

Friday 20 October 2023

13:50 – 14:00 Joining the meeting via conference link

Session IV Chair: Claudiu Baciu

14:00 – 14:40 Paolo SCOLARI (Catholic University of Milan), *Pain-Free Cities and Happiness Calculations. Nietzsche Reads John Stuart Mill*

14:40 – 15:20 Arnaud DEWALQUE (University of Liège) *Brentano Against Positivism: Two Views and Four Arguments*

15:20 – 16:00 Ion TĂNĂSESCU (Institute of Philosophy of the Romanian Academy), *Brentano's Debt to Comte and J. S. Mill and his Reasons to Reject their Philosophy*

16:00 – 16:20 Coffee Break

Session V Chair: Arnaud DEWALQUE

16:20 – 17:20 Plenary lecture: Eric S. NELSON (The Hong Kong University of Science and Technology), *Mill, Dilthey, and the Self-Overcoming of Positivism*

17:20 – 18:00 Cyril MCDONNELL (Maynooth University), *Law, Morality, and the State's Justification of Punishment: Aquinas, J.S. Mill and Brentano*

18:00 – 19:00 Plenary lecture: Susan Krantz GABRIEL (St. Anselm College, New Hampshire), *Mill and Brentano on Religion and Natural Theology*

19:00 – 19:20 Coffee Break

Session VI Chair: Ion Tănăsescu

19:20 – 20:10 Plenary lecture: Michel BOURDEAU (CNRS, Paris), *Mill's Final Assessment of Comte's Philosophy in Auguste Comte and Positivism*

20:10 – 20:50 Blanca LUQUE LINERO (University of Lisbon), *The Rejection of Psychology and the Role of Cerebral Physiology in the Positive Philosophy of Auguste Comte*

20:50 – 21:30 Elżbieta FILIPOW (University of Warsaw), *On Women's Mental Capacities – The Debate between John Stuart Mill and Auguste Comte*

Abstracts

Lei NIU (University of Cologne), *What is Wrong with Mill's Tolerant Attitude?*

What are reasonable attitudes towards others' beliefs? There are three basic attitudes towards others' epistemic practices. That is, indifference, tolerance, and intolerance. John Stuart Mill optimistically embraced a tolerant attitude. Mill's tolerant attitude believes that an epistemic tolerant attitude can be epistemically rational even if people treat others' conflicting beliefs as false. One argument for this is the fallibility of mankind. Historically, many beliefs that were treated as true and justified have been proven wrong. In this sense, the intolerance that is motivated to promote epistemic goods has to presuppose certainty. Otherwise, interventions are likely to cause epistemic harm. However, mere fallibility and uncertainty are insufficient to question the reasonableness of intolerance. Like every policy, laws are fallible too, but this implies that policies and laws should be carefully formulated rather than abandoned. The key consideration for Mill is that tolerance functions better than a paternalistic attitude in terms of promoting epistemic goods. Allowing the existence of false beliefs can be instrumentally valuable. Put differently, even when the certainty of some propositions is satisfactory, comprehension and reflection on the false opposite can deepen the understanding of truth, and promote epistemic goods. In contrast, an intolerant attitude always fails to promote epistemic goods and results in violence. A tolerant attitude implies that a failure to promote others' epistemic goods is inappropriate, and tolerance is epistemically and instrumentally preferable to intolerance. In this paper, I will illustrate considerations that can challenge the tolerant attitude.

Claudiu BACIU (Institute of Philosophy of the Romanian Academy), *On the Premises of John Stuart Mill's Ethics*

Mill's utilitarian ethics is based on two assumptions: first, the Epicurean view that man is constantly in search of happiness; second, a thought experiment in which all human beings would gather together and share their life experiences. As a result of such sharing, they could understand that a significant majority of them prefer certain experiences that, as a consequence, will be seen as a ground for future universal human values. My presentation challenges the idea that universal values can emerge statistically through a consensus of individuals who lack any previous education (i.e., a system of beliefs that shape 'a priori' their experiences) and who thus can live wholly isolated from existing values.

