

Civilizing Paternalism: Mill, Autonomy, and Indian Assimilation Policies

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Introduction

In Western political philosophy¹, John Stuart Mill, a prominent thinker of the Enlightenment period, argued that paternalism is an infringement on an individual's autonomy. Mill's intellectual heirs in the West also oppose paternalism, yet in our history we have witnessed those same powers exercise a form of paternalism against subject societies through imperialist policies and practices. This paradox highlights a tension between the desire for anti-paternalism domestically alongside a justification for paternalism abroad.

As part of my argument that there was a clear inconsistency between Western political thought and action, I will present a case study on the Lakota Tribe of the Sioux nation and the paternalistic-cum-imperialist attitudes and policies of the federal government of the United States. This thesis explores three main topics: Mill's approaches to autonomy and paternalism, respectively; the implications of cultural assimilation and loss of autonomy of the Lakota Indians; and the ways in which Millian conceptions of autonomy and paternalism are relevant to our modern society.

Throughout my thesis, I utilize the concepts of "civilized" and "uncivilized." The use of these two concepts have molded Western understanding of "others," thus heavily influencing Western pursuits of power and dominance against peoples who have been considered weaker and submissive. Through my case study, I argue that the Lakota Indians were not originally "weak" and submissive subjects, but were transformed in that manner through cultural assimilation. It is important to acknowledge how the viewing of one culture or people as "more civilized," or in the case of the Lakota Indians, "less civilized," is a product of a difference in thought, lifestyle, and upbringing; these differences induce one group to believe they have superior faculties over the

¹ In this paper, I will be capitalizing "Western" because it describes a school of thought that originated in Europe as opposed to non-Western schools of thought.

“others.” The United States federal government did not hesitate to cultivate a superior mentality in order to bring the Lakota peoples to their knees.

Alongside the use of the terms “civilized” and “uncivilized,” I will also introduce what I call, “civilizing paternalism.” This phrase differentiates paternalism that civilizes from the actual concept of paternalism. This phrase is integral to my thesis because I believe the paternalistic intentions the federal government exhibited rested upon underlying intentions of civilizing a group of individuals deemed “uncivilized.”

Autonomy and Paternalism

In Western philosophy, self-government and acting through one’s own volition without external influence are two core components of autonomy. Self-government entails the rejection of external authority and insists upon “[having] the authority to determine and enforce the rules and policies to govern [one’s life]” (Buss & Westlund, 2018). Acting through personal volition can be defined as making decisions made deliberately by one’s own choice without “being guided by forces external to the self [with] which one cannot authentically embrace” (Christman, 2020). There are at least two forms of autonomy: moral autonomy and personal/individual autonomy. It is important to differentiate personal/individual autonomy from freedom. Freedom is the ability “to make one’s desires effective” (Christman, 2020) through various means without any constraints. Autonomy, on the other hand, revolves around the concept of being able to take hold independently and authentically of what one wants, which will dictate one’s actions. Autonomy focuses on the desires that enable our actions and whether these desires are independently and authentically our own. The importance of autonomy is highlighted when delving into the legal and political spheres of society. To be fully autonomous would grant an individual “equal political

standing” (Christman, 2020) and more importantly, a fully autonomous agency would “[stand] as a barrier to unchecked paternalism...” (Christman, 2020).

While it is implied that paternalism threatens autonomy, paternalism itself is not intrinsically harmful. Paternalism is the interference into another individual’s life for the promotion of their welfare. A textbook example of positive paternalism is the relationship between a parent and a child. Mill also uses this example to further elaborate on his argument that paternalism is occasionally necessary. A parent’s paternalistic nature has a goal: to guide the child to becoming fully autonomous. The parent’s paternalistic responsibility would be to aid in the conception of the child’s interests and to behave in a manner that promotes the child’s interests. This is crucial in understanding paternalism because this also applies to Mill’s defense of British Imperialism in India. Mill argued that lesser-developed societies needed a form of interference from a more developed society to become autonomous. As a parent would with a child, developed societies would need to play the role of a guide or mentor to show lesser-developed societies how to reach full autonomy. The developed societies would promote growth toward autonomy for other societies. Mill’s interpretation of paternalism was not equivalent to control. The goal of Mill’s paternalism was not control, but autonomy. To use the example of British imperialism in India, as Mill claims, the British intent for imperializing India was not authoritarian control; rather, it was a stage toward helping India establish better laws and reach democracy as a form of government. Mill believed that by doing so, Britain would promote India’s welfare and help them to become a fully autonomous society.²

Millian Autonomy - On Liberty

² Mill likens democracy to being civilized. An argument could be made that even this form of paternalism may not truly lead to autonomous societies because the idea that democracy leads to autonomy is a relative concept. Others may view another form of government as the true means to reaching autonomy and may view democracy as a limiting factor to reaching their true potential as human beings.

Millian autonomy is posited by the notion that autonomy derives from personal choices one makes in life with such choices being made by one's authentic volition. Mill's ideas on human liberty span three segments. The first involves consciousness with the liberty to think and to feel unrestricted and the liberty to voice our opinions on subjects in all aspects of life whether they be "practical or speculative, scientific, moral, or theological" (Mill 2001, 15). The second involves our choices to pursue lives that suits our desires and to accept consequences that arise from the choices we make as we construct those lives. The third segment involves collective liberty, which stems from individuals who have acquired their personal liberties. By the virtue of collective liberty, these individuals now have the capacity to come together "for any purpose not involving harm to others: the persons combining being supposed to be of full age, and not forced or deceived" (Mill 2001, 16). Mill's perception of autonomy informs his defense of paternalism in that those who are unable to reach this form of liberty need guidance from those who have reached it already. Mill maintains that because "backwards" societies are unable to rationally think for themselves, they will be unable to reach human liberty on their own.

