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# The Mills' *On Liberty*

## I. Introduction

Published in 1859, *On Liberty* is a cornerstone of the liberal tradition shaping modern democracies. Through historical observation, theoretical reflection, and practical application, the book asserts the value of free discussion, social experimentation, and individuality against the stifling hierarchical social orders that dominant groups tend to impose on others. In doing so, it provides a principled framework for pluralistic societies in a complex world, profoundly influencing philosophical and political debates about individual freedom, social authority, and progress.

This edition aims to advance our understanding of *On Liberty* in two related ways. First, it recognizes Harriet Taylor Mill (1807–1858, hereafter HTM) as a co-author of *On Liberty*. Second, it supplements the text of *On Liberty* with illuminating passages from related essays, chapters, unpublished writings, and letters by both John Stuart Mill (1806–1873, hereafter JSM) and HTM.

Scholars have generally failed to acknowledge HTM's significant role in this work. However, for reasons explained in detail in the next sections, the evidence merits crediting HTM as a co-author. In the preface to *On Liberty* itself, JSM wrote that "it belongs as much to her as to me."<sup>1</sup> In his *Autobiography*, he recalled that, in the period before her death, "my wife and I were working together at the Liberty," and that "we kept it by us, bringing it out from time to time and going through it *de novo*, reading, weighing and criticizing every sentence."<sup>2</sup> These claims about her role in developing key ideas and arguments, as well as the draft itself, are supported by a historical understanding of their working relationship and by a stylometric analysis of the text.

The supplementary writings by both authors then enrich our understanding of *On Liberty*. Four chronological appendices offer insight and perspective on the book's main ideas, while endnotes to each chapter situate or explain specific claims in the text. To take one example, HTM's commentaries in Appendix D ("Individuality' as an Element of Well-Being") show that women's equality is just below the surface of the famous discussion of conformity and individuality in Chapter III. In the

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1. CW[J] XVIII, 216. See "Notes on the Text" below for an explanation of our reference practice.

2. CW[J] I, 249.

endnotes, HTM also expands on related matters, such as the problematic nature of the marriage contract, in a way that bolsters our understanding of *On Liberty* as part of a larger egalitarian social reform project. It should be noted that engagement with HTM's thought can be difficult for students and scholars because many of her writings are notes or partial drafts rather than complete essays. Almost all her single-authored writings remained unpublished in her lifetime and were extracted from the archives of the London School of Economics and Political Science only with the publication of *The Complete Works of Harriet Taylor Mill* in 1998. Our volume therefore aims to reproduce and organize key passages from her works that speak directly to the themes of *On Liberty*.

This edition also collects a wide range of JSM's work related to the themes of *On Liberty* from his long and influential career. Scattered across a half century, these excerpts help elucidate the significance of many arguments in the book. Among other things, they underscore the importance of open-ended discussion and social experimentation in progressive societies, clarify his thoughts about the form and limits of government, and reveal cases in which the expression of opinion may be restricted if it involves harmful or criminal acts. A full appreciation of JSM's political philosophy requires studying his systematic writings on utilitarianism, democracy, normative political economy, and more. But we hope this volume provides readers with the resources needed to engage confidently with a text that has inspired and challenged generations, thereby revealing the liberal vision shared between JSM and HTM.

In succinct and memorable prose, *On Liberty* makes four main claims:

- (1) Given human fallibility, discussion and "experiments of living" must be permanent features of any society committed to social progress.
- (2) Government and social authority may not rightfully coerce a rational adult for that person's own good, but only to protect against nonconsensual harm to others.
- (3) Whether received opinion is true or false, freedom of discussion should never be restricted by social or political coercion.
- (4) "Individuality" is an underappreciated and vital element of human well-being.

These main claims have all been beset by questions about their interpretation and their implications for practice. Does a society committed to allowing individuals to pursue different experiments of living in fact rule out some plausible conceptions of the good life? Is paternalistic interference always illegitimate, even when a rational

adult is clearly about to cause themselves significant harm? Could carefully delineated limits on the expression of hateful political viewpoints ever be justified? Is the development of individuality at odds with promoting concern for the common good? Moreover, taking the main claims together, we might ask how *On Liberty* is meant to fit with the Mills' well-known commitments to utilitarianism and egalitarianism. Does its version of liberalism in fact promote the general happiness? Is *On Liberty* consistent with a comprehensive egalitarian agenda including social equality, economic redistribution, property reform, and workplace democracy? Interpreters have worried that these positions cannot fit together, but if *On Liberty* is divorced from its utilitarian foundations, or if it is made inconsistent with radical economic reform—including some forms of socialism<sup>3</sup>—then one is likely to mistake the weight or meaning of particular claims in the text. Of course, readers need not be utilitarians or socialists to appreciate many of the arguments of *On Liberty*—some of its greatest admirers have been neither—but ongoing debates about the prospects of liberalism would benefit from deepening our engagement with the text itself.