Marian PANAIT (Institute of Philosophy of the Romanian Academy), *Truth and Utility – Where Does Mill Stand*

It is sometimes useful to assess a problem from a more developed perspective. I therefore take up William James' point of view on truth as utility, as a gain produced by endorsing an idea, a statement. In this talk I will consider Mill's double approach in philosophy of science and in

ethics. I see at a first glance two almost separate directions of inquiry: first, the method in science and its implied understanding of truth, strongly influenced by Auguste Comte, in *A System of Logic*; second, Mill's ethics developed as a utilitarian one in *Utilitarianism, On Liberty* etc. On the first path, I see the induction, the generalization of laws, their confrontation with facts and the inevitable (though not expressly stated) correspondence definition of truth. On the second path, I see the utilitarian principle, the rule to conduct our life following the greater utility of the many. At a second glance, I see Mill recommending the application of the scientific method in moral and political life: inferring from facts to theory and applying the theory to individual acts (instead of proposing a utilitarian calculation for each of our acts). It is significant that I don't see William James' definition of truth. At this point of the investigation, I intend to take into account Auguste Comte's views on truth, as well as Jeremy Bentham's views on truth and utility, while considering Mill's assessment of Bentham's ideas. I then intend to analyze Mill's perspective on truth and utility. I argue that he keeps these two concepts separate: the truth known owing to the positive knowledge of nature (including the nature of man), as well as the utility governing human moral actions. However, according to Mill, there is a common root, namely the method: facts, law/principle, individual cases (natural or moral). I conclude that Mill is more committed to the facts and their scientific investigation than to the endorsement of the utilitarian principle.

Darren MEDEIROS (Rice University), *Positively Pleasurable: Understanding Mill on the Higher Pleasures*

Central to Mill's hedonistic utilitarianism is the notion of the higher pleasures, which are necessary to explain why his theory does not promote a life of mere sensual indulgence. While Mill does state that these pleasures are different in kind, in value, and in quality (*Utilitarianism*) from the lower pleasures, he never explains these differences. The closest to an explanation we find in *Utilitarianism* is Mill's appeal to a competent judge: if there are two pleasures and one is preferred over the other by those who are familiar with both pleasures, then the preferred pleasure is of greater quality than the other. Missing is any explanation of the criteria by which the judge ranks the pleasures. This baffling lack of explanation of the higher pleasures can be understood when we reflect on Mill's relationship with Positivism. Three years after the publication of *Utilitarianism*, Mill publishes *Auguste Comte and Positivism*, where he expresses a variety of commendations and criticisms of Comte's Positive philosophy. One of Mill's harshest criticisms concerns Comte's rejection of psychological observation or "internal consciousness...as regards our intellectual operations," where instead "our knowledge of the human mind must, [Comte] thinks, be acquired by observing other people" (Mill, A.C. and Positivism, 62-63). Despite Mill's criticism of Comte for rejecting first-person introspection on our conscious intellectual experiences, Mill's own discussion of the higher pleasures in *Utilitarianism* avoids any explanation of their conscious qualities— an explanation that would enlighten readers regarding their differences in kind, value, and quality from lower pleasures. Instead, what Mill offers is a test of their quality based purely on an external observation of the behavior of other people, namely, the competent judges. Mill's sparse description of the quality of higher pleasures only in terms of their being chosen by the judge is unhelpful and unsatisfying. But while this first appears as a baffling lack of explanation, when understood in terms of Positivism, we can understand that the explanation Mill gives is perfectly adequate. In this light, Mill's description of the quality of the higher pleasures only in terms of their choice-worthiness by a judge, rather than by their qualitative character as conscious states, seems appropriately limited by what sorts of explanations Positivists like Comte considered respectable. Insight into J.S. Mill's understanding of the nature of the higher pleasures can be found in commentary he provides in an edition of James Mill's *Analysis of the Phenomena of*

the Human Mind. By examining Mill's commentary, and the ideas of the authors he refers to therein (James Mill and John Ruskin), I develop a more satisfying explanation of how J.S. Mill understands the nature of the higher pleasures. In doing so, we see how robustly intellectual these conscious experiences are, reinforcing why Mill would want to avoid offending the Positivistic sensibilities of readers of Utilitarianism by describing them. Moreover, I show how this more satisfying account of the higher pleasures can resolve several debates that have arisen in the literature.

