Introduction: Spencer as philosopher
At the end of the 19th century Herbert Spencer’s public reputation stood extraordinarily high. Today he remains an important figure for intellectual historians, and to some extent for political theorists, but no longer has the reputation, which he certainly had in his time, of being one of the century’s ‘big thinkers.’

Nor has his reputation survived within philosophy as a ‘philosophers’ philosopher.’ The generation after his produced at least two figures of that kind – Frege among today’s logicians, Sidgwick among today’s moral philosophers. Tellingly, both are associated with a new level of specialism and precision in their respective subjects and in particular, with an emphasis on the aprioricity and autonomy of logic and ethics – their independence from psychology. In the early twentieth century this became a basic tenet of the ‘analytic school’ in philosophy. Considered as an exhortation to get down to pure, rigorous philosophy it produced great results. But it could hardly help Spencer’s reputation among philosophers, given his claim to base metaphysics and ethics on psychology and evolutionary theory.

However for quite some time now this anti-psychologist turn, despite the great ideas that came with it, has seemed to many philosophers exaggerated and narrow. In one of those sweeping changes of mood that periodically affect philosophical thinking ‘naturalism’ has come to dominate. The constant invocation of that idea in current philosophy, and what is supposed to hang on it (other than a simple reaction against the heroic age of analysis), will pose a major interpretative question for future historians of philosophy. Still, one good effect of today’s naturalistic mood is that it makes it easier to assess the philosophical ideas and arguments of earlier 19th century philosophy, before the ‘Frege/Sidgwick’ generation – in particular what might be called the psychologistic stance in epistemology that is found both in Scottish common sense philosophy and in J.S. Mill.

It is to this earlier period that Spencer belongs, and it is in this context that he should be understood. That being granted, the question becomes, what distinctive contribution did he make to it? The answer will have to focus on his progressivist evolutionism, and whether he was right in his estimate of its philosophical significance – in epistemology, ethics and political philosophy.

At which point I must limit the aims of this chapter. Spencer’s ‘total evolutionism’ is a subject in its own right. (This is how Maurice Mandelbaum characterises Spencer’s vision, in his classic study of 19th century thought.) Another topic in its own right is Spencer’s liberalism. David Weinstein has argued that Spencer should be seen as a distinctive figure in

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2 See e.g. Dixon 2008, pp 180 – 189.
3 ‘Psychologistic’, I stress, in epistemology. It’s not that any of these philosophers reduced logic, metaphysics or ethics to psychology. They did not commit Moore’s naturalistic fallacy – a point we’ll come back to. Nor is it correct to impute psychologism about logic to Mill (see Skorupski 1989, p.164-66). What they did all assume was that the ‘test’, i.e. epistemic criterion, of a priori philosophical claims could only be found in a careful critical sifting of human dispositions that are natural’, ‘instinctive’, ‘original’ etc. As we shall see in the next section Mill and Spencer agreed about that.
4 See Mandelbaum 1971, p. 90, for what he means by ‘total evolutionism’.
an important movement of the time – ‘liberal utilitarianism’. Indeed a liberalism based on teleological ethical foundations (idealistic and perfectionist as well as utilitarian) was the most influential current of Anglophone liberalism in the late nineteenth century. It comprised a series of distinct movements, all of which had important political effects beyond philosophy – and all of which stand in distinct contrast to the philosophy of liberalism in the last 50 years. Teleological forms of liberalism (which argue from ‘the good’ rather than ‘the right’) have for some time lost influence in philosophy, even if, as I suspect, they retain considerable, albeit inarticulate, intellectual influence in practical politics. In political philosophy, however, the more recently dominant forms of liberalism have either been explicitly rights-based or, in the case of John Rawls’s exceptionally influential ‘political liberalism,’ have eschewed ethical foundations altogether, appealing instead to the alleged overlapping consensus of outlooks in actually existing liberal democracies.

Understandably, this has produced something of a reaction: there is a move to find ways forward for the philosophy of liberalism, ways forward (as some would say) that avoid the road block to liberal philosophy that Rawlsian ‘political liberalism’ has become. No doubt partly for this reason – and partly because appeal to an alleged ‘overlapping consensus’ seems particularly unsuited to recent times – there has been a revival of interest, at least among theorists of liberalism, in the political philosophy of two thoroughly comprehensive teleological liberals, J. S. Mill and T.H. Green. So here we find an interpretative context for reassessing Spencer. As with Mill and Green his liberalism is built on a progressivist conception of human nature and society; what he brings to this progressivism is his distinctive evolutionary perspective in biology, psychology and sociology.

This interaction of ‘total evolutionism’ and ‘liberal utilitarianism,’ and their respective plausibility, is the larger backdrop for reassessing Spencer’s significance as a philosopher. But what I shall focus on here is a narrower Spencerian project which is still relevant to those larger issues. It is his attempt to show how his evolutionism provides a way of reconciling the radical empiricism and utilitarianism of philosophical radicals on the one hand with, on the other, something like the intuitionism in epistemology and ethics of Scottish common sense. Spencer’s reconciliationist aim is not, as we shall see, as concessive to a priori theorists as it might initially seem and as he himself perhaps thinks. But it sets the characteristic, sometimes confusing, tone and mood of his philosophy.

Not surprisingly, Spencer’s project attracted the attention of other philosophers, who criticised it in relevant ways. I shall approach it by reviewing the responses of three successive philosophical contemporaries of Spencer: Mill, Sidgwick and Moore. Their responses have been fundamental in shaping Spencer’s reputation as a moral philosopher.