We do not attempt to settle all questions commentators have raised, but we try to offer the reader resources to better understand the four main claims of *On Liberty*, as well as specific points along the way, given the common fund of ideas developed by its authors. The appendices and endnotes help not only to clarify but sometimes to qualify and complicate the ideas of the Mills.

The remainder of the introduction includes an account of the working relationship of JSM and HTM, the testimonial evidence by them and others about the writing of *On Liberty*, a summary of further textual evidence of HTM's contribution based on stylometric analysis, a discussion of how they plausibly assigned authorship to their texts and, finally, an overview of the chapters of *On Liberty* to guide the reader.

## II. The Co-authorship of *On Liberty*

Harriet Taylor Mill and John Stuart Mill met in 1830, when she was already married and expecting her third child, Helen Taylor. JSM was an emerging radical writer known for extending the utilitarian political philosophy of Jeremy Bentham and his father, James Mill. HTM was part of a “free thinking” group centered around the Reverend William Johnson Fox. Although HTM's husband, John Taylor, was

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3. CW[J] I, 199. See, e.g., Helen McCabe, *John Stuart Mill, Socialist* (McGill-Queen's University Press, 2021).

admired by both HTM and JSM for his character and liberal politics, the deepening affection between HTM and JSM in the early 1830s led to the gradual disintegration of her marriage. Given the legal constraints of the time, divorce was an impossibility, but HTM eventually arranged a life in which she remained formally married but lived in her own home with Helen. During this period, JSM visited her frequently, and they sometimes traveled together with her children. Despite this unconventional arrangement, HTM maintained a close relationship with her husband, who accommodated her “experiment of living” both financially and emotionally. In 1849, she nursed him during the illness that resulted in his death. Two years later, JSM and HTM married. Unfortunately, both struggled with poor health, and tragically, HTM died in 1858 at the age of fifty-one in Avignon. JSM would later live in Avignon to be near her grave, and he was buried alongside her in 1873.

While commentators often highlight their romantic story, our focus is the intellectual partnership between HTM and JSM that culminated in the publication of *On Liberty*. Using a variety of sources of evidence, we argue that HTM made a more substantial contribution to the text than most scholars have recognized, and that the reasons which may have precluded JSM from placing her name on the cover in the nineteenth century do not apply to us today.

## Testimonial Evidence

Our main evidence for HTM’s authorship of *On Liberty* comes from JSM’s detailed account in his *Autobiography* of how the book was produced, along with his letters, the preface to *On Liberty* itself, and the testimony of others who knew them both. Unfortunately, no original manuscript of *On Liberty* survives. However, the testimonial evidence is corroborated by two key forms of textual evidence: earlier writings by both authors that explore central claims of *On Liberty*, and stylometric analysis showing that the writing styles of both JSM and HTM are present in the text.

To understand the nature of the continuous collaboration between HTM and JSM in more detail, a bit of background might be useful. At the time they met, HTM and JSM each had experience working on texts with others. When JSM was only eleven years old, he assisted his father with editing the proofs of his *History of British India* (1817).<sup>4</sup> By age thirteen, he was writing “clear, precise, and tolerably complete” accounts of his father’s private lectures on David Ricardo’s political economy.<sup>5</sup> These expositions formed part of the basis for James Mill’s *Elements of Political*

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4. CW[J] I, 27.

5. CW[J] I, 31.

*Economy* (1821). In 1825, JSM also took on the mammoth task of preparing Jeremy Bentham's *Rationale of Judicial Evidence* (1827) for publication. Despite being the junior partner, he made increasingly significant contributions to these early projects.