Nicholas CAPALDI (Loyola University, New Orleans), *Mill vs. Bentham: Romantic Liberal vs. Radical Liberal Progenitor*

The liberal view of liberty, going back to Hobbes, Spinoza, Locke, and Bentham, is that human nature is nothing but appetites. The role of liberty is to mediate between the unbound appetites and the binding required by other appetitive beings. This requires removing the strictures upon the appetites. The politics of emancipation in the West is the dialectical resolution of the modern components of the idea of liberty. It incorporates the satiation of one's appetites, the right of respect (dignity) for having one's appetites and determinations (being/ identity), control of education to enable the breaking up of oppressive/ traditional forms of social reproduction to enable this appetitive self, as well as the political demand that this emancipated self receives the resources, whether through reparations, or career and office holding opportunities distributed on the basis of one's being/identity, that enable its perpetuity. Indeed, as we are witnessing, the emancipated self requires for its realization a complete overhaul of the entire political, economic, pedagogical, and social spheres.

The alternative view of the self that liberty is in the service of, or the means to, freedom or faith in its own dignity is the major impetus for Kant and J.S. Mill. Mill understood (reconstructed) utilitarianism to incorporate all three versions of Kant's categorical imperative. Individuality is treating a person as an end. Instead of confounding politics and morals, Mill makes the moral domain define the political domain.

Gabriela TĂNĂSESCU (ISPRI, Romanian Academy), *Mill as a "Philosophe Sociologiste."*
The Dimensions of Millian Conservative Liberalism

Calling himself (in a letter to Comte) a "*philosophe sociologiste*," Mill was proposing to think in social generalizations and to situate *class* at the core of his social analysis, during a time of the apogee of class-based analysis. Class, as the essence of "social Power" and as a basis for the state, is analyzed according to a particularly conservative understanding of the historical past and its significance for the present, which understanding holds class domination or hegemony and class interests to be unable to avert despotism in a democratic society. Based on Mill's sociological analysis, this paper aims to configure the conservative dimensions of his liberalism, starting from his elitist principle and the alliance of property and education, namely the fear of class struggle (inaugurated in the French Revolution), the fear of a society dominated by the middle class, or worse, by the lower classes (the "mass of brutish ignorance"), the fear of the "ascendant power" of mediocrity, the fear of the commercial spirit and its urge to make money, the reluctance to encourage democracy and political participation, and the promotion of multiple voting depending on university studies. As such, the paper maintains that Mill's role in establishing the terms upon which the modern understanding of liberalism has emerged is coextensive with his role in supporting a conservative (or aristocratic) liberalism, based on an elitism important especially within English liberalism.

Paulo M. BARROSO (Nova University of Lisbon), *Unshackling Minds: Revisiting Mill's Legacy of Free Speech in the Era of Manipulation and Disinformation*

J. Stuart Mill's views on the question of liberty are articulated in his *On Liberty*, where he presents a defense of individual liberty and explores the limits of state authority in regulating individual behavior. Among the various ideas discussed, the question of freedom of expression is one of the most pressing, as it is timeless and emerging in contemporary societies, as anyone uses a mobile device to express opinions in the digital sphere. The new media and its uses and influences are challenges arising from the new popular phenomenon of the social proliferation of affordable participatory technologies. Mill strongly defends freedom of speech as a critical component of a free society. Even if an opinion is false, it should not be suppressed, as engaging false or unpopular opinions, and openly discussing them allows for the refinement and clarification of true beliefs. Unconditionally defending freedom of expression is not loosening the brakes on the criterion of information and promoting misinformation and false information? Mill's position is grounded in the value of open and rational discourse to arrive at truth and avoid tyranny. While his arguments are rooted in a historical context that predates today's technological information societies, his principles continue to be relevant for understanding the complexities of free expression in contemporary times. This seems utopian in today's digital societies, where rational debate easily gives way to hate speech or fundamentalist positions or ideological commitments. While Mill's principles of free expression are important, it's essential to acknowledge that the contemporary digital and media landscape, particularly in the context of technological information societies, presents challenges and complexities that he couldn't have foreseen. The advent of the internet and social media has amplified the speed and scale at which information spreads, and the line between legitimate dissent and harmful misinformation can sometimes be blurry. In modern times, discussions about freedom of speech and the spread of misinformation often involve considerations of responsible speech, the potential for harm caused by false information, and the role of platforms in moderating content. Striking a balance between allowing open discourse and mitigating the harms of misinformation is a complex and ongoing challenge that requires careful ethical, legal, and societal deliberation. Mill's principles in today's context require nuanced analysis and adaptation, and this is addressed in this proposal, following a theoretical and conceptual strategy. The purpose is to demonstrate that freedom of expression are positive freedoms, but they can never be absolute nor are they being properly applied in today's digital societies, where citizens now have the means and access, but not the attitude or decent behavior to rationally participate in the public sphere, which has now also changed and has become essentially virtual.