Mill begins *On Liberty* by acknowledging that throughout the course of human history, attempts to find a balance between exercising authority while granting sufficient liberty has been a struggle dating back to societies like the Greeks, Romans, and the English. Mill argues that balancing a healthy amount of authority while granting liberty for individuals to live unrestricted in their mental faculties is not an easy feat.³ Mill states that "...liberty, was meant [as] protection against the tyranny of the political rulers" (Mill 2001, 6). The liberty that one was granted acted as a protection of one's autonomy and free-will from an authority figure who had the means to

³ As one can imagine, having a society with too much or too little authority can cause much harm. Having too much authority can restrict an individual's choice and free will while having too little authority could result in an individual causing others harm or in the worst case, anarchy.

take advantage of those who were granted said liberty. The fine line of authority that connected rulers with those being ruled was defined as necessary by Mill, however dangerous it may have been. To provide security against this necessary danger, limitations were established by citizens to prevent authority figures from abusing their power. The limitations consisted of providing certain liberties to those in power which allowed them to act as they deemed fit for their citizens. However, to infringe upon these political liberties afforded to rulers would be seen as a “breach of duty...and which if [one] did, specific resistance, or general rebellion, was held to be justifiable” (Mill 2001, 7). The second method of limitation was to establish a way to keep leaders in check. In other words, the consent of citizens necessitated the actions of the leaders. This consent acted as means to prevent leaders from enforcing total authority (Mill, 2001, 7). Such checks gave citizens an assurance that they could hold their leaders accountable for infringing upon their autonomy and rights. When referring to the struggle that emanates from balancing the power to rule and the power to live autonomously, to balance political liberties with individual liberties is a great struggle indeed.

As humans evolve in their many facets, so do their attitudes to authority. Mill argued that there came a time when such independent rule as explained above transformed into a rule controllable at the will of the people. Rulers could be elected out of their positions if deemed incompetent and unfit to lead. This led to a change in what the people believed the position of authority figures should be: leaders of nations should no longer lead with personal interests but should hold interests for the growth and prosperity of their respective nation and citizens. In this way, “the nation did not need to be protected against its own will [and] there was no fear of its tyrannising over itself” (Mill 2001, 7). Mill’s observation about this transition in government on the part of the masses is important in emphasizing the ideals of “self-government” which is central

to understanding autonomy and is important to understanding Mill's own perception of what autonomy is and how one can be truly autonomous. Mill concludes that,

“the sole end for which mankind is warranted, individually or collectively, in interfering with the liberty of action of any of their number, is self-protection. That the only purpose for which power can be rightfully exercised over any member of a civilised community, against [one's] will, is to prevent harm to others” (Mill 2001, 13).

Mill argues that the only acceptable reason to interfere with someone else's autonomy would be to prevent that individual from harming those around them. Mill then goes on to argue that children are an exception to this principle as are “backward” societies because these two groups are still considered to be in the development stage and therefore cannot make sound, rational decisions for themselves that would guarantee their safety (Mill, 2001, 14). Mill argues that any society that does not uphold the liberties stated above cannot claim to be a truly free society (Mill, 2001, 16). To be free is to be able to autonomously decide, to act from one's own mental faculties, and to do as one pleases as long as one does not cause harm to others.

On Liberty: Of Individuality, as one of the Elements of Well-Being

Mill places great emphasis on individuality as a major component of autonomy. Mill also emphasized the hindrance of social progress of any society if such individuality were to be restricted and not respected. Mill begins this segment of *On Liberty* by utilizing the concept of free speech and opinion to build the structure of understanding individuality. Mill states that an individual's liberty “must be thus far limited; [one] must not make [oneself] a nuisance to other people” (Mill 2001, 52) and so long as one does not bother others and acts for oneself, it then becomes given that the individual should “carry his opinions into practice at his own cost” (Mill

2001, 53). Mill continues to argue that because imperfections carry differences, the imperfect nature of humanity should encourage us to cultivate different opinions and “different experiments of living” (Mill 2001, 53) and that “the worth of different modes of life should be proved practically, when anyone thinks fit to try” (Mill 2001, 53).⁴ In essence, Mill holds that where any matters that do not concern others emerge, individuality should assertively take hold. Individuality should be encouraged for the expansion of social progress and the happiness of humanity.⁵

Mill follows these points by stating that human experience cannot and is not denied nor should one believe that such experience is not utilized to teach people in their youth. Mill asserts that “it is the privilege and proper condition of a human being, arrived at the maturity of [one’s] faculties, to use and interpret experience in [one’s] own way,” (Mill 2001, 54) and the interpretation of experiences in one’s life is another avenue to promoting individuality in society. By learning what is applicable and what is not from different experiences, individuals can construct their own experiences which can contribute to the growing list of experiences that other individuals can take guidance from to create their own worlds. This process strengthens the bonds of individuality in society as it can clearly create different opinions and lifestyles. Mill goes on to explain that customs or traditions one takes from others’ experiences can become an impediment to their social progress if 1) the experience they have is too narrow or misinterpreted 2) the experience is unsuitable regardless of its interpretation or 3) one conforms to a custom merely for the sake of conforming and nothing more. By conforming to customs without purpose, the qualities

⁴ The Lakota Sioux were not given an option to prove the practicality of the life that was forced upon them nor did the federal government attempt to understand the practicality of the life that the Lakota Indians were living.

