On Liberty

JOHN STUART MILL

1806–1873

On Liberty

The 1859 text

Rendered into modern English with AI (Claude) and edited



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INTRODUCTION

When may society interfere with what you do? John Stuart Mill's answer, in *On Liberty* (1859), is famous: only to prevent harm to others. Over your own mind and body, "the individual is sovereign."

From that principle Mill builds the classic case for freedom of thought and speech, for eccentricity and experiments in living, and against the quiet tyranny of public opinion. It remains one of the most cited books in any argument about free expression.

Mill wrote it with his wife, Harriet Taylor Mill, who died before it was finished, and dedicated it to her memory. The right-hand column is Mill in lightly modernized English; the left is his original text.

Dedication

To Harriet Taylor Mill
Mill dedicates the book to his late wife, who inspired and partly wrote it.

Ded. To the beloved and mourned memory of the woman who inspired, and in part wrote, all that is best in my writings—the friend and wife whose lofty sense of truth and right was my strongest spur, and whose approval was my chief reward—I dedicate this book. Like everything I have written for many years, it belongs as much to her as to me. But the work as it stands has had the priceless benefit of her revision only to a very limited degree: some of the most important parts were held back for a more careful re-examination, which they will now never receive.[1] If I could convey to the world even half of the great thoughts and noble feelings that are buried in her grave, I would do it more good than is ever likely to come from anything I can write without her prompting and without the help of her nearly unrivaled wisdom.

The great leading principle toward which every argument in these pages directly converges is the absolute and essential importance of human development in its richest diversity.—WILHELM VON HUMBOLDT: The Sphere and Duties of Government.[2]

1 Harriet Taylor Mill (1807–1858), Mill's wife and intellectual partner, who died the year before *On Liberty* was published.
2 Wilhelm von Humboldt (1767–1835), Prussian philosopher, linguist, and statesman; his treatise on the limits of state action appeared in English in 1854.

Chapter I

Introductory
Mill states his subject, civil liberty, and proposes the harm principle as its limit.

1.1 The subject of this essay is not the so-called Freedom of the Will, so unfortunately set against the misnamed doctrine of Philosophical Necessity. It is Civil, or Social, Liberty: the nature and limits of the power that society can legitimately exercise over the individual. This question is seldom posed, and hardly ever discussed, in general terms. Yet its hidden presence deeply shapes the practical controversies of our time, and it is likely soon to be recognized as the vital question of the future. Far from being new, it has in a sense divided humanity almost since the earliest times. But at the stage of progress that the more advanced parts of the human race have now reached, it appears under new conditions and needs a different and more fundamental treatment.

1.2 The struggle between Liberty and Authority is the most conspicuous feature of the parts of history we first learn about, especially the history of Greece, Rome, and England. But in the old days this contest was between subjects, or certain classes of subjects, and the government. Liberty meant protection against the tyranny of political rulers. Rulers were thought of (except in some of the popular governments of Greece) as necessarily in an adversarial position toward the people they ruled. They were a governing One, or a governing tribe or caste, who got their authority by inheritance or conquest. In any case they did not hold it at the pleasure of the governed, and people did not dare—

perhaps did not wish—to challenge their supremacy, whatever precautions they might take against its oppressive use. Their power was seen as necessary but also as highly dangerous: a weapon they would try to use against their own subjects as much as against foreign enemies. To keep the weaker members of the community from being preyed on by countless vultures, there had to be one predator stronger than the rest, appointed to keep them down. But since the king of the vultures would be just as eager to prey on the flock as any of the lesser harpies, it was essential to be constantly on guard against his beak and claws. So the aim of patriots was to set limits on the power the ruler would be allowed to exercise over the community, and this limitation was what they meant by liberty. It was attempted in two ways. The first was to win recognition of certain immunities, called political liberties or rights. For the ruler to violate them was to be regarded as a breach of duty, and if he did violate them, specific resistance or general rebellion was considered justified. A second, and generally later, device was the establishment of constitutional checks, by which the consent of the community, or of some body supposed to represent its interests, was made a necessary condition for some of the more important acts of the governing power. In most European countries the ruling power was forced, to a greater or lesser degree, to submit to the first of these limits. Not so with the second. Achieving it—or, where it already existed to some degree, achieving it more completely—became everywhere the main goal of the lovers of liberty. And as long as people were content to fight one enemy with another, and to be ruled by a master on condition of being more or less effectively guaranteed against his tyranny, their hopes went no further than this.

1.3 In the course of human affairs, however, a time came when people stopped thinking it a law of nature that their rulers should be an independent power with interests opposed to their own. It seemed much better to them that the various officials of the State should be their tenants or delegates, removable at will. Only in that way, it seemed, could they be completely secure

that the powers of government would never be abused to their disadvantage. Gradually this new demand for elected and temporary rulers became the chief aim of the popular party wherever such a party existed, and it largely replaced the earlier efforts to limit the power of rulers. As the struggle went on to make the ruling power derive from the periodic choice of the ruled, some people began to think that too much importance had been placed on limiting power itself. *That* (it might seem) was a safeguard against rulers whose interests were habitually opposed to those of the people. What was needed now was for the rulers to be identified with the people—for their interest and will to be the interest and will of the nation. The nation did not need to be protected against its own will. There was no fear of its tyrannizing over itself. As long as the rulers were effectively answerable to the nation and promptly removable by it, the nation could afford to trust them with power whose use it could itself dictate. Their power was simply the nation's own power, concentrated in a form convenient to use. This way of thinking—or perhaps rather of feeling—was common among the last generation of European liberals, and it apparently still predominates among Continental liberals. On the Continent, political thinkers who admit any limit to what a government may do (except governments they think ought not to exist at all) stand out as brilliant exceptions. A similar mood might by now have prevailed in our own country, too, if the circumstances that for a time encouraged it had continued unchanged.

THE TYRANNY OF THE MAJORITY

Mill argues that popular government needs limits, since the majority and public opinion can tyrannize individuals.

1.4 But in political and philosophical theories, as in persons, success reveals faults and weaknesses that failure might have hidden from view. The idea that the people have no need to limit their power over themselves might seem self-evident when popular government was only something dreamed of, or read about

as having existed in some distant past. Nor was that idea necessarily shaken by temporary aberrations like those of the French Revolution. The worst of these were the work of a usurping few, and in any case they belonged not to the normal, lasting working of popular institutions but to a sudden, convulsive uprising against monarchical and aristocratic despotism. In time, however, a democratic republic came to cover a large part of the earth's surface and made itself felt as one of the most powerful members of the community of nations. Elected and accountable government now became subject to the scrutiny and criticism that any great existing fact attracts. It was now seen that phrases like "self-government" and "the power of the people over themselves" do not describe the real state of affairs. The "people" who exercise the power are not always the same people as those over whom it is exercised, and the "self-government" in question is not the government of each by himself, but of each by all the rest.[1] Moreover, the will of the people in practice means the will of the most numerous or the most active *part* of the people—the majority, or those who succeed in getting themselves accepted as the majority. The people, therefore, *may* wish to oppress some of their own number, and precautions are needed against this just as much as against any other abuse of power. So limiting the government's power over individuals loses none of its importance when those in power are regularly accountable to the community—that is, to the strongest party in it. This view of things appeals equally to the intelligence of thinkers and to the inclinations of those important classes in European society whose real or supposed interests democracy threatens. It has had no trouble establishing itself, and in political thought "the tyranny of the majority" is now generally counted among the evils society must guard against.

1.5 Like other tyrannies, the tyranny of the majority was at first feared—and is still commonly feared—chiefly as something that operates through the acts of public authorities. But thoughtful people saw that when society itself is the tyrant—society col-

1 The United States.

lectively, over the separate individuals who make it up—its means of tyrannizing are not limited to what it can do through its political officials. Society can and does carry out its own orders. And if it issues wrong orders instead of right ones, or any orders at all in matters it ought not to meddle with, it practices a social tyranny more formidable than many kinds of political oppression. Though it is not usually backed by such extreme penalties, it leaves fewer means of escape, reaching much more deeply into the details of life and enslaving the soul itself. So protection against the tyranny of the magistrate is not enough. There must also be protection against the tyranny of prevailing opinion and feeling: against society's tendency to impose its own ideas and practices, by means other than legal penalties, as rules of conduct on those who dissent from them; to hobble the development—and, if possible, prevent the formation—of any individuality out of harmony with its ways; and to force all characters to shape themselves on its own model. There is a limit to the legitimate interference of collective opinion with individual independence. Finding that limit, and defending it against encroachment, is as indispensable to a good condition of human affairs as protection against political despotism.

CUSTOM AND THE RULES OF CONDUCT

Mill notes that rules of conduct rest on custom and preference, with no recognized principle behind them.

1.6 But although this proposition is unlikely to be disputed in general terms, the practical question—where to place the limit, how to strike the right balance between individual independence and social control—is one on which almost everything remains to be done. Everything that makes life valuable to anyone depends on enforcing restraints on the actions of other people. So some rules of conduct must be imposed—by law in the first place, and by opinion in many matters that are not suitable subjects for law. What these rules should be is the principal question in human affairs. Yet apart from a few of the most obvi-

ous cases, it is one of the questions on which the least progress has been made. No two ages, and hardly any two countries, have settled it the same way, and the decision of one age or country astonishes another. Yet the people of any given age and country no more suspect any difficulty in it than if it were a subject on which humanity had always agreed. The rules that prevail among them seem to them self-evident and self-justifying. This almost universal illusion is one example of the magical influence of custom, which is not only, as the proverb says, a second nature, but is constantly mistaken for the first. Custom's effect in preventing any doubts about the rules of conduct people impose on one another is all the more complete because this is a subject on which it is not generally thought necessary to give reasons, either to others or to oneself. People are used to believing—and have been encouraged in this belief by some who aspire to be philosophers—that on subjects like this their feelings are better than reasons and make reasons unnecessary. The practical principle that guides them to their opinions on the regulation of human conduct is the feeling in each person's mind that everyone should be required to act as he, and those he sympathizes with, would like them to act. No one, of course, admits to himself that his standard of judgment is his own liking. But an opinion on a point of conduct that is not supported by reasons can count only as one person's preference. And if the reasons, when given, are merely an appeal to a similar preference felt by other people, it is still only many people's liking instead of one person's. To an ordinary person, however, his own preference, supported in this way, is not only a perfectly satisfactory reason but usually the only one he has for any of his notions of morality, taste, or propriety that are not expressly written in his religious creed—and it is his chief guide in interpreting even that. Accordingly, people's opinions about what is praiseworthy or blameworthy are affected by all the many causes that influence their wishes about the conduct of others, and these are as numerous as the causes that determine their wishes on any other subject. Sometimes it is their reason; at other times their prejudices or

superstitions; often their social feelings, and not rarely their antisocial ones—their envy or jealousy, their arrogance or contempt. But most commonly it is their desires or fears for themselves—their legitimate or illegitimate self-interest. Wherever there is a dominant class, a large part of the country's morality springs from that class's interests and its feelings of class superiority. The morality between Spartans and Helots, between planters and enslaved Black people, between princes and subjects, between nobles and commoners, between men and women, has for the most part been the creation of these class interests and feelings. And the sentiments thus produced react in turn on the moral feelings of the members of the dominant class in their dealings with one another.[2] Where, on the other hand, a formerly dominant class has lost its dominance, or where its dominance is unpopular, the prevailing moral sentiments often bear the stamp of an impatient dislike of superiority. Another major determinant of the rules of conduct—both what must be done and what must be refrained from—that have been enforced by law or opinion has been humanity's servility toward the supposed likes and dislikes of their earthly masters, or of their gods. This servility, though essentially selfish, is not hypocrisy. It produces perfectly genuine feelings of abhorrence; it made people burn magicians and heretics. Among so many baser influences, the general and obvious interests of society have of course had a share—and a large one—in directing moral sentiments. But less as a matter of reason, and on their own account, than as a result of the sympathies and antipathies that grew out of them. And sympathies and antipathies that had little or nothing to do with the interests of society have made themselves felt in establishing moral codes with quite as much force.

1.7 The likes and dislikes of society, or of some powerful part of it, are thus what has mainly determined in practice the rules laid down for everyone to observe, under the penalties of law or opinion. And in general, those who have been ahead of society

2 Helots were the state-owned serf population of ancient Sparta. Mill's "roturiers" is the French term for commoners under the old regime.

in thought and feeling have left this state of affairs unchallenged in principle, however much they may have clashed with it in some of its details. They have busied themselves with asking what things society ought to like or dislike, rather than questioning whether its likes and dislikes should be a law to individuals. They preferred to try to change people's feelings on the particular points on which they themselves were heretics, rather than make common cause with heretics in general in defense of freedom. The only case in which the higher ground has been taken on principle and held consistently—by anyone beyond an individual here and there—is that of religious belief. This case is instructive in many ways, not least as a most striking example of the fallibility of what is called the moral sense: for the *odium theologicum*, in a sincere bigot, is one of the most unmistakable cases of moral feeling.[3] Those who first broke the yoke of what called itself the Universal Church were generally just as unwilling to allow differences of religious opinion as that church itself. But when the heat of the conflict was over without giving complete victory to any side, and each church or sect had to limit its hopes to holding the ground it already occupied, minorities—seeing they had no chance of becoming majorities—were forced to plead with those they could not convert for permission to differ.[4] So it is almost solely on this battlefield that the rights of the individual against society have been asserted on broad grounds of principle, and society's claim to exercise authority over dissenters openly challenged. The great writers to whom the world owes what religious liberty it has have mostly asserted freedom of conscience as an inalienable right, and flatly denied that a human being is accountable to others for his religious belief. Yet intolerance comes so naturally to people in whatever they really care about that religious freedom has hardly anywhere been realized in practice, except where reli-

3 *Odium theologicum*: Latin, "theological hatred"—the proverbial bitterness of religious disputes.

4 The Protestant Reformers of the sixteenth century, breaking with the Roman Catholic Church.

gious indifference, which dislikes having its peace disturbed by theological quarrels, has added its weight to the scale. In the minds of almost all religious people, even in the most tolerant countries, the duty of toleration is accepted with unspoken reservations. One person will put up with dissent on matters of church government, but not of doctrine; another can tolerate everyone short of a Catholic or a Unitarian; another, everyone who believes in revealed religion; a few extend their charity a little further, but stop at belief in a God and in an afterlife. Wherever the feeling of the majority is still genuine and intense, it has given up little of its claim to be obeyed.