One of HTM's earliest surviving manuscripts is from around the same time. In it, we find notes both in her handwriting and that of her first husband for an unpublished review of William Stevenson's 1828 *The Life of William Caxton*.<sup>6</sup> She then likely contributed in the early 1830s to anonymously published political pieces in the *Monthly Repository* (e.g., "A Victim" and "On the Condition of Women in England"), working with Reverend Fox and William Bridges Adams.<sup>7</sup>

JSM's description of an early project—one that "[George] Graham & I are writing jointly"—offers a glimpse into his approach to collaboration:

I have written five essays; four on detached questions & one on the science itself. Graham is to write five more on the same subjects: we are then to compare notes, throw our ideas into a common stock, talk over all disputed points till we agree (which between us two, we know by experience to be by no means an indefinite postponement) & then one of us is to write a book out of the materials. Graham is to add a sixth essay on a very important part of the subject which is above my reach, & which I am only to criticize when it is done.<sup>8</sup>

This is just one example of JSM collaborating with an equal partner in the production of a co-authored text, sharing ideas and writing duties as the project requires. He would go on to work closely with others, including George Grote, Alexander Bain, and Helen Taylor. But the process of combining drafts, engaging in discussion, and then rewriting shows that, as early as 1831, he had a clear vision of the value of joint work and of different ways it could be executed effectively.

It is striking that, by 1832, we see JSM and HTM separately working on essays about marriage, sharing their drafts, comparing notes, and developing overlapping ideas on the topic, despite some remaining differences.<sup>9</sup> For the rest of their lives, they would share ideas through drafts, letters, and conversations, to such an extent

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6. Mill/Taylor Collection, box III/113, London School of Economics and Political Science Archives.

7. Friedrich A. Hayek, *John Stuart Mill and Harriet Taylor: Their Friendship and Subsequent Marriage* (Augustus M. Kelley, 1951), 28–29. Further evidence of the parallels between HTM's text and the published articles can be found in Jo Ellen Jacobs, *The Voice of Harriet Taylor* (Indiana University Press, 2002), 44–45, 47–48.

8. Letter to John Sterling, October 20–22, 1831, CW[J] XII, 79.

9. CW[H], 17–24; CW[J] XXI, 95–105.

that, in an 1849 letter to HTM, JSM wrote that they always came “to think the same . . . when we think long enough.”<sup>10</sup> In his *Autobiography*, JSM later recalled that on matters broadly related to women’s equality they had developed a “fund of thought which had been made common to us both” through “innumerable conversations and discussions.”<sup>11</sup> He was even more insistent about *On Liberty*, stating that it emanated from the “conjunction of her mind with mine”:<sup>12</sup>

With regard to the thoughts, it is difficult to identify any particular part or element as being more hers than all the rest. The whole mode of thinking of which the book was the expression, was emphatically hers. But I also was so thoroughly imbued with it that the same thoughts naturally occurred to us both.<sup>13</sup>

HTM had “benefitted” him, he wrote, “as much by keeping me right where I was right, as by leading me to new truths and ridding me of errors.” He referred to a time when, without her intervention, he “might easily have fallen into a tendency to over-government, both social and political,” and another when, “by reaction from a contrary excess, I might have become a less thorough radical and democrat than I am.”<sup>14</sup>

This account of their common intellectual project already has implications for claims about co-authorship, as JSM himself explained:

When two persons have their thoughts and speculations completely in common: when all subjects of intellectual or moral interest are discussed between them in daily life, and probed to much greater depth than are usually or conveniently sounded in writings intended for general readers; when they set out from the same principles and arrive at their conclusions by processes pursued jointly, it is of little consequence in respect to the question of originality which of them holds the pen: the one who contributes least to the composition may contribute most to the thought; the writings which result are the joint product of both, and it must often be impossible to disentangle their respective parts and affirm that this belongs to one and that to the other.<sup>15</sup>

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10. CW[J] XIV, 9.

11. CW[J] I, 265.

12. CW[J] I, 259.

13. CW[J] I, 259.

14. CW[J] I, 259.

15. CW[J] I, 251.

Over twenty-seven years, HTM and JSM also played various roles in the inception, construction, and publication of each other's works. They suggested new projects, served as editors or amanuenses, contributed discrete elements, and together wrote certain texts. For instance, JSM created the "fair copy" of HTM's "Enfranchisement of Women" (1851) for the publisher after having encouraged her to write on that subject.<sup>16</sup> HTM, in turn, extensively edited works such as his *Autobiography* (published 1873)<sup>17</sup> and contributed important elements to *Principles of Political Economy* (first published 1848).<sup>18</sup> Sometime in the late 1840s, they also collaborated on pieces on women's rights, which, although unpublished, appear to have provided material for JSM's *Subjection of Women* (published in 1869, a decade after HTM's death).<sup>19</sup> For one co-authored piece, they literally cut the draft manuscript into pieces after HTM wrote "A" and "B" at two different points in it. She added her own sections, even to the middle of sentences, before they reassembled the parts to create a coherent text ultimately written in JSM's hand.<sup>20</sup> During the same period, between 1846 and 1850, they co-authored a groundbreaking series of newspaper articles addressing domestic violence and the inequities of the English judicial system.<sup>21</sup> And in a final suggestive example, HTM drafted a private letter in JSM's voice to Arthur Helps on the topic of equality, some of which JSM adopted in his final version.<sup>22</sup> JSM wrote that many of his social and political writings were "not the work of one mind, but of the fusion of two."<sup>23</sup>

