AN APPROACH TO MILL’S VIEWS ON LIBERTY:
A BRIEF OUTLINE

If Mill had written only his essay On Liberty, probably we would not have much difficulty in understanding it. But he has done many other writings on morals and politics. If we want to harmonise Mill’s thoughts contained in his On Liberty with his other thoughts contained in his other works, we face some problems. Broadly, the problems of interpretation are fourfold.

First, Mill is some kind of a "utilitarian" though not exactly of a Benthamite kind. This utilitarianism commits him to the view that any moral right can be overruled in order to achieve the common good, i.e., on grounds of "expedience." But in the work On Liberty he regards some moral rights (like freedom of thought and noninterference) as "absolute." That is, these moral rights cannot be overruled on grounds of "expedience." Mill never accepts that freedom of thought can be checked in the interest of common good. The right to freedom of thought is therefore an "absolute" moral right for him. If it is so, this view must make him reject "utilitarianism." But Mill wants to uphold both (a) the absoluteness of the freedom of thought, and (b) utilitarianism which allows restrictions on freedom of thought in the interest of the common good. But (a) and (b) contradict each other. Therefore there is a traditional criticism of Mill that he is inconsistent. From this we get the first problem of interpretation: How does whatever Mill says in On Liberty fit in with his moral theory? In other words, how is Mill’s utilitarianism coherent with his theory of the absolute character of moral rights?
Next we have problems with his Principle of Noninterference. Mill is against any kind of interference by anyone — including society and the State — in private matters of the individuals. Every individual has a right not to be interfered with in private matters and this right of noninterference is also absolute like the right to freedom of thought. The Principle of Noninterference is the basis of the right of noninterference. Mill states this Principle of Noninterference in *On Liberty*, but he states it in different ways at different places. The problem then is, are these different formulations of the Principle mutually compatible and consistent? Further, Mill states this Principle of Noninterference in terms of a distinction between "self-regarding" and "other-regarding" conduct. Self-regarding conduct is any conduct that concerns exclusively only the individual. If any conduct concerns only the individual and does not concern others in any way, such conduct cannot be interfered with by anyone in any way. But how this distinction between self-regarding conduct and other-regarding conduct must be drawn has been a matter of great controversy and this presents us with the second problem.

Third, Mill recognises the right to freedom of thought of an individual. This right is twofold: (a) freedom to express one's thought, and (b) freedom to have access to the thoughts of others. This gives rise to the problem: How can an individual have a right to know the thoughts of others? An individual may have the right to think freely for himself; he may think whatever he likes. But does not the right to know the thoughts of others constitute a violation of the right to noninterference which these other people have? This problem arises because Mill does not formulate his Principle of Freedom of Thought in such a way that it is clearly distinguishable from his Principle of Noninterference.
Fourth, what exactly are Mill's arguments for the right to freedom of thought? No doubt he gives a set of arguments in Chapter II of his *On Liberty* (called "Of the Liberty of Thought and Discussion"). But entirely different arguments are given in other chapters. Therefore the question of the inter-relationship between these arguments is another problem in interpreting properly Mill's thoughts contained in *On Liberty*.

All these four inter-related problems have to be handled in order to see Mill's *On Liberty* as a coherent philosophical work. First of all, it will be impossible to proceed if we do not understand the Principle of Noninterference and the Principle of Freedom of Thought of Mill as moral principles of a certain kind. Much of what he says about these Principles cannot be understood correctly if we do not regard these Principles as some kind of moral principles. This requires that we must arrive at an understanding of what is, and what is not, a moral principle for Mill. That is, we must arrive at his conception of morality because in Mill moral rights like the right to freedom of thought are rooted in moral principles. We must also aim at a correct understanding of Mill's concept of a "moral right." A concept of a moral right is possible only within a broader framework of morality itself. Therefore, first we must understand Mill's concept of morality and only then study his Principles of Freedom of Thought and Noninterference. Only after this would it be proper to look into his arguments for the rights to freedom of thought and noninterference.

After this we also have the task of reconciling Mill's moral theory with the view that moral rights cannot be overridden by considerations of "expedience." This requires that we must look into what kind of conduct is "expedient
Mill makes a contrast between "simple expediency" (sometimes called "prudence") and "morality." Therefore they are different and do not overlap. Prudent behaviour can very well be non-moral, but moral behaviour is adopted for its own sake and not on grounds of prudence. Therefore it is necessary to distinguish between the concepts of "expediency" and "morality." This distinction can be made by referring to Mill's theory of "interests." As understood by Mill, interests are either (a) means to happiness, or (b) the necessary conditions of one's happiness. A person who has no conception of happiness or who does not want to achieve any happiness cannot meaningfully talk of "interests." Therefore we must look into Mill's concept of interests.