By far the most extended published response to Spencer is provided by Sidgwick. As well as some discussion in The Methods of Ethics, there are papers in Mind, while in his posthumously published Lectures on the Ethics of T.H. Green, Mr. Herbert Spencer and J. Martineau, the longest series of lectures is on Spencer (177 pages compared with 131 on Green and 62 on Martineau.). Moore’s treatment in Principia Ethica (1903, pp. 45-58) is briefer and in significant respects follows Sidgwick’s. Briefer still – in terms of publication – is Mill’s. In 1856 he inserted a supplementary chapter in the System of Logic dealing with Spencer’s criticism of his views on metaphysical necessity and inconceivability, while in Utilitarianism there is a famous footnote responding to some remarks by Spencer on the

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7 Sidgwick 1876, 1880. 1892; see also Sidgwick 1900.
8 Book II, ch 7, added in the 4th ed., 1856.
utility principle. But the brevity is misleading – these two responses, the one dealing with the epistemology of modality, the other with the foundations of the utility principle, are important. I shall start with them before turning to Sidgwick and Moore in the following section.

Mill

Mill’s and Spencer’s relations were cordial. They discussed philosophical questions, in person and by letter, over many years. Mill saw Spencer as an ally, and supported his publications financially. What interests us here, however, is their disagreement. And we should begin with a purely epistemological disagreement, their disagreement about the nature of necessity and its relation to conceivability.

Mill’s view of modality (i.e., necessity and possibility) is unsparingly empiricist. He denies that there is any such thing as metaphysical necessity, or any special, purely a priori intuition by which it is known, either in ethics or in mathematics. In particular, contrary to the ‘a priori’ or ‘intuitional’ school, the fact that we are unable to conceive the negation of a proposition to be true – a fact which should be seen, he insists, as a strictly psychological fact – does not show the proposition to have any kind of metaphysical necessity. Against Mill, Spencer argues that this fact of inconceivability – that a proposition is universally accepted, and impossible to conceive as false – does constitute a criterion of its truth, though a fallible one.

If, however, we abstract from the details of their dispute we see that the disagreement between Mill and Spencer is limited. Spencer holds that an invariable correlation of attributes in experience produces an invariable association of ideas, to the point where it becomes impossible for us to conceive the attributes existing apart. Given this aetiology, we can legitimately argue from the fact that we find their separation inconceivable to their actual association in experience. So far, this vindication of the ‘test of inconceivableness’ is not unlike the vindication of the reliability of geometrical intuition that Mill himself offered. The difference is that Spencer proposes to strengthen the point by putting it in an evolutionary perspective. His brand of evolutionism envisaged biological inheritance of habits acquired by experience. On this theory our innate incapacities to separate certain ideas could be taken as indicating an invariable correlation in experience over previous generations. In this sense their association becomes ‘a priori’. In reply Mill makes a sound point:

even if we believe with Mr Spencer, that mental tendencies originally derived from experience impress themselves permanently on the cerebral structure and are transmitted by inheritance, so that modes of thinking which are acquired by the race become innate and a priori in the individual, thus representing, in Mr Spencer’s opinion, the experience of his progenitors, in addition to his own ... All that would follow ... is, that a conviction might be really innate, i.e. prior to individual

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9 Utilitarianism. Ch 5, paragraph 36, note.
10 He subscribed to Spencer’s programme of intended works (letter to Helen Taylor of 31st January 1860 (Collected Works XV 664)) and offered to indemnify Spencer’s publisher against loss (Letter to Herbert Spencer of 4th Feb 1866, Collected Works XVI 1145).
11 I discuss Mill’s empiricist account of logic and mathematics in Skorupski 1989, ch V.
12 First in Spencer 1853, which then reappeared in expanded form in Spencer 1855; see also Spencer 1865, a discussion of Mill’s Examination of Sir William Hamilton’s Philosophy, in which Spencer reiterates his view of inconceivability as the “test of truth”. Mill reacts in a subsequent edition of the Examination (Collected Works IX p. 145).
13 For a fuller discussion see Skorupski 1989, 157-60.
experience, and yet not be true, since the inherited tendency to accept it may have been originally the result of other causes than its truth. (VII 276)

The same points would of course apply to Mill’s associationist as much as Spencer’s evolutionary explanation of the reliability of intuition. Some of Mill’s criticism of Spencer could equally well have been directed at his own confidence in the reliability of geometrical intuition: as when he argues, quite correctly, that the uniform correlation in experience on which a generalisation is based may be limited or in other ways misleading, and cannot be accepted as a substitute for a properly scientific induction from the facts. (Consider, for example, the highly theoretical route by which rejection of the parallels postulate of Euclidean geometry found its way into physics.)

However the point I want to emphasise here is that even if we could show that some associationist-cum-evolutionary explanation of, say, geometrical intuitions underpins their reliability – because it explains them as caused by their truth – the resulting vindication of geometrical intuition would be naturalistic, and so would not undermine Mill’s main point, namely, that the test of inconceivability cannot establish a kind of metaphysical necessity and a prioricity that is incompatible with naturalistic and empiricist epistemology.

If Spencer’s proposed justification of that test is simply based on his theory of evolution, it is internal to a theory which is itself ultimately grounded *a posteriori*. It thus differs fundamentally from the project of philosophers of the a priori or intuitional kind, who propose to interpret certain propositions of geometry as genuinely *a priori* in the sense that one can infer from their intuitiveness to their truth transcendentally or externally – independently of any naturalist theory of mind and its relation to its environment which might underpin the inference from the inconceivable to the false.