This close collaboration reached its peak with *On Liberty*. Their marriage in 1851 meant that JSM and HTM could now work together in the privacy of their own home, though they also separately traveled abroad for health reasons. Understandably, there are fewer letters from this period for scholars to examine their collaboration, but in 1854, they made a list of topics they wanted to write about before they died, one of which was "Liberty."<sup>24</sup> A year later, JSM wrote to HTM that he "came back to an idea we have talked about & thought that the best thing to write

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16. CW[J] XIV, 49.

17. Jack Stillinger, "Who Wrote J. S. Mill's *Autobiography*?" *Victorian Studies* 27, no. 1 (Autumn 1983): 7–23.

18. CW[J] I, 255.

19. CW[H], 34–46; CW[J] XXI, 378–392.

20. HTM and JSM, "Women—(Rights of)" (1847 watermark), unpublished, CW[H], 43–46.

21. CW[H], 74–131; CW[J] XXV, 1138–1197.

22. CW[J] XVII, 2000–2002.

23. CW[J] I, 199.

24. February 7, 1854, CW[J] XIV, 152.

& publish at present would be a volume on Liberty.”<sup>25</sup> Soon after, JSM noted that HTM “approves of the subject,” that is, supported his suggestion that this should be the next topic they tackled.<sup>26</sup> In his *Autobiography*, JSM would then tell us that *On Liberty* was the main collaborative work of this period of their lives: “The *Liberty* was more directly and literally our joint production than anything else which bears my name.”<sup>27</sup> It emanated from “the conjunction of her mind with mine,” but he also explained that “there was not a sentence of it that was not several times gone through by us together, turned over in many ways, and carefully weeded of any faults, either in thought or expression, that we detected in it.”<sup>28</sup> He stressed this point in a separate passage: “None of my writings have been either so carefully composed, or so sedulously corrected as this. After it had been written as usual twice over, we kept it by us, bringing it out from time to time, and going through it *de novo*, reading, weighing and criticizing every sentence.”<sup>29</sup> In the very dedication to the book, published shortly after HTM’s death, JSM wrote that it “belongs as much to her as to me.” This was his first public proclamation of her contribution to their joint work.

JSM’s strong and consistent testimony about HTM’s substantial contribution to *On Liberty* is supported by comments from HTM’s adult daughter Helen Taylor and JSM’s friend and colleague Alexander Bain, who both had intimate knowledge of the Mills’ writing process. According to Taylor, “her mind & thoughts”<sup>30</sup> were to be found there, while Bain, despite being skeptical of some claims JSM made about HTM’s philosophical contributions, admitted in his biography of JSM that “the *Liberty* was the chief production of his married life: and in it, [HTM] bore a considerable part.” He emphasized their close collaboration: “The book has unsurpassed excellencies, and, as I think, some defects. How far these are to be partitioned between the two co-operating minds, there is probably no means of discovering.”<sup>31</sup>

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25. January 15, 1855, CW[J] XIV, 294.

26. February 7, 1855, CW[J] XIV, 320.

27. CW[J] I, 257.

28. CW[J] I, 257, 259.

29. CW[J] I, 249.

30. *The Amberley Papers: The Letters and Diaries of Bertrand Russell’s Parents*, ed. Bertrand Russell and Patricia Russell, vol. I (W. W. Norton, 1937), 373.

31. Alexander Bain, *John Stuart Mill: A Criticism with Personal Recollections* (London, 1882), 170. Bain was familiar with JSM’s collaborations. He had himself provided “examples and illustrations . . . as well as detached remarks,” which were “inserted nearly in his own words” into the finished text of *A System of Logic* (JSM, *Autobiography*, CW I, 255).

Recognizing that his working relationship with HTM was likely to be misunderstood by people less well acquainted with her, in 1854, JSM wrote to her that he wanted to include the following in his *Autobiography*:

a permanent memorial of what I know you to be, & . . . of what I owe to you intellectually. That, though it is the smallest part of what you are to me, is the most important to commemorate, as people are comparatively willing to suppose all the rest.<sup>32</sup>

He was right to be concerned: philosophers have tended not to believe his repeated assertions about their co-authoring relationship.<sup>33</sup> This is not surprising, given how often women's voices have been hidden or overlooked in history. Yet even when JSM proclaimed publicly and privately that some of their work, including *On Liberty*, was co-authored, scholars have been reluctant to believe him.

