

[HOI] MILL ESSAY

CITATIONS

- [1] Andrewes & Nield, 2020
- [2] Mill, 2020a
- [3] Mill, 2020b
- [4] Brink, 2009
- [5] Cave, 2019
- [6] Heilbroner, 2000
- [7] Heywood, 2007
- [8] Magid, 1987
- [9] Perry, 2016
- [10] Riley, 1998
- [11] Skorupski, 2006
- [12] Stafford, 1998
- [13] Warbuton, 2009
- [14] Original On Liberty
- [15] Original Principles of Political Economy
- [16] Macleo, 2020

1 INTRODUCTION

John Stuart Mill was a famous philosopher, economist, naturalist, utilitarian, empiricist, politician and liberal who ([1], p.4; [16], para1; [7], p.29; [9], p.574)

- One sentence about who John Stuart Mill is
 - A famous philosopher ([1], p.4)
 - "Most influential English language philosopher of the nineteenth century" ([16], para1)
 - "He was a naturalist, a utilitarian, a liberal..." ([16], para1)
- Brief Explanation of (Mill's idea of) liberalism
 - At its heart liberalism holds a belief in the goodness and ability of human nature, and in the capacity and desirability of individuals to determine their own lives. ([1], p.4)
- One sentence On Liberty
 - Mill's book, On liberty, is one of the most influential texts on liberalism ([1], p.4)
 - The classic statement of individual freedom and minority rights: that the government and the majority may not interfere with the liberty of another human being whose actions do no injury to others ([9], p.574)
- One sentence on Principles of Political Economy
 - "Examples of institutional mechanisms designed to increase the diversity and salience of political, intellectual, and artistic activities and voices so as to enhance the character of public and private deliberations" ([4], p.60)
 - A piece on economic liberalism, focused on the roles and limitations of government, specifically within a liberal democracy ([3], p.12)
- Define Harm Principle
 - "A "... very simple principle that identifies when society may limit the freedom of an individual..." ([2], p.6)
- Define Democratic Society/Democracy
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- THESIS STATEMENT
 - In this essay, I shall argue that the question of whether or not Mill's harm-principle gives individuals too much freedom in a democratic society cannot be answered because too much freedom cannot be defined, Mill does not clearly define harm, there are different limits of freedom for different groups of people in society, there is circular thinking in Mill's goals and when applied to modern context, the line between what is and is not harm blurs further.
- Outline
 - First the essay will explain why too much freedom cannot be defined. Next, it will show that harm is not clearly defined by Mill. Following that, it will evaluate Mill's goals of the harm principle and demonstrate how this makes different groups in society have different limitations of freedom. Lastly, it will illustrate how, when applied in modern context, the harm principle would require much more reconstruction.

2 TOO MUCH FREEDOM CANNOT BE DEFINED

- The Harm Principle is only a single part of Mill's whole system or framework of liberty and government
- <Mill's utilitarianism> Mill believes...
- <Mill's liberty> Additionally, he also thinks that...
- T
- Mill, above all else, wanted to change social behaviour ([6], p.132)

3 HARM NOT CLEARLY DEFINED

- Even if a justifiable benchmark for what 'too much freedom' exists, the Harm Principle itself also presents itself with several flaws. Namely, the definition of harm described by Mill is extremely vague; this leads to both direct contradictions with himself as well as contradictions among the interpretations of the text that vary so widely due to the lack of clarity in Mill's words.

PSYCHOLOGICAL HARM

- Hate Speech/Discriminatory Speech
- Speech can be just as harmful or even more harmful in comparison to physical actions.
- So when reading Mill's explanation that offense is not considered to be harm, one could assume that Mill condemns psychological harm through speech; resulting in the harm principle probably giving too much freedom. However,...
- Mill admits that speech can also be harmful
 - Mill does recognize that speech can be harmful, and he applies the harm principle to speech, as well as other action, when he claims that the regulation of incendiary speech is permissible ([4], p.52)
 - <Mill's Corn dealers example> (Mill as cited in [4], p.52)
- "The lewd and the obscene, the profane, the libelous, and the insulting or "fighting" words - those which by their very utterance inflict injury or tend to incite an immediate breach of peace" ([4], p.55)
- Libelous speech - roughly, false and defamatory speech in which the speaker knew that his/her statement was false and defamatory or acted in reckless disregard of these matters - might be harmful ([4], p.55)
- Some kinds of fighting words - might be harmful ([4], p.55)
- Fighting words that incite pugilistic responses certainly can be harmful as illustrated in CORN-DEALER CASE ([4], p.55)
- These words are not essential for the exposition of ideas, has little to no social value and does not bring humanity any closer to the truth ([4], p.55)
- It is less clear what Mill would think about the permissibility of anti-discriminatory regulations of speech of the sort embodied in employment discrimination law, hate speech regulations, and policies regulating certain kinds of pornography ([4], p.55)
- Fighting words
 - [I think preferred] Chaplinsky's definition: "by their very utterance inflict injury or tend to incite an immediate breach of the peace" ([4], p.57)
 - Court interpretation: words that in their context tend to evoke visceral and violent - rather than articulate - responses ([4], p.57)
 - <What if the problem is with the receiver and not the words?>