1.8 In England, because of the peculiar circumstances of our political history, the yoke of opinion is perhaps heavier, but that of law is lighter, than in most other countries of Europe. There is considerable wariness of direct interference by the legislature or the executive with private conduct—not so much out of any proper regard for the independence of the individual as from the lingering habit of seeing the government as representing an interest opposed to the public's. The majority have not yet learned to feel the government's power as their own power, or its opinions as their own opinions. When they do, individual liberty will probably be as exposed to invasion by the government as it already is by public opinion. But for now, a good deal of feeling is ready to be roused against any attempt by the law to control individuals in matters where they have not been used to its control. And this happens with very little discrimination as to whether the matter is or is not within the legitimate sphere of legal control—so that this feeling, highly healthy on the whole, is perhaps as often misplaced as well-founded in particular cases. In fact, there is no recognized principle by which the propriety or impropriety of government interference is usually tested. People decide according to their personal preferences. Some, whenever they see any good to be done or any evil to be remedied, would gladly urge the government to take the matter on, while others would rather put up with almost any amount of social evil than add one more area of human interests to those

subject to government control. And people line up on one side or the other in any particular case according to this general bent of their feelings; or according to how much they care about the particular thing the government is proposed to do; or according to whether they believe the government would or would not do it the way they prefer. But very rarely do they decide on the basis of any opinion they consistently hold about what things are fit for a government to do. And it seems to me that as a result of this absence of rule or principle, one side is at present as often wrong as the other: government interference is, about equally often, wrongly called for and wrongly condemned.

THE HARM PRINCIPLE

Mill states that society may coerce individuals only to prevent harm to others, never for their own good.

1.9 The object of this essay is to assert one very simple principle, as entitled to govern absolutely the dealings of society with the individual in the way of compulsion and control, whether the means used are physical force in the form of legal penalties or the moral coercion of public opinion. That principle is that the sole end for which people are justified, 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 civilized community, against his will, is to prevent harm to others. His own good, either physical or moral, is not a sufficient warrant. He cannot rightfully be compelled to do or not do something because it will be better for him, because it will make him happier, or because, in the opinion of others, doing so would be wise, or even right. These are good reasons for protesting to him, or reasoning with him, or persuading him, or pleading with him—but not for compelling him, or inflicting any harm on him if he acts otherwise. To justify that, the conduct we want to deter him from must be likely to cause harm to someone else. The only part of anyone's conduct for which he is answerable to

society is the part that concerns others. In the part that merely concerns himself, his independence is, by right, absolute. Over himself, over his own body and mind, the individual is sovereign.

1.10 It is perhaps hardly necessary to say that this doctrine is meant to apply only to human beings in the maturity of their faculties. We are not speaking of children, or of young people below the age the law may fix as adulthood. Those who are still in a condition that requires others to take care of them must be protected against their own actions as well as against harm from outside. For the same reason, we may leave out of consideration those states of society at an early stage of development in which the people as a whole may be considered still underage. The early obstacles to spontaneous progress are so great that there is seldom any choice of means for overcoming them, and a ruler full of the spirit of improvement is justified in using any methods that will reach an end perhaps otherwise unreachable. Despotism is a legitimate form of government in dealing with peoples at an early stage of development, provided the end is their improvement and the means are justified by actually achieving that end. Liberty, as a principle, has no application to any state of things before the time when people have become capable of being improved by free and equal discussion. Until then, there is nothing for them but unquestioning obedience to an Akbar or a Charlemagne, if they are lucky enough to find one. But as soon as people have gained the capacity to be guided toward their own improvement by conviction or persuasion (a stage long since reached in all nations we need be concerned with here), compulsion—whether direct, or in the form of pains and penalties for noncompliance—is no longer admissible as a means to their own good, and is justifiable only for the security of others.[5]

1.11 I should state that I give up any advantage my argument could draw from the idea of abstract right as something inde-

pendent of utility. I regard utility as the ultimate appeal on all ethical questions—but it must be utility in the broadest sense, grounded in the permanent interests of human beings as progressive beings. Those interests, I maintain, authorize subjecting individual spontaneity to external control only with respect to those actions of each person that concern the interests of other people. If anyone does something harmful to others, there is a *prima facie* case for punishing him—by law, or, where legal penalties cannot safely be applied, by general disapproval. There are also many positive acts for the benefit of others that he may rightfully be compelled to perform: such as giving evidence in a court of law; bearing his fair share in the common defense, or in any other joint work necessary to the interests of the society whose protection he enjoys; and performing certain acts of individual kindness, such as saving another person's life or stepping in to protect the defenseless against mistreatment. Whenever it is obviously a person's duty to do such things, he may rightfully be held responsible to society for not doing them. A person may cause harm to others not only by his actions but by his inaction, and in either case he is justly accountable to them for the injury. The second case, it is true, calls for much more caution in using compulsion than the first. To make anyone answerable for doing harm to others is the rule; to make him answerable for not preventing harm is, comparatively speaking, the exception. Yet there are many cases clear enough and serious enough to justify that exception. In everything that concerns the individual's external relations, he is *de jure* answerable to those whose interests are affected, and if need be to society as their protector.[6] There are often good reasons for not holding him responsible, but these reasons must arise from the particular practical considerations of the case: either because it is the kind of case in which he is likely, on the whole, to act bet-

5 Akbar (1542–1605), Mughal emperor of India known for enlightened rule; Charlemagne (c. 747–814), Frankish king and emperor who promoted learning and administrative reform.

6 *De jure*: Latin, "by right" or "in principle."

ter when left to his own discretion than when controlled in any way society has the power to control him; or because the attempt to exercise control would produce other evils greater than those it would prevent. When reasons like these rule out enforcing responsibility, the agent's own conscience should step into the empty judge's seat and protect those interests of others that have no external protection—judging himself all the more strictly because the case does not allow him to be held accountable to the judgment of his fellow human beings.

THE REGION OF HUMAN LIBERTY

Mill defines the sphere of liberty: thought and expression, tastes and pursuits, and association.

1.12 But there is a sphere of action in which society, as distinct from the individual, has at most only an indirect interest. It includes all that part of a person's life and conduct that affects only himself—or, if it also affects others, does so only with their free, voluntary, and undeceived consent and participation. When I say "only himself," I mean directly and in the first instance; for whatever affects him may affect others *through* him, and the objection that may be based on this possibility will be considered later. This, then, is the proper realm of human liberty. It includes, first, the inner domain of consciousness, which demands liberty of conscience in the broadest sense; liberty of thought and feeling; and absolute freedom of opinion and sentiment on all subjects, practical or theoretical, scientific, moral, or theological. The liberty of expressing and publishing opinions may seem to fall under a different principle, since it belongs to the part of an individual's conduct that concerns other people. But since it is almost as important as liberty of thought itself, and rests largely on the same reasons, it is in practice inseparable from it. Second, the principle requires liberty of tastes and pursuits: of shaping the plan of our life to suit our own character, and of doing as we like, subject to whatever consequences may follow—without interference from

our fellow human beings, as long as what we do does not harm them, even though they may think our conduct foolish, perverse, or wrong. Third, from this liberty of each individual follows the liberty, within the same limits, of individuals to combine: freedom to unite for any purpose not involving harm to others, provided the people combining are of full age and are not forced or deceived.

1.13 No society in which these liberties are not, on the whole, respected is free, whatever its form of government; and none is completely free in which they do not exist absolutely and without qualification. The only freedom that deserves the name is that of pursuing our own good in our own way, as long as we do not try to deprive others of theirs or obstruct their efforts to obtain it. Each person is the proper guardian of his own health, whether bodily or mental and spiritual. Humanity gains more by letting each other live as seems good to themselves than by compelling each to live as seems good to the rest.

1.14 Though this doctrine is anything but new, and to some people may seem a truism, no doctrine stands more directly opposed to the general tendency of existing opinion and practice. Society has spent fully as much effort trying (by its own lights) to force people to conform to its notions of personal excellence as to its notions of social excellence. The ancient republics thought themselves entitled—and the ancient philosophers approved—to regulate every part of private conduct by public authority, on the ground that the State had a deep interest in the entire physical and mental discipline of every one of its citizens. This way of thinking may have been acceptable in small republics surrounded by powerful enemies, in constant danger of being overthrown by foreign attack or internal upheaval, to which even a brief spell of slackened energy and self-command could so easily be fatal that they could not afford to wait for the healthy, lasting effects of freedom. In the modern world, the greater size of political communities, and above all the separation between spiritual and temporal authority (which put the direction of people's consciences in different hands from

those that controlled their worldly affairs), prevented so much legal interference in the details of private life. But the engines of moral repression have been used more vigorously against departures from reigning opinion in self-regarding matters than even in social ones. For religion, the most powerful of the elements that have gone into forming moral feeling, has almost always been governed either by the ambition of a hierarchy seeking control over every area of human conduct, or by the spirit of Puritanism. And some of the modern reformers who have set themselves most strongly against the religions of the past have been in no way behind churches or sects in asserting the right of spiritual domination. M. Comte in particular, whose social system as laid out in his *Système de politique positive* aims at establishing (though by moral more than legal means) a despotism of society over the individual that surpasses anything imagined in the political ideal of the strictest disciplinarian among the ancient philosophers.[7]

1.15 Apart from the particular doctrines of individual thinkers, there is also in the world at large a growing inclination to stretch the powers of society over the individual too far, both by the force of opinion and even by legislation. And since the tendency of all the changes taking place in the world is to strengthen society and diminish the power of the individual, this encroachment is not one of the evils that tend to disappear on their own. On the contrary, it tends to grow more and more formidable. The disposition of people, whether as rulers or as fellow citizens, to impose their own opinions and inclinations as a rule of conduct on others is so vigorously supported by some of the best and some of the worst feelings of human nature that it is hardly ever held in check by anything except lack of power. And since that power is not declining but growing, unless a strong barrier of moral conviction can be raised against the mischief,

7 Auguste Comte (1798–1857), French founder of positivism; his *System of Positive Polity* (1851–54) proposed a society directed by a secular "Religion of Humanity" and its priesthood of scholars.

we must expect, in the present circumstances of the world, to see it increase.

1.16 It will be convenient for the argument if, instead of taking up the general thesis at once, we first confine ourselves to a single branch of it—one on which the principle stated here is, if not fully, then to a certain extent, recognized by current opinion. This one branch is the Liberty of Thought, from which it is impossible to separate the related liberty of speaking and writing. Although these liberties, to a considerable degree, form part of the political morality of all countries that profess religious toleration and free institutions, the grounds on which they rest, both philosophical and practical, are perhaps not as familiar to the general public, nor as thoroughly appreciated even by many opinion leaders, as might have been expected. Those grounds, rightly understood, apply much more widely than to just one part of the subject, and a thorough consideration of this part of the question will prove the best introduction to the rest. So I hope those to whom nothing I am about to say will be new will forgive me if, on a subject that has been discussed so often for three centuries now, I venture one discussion more.

Chapter II

Of the Liberty of Thought and Discussion
Mill argues for complete freedom of opinion, whether the silenced view is true, false or partly true.

2.1 The time is gone, we may hope, when any defense would be needed of the "liberty of the press" as one of the safeguards against corrupt or tyrannical government. No argument, we may assume, is now needed against allowing a legislature or an executive whose interests are not identified with the people's to prescribe opinions to them and determine what doctrines or arguments they will be allowed to hear. Besides, earlier writers have argued this aspect of the question so often and so triumphantly that there is no need to press it here. Though English law on the subject of the press is as servile today as it was in the time of the Tudors, there is little danger of its actually being enforced against political discussion, except during some temporary panic, when fear of insurrection drives ministers and

judges from their proper conduct;[1] and, generally speaking, in constitutional countries there is no need to fear that the government, whether fully accountable to the people or not, will often try to control the expression of opinion—except when, in doing so, it makes itself the instrument of the general intolerance of the public. Let us suppose, then, that the government is entirely at one with the people and never thinks of exercising any power of coercion unless it agrees with what it takes to be their voice. But I deny the right of the people to exercise such coercion, either by themselves or through their government. The power itself is illegitimate. The best government has no more right to it than the worst. It is as harmful, or more harmful, when exercised in accordance with public opinion as when exercised in

1 MILL'S NOTE. These words had hardly been written when, as if to contradict them emphatically, the Government Press Prosecutions of 1858 took place. That ill-judged interference with the liberty of public discussion has not, however, led me to change a single word in the text, nor has it at all weakened my conviction that, moments of panic aside, the era of pains and penalties for political discussion has passed away in our own country. For, in the first place, the prosecutions were not pursued; and, in the second, they were never, properly speaking, political prosecutions. The offense charged was not that of criticizing institutions, or the acts or persons of rulers, but of circulating what was considered an immoral doctrine: the lawfulness of tyrannicide.

If the arguments of this chapter have any validity, there ought to be the fullest liberty to profess and discuss, as a matter of ethical conviction, any doctrine, however immoral it may be considered. It would therefore be irrelevant and out of place to examine here whether the doctrine of tyrannicide deserves that label. I will content myself with saying that the subject has always been one of the open questions of morality; that the act of a private citizen in striking down a criminal who, by raising himself above the law, has put himself beyond the reach of legal punishment or control, has been regarded by whole nations, and by some of the best and wisest of men, not as a crime but as an act of exalted virtue; and that, right or wrong, it is in the nature not of assassination but of civil war. As such, I hold that inciting it in a specific case may properly be punished—but only if an overt act has followed, and at least a probable connection can be established between the act and the incitement. Even then, it is not a foreign government but only the very government attacked that can legitimately punish, in self-defense, attacks aimed at its own existence.

TRANSLATOR'S NOTE. After Felice Orsini's 1858 attempt to assassinate Napoleon III, which had been planned in England, the British government prosecuted publishers of writings defending tyrannicide, among them Edward Truelove; the cases were dropped.

opposition to it. If all humanity minus one were of one opinion, and only one person were of the contrary opinion, humanity would be no more justified in silencing that one person than he, if he had the power, would be justified in silencing humanity. If an opinion were a personal possession of no value except to its owner—if being prevented from enjoying it were simply a private injury—it would make some difference whether the injury was inflicted on only a few people or on many. But the particular evil of silencing the expression of an opinion is that it robs the human race—future generations as well as the present one, and those who dissent from the opinion even more than those who hold it. If the opinion is right, they are deprived of the chance to exchange error for truth. If it is wrong, they lose what is almost as great a benefit: the clearer perception and livelier impression of truth produced by its collision with error.