⁵ It is important to note that Mill bases his argument on individualistic assumptions that reinforce exclusionary boundaries between the individual and society. In this way, Mill creates a bubble for individuality that does not allow for the validity of collectivist identities. This becomes important to my case study because the Lakota Indians’ individualistic identities were based upon their tribal and communal identity. The destruction of the tribal identity by the federal government directly impacts the individualistic Lakota Indian identity as both are very closely interrelated. The collectivist identity of the Lakota Indians indicates that there are other components that can define autonomy which Mill has not considered in his argument.

that are distinctive to humanity, such as rationale, logic, and language, are not deeply cultivated and become surface-level at best.⁶ Mill elaborates on the importance of adopting traditions and customs of different experiences with purpose by stating as follows:

“The human faculties of perception, judgment, discriminative feeling, mental activity, and even moral preference, are exercised only in making a choice. [One] who does anything because it is the custom makes no choice. [One] gains no practice either in discerning or in desiring what is best. The mental and moral, like the muscular powers, are improved only by being used. The faculties are called into no exercise by doing a thing merely because others do it, no more than by believing a thing only because others believe it. If the grounds of an opinion are not conclusive to the person’s own reason, [one’s] reason cannot be strengthened, but is likely to be weakened, by [one] adopting it: and if the inducements to an act are not such as are consentaneous to [one’s] own feelings and character (where affection, or the rights of others, are not concerned) it is so much done towards rendering [one’s] feelings and character inert and torpid, instead of active and energetic” (Mill 2001, 55)

Mill eloquently states that the impulses and desires that course through humanity are natural and generate character. Mill likens impulses to simple energy and suggests that by having strong impulses, one simply has strong energy. Mill then explains that those whose impulses are of their own making have character. Mill argues that “if, in addition to being [one’s] own, [one’s] impulses are strong, and are under the government of a strong will, [one] has an energetic character” (Mill, 2001, 56). Those who believe that such impulses and desires should not be fully encouraged are striving for a loss in individuality and autonomy in society. Mill declares that a society that

⁶ The Lakota Indians were forced into a custom of White Americans and could not exercise their mental faculties to encourage individuality amongst themselves thus impeding their social progress. Many of the Lakota Indians’ affirming customs directed these people toward a different understanding of autonomy. It is clear in this way that customs and traditions can transcend beyond strict boundaries between individuals and society and can serve as affirmations of one’s place in a community.

strives for the cultivation of both strong impulses and desires, is thereby upholding its collective duty to protect the interests of one another.⁷

Mill concludes that individuality produces a well-rounded and properly developed humanity. Those who are properly developed had the means and opportunity to cultivate their individuality in an uninhibited environment where they were allowed to exercise their personal liberties. Mill goes on to argue that it is necessary for those who have reached this enlightened point in their development to help those who have not yet reached theirs.

Mill references Wilhelm von Humboldt who emphasized two necessities for the enlightened development of humanity. One of these two necessities is the “variety of situations” (Mill 2001, 67) or individuality. Mill claims that these “situations” are diminishing and individuals in society are becoming more and more assimilated into a mass. Many of these individuals perform and behave in the same way. Mill also highlights the promotion of such assimilation through politics and education. If these two institutions that have a large influence on society continue to promote “sameness,” it is only inevitable that the mass will develop the same political and logical rationale resulting in the same mental faculties producing the same experiences, leaving individuality no place to flourish. Mill is highly concerned about this. He expresses dismay that individuals are not attempting to deviate from the “easy” conformity that society presents. According to Mill, it will be a miracle if individuality can even “stand its ground” (Mill 2001, 68), against an ever-growing mass conformity. Mill succinctly elaborates that humanity becomes “unable to conceive diversity, when [it] has been for some time unaccustomed to [seeing] it” (Mill 2001, 69) and that “the demand that all other people [...] resemble ourselves grows by what it feeds on” (Mill 2001, 68-69). Mill concludes by directing his audience to a solution to this parasitic issue:

⁷ I believe that in a state where one is unable to exert one’s own impulses and desires, their individuality is grounded and cannot grow. This point becomes important in my case study of the Lakota Indians.

if the intelligent individuals of society can be encouraged to feel the value of differences and diversity, individuality can begin to thrive again.

On Liberty: Of the Limits to the Authority of Society over the Individual

After having established the significance of individuality as a necessary component to human liberty, Mill places individuality in the context of a society governed by many diverse individuals and explains how and under what conditions individuality can be restricted or not restricted by societal authority.⁸ Mill argues that, while he himself does not believe in the social contract,⁹ he believes that by living together, individuals are provided with the protections that come from residing in a society and should therefore conduct themselves accordingly by abiding by certain boundaries as a means of “paying back” the society for its protections. The boundaries or conduct that Mill expects include not harming others and contributing a fair share of labor and sacrifices for protecting society from further harm.¹⁰ While Mill does argue that societal expectations can limit individuality and liberty for the well-being of others, Mill emphasizes that, ultimately, no other human should tell another what to do with their life because one knows what is best for oneself. Mill believes individuals should prevent harming others, but when it comes to matters that concern oneself, that individual should do all that they can to cultivate full and thriving mental faculties of their own. It is important to note that at this point, Mill states that individuals “are not bound...to seek [their] society, [they] have a right to avoid it...[and] have the right to

⁸ In other words, Mill defends his harm principle.

