

## LECTURE 11

### On Liberty of Thought and Individuality

#### **Mills' purpose**

To discuss the degree to which the government and society may interfere in the lives of the citizens. The argument is that as human beings we are endowed with the ability to think and determine the destiny of our own lives:- that any interference by the government in the freedom and liberties of individual persons is only necessary if it aims at preventing one person from harming the other but such interference cannot be warranted where the government has as its aim the appropriation of the freedom and liberties of individual persons and gag their creative potentials.

#### **8.4.1 Summary of On Liberty**

In *On Liberty* Mill discusses the degree to which the government and society may interfere in the lives of citizens. He argues that such interference is warranted only to prevent one person from harming another. Compelling someone to act for his own good, or to prevent him from harming himself, is never justified. (*Berger, 1984*). According to Mill people should be allowed to think and speak, as they like, to choose their own way of living, and to choose their associates. And because Mill's principle draws the line at harm to others- a pure utilitarian principle (utilitarianism is the theory that we should strive to produce as much happiness as possible), it is often called the "harm principle."

According to J. S. Mill government is not a matter of natural rights or social contract, as in many forms of liberalism. Forms of government are, rather, to be judged according to "utility in the largest sense, grounded on the permanent interest of man as a progressive being" (*On Liberty*, p. 224). By this he means that forms of government are to be evaluated in terms of their capacity to enable each person to exercise and develop in his or her own way their capacities for higher forms of human happiness. Such development will be an end for each individual, but also a means for society as whole to develop and to make life better for all.

Given the centrality of self development, Mill argues that liberty is a fundamental human right. "The sole end," he proposes, "for which mankind is warranted, individually or collectively... in interfering with the liberty of action of any of their number, is self-protection" (*On Liberty* p. 223). This will enable each to seek his or her own best; it will liberate a diversity of interests to the benefit of the individual and of all; and it will nurture moral freedom and rationality. With rationality come creativity and the means of social and intellectual progress. Mill's *On Liberty* remains the strongest and most eloquent defence of liberalism that is so far known. He argues in particular for freedom of thought and discussion. "*We can never be sure,*" he wrote, "*that the opinion we are endeavouring to stifle is a false opinion, and if we were sure, stifling it would be an evil still*" (*On Liberty*, p. 229).

Our beliefs and actions are reasonable or not depending upon our capacity to critically assess them. Only through free debate can such critical skills be developed and maintained: our self-development as reasonable persons, capable of critical assessments for belief and action. And if our beliefs and actions emerge from the critical assessment such debate involves, if they survive the struggle as it were in the “marketplace of ideas”, then, and only then, will one be entitled to accept them as justified. Even so, even though that is the best guarantee that there is sufficient reason to justify accepting the belief as true or the action as right, nonetheless, as always, we are fallible: while it may be the best guarantee of truth or belief or rightness of action that we have, one must also allow that it is best only so far as our fallible judgement allows. And that fallibility means, of course, that the debate must be on-going.

In this respect the best sort of person is one who individually is responsible for his or her beliefs and actions. It is not someone whose beliefs or actions are simply those that conform to some custom, or are simply those that they have always had or held, or are simply those asserted to be correct by some authority. The best kind of beliefs and actions are those that emerge from the person's own critical assessments, and the best kind of person is the individual who can provide as required those critical assessments. As for why that sort of person is the best, it is because such a person will not only be happy in his or her own case but will be concerned with, and contribute to, the happiness of others. Individuality is, in other words, one of the main ingredients of human happiness, and it is for that reason that it ought to be cultivated. Here, as elsewhere in his other works, it is utility, the general welfare, that determines what is right and what is the best.

Since individuality is good, it is necessary to foster social institutions that contribute to that individuality. Free, uncensored debate is one such institution. *So, more generally, is liberty, the right to do as one wants free from the interference of others, so long as what one wants or one's actions do not cause harm to others.* (It is however imperative to note that merely offending the moral sensitivities and emotional/appetitive orientations of others does not count as harm, especially since others often confuse feelings of repugnance with feelings of moral disapprobation.) Individuality also ought to manifest in Democracy and representative government establishments as they too contribute to the development of the individual, just as much as the reason that free speech so contributes, since they too are social institutions that are justified on utilitarian grounds.

#### **8.4.2 J.S. Mill's Conclusion**

- a) That our freedom and liberties are our entitlement only insofar as they do not infringe on the liberties and freedoms of other persons.
- b) That as much as we may enjoy the liberties and freedom to do as we wish and act the way we act, our actions are enshrined in our liberties if they do not affect, in a negative way the interests and liberties of others.

- c) Any action we undertake in the name of our freedoms and liberties is therefore naturally restricted by the way it impacts and exerts on the freedoms and liberties of others.
- d) Freedom is only freedom insofar as it favours the exercise of freedom and liberties by others, without causing inconveniences or harm to others in the process of enjoying and executing it.

J.S. Mill's conceptualization of human freedom and liberty is derived from the "*harm principle*" which states that, do and act in whichever way you choose or please as long as your actions, all conditions considered do not hurt or infringe on the rights and liberties of others. This principle is drawn from a wider philosophical ethical theory- Utilitarianism (act in such a way that your actions create the greatest happiness for the greatest majority)