2.2 These two hypotheses need to be considered separately, since each has its own branch of the argument. We can never be sure that the opinion we are trying to stifle is a false opinion; and if we were sure, stifling it would still be an evil.

THE ASSUMPTION OF INFALLIBILITY

Mill argues that silencing any opinion assumes infallibility, and we can never be sure it is false.

2.3 First: the opinion that authority tries to suppress may possibly be true. Those who want to suppress it, of course, deny its truth; but they are not infallible. They have no authority to decide the question for all humanity and shut every other person out from the means of judging. To refuse a hearing to an opinion because they are sure it is false is to assume that *their* certainty is the same thing as *absolute* certainty. All silencing of discussion is an assumption of infallibility. Its condemnation may rest on this common argument, which is none the worse for being common.

2.4 Unfortunately for the good sense of humanity, the fact of their fallibility carries far less weight in their practical judg-

ment than it is always granted in theory. For while everyone knows perfectly well that he is fallible, few think it necessary to take any precautions against their own fallibility, or to admit the possibility that any opinion they feel very certain of may be one of the examples of the error to which they admit they are liable. Absolute monarchs, or others used to unlimited deference, usually feel this complete confidence in their own opinions on nearly every subject. People in a happier position, who sometimes hear their opinions disputed and are not entirely unused to being corrected when they are wrong, place the same boundless reliance only on those of their opinions that are shared by everyone around them, or by those they habitually defer to. For the less confidence a person has in his own solitary judgment, the more implicitly he usually trusts in the infallibility of "the world" in general. And the world, to each individual, means the part of it he comes into contact with: his party, his sect, his church, his social class. A person may be called almost liberal and broad-minded by comparison if it means anything as comprehensive as his own country or his own age. Nor is his faith in this collective authority at all shaken by his knowing that other ages, countries, sects, churches, classes, and parties have thought, and even now think, the exact opposite. He hands over to his own world the responsibility of being right against the dissenting worlds of other people. And it never troubles him that mere accident has decided which of these many worlds he relies on, and that the same causes that make him an Anglican in London would have made him a Buddhist or a Confucian in Beijing. Yet it is as self-evident as any amount of argument can make it that ages are no more infallible than individuals. Every age has held many opinions that later ages have judged not only false but absurd; and it is as certain that many opinions now widely held will be rejected by future ages as it is that many once widely held are rejected by the present.

2.5 The objection likely to be raised against this argument would probably take something like the following form. There is no greater assumption of infallibility in forbidding the spread of

error than in anything else that public authority does on its own judgment and responsibility. Judgment is given to people so that they may use it. Because it may be used wrongly, are people to be told they ought not to use it at all? To prohibit what they think harmful is not claiming to be free from error, but fulfilling the duty that rests on them, fallible though they are, of acting on their conscientious conviction. If we were never to act on our opinions because those opinions might be wrong, we would leave all our interests uncared for and all our duties undone. An objection that applies to all conduct can be no valid objection to any conduct in particular. It is the duty of governments, and of individuals, to form the truest opinions they can; to form them carefully; and never to impose them on others unless they are quite sure of being right. But when they are sure (such reasoners may say), it is not conscientiousness but cowardice to shrink from acting on their opinions and to allow doctrines they honestly think dangerous to the welfare of humanity, either in this life or in the next, to be spread abroad without restraint, just because other people, in less enlightened times, persecuted opinions now believed to be true. Let us take care, it may be said, not to make the same mistake. But governments and nations have made mistakes in other things that no one denies are proper subjects for the exercise of authority: they have imposed bad taxes and waged unjust wars. Should we therefore impose no taxes and, whatever the provocation, wage no wars? People and governments must act to the best of their ability. There is no such thing as absolute certainty, but there is assurance sufficient for the purposes of human life. We may, and must, assume our opinion to be true for the guidance of our own conduct; and we are assuming no more when we forbid bad people to corrupt society by spreading opinions we regard as false and harmful.

2.6 I answer that it is assuming very much more. There is the greatest difference between presuming an opinion to be true because, with every opportunity to contest it, it has not been refuted, and assuming its truth in order not to permit its refuta-

tion. Complete liberty to contradict and disprove our opinion is the very condition that justifies us in assuming its truth for purposes of action; and on no other terms can a being with human faculties have any rational assurance of being right.

2.7 When we consider either the history of opinion or the ordinary conduct of human life, what are we to credit for the fact that both are no worse than they are? Certainly not the inherent power of the human understanding. For on any matter that is not self-evident, there are ninety-nine people wholly incapable of judging it for every one who is capable; and even the hundredth person's capacity is only relative. The majority of the eminent men of every past generation held many opinions now known to be mistaken, and did or approved many things that no one would justify today. Why is it, then, that on the whole rational opinions and rational conduct predominate among humanity? If there really is this predominance—and there must be, unless human affairs are, and always have been, in an almost desperate state—it is owing to one quality of the human mind, the source of everything admirable in human beings, whether as intellectual or as moral beings: namely, that their errors can be corrected. A person is capable of correcting his mistakes by discussion and experience. Not by experience alone: there must be discussion, to show how experience is to be interpreted. Wrong opinions and practices gradually give way to fact and argument; but facts and arguments, to have any effect on the mind, must be brought before it. Very few facts can tell their own story without commentary to bring out their meaning. Since the whole strength and value of human judgment depends on this one property—that it can be set right when it is wrong—it can be relied on only when the means of setting it right are kept constantly at hand. In the case of any person whose judgment really deserves confidence, how did it come to deserve it? Because he has kept his mind open to criticism of his opinions and conduct. Because it has been his practice to listen to everything that could be said against him; to profit from as much of it as was fair; and to explain to himself, and when the

occasion arose to others, the fallacy of what was fallacious. Because he has felt that the only way a human being can come anywhere near knowing the whole of a subject is by hearing what can be said about it by people of every variety of opinion, and by studying every way it can be looked at by every kind of mind. No wise person ever acquired wisdom in any other way; nor is it in the nature of the human intellect to become wise in any other manner. The steady habit of correcting and completing his own opinion by comparing it with those of others, far from causing doubt and hesitation when he acts on it, is the only stable foundation for justly relying on it. He knows everything that can be said against him, at least everything obvious; he has taken his position against all who disagree; he knows that he has sought out objections and difficulties instead of avoiding them, and has shut out no light that could be thrown on the subject from any direction. So he has a right to think his judgment better than that of any person, or any multitude, who have not gone through a similar process.

2.8 It is not too much to require that what the wisest people—those best entitled to trust their own judgment—find necessary before relying on it should also be required of that miscellaneous collection of a few wise and many foolish individuals called the public. The most intolerant of churches, the Roman Catholic Church, even when canonizing a saint, admits and listens patiently to a "devil's advocate." The holiest of men, it seems, cannot be granted posthumous honors until everything the devil could say against him is known and weighed. If even Newton's physics were not allowed to be questioned, humanity could not feel as completely sure of its truth as it now does. The beliefs we have the most warrant for have no safeguard to rest on except a standing invitation to the whole world to prove them unfounded. If the challenge is not accepted, or is accepted and the attempt fails, we are still far from certainty. But we have done the best that human reason in its present state allows; we have neglected nothing that could give the truth a chance of reaching us. If the field is kept open to all challengers, we may

hope that if there is a better truth, it will be found when the human mind is capable of receiving it; and meanwhile we can rely on having come as close to truth as is possible in our own day. This is the amount of certainty a fallible being can attain, and this is the only way of attaining it.

2.9 It is strange that people should admit the validity of the arguments for free discussion but object to their being "pushed to an extreme," not seeing that unless the reasons are good for an extreme case, they are not good for any case. It is strange that they should imagine they are not assuming infallibility when they agree that there should be free discussion on every subject that can possibly be *doubtful*, yet think that some particular principle or doctrine should be forbidden to be questioned because it is *so certain*—that is, because *they are certain* that it is certain. To call any proposition certain while there is anyone who would deny its certainty if allowed to, but who is not allowed to, is to assume that we ourselves, and those who agree with us, are the judges of certainty—and judges who do not hear the other side.

USEFUL BELIEFS

Mill rejects protecting beliefs because they are useful, since usefulness is itself a matter of opinion.

2.10 In the present age—which has been described as "destitute of faith, but terrified at skepticism"—people feel sure not so much that their opinions are true as that they would not know what to do without them. So an opinion's claim to be protected from public attack rests not so much on its truth as on its importance to society. There are, it is claimed, certain beliefs so useful, not to say indispensable to well-being, that it is as much the duty of governments to uphold them as to protect any other interest of society. In a case of such necessity, and so directly within their duty, something less than infallibility may—so it is argued—justify governments, and even oblige them, to act on their own opinion when it is confirmed by the general opinion of human-

ity. It is also often argued, and still more often thought, that only bad people would want to weaken these beneficial beliefs; and there can be nothing wrong, it is thought, in restraining bad people and prohibiting what only they would wish to do. This way of thinking makes the justification for restricting discussion a question not of the truth of doctrines but of their usefulness, and it flatters itself that it thereby escapes the responsibility of claiming to be an infallible judge of opinions. But those who satisfy themselves this way do not see that the assumption of infallibility has merely been moved from one point to another. The usefulness of an opinion is itself a matter of opinion: as disputable, as open to discussion, and as much in need of discussion as the opinion itself. It takes just as infallible a judge of opinions to decide that an opinion is harmful as to decide that it is false—unless the condemned opinion has full opportunity to defend itself. Nor will it do to say that the heretic may be allowed to argue for the usefulness or harmlessness of his opinion while being forbidden to argue for its truth. The truth of an opinion is part of its usefulness. If we want to know whether it is desirable for a proposition to be believed, can we possibly leave out the question of whether it is true? In the opinion not of bad people but of the best people, no belief contrary to truth can be really useful. And can you stop such people from making that plea when they are blamed for denying some doctrine they are told is useful but believe to be false? Those on the side of accepted opinions never fail to take every possible advantage of this plea. You do not find *them* treating the question of usefulness as if it could be completely separated from that of truth. On the contrary, it is above all because their doctrine is "the truth" that knowing or believing it is held to be so indispensable. There can be no fair discussion of usefulness when so vital an argument may be used by one side but not by the other. And in fact, when law or public feeling does not allow the truth of an opinion to be disputed, it is just as intolerant of any denial of its usefulness. The most it allows is some softening of the claims that the opin-

ion is absolutely necessary, or that rejecting it is positively sinful.

2.11 To illustrate more fully the harm of refusing a hearing to opinions because we, in our own judgment, have condemned them, it will help to tie the discussion down to a concrete case. I deliberately choose the cases least favorable to me—those in which the argument against freedom of opinion, on grounds both of truth and of usefulness, is thought to be strongest. Let the opinions under attack be belief in a God and in an afterlife, or any of the commonly accepted doctrines of morality. Fighting the battle on such ground gives a great advantage to an unfair opponent. He will be sure to say (and many who have no wish to be unfair will say it to themselves): Are these the doctrines you do not consider certain enough to be taken under the protection of the law? Is belief in a God one of the opinions that you think it is assuming infallibility to feel sure of? But I must be allowed to point out that it is not feeling sure of a doctrine (whatever it may be) that I call an assumption of infallibility. It is undertaking to decide that question *for others*, without allowing them to hear what can be said on the other side. And I denounce and condemn this claim no less when it is made on behalf of my own most solemn convictions. However positive anyone may be, not only of an opinion's falsity but of its harmful consequences—and not only of its harmful consequences but (to use expressions I altogether condemn) of its immorality and impiety—if, acting on that private judgment, even when it is backed by the public judgment of his country or his contemporaries, he prevents the opinion from being heard in its own defense, he assumes infallibility. And far from the assumption being less objectionable or less dangerous because the opinion is called immoral or impious, this is the case above all others in which it is most fatal. These are exactly the occasions on which the people of one generation commit those dreadful mistakes that astonish and horrify later generations. It is among these that we find the instances, memorable in history, when the arm of the law has been used to root out the best people and the noblest doctrines—

with lamentable success as to the people, though some of the doctrines have survived to be invoked (as if in mockery) in defense of similar conduct toward those who dissent from *them*, or from their accepted interpretation.

SOCRATES, JESUS, AND MARCUS AURELIUS

Mill recalls how Socrates and Jesus were condemned, and how the wise Marcus Aurelius persecuted Christians.