Things would stand otherwise if Spencer thought that the test of inconceivability had epistemic authority independently of any such theory. That would be a different view, according to which our modal intuitions had some degree of entirely self-standing, though still fallible, normative force in their own right. Evolutionary theory might now confirm and strengthen that *prima facie* force but it would not be its *source*. Such a view would argue that without some irreducibly a priori starting points inquiry cannot proceed, so that complete empiricism is incoherent (as indeed both Kant and Sidgwick⁴ argued). It would require an account of epistemic normativity that was independent of any scientific theory – and the philosophical question would be whether that could be done without some form of idealism.

But in fact this was not Spencer’s view. In his eyes, his account improved on Mill’s simply by bringing in an evolutionary biological dimension to underpin the reliability of our modal intuitions, thereby giving them a stronger naturalistic foundation. So there is no real *rapprochement* between Spencer and Hamilton or Kant. And thus it is understandable that Spencer should stoutly resist being classified as actually belonging to their side of the debate, as Mill had proposed in the first edition of the *Examination*:

> Considering that I have avowed a general agreement with Mr Mill, in the doctrine that all knowledge is from experience, and have defended the test of inconceivableness on the very ground that it “expresses the net result of our experience up to the present time” (*Principles of Psychology*, pp. 22, 23) … considering that I have endeavoured to show how all our conceptions, even down to those on Space and Time, are “acquired” – considering that I have sought to interpret forms of thought (and by implication all intuitions) as products of organized and inherited experiences

⁴ Sidgwick 1882.
Thus although at first sight Spencer seems to support Kant and Hamilton on the ‘test of inconceivableness’, the apparent support is merely ironic and does not go down to philosophical fundamentals. A closer look at Spencer’s epistemology of modality reveals him as a naturalist and empiricist with evolutionary characteristics; the importance of his contribution to the naturalistic tradition turns on the plausibility, and then the relevance, of those characteristics.

We find something similar when we consider Spencer’s view of utilitarianism – here again an exchange between Mill and Spencer makes a revealing starting point.

In ch V of *Utilitarianism* Mill gives his utilitarian theory of justice. Justice consists, he says, in observing rights – and rights are to be defined in terms of obligations of protection and provision to individuals on the part of society. These obligations are safeguards of “the very groundwork of our existence” and thus acquire a special importance and inviolability; they are nonetheless secondary principles justified by reference to general utility. One of these obligations is that of impartiality; at the end of the chapter Mill adds some significant further remarks about it. Impartiality is indeed, he says, “an obligation of justice”. But, he adds, this “great moral duty” rests on “a still deeper foundation” than the “highest abstract standard of social and distributive justice”, being a direct emanation from the first principle of morals, and not a mere logical corollary from secondary or derivative doctrines. It is involved in the very meaning of Utility, or the Greatest-Happiness Principle. That principle is a mere form of words without rational signification, unless one person’s happiness, supposed equal in degree (with the proper allowance made for kind), is counted for exactly as much as another’s. Those conditions being supplied, Bentham’s dictum, “everybody to count for one, nobody for more than one,” might be written under the principle of utility as an explanatory commentary.

In a footnote to this passage he notes:

This implication, in the first principle of the utilitarian scheme, of perfect impartiality between persons, is regarded by Mr. Herbert Spencer (in his *Social Statics*) as a disproof of the pretensions of utility to be a sufficient guide to right; since (he says) the principle of utility presupposes the anterior principle, that everybody has an equal right to happiness.

The passage to which Mill refers is entertaining, interesting and significant. Spencer attacks the “dominant sect of so-called philosophical politicians”, “disciples of Bentham” who “boldly deny the existence of ‘rights’ entirely”. But, he continues

it is amusing when, after all, it turns out that the ground on which these philosophers have taken their stand, and from which with such self-complacency they shower their sarcasms is nothing but an adversary's mine, destined to blow the vast fabric of conclusions they have based on it into nonentity. This so solid-looking principle of "the greatest happiness to the greatest number," needs but to have a light brought near it, and lo! it explodes into the astounding assertion, that all men have equal rights to happiness – an assertion far more sweeping and revolutionary than any of those which are assailed with so much scorn.

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15 Quoted in Mill’s *Examination of Sir William Hamilton’s Philosophy*, (Collected Works, vol. IX p. 590) from Spencer 1865, p. 536. Mill acknowledges his classificatory mistake in the subsequent edition of the *Examination* (Collected Works IX, 143).

16 *Collected Works* X 257, U V 36.

17 Spencer 1851, pp. 93 – 94.
Mill’s reply is that the principle may be more correctly described as supposing that equal amounts of happiness are equally desirable, whether felt by the same or by different persons. This, however, is not a presupposition; not a premise needful to support the principle of utility, but the very principle itself; for what is the principle of utility, if it be not that “happiness” and “desirable” are synonymous terms? If there is any anterior principle implied, it can be no other than this, that the truths of arithmetic are applicable to the valuation of happiness, as of all other measurable quantities.18

The contrast is striking. Spencer reads the utility principle as a theory of rights (and in Social Statics, at least, seems quite hostile to it); Mill replies that it is a theory of value, according to which equal amounts of happiness have equal amounts of agent-neutral value, irrespective of who feels them. This is why impartiality, according to Mill, is not merely integral to secondary principles of justice, but is an “emanation” of what he takes to be the fundamental level of ethics – an agent-neutral hedonistic theory of value.

Spencer might have replied that neither Mill nor any other utilitarian had shown how to move from the claim that each person’s happiness is a good to that person to the theory that (i) any episode of pleasure has an agent-neutral value which (ii) is irrespective of any other property such as who feels it or what quantity and quality of pleasure they already have. And he could have argued that the only way to bridge that gap would be to appeal to a pre-existing deontic principle of justice as impartiality – namely, that in situations where distribution of happiness across people is at stake, it should be distributed in accordance with some kind of right of equal treatment, of which the aggregative principle might be one kind, though certainly not the most obvious one. Thus, contrary to Benthamites, the very move from a hedonist account of individual or personal good to an agent-neutral principle of utility would turn out to require a prior appeal to principles of justice. Impartiality, therefore, far from being a “direct emanation” from the principle of utility, would turn out on the contrary to be a premise required for it, drawn from the theory of distributive right.