For Mill interests seem to be of three kinds: (a) interests that are common to all ("common permanent interests") (b) interests that are consistent with the above common permanent interests but which are not necessarily shared by all ("consistent interests"), and (c) interests which are inconsistent with common permanent interests, and which are also not shared by all ("inconsistent interests"). Any conduct which is concerned with (a) and (b) above, i.e., common permanent interests or consistent interests, is regarded as moral conduct by Mill. Conduct is "prudential" when it is concerned with the consistent interests of oneself. There can also be "expedient" conduct which concerns the inconsistent interests of oneself or others.

If we say "morality is concerned with the common permanent interests or consistent interests," it tells us about what a justified moral rule is. That is, it gives us the content of justified moral rules. But what is the form of such rules? Moral rules are not logical rules. Therefore the form of moral rules must be different from the form of logical rules. In his A System of Logic Mill regards
morality as an "art" and therefore the "form" of moral rules is like the form of the rules of art. Mill distinguishes between "ideal rules of art," i.e., fully justified rules without any exceptions, and "actual rules of art," i.e., the conventional rules which have exceptions and which cannot be fully justified. Mill therefore appears to conceive morality as a system of fully justified, ideal moral rules. Such ideal moral rules must be obeyed in order to realize, to the maximum extent, the common permanent or consistent interests of others.

Therefore, according to Mill, ideal moral rules prescribe certain moral obligations which cannot be overridden. If a moral rule is ideal, it is fully justified and demands, without exception, a certain conduct in a certain circumstance. Therefore, there cannot be an ideal moral rule which comes into conflict with another ideal moral rule. For Mill, morality is a system of such non-conflicting ideal rules. Therefore "moral conduct" and "prudential conduct" cannot be in conflict with each other because they are different kinds of conduct connected with different types of interests. Looked at in this way, many conflicts in Mill's views will be only apparent and not real. He emerges as a consistent thinker.

If moral rights follow from a certain kind of ideal moral rules (which Mill also calls "rules of justice"), and if morality itself is a system of ideal moral rules, it very naturally follows from these that moral rights are "absolute." Rules of justice are also rules that govern moral conduct, but these rules are concerned with common permanent interests alone. The non-justice rules of morality are concerned with consistent interests. Now,

(a) ideal rules of justice imply moral rights
(b) ideal rules never collide with one another or with prudential requirements.
From (a) and (b) above, it follows that moral rights (which are implied by the ideal rules of justice) do not collide with other moral rights or with other non-justice moral obligations (i.e., obligations which are not legal but which are morally binding). In this way moral rights are "absolute." They are not capable of being overridden by other moral or non-moral obligations. In this way we can see that certain moral rights logically follow from Mill's moral theory.

Mill not only shows how absolute moral rights are possible, but also tells us what these rights are. In his *On Liberty* he argues that there are two such rights: the right of noninterference (which is rooted in his Principle of Noninterference) and the right, to freedom of thought (which is rooted in his Principle of Freedom of Thought).

This leads us to ask what is Mill's Principle of Noninterference. In Mill the Principle of Noninterference is complementary to his Principle of Interference. The Principle of Interference specifies the categories of activities which can be legitimately interfered with. If all activities of men could be interfered with absolutely, only the Principle of Interference would have been sufficient and any other principle unnecessary. But there are activities of men which cannot be interfered with under any circumstances and therefore a principle from which this fact follows must also exist. This is the Principle of Noninterference. These two Principles together form Mill's Principle of Liberty. The Principle of Noninterference is formulated by Mill in terms of a distinction between activities which are purely self-regarding and activities which are other-regarding. The Principle of Noninterference is used to prohibit any interference in the activities of others which are purely self-regarding.
No doubt there is a big debate among Western thinkers as to how the dividing line between self-regarding and other-regarding activities must be drawn. Therefore it is possible to ask how Mill can draw this distinction which is controversial in character. We can satisfactorily define this distinction in terms of Mill’s theory of interests. Self-regarding activities are those that directly affect the interests (common permanent, consistent or inconsistent) of only the agent of that activity. Other-regarding activities are those which directly affect the interests of others. This means there is an overlap between the two types of activities. But still, there are what may be regarded as purely self-regarding activities, i.e., activities that directly affect the consistent interests of the agent alone. Interference with such activities is prohibited under the Principle of Noninterference. Interference is permissible only with the other-regarding activities, and only when they are harmful to the common permanent interests or the consistent interests of others. But this does not mean that whenever a person is engaged in an other-regarding activity which is harmful, interference with it is automatically justified. Any interference causes harm and therefore the costs of such interference must also be taken into consideration. If interference proves more harmful than the activity it interferes with, such interference is not justified. Sanctions regarding such interference are also therefore not justified. When an activity is neither self-regarding nor other-regarding, then also interference with it is not justified.