2.12 Humanity can hardly be reminded too often that there was once a man named Socrates, between whom and the legal authorities and public opinion of his time there occurred a memorable collision. Born in an age and country rich in individual greatness, he has been handed down to us by those who knew both him and his age best as the most virtuous man in it. *We* know him as the head and model of all later teachers of virtue, the source both of the lofty inspiration of Plato and of the judicious utilitarianism of Aristotle—"*i maestri di color che sanno*" ("the masters of those who know")—the two fountainheads of ethical philosophy, as of all other philosophy.[2] This acknowledged master of every eminent thinker who has lived since—whose fame, still growing after more than two thousand years, nearly outweighs all the other names that make his native city illustrious—was put to death by his fellow citizens, after a legal conviction, for impiety and immorality. Impiety, for denying the gods recognized by the state; indeed his accuser claimed (see the *Apology*) that he believed in no gods at all. Immorality, for being, through his doctrines and teaching, a "corrupter of youth." There is every reason to believe the court honestly found him guilty of these charges, and condemned to death as a criminal the man who, of all then living, had probably done humanity the most good.[3]

2.13 To pass from this to the only other instance of judicial wrong that would not be an anticlimax after the condemnation

2 The Italian phrase is from Dante's *Inferno* (Canto IV), where it describes Aristotle.
3 Plato's *Apology* presents Socrates' defense speech at his trial in Athens in 399 BC.

of Socrates: the event that took place on Calvary a little more than eighteen hundred years ago. The man who left on those who witnessed his life and conversation such an impression of his moral greatness that the eighteen centuries since have worshiped him as the Almighty in person was shamefully put to death—as what? As a blasphemer. People did not merely mistake their benefactor; they mistook him for the exact opposite of what he was, and treated him as that monster of impiety which they themselves are now considered to be because of how they treated him. The feelings with which people now regard these lamentable events, especially the later of the two, make them extremely unjust in judging the unhappy participants. These were, to all appearances, not bad men—no worse than people commonly are, but rather the contrary. They possessed in full, or more than full, measure the religious, moral, and patriotic feelings of their time and people: the very kind of people who, in every age, our own included, have every chance of going through life blameless and respected. The high priest who tore his robes when the words were spoken—words that, by every idea of his country, constituted the blackest guilt—was in all probability just as sincere in his horror and indignation as most respectable and pious people now are in the religious and moral feelings they profess. And most of those who now shudder at his conduct, had they lived in his time and been born Jews, would have acted exactly as he did. Orthodox Christians who are tempted to think that those who stoned the first martyrs to death must have been worse people than themselves ought to remember that one of those persecutors was Saint Paul.[4]

2.14 Let us add one more example, the most striking of all, if the impressiveness of an error is measured by the wisdom and virtue of the person who falls into it. If anyone with power ever had grounds for thinking himself the best and most enlightened of his contemporaries, it was the Emperor Marcus Aurelius. Absolute ruler of the whole civilized world, he kept throughout

4 The high priest Caiaphas at the trial of Jesus (Matthew 26:65). Paul, before his conversion, approved the stoning of Stephen (Acts 7–8).

his life not only the most spotless justice but—what was less to be expected from his Stoic upbringing—the tenderest heart.[5] The few failings attributed to him were all on the side of leniency, while his writings, the highest ethical achievement of the ancient mind, differ barely perceptibly, if at all, from the most characteristic teachings of Christ. This man—a better Christian in every sense but the doctrinal one than almost any of the professedly Christian sovereigns who have reigned since—persecuted Christianity. Standing at the summit of everything humanity had previously achieved, with an open, unfettered intellect, and with a character that led him on his own to embody the Christian ideal in his moral writings, he still failed to see that Christianity was going to be a good and not an evil for the world—a world to which he felt his duties so deeply. He knew that existing society was in a deplorable state. But such as it was, he saw, or thought he saw, that it was held together, and kept from getting worse, by belief in and reverence for the accepted gods. As a ruler of humanity, he considered it his duty not to let society fall to pieces, and he could not see how, if its existing bonds were removed, any others could be formed to knit it together again. The new religion openly aimed at dissolving these bonds. So unless it was his duty to adopt that religion, it seemed to be his duty to suppress it. Since, then, the theology of Christianity did not seem to him true or of divine origin; since this strange story of a crucified God was not credible to him; and since he could not foresee that a system claiming to rest entirely on a foundation he found so wholly unbelievable would prove to be the renewing force that, all qualifications aside, it has in fact been—the gentlest and most lovable of philosophers and rulers, out of a solemn sense of duty, authorized the persecution of Christianity. To my mind this is one of the most tragic facts in all history. It is a bitter thought how different the world's Christianity might have been if the Christian faith had been adopted as the religion of the empire under Marcus Aure-

5 Marcus Aurelius, Roman emperor AD 161–180, Stoic philosopher and author of the *Meditations*.

lius instead of under Constantine. But it would be equally unjust to him and false to the truth to deny that every plea that can be made for punishing anti-Christian teaching was available to Marcus Aurelius for punishing, as he did, the spread of Christianity. No Christian believes more firmly that atheism is false and tends to dissolve society than Marcus Aurelius believed the same of Christianity—he who, of all people then living, might have been thought the most capable of appreciating it.[6] Unless anyone who approves of punishing people for spreading opinions flatters himself that he is wiser and better than Marcus Aurelius—more deeply versed in the wisdom of his time, more elevated above it in intellect, more earnest in his search for truth, or more single-minded in his devotion to it once found—let him refrain from that assumption of the joint infallibility of himself and the multitude which the great Antoninus made with such unfortunate results.[7]

DOES TRUTH SURVIVE PERSECUTION?

Mill denies that truth always triumphs over persecution, noting how often it has been suppressed.

2.15 Aware that the use of punishment to restrain irreligious opinions cannot be defended by any argument that would not also justify Marcus Antoninus, the enemies of religious freedom, when hard pressed, sometimes accept this consequence. They say, with Dr. Johnson, that the persecutors of Christianity were in the right; that persecution is an ordeal that truth ought to pass through, and always passes successfully, since legal penalties are in the end powerless against truth, though sometimes usefully effective against harmful errors. This form of the argu-

6 Constantine (reigned AD 306–337), the first Roman emperor to embrace Christianity.

7 "Antoninus" is Marcus Aurelius, whose full name was Marcus Aurelius Antoninus.

ment for religious intolerance is remarkable enough not to be passed over without notice.[8]

2.16 A theory which holds that truth may justifiably be persecuted because persecution cannot possibly harm it cannot be accused of being deliberately hostile to the acceptance of new truths. But we cannot praise the generosity with which it treats the people to whom humanity owes them. To reveal to the world something that deeply concerns it and of which it was previously ignorant; to prove to it that it had been mistaken on some vital point of worldly or spiritual interest—this is as important a service as a human being can render to others. And in certain cases, such as those of the early Christians and of the Reformers, those who think like Dr. Johnson believe it to have been the most precious gift that could be given to humanity. That the authors of such splendid benefits should be repaid with martyrdom—that their reward should be to be treated as the vilest of criminals—is not, on this theory, a deplorable error and misfortune for which humanity should mourn in sackcloth and ashes, but the normal and justifiable state of affairs. According to this doctrine, the proposer of a new truth should stand as the proposer of a new law stood under the laws of the Locrians: with a noose around his neck, to be tightened at once if the public assembly, after hearing his reasons, did not adopt his proposal then and there.[9] People who defend this way of treating benefactors cannot be supposed to place much value on the benefit. And I believe this view of the subject is mostly limited to the sort of people who think new truths may once have been desirable, but that we have had enough of them now.

2.17 But in fact the saying that truth always triumphs over persecution is one of those pleasant falsehoods that people repeat after one another until they become commonplaces, though all experience refutes them. History is full of instances of truth put

8 Samuel Johnson (1709–1784), English critic and lexicographer; the remark is recorded in Boswell's *Life of Johnson*.

9 The Locrians were an ancient Greek people; the noose custom was attributed to the laws of their colony in southern Italy.

down by persecution. If not suppressed forever, it may be set back for centuries. To speak only of religious opinions: the Reformation broke out at least twenty times before Luther, and was put down. Arnold of Brescia was put down. Fra Dolcino was put down. Savonarola was put down. The Albigensians were put down. The Waldensians were put down. The Lollards were put down. The Hussites were put down. Even after Luther's time, wherever persecution was persisted in, it succeeded.[10] In Spain, Italy, Flanders, and the Austrian empire, Protestantism was rooted out—and most likely would have been in England too, had Queen Mary lived or Queen Elizabeth died. Persecution has always succeeded, except where the heretics were too strong a party to be effectively persecuted. No reasonable person can doubt that Christianity might have been wiped out in the Roman Empire. It spread and became dominant because the persecutions were only occasional, lasted only a short time, and were separated by long intervals of almost undisturbed missionary work. It is idle sentimentality to suppose that truth, merely as truth, has some inherent power, denied to error, of prevailing against the dungeon and the stake.[11] People are no more zealous for truth than they often are for error, and a sufficient application of legal or even social penalties will generally succeed in stopping the spread of either. The real advantage truth has is this: when an opinion is true, it may be extinguished once, twice, or many times, but over the ages there will generally be people who rediscover it, until one of its reappearances falls at a time when, thanks to favorable circumstances, it escapes persecution long enough to gain the strength to withstand all later attempts to suppress it.

10 Medieval reformers and dissenting movements, all suppressed by church or state: Arnold of Brescia (d. 1155), Fra Dolcino (d. 1307), Savonarola (d. 1498), the Albigensians (Cathars) of southern France, the Waldensians, the Lollards (followers of Wycliffe in England), and the Hussites (followers of Jan Hus in Bohemia).
11 Mary I, Catholic queen of England (1553–1558), persecuted Protestants; her Protestant half-sister Elizabeth I succeeded her.

LEGAL PENALTIES AND SOCIAL STIGMA

Mill shows that legal penalties and social stigma still silence opinion and stunt intellectual life in England.

2.18 It will be said that we no longer put to death those who introduce new opinions: we are not like our forefathers who killed the prophets; we even build tombs for them. It is true that we no longer put heretics to death, and the amount of punishment that modern feeling would probably tolerate, even against the most offensive opinions, is not enough to wipe them out. But let us not flatter ourselves that we are yet free of the stain even of legal persecution. Penalties for opinion, or at least for expressing it, still exist in law; and even today they are enforced often enough that it is not at all incredible they may someday be revived in full force. In 1857, at the summer session of the county court in Cornwall, an unfortunate man,[12] said to be of blameless conduct in every relation of life, was sentenced to twenty-one months' imprisonment for saying, and writing on a gate, some offensive words about Christianity. Within a month of that, at the Old Bailey, two people, on two separate occasions,[13] were rejected as jurors, and one of them was grossly insulted by the judge and by one of the lawyers, because they honestly declared that they had no religious belief; and a third, a foreigner,[14] was for the same reason denied justice against a thief.[15] This refusal of redress rested on the legal doctrine that no one may give evidence in a court of law who does not profess belief in a God (any god will do) and in an afterlife. That amounts to declaring such people outlaws, excluded from the protection of the courts. Not only may they be robbed or assaulted with impunity if no one but

12 MILL'S NOTE. Thomas Pooley, Bodmin Assizes, July 31, 1857. The following December he received a free pardon from the Crown.

13 MILL'S NOTE. George Jacob Holyoake, August 17, 1857; Edward Truelove, July 1857.

14 MILL'S NOTE. Baron de Gleichen, Marlborough Street Police Court, August 4, 1857.

15 The Old Bailey is London's central criminal court.

themselves, or people of similar opinions, is present; anyone else may be robbed or assaulted with impunity if proof of the crime depends on their evidence. The assumption behind this is that the oath of a person who does not believe in an afterlife is worthless. This proposition shows great ignorance of history in those who accept it (since it is historically true that a large proportion of unbelievers in every age have been people of distinguished integrity and honor); and no one would maintain it who had the slightest idea how many of the people most highly regarded in the world, for both virtue and accomplishment, are well known, at least to their close friends, to be unbelievers. Besides, the rule is suicidal: it cuts away its own foundation. On the pretext that atheists must be liars, it admits the testimony of all atheists who are willing to lie, and rejects only those who brave the disgrace of publicly confessing a hated creed rather than state a falsehood. A rule so plainly absurd with respect to its own professed purpose can be kept in force only as a badge of hatred, a relic of persecution—and a persecution with the peculiarity that the qualification for suffering it is being clearly proven not to deserve it. The rule, and the theory it implies, are hardly less insulting to believers than to unbelievers. For if anyone who does not believe in an afterlife necessarily lies, it follows that those who do believe are kept from lying, if they are kept from it at all, only by fear of hell. We will not do the authors and supporters of the rule the injury of supposing that their idea of Christian virtue is drawn from their knowledge of themselves.

2.19 These, indeed, are only rags and remnants of persecution. They may be thought less a sign of any wish to persecute than an example of that very common weakness of English minds which makes them take an absurd pleasure in asserting a bad principle when they are no longer bad enough to want to put it into practice. But unfortunately the state of the public mind gives no guarantee that the suspension of worse forms of legal persecution, which has lasted about a generation, will continue. In this age the quiet surface of routine is as often disturbed by

attempts to revive past evils as by attempts to introduce new benefits. What is now boasted of as the revival of religion is always, in narrow and uncultivated minds, at least as much a revival of bigotry. And where a people's feelings contain the strong, permanent leaven of intolerance that at all times remains in the middle classes of this country, it takes little to provoke them into actively persecuting those they have never stopped thinking proper objects of persecution.[16] For it is this—the opinions people hold, and the feelings they cherish, about those who reject the beliefs they consider important—that keeps this country from being a place of mental freedom. For a long time now, the chief harm of the legal penalties has been that they strengthen the social stigma. It is the stigma that is really effective—so effective that professing opinions under society's ban is much less common in England than, in many other countries, is openly declaring opinions that risk legal punishment. For everyone except those whose financial circumstances make them independent of other people's goodwill, opinion on this

16 MILL'S NOTE. Ample warning may be drawn from the large dose of persecuting passion that mingled with the general display of the worst parts of our national character at the time of the Sepoy uprising. The ravings of fanatics or charlatans in the pulpit may be beneath notice; but the leaders of the Evangelical party have announced, as their principle for governing Hindus and Muslims, that no school be supported by public money in which the Bible is not taught—and, as a necessary consequence, that no public employment be given to anyone but real or pretended Christians. An Under-Secretary of State, in a speech to his constituents on November 12, 1857, is reported to have said: "Toleration of their faith" (the faith of a hundred million British subjects), "the superstition which they called religion, by the British Government, had had the effect of retarding the ascendency of the British name, and preventing the salutary growth of Christianity.... Toleration was the great corner-stone of the religious liberties of this country; but do not let them abuse that precious word toleration. As he understood it, it meant the complete liberty to all, freedom of worship, *among Christians, who worshipped upon the same foundation*. It meant toleration of all sects and denominations of *Christians who believed in the one mediation*." I want to call attention to the fact that a man thought fit to hold high office in the government of this country, under a liberal ministry, maintains the doctrine that all who do not believe in the divinity of Christ are beyond the limits of toleration. After this witless display, who can indulge the illusion that religious persecution has passed away, never to return?

TRANSLATOR'S NOTE. The Indian Rebellion of 1857, which began as a mutiny of Indian soldiers (sepoys) in the East India Company's army.

subject is as effective as law: people might as well be imprisoned as shut out from the means of earning their living. Those whose living is already secure, and who want no favors from people in power, or from organized bodies, or from the public, have nothing to fear from openly declaring any opinion except being thought badly of and spoken badly of—and it should not take a very heroic character to bear that. There is no room for any appeal to pity (*ad misericordiam*) on behalf of such people. But though we no longer inflict as much harm on those who think differently from us as we used to, it may be that we do ourselves as much harm as ever by the way we treat them. Socrates was put to death, but the Socratic philosophy rose like the sun in the sky and spread its light over the whole intellectual firmament. Christians were thrown to the lions, but the Christian church grew into a stately, spreading tree, rising above the older and less vigorous growths and stifling them with its shade. Our merely social intolerance kills no one and roots out no opinions, but it leads people to disguise them, or to refrain from any active effort to spread them. With us, heretical opinions do not noticeably gain, or even lose, ground from one decade or generation to the next. They never blaze out far and wide, but keep smoldering in the narrow circles of thoughtful and studious people among whom they originate, without ever lighting up the general affairs of humanity with either a true or a deceptive light. And so a state of things is kept up that is very satisfactory to some minds, because, without the unpleasant business of fining or imprisoning anybody, it keeps all prevailing opinions outwardly undisturbed, while not absolutely forbidding the use of reason by dissenters afflicted with the malady of thought. It is a convenient plan for having peace in the intellectual world and keeping everything in it going on much as it already does. But the price paid for this sort of intellectual pacification is the sacrifice of the entire moral courage of the human mind. A state of things in which a large share of the most active and inquiring minds find it advisable to keep the real principles and grounds of their convictions to themselves, and try, in what they say to

the public, to fit as much of their conclusions as they can to premises they have privately rejected, cannot produce the open, fearless characters and logical, consistent intellects who once adorned the thinking world. The sort of people to be expected under it are either mere conformers to the commonplace or opportunists who trim the truth to suit the times, whose arguments on all great subjects are meant for their audience and are not the ones that convinced themselves. Those who avoid this choice do so by narrowing their thoughts and interests to things that can be discussed without venturing into the realm of principles—that is, to small practical matters, which would set themselves right if only people's minds were strengthened and enlarged, and which will never be effectively set right until then. Meanwhile, the one thing that would strengthen and enlarge people's minds—free and daring speculation on the highest subjects—is abandoned.