Christopher Macleod (University of Lancaster), *The Problem of Objectivity and Freedom of Discussion*

Mill holds that all human knowledge is necessarily conditioned by the nature of our sense faculties. In the paper, I consider how, under these conditions, Mill holds that we are able to achieve objective knowledge of the world. The issue concerns how objectivity is *so much as possible*, for Mill, given that our thinking is thoroughly conditioned; what it amounts to, for creatures like us, to adopt an objective viewpoint. I suggest that if all knowledge is necessarily relative to our senses, correspondence to a mind-independent world is not available as a model of success, and so some other model will be necessary preserve the distinction between correct and incorrect judgements, and argue that Mill appeals to freedom of discussion to ground claims of objectivity.

Constantin STOENESCU (University of Bucharest), *The Millian Model of Scientific Explanation*

My aim in this paper is to argue that John St. Mill developed in his works a concept of scientific explanation which could be better understood in terms of the “covering law model” of explanation as it was later defined by Carl Hempel. In order to explain an individual fact, say, that a is F, we need a general law, let’s suppose, the law that all G are F, and another individual fact, say, that a is G, all called the “initial conditions”. Moreover, Mill agrees that the explanation by laws is a causal explanation: “An individual fact is said to be explained by pointing out its cause, that is, by stating the law or laws of causation of which its production is an instance”. This deductive pattern is applied by Mill for the explanation of different phenomena, from physical to mental ones. His model was taken over and internalized by the philosophical and scientific community at the end of the nineteenth century, and then revived by the philosophy of science after the First World War. Therefore, the contemporary debate of the covering laws model of scientific explanation has Millian origins.

Andrei Ionuț Mărășoiu (University of Bucharest), *Positivist induction: the Mill-Whewell debate revisited*

What is induction, so that it may subtend scientific method regardless of the specific scientific inquiry being pursued? On the heels of empiricist and positivistic outgrowths of 19th century scientific methodology, Mill and Whewell both critically - but constructively - position themselves with respect to Auguste Comte’s philosophy and previous empiricist, naive realist and sensationalist approaches (Hume, Reid, Condorcet). The fundamental question both Mill and Whewell seem to pose is how to move from particular observed instances to an inductive generalization that captures both the specificity of what was observed and the nomic, or law-like, character of the proposition advanced as inductive generalization. Current scholars of the Mill-Whewell debate (from Larry Laudan to Laura Snyder and A. Cobb) emphasize the differences between the two in how they construe induction, and attempt to unify the conceptions of induction produced by each, in an effort to provide a coherent guide to author-based views. In contrast, we aim to thematize the key notion of “inductive practices” so as to capture both the diversity and the unity of purpose different aspects of the scientific method which have at times passed for “induction” for either Mill or Whewell (or both). Inductive practices, as we conceive and articulate them, consist in a plurality of methods designed to produce law-like statements from experimental data. This description is intended to be neutral between alternative formulations of what induction consists in by both Mill and Whewell, and can capture, we argue, the key insight of both. Our title is “Positivist induction” precisely to emphasize the common approach Mill and Whewell exhibit in identifying what the positivity of inductive practices may consist in. We argue that the realism-positivism debate is a red herring when it comes to reconceiving the role of induction as part of the scientific method in both the natural and the moral sciences. Rather, the issue is whether, purely positively, a concept which both Mill and Whewell can use, there a general-purpose inductive procedure that explains domain-specific generalizations carried out in fields as different as mechanics, the theory of (card) games, medical chances, moral propensities, and so on. This neutralist stance, which distinguishes a metaphilosophical debate (realism vs. positivism) from a philosophy-of-scientific-practice one (explanatory unity vs. particularism - whether induction is best construed as a unified concept or best seen as material and domain-specific), has, we argue, eschewed scholars of this debate even though it is in sync with more recent approaches in formal (mathematical) theories of inductive generalization (or projection) rules.