## Textual Evidence

It is important, then, that JSM and others' testimony is corroborated by two types of direct textual evidence. The first of these is the existence of texts which show JSM and HTM independently exploring and developing the themes found in *On Liberty*. We will not linger on this point here, but the endnotes and appendices included in this volume demonstrate that central themes of *On Liberty* appeared in HTM's earlier work, much of it written in the 1830s, as well as in JSM's previous writings. In a manuscript from 1832, for example, HTM wrote that "the spirit of conformity," due to its "hostility to individual character," is "the root of all intolerance."<sup>34</sup> Around that time, she also stated an early version of what is now often called the "harm principle": "Every human being has a right to all personal freedom which does not interfere with the happiness of some other."<sup>35</sup> In addition to aiding our understanding of the main claims of *On Liberty*, the endnotes and appendices thus reveal the common fund of ideas of the two authors.

Stylometric evidence provides a further way to reveal some aspects of their collaboration. Stylometry is based on the familiar idea that authors have individual

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32. February 10, 1854, CW[J] XIV, 154.

33. Jo Ellen Jacobs, "The Lot of Gifted Ladies Is Hard: A Study of Harriet Taylor Mill Criticism," *Hypatia* 9, no. 3 (1994): 132–162.

34. Entry d of Appendix D.

35. Entry a of Appendix B.

writing styles. It goes beyond common sense by looking not merely at characteristic words (e.g., “transcendental” in Kant’s writings) but also at the frequency of generic words such as “and,” “the,” and “or,” which appear in everyone’s writings. The “stylome” of an author is a characteristic frequency distribution of these words, and empirical research demonstrates that a stylome can reliably identify the person who directly crafted the sentences in a text.<sup>36</sup> Thus stylometry provides a way of “distant reading”<sup>37</sup> a text and attributing authorship that is entirely independent from traditional “close reading” assessments based on historical and philosophical evidence.

Importantly, absence of evidence of HTM’s stylome would not undermine all claims to her co-authorship. People can contribute key ideas, arguments, and content without also contributing the precise form of words in which those are expressed in a final text. JSM observes as much in his remark that it sometimes matters little who “holds the pen.” In the sciences, co-authors often contribute to a publication without directly crafting the text, for instance by contributing to the research design, gathering evidence, or analyzing data. Depending on disciplinary conventions, we might expect the stylome of a multiauthored article to match most closely that of the first author, but in itself this would not nullify the intellectual contributions, or rightful claim to co-authorship, by other credited authors. Where stylometric evidence does exist, however, there is strong evidence for co-authorship.

Recent research has used stylometric methods to assess whether *On Liberty* is characterized only by the stylome of JSM, or whether it also shows the presence of HTM’s stylome.<sup>38</sup> The stylometric results suggest that JSM and HTM both contributed to writing the text of *On Liberty*. On the basis of a reliable model of JSM’s stylome, we can say with a high degree of confidence that he did not draft it alone, because the style of the text varies. Despite having to use a less reliable model of HTM’s stylome, as explained below, we have good evidence that she contributed especially to the composition of Chapter III (“Of Individuality, as One Element of Well-Being”). JSM’s stylome also does not appear as strongly in Chapter V and some other passages as it does, for instance, in Chapter II (“Of the Liberty of Thought and Discussion”). Even on a cautious interpretation of these results, the stylometric analysis reinforces JSM’s testimony that HTM co-authored *On Liberty*.

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36. John F. Burrows, “Word Patterns and Story Shapes,” *Literary and Linguistic Computing* 2 (1987): 61–70.

37. Franco Moretti, *Graphs, Maps, Trees: Abstract Models for a Literary History* (Verso, 2005).

38. This section draws on Christoph Schmidt-Petri, Michael Schefczyk, and Lilly Osburg, “Who Authored *On Liberty*? Stylometric Evidence on Harriet Taylor Mill’s Contribution,” *Utilitas* 34 (2022): 120–138, and on subsequent analysis by that team.