2.20 Those who see no evil in this reticence on the part of heretics should consider, first, that because of it there is never any fair and thorough discussion of heretical opinions; and that those which could not survive such a discussion, though they may be kept from spreading, do not disappear. But it is not the minds of heretics that are damaged most by the ban on all inquiry that does not end in orthodox conclusions. The greatest harm is done to those who are not heretics, whose whole mental development is cramped, and whose reason is cowed, by the fear of heresy. Who can calculate what the world loses in the multitude of promising intellects joined to timid characters, who dare not follow any bold, vigorous, independent line of thought for fear it might land them in something that could be considered irreligious or immoral? Among them we may occasionally see a man of deep conscientiousness and subtle, refined understanding who spends his life in sophistry, driven by an intellect he cannot silence, and exhausts the resources of ingenuity trying to reconcile the promptings of his conscience and reason with orthodoxy—which, perhaps, he never succeeds in doing, even at the end. No one can be a great thinker who

does not recognize that, as a thinker, his first duty is to follow his intellect to whatever conclusions it may lead. Truth gains more even from the errors of someone who, with proper study and preparation, thinks for himself, than from the true opinions of those who hold them only because they do not allow themselves to think. Not that freedom of thought is needed solely, or chiefly, to produce great thinkers. On the contrary, it is just as indispensable, and even more so, to enable average human beings to reach the mental stature they are capable of. There have been, and may be again, great individual thinkers in a general atmosphere of mental slavery. But there never has been, and never will be, an intellectually active people in that atmosphere. Wherever a people has temporarily come close to such a character, it has been because the dread of unorthodox speculation was for a time suspended. Where there is an unspoken agreement that principles are not to be disputed—where discussion of the greatest questions that can occupy humanity is considered closed—we cannot hope to find that generally high level of mental activity which has made some periods of history so remarkable. Never, when controversy avoided subjects large and important enough to kindle enthusiasm, has the mind of a people been stirred to its foundations and given the impulse that raised even people of the most ordinary intellect to something of the dignity of thinking beings. We have had one example of this in the condition of Europe in the times immediately following the Reformation; another, though limited to the Continent and to a more educated class, in the speculative movement of the latter half of the eighteenth century; and a third, briefer still, in the intellectual ferment of Germany in the age of Goethe and Fichte.[17] These periods differed widely in the particular opinions they developed, but they were alike in this: in all three the yoke of authority was broken. In each, an old mental despotism had been thrown off, and no new one had yet taken its place. The impulse given in these three periods has made

17 Goethe (1749–1832), German poet; Fichte (1762–1814), German philosopher. The eighteenth-century movement is the Enlightenment.

Europe what it is now. Every single improvement that has taken place, either in the human mind or in institutions, can be traced clearly to one or another of them. For some time now there have been signs that all three impulses are nearly spent; and we can expect no fresh start until we again assert our mental freedom.

DEAD DOGMA

Mill argues that even a true opinion, if never challenged, is held as a dead dogma.

2.21 Let us now pass to the second part of the argument. Dismissing the supposition that any of the accepted opinions may be false, let us assume them to be true, and examine the worth of the way they are likely to be held when their truth is not freely and openly debated. However reluctant a person with a strong opinion may be to admit that it could be false, he ought to be moved by the thought that, however true it may be, if it is not fully, frequently, and fearlessly discussed, it will be held as a dead dogma, not a living truth.

2.22 There is a class of people (fortunately not quite as numerous as it used to be) who think it enough if someone assents without doubt to what they think true, even if he has no knowledge at all of the grounds of the opinion and could not put up a tenable defense of it against the most superficial objections. Such people, once they can get their creed taught by authority, naturally think that no good, and some harm, comes from allowing it to be questioned. Where their influence prevails, they make it nearly impossible for the accepted opinion to be rejected wisely and thoughtfully, though it may still be rejected rashly and ignorantly. For it is seldom possible to shut out discussion entirely, and once it gets in, beliefs not grounded in conviction tend to give way before the slightest semblance of an argument. Setting this possibility aside, however—assuming that the true opinion stays in the mind, but stays as a prejudice, a belief independent of argument and proof against it—this is not the way a rational being ought to hold the truth. This is not

knowing the truth. Truth held this way is just one more superstition, which happens to cling to the words that express a truth.

2.23 If the intellect and judgment of humanity ought to be cultivated—something Protestants at least do not deny—on what can anyone more appropriately exercise these faculties than on the things that concern him so much that he is considered obliged to hold opinions on them? If cultivating the understanding consists in one thing more than another, it is surely in learning the grounds of one's own opinions. Whatever people believe, on subjects where it is of the first importance to believe rightly, they ought to be able to defend against at least the common objections. But, someone may say, "Let them be *taught* the grounds of their opinions. It does not follow that opinions must be merely parroted because people never hear them disputed. Those who learn geometry do not simply memorize the theorems, but understand and learn the proofs as well; and it would be absurd to say that they remain ignorant of the grounds of geometrical truths because they never hear anyone deny them and try to disprove them." Undoubtedly: and such teaching is enough on a subject like mathematics, where there is nothing at all to be said on the wrong side of the question. What is peculiar about the evidence for mathematical truths is that all the argument is on one side. There are no objections, and no answers to objections. But on every subject on which difference of opinion is possible, the truth depends on striking a balance between two sets of conflicting reasons. Even in natural science, some other explanation of the same facts is always possible—some geocentric theory instead of the heliocentric one, some phlogiston instead of oxygen—and it has to be shown why that other theory cannot be the true one. Until this is shown, and until we know how it is shown, we do not understand the grounds of our opinion. But when we turn to subjects infinitely more complicated—to morals, religion, politics, social relations, and the business of life—three-quarters of the arguments for every disputed opinion consist in dispelling the appearances that favor some opinion different from it. The greatest orator of antiquity but one has left

it on record that he always studied his opponent's case as intensely as his own, if not more so. What Cicero practiced as a means of winning in court must be imitated by everyone who studies any subject in order to arrive at the truth. He who knows only his own side of the case knows little even of that.[18] His reasons may be good, and no one may have been able to refute them. But if he is just as unable to refute the reasons on the opposite side—if he does not even know what they are—he has no grounds for preferring either opinion. The rational position for him would be suspension of judgment; and unless he settles for that, he is either led by authority or adopts, like most people, the side he feels most inclined toward. Nor is it enough for him to hear his opponents' arguments from his own teachers, presented as they state them and accompanied by what they offer as refutations. That is not the way to do justice to the arguments, or to bring them into real contact with his own mind. He must be able to hear them from people who actually believe them, who defend them in earnest and do their very utmost for them. He must know them in their most plausible and persuasive form; he must feel the full force of the difficulty that the true view of the subject has to meet and overcome, or he will never really possess the part of the truth that meets and removes that difficulty. Ninety-nine in a hundred of what are called educated people are in this condition—even those who can argue fluently for their opinions. Their conclusion may be true, but for all they know it might be false. They have never put themselves in the mental position of those who think differently and considered what such people might have to say; and so they do not, in any proper sense of the word, know the doctrine they themselves profess. They do not know the parts of it that explain and justify the rest: the considerations showing that a fact which seems to conflict with another is reconcilable with it, or that, of two apparently strong reasons, one and not the other should be preferred. They are strangers to all that part of the truth which tips

18 Cicero (106–43 BC), Roman orator; the one Mill ranks above him is presumably the Athenian orator Demosthenes.

the scale and decides the judgment of a fully informed mind; nor is it ever really known except by those who have attended equally and impartially to both sides and tried to see the reasons of each in the strongest light. So essential is this discipline to a real understanding of moral and human subjects that if opponents of all important truths do not exist, it is indispensable to imagine them, and to supply them with the strongest arguments the most skillful devil's advocate can conjure up.

2.24 To weaken the force of these considerations, an enemy of free discussion might be imagined to say that there is no need for people in general to know and understand everything that philosophers and theologians can say for or against their opinions; that ordinary people need not be able to expose all the misstatements or fallacies of an ingenious opponent; that it is enough if there is always somebody able to answer them, so that nothing likely to mislead uninstructed people goes unrefuted. That simple minds, having been taught the obvious grounds of the truths instilled in them, may trust authority for the rest; and, knowing that they have neither the knowledge nor the talent to resolve every difficulty that can be raised, may rest assured that all the difficulties that have been raised have been, or can be, answered by those specially trained for the task.

2.25 Grant this view the utmost that can be claimed for it by those most easily satisfied with how much understanding of a truth ought to accompany belief in it—even so, the argument for free discussion is in no way weakened. For even this doctrine admits that people ought to have a rational assurance that all objections have been satisfactorily answered. And how are they to be answered if what needs answering is not spoken? Or how can the answer be known to be satisfactory if the objectors have no opportunity to show that it is unsatisfactory? If not the public, at least the philosophers and theologians who are to resolve the difficulties must make themselves familiar with those difficulties in their most puzzling form; and this cannot be done unless they are freely stated and put in the most favorable light they allow. The Catholic Church has its own way of dealing with

this awkward problem. It draws a sharp line between those who may be permitted to accept its doctrines through conviction and those who must accept them on trust. Neither group, indeed, is allowed any choice about what to accept. But the clergy—at least those who can be fully trusted—may properly, even commendably, acquaint themselves with opponents' arguments in order to answer them, and so may read heretical books; the laity may not, except by special permission, which is hard to get. This discipline recognizes knowledge of the enemy's case as beneficial to the teachers, but finds a way, consistent with this, of denying it to everyone else—thus giving the *elite* more mental cultivation, though not more mental freedom, than it allows the masses. By this device it achieves the kind of mental superiority its purposes require; for though cultivation without freedom has never produced a large and liberal mind, it can produce a clever trial lawyer (*nisi prius* advocate) for a cause. But in Protestant countries this resource is not available, since Protestants hold, at least in theory, that responsibility for choosing a religion must be borne by each person and cannot be shifted onto teachers. Besides, in the present state of the world it is practically impossible to keep writings read by the educated away from the uneducated. If the teachers of humanity are to know everything they ought to know, everything must be free to be written and published without restriction.

2.26 If, however, the harm done by the absence of free discussion, when the accepted opinions are true, were limited to leaving people ignorant of the grounds of those opinions, it might be thought that this is an intellectual evil but not a moral one, and does not affect the worth of the opinions as regards their influence on character. The fact, however, is that in the absence of discussion not only the grounds of the opinion are forgotten, but too often the meaning of the opinion itself. The words that convey it stop suggesting ideas, or suggest only a small part of those they were originally used to communicate. Instead of a vivid conception and a living belief, there remain only a few phrases learned by rote; or if any part of the meaning is kept, it is only

the shell and husk, the finer essence being lost. The great chapter of human history that this fact occupies and fills cannot be studied and pondered too earnestly.

2.27 It is illustrated in the experience of almost all ethical doctrines and religious creeds. They are all full of meaning and vitality to those who originate them and to their direct disciples. Their meaning continues to be felt with undiminished strength, and is perhaps brought into even fuller awareness, as long as the struggle lasts to give the doctrine or creed dominance over other creeds. Eventually it either prevails and becomes the general opinion, or its progress stops: it holds the ground it has gained but ceases to spread further. When either result has become apparent, controversy on the subject flags and gradually dies away. The doctrine has taken its place, if not as the accepted opinion, then as one of the recognized sects or schools of opinion. Those who hold it have generally inherited it, not chosen it. Conversion from one of these doctrines to another is now exceptional, and so occupies little place in the thoughts of their adherents. Instead of being constantly on the alert, as at first, either to defend themselves against the world or to win the world over, they have settled into passive acceptance. They neither listen, when they can avoid it, to arguments against their creed, nor trouble dissenters (if there are any) with arguments in its favor. From this point we can usually date the decline in the doctrine's living power. We often hear the teachers of every creed lamenting how hard it is to keep alive in believers' minds a vivid grasp of the truth they nominally accept, so that it may penetrate their feelings and gain real mastery over their conduct. No one complains of this difficulty while the creed is still fighting for its existence. Then even the weaker combatants know and feel what they are fighting for, and how it differs from other doctrines. And in that period of every creed's existence, quite a few people can be found who have grasped its fundamental principles in every form of thought, have weighed and considered them in all their important implications, and have felt the full effect on character that belief in that creed ought to produce in a

mind thoroughly steeped in it. But once it has become a hereditary creed, received passively rather than actively—once the mind is no longer compelled, as it was at first, to exercise its vital powers on the questions its belief raises—there is a growing tendency to forget everything in the belief except its set formulas, or to give it a dull, sluggish assent, as if accepting it on trust excused one from the need to grasp it consciously or test it by personal experience. In the end it almost ceases to connect with the inner life of the human being at all. Then we see the cases—so frequent in our age that they almost form the majority—in which the creed remains, as it were, outside the mind, encrusting it and hardening it against every other influence addressed to the higher parts of our nature. It shows its power by letting no fresh and living conviction get in, while itself doing nothing for the mind or heart except standing guard over them to keep them empty.

CHRISTIANITY HELD AS A DEAD BELIEF

Mill argues that most Christians hold their creed's precepts as dead beliefs that rarely guide conduct.