This seems to be the point originally made in Social Statics, and it is a strong point. If maintained, it would distance Spencer from utilitarianism. Moreover, it would be consistent with Spencer’s generally libertarian emphasis on individual rights. Worked through, it would result in a fundamentally deontological ethic, within which there would be a right on the part of every individual to equal consideration wherever society engaged in projects with distributive implications. That is far from unappealing. One can contrast it with Sidgwick’s reaction to the case Mill makes for utilitarianism. Sidgwick agrees with Mill’s implicit premise that pleasure has agent-neutral value, and with his very strong claim that “equal amounts of happiness are equally desirable, whether felt by the same or by different persons”, thus maintaining the teleological standpoint of total or aggregate utilitarianism. The point Sidgwick makes is meta-ethical rather than substantive: namely, that the premise of agent-neutrality can be justified only as an a priori intuition.

However, when Spencer replies to Mill he does not adhere to the point he made in Social Statics. Although the passage I’ve quoted (and its surrounding context) certainly sounds strongly anti-utilitarian, in a letter to Mill19 he protests at being classed with “the Anti-utilitarians”. He now explains his disagreement with “the existing school of Utilitarians” in a different way. He acknowledges that “happiness is the ultimate end to be contemplated” but denies that it should be the “proximate end”, objecting only to the “empirical

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18 Collected Works X, p. 258, note.
generalizations” which are all that Benthamite utilitarians “can supply for the guidance of conduct”. In contrast he explains, the view for which I contend is, that Morality properly so-called—the science of right conduct—has for its object to determine how and why certain modes of conduct are detrimental, and certain other modes beneficial. These good and bad results cannot be accidental, but must be necessary consequences of the constitution of things; and I conceive it to be the business of moral science to deduce, from the laws of life and the conditions of existence, what kinds of action necessarily tend to produce happiness, and what kinds to produce unhappiness. Having done this, its deductions are to be recognized as laws of conduct; and are to be conformed to irrespective of a direct estimation of happiness or misery.

This looks like a version of indirect utilitarianism. Mill responds urbanely; with the exception of the word “necessarily” he does not dissent, he says, from Spencer’s view, adding only that no modern utilitarian would dissent, and particularly that Bentham would not. Sidgwick makes the same point quite a bit more harshly; he protests at Spencer’s misunderstanding of Bentham and Mill (and even Comte), and criticises Spencer’s own version of indirect utilitarianism.\(^\text{20}\)

But what does Spencer mean by his criticism of the Benthamite’s empirical generalizations? In what way will the science of right conduct be deductive as against merely empirical? The letter continues,

To make my position fully understood, it seems needful to add that, corresponding to the fundamental propositions of a developed Moral Science, there have been, and still are, developing in the race, certain fundamental moral intuitions; and that, though these moral intuitions are the results of accumulated experiences of utility, gradually organized and inherited, they have come to be quite independent of conscious experience. Just in the same way that I believe the intuition of space, possessed by any living individual, to have arisen from organized and consolidated experiences of all antecedent individuals who bequeathed to him their slowly-developed nervous organizations—just as I believe that this intuition, requiring only to be made definite and complete by personal experiences, has practically become a form of thought, apparently quite independent of experience; so do I believe that the experiences of utility, organized and consolidated through all past generations of the human race, have been producing corresponding nervous modifications, which, by continued transmission and accumulation, have become in us certain faculties of moral intuition—certain emotions responding to right and wrong conduct, which have no apparent basis in the individual experiences of utility. I also hold that just as the space-intuition responds to the exact demonstrations of Geometry, and has its rough conclusions interpreted and verified by them; so will moral intuitions respond to the demonstrations of Moral Science, and will have their rough conclusions interpreted and verified by them.’

\(^{20}\) Sidgwick 2005 (1902), pp 182 – 87; “if Mr. Spencer means to imply, as he certainly suggests to his readers, that the practical directions of Bentham and Mill are that every one is to make universal happiness the object of direct pursuit, his misunderstanding of these authors is so complete that it can only be accounted for on the supposition of his having read their writings very partially. As regards Bentham, it is weak to say that he does not teach this: he teaches repeatedly and emphatically the exact opposite of this (p. 183)… the combination of Benthamite Utilitarianism and Comtist Altruism against which Mr. Spencer appears to be arguing … is the most grotesque man of straw that a philosopher ever set up in order to knock it down (pp. 184-5) … even for Comte's suppression of egoistic impulses there is a somewhat better case than Mr. Spencer admits …” (p. 186).
Thus in both geometry and ethics Spencer wants to give ‘intuitions’ an authority, based on his theory of evolution, which (he thinks) a more simply “empirical” set of rules of thumb unbacked by evolutionary theory cannot have. In the spatial case our intuitions turn out to track the objective properties of space, in the moral case they track the happiness-enhancing properties of types of action. (We shall consider below why evolution should have this implication for the moral case.)

How does Spencer envisage this working? I speculate here. Apparently he thinks that deontic intuition can be developed into a deductive ethics in the way that spatial intuition can be developed into a deductive geometry. Crucially, the question again arises whether the argument is simply the empirical claim that evolutionary theory gives us a basis for thinking that our inherited deontic intuitions track general happiness, or whether Spencer thinks that those intuitions have some degree of entirely self-standing normative force in their own right. It may be that he confuses the two issues; but I think his considered answer would have to be the former one. If so, the overall claim is that we have deontic moral intuitions which, like spatial intuition, are capable of being developed and articulated deductively (perhaps in their own right or perhaps by a deductive social science) but that the underlying reliability of intuition in each case is underpinned by evolutionary theory. In which case the science of morality, like the science of geometry, is a posteriori, because grounded on the a posteriori theory of evolution.