⁹ Mill does not agree with defining society as a social contract because he believes there are no benefits to forming contracts to inducing social obedience and obligation from individuals.

¹⁰ Would Mill’s argument stand when discussing individuals who were forcibly entered into a certain society and did not autonomously choose to contribute to society? No. Those forced into certain societies do not owe anything to the society who forced them to assimilate. This form of paternalism is unlike that of a parent and child. Even if the child is unable to autonomously comprehend that reciprocity of their actions to their parents, the nature of obligation the child would experience would change once guided to autonomy. In the case of the Lakota Indians, they were forced to contribute to American society under the threat of the federal government.

choose the society most acceptable to [them]” (Mill, 2001 71). Contextually, Mill is arguing that because individuals are capable of exercising their individuality and autonomy, what comes with the liberty to do so is the choice to opt out of certain lifestyles that are not bettering their path to fuller mental faculties.¹¹

Mill states that while there are many arguments made against society interfering with the individuality of its citizens, the strongest of these is the argument that “when [society] does interfere, the odds are that it interferes wrongly, and in the wrong place” (Mill 2001, 77). Mill emphasizes the natural human tendency to unjustly push others’ boundaries in the name of morality. Mill goes on to specify that when a majority acts to impose their beliefs as law on a minority, especially with regards to “self-regarding-conduct” (Mill 2001, 77) that imposition can only be deemed wrong because “public opinion means, at the best, some people’s opinion of what is good or bad for other people...” (Mill 2001, 77). The opinions of the majority become the only opinion and the minority is forced to abandon its rational opinions and assimilate into a society that operates as one mass.¹² Individuality is then threatened because individuals who have had others’ opinions impressed upon them are molding themselves to fit a narrative that does not flow from their personal experiences and identities.

Mill also takes care to address the concern of individuals who view personal disinterests and differences of others as an encroachment on their lifestyle.¹³ Mill uses a comparison between a thief and purse to nicely package this thought by explaining that the desire for a person to keep

¹¹ I include this point because the Lakota Indians had this right stripped from them. The harmful paternalism that the federal government exercised prevented autonomy and only promoted control over a disadvantaged group.

¹² I would characterize this dynamic as coercive because the majority have created a society where the minority have no choice but to assimilate. Without this assimilation, the minority cannot be expected to thrive as they are no longer able to use their own opinions in a mass that now collectively silences those who do not agree with the majority.

¹³ I believe this encroachment can be a motivator to force those who are different to conform to societal standards set by the majority. While this may not have been the sole motivator for the federal government’s infringement of Indian livelihoods, it can certainly act as a means to generate discussions on the loss of Indian identity and independence.

their own opinions is no different than that of someone who is trying to keep their purse from thieves and the desire for someone to steal the purse is no different than someone suppressing others' opinions because of their dislike of them. This example is helpful in that Mill clearly explains that forcing the majority's opinion on a minority because of a disdain for their lifestyle is the equivalent of stealing. Mill circles back to the idea of morality by elucidating what is expected of those who impose their opinions on others: "...we must be aware of admitting a principle of which we should resent as a gross injustice the application to ourselves." (Mill 2001, 72). In essence, unless individuals are willing to accept the moral impositions of others, they should not impose their own morality upon those who did not ask for it.

To conclude his argument on the limits of social authority on individuality, Mill states that "[he] is not aware that any community has a right to force another to be civilized" (Mill 2001, 85). Mill describes nations that have left their own doctrines behind to build a civilization in another part of the world as "not [crusading], but [civilisading]" (Mill 2001, 85) because those nations that inhabit spaces from which they did not originate can only do so through tyrannical means. Mill argues that he cannot find a reason to confidently state that individuals should change their livelihoods and their opinions simply because "it is a scandal to persons some thousands of miles distant, who have no part or concern in it" (Mill 2001, 85).

Civilization

In his work, *Civilization*, Mill offers his definition of "civilization" and his belief in the dual meaning this term carries. Mill starts with a simple explanation that "civilization" can be thought of as the general improvement of humanity or certain improvements in certain contexts. He goes on to explain the first of the two meanings of "civilization." Humanity has been socialized

to believe that a nation is increasingly civilized if it is increasingly improved and is “more eminent in the best characteristics of Man and Society” (Mill et al. 1977, 119). Mill then introduces his audience to the second meaning of “civilization” in which the improvement that defines a civilization is one that draws clear distinctions between a nation of immense power and an abundance of wealth from those who Mill deems as barbaric savages.

With this definition in place, Mill gravitates toward the second meaning of civilization in order to contrast “civilization” and “barbarism.” Mill views “savagery” as the antithesis of civilization and strongly suggests that whatever is not considered “civilized” is automatically barbaric, savage, and “uncivilized.” Among Mill’s other arguments, he believed that those engulfed in “savagery” live sparsely across wide spaces while those who live in close, dense proximity with one another are considered “civilized.” Mill argues that “savagery” allows no space for an economy, so to have a society where manufacturing and commerce are plentiful, agriculture is rich, and an economy exists is characterized as “civilized.” Mill proceeds to define a “savage” lifestyle as one that is not selfless and employs no legal jurisdiction or a capacity to operate a legal system at all. He also notes that to be “uncivilized” implies that there is no concept of harm in that there is no collective understanding to protect one another from harm caused by each other. Mill argues that in the world of “savagery,” there is no commitment or means to maintain peaceful relations nor is there an advanced capability to develop social arrangements for security purposes.

