

The Liberty Principle

To what extent should the state be allowed to interfere with our lives?

In *On Liberty* (1859) John Stuart Mill makes a very clear distinction between two types of actions:

Self regarding actions are those actions that only affect the individual who performs them.

Other regarding actions are those actions that affect other people.

Mill believes that the state has no business interfering with self regarding actions.

The state should, however, have the power to interfere with those other regarding actions **that cause harm to others**.

*the sole end for which mankind are 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 his will, is to prevent harm to others. **His own good, either physical or moral, is not sufficient warrant. He cannot rightfully be compelled to do or forbear because it will be better for him to do so, because it will make him happier, because, in the opinion of others, to do so would be wise, or even right...**The only part of the conduct of anyone, for which he is amenable to society, is that which concerns others. In the part which merely concerns himself, his independence is, of right, absolute. Over himself, over his own body and mind, the individual is sovereign.*

John Stuart Mill, *On Liberty* (1859)

As with his views on democracy, it is worth remembering that Mill (as a utilitarian) is keen to maximise the higher pleasures.

The Liberty Principle is one way in which this can be done.

Mill also argues strongly in favour of freedom of speech:

Mill's arguments for freedom of speech

1. We need unpopular views to further our knowledge
2. If we ban ideas we may accidentally suppress a true view
3. Suppressing false ideas deprives of the chance to affirm the correct ones. We "fall asleep at the post"

We should also be free to pursue our individual tastes and to associate with like minded people. Different lifestyles should be tolerated to the extent that they do not harm others.

If any of these freedoms cause harm to others then the state has the right to restrict them.

There are some potential problems with the Liberty Principle

1. What counts as harm? Physical, psychological, economic?

Is there a way that we can say that somebody has been harmed? There are, of course, obvious cases e.g. killing, torture, but what about offending somebody's religious views?

2. Can we distinguish between self and other regarding actions?

Is it possible to find an action that is entirely self regarding?
Does society suffer because the heroin addict is not contributing to it economically?

3. Might inaction be regarded as "other regarding action"?

E.g. not giving money to charity might be viewed as harming those who would benefit from the charity? Might the liberty principle sanction authoritative measures e.g. forcing people to give money to charity?