Thus, interference with any activity is unjustified if
(a) the activity is purely self-regarding
(b) the activity is neither self-regarding nor other regarding
(c) the activity is other-regarding, but sanctions against it are not justified.
If Mill's Principle of Noninterference is thus interpreted to cover the above kinds of activities, then it is possible to see that this Principle directly follows from the first principle of morality itself. Then the Principle of Noninterference becomes a most basic rule of justice and we can also appreciate the great importance attached to it by Mill.

Mill's Principle of Liberty covers all other-regarding activities also. Mill categorizes such activities into two general classes: (a) activities of thought (b) activities which are overt actions. Therefore, under Mill's Principle of Liberty there are certain activities of thought with which it may be permissible to interfere. But then, there must also be thoughts with which it is not permissible to interfere. Mill's Principle of Freedom of Thought defines the nature of such activities of thought with which interference is never to be permitted.

The right to freedom of thought is a very important topic in Mill. This right to freedom of thought is distinct from his Principle of Liberty, but it is clearly linked to it. If there is no liberty or freedom at all, then there cannot also be any liberty or freedom of thought. The right to freedom of thought arises only from a separate and distinct application of the Principle of Liberty. It is not a part of the theoretical conception of liberty itself. Therefore, in a strict sense, the right to freedom of thought falls outside the range of this thesis which is limited to examining philosophically only Mill's concept of liberty and not any of the applications of that concept. The examination of the right to freedom of thought would become another independent thesis by itself. Therefore, a thesis within a thesis will not be attempted here. But, because of the great importance of this topic, a brief
summary will be given below. It may kindly be noted that these points will not be elaborated in the thesis as the thesis is confined only to the examination of Mill's concept of Liberty.

In his discussion of the right to freedom of thought, Mill uses two central distinctions:

(i) The distinction between the *entertainment* of thought, i.e., the holding of beliefs, opinions or preferences, and the *expression* of thought.

(ii) The distinction between the *content* and the *manner* of the thoughts either entertained or expressed, and the "fact" of the entertainment or expression of thoughts, i.e., the entertaining or expressing of thoughts in a given set of circumstances.

This gives rise to various questions regarding freedom of thought like whether interference is to be permitted only in the matter of the expression of thought, or the expression of certain kinds of thought ("content") or the way ("manner") of expression of thought, or even in the matter of entertaining any kinds of thoughts.

Mill argues that

(a) it is not permissible to interfere with the mere entertaining of thoughts. It is highly improper to tell anyone what thoughts he should or should not entertain in his mind.

(b) it is not permissible to interfere with the expression of thought with regard to its content.

(c) it is not also permissible to interfere with the access to a variety of contents of thought. But where failure to restrict such access would result in harm to the common permanent interests or the consistent interests of others, interfer-
ence to access is permissible.

(d) it is impermissible to interfere with the fact of the expression of thought. But where such fact would cause harm to the common permanent interests or the consistent interests of others, interference is permissible. Also, when failure to express one's thought would lead to similar harm, interference would be permissible.

(e) it is impermissible to interfere with the manner of the expression of thought also. But when the manner of expression itself would interfere with the fact or content of another's expression of thought, interference with it is permissible. This applies in the case of the accessibility to other's thought also.

(f) it is impermissible to interfere with another's formation of thought also, provided the kinds of exceptions allowed under (d) and (e) do not apply.

In essence, except under very special circumstances, interference with the freedom of thought is not permissible. Interference is not permissible except to remove interference, or to prevent harm to the common permanent interests or the consistent interests of others.

Each one of the above claims of Mill regarding the Principle of Freedom of Thought generates a particular kind of moral right. For example, there would be a (moral) right of noninterference with respect to the content of thought, the expression of thought, the manner of expression of thought and so on. Among these, the right concerning the content of thought appears to be more basic in Mill than the other rights connected with the expression of thought.

It appears that for Mill the Principle of Freedom of Thought follows from the Principle of Noninterference. But
this derivation of the Principle of Freedom of Thought from the Principle of Noninterference depends upon assumptions and these assumptions may not be entirely correct. For example, it is contended that there is a right with regard to the contents of the expression of thought. This right is said to follow from the Principle of Noninterference. But this right would follow from that Principle only if it is assumed that the contents of the expression of thought are purely self-regarding. But it may be the case that such contents may be neither self-regarding nor other-regarding.