It is worth noting that upon his assertion that “civilized” societies carry certain improved characteristics that cannot be found in places of “savagery,” Mill contends that the above elements of what constitutes a “civilized” society exist predominantly and in greater fashion in Europe, particularly Great Britain, than anywhere else in the given time period.¹⁴ Mill argues that what

¹⁴ Mill states that Europe has progressed rapidly to a civilized state. Coupling his argument here with his arguments on necessary paternalism for underdeveloped societies, he implies that Europe must step up to take on a parental role

comes with a natural growth in the development of civilization is the inevitable transition that power undergoes: power was once held by individuals but has since been transformed into power held by a majority. Mill claims that this transformation of individual power to mass power further relegates the individual, deeper into the ranks as the masses gain priority in all matters.

Mill not only uses *Civilization* to define “civilization,” but inadvertently defines his perceptions of society. Mill’s perception of society is Westernized and is the view with which he approaches the world. Western methods of thought such as empirical logic and rationalized problem-solving are seen as being the central avenue of growth and development with anything else being seen as underdeveloped or “wrong.” John Stuart Mill has set a European, Western standard of living, deemed civilized with the notion that other countries should aim to reach this standard. Regardless of the power and longevity of other societies, it is observed, at least according to Mill, that if they do not follow the standards of Western civilization, those societies are “backward” and need help to reach an autonomy that they have seemingly not reached by Western standards.

Mill’s Exception to Anti-Paternalism: Defense of British Imperialism in India

Mill’s anti-paternalistic stance was further observed in his position on England’s rule over India. He initially believed England’s dominion in India was not beneficial to England’s economics and politics. However, Mill’s beliefs gradually shifted in favor of British imperialism.¹⁵

I view his defense of British colonial rule in India as an exception to his overall anti-paternalistic

over these societies that need guidance in reaching this state of progression that will deem them “civilized” enough. I also acknowledge the problematic nature of Mill’s definition of “civilized” because it lacks an understanding of cultural relativity and the mental facilities of those societies he claims as “uncivilized.”

¹⁵ Mill’s career at the British East India Company was one of the motivators that drove his changing position on British imperialism in India.

beliefs. There were three major arguments Mill utilized to corroborate his defense. The first argument was economic (Sullivan 1983). Mill argued that England was heading for a stagnant economy and this was due to England's overabundance in resources of capital and population. Mill argued that producing too much on the home front would cause improper investment in production, leading to a loss in profit and a stagnant economy. Mill believed that in order for England to avoid this catastrophe, the nation would need to depend on investing and trading with foreign economies. The relationship with India at the time was an ideal solution. It is important to note that Mill believed foreign economies would also benefit from British imperialism through trade and investment and that England was not using the exploitation of foreign peoples to their advantage.

The second argument was cultural. Mill argued that British imperialism "served a civilizing function" (Sullivan 1983, 610). Mill ranked certain societies as "more civilized" than others based on his belief that there existed "a scale of civilization" (Sullivan 1983, 610). According to Mill, the British were most civilized and the nations of Asia, Africa, and elsewhere were uncivilized. The varying differences in civilization signified different applications of values and morality among those societies. This allowed Mill to justify his defense of colonial imperialism and the "direct governance of native populations" (Sullivan 1983, 610). Mill argued that English colonizers were right in their actions because they were helping less civilized "others" reach a point of proper civilization. In essence, because imperialism was bringing improvement upon these "lesser" societies, the improvement justified a governing rule that interfered with these societies' autonomies. Despite Mill's insistence that English imperialistic rule is justified, he does not explicitly advocate conquering these "lesser" societies; instead, he legitimizes such restrictive governing because what the English had done had already been taking place in other parts of the globe.

Mill's third argument was political. The core of this argument stems from his cultural belief that the English were the most civilized people on the globe. Due to England's superiority, Mill believed that its governing of "lesser" societies displayed utmost prestige and undeniable power for the British. England would lose the prestige and power it had built up if an emancipation of any colonies occurred; those colonies would be swept up by other nations, possibly allowing England's enemies to gain more power (Sullivan 1983, 610). Mill's assertion that England should be heavily involved and intervene in international affairs further supports his justification of paternalism. As his prior arguments suggest, Mill at the least condones paternalism. Mill's tolerance highlights the tension in his work with paternalism abroad and at home.

While Mill's position defended British imperialism in India, to consider it an exception to paternalism is harmful because his position is poorly argued. The need to "civilize" backward societies is damaging and cultivates a mentality that anything that deviates from the Western standard is wrong and requires correcting. It should be noted that Indian civilization well predates European civilization and the methods of this "backward" society were effectively working up until British imperialism. Being alien or foreign does not make societies less deviant and less developed. Mill is a representative way of thinking in a liberal democratic society that promotes the infantilization of entire cultures to fit into a certain set of mandated policies. As will be elaborated on further in my paper, cultural genocide, as took place in the United States with the Lakota Indians, was very much present in India as well. The British "revamped" India's political system, abolished indigenous laws and political organizations, and imposed Christianity as the main and only "acceptable" religion. It would be harmful to categorize cultural genocide as a method to reaching autonomy.¹⁶

¹⁶ Reference "Mill's "Exception" In Connection to the Lakota Indians" section for further elaboration.