2.28 How far doctrines inherently suited to make the deepest impression on the mind can remain there as dead beliefs, never grasped by the imagination, the feelings, or the understanding, is shown by the way most believers hold the doctrines of Christianity. By Christianity I mean here what all churches and sects count as such: the maxims and precepts contained in the New Testament. All professing Christians consider these sacred and accept them as laws. Yet it is hardly too much to say that not one Christian in a thousand guides or tests their own conduct by reference to those laws. The standard they actually refer it to is the custom of their nation, their class, or their religious denomination. So on the one hand they have a collection of ethical maxims which they believe were granted to them by infallible wisdom as rules to govern them. On the other, they have a set of everyday judgments and practices that go some way with some

of those maxims, not so far with others, stand in direct opposition to some, and are, on the whole, a compromise between the Christian creed and the interests and promptings of worldly life. To the first of these standards they pay homage; to the other, their real allegiance. All Christians believe that the blessed are the poor and humble, and those whom the world mistreats; that it is easier for a camel to pass through the eye of a needle than for a rich man to enter the kingdom of heaven; that they should judge not, lest they be judged; that they should swear not at all; that they should love their neighbor as themselves; that if someone takes their cloak, they should give him their coat also; that they should take no thought for tomorrow; that if they would be perfect, they should sell all they have and give it to the poor. They are not insincere when they say they believe these things. They do believe them, as people believe what they have always heard praised and never heard discussed. But in the sense of the living belief that governs conduct, they believe these doctrines exactly as far as it is customary to act on them. The doctrines in their full form are useful for pelting opponents with, and it is understood that they are to be offered (when possible) as the reasons for whatever people do that they think praiseworthy. But anyone who reminded them that the maxims demand an infinity of things they never even think of doing would gain nothing except to be classed among those very unpopular characters who pretend to be better than other people. The doctrines have no hold on ordinary believers; they are not a power in their minds. Believers have a habitual respect for the sound of them, but no feeling that spreads from the words to the things they signify and forces the mind to take *those things* in and make them conform to the formula. Whenever conduct is concerned, they look around to Mr. A and Mr. B to tell them how far to go in obeying Christ.

2.29 Now we can be quite sure that it was not so—that it was very different—with the early Christians. Had it been so, Christianity would never have grown from an obscure, despised Jewish sect into the religion of the Roman Empire. When their

enemies said, "See how these Christians love one another" (a remark unlikely to be made by anyone now), they surely had a much livelier sense of the meaning of their creed than Christians have ever had since. And this is probably the main reason why Christianity now makes so little progress in extending its reach, and after eighteen centuries is still almost confined to Europeans and their descendants. Even among the strictly religious, who are very much in earnest about their doctrines and attach more meaning to many of them than people generally do, it commonly happens that the part that is comparatively active in their minds is the part made by Calvin, or Knox, or some such person much nearer to themselves in character. The sayings of Christ sit passively in their minds, producing hardly any effect beyond what comes from merely listening to words so gentle and mild.[19] There are no doubt many reasons why doctrines that are the badge of a particular sect keep more of their vitality than those common to all recognized sects, and why teachers take more trouble to keep their meaning alive. But one reason certainly is that the distinctive doctrines are questioned more, and have to be defended more often against open opponents. Both teachers and learners fall asleep at their posts as soon as there is no enemy in the field.

2.30 The same holds true, generally speaking, of all traditional doctrines—those of practical wisdom and knowledge of life as well as those of morals or religion. All languages and literatures are full of general observations about life, both about what it is and about how to conduct oneself in it. Everybody knows these observations, everybody repeats them or hears them with agreement, and they are accepted as truisms; yet most people first truly learn their meaning only when experience, usually of a painful kind, has made it real to them. How often, smarting under some unforeseen misfortune or disappointment, does a person recall some proverb or common saying, familiar all their life, whose meaning, had they ever felt it before as they do now,

19 John Calvin (1509–1564) and John Knox (c. 1514–1572), leaders of the Protestant Reformation in Geneva and Scotland.

would have saved them from the calamity. There are, of course, reasons for this besides the absence of discussion: there are many truths whose full meaning *cannot* be grasped until personal experience has brought it home. But much more of the meaning even of these would have been understood, and what was understood would have been impressed far more deeply on the mind, if the person had been used to hearing it argued *pro* and *con* by people who did understand it. The fatal human tendency to stop thinking about a thing once it is no longer in doubt is the cause of half our errors. A contemporary author has aptly spoken of "the deep slumber of a decided opinion."

2.31 But what! (it may be asked) Is the absence of unanimity an indispensable condition of true knowledge? Must some part of humanity persist in error so that anyone can grasp the truth? Does a belief stop being real and vital as soon as it is generally accepted—is a proposition never thoroughly understood and felt unless some doubt of it remains? As soon as humanity has unanimously accepted a truth, does the truth die within them? It has always been thought that the highest aim and best result of improved intelligence is to unite humanity more and more in acknowledging all important truths. Does intelligence, then, last only as long as it has not achieved its object? Do the fruits of conquest perish through the very completeness of the victory?

2.32 I claim no such thing. As humanity improves, the number of doctrines that are no longer disputed or doubted will keep increasing, and human well-being may almost be measured by the number and weight of the truths that have reached the point of being uncontested. The end of serious controversy on one question after another is one of the necessary side effects of the consolidation of opinion—a consolidation as healthy when the opinions are true as it is dangerous and harmful when they are false. But though this gradual narrowing of the range of differing opinion is necessary in both senses of the word—at once inevitable and indispensable—we are not therefore obliged to conclude that all its consequences must be good. The need to explain a truth to opponents, or defend it against them, is an

important aid to an intelligent and living grasp of it. Losing that aid, though not enough to outweigh the benefit of the truth's universal recognition, is no trifling drawback from it. Where this advantage can no longer be had, I confess I would like to see the teachers of humanity trying to provide a substitute for it: some device for making the difficulties of the question as present to the learner's mind as if they were being pressed on him by a dissenting champion eager to convert him.

2.33 But instead of seeking devices for this purpose, they have lost the ones they used to have. The Socratic dialectic, so magnificently exemplified in the dialogues of Plato, was a device of this kind. It was essentially a negative discussion of the great questions of philosophy and life, directed with consummate skill toward convincing anyone who had merely adopted the commonplaces of accepted opinion that he did not understand the subject—that he did not yet attach any definite meaning to the doctrines he professed. The aim was that, once aware of his ignorance, he might be set on the way to a stable belief, resting on a clear grasp both of what the doctrines meant and of the evidence for them. The school disputations of the Middle Ages had a somewhat similar aim. They were meant to make sure that the pupil understood his own opinion and (as a necessary counterpart) the opinion opposed to it, and could argue for the grounds of the one and refute those of the other. These medieval contests did indeed have the incurable defect that the premises they appealed to were drawn from authority, not from reason; and as a discipline for the mind they were in every respect inferior to the powerful dialectic that formed the minds of the "Socratici viri" (the men of Socrates' circle). But the modern mind owes far more to both than it is generally willing to admit, and present-day methods of education contain nothing that in the smallest degree takes the place of either one. A person who gets all their instruction from teachers or books, even if they escape the ever-present temptation to be satisfied with cramming, is under no compulsion to hear both sides. Accordingly, knowing both sides is far from a common accomplishment,

even among thinkers, and the weakest part of what anyone says in defense of their opinion is the part intended as a reply to opponents. It is the fashion nowadays to disparage negative logic—the kind that points out weaknesses in theory or errors in practice without establishing positive truths. Such negative criticism would indeed be poor enough as a final result. But as a means to any positive knowledge or conviction worth the name, it cannot be valued too highly. Until people are again systematically trained in it, there will be few great thinkers, and a low general level of intellect, in every field of inquiry except mathematics and the physical sciences. On any other subject, no one's opinions deserve the name of knowledge except insofar as they have gone through—whether forced on them by others or done on their own—the same mental process that carrying on an active debate with opponents would have demanded of them. When something is so indispensable, yet so difficult to create when it is missing, how worse than absurd it is to give it up when it offers itself freely! If there are people who challenge an accepted opinion, or who will do so if law or opinion lets them, let us thank them for it, open our minds to listen to them, and be glad that someone is doing for us what we would otherwise have to do for ourselves, with much greater effort, if we care at all about either the certainty or the vitality of our convictions.

HALF-TRUTHS ON BOTH SIDES

Mill argues that conflicting opinions usually share the truth between them, so dissenters deserve a hearing.

2.34 It remains to speak of one of the chief reasons that diversity of opinion is beneficial, and will remain so until humanity has entered a stage of intellectual progress that at present seems incalculably far off. So far we have considered only two possibilities: that the accepted opinion may be false, and some other opinion therefore true; or that, the accepted opinion being true, a conflict with the opposite error is essential to a clear grasp and deep feeling of its truth. But there is a case more common than

either of these: when the conflicting doctrines, instead of one being true and the other false, share the truth between them, and the nonconforming opinion is needed to supply the rest of the truth, of which the accepted doctrine embodies only part. Popular opinions on subjects beyond the reach of the senses are often true, but seldom or never the whole truth. They are part of the truth—sometimes a larger part, sometimes a smaller—but exaggerated, distorted, and cut off from the truths that ought to accompany and limit them. Heretical opinions, on the other hand, are generally some of these suppressed and neglected truths, bursting the bonds that held them down. They either seek reconciliation with the truth contained in the common opinion, or confront it as enemies and set themselves up, with the same exclusiveness, as the whole truth. So far the latter has been more frequent, since in the human mind one-sidedness has always been the rule and many-sidedness the exception. Hence even in revolutions of opinion, one part of the truth usually sets while another rises. Even progress, which ought to add, for the most part only substitutes one partial and incomplete truth for another. The improvement consists mainly in this: that the new fragment of truth is more needed, better suited to the needs of the time, than the one it displaces. Since prevailing opinions are this partial even when they rest on a true foundation, every opinion that embodies some of the portion of truth the common opinion leaves out ought to be considered precious, however much error and confusion that truth may be mixed with. No sober judge of human affairs will feel obliged to be indignant because those who force on our attention truths we would otherwise have overlooked themselves overlook some of the truths we see. Rather, such a judge will think that so long as popular truth is one-sided, it is actually desirable that unpopular truth should have one-sided champions too, since they are usually the most energetic, and the most likely to compel reluctant attention to the fragment of wisdom they proclaim as if it were the whole.

2.35 Thus in the eighteenth century, nearly all the educated, and all the uneducated who followed their lead, were lost in admiration of what is called civilization and of the marvels of modern science, literature, and philosophy. They greatly overrated how unlike the moderns were to the ancients, and indulged the belief that the whole of the difference was in their own favor. What a healthy shock it was when the paradoxes of Rousseau exploded like bombshells in their midst, breaking up the compact mass of one-sided opinion and forcing its elements to recombine in a better form and with added ingredients.[20] Not that the current opinions were, on the whole, farther from the truth than Rousseau's. On the contrary, they were nearer to it: they contained more positive truth and far less error. Nevertheless, Rousseau's doctrine contained—and carried down the stream of opinion with it—a considerable amount of exactly the truths that popular opinion lacked; and these are the deposit left behind when the flood subsided. The superior worth of a simple life, and the weakening and demoralizing effect of the constraints and hypocrisies of artificial society, are ideas that have never been entirely absent from cultivated minds since Rousseau wrote. In time they will produce their proper effect, though at present they need to be asserted as much as ever—and asserted by deeds, for on this subject words have nearly exhausted their power.

2.36 In politics, again, it is almost a commonplace that a party of order or stability and a party of progress or reform are both necessary elements of a healthy political life—until one or the other has so broadened its mental grasp as to be a party equally of order and of progress, knowing and distinguishing what deserves to be preserved from what ought to be swept away. Each of these ways of thinking gets its usefulness from the shortcomings of the other; but it is in large measure the opposition of the other that keeps each within the limits of reason and sanity. Unless opinions favorable to democracy and to aristo-

20 Jean-Jacques Rousseau (1712–1778), Genevan-born philosopher who argued that civilization had corrupted human nature.

cracy, to property and to equality, to cooperation and to competition, to luxury and to abstinence, to sociality and individuality, to liberty and discipline, and all the other standing oppositions of practical life, are expressed with equal freedom, and urged and defended with equal talent and energy, there is no chance of both elements getting their due. One side of the scale is sure to go up and the other down. Truth, in the great practical concerns of life, is so much a matter of reconciling and combining opposites that very few people have minds broad and impartial enough to make the adjustment with anything close to accuracy. It has to be made by the rough process of a struggle between combatants fighting under hostile banners. On any of the great open questions just listed, if either of the two opinions has a better claim than the other, not merely to be tolerated but to be encouraged and supported, it is the one that happens, at that particular time and place, to be in the minority. That is the opinion which, for the time being, represents the neglected interests —the side of human well-being that is in danger of getting less than its share. I am aware that in this country there is no intolerance of differences of opinion on most of these topics. I cite them to show, through acknowledged and numerous examples, how universal is the fact that, in the present state of the human intellect, only through diversity of opinion is there a chance of fair play for all sides of the truth. When some people are found who form an exception to the apparent unanimity of the world on any subject, then even if the world is right, it is always likely that the dissenters have something worth hearing to say for themselves, and that truth would lose something by their silence.

CHRISTIAN MORALITY

Mill argues that Christian morality is incomplete and needs to be supplemented by other ethical sources.

