

Comparing rousseau and mill on liberty



**ASSIGN
BUSTER**

1. Compare Rousseau and Mill on liberty. In what way can Mill's argument be read as a critique of the conception of freedom at the heart of Rousseau's argument in *On the Social Contract* (especially concerning the general will)? Which account of liberty is more persuasive and why?

Rousseau's principal aim in writing *The Social Contract* is to determine how freedom may be possible in civil society,

The general will expresses itself through the laws of the state.

The government is distinct from the sovereign, and the two are almost always in friction. This friction will ultimately destroy the state, but healthy states can last many centuries before they dissolve.

General will – The will of the sovereign that aims at the common good. Each individual has his own particular will that expresses what is best for him. The general will expresses what is best for the state as a whole.

Will of all – The sum total of each individual's particular will. In a healthy state, the will of all is the same thing as the general will, since each citizen wills the common good. However, in a state where people value their personal interests over the interests of the state, the will of all may differ significantly from the general will

Rousseau's conception of freedom in *The Social Contract* is that people attain their freedom through a transformation from a state of nature to civil society. His contention is that we can be both free and subject to political authority; Rousseau thinks it's possible to be autonomous and subject to law when we obey those laws of which we are the author. He justifies this model

of political authority by saying that government and laws are the will of the sovereign we give our consent for them to exist. That consent is guided by what Rousseau calls the general will.

The general will is an idea that signifies the wishes or welfares of society as a whole. The purpose of the general will is to guide society to a common good ; to advise society in its creation of laws and express what is best for all individuals in a society. The problem with the general will is that it seems to reject individual diversity. Considering all individuals revoked their natural liberty through the change from the state of nature to civil society, Rousseau thinks that society must force individuals to conform to the general will, or as he puts it, society must force them to be free . To Rousseau freedom is attained when people follow the general will .

Mill's essay On Liberty is a strong counter argument to Rousseau s conception of freedom, especially regarding the general will . According to Mill, in order for a society to be free it must avoid interfering with the lives of its people wherever possible. The threat, as Mill sees it, is that if we subscribe to the concept of the general will then society risks becoming paternalistic; a tyranny of the majority ¹, where minority views are suppressed if they do not conform to those of the majority.

Mill thinks that society constrains the individual, and that society should be limited in what it can do; he enumerates three conditions upon which society must follow in order to be free: freedom of thought and feeling , freedom of tastes and pursuits and the freedom to unite with other consenting individuals for any reason providing it does no harm to others I will discuss

this in more detail later. He states that No society in which these liberties are not, on the whole, respected is free 2. Mill wants to avoid principles as much as possible because he sees them as constraints.

The only principle that Mill does want to establish is the harm principle what he calls the object of his essay. The harm principle says that the only time one can use power over others, individually or collectively , is for self-protection . He says that the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others . This principle claims that if an individual is not doing any harm to anyone in their actions, then society has no right to interfere. Over himself says Mill, over his own body and mind, the individual is sovereign , the individual, not society, should be free to choose how they want to live.

Mill's conception of freedom appears to be a version of negative liberty , a sort of freedom that allows one to do what they want because there shouldn't be a law to restrict them from doing it. His freedom is the absence of obstacles, barriers or constraints 3.

Rousseau characterises two types of freedom in The Social Contract: the natural liberty which is limited only by the strength of the individual 4 and civil liberty which is limited by the general will 5. Natural liberty is the freedom to follow one's own desires. Civil liberty is the freedom one attains when they follow the general will.

I think the biggest problem at the heart of Rousseau's social contract theory is the way he deals with individuality. His social contract says that if an

individual disagrees with the general will then they must be wrong, and for their own good they must be forced to conform to the general will. Rousseau says that if anyone refuses to obey the general will he will be compelled to do so by the whole body; which means nothing else than that he will be forced to be free⁶. Mill would undoubtedly consider such forced conformity a tyranny of the majority because of his strong belief that individuality is something that should be protected passionate belief that individuality is something that should be protected and nurtured. As such, the essay illustrates his disgust at how he believed society squelches nonconformity.

Through this Rousseau thinks that this makes sure a society will not depend upon any one person.

Like Rousseau, Mill talks about a type of civil or social freedom; however, unlike Rousseau he doesn't speculate about a state of nature. Rather, Mill states that his theory is justified by utilitarianism and not a comparison between a state of nature and civil society. I think Mill's argument is more persuasive because he isn't making an assumption that we have natural rights. Mill doesn't seem to think we have natural rights, and even if we do, Rousseau doesn't tell us how we can be certain of what they are. Rousseau appears to think we have an intrinsic freedom that exists in the state of nature, and he wants to merge the individual liberty one supposedly has in the state of nature with civil society.

One might suppose that the state of nature is a place of complete chaos. A place with no rules or restrictions to tell people what they can or cannot do, but even if this was the case, Rousseau would argue that we are still

constrained because we re still in an adversarial position to our desires, we would be still in chains . Rousseau thinks that civil freedom is better than natural freedom because civil liberty gives one freedom from their desires.

we own in a state of nature with civil society.

Rousseau's social contract theory, especially his notion of the general will, makes it seem impossible to avoid a tyranny of the majority that Mill talks about.

Rousseau doesn't seem to perceive a distinction between who we are in public and what we are in private. By demanding such active citizenship, he is demanding that our public persona take precedence over our private self

Mill thinks that the individual has an important duty in society. Individuals function as great counterbalances for society regardless of the validity of what they think. Simply the process of listening to alternative opinions and ideas is going to be beneficial to society. Even if an individual or minority has an idea that is different from the majority, and even if that idea is wrong, discussing and acknowledging the idea is good because it can only prove that majority opinion is correct. This process would actually make majority opinion more correct.

The second aspect of Mill's conditions society must follow is that of tastes and pursuits .

One might be led to think about Mill's

Many people may misinterpret Mill's view as a form of negative liberty .

Negative liberty being the absence of restraint.

Objections to Mill what actually constitutes harm? See 121251

I think there s a certain amount of compatibility between the two ideas. All it would take is for the general will to

Healthy cultural climate

Freedom of thought and feeling . chapter 2

Freedom of tastes and pursuits chapter 3

How can Mills argument be read as a critique of Rousseau s conception of freedom?

How might Mill object to the notion of the general will ?

How would Rousseau respond?

One might object to Mill's argument by saying this .

How Mill's theory fits in with utilitarianism

Positive vs negative liberty see 121423. doc

Works Cited

Mill, John Stuart. On Liberty and The Subjection of Women. London: Penguin Group, 2006.

Rousseau, Jean Jacques. *The Social Contract*, A new translation by Christopher Betts. New York: Oxford University Press, 2008.