To put Spencer’s view in perspective it is worth noting that Sidgwick is similarly unclear, in The Methods of Ethics, as to the normative force of moral common sense; moreover in the preface to the sixth edition of The Methods of Ethics he resorts to a somewhat Spencerian-sounding account of it:

investigation of the Utilitarian method led me to see defects [in it]: the merely empirical examination of the consequences of actions is unsatisfactory; and being thus conscious of the practical imperfection in many cases of the guidance of the Utilitarian calculus, I remained anxious to treat with respect, and make use of, the guidance afforded by Common Sense in these cases, on the ground of the general presumption which evolution afforded that moral sentiments and opinions would point to conduct conducive to general happiness; though I could not admit this presumption as a ground for overruling a strong probability of the opposite, derived from utilitarian calculations.22

Now of course this evolutionary presumption will only do its work if we are justified in accepting the normative thesis that general happiness is the ultimate end. According to Sidgwick, as we have seen, this has to be accepted as a self-evident a priori intuition. What then was Spencer’s view of it? That question leads us to the criticisms of Sidgwick and Moore.

**Sidgwick and Moore**

When we move from Mill’s disagreements with Spencer to those later criticisms we immediately notice the shift of epistemological mood to which I drew attention in section 1. Mill and Spencer argue as colleagues who to a significant degree agree about the terms of the debate; they come from an intellectual world in which philosophy and speculative

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21 In the spatial case, reliability in producing true beliefs, in the moral case, reliability in producing habits that lead to general happiness.
psychological and social theory are discussed together, under the taken-for-granted assumption that they form a single intellectual fabric. Sidgwick and Moore are leading figures in a reaction against that mood that developed at the turn of the century. The nature of this reaction is not quite easy to catch. Its essence, whether in ethics or in logic or epistemology, is to place great stress on the self-standing autonomy of these subjects as intellectual disciplines, or ‘sciences’, whose basic principles can only be known by ‘a priori intuition.’ This was a reaction no more favourable to Mill than to Spencer.

But what did this new mood, or renewed preference for aprioristic language, amount to in practice? It would have been a nice triumph for the new perspective to convict Mill and Spencer of what Moore called the naturalistic fallacy. But, however one interprets what Moore meant by that fallacy, it seems that neither of them committed it. In particular, neither of them really took ethical terms to have the same meaning as naturalistic terms, even though both used language that might seem to convict them of doing so.

Nowadays it is generally agreed by philosophers with an interest in Mill that he did not commit the fallacy Moore accuses him of (Moore 1903, pp. 66–67), that of taking ‘good’ to mean ‘desired’. In the passages Moore discusses, a careful reading makes that obvious. True, in other places, not discussed by Moore, Mill does sound as though he is committing a definist fallacy of this kind (e.g. the passage quoted on p. 6 above: “happiness” and “desirable” are synonymous terms’). But all this shows, I believe, is hyperbolic use of terms like ‘synonymous’, ‘means the same as’, etc. When Spencer writes in the same way it is sensible of Sidgwick to note the issue without pursuing it – even Moore is somewhat reluctantly willing to give Spencer the benefit of the doubt. Referring to Data of Ethics, ch iii, §9ff, Sidgwick says:

we must distinguish inquiry into the meaning of words from inquiry into ethical principles. I agree with Mr. Spencer in holding that ‘pleasure is the ultimate good,’ but not in the meaning which he gives to the word ‘good.’ Indeed if ‘good’ (substantive) means ‘pleasure,’ the proposition just stated would be a tautology, and a tautology cannot be an ethical principle. Sidgwick leaves it there; he simply stresses his main point, that “an ethical end cannot be proved by biology” (p. 144) – it requires a premise about ultimate ends, and such a claim is both a priori and substantive.

Citing the same passage in Data of Ethics, Moore says that it gives “reason to think that part of what Mr Spencer means is the naturalistic fallacy: that he imagines pleasant or productive of pleasure is the very meaning of the word good” but adds that we cannot insist upon Mr Spencer’s words as a certain clue to any definite meaning, … because he generally expresses by them several inconsistent alternatives—the naturalistic fallacy being, in this case, one such alternative. It is certainly impossible to find any further reasons given by Mr Spencer for his conviction that pleasure both

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23 Independent not only of psychology but also of religion and metaphysics: “Spencer and Green represent two lines of thought divergent from my own in opposite directions, but agreeing in that they do not treat ethics as a subject that can stand alone. Spencer bases it on Science, Green on Metaphysics.” Sidgwick 2005 (1902), p.1. Moore’s ‘naturalistic fallacy,’ as he himself points out, is directed at supernaturalistic and metaphysical theories of ethics as much as at naturalistic ones.

24 Moore also thinks that identifying goodness with any natural property (as against taking the predicate ‘good’ to means the same as some naturalistic predicate) is fallacious; a common current view is that it is not. In any case there is no good ground for attributing an identification of this kind to Mill either.

25 Sidgwick 2005 (1902), 145.
is the supreme end, and is universally admitted to be so. He seems to assume throughout that we must mean by good conduct what is productive of pleasure, and by bad what is productive of pain.26

That is biting, but the bite is weak. Spencer could and presumably would simply reply that he gives no “further reasons” for his conviction other than that everyone shares it, in practice if not in theory. Obviously Moore would question whether everyone shares it; but in that case Spencer would have other resources to draw on. These would involve both conceptual analysis of pleasure and psychological inquiry into human ends – the kind of thing Mill does in ch. iv of Utilitarianism (which Moore does consider). At any rate, whether or not the resulting line of thought is persuasive, it does not involve the naturalistic fallacy.