Case Study: Lakota Sioux

The paradoxical tension of I have observed in Mill's philosophy and the practical application of his theories as seen with his defense of British imperialism is similarly present in the mentality behind the federal government's assimilation of the Lakota Indians. Mill's conceptions of autonomy are relevant to Indian cultural assimilation because through cultural assimilation the Indian tribes had their autonomy stripped from them. The forced cultural assimilation took away the cultural autonomy of the Indians, causing them to lose their right of choice regarding their culture and identity. The act of cultural assimilation by the United States federal government stands as a disruption of Lakota autonomy. The forced cultural assimilation of the Native people aimed to assimilate Indian mind and culture.¹⁷ Western and Native American mentalities were starkly different, for example in notions of land ownership, creating chasmic divides. It was the inability of the Western mind to navigate the mentalities of indigenous peoples that fueled the Westerners' desires to "fix" or "improve" the Indian people.¹⁸

The complexity of Indian mindsets starts with "seeing." According to Donald Fixico in *Indian Thinking and a Linear World*, "seeing" "is visualizing the connection between two or more entities or beings, and trying to understand the relationship between them within the full context of things identified within a culturally based system" (Fixico 2003, 2). When an Indian mind "sees", it holds space for what is tangible and, more importantly, for what is not tangible. The Indian mind will go beyond base human relationships and utilize a perspective that involves all aspects of the

¹⁷ I am utilizing Donald Fixico's book "The American Indian Mind in a Linear World American Indian Studies and Traditional Knowledge" when discussing the Indian mind. My continued use of "the Indian mind" in the singular form is not implying that there is one Indian mind, but a reference to how Native American mentalities are reduced down to a singular, one-dimensional mentality in a society dominated by Western rationale. I fully acknowledge the diversity in the thoughts and beliefs of the many different Native American tribes and tribal members, and I am in no way generalizing the rich diversity of this community when speaking of "the Indian mind."

¹⁸ The power and control that the federal government sought to enforce over the Indians were further influenced by the federal government's inability to understand the Indians' mental faculties and lifestyle.

world and universe such as nature, animals, spirituality, dreams, and visions (Fixico 2003, 2-3). As is expected, such an abstract way of thinking clashes with a world that sees everything empirically with no room for anything else.

Along with “seeing”, another important faculty of most Indian mentalities is “listening.” In the context of Indian minds, speaking somewhat generally, “listening” is not simply hearing sounds. This form of “listening” becomes the art of realizing the importance that relationships hold in life and the lessons that rise forth from such relationships. On the flipside of “listening,” there is silence. Silence is also heavily valued and learning to harmonize with silence enables the Indian mind to exercise security over their thoughts and confirmation of their beliefs (Fixico 2003, 4). Misunderstanding this form of silence becomes a discomfort for those in a world congested with unnatural noises. Silence then becomes a nuisance for many rather than an opportunity as many Native Americans believe.

The Natural Order of Life, a system that encompasses all interrelationships of an Indian, defines the Indian perception of Natural Democracy in which all things are given respect and believing that all things hold equal importance (Fixico 2003, 4). The natural environment or the homeland (Fixico 2003, 5) becomes imperative to the Indian mind as the familiarity of the land in all its glory— from streams, valleys, and woods to deserts, aromas, and the simplistic beauty it offers— is all used to build the basis of interpreting relationships in the natural world.¹⁹

The Lakota are one of the three tribes that make up the Sioux Nation. The other two tribes are the Eastern Dakota Tribe and the Western Dakota Tribe. The Lakota Indians occupy the largest

¹⁹ I acknowledge the argument that if Western powers and subordinate groups had similar worldviews, then Western imperialism may have been justified. I argue this not to be true because by enforcing paternalism on a group with similar faculties, that enforcement would be a violation of the Millian harm principle which posits that individuals are free to act as they desire unless those actions cause harm to others. Forcing paternalism on another group with similar worldviews could cause the receiving group harm.

area of land in North and South Dakota. Within the Lakota Tribe, there are seven sub-tribes. These people were heavily affected by the policies and bills passed by the federal government. These acts strived to deprive the Lakota Indians of their political and cultural autonomy. During the late 1800s, under new assimilation policies, assimilation boarding schools were built on Indian lands and started the process of “Americanizing” the Indians; this was no different with the Lakota Indians. The Pine Ridge Boarding Schools were erected on the Pine Ridge Reservation in South Dakota and became a battleground for the Lakota Oglala children who fought the foreign language and lifestyle that were being reinforced through the disguise of education. The impact of the Pine Ridge Boarding Schools was especially profound because this specific boarding school “educated more Oglalas than any other component of the Indian school system” (Andrews 2002, 409). The goal for the Pine Ridge Boarding Schools, as was many other assimilation schools, was the targeting of the native Lakota languages and the “set purpose...was to remove the native ethos from the mind of the American Indian student” (Fixico 2003, 84). The children who were students at Pine Ridge, instead of gaining skills, lost the very skill they needed to truly thrive: communication with their families and other tribal members. The English language was hammered into these children under the pretense that the native Lakota language was holding back these individuals from the definition of Millian autonomy and civilization. Thomas G. Andrews elaborates on the genocide of language through the Pine Ridge Boarding Schools:

"The attack upon Native languages in Indian schools had broad cultural repercussions, for these languages were the creations and representations of Native epistemologies: they were the symbolic forms Indians used to conceptualize and communicate their ideas of the physical, social, and spiritual realms. By eradicating Indian languages, reformers hoped, they could begin to unravel what they considered the destructive bonds of culture that shackled Indian individuals to savage and doomed ways of life" (Andrews 2002, 411).