These results cohere with what one would expect from the supplementary texts reprinted in this volume. As they illustrate, individuality was a topic close to HTM's heart (see Appendix D), and so it is not surprising to see strong stylometric evidence of her contribution to Chapter III. Similarly, given JSM's extensive writings on the liberty of the press and discussion from an early age (see Appendix C), it is not surprising that his stylome dominates Chapter II. We also know that they jointly talked through and revised the entire text, and Chapter V with its various practical examples would have been an important topic of discussion.

To assess the significance of this evidence, a bit more information about stylometry might be helpful. The sheer mass of data required for stylometric analysis renders the use of digital tools a necessity. One achieves the best results if a similar quantity of text is available for all potential authors. Ideally, the texts used for the analysis would also be about the same subject matter (as the typical vocabulary in different fields varies) and from the same period (as writing styles change with time). One should also be confident that the initial authorship attribution of the other texts is accurate, as mistakes in labeling the data that is used to train the machine learning algorithms would invalidate the final results.

Unfortunately, the starting point for investigating *On Liberty* with stylometric tools does not correspond to the ideal scenario. Most importantly, HTM wrote significantly less than JSM. Given their continuous and close cooperation, as outlined above, we also cannot say how much of her stylome is already "hidden" in some texts traditionally attributed to him alone. Finally, the known jointly authored texts mostly deal with a quite specific topic, domestic violence, and were written for newspapers, so their stylome might be somewhat peculiar. Because stylometric analysis cannot go beyond the quantity and quality of the data available, it cannot always show with certainty which passages have been penned or drafted by which author.

However, several methods can be used to mitigate these issues. The training of the machine learning algorithms may itself be performed using a large number of different initial setups, and their respective reliability at identifying who crafted the text can be assessed objectively through "cross-validation." Furthermore, it is possible to vary the assignments of specific texts or to leave them out of the analyses altogether, and there are also methods to compensate for the unbalanced quantity of data of the candidate authors.<sup>39</sup>

Changing the algorithms, initial assignments, settings, and stylometric approaches inevitably has an impact on many details of the analysis. Nevertheless,

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39. Efsthathios Stamatatos, "Author Identification: Using Text Sampling to Handle the Class Imbalance Problem," *Information Processing and Management* 44 (2008): 790–799.

despite the limitations of the data, we consistently and clearly found evidence of HTM's contribution to the text of *On Liberty*. At a bare minimum, the stylometric tools reveal that some parts of *On Liberty* were not drafted by JSM alone, and this in itself provides powerful corroboration for JSM and others' claims that he and HTM authored the text as a whole together. We leave further investigation to future scholars, and we hope this volume will assist in those efforts.

## Recognizing Co-authorship

If we are right that HTM's contribution was substantial, one might wonder why her name did not appear on the cover when it was first published. HTM died before *On Liberty* was submitted to the publisher, and so this decision was ultimately made by JSM alone. Strikingly, in 1853, JSM wrote to HTM:

I shall never be satisfied unless you allow our best book, the book which is to come, to have our *two* names in the title page. It ought to be so with everything I publish, for the better half of it all is yours, but the book which will contain our best thoughts, if it has only one name to it, that should be yours.<sup>40</sup>

We cannot say with certainty whether JSM was referring to *On Liberty* or to other works begun around the same time, but we do know that JSM later regarded *On Liberty* as likely to be their most enduring joint work.<sup>41</sup> Since in 1853 he expressed the wish to see her name on the title page of a future book that would contain their best thoughts, we can infer that in 1859 he would have been open to the idea of having her name on the cover of *On Liberty*.

If this is correct, and if we accept his testimony about her role in *On Liberty*, it is likely that omitting her name from the cover was due to strategic or pragmatic considerations given their circumstances. In the background is the unconventional nature of their relationship during the time that she was married to John Taylor. Their situation severely strained relationships with friends and family members who objected to it as scandalous, and its consequences must have been especially hard on HTM. It is also well-known that a planned dedication to HTM in *Principles of Political Economy* was cut due to objections by her first husband about how it would

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40. August 30, 1853, CW[J] XIV, 112.

41. CW[J] I, 259.

be received.<sup>42</sup> As a result of these reactions, the Mills tended to keep their relationship to themselves, even into their married years.