What is at stake here? On the one hand, the fact that everyone aims at pleasure or come to that, any other end, does not prove (deductively) that that end is good. On the other hand, there is the point that no “evidence” (Mill’s word) can be produced that an end is good, or that it should be pursued, other than that people in general regard it as an end and do pursue it. This, one may say, is the psychologistic perspective in epistemology: it assumes that our actual, reflective, psychology is the test or criterion or “evidence” of fundamental normative claims.

The two perspectives are consistent, so long as stronger philosophical claims are eschewed; so long, that is, as the psychologistic perspective does not seek to reduce normative to psychological propositions, and the critical or aprioristic perspective does not reach for a metaphysics according to which we are aware, by some mysterious mode of receptivity, of a domain of non-natural facts. In that respect both can agree that the fundamental principles of ethics are irreducibly ethical.

But (I would argue) Mill and Spencer did not mean to reduce normative propositions to psychological ones or to identify normative properties with psychological ones, nor (I would argue) did Sidgwick or Moore subscribe to a non-naturalistic metaphysics. What the latter pair emphasised was the aprioricity of purely normative convictions. At this point their disagreement with Mill and Spencer, if there is a real one, is about what is going on when a philosopher appeals to intuition.27 Is an intuition just a psychological disposition, and if so, how can it provide an epistemic basis for an a priori normative claim? But then what else could an intuition be? These are subtle questions which ramify profoundly through the whole of philosophy. In comparison to Kant’s treatment in his Critiques, neither side, neither Mill or Spencer or the common sense school, nor Sidgwick and Moore, ever addressed them in their full breadth. So the difference of epistemological mood proclaimed by Sidgwick and Moore, though stark and interesting from the standpoint of intellectual history, rapidly becomes elusive from the standpoint of philosophy.

Bringing evolution in makes no difference to this overall philosophical picture. Let’s suppose that evolution shows that human nature and society jointly adapt to the environment in such a way as to bring about some result X. So our dispositions are adapted to X in the environment as it is. Does this show, first, that our cognitive dispositions are truth-conducive? That depends on X, obviously. Suppose it’s something like propagation of human life, its survival and expansion. The Spencerian argument we considered earlier worked through inheritance of acquired associations. The ones that are inherited, and survive, the argument goes, are those that produce beliefs that corresponded to actual worldly correlations. They survive because they produce expectations that are true, and thus adaptive. That of course is a claim that can be questioned, as by Mill above. Furthermore, with more elaborate scientific theories that go beyond the observable correlations, evolutionary theory

26 Moore, 2003, §33, p. 53.
27 On the sense in which Mill did and did not rely on ‘intuition’, see Macleod (forthcoming).
might actually subvert our intuitions – at least if those more elaborate theories are considered as true accounts of the world, as against instrumentally useful predictive devices. Thus, for example, once we see that a variety of geometries can be fitted into distinct predictively adequate physical theories, evolutionary theory might weaken, rather than supporting, our belief that Euclidean, or any other, physical geometry – together with its corresponding physics – is true (as against adaptive to believe).

What, next, about ethical dispositions? Spencer’s evolutionary argument is that we have the basic moral convictions that we have because they promote the survival and expansion of the human life.28 But how, then, do we get a step to their truth?

One way would posit that since survival and expansion is what evolution tends to promote – the outcome that it tends to produce – it is also the right ethical aim, and hence that ethical convictions that conduce to that aim are true, valid, sound. If this step is not a blatant fallacy (since evolution promotes X, X is the ultimate ethical aim), we have to be independently convinced that human survival and expansion is the ultimate ethical aim. And that must be an a priori conviction. Note the apparent disanalogy with the theoretical case. On the face of it, Spencer’s justification of geometrical intuition appeals to evolutionary theory alone; his justification of moral intuitions must appeal to evolutionary theory plus an ultimate moral intuition.29 Philosophically speaking, that was really the main point Sidgwick and Moore were concerned to establish: namely, that the theory of evolution does not dislodge ethics as a self-standing inquiry, but is at most an auxiliary to it.

Beyond that, there is the obvious point that mere propagation of human life has little intuitive plausibility as an ultimate end. (Why this should be so is itself an interesting question, given that we’re trying to explain moral intuitions from an evolutionary point of view.) At any rate, as both Sidgwick and Moore recognised, it was not the ultimate moral intuition to which Spencer appealed. His argument, rather, is that the mental characteristics and social relationships that emerge through evolution do so by means of their tendency to increase happiness or minimise pain.30 Hence – if we accept the further premise that happiness is the basic ethical aim – it will follow that more evolved characteristics and relationships, including more evolved moral convictions, promote that ethical aim. However

28 Of course it is highly debateable whether or how they do that, but I’m waiving the complicated scientific questions about that in order to focus on the logic of the philosophical argument.

29 This disanalogy turns out to be merely apparent if we accept the argument of Kant and Sidgwick that pure empiricism is incoherent. If that is right epistemology as well as ethics must contain a purely a priori element.