Paolo SCOLARI (Catholic University of Milan), *Pain-Free Cities and Happiness Calculations. Nietzsche Reads John Stuart Mill*

Despite Nietzsche's own claims that he dismisses John Stuart Mill with dismissive and hasty words, his relationship with the English philosopher is anything but episodic and marginal but takes on the contours of a careful dialogue and a close debate on the nodal issues of the age. Origin and purpose of morality, utility and happiness, society and the individual, pain and suffering... these are just some of the issues Nietzsche is called upon to confront. As is often the case, Nietzsche gets caught up in the pathos of invective and indulges in a somewhat stereotypical and grotesque reading of the utilitarian doctrine, while nevertheless grasping some of its nuances that, dropped into the society he faces, return a truly interesting picture. A keen observer of the modern city, Nietzsche finds how modern coexistence runs on the rails of quantitative logic, typical of English utilitarianism. In the metropolis, those democratic political movements, particularly socialism, are increasingly meandering, which, as Nietzsche says, exploit hedonistic-utilitarian logics to aim with all their might at the collective usefulness, that is, the least possible displeasure and happiness of the greatest number – the universal green happiness-from-grazing flocks – with safety, comfort, absence of danger, fashion, general well-being, lightening of life for everyone. The most hummed refrain is called compassion for every sufferer – and pain itself is taken as something that must be eliminated. Such a way of interpreting existence soon becomes a widespread mentality. In dear, vulgar Germany, Nietzsche exclaims, the general tumult of those running toward happiness is deafening. Within the safe walls of the cities everything must contribute to diminishing suffering as much as possible and promoting happiness in the greatest possible amount at all costs. Happiness is treated the same as a commodity, a product to be disposed of in ever-increasing doses. Mass society indiscriminately forces everyone to be happy. Only happiness is now permissible, having become to all intents and purposes a universal right. Unhappiness cannot – or must not – exist. Or, should it appear, it must be immediately suppressed and transmuted into its opposite. In the city of men, a place where Nietzsche carefully observes the flow of the public dimension of the human, suffering just seems to have no place. Suspicious of any excessive well-being, Nietzsche debunks the hypocrisy underlying modern society, which seeks not “more happiness” but “less pain” and aspires to an absence of pain for all. Riding the utilitarian wave, modernity maximizes well-being and minimizes suffering, stubbornly attempting to pursue as much pleasure and as little sorrow as possible. Joy and pain are here inversely proportional: as happiness increases, pain decreases. The aim of society is precisely to minimize pain more and more, thus causing the happiness index to skyrocket to exorbitant levels.

Arnaud DEWALQUE (University of Liège), *Brentano Against Positivism: Two Views and Four Arguments*

This paper reconstructs Franz Brentano's discussion of positivism in his 1893-94 lecture course at the University of Vienna (Brentano LS 20). It is common knowledge that Brentano's *Psychology from an Empirical Standpoint* has been much influenced by Comte's positivism (see, e.g., Fissette 2018). Yet, Brentano also raised devastating objections against positivism, to the effect that the latter for him “proves untenable in all its forms” (Letter to Ernst Mach of 20 May 1895; Brentano 1988, 204). My goal is to present his objections. The take-home message, I submit, is as follows: first, pace J.S. Mill's insistence on what unifies positivistic theories (Mill 1865a; 1985), positivism is no monolithic doctrine; to correctly appreciate its viability, it

is necessary to distinguish at least two views and four arguments; next, none of these arguments are sound.