The federal government was not leading Indians to any form of autonomy because the government targeted one of the main avenues that tied the Lakota Indians to it: their language. With the federal government's attempt to kill off their language, the Lakota Indians had one of the most significant ties to their autonomy ripped from them, leaving them dependent on the federal government for generations because they were left with no form of identity.²⁰ The federal government left them unable to operate on their own because through assimilation the autonomous life they had known no longer existed and could not be taught to future generations. There was no intent to let the Lakota Indians thrive on their own at some given point in the future. Rather, the goal was to turn Lakota Indians into Americans, bringing them under federal control and preventing them from autonomously creating a life of their own choosing. In 1891, Daniel Dorchester, the Superintendent of Indian Education, was quoted (summarized by Thomas Andrew) as saying "the lever of uplift must be applied nearer to the base of Indian life - directly on the reservations" (Andrew 2002, 412). This indicates that the specific means to destroy and eradicate the tribes had been thought out by the federal government and the government exhibited no qualms in enforcing the assimilation of the Lakota Indians utilizing those methods. This was no longer a matter of guidance; it was a matter of complete and utter destruction of a lifestyle.²¹

²⁰In his book, "The American Indian Mind in a Linear World American Indian Studies and Traditional Knowledge," Donald Fixico speaks of a particular incident that occurred in a different boarding school located on a different Indian reservation where an Indian child was asked to read an English paragraph out loud. Upon completion, the student had believed he made no errors, but the teacher asked him "Are you sure?" He read the paragraph again and again until the 11th time where he sat down humiliated and embarrassed as the teacher continued to sit and give no feedback, only to watch him crumble in front of his peers. This child was made to question his confidence and assurance of himself due to his teacher's gaslighting behavior. I wanted to draw a parallel to the federal government. The federal government gaslit Indian tribes on a larger scale, forcing them to believe that what they were doing and the way of life that they had operated on for so long was wrong. This constant reinforcement led many Indian tribes to question their identities through this confusion; they no longer had the confidence to say, "No this is what I believe in and I am correct." They were then so weakened that they had no choice but to succumb to the federal government.

²¹ These assimilation schools cannot even be argued to have helped Indians assimilate into society because they did not provide higher education and signified no intent from the federal government to aid in their transition from a so-called "uncivilized" lifestyle to the Western standard of living, deemed acceptable and the only way to live properly. This was a weaponization of education against a people.

It was not only the assimilation boarding schools that targeted Lakota autonomy. The Sell or Starve Act of 1877 was a response to a sore defeat of the United States in the Battle of Little Bighorn. The federal government gave the Sioux Indians an ultimatum to either have their rations cut entirely or to sell their land to continue receiving rations. It was a cruel decision that had to be made. The Sioux Indians gave their land to the federal government so that they would not die from starvation. It was this act that officially established Sioux Indian reservations.²² In Article 5 of the Sell or Starve Act of 1877, the federal government, “[agreed] to provide all necessary aid to assist the said Indians in the work of civilization” (Sell or Starve Act of 1877, 1877, 256) as the Sioux Indians had “agreed” to give up their lands.²³ To find language that reinforces the notion that the federal government was on a mission to civilize a group of individuals in a Congressional Bill shows that there was no concern on the part of the federal government to view these Indians as human and instead viewed them as a project that was unable to think or feel as a human being would. The Sell or Starve Act was signed by the leaders of the multiple tribes involved and became another act of many that served to hinder the autonomy of the Lakota Indians²⁴

In 1886, *United States v. Kagama* was heard and decided in the Supreme Court. The significance of this court case is not so much the legal matters themselves, but the Court’s

²² Land and nature heavily compose the Indian identity regardless of the tribe. As mentioned above through the work of Donald Fixico, the land holds value to Indian tribes which is why the seizure of their lands has threatened and continues to threaten their very beings.

²³ The language of this bill was very misleading to read. Without understanding the context of this bill, one could read the Sell or Starve Act of 1877 and assume that the Sioux Indians autonomously agreed to the provisions of the act. Was this an attempt by the federal government to portray their actions as permissible through tweaking of official language?

²⁴ The federal government claimed that the Indians were unfit to autonomously rule themselves and needed civilizing guidance. Yet, the federal government had them signing treaties, which are strictly legal contracts that require autonomy, at least in theory, to take part in. According to the federal government, the Indians were not “civilized” enough to exercise rationale and logic to create their own contracts and boundaries yet were expected to sign them. Are the Indians capable of legal recognition or not? Is it an inconsistency or a flaw in Western rationality? The federal government claims the Indians are incapable of understanding sovereignty and legal recognition yet are having them participate in actions that are characteristics of what the federal government claims they cannot understand. If this is the case, are the Indians under a predatory contract?

mentality in deciding the case. This case raised an important question: What jurisdiction, if any, does the federal government have on crimes that occurred between Indians? The ruling was clear that the federal government did have some jurisdiction over Indian affairs and in response, the federal government expanded their already over-arching powers further. However, the most significant portion may have been the Court's conclusion written by Justice Samuel F. Miller: "from their very weakness and helplessness, so largely due to the course of dealing of the Federal Government with them and treaties in which it has been promised, there arises the duty of protection, and with it the power" (United States v. Kagama, 1886). In other words, the federal government held a mentality in this moment that the United States had a duty or obligation to protect the Indian tribes and assumed that, in order for the federal government to fulfill this obligation, they would be granted the powers to do so. Moreover, the federal government deemed the Indian tribes as weak and helpless from dealings with past agreements and treaties with the federal government. In essence, the federal government, through this court case, is claiming that the Indian tribes need protection from the government because the government caused them to become helpless and weak. However, I did not take the federal government to be remorseful for their actions from the words of Justice Miller, as in it was not an act of reparations on the part of the federal government. In that case, is the federal government exerting their power on the grounds that they have finally weakened their prey enough where said prey needs protection? The language is contradictory and further highlights the United States' need to civilize a society that was different from the Westernized standard.