Relatedly, HTM and JSM were aware of his “brand” and understood that joint work would be received more positively if offered in his name alone. In 1848, HTM wrote to William Fox about the proposed dedication acknowledging her contributions to *Principles of Political Economy*: “I should have said that the Dedn was confined to copies given to friends. . . . My reason being that opinions carry more weight with the authority of his name alone.”<sup>43</sup> She must have sensed that many readers would take the ideas less seriously if coming from a woman. JSM also seemed to be conscious of such strategic considerations, including the power of his name as he became an increasingly well-known and influential public figure. For instance, JSM allowed the editor of the *Westminster Review* to believe initially that “Enfranchisement of Women” was written by him in order to ensure it was published, when private letters and his subsequent preface to the article make clear that he regarded it as HTM’s work, and that his role was “little more than that of an editor and amanuensis.”<sup>44</sup> Moreover, in an 1855 letter to HTM, he wrote that it might be a good time to publish a selection of articles since it would likely be reviewed often and “the chance of the *name* selling them is as great as it is ever likely to be”<sup>45</sup> (emphasis added). By the time of publishing *On Liberty*, JSM had emerged as the leading liberal thinker in England, a reputation that would only grow in the 1860s.

JSM may also have hesitated to place HTM’s name on a text that he feared would receive negative reviews for its anti-religious arguments, which might have besmirched her reputation given Victorian sensibilities around women and religion. In his letter transmitting the manuscript to the publisher he noted: “[Y]ou will probably desire to look through it, or to have it looked through by some one in whom you confide, as there are some things in it which may give offence to prejudices.”<sup>46</sup> Many reviews did chastise the book for being heretical. As JSM wrote to Bain: “People are beginning to find out that the doctrines of the book are more opposed to their old opinions & feelings than they at first saw, & are taking the alarm accordingly &

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42. CW[H], 472–473.

43. CW[H], 392.

44. CW[J] XXI, 393. For discussion, see “Introduction” by Stefan Collini, CW[J] XXI, xxxii; and “Textual Introduction” by John M. Robson, CW[J] XXI, lxxv–lxxvi.

45. February 24, 1855, CW[J] XIV, 348.

46. Letter to John William Parker, November 30, 1858, CW[J] XV, 578–579. In no other letter transmitting a manuscript to his publisher does JSM express a similar concern.

rallying for a fight.”<sup>47</sup> Even a close friend like Caroline Fox was deeply opposed to the ideas found in it: “I am reading that terrible book of John Mill’s on Liberty, so clear, and calm, and cold: he lays it on one as a tremendous duty to get oneself well contradicted, and admit always a devil’s advocate into the presence of your dearest, most sacred Truths.”<sup>48</sup>

Finally, JSM might have preferred to take sole responsibility for what he saw as an imperfect text, rather than attach HTM’s name to something he felt she would have improved had she lived longer. He suggests as much in its preface, stating that although the book belonged to her as much as himself, it would also have benefited from her further input as well as his own. In his *Autobiography*, he explained that their “final revision” of the text “was to have been the work of the winter of 1858–9.”<sup>49</sup> Instead, the manuscript was submitted without any substantive changes, with Mill calling it “ready” in the letter offering it to his publisher a mere three and a half weeks after HTM’s death in November 1858.<sup>50</sup> (It was published in February 1859.)

HTM’s untimely death means that she could not have approved the publication of the manuscript as we know it. This is significant because it has come to be a standard part of our understanding of authorship that all co-authors should not only make a substantial contribution to the work but also must give final approval to the publication, in part to take responsibility for its contents.<sup>51</sup> Rightly understood, however, the “final approval” guideline legitimizes placing HTM’s name on the cover of *On Liberty* by us today. In practice, final approval is often waived in circumstances concerning deceased contributors, especially just prior to publication.<sup>52</sup> The guiding positive commitment in such cases is to ensure that authorship credit is given to those who deserve it. Meeting certain conditions helps to ensure the integrity of the attribution. Do the surviving co-authors agree that the deceased merits credit as a co-author? Can the corresponding author provide a clear explanation of the deceased’s substantial contribution to the final version? Would the deceased

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47. October 15, 1859, CW[J] XV, 640. JSM is referring to reviews such as the *Dublin University Magazine*, October 1859, 387–410.

48. Caroline Fox, *Memories of Old Friends*, ed. Horace N. Pym (London, 1882), 269.

49. CW[J] I, 249.

50. CW[J] XV, 578–579.

51. Two influential sets of authorship guidelines are provided by the International Committee of Medical Journal Editors (ICMJE) and the Committee on Publication Ethics (COPE).

52. E.g., Chol-Hee Jung, Paul C. Boutros, Daniel J. Park, Niall M. Corcoran, Bernard J. Pope, and Christopher M. Hovens, “Perish and Publish: Dynamics of Biomedical Publications by Deceased Authors,” *PLOS One* 17, no. 9 (September 2022): <https://doi.org/10.1371/journal.pone.0273783>.

want to be included as co-author? Often, these questions can be answered in the affirmative. It is not the actual approval of the deceased co-author that is required in such cases. Rather, the other co-authors or editors must decide, relying on what the deceased co-author wanted or would have wanted, given a clear account of their substantial contribution.

