

J.s.mill's 'one very simple principle': an analysis



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How simple is J. S. Mill's 'one very simple principle'?

In and of itself, the principle is entirely simple – it takes barely a line to be stated, and is easily understood. “ 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” (Mill, 1869: pg 9). He goes on to explain exactly what he means, but that single line encapsulates the principle itself, without requiring additional clarification. Subsequent lines do not in any way contradict this statement, they merely emphasise. The principle by itself being simple, however, does not mean that its implications and ramifications are so straightforward; it may seem clear, but logical absurdities can be found – can paternalistic interference be justified when, for example, the member of mankind has no knowledge of how dangerous his activities are? The classic example is that of the bridge, which appears to be intact, but will collapse if a man steps on it. A direct and literal reading of Mill's principle would forbid anyone from interfering when a man unknowingly took a step onto this bridge – such an interpretation would not, however, be fair either to Mill or to the unfortunately ill-informed member of society. The principle is therefore simple to state, but not so simple to understand. It has its subtleties, and must be considered, rather than straightforwardly accepted.

Before continuing, it is important to note what it is Mill is meaning with the word ' freedom' – referring to it without an accepted definition would at best be confusing, and far worse could potentially lead to a highly misleading understanding. Mill's use of the word is value free. That is not to say that he has no morals, merely that when he writes, ' freedom' is not judged. It

consists merely of the ability to act following one's own desires. If one can follow these desires, one is free. If one cannot, he is not. There is no further weighting given to whatever those actions may be, whether they are buying a newspaper or committing murder – all that matters when it comes to 'freedom' is whether or not a person with the desire to carry out an action is permitted to do so (Scanlan, 1958: pg 198).

Mill's writings were concerned with power over the individual, but not merely with the legislative power of the state; he was deeply concerned with the moral force that society was capable of exercising over the individual. It was not merely the capacity of an over powerful government or monarch about which he wrote. The capacity for the tyranny of the majority over the individual also concerned him deeply. For this reason it is perhaps surprising that he installed caveats immediately after his principle; a man's own good was a valid reason "for remonstrating with him, or reasoning, or persuading, or entreating" (Mill: pg 9). This level of input that Mill considered acceptable under such circumstances perhaps goes a long way towards mitigating the lack of any compulsive interference that he was willing to accept – in his eyes, a sufficiently great force of remonstrance represented an almost compulsive effect due to societal forces, against which he frequently railed. Even though his principle would ban any actual compulsion, consideration of Mill's normal arguing position reveals that he was prepared to permit events in the interests of protective paternalism which he typically considered to be undue influence over others. The interplay between state, society and the individual is a leitmotif of Mill's writings, and merely because the theory he states forbids the state from carrying out an act does not mean that he does

not feel it should be permitted; indeed, in this scenario when not only does he not forbid societal interaction, but positively encourages intervention of a kind suggests that he was willing to allow society to attempt to morally force people down a route which was less harmful to the individual concerned. The principle itself remains simple, but the context in which it is framed is significantly more complex.

Joel Feinberg concludes that “ the state has a right to prevent self-regarding harmful conduct only when it is substantially non voluntary or when temporary intervention is necessary to establish whether it is voluntary or not.” (quoted in Arneson, 1980: pg 470). In the example of the bridge referenced earlier, an ill informed member of the public stepping on a bridge which would collapse under their weight could not be said to be acting voluntarily; the state would be well within its rights in such a scenario under Mill’s logic to station a guard patrolling the area, to leap in and tackle such ill-informed people, stopping them from involuntarily taking the fatal step. If, however, they are running towards the bridge and shouting about how they know it will kill them, his logic would forbid the guard from taking any direct action. Whatever we feel about this compulsion to allow people to harm themselves if they so choose, it is a basic tenet of liberalism, that people know what the best for themselves is, and that interfering in their desire to pursue their own good in their own way is intrinsically wrong.

This can, however, be harder to test than it would originally appear; what if the person is, for example, mentally ill? Indeed, if a person wishes to take an act which can obviously further their good but contains in it some degree of harm, or pain, we can easily understand both why a person, or state, would

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want to interfere and why they should be prevented from doing so. Yet if a person states that they wish to follow a course of action that will bring them no obvious benefit, and yet will clearly generate a great deal of harm, at what point should the state step in to take action? Is a mental assessment to determine their sanity unjust interference? After all, if a person is mentally unstable, surely they cannot truly be said to be acting of their own free will. Informed consent means more than merely knowing what the risks are, it means understanding what the consequences mean.

Furthermore, Mill's principle divides matters crucially into two areas: the personal and the public. Even if all the questions relating to the private are answered satisfactorily, the questions relating to public actions are somewhat greater: when a man acts, it will typically affect others, however mildly. If the impact of these effects is to infringe upon the rights or happiness of others, then the state and the people are justified, under Mill's logic, in interfering with their actions. So what about the guard on the bridge - compelled to allow the suicidal to continue running, and then forced to witness their deaths? Could it be said that in order to prevent this mental anguish, the runner should be prevented from acting? Mill gives great consideration to various potential actions later in *On Liberty*, showing how his simple principle can be interpreted and used. The guard can of course turn away, and in Mill's time such considerations would not have been given much thought, so long before modern ideas about mental health. It is a question that would have been interesting to see Mill's actual argument, but we must make do with merely applying his principle in order to find his likely answer ourselves. It is unlikely he would have wished it to have an impact on

the consideration of the action – after all, if it did then any serious act could be prevented simply by placing somebody there who would be injured by watching it. It is highly unlikely he would have even momentarily entertained this massive curtailment of individual liberty. There is not necessarily any need to over-think Mill's principle by inventing wild circumstances and asking whether or not his decisions would still apply.

Mill's "one very simple principle" is, at the point of statement, very simple indeed; the only circumstances in which mankind may interfere in the liberty of another is in the interest of protecting harm to others. No action may be taken solely due to the apparent interests of the person whose liberty would be interfered with. This ban on paternalism assumes a high degree of freedom and responsibility, and more than that, in order to be applied simply it seems to assume a very high degree of knowledge, and to discount the possibility of mental illness – at least that which cannot easily be tested.

Feinberg attempts to account for this with his assertion that actions may be interfered with when a person is not acting voluntarily, or when it is not clear that they are acting voluntarily, and this is an appealing idea; when the hypothetical person is heading for the equally hypothetical damaged bridge, failure to ascertain whether or not they know that stepping on it will lead to death cannot be rectified after the fact. Interfering in their liberty whilst those checks are made may be odious, but it is merely temporary, and need not be seen as an infringement of Mill's principle. Overall, the principle itself is indeed very simple; it is merely application in certain fringe circumstances which has any need to become anything to the contrary.

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