PEOPLE BEING INTRUSIVE

- Odd exception
- Government should stop intrusive people but not offensive people?
- Intrusive VS Offensive

LAZY VS SUICIDAL PEOPLE

MILL'S DISTINCTION BETWEEN SELF-REGARDING ACTIONS AND OTHER-REGARDING ACTIONS

- Mill also recognized the necessity for state intervention to promote individual self-developmentL the expansion of individual moral intellectual and esthetic capacities
 - ~ state require children to attend school against the wishes of their parents
 - ~ regulate hours of labor to promote public health
 - ~ provide workers' compensation
 - ~ old age insurance

4 THERE ARE DIFFERENT LIMITS OF FREEDOM FOR DIFFERENT GROUPS OF PEOPLE IN SOCIETY

- Mill's harm principle is essentially aimed at 'geniuses'
 - <Description of genius - evidence>
- This optimal specimen of a human is assumably rare to come around - with majority of us generally being classified as irrational or barbaric
- Genius' ideas would be like a needle in a haystack - many irrational ideas would come to light, being mistaken as revolutionary and genius ideas are hidden amongst the barbarians
- Applies most fully to highly educated, highly intelligent humans - that's who the harm principle really applies to

PATERNALISM

- The harm principle does not apply to children who must be protected against themselves, nor backwards people, barbarians, for the same reason ([12], p.81)

PATERNALISM IS ALLOWED FOR SOMEONE WHO IS SELLING THEMSELVES TO SLAVERY ~

- Despite Mill's many blanket prohibitions on paternalism, he does not (consistently) reject paternalism *per se*
- <Paraphrased>
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 - However, Mill gives an exception that paternalism is justified to prevent someone from selling themselves into slavery. ([14], p.94)
 - Unfortunately, Mill does not list many other "extreme cases" that are "evidently of far wider application" that justify other forms of paternalism - thus making his readers perplexed as to why he would contradict his strong argument of anti-paternalism with an exception and begs the question of whether the interpretation of this exception could be expanded on to other areas
- Example: he qualifies his blanket prohibition on paternalism to allow that no one should be free to sell himself into slavery

The ground for thus limiting his power of voluntarily disposing of his own lot is apparent, and is very clearly seen in this extreme case ... by selling himself for a slave, he abdicates his liberty; he forgoes any future use of it beyond that single act. He, therefore, defeats in his own case, the very purpose which is the justification of allowing him to dispose of himself. (CW XVIII, 299 [v, 11])

- An exception to the usual prohibition on paternalism is motivated by appeal to the very same deliberative values that explain the usual prohibition

PLURAL VOTING

- Mill endorsed the active participation of all citizens, including the lower classes, in the political life of the state. However, he also proposed a system of plural voting in which education and character would determine the number of votes each person was entitled to cast ([9], p.575)

5 CIRCULAR THINKING IN MILL'S GOALS

- Mill's goal is to achieve what he believes to be social progress
- If many people have independently thought for themselves about the matter and have coincidentally come to an agreement OR if they eventually came to a compromise
- Philosophy behind the harm principle is circular - he wants to obtain truth - yet the truth cannot be dogmatic - so even if we obtain the truth, he insists that it would have to be overturned - his goal is never achieved
 - this is an example of yet another contradiction in the Harm Principle
 - A "diversity of character and culture" provides the engine of productive tension that drives a nation forward ([16], 4.6 para 3)
 - For the sake of...
- ([16], 4.5) Even when a belief is false, Mill holds, its assertion may still be conducive to securing the truth—and as such, opinions belonging to case (ii) should not be suppressed. The assertion of false opinions leads to debate—which in turn leads to greater understanding. Without active defence of a truth, we risk losing sense of its real meaning, with genuine knowledge becoming reduced to "phrases retained by rote" (*Liberty*, XVIII: 249). It is therefore just as important to hear counterarguments to the truth as its re-articulation.
 - However unwillingly a person who has a strong opinion may admit the possibility that his opinion may be false, he ought to be moved by the consideration that however true it may be, if it is not fully, frequently, and fearlessly discussed, it will be held as a dead dogma, not a living truth. (*Liberty*, XVIII: 243)