Mill sets forth many arguments for the Principle of Freedom of Thought. But we face two complications in analysing his arguments. The first complication is due to the relationship between Mill's Principle of Noninterference and his Principle of Freedom of Thought. Since the Principle of Freedom of Thought is said to follow from the Principle of Noninterference, the arguments that directly establish the Principle of Noninterference can be regarded as indirectly establishing the Principle of Freedom of Thought. But it is also possible to advance arguments for the Principle of Freedom of Thought which are not necessarily arguments for the Principle of Noninterference as well. Since Mill offers both these kinds of arguments it is necessary to keep in mind the above point of distinction.

The second, and more serious, complication arises from the way Mill organizes and presents his arguments for freedom of thought. Though he offers his arguments in a specific chapter of his On Liberty (Chapter II: "Of the Liberty of Thought and Discussion"), there are other arguments offered throughout the work. In Chapter II Mill appears to present his arguments in three "divisions": First he appears to make his arguments dependent on the assumption that the beliefs sought to be suppressed are true. His arguments in the second "division" appear to be made depen-
dent on the assumption that the beliefs sought to be suppressed are false. Finally, the arguments in the third division seem to depend on the assumption that the beliefs sought to be suppressed are partly true and partly false. These three different assumptions are not really required to argue for freedom of thought, but still Mill makes these assumptions.

Mill gives several direct arguments for the Principle of Freedom of Thought. They may be named as follows:
(a) The fallibility argument
(b) The reliability argument
(c) The mental development argument
(d) The impartiality argument
(e) The vivid conception argument.

Mill says that we must have a right to access the thoughts and beliefs of others. If access is denied on the ground that the said beliefs are false, we are assuming our own infallibility as the basis for such a denial. But no one is infallible in his beliefs and therefore our grounds for denying access will not be infallible. We may be totally wrong in denying access if those beliefs are not really false. This is the fallibility argument. It is of course a negative argument.

Our judgments and beliefs may be true or false. How are we sure of the reliability of our beliefs as to their truth-value? We may wrongly think a true judgment to be false or a false judgment to be true. But when there is free access (to other people also) to our beliefs, others may be able to point out to us that a belief we have taken to be true is not actually true and vice versa. This will help us to correct our wrong beliefs and also prevents us from acting wrongly on the basis of those wrong beliefs. Therefore there must be free access to all thoughts and
beliefs. This is the reliability argument. This argument has been much criticized, but it can be defended as a sound one.

Mill's mental development argument tries to show that respect for the right regarding the content of thought is a necessary condition for people's mental development. If people have such respect for the content of the thoughts of others (by granting them a right to the content of their thoughts), they will be able to learn more not only about those beliefs but even about their own beliefs. This is the mental development argument.

It is not merely sufficient to hold beliefs and think in a free manner, but these beliefs and thoughts must be entertained in an unprejudiced manner. If we already have partiality or bias for a certain way of thinking, we will not be able to think freely. Denying access to thoughts is necessarily a biased or prejudiced action. Therefore only when respect for the right to access of other's thoughts exists, it is possible to be unprejudiced in our thoughts and beliefs. This is the impartiality argument.

It is necessary to have a full understanding of any thought or belief before it is accepted or rejected. Rejection of any thought or belief based on incomplete or imperfect understanding is very harmful. Hence a vivid conception of any belief or thought is necessary. Such conception is possible only when the right of free access is accepted. This is the vivid conception argument.

Mill also gives indirect arguments for the right to freedom of thought. These arguments aim at establishing the Principle of Noninterference. If the principle of Noninterference is supposed to imply the Principle of Freedom of Thought, then these direct arguments for the Principle of
Noninterference also become indirect arguments for the Principle of Freedom of Thought. The first of these indirect arguments may be labelled "argument from individuality." This argument tries to show that the Principle of Noninterference is a necessary condition of complete self-development. Here self-development includes the development of one's individuality or distinctive capacities.

The other argument may be called "knowledge of the circumstances argument." This is the argument that interference with the purely self-regarding activities of another cannot be justified. If we interfere with the purely self-regarding activities of another person, it is only because, in a majority of the cases, we do not have the appropriate factual knowledge that is required to justify such interference. At any rate, we can never have the requisite factual knowledge to justify our interference with the purely private or self-regarding activities of others.

All these arguments are very powerful ones in support of the right to freedom of thought, and they are also very sensible. Hence Mill remains a great champion of the concepts of liberty and of freedom of thought not only in England but in the whole of the civilized world.