Ion TĂNĂSESCU (Institute of Philosophy of the Romanian Academy), *Brentano's Debt to Comte and J. S. Mill and his Reasons to Reject their Philosophy*

The influence of A. Comte's and J.S. Mill's philosophy on the young Brentano is undeniable: in 1869 Brentano gives a public lecture on Comte's positive philosophy, a year later he publishes the first part, "Introduction. The Essence of Positive Science," of a series of six articles whose title was meant to be "Auguste Comte and Positive Philosophy," and he repeatedly deals between 1869 and 1883 with the relation between Comte's theory of the three stages of philosophy and his own theory of the four stages of philosophy. As for Mill, Brentano lectured on inductive and deductive logic in 1869/70, and his major work *Psychology from an Empirical Standpoint* (1874) is built on Mill's inductive-deductive model of science. Moreover, Mill is one of the most cited philosophers in this work. Against this background, the reader can expect Comte and Mill to be cited by Brentano as his companions in the struggle to introduce a new era of philosophical development in the last three decades of the 19th century. However, in his writings on the future of philosophy Brentano never mentions either of them as philosopher of a new philosophical ascending era, rather he refers to both as scientists like Helmholtz or Laplace. Moreover, in his lectures on the existence of God, Brentano considers Mill to be a representative of an exaggerated empiricism, i.e., of a kind of the second phase of philosophical decline, skepticism. In my talk I will pay close attention to the reasons for Brentano's reluctance regarding Mill's and Comte's philosophy. I will argue that those reasons are metaphysical in nature, i.e., Brentano could never follow to the end Comte's and Mill's path of eliminating the metaphysical and theological questions from philosophical discourse. From Brentano's viewpoint there are problems, the question of God's existence for example, which their research in the philosophy can never renounce in the interest of mankind. Therefore, giving up such problems is never a sign of philosophical progress but rather of philosophical decline. For this reason, Brentano believes that the scientific method and the positive view of the task of philosophical investigation are never sufficient for a philosophy belonging to an ascending philosophical period.

Eric S. NELSON (The Hong Kong University of Science and Technology), *Mill, Dilthey, and the Self-Overcoming of Positivism*

Dilthey's early project of formulating a new philosophy of the human sciences sought to develop an alternative to both scientific positivism and historicism. Dilthey contested the primacy of abstract theorizing based on the paradigm of the natural sciences in the former, and the priority of an anti-theoretical attitude emphasizing historical context and concrete particularity in the historical school. This led Dilthey to both appreciate and reject elements of the positivism of Comte and Mill from his early to later writings. In a radically positivist critique of positivism, Dilthey showed through an immanent critique of their premises that their respective philosophies fell into epistemic circles and proved self-undermining such that they were increasingly forced to turn from the scientific appeal to experience to new dogmatic speculative and metaphysical assertions. In this paper, I will outline what Dilthey learned from Mill's philosophy and why he found it inadequate to the human condition and its scientific study by focusing on three interconnected issues: experience, individuality, and the moral sciences. Although Dilthey expressed much more sympathy toward Mill than Comte, and Habermas and Gadamer could contend there is a strong positivistic dimension inherited from

Mill in Dilthey's thought, Dilthey's immanent critique of Mill traced how his notion of experience proved to be too narrow and atomistic, his social and ethical philosophy was inadequate to the rich development complexity and *Bildung* of individuality and liberty, and his analysis of the moral sciences were overly reductive to the model of the natural sciences. Positivism itself consequently requires a transformation of philosophy beyond positivism that embraces the hermeneutics of the reflexively, biographically, and intersubjectively lived experiential life-nexus and its reflective study in philosophy and the human sciences.