- “Mill insists that in order to exercise our deliberative capacities properly it is essential not only to represent diverse perspectives on important moral, political and spiritual matters, but also to represent their merits faithfully and vigorously” ([4], p. 59)
- This discipline of fair representation of alternatives is “so essential... to a real understanding of moral and human subjects that, if opponents of all important truths do not exist, it is indispensable to imagine them and supply them, with the strongest arguments which the most skilful devil’s advocate can conjure up” ([4], p.59)
- Censorship
 - The goal of censorship is to suppress false or immoral opinion ([4], p.44)
 - Among the four reasons for maintaining free speech and opposing censorship (specifically when imposed by the state) ([4], p. 45)
 - 1. Censored opinion might be true
 - 2. Censored opinion might contain partial truth
 - 3. Even if censored opinion is completely false, it should not be censored, to prevent true opinions from becoming dogma
 - 4. As a dogma, an unchallenged opinion will lose its meaning

6 MODERN CONTEXT - MANY MYSTERIES

- Especially if we tried to use the Harm Principle in modern context, the line between what is and is not harm blurs further
- The environment in which Mill came up with the harm principle is distinctly different from the environment we live in today and it is hard to judge what Mill would think about current day issues on the limitations of freedom
 - Should I list the differences? (ie. differences in democracy-past V present; differences in cultural environment-past V present)
- Although some examples and concepts could be interpreted for modern day physical settings, Mill never took into account the rise of technological advances and possible harms in digital settings
 - Who governs the internet? <Yea, the internet is not a democracy but it still exists in democratic countries - so do the politicians still govern their users or do the private organisations that run the websites that the user visits govern their own websites (eg. Facebook, Google, Instagram, YouTube etc.)?>
 - Clearly, Mill’s concern about the tyranny of majority is exemplified//are truly coming to effect - in various modern use-cases of social media
 - Serpent of Silence ([5], p.162, 163)
 - Self-censorship
 - People/organisations playing safe
 - “they dare not challenge the status quo for fear of offending this group or that group - or perhaps even themselves”
 - Social Media Bubbles
 - Social media allows like-minded people are able to connect from all around the globe; to join forces and shield themselves and suppress those who do not think like them - Ensuring that everyone is as vanilla as they can be and that there is no diversity in opinions and no ‘progress’ that Mill yearns for
 - Cancel Culture
 - However, the limited regulation has allowed revolutionary ideas to emerge, gain awareness and become that status quo - achieving what I think Mill would regard as social progress
 - Examples: LGBTQ rights, Women’s rights, Black Lives Matter
- There are many modern-day scenarios that just cannot be answered by Mill’s harm principle
- Mill’s harm principle would require substantial reconstruction for modern day use - to account for the rise of the digital world/to account for the difference in technological advances between Mill and our times - and probably needs reconstruction in general because of the number of contradictions and confusing words it has ;;

7 CONCLUSION

- Mill’s “very simple principle” ([2], p.6) is clearly not as simple as it seems.
 - “Though Mill initially says that he will defend one “very simple” liberal principle” - the harm principle - as governing the limits of the authority that that state or anyone else may have over another, this turns out to be an over-simple statement of his liberal principles” ([4], p.61)

- With Mill's constant contradictions with himself, along with the harm principle's incompatibility with applications to modern societies, as well as the unattainable definition of 'too much freedom', it is impossible to judge if Mill's Harm Principle gives individuals too much freedom in a democratic society.

OTHER

ECONOMICS-RELATED

- "Once we have produced wealth... we can do" whatever we want with it ([6], p.128)
- "The things once there" says Mill, "mankind individually or collectively, can do with them as they please. ([6], p.128)
- Mill promoted taxation to equalise wealth among society ([6], p.129)
- "The distribution of wealth, therefore, depends on the laws and customs of society" (Mill as cited in [6], p.129)

OVER-ENTHUSIASTIC BEHAVIOUR

- Mill above all else wanted to change social behaviour
- He did not believe in Ricardo's gloomy ideas about society
- He projected substantial working-class improvement
 - Working class would be educated and understand their Malthusian peril - they would voluntarily regulate their numbers
- Utopian fantasy
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