2.37 It may be objected: "But *some* accepted principles, especially on the highest and most vital subjects, are more than half-

truths. Christian morality, for instance, is the whole truth on that subject, and anyone who teaches a morality that departs from it is wholly in error." Since this is, of all cases, the most important in practice, none could be better suited to test the general rule. But before declaring what Christian morality is or is not, it would be good to decide what is meant by Christian morality. If it means the morality of the New Testament, I am surprised that anyone who gets their knowledge of it from the book itself could suppose that it was announced, or intended, as a complete moral doctrine. The Gospel always refers to a pre-existing morality, and limits its precepts to the particular points on which that morality was to be corrected or replaced by a broader and higher one. Moreover, it expresses itself in the most general terms, often impossible to interpret literally, and has the impressiveness of poetry or eloquence rather than the precision of legislation. It has never been possible to extract a body of ethical doctrine from it without supplementing it from the Old Testament—that is, from a system that is elaborate indeed, but in many respects undeveloped, and intended only for a people at an early stage of development. St. Paul, an avowed enemy of this Judaizing way of interpreting his Master's doctrine and filling out its scheme, likewise assumes a pre-existing morality, namely that of the Greeks and Romans; and his advice to Christians is largely a system of accommodation to it, even to the point of giving apparent approval to slavery. What is called Christian morality, but should rather be called theological morality, was not the work of Christ or the Apostles. It is of much later origin, having been gradually built up by the Catholic Church in its first five centuries. And though modern believers and Protestants have not adopted it wholesale, they have modified it much less than might have been expected. For the most part, in fact, they have been content to cut off the additions made to it in the Middle Ages, each sect filling the gap with fresh additions suited to its own character and tendencies. That humanity owes a great debt to this morality and to its early teachers, I would be the last to deny. But I do not hesitate to say

that it is, on many important points, incomplete and one-sided, and that unless ideas and feelings it did not sanction had contributed to shaping European life and character, human affairs would be in a worse state than they are now. So-called Christian morality has all the marks of a reaction; it is, in large part, a protest against paganism. Its ideal is negative rather than positive, passive rather than active; Innocence rather than Nobleness; Abstinence from Evil rather than energetic Pursuit of Good. In its precepts (as has been well said), "thou shalt not" unduly outweighs "thou shalt." In its horror of sensuality it made an idol of asceticism, which has gradually been compromised down into an idol of mere rule-keeping. It holds out the hope of heaven and the threat of hell as the designated and proper motives for a virtuous life. In this it falls far below the best of the ancients, and does what it can to give human morality an essentially selfish character, by disconnecting each person's sense of duty from the interests of their fellow human beings, except insofar as they are offered a self-interested motive for considering them. It is essentially a doctrine of passive obedience. It teaches submission to all established authorities—who are not, indeed, to be actively obeyed when they command what religion forbids, but who are not to be resisted, much less rebelled against, however much wrong they do to us. And while in the morality of the best pagan nations, duty to the State holds even an outsized place, infringing on the rightful liberty of the individual, in purely Christian ethics that great department of duty is scarcely noticed or acknowledged. It is in the Koran, not the New Testament, that we read the maxim: "A ruler who appoints any man to an office, when there is in his dominions another man better qualified for it, sins against God and against the State." What little recognition the idea of obligation to the public gets in modern morality comes from Greek and Roman sources, not Christian ones. Likewise, even in the morality of private life, whatever exists of magnanimity, high-mindedness, personal dignity, even the sense of honor, comes from the purely human, not the religious, part of our education.

It could never have grown out of an ethical standard in which the only worth openly recognized is that of obedience.

2.38 I am as far as anyone from claiming that these defects are necessarily inherent in Christian ethics in every way it can be conceived, or that the many requirements of a complete moral doctrine that it lacks cannot be reconciled with it. Much less would I suggest this of the doctrines and precepts of Christ himself. I believe that the sayings of Christ are everything that I can see any evidence they were intended to be; that they are irreconcilable with nothing a comprehensive morality requires; that everything excellent in ethics can be brought within them with no greater violence to their language than has been done to it by everyone who has tried to deduce any practical system of conduct whatever from them. But it is entirely consistent with this to believe that they contain, and were meant to contain, only part of the truth; that many essential elements of the highest morality are among the things not provided for, nor meant to be provided for, in the recorded teachings of the Founder of Christianity, and have been entirely thrown aside in the ethical system the Christian Church built on the basis of those teachings. This being so, I think it a great mistake to keep trying to find in Christian doctrine that complete rule for our guidance which its author meant to sanction and enforce, but only partly to provide. I believe, too, that this narrow theory is becoming a serious practical evil, greatly reducing the value of the moral training and instruction that so many well-meaning people are now at last working hard to promote. I very much fear that by trying to form the mind and feelings on an exclusively religious model, and discarding those secular standards (as, for want of a better name, they may be called) that until now coexisted with and supplemented Christian ethics—taking in some of its spirit and infusing into it some of their own—the result will be, and even now is, a low, abject, servile type of character. However much it submits to what it considers the Supreme Will, such a character is incapable of rising to, or sympathizing with, the conception of Supreme Goodness. I believe that ethics

other than any that can be developed from exclusively Christian sources must exist side by side with Christian ethics to bring about the moral regeneration of humanity; and that the Christian system is no exception to the rule that, in an imperfect state of the human mind, the interests of truth require a diversity of opinions. In ceasing to ignore the moral truths not contained in Christianity, people need not ignore any of those it does contain. Such prejudice or oversight, when it occurs, is entirely an evil; but it is one we cannot hope always to be free of, and it must be regarded as the price paid for an inestimable good. The exclusive claim of a part of the truth to be the whole must, and ought to, be protested against; and if a reactionary impulse makes the protesters unjust in their turn, this one-sidedness, like the other, may be regretted but must be tolerated. If Christians want to teach unbelievers to be just to Christianity, they should themselves be just to unbelief. It does truth no service to ignore the fact, known to everyone with the most ordinary acquaintance with literary history, that a large share of the noblest and most valuable moral teaching has been the work not only of people who did not know the Christian faith, but of people who knew it and rejected it.

2.39 I do not claim that the most unlimited freedom to state every possible opinion would put an end to the evils of religious or philosophical sectarianism. Every truth that narrow-minded people are in earnest about is sure to be asserted, preached, and in many ways even acted on as if no other truth existed in the world, or at any rate none that could limit or qualify the first. I acknowledge that the tendency of all opinions to become sectarian is not cured by the freest discussion, but is often heightened and aggravated by it: the truth that ought to have been seen, but was not, is rejected all the more violently because it is proclaimed by people regarded as opponents. But it is not on the impassioned partisan, it is on the calmer and more impartial bystander, that this collision of opinions has its healthy effect. The formidable evil is not the violent conflict between parts of the truth, but the quiet suppression of half of

it. There is always hope when people are forced to listen to both sides; it is when they attend to only one that errors harden into prejudices, and truth itself stops having the effect of truth, by being exaggerated into falsehood. And since few mental qualities are rarer than the judicial ability to sit in intelligent judgment between two sides of a question when only one of them is represented by an advocate, truth has a chance only in proportion as every side of it—every opinion that embodies any fraction of the truth—not only finds advocates, but is advocated in a way that gets it heard.

2.40 We have now recognized that freedom of opinion, and freedom to express opinion, are necessary to the mental well-being of humanity (on which all its other well-being depends), on four distinct grounds, which we will now briefly summarize.

2.41 First, if any opinion is forced into silence, that opinion may, for all we can know for certain, be true. To deny this is to assume our own infallibility.

2.42 Second, though the silenced opinion may be an error, it may contain, and very commonly does contain, a portion of truth. And since the general or prevailing opinion on any subject is rarely or never the whole truth, it is only through the collision of opposing opinions that the rest of the truth has any chance of being supplied.

2.43 Third, even if the accepted opinion is not only true but the whole truth, unless it is allowed to be, and actually is, vigorously and earnestly contested, most of those who accept it will hold it as a prejudice, with little understanding or feeling of its rational grounds. And not only this, but, fourth, the meaning of the doctrine itself will be in danger of being lost or weakened, and deprived of its vital effect on character and conduct. The dogma becomes a mere formal profession, powerless for good but cluttering the ground and preventing the growth of any real and heartfelt conviction, whether from reason or from personal experience.

TEMPERATE DISCUSSION

Mill rejects requiring temperate discussion and describes the real morality of public debate.

2.44 Before leaving the subject of freedom of opinion, it is fitting to take some notice of those who say that the free expression of all opinions should be permitted on condition that the manner be temperate and not overstep the bounds of fair discussion. Much could be said about the impossibility of fixing where these supposed bounds should be placed. If the test is offense to those whose opinion is attacked, I think experience shows that offense is taken whenever the attack is telling and powerful, and that every opponent who presses them hard, and whom they find it difficult to answer, seems to them an intemperate opponent if he shows any strong feeling on the subject. But this, though an important consideration from a practical point of view, is absorbed into a more fundamental objection. Undoubtedly the manner of asserting an opinion, even a true one, may be very objectionable and may justly earn severe censure. But the chief offenses of this kind are mostly impossible to prove against someone, unless they happen to give themselves away. The gravest of them are arguing sophistically, suppressing facts or arguments, misstating the elements of the case, or misrepresenting the opposing opinion. But all this, even in its most extreme form, is so constantly done in perfect good faith by people who are not considered—and in many other respects may not deserve to be considered—ignorant or incompetent, that it is rarely possible, on adequate grounds and in good conscience, to brand the misrepresentation as morally culpable. Still less could the law presume to interfere with this kind of misconduct in controversy. As for what is commonly meant by intemperate discussion—namely invective, sarcasm, personal attacks, and the like—condemning these weapons would deserve more sympathy if it were ever proposed to forbid them equally to both sides. But the wish is only to restrain their use against the pre-

vailing opinion. Against the non-prevailing opinion they may not only be used without general disapproval, but are likely to earn whoever uses them praise for honest zeal and righteous indignation. Yet whatever harm comes from their use is greatest when they are aimed at the comparatively defenseless; and whatever unfair advantage any opinion can gain from this way of asserting it goes almost exclusively to accepted opinions. The worst offense of this kind that a debater can commit is to brand those who hold the opposite opinion as bad and immoral people. Those who hold any unpopular opinion are especially exposed to slander of this sort, because they are generally few and without influence, and nobody but themselves cares much about seeing justice done to them. But this weapon is, by the nature of the case, denied to those who attack a prevailing opinion: they can neither use it safely themselves, nor, if they could, would it do anything but backfire on their own cause. In general, opinions contrary to those commonly accepted can gain a hearing only through carefully studied moderation of language and the most cautious avoidance of unnecessary offense; they hardly ever depart from this even slightly without losing ground. Meanwhile, unrestrained abuse on the side of the prevailing opinion really does deter people from professing contrary opinions and from listening to those who profess them. For the sake of truth and justice, therefore, it is far more important to restrain this use of abusive language than the other. For example, if we had to choose, there would be much more need to discourage offensive attacks on unbelief than on religion. It is obvious, however, that law and authority have no business restraining either. Opinion, on the other hand, ought in every instance to reach its verdict according to the circumstances of the individual case. It should condemn everyone, on whichever side of the argument they stand, whose way of arguing shows a lack of candor, or malice, bigotry, or intolerance of feeling—but it should not infer these vices from the side a person takes, even if it is the opposite side of the question from our own. And it should give due honor to everyone, whatever opinion they hold,

who has the calmness to see and the honesty to state what their opponents and their opinions really are, exaggerating nothing to their discredit and holding back nothing that tells, or can be supposed to tell, in their favor. This is the real morality of public discussion. And if it is often violated, I am glad to think there are many debaters who observe it to a great extent, and a still greater number who conscientiously strive toward it.

Chapter III

Of Individuality, as One of the Elements of Well-being
Mill argues that individuality and varied ways of living are essential to human well-being and progress.

3.1 Such are the reasons that make it imperative for human beings to be free to form opinions and to express them without reserve; and such are the harmful consequences to the intellectual nature of humanity, and through it to the moral nature, unless this liberty is either granted or asserted in spite of prohibition. Let us next examine whether the same reasons do not require that people should be free to act on their opinions—to carry them out in their lives without hindrance, physical or moral, from their fellow human beings, so long as they do so at their own risk and peril. This last condition is, of course, indispensable. No one claims that actions should be as free as opinions. On the contrary, even opinions lose their immunity when they are expressed in circumstances that make expressing them a positive incitement to some harmful act. An opinion that grain dealers starve the poor, or that private property is robbery, ought to be left alone when simply circulated through the press, but may justly be punished when delivered in a speech to an excited mob gathered outside a grain dealer's house, or when handed around that same mob in the form of a placard. Acts of any kind that, without justifiable cause, do harm to others may be—and in the more important cases absolutely must be—controlled by the disapproval of others and, when necessary, by their active interference. The liberty of the individual must be limited this far: he must not make himself a nuisance to other

people. But if he refrains from interfering with others in what concerns them, and merely acts according to his own inclination and judgment in things that concern himself, the same reasons that show opinion should be free also prove that he should be allowed, without interference, to put his opinions into practice at his own cost. That humanity is not infallible; that its truths are, for the most part, only half-truths; that unity of opinion is not desirable unless it results from the fullest and freest comparison of opposing opinions, and that diversity is not an evil but a good, until humanity is far more capable than at present of recognizing all sides of the truth—these are principles that apply to people's ways of acting no less than to their opinions. Just as it is useful, while humanity is imperfect, that there should be different opinions, so it is useful that there should be different experiments in living; that free scope should be given to varieties of character, short of injury to others; and that the worth of different ways of life should be proved in practice, whenever anyone thinks fit to try them. In short, it is desirable that in things that do not primarily concern others, individuality should assert itself. Where the rule of conduct is not the person's own character but the traditions or customs of other people, one of the principal ingredients of human happiness is missing—and quite the chief ingredient of individual and social progress.

3.2 In upholding this principle, the greatest difficulty to be faced lies not in judging the means to an acknowledged end, but in people's general indifference to the end itself. If it were felt that the free development of individuality is one of the leading essentials of well-being—that it is not just an element on a par with everything meant by the words civilization, instruction, education, culture, but is itself a necessary part and condition of all those things—there would be no danger of liberty being undervalued, and adjusting the boundaries between it and social control would present no extraordinary difficulty. But the trouble is that individual spontaneity is hardly recognized by common ways of thinking as having any intrinsic worth or

deserving any regard for its own sake. The majority, being satisfied with the ways of humanity as they now are (for it is they who make them what they are), cannot understand why those ways should not be good enough for everybody. What is more, spontaneity forms no part of the ideal of most moral and social reformers. Rather, they look on it with suspicion, as a troublesome and perhaps rebellious obstacle to the general acceptance of what they themselves judge would be best for humanity. Few people outside Germany even understand the meaning of the doctrine that Wilhelm von Humboldt, so eminent both as a scholar and as a statesman, made the theme of a treatise: that "the end of man, or that which is prescribed by the eternal or immutable dictates of reason, and not suggested by vague and transient desires, is the highest and most harmonious development of his powers to a complete and consistent whole"; that, therefore, the object "towards which every human being must ceaselessly direct his efforts, and on which especially those who design to influence their fellow-men must ever keep their eyes, is the individuality of power and development"; that for this there are two requirements, "freedom, and a variety of situations"; and that from the union of these arise "individual vigour and manifold diversity," which combine in "originality."[1]

CUSTOM AND CHOICE

Mill argues that people must use their own judgment rather than follow custom merely because it is custom.