30 Sidgwick quotes this passage (Sidgwick 2005 (1902), p. 152):

* if the states of consciousness which a creature endeavours to maintain are the correlatives of injurious actions, and if the states of consciousness which it endeavours to expel are the correlatives of beneficial actions, it must quickly disappear through persistence in the injurious and avoidance of the beneficial. In other words, those races of beings only can have survived in which, on the average, agreeable or desired feelings went along with activities conducive to the maintenance of life, while disagreeable and habitually avoided feelings went along with activities directly or indirectly destructive of life; and there must ever have been, other things equal, the most numerous and long-continued survivals among races in which these adjustments of feelings to actions were the best, tending ever to bring about perfect adjustment. (from § 33 of the Data of Ethics, itself quoted from the Principles of Psychology, § 124)
the truth of the premise – hedonism – remains an a priori question of moral philosophy, independent of Spencer’s (or anyone else’s) evolutionary theory.

Moore sums up nicely:

It would seem … that Mr Spencer’s main view, that of which he is most clearly and most often conscious, is that pleasure is the sole good, and that to consider the direction of evolution is by far the best criterion of the way in which we shall get most of it; and this theory, if he could establish that amount of pleasure is always in direct proportion to amount of evolution and also that it was plain what conduct was more evolved, would be a very valuable contribution to the science of Sociology; it would even, if pleasure were the sole good, be a valuable contribution to Ethics. But the above discussion should have made it plain that, if what we want from an ethical philosopher is a scientific and systematic Ethics, not merely an Ethics professedly based on science; if what we want is a clear discussion of the fundamental principles of Ethics, and a statement of the ultimate reasons why one way of acting should be considered better than another—then Mr Spencer’s Data of Ethics is immeasurably far from satisfying these demands.\textsuperscript{31}

The contrast Moore makes here, between “a scientific and systematic Ethics” and “an Ethics professedly based on science” neatly captures the way in which he and Sidgwick conceived the task of a properly philosophical ethics. Moore accepts that Spencer’s evolutionary theory could, if true, make an important contribution to sociology – furthermore, if hedonism were true, to ethics itself. It would do the latter by providing evolutionary insight into the mechanisms by which our ethical dispositions track happiness. But Spencer does not do what philosophical ethics should do, that is, provide a rigorous a priori investigation of fundamental ethical principles. Sidgwick supplies a much more detailed discussion of Spencer’s views than Moore, but his overall conclusion is the same.

Conclusion

Spencer sees human dispositions and institutions as a dynamically adaptive, continuous development towards propagation and expansion of human life. Two mechanisms in this development are (i) the evolutionary function of pain/pleasure in signalling and directing the organism to survival-productive actions, and (ii) inheritance of acquired dispositions together with cultural transmission of institutions.

To the degree that this conception turned out to be defensible, Spencer could plausibly hold that he had at least one new contribution to make to hedonistic utilitarianism: namely, that of showing how its “indirect” versions could be supported by the science of evolution – in his terms, given a “deductive” and not merely “empirical” foundation. From the utilitarian standpoint evolutionism would provide an indirect confirmation of moral common sense if it could show that human societies necessarily evolve towards those institutions and moral dispositions which promote happiness.\textsuperscript{32} The rub, of course, is that this would hold only to the degree that the Spencerian version of evolutionary theory was defensible.

Aside from this potential contribution to the scientific bases of indirect utilitarianism, did Spencer also have a contribution to make to the ethical foundations of utilitarianism as

\textsuperscript{31} Moore 1903, p. 54 (§33).

\textsuperscript{32} This leads to a familiar nineteenth-century historicist conundrum: if the actual is the rational, what policy should we follow – if any – in reforming the actual? On the idealist side D.G. Ritchie was among those who connected evolutionism with Hegelian historicism (see Weinstein 2007, p. 148).
such? A first point here is that, under pressure from Mill (see above), Spencer seems to have dropped his initial, interesting, rights-based critique of utilitarianism conceived as an impartial theory of the good. Had he pursued that critique, he would have moved away from classical utilitarianism in a quite fundamental way, towards an ethical theory that was still consequentialist but that brought deontic elements in at the very foundation. However that did not happen.

We can also ask, secondly, whether his conception of the function pleasure and pain play in evolution contributes anything to the plausibility of ethical hedonism. Sidgwick and Moore were very definite that it did not. But at this point we should come back to the significant difference of epistemological stance between Mill and Spencer on the one hand and Sidgwick and Moore on the other. I earlier characterised the stance of Mill and Spencer as ‘psychologistic’. I also suggested that this psychologistic stance is not incompatible with Sidgwick’s and Moore’s insistence on the autonomy of ethics, at least if that is understood in a moderate and defensible way. On the psychologistic view, the data of normative epistemology are provided by thorough-going analysis of which of our psychological dispositions are primitive or natural, and resilient to reflection. This epistemological approach (as instanced, for example, by Mill’s argument from what is desired “in theory and practice” to what is desirable) is not reductionist; it is naturalistic but commits no naturalistic fallacy. Spencer’s evolutionary theory, if correct, could indirectly contribute to this epistemological case for ethical hedonism. It would do so by providing a larger theoretical backing for the existence and primacy of those pleasure-seeking, pain-avoiding, dispositions which ethical hedonists of Mill’s and Spencer’s kind cite as ‘evidence’ – as epistemic bases – for their view.

Spencer is on Mill’s side of the a priori/a posteriori debate about epistemology, both in what he does and what he fails to do. On the one hand both seek naturalistic, scientific, explanations of the phenomenological appeal of ‘intuitions’, and of their reliability, to the extent they are reliable. One might say that they provide an internal or a posteriori critique and partial vindication of intuitions. On the other hand, neither of them deals head on with the transcendental Kantian critique: namely, that neither theoretical nor practical knowledge is possible without synthetic a priori principles of theoretical and practical reason, and that the existence of such principles is incompatible with naturalism. Yet that critique was increasingly made in their time.13

Could a response to it be made on their behalf? Historically, the question was rather cut off by the strong swing towards anti-naturalistic, aprioristic positions that took place in philosophy at the end of the century. We are better placed nowadays to reconsider it. The question, in a nutshell, is whether recognising that fundamental normative principles are synthetic a priori entails Kantian idealism. Or can a fully naturalistic standpoint acknowledge Kant’s critique of strict empiricism? The question was not settled in the philosophical debates of the nineteenth century and is well beyond the scope of this paper. But it is certainly relevant to assessing Mill’s and Spencer’s epistemological stance.