The Termination Policy, which was given its name in 1950, was another and more "final" attempt at destroying the cultural and political autonomy of the Lakota Indians. Prior to this treaty, Lakota political consent was acknowledged by the federal government to a degree through the

treaties the Lakotas signed. However, this policy attempted to rip apart any remaining political consent the Lakota Indians possessed. This policy was disguised as a law that would grant the Lakota Indians the privileges of becoming United States citizens when in reality it would completely obliterate any remaining sovereignty or political consent the Lakota Indians possessed. One could also view this as a “transfer of political sovereignty” (Valandra 1992, 26). By providing benefits of United States citizenry to the Lakota Indians, the federal government was saying “you are now a part of us, therefore you must do as United States citizens do.” This meant, if the Lakota Indians were to follow through with this plan of action, they would no longer be considered politically sovereign and would have no rights or word on their lands or their people. Many Lakota Indians fought against the passage of this policy because “there was no provision for indigenous peoples’ consent to such a transfer of authority” (Valandra 1992, 26).

The core of traditional and abstract wiring of the Indian mind, again speaking generally, “derives from identification of identity and culture” (Fixico 2003, 12). The core of the Indian mind became substantially weak because the federal government ripped the identity and culture away from the Indians through assimilation education and policies. This left these people no longer autonomous in their choice to pursue their traditional knowledge, thus becoming civilly paternalized by Western standards. The individual loss of autonomy amounted to a loss of identity on a larger, tribal scale, which only made it easier for the federal government to take charge of the Indian mind. In this way, the American Indians' very approach to life was taken away from them, leaving them vulnerable at the hands of the imperialists. They were no longer autonomous nor individualistic by their own rights and could no longer operate for themselves because the very basis of their autonomy was no longer theirs.

Mill's "Exception" In Connection to the Lakota Indians

There are unmarked parallels with both the cases of British imperialism in India and the federal government's forced assimilation of the Lakota Indians. As these powerful groups conceptualized the world with barbarity and civilization, their changed perception of society allowed for policies and force to construct a mentality where violations of individual autonomy became permissible and, possibly even, normalized. Mill argues that liberty requires the cultivation of autonomy. Because the goal of paternalism by one party is to help the other party gain autonomy, to prevent such a transition would result in cultural genocide as one group of people is forced to give up their cultural identity to accommodate for the intrusion of another dominant cultural identity. Some may sympathize with the federal government's assimilation policies and argue that the Lakota Indians were able to advance linguistically, thus allowing them to advance economically. However, even if one sympathizes with such policies, the policies themselves are still based on a perverse understanding of paternalism. Both the British and the federal government appeared to gift India and the Lakota Indians with something "good", but it was undignified and unsolicited.

Mill argued that to be fully autonomous meant being fully individualistic with no hindrance from paternalistic behavior. This was the way to truly cultivate one's mental faculties. The federal government's assimilation methods and policies were not paternalistic by any means and severely restricted the autonomy of Lakota Indians. The cultural genocide and genocide of the Lakota mind prevented any growth, both as individual tribal members and as a tribe as a whole.

Conclusion: Why This Matters

It is important that readers of John Stuart Mill take care when approaching his work. Many look to Mill as the expression of autonomy in a liberal democratic political structure unlike other

philosophers who focus on autonomy as well, such as Immanuel Kant. Given how many people have studied and been inspired by Mill, it is important to question the inconsistencies that arise from the normative visions he supplies and the practical applications that we see of his work in our lives.

The Lakota Indians are one of many tribes who have experienced widespread land displacement and cultural genocide. This land displacement has caused severe rises in poverty and health disparities that are still ongoing. The COVID-19 pandemic has revealed the extent to which these communities face health disparities as the Native Indians had a disproportionate number of cases in comparison to the size of their tribes.²⁵ The Lakota Indians are significant in the Indian fight for autonomy because the Lakota fought back and attempted to “revolt” against a larger power that was suppressing their right to autonomy and liberty. The Wounded Knee Occupation that took place in 1973 is an example of their unending fight.²⁶ While the Lakota Indian were unsuccessful here with their occupation in 1973, that has not swayed their fight for their sovereignty. The Lakota Indians, along with many others, have been fighting and continue to fight for their autonomy to govern themselves as they once had.

²⁵ A concern that many Indian tribes faced during the pandemic was the death of their elders. The elders are the key to continuing the native languages and traditions. Without these elders, the tribes would suffer another break in their journey to cultural autonomy. The COVID-19 relief efforts for the Indian communities were dismal in comparison to the efforts the rest of the United States received.

²⁶ The Oglala Lakota tribe used the Wounded Knee Occupation as a way to bring national attention to the ongoing issues faced by not only the Oglala Lakota tribe, but other Native American tribes as well. The Wounded Knee Occupation was also an attempt at recognizing the Sioux Nation as a sovereign, self-governing nation. However, the delegation representing the Sioux Nation at the United Nations failed to get political recognition for this tribe. While the Wounded Knee Occupation did not end with a sovereign Sioux Nation, the Oglala Lakota tribal members have not been deterred in their fight for autonomy and independence.

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