Cyril MCDONNELL (Maynooth University), *Law, Morality, and the State's Justification of Punishment: Aquinas, J.S. Mill and Brentano*

Both Brentano and Mill agree that those who infringe state law deserve punishment, but they disagree on the moral justifications for this action. This, in many respects, should not be surprising given both develop very different general moral theories which will be reflected in their assessments of the morality of the state's practice of punishment in particular. Yet the division between them is much deeper than this, for, both hold opposing views on the question of the proper relation of morality to law as well as the particular issue of the morality of the state's infliction of punishment on those who break the law. On the general issue of law and morality, Brentano, generally speaking, aligns his position with St Thomas Aquinas's view that both law and morality are systems of evaluating the common good, but each do so in their own respective ways (ST, 1-II Q.94-Q.95). From this perspective, the law, in some cases, does have a role to play in promoting and establishing morality as such for society as such. For Mill, in contrast, morality and law are distinct and unrelated. What one considers moral or immoral, *morality as such*, should not be the concern of the state. Only those actions that are done by an individual that does harm to others, and so, damages the self-preservation of *society as such* is (and should be) the concern for law and state penal sanctions ('On Liberty', 1859). Brentano, then, couldn't express himself against Mill in any clearer fashion, at least implicitly, when he remarks towards the end of his life that 'the state exists for man [the individual human being], not man for the state. The state exists only as a means; it is not good in itself' ('Epicurus and War', 1916). A complicating factor, however, in Brentano's justification of the state's infliction of punishment on individuals who break the law, is that he includes the effectiveness of punishment in bringing about through law enforcement the moral betterment of society as such. Hence Brentano includes a modified ethical utilitarian justification of state punishment in his defence. This is not, nevertheless, a capitulation to Mill, but a re-capitulation of a position that we find in St Thomas, notwithstanding major differences in Brentano's general moral theory to both Mill and Aquinas; or, at least, so I would like to argue in this paper.

For the purposes of exposition and analysis, I will first outline those features of Aquinas's general position on morality and law and the morality of state punishment in particular of most relevance and congruence with Brentano's account. Then I will outline, briefly, Mill's position in the debate about the proper relation of morality to law and the moral justification of state punishment of most relevance and congruence to Brentano's position, before concluding with an evaluation of Brentano's convergence and divergence from both Aquinas and Mill on the issue of the proper relation of morality to law and the moral justification for the state's infliction of punishment.

Susan Krantz GABRIEL (St. Anselm College, New Hampshire), *Mill and Brentano on Religion and Natural Theology*

Although John Stuart Mill (1806-1873) and Franz Brentano (1838-1917) are polar opposites on the main topics included in natural theology, namely the existence of God, theodicy, and the immortality of the soul, their views of religion as such are not entirely incompatible. Briefly stated, Brentano accepts the traditional outlook of natural theology, namely, that the existence of an infinitely perfect God can be proved, that the problem of evil can be solved, and that immortality of the soul is a reasonable expectation. Mill rejects all three of these claims, holding that the existence of a good but not all-powerful God is at best not impossible, that the problem of evil is perpetual in our experience, and that immortality is at most an object of hope. When it comes to religion as such, however, both Mill and Brentano seem to see it as a means to an end. For Brentano, the goal so far as possible is to replace religion with philosophy. For Mill, the goal is the moral improvement of society. In what follows I take a look at each philosopher's views on these topics, assuming throughout the discussion that religion and natural theology are distinct topics, even though what is called "philosophy of religion" often focuses on the latter rather than on the former.

Michel BOURDEAU (CNRS, Paris), *Mill's Final Assessment of Comte's Philosophy in Auguste Comte and Positivism*

The book Mill published in 1865 can be read with two questions in mind: what does it tell us about Comte? What does it tell us about Mill? The first is more in keeping with the author's intention, who wanted to make known the thought of someone for whom he had at one time felt the greatest admiration. But, to celebrate the hundred-and-fiftieth anniversary of Mill's death, we'll give preference to the second question. In fact, far from being mutually exclusive, the very purpose of the book means that the two questions call for each other. Whether he agrees or disagrees, when Mill speaks of Comte, it is always in his name, so that when he returns to subjects already dealt with elsewhere, the book allows us to clarify his thinking.