At any rate, whatever one thinks about that large issue in epistemology, substantive ethical theory has not, on the whole, developed strongly towards the hedonistic utilitarianism to which Mill, Sidgwick, and, it seems, Spencer subscribed. Hedonistic utilitarianism remains a strand in contemporary ethical theory, and an important one, but only a strand. In particular the difficulties facing both hedonism and the aggregate-utilitarian conception of impartiality have been partly fully explored from within the consequentialist camp; at the same time there has been powerful rethinking of various non-consequentialist standpoints. It is not easy, frankly, to see how any combination of utilitarianism and evolution in a Spencerian spirit

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13 Perhaps most powerfully in the Anglophone world by T. H. Green (Green 1882).
could make an impact on the state of this debate. In that respect at least it seems likely that
the moral philosophers, if not the evolutionary theorists, political theorists, sociologists or
historians, have left Spencer behind.

Why should this be? Why, more generally, does evolutionary theory have relatively
little impact on current philosophical ethics, and indeed current epistemology? It is not that
an evolutionary ethics or epistemology has to commit the ‘naturalistic fallacy’; we have seen,
when it comes to it, that neither Sidgwick nor Moore really accuse Spencer of this. It is the
other criticisms they make that remain telling, not just against Spencer, but against
evolutionary ethics or epistemology in general. The problem is one of relevance. How are the
data of evolutionary theory supposed to bear on first order normative discussion, whether in
ethics or epistemology? We can review the points made by Sidgwick and Moore by
examining the following schema of argument:

(I) What I should do or believe is whatever has greatest survival value for the human
species.

(II) Evolutionary theory shows that the practical and epistemic rules by which we
determine how to act and what to believe arise from psychological dispositions
that persist through their tendency to maximise human-species survival.

(III) Hence I should choose my actions and form my beliefs in accordance with these
practical and epistemic rules.

So now, to begin with, why should (I) be accepted? At this point we either need to claim
(somewhat implausibly) that (I) is, in its own right, a fundamental normative truth, or we
need to find indirect arguments for it. These might be (i) that the epistemic rules that have
greatest survival value are those that have the greatest tendency to produce true beliefs, and
(ii) that the practical rules that have greatest survival value are those that have the greatest
tendency to produce general happiness. (i) and (ii) are not obviously true; an evolutionary
ethics or epistemology that builds on them must give arguments for them: for Spencer’s
arguments on epistemology see pp 3 – 4, and on ethics his argument quoted in note 30.

If we accept his arguments, we can replace (I) by fundamental normative propositions
that are more plausible than (I): namely, that one should follow (iii) truth-conducive rules in
forming one’s beliefs, and (iv) happiness-conducive rules in deciding on one’s actions. These
propositions are more plausible, but still controversial; with (iv) for example there are
familiar problems about act versus rule formulations of utilitarianism.34

The main point however is Sidgwick’s: “an ethical end cannot be proved by biology”
(quoted on p. 9 above).

What the theory of evolution can do for epistemology and ethics crucially depends on
what prior normative framework one starts from. If the prior framework is (i) and (ii), the
challenge is to establish (iii) and (iv). But what if one starts from a prior normative
framework that is not, as in (iv) hedonistic and utilitarian? Suppose, for example, that one’s
fundamental normative position is egoism. Then it seems one could use (ii) in a destructive
way. “What causes your disposition to comply with happiness-conducive norms is that those
rules have species-survival value. But that’s not an explanation that shows them to be
normatively correct, for it explains them by their tendency to produce an end-state which (for
an egoist) there is no reason to bring about.” Compare: “what causes your disposition to
believe the simplest theory is that it involves the least cognitive processing, and is hence
efficient in terms of species-survival; but that has no tendency to show that simplicity is a

34 And of course the problem of moving from hedonism to agent-neutral utilitarianism stands,
just as it did for Mill.
criterion of truth.” In each case the normative relevance of the disposition is undercut because evolutionary theory disconnects it from, has it cutting across, the prior normative framework within which the theory’s normative consequences are being assessed.

Thus we seem to end up with the following dialectical position. On the one hand evolutionary theory can be used by opponents of hedonistic utilitarianism in ethics, or of hypothetico-deductivism in epistemology, to undermine these positions. The undermining argument is this: an evolutionary account of the psychological dispositions to which those positions appeal as ‘evidence’, in Mill’s word, explains them as functional to a biological end which (according to the opponents) itself has no normative standing – and in doing so it removes their significance as ‘evidence’, because they are found to be tracking an outcome that is normatively irrelevant. And yet, on the other hand, evolutionary theory cannot be used by proponents of those positions (hedonistic utilitarianism, hypothetico-deductivism) to support them. For those positions constitute a normative framework that is prior to evolutionary psychology: a normative framework that “cannot be proved by biology.” Evolutionary theory is consistent with any normative framework, and in combination with some of them can have subversive force; but it cannot contribute persuasive force to any of them. It has negative but not positive potential. I’m afraid that this conclusion would not have appealed to Spencer.35

My thanks to Mark Francis and David Weinstein for their helpful comments on an earlier version of this paper.

35 I have not considered a further question that has been raised – whether evolutionary theory undermines meta-normative ‘realism’ about morality – since this was not a topic Spencer discussed. See Lillehammer 2003, Street 2006.
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