In a letter to HTM's brother, Arthur Hardy, just after the publication of *On Liberty*, JSM wrote:

[L]ife devoid of her, would be utterly meaningless and unendurably wearisome, were there not still some things to do in it which she wished done, and some public and other objects which she cared for, and in which therefore it is still possible to keep up some degree of interest. I have been publishing some of her opinions, and I hope to employ what remains to me of life (if I am able to retain my health) in continuing to work for them, and to spread them.<sup>53</sup>

It is understandable that JSM decided not to publish the book under her name in 1859. But it would be wrong not to recognize her co-authorship of *On Liberty* now. *On Liberty* is a classic of the history of philosophy, and it is difficult to believe that acknowledging HTM's co-authorship could do her, or the ideas in the book, any harm. While it might not have been their joint plan at the time to publish it under both names, it seems clear that whatever strategic or pragmatic reasons existed in the nineteenth century for keeping HTM's name from the cover, they no longer apply to us today.

Doubts that HTM made a substantial enough contribution to *On Liberty* have commonly been grounded in the thought that JSM exaggerated her philosophical abilities. We believe this common reaction has been rooted primarily in sexism, although some commentators have also speculated that JSM's partiality was due to his deep love for her.<sup>54</sup> In the absence of significant counterevidence, however, we

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53. May 14, 1859, CW[J] XV, 619.

54. One misconception is that JSM was emotionally stunted and therefore overdependent on HTM. It is common to emphasize JSM's "mental crisis"—his realization at the age of twenty that his own emotional capacities were limited due to a strict upbringing by his father—without crediting his successful emergence from that crisis and the full life that resulted. In fact, his stepson, friends, and close acquaintances attested to his personal warmth, humor, and generosity. See, for instance, George Jacob Holyoake, *John Stuart Mill: As Some of the Working Classes Knew Him* (London, 1873), 4; Bain, *John Stuart Mill*, 148–155; Algernon Taylor, *Memories of a Student, 1838–1888* (Chudleigh, UK, 1892); Katharine "Kate" Russell, *The Amberley Papers*, 373; William Stafford, *John Stuart Mill* (Palgrave Macmillan, 1998), 54.

see little reason to doubt JSM's clear and consistent testimony about HTM's role as co-author. Skeptics have argued only that the evidence is "equivocal" because JSM refers in letters to his own drafting of at least parts of the text, did not mark the work as "joint product" in his bibliography, and chose not to place her name on the cover.<sup>55</sup> We have shown that a full accounting of the testimonial and textual evidence favors acknowledging HTM as a co-author. Her supplementary writings, as well as the traces of her stylome in Chapter III and elsewhere, reinforce JSM and others' claims that she was actively involved in the development and drafting of the text. This conclusion does not require that we can say with certainty which parts of the book were penned by whom, and it would be misguided to expect to be able to answer such questions conclusively given their manner of cooperation.

Once we fully appreciate the co-authorship of *On Liberty*, we may also see its creation as an expression of JSM and HTM's feminism, egalitarianism, and fallibilism. Their collaboration recognized the equal contributions of a woman's work. It realized in their own lives the idea of joint cooperative production by workers. And it reflected their epistemological belief that hearing from others in critical exchange conduces toward truth. *On Liberty* was developed by the Mills together, the joint product of their minds, with original contributions from both.

### III. Overview of *On Liberty*

This section provides an overview of central ideas and debates that arise in the chapters of *On Liberty*. Readers are encouraged to explore the text, endnotes, and appendices for themselves.

#### Chapter I: Introductory

The Mills begin *On Liberty* by stating that it is about "Civil, or Social Liberty: the nature and limits of the power which can be legitimately exercised by society over

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55. For a dissenting view, see Dale E. Miller, "Harriet Taylor Mill," in *Stanford Encyclopedia of Philosophy* (Stanford University, 1997–), ed. Edward N. Zalta & Uri Nodelman, published March 11, 2002; last modified September 5, 2022, <https://plato.stanford.edu/archives/fall2022/entries/harriet-mill/>. For JSM's comments on drafting parts of *On Liberty*, see his letters to HTM, CW[J] XIV, 294, 300. It is important to note that even if JSM initially drafted part of *On Liberty*, this does not contradict the fuller account of their collaboration we have provided. In any joint project, someone must make a start somewhere.