The presentation will be in two main parts. Before discussing *Auguste Comte and Positivism*, we shall first outline the main episodes in the close relationship between the two thinkers. The examination of the work will then proceed in three stages: we shall look for the various reasons that prompted Mill to write the book and investigate the circumstances of its publication; we shall give an initial overview; we shall return to the most important points to clarify what Mill approves and disapproves of, particularly with regard to politics and religion. We can then attempt to evaluate the work itself: is the image we are offered of Comte reliable?

Blanca LUQUE LINERO (University of Lisbon), *The Rejection of Psychology and the Role of Cerebral Physiology in the Positive Philosophy of Auguste Comte*

The purpose of this talk is to address the rejection of psychology and the role of cerebral physiology in the positive philosophy of Auguste Comte. The influence of Comte's work on nineteenth-century thought is undeniable. However, although there is a lot of literature around his sociology, Comte has been, as Mill (1865) said, a little read and also misunderstood author. Our objective is, therefore, to contribute to the understanding of Comtean positivism and, in this sense, the rejection of psychology and the study of intellectual and moral functions (cerebral physiology) is especially relevant. Comte developed his phrenological research in the *Cours de Philosophie Positive* (1830-1842) as a section from biology. In it he rejects psychology for not complying with the precepts of the positive method, -that it should begin with empirical observation and aspire to the formulation of general laws-, and condemns it for being based on a "fictitious philosophy." On the contrary, Comte adheres, although not completely, to Gall's doctrine, about which he maintains numerous discussions with other contemporaries such as Mill. Based on Gall studies, Comtean cerebral physiology is especially

relevant because, finally, the intellectual and moral faculties can only be investigated by directly observing the intellectual and moral acts, which belongs to natural history (Comte, 1838, [Martineau, 2000]). This fact represents one of the most important points of the Course for most of its current commentators since it connects biology -and the rest of the natural sciences- with sociology, the last science in the encyclopedia.

Elżbieta FILIPOW (University of Warsaw), *On Women's Mental Capacities – The Debate between John Stuart Mill and Auguste Comte*

In her article Theories of Sex Difference, Caroline Whitbeck, an American researcher, proposes a new view of possible classifications of theories that identify and explain differences between women and men. According to her view, there are three general motifs visible in the Western philosophy and science that keep reappearing within the past 25 thousand years and still enjoy unfading vitality. In them, a woman is (1) perceived as a deficient man, (2) equipped in qualities that are opposite to a man, (3) essentially defined within categories of men's needs. It is in the Victorian Era that the opposites between the two sexes, in particular, happened to be vividly presented in numerous works of culture, as well as in scientific concepts represented in medical and biological models. They were also present in then-emerging social sciences, whose representatives attempted to make them similar to natural sciences. What was observable in the scientific and philosophical concepts in the 19th century was the distinction between the rational and irrational element, which was particularly based on the assumption on women's intellectual capacities inferiority. Such concepts reinforced the image of women whose intellectual capacities are limited due to their physicality. That, in turn, justified their lack of access to education, professional work, suffrage, and equal marital laws. Biological differences between the sexes implied some normative standards that defined women's identity, character, and social roles, which is their place in the society. Such views were held, for instance, by the first representatives of sociology: Auguste Comte and Herbert Spencer. The first one, according to John Stuart Mill's intellectual biography by Nicholas Capaldi (John Stuart Mill: A Biography), got even famous for his intellectual romance with phrenology – a controversial but popular quasi-science that explicitly suggested women that they are on a lower level of intellectual development than men. I assume that those concepts, which make the intellectual background of the Victorian Era, may be viewed as the ones that questioned women's calls for equality. Thus, my presentation aims at outlining (1) a broader intellectual background of the Victorian Era, which is to facilitate noticing (2) the problem of differences between women and men in the thinking styles of the epoch, including, in particular, (3) the debate on women's intellectual capacities between John Stuart Mill and Auguste Comte. The analysis of the debate is to be based mostly on their correspondence, as well as Mill's essay Subjection of Women, where he rejects controversial views of his interlocutor. All in all, it allows to understand and explain better the role of Mill's liberal feminism within the context of the broader Victorian discussion on women's intellectual capacities, which also included the debate between Mill and Comte.