3.3 However unaccustomed people may be to a doctrine like Humboldt's, and however surprised they may be to find so high a value placed on individuality, one must still think that the question can only be one of degree. No one's idea of excellent conduct is that people should do nothing at all but copy one another. No one would claim that people ought not to put any stamp whatever of their own judgment, or of their own indi-

1 MILL'S NOTE. *The Sphere and Duties of Government*, translated from the German of Baron Wilhelm von Humboldt, pp. 11–13.

vidual character, on their way of life and the conduct of their affairs. On the other hand, it would be absurd to claim that people ought to live as if nothing whatever had been known in the world before they came into it—as if experience had so far done nothing to show that one way of living, or of behaving, is preferable to another. Nobody denies that people should be taught and trained in youth so as to know and benefit from the established results of human experience. But it is the privilege and proper condition of a human being who has reached the maturity of their faculties to use and interpret experience in their own way. It is for them to find out what part of recorded experience properly applies to their own circumstances and character. The traditions and customs of other people are, to a certain extent, evidence of what their experience has taught *them*—presumptive evidence, and as such entitled to his deference. But, in the first place, their experience may be too narrow, or they may not have interpreted it correctly. Second, their interpretation of experience may be correct but unsuited to him. Customs are made for customary circumstances and customary characters, and his circumstances or his character may be uncustomary. Third, even if the customs are both good as customs and suited to him, conforming to custom merely *as* custom does not educate or develop in him any of the qualities that are the distinctive endowment of a human being. The human faculties of perception, judgment, discriminating feeling, mental activity, and even moral preference are exercised only in making a choice. Whoever does something because it is the custom makes no choice. They gain no practice either in discerning or in desiring what is best. Mental and moral powers, like muscular ones, are improved only by being used. The faculties are no more exercised by doing a thing merely because others do it than by believing a thing only because others believe it. If the grounds of an opinion are not conclusive to a person's own reason, their reason cannot be strengthened, and is likely to be weakened, by adopting it. And if the motives for an act are not in harmony with their own feelings and character (where affec-

tion or the rights of others are not concerned), it goes that much further toward making their feelings and character inert and sluggish instead of active and energetic.

3.4 Whoever lets the world, or their own portion of it, choose their plan of life for them has no need of any faculty other than the ape-like one of imitation. Whoever chooses their plan for themselves uses all their faculties. They must use observation to see, reasoning and judgment to foresee, activity to gather materials for a decision, discernment to decide, and, once they have decided, firmness and self-control to hold to their deliberate decision. And they need and exercise these qualities exactly in proportion to how large a part of their conduct they determine by their own judgment and feelings. It is possible that such a person might be guided along some good path, and kept out of harm's way, without any of these things. But what will be their comparative worth as a human being? It really does matter not only what people do, but also what kind of people they are who do it. Among the works of human beings, which human life is rightly spent in perfecting and beautifying, the first in importance is surely the human being. Suppose it were possible to get houses built, grain grown, battles fought, lawsuits tried, and even churches erected and prayers said by machinery—by automatons in human form. It would be a considerable loss to exchange for these automatons even the men and women who now inhabit the more developed parts of the world, and who are certainly only starved specimens of what nature can and will produce. Human nature is not a machine to be built after a model and set to do exactly the work prescribed for it, but a tree, which needs to grow and develop itself on all sides, according to the tendency of the inner forces that make it a living thing.

IMPULSE, ENERGY, AND CHARACTER

Mill defends strong desires and impulses as the raw material of character and energy.

3.5 It will probably be granted that people should use their own minds, and that following custom intelligently, or even occasionally departing from it intelligently, is better than clinging to it blindly and mechanically. To some extent people admit that our understanding should be our own. But they are not equally willing to admit that our desires and impulses should be our own as well, or that having impulses of our own, of any strength, is anything but a danger and a trap. Yet desires and impulses are as much a part of a complete human being as beliefs and restraints are. Strong impulses are dangerous only when they are out of balance, when one set of aims and inclinations grows strong while others, which ought to exist alongside them, stay weak and inactive. People do not act badly because their desires are strong; they act badly because their consciences are weak. There is no natural connection between strong impulses and a weak conscience. The natural connection runs the other way. To say that one person's desires and feelings are stronger and more varied than another's is simply to say that they have more of the raw material of human nature, and so are capable perhaps of more evil, but certainly of more good. Strong impulses are just another name for energy. Energy can be put to bad uses, but more good can always be made of an energetic nature than of a lazy and unfeeling one. Those with the most natural feeling are always those whose cultivated feelings can be made the strongest. The same intense sensitivity that makes personal impulses vivid and powerful is also the source of the most passionate love of virtue and the sternest self-control. It is by cultivating these that society both does its duty and protects its interests—not by rejecting the stuff heroes are made of because it does not know how to make them. A person whose desires and impulses are their own—the expression of their own

nature, as developed and shaped by their own cultivation—is said to have a character. One whose desires and impulses are not their own has no character, any more than a steam engine has a character. If, besides being their own, a person's impulses are strong and governed by a strong will, that person has an energetic character. Anyone who thinks that individuality of desires and impulses should not be encouraged to unfold must hold that society has no need of strong natures—that it is no better off for containing many people of strong character—and that a high general level of energy is not desirable.

3.6 In some early stages of society, these forces may have been —and were—too far ahead of society's power, at that time, to discipline and control them. There was a time when the element of spontaneity and individuality was in excess, and the social principle had a hard struggle against it. The difficulty then was to get people of strong bodies or minds to obey any rules that required them to control their impulses. To overcome this, law and discipline, like the Popes struggling against the Emperors, claimed power over the whole person, seeking to control all of a person's life in order to control their character—which society had found no other adequate means of restraining.[2] But society has now thoroughly got the better of individuality, and the danger threatening human nature is not an excess but a deficiency of personal impulses and preferences. Things have changed enormously since the days when the passions of those who were powerful by rank or by personal gifts were in habitual rebellion against laws and regulations, and had to be tightly chained up so that the people within their reach could enjoy the least bit of security. In our time, from the highest class of society down to the lowest, everyone lives as if under the eye of a hostile and dreaded censor. Not only in what concerns others, but in what concerns only themselves, individuals and families do not ask themselves: What do I prefer? What would suit my character and temperament? What would give the best and highest in me a fair

2 The medieval contests between the papacy and the Holy Roman Emperors over authority.

chance, and let it grow and thrive? They ask themselves: What is suitable to my position? What do people of my rank and income usually do? Or (worse still) what do people of a rank and income above mine usually do? I do not mean that they choose what is customary in preference to what suits their own inclination. It does not occur to them to have any inclination except for what is customary. So the mind itself bows to the yoke. Even in what people do for pleasure, conformity is the first thing they think of. They live in crowds. They exercise choice only among things commonly done. Unusual tastes and eccentric conduct are shunned as much as crimes. In the end, by not following their own nature, they have no nature to follow. Their human capacities wither and starve. They become incapable of any strong wishes or native pleasures, and generally have no opinions or feelings that are homegrown or truly their own. Now, is this the desirable condition of human nature, or is it not?

3.7 It is, on the Calvinist theory. According to that theory, the one great offense of humankind is self-will. All the good that humanity is capable of consists in obedience. You have no choice; this is what you must do, and nothing else: "whatever is not a duty is a sin." Since human nature is radically corrupt, there is no redemption for anyone until human nature has been killed within them. To someone who holds this theory of life, crushing any of the human faculties, capacities, and sensibilities is no evil. A person needs no capacity except that of surrendering to the will of God; and if they use any of their faculties for any other purpose than to carry out that supposed will more effectively, they are better off without them. That is the theory of Calvinism, and it is held in a softened form by many who do not consider themselves Calvinists. The softening consists in giving a less ascetic reading to the supposed will of God: in claiming that it is his will that people should satisfy some of their inclinations—not, of course, in the way they themselves prefer, but by way of obedience, that is, in a way prescribed to them by authority, and therefore, by the very nature of the case, the same for everyone.

3.8 In some such subtle form there is at present a strong tendency toward this narrow theory of life, and toward the pinched and rigid type of human character it favors. No doubt many people sincerely think that human beings cramped and dwarfed in this way are just as their Maker designed them to be—just as many have thought that trees are much finer when lopped into pollards or clipped into the shapes of animals than as nature made them. But if it is any part of religion to believe that humankind was made by a good being, it is more consistent with that faith to believe that this Being gave people all their faculties so that they might be cultivated and unfolded, not rooted out and used up; and that he takes delight in every step his creatures take toward the ideal embodied in them, every increase in any of their capacities for understanding, for action, or for enjoyment. There is a type of human excellence different from the Calvinist one: a conception of humanity as having been given its nature for other purposes than merely to renounce it. "Pagan self-assertion" is one of the elements of human worth, as well as "Christian self-denial."[3] There is a Greek ideal of self-development, which the Platonic and Christian ideal of self-government blends with but does not replace. It may be better to be a John Knox than an Alcibiades, but it is better to be a Pericles than either; and a Pericles, if we had one today, would not lack anything good that belonged to John Knox.[4]

3.9 It is not by wearing down into uniformity everything individual in themselves, but by cultivating it and drawing it out, within the limits set by the rights and interests of others, that human beings become a noble and beautiful object of contemplation. And since works take on the character of those who make them, the same process makes human life itself rich, var-

3 MILL'S NOTE. Sterling's *Essays*.

TRANSLATOR'S NOTE. John Sterling (1806–1844), British writer and a friend of Mill.

4 Alcibiades (c. 450–404 BC), brilliant but unprincipled Athenian statesman; Pericles (c. 495–429 BC), leader of Athens in its golden age.

ied, and stirring. It supplies more abundant nourishment to high thoughts and uplifting feelings, and it strengthens the tie that binds each individual to the human race, by making the race infinitely more worth belonging to. In proportion as their individuality develops, each person becomes more valuable to themselves, and is therefore able to be more valuable to others. There is a greater fullness of life in their own existence, and when there is more life in the units, there is more in the mass composed of them. As much restraint as is needed to keep the stronger specimens of human nature from encroaching on the rights of others cannot be done away with. But for this there is ample compensation, even from the point of view of human development. The means of development that individuals lose by being prevented from indulging their inclinations to the injury of others are mostly obtained at the expense of other people's development. And even for the individual there is a full equivalent in the better development of the social part of their nature, made possible by the restraint placed on the selfish part. Being held to strict rules of justice for the sake of others develops the feelings and capacities aimed at the good of others. But being restrained, in things that do not affect their good, merely by their displeasure develops nothing of value—except whatever strength of character may unfold in resisting the restraint. If one submits to it, it dulls and blunts one's whole nature. To give each person's nature any fair chance, it is essential that different people be allowed to lead different lives. Every age has been remarkable to later generations in proportion to how much of this latitude it allowed. Even despotism does not produce its worst effects as long as individuality exists under it; and whatever crushes individuality is despotism, whatever name it goes by, and whether it claims to be enforcing the will of God or the commands of men.

THE USES OF ORIGINALITY

Mill argues that original individuals benefit everyone, since all progress starts with someone doing something new.

3.10 Having said that individuality is the same thing as development, and that only the cultivation of individuality produces, or can produce, well-developed human beings, I might close the argument here. For what more or better can be said of any state of human affairs than that it brings human beings themselves nearer to the best they can be? And what worse can be said of any obstacle to good than that it prevents this? No doubt, however, these considerations will not be enough to convince those who most need convincing. It is necessary to show further that these developed human beings are of some use to the undeveloped—to point out to those who do not want liberty, and would not make use of it, that they may be rewarded in some understandable way for allowing other people to use it without interference.

3.11 In the first place, then, I would suggest that they might possibly learn something from them. Nobody will deny that originality is a valuable element in human affairs. There is always a need for people not only to discover new truths and to point out when what were once truths are true no longer, but also to start new practices and set an example of more enlightened conduct and better taste and sense in human life. No one can really dispute this unless they believe the world has already reached perfection in all its ways and practices. It is true that not everybody can confer this benefit equally. Compared with humanity as a whole, there are only a few people whose experiments, if others adopted them, would be likely to improve on established practice. But these few are the salt of the earth; without them, human life would become a stagnant pool. Not only do they introduce good things that did not exist before; they are the ones who keep the life in those that already exist. If there were nothing new to be done, would human intelligence stop being neces-

sary? Would that be a reason for those who do the old things to forget why they are done, and to do them like cattle rather than like human beings? The best beliefs and practices have all too strong a tendency to degenerate into the mechanical. Unless there were a succession of people whose ever-recurring originality kept the grounds of those beliefs and practices from becoming merely traditional, such dead matter could not withstand the slightest shock from anything truly alive, and there would be no reason why civilization should not die out, as it did in the Byzantine Empire. People of genius, it is true, are and probably always will be a small minority; but in order to have them, we must preserve the soil in which they grow. Genius can breathe freely only in an *atmosphere* of freedom. People of genius are, *by the very meaning of the word*, *more* individual than anyone else—and so less able to fit themselves, without harmful compression, into any of the small number of molds that society provides to save its members the trouble of forming their own character. If out of timidity they agree to be forced into one of these molds, and let all the parts of themselves that cannot expand under the pressure remain unexpanded, society will be little better off for their genius. If they have strong characters and break their chains, they become a target for the society that failed to reduce them to the commonplace, which points them out with solemn warnings as "wild," "erratic," and the like—much as if one complained that the Niagara River does not flow smoothly between its banks like a Dutch canal.

3.12 I insist so emphatically on the importance of genius, and on the need to let it unfold freely in both thought and practice, because I am well aware that no one will deny this position in theory, but I also know that almost everyone is in reality completely indifferent to it. People think genius a fine thing if it enables someone to write a stirring poem or paint a picture. But in its true sense—originality in thought and action—although no one says it is not to be admired, nearly everyone at heart thinks they can do very well without it. Unfortunately, this is too natural to be surprising. Originality is the one thing whose use

unoriginal minds cannot feel. They cannot see what it is going to do for them—how could they? If they could see what it would do for them, it would not be originality. The first service originality has to render them is to open their eyes; once that was fully done, they would have a chance of becoming original themselves. Meanwhile, remembering that nothing was ever done that someone was not the first to do, and that all the good things that exist are the fruits of originality, let them be modest enough to believe that there is still something left for it to accomplish, and let them be sure that the less aware they are of needing originality, the more they need it.

THE RULE OF MEDIOCRITY

Mill warns that public opinion is making mediocrity the ruling power and discouraging eccentricity.

3.13 In sober truth, whatever respect may be professed, or even paid, to real or supposed mental superiority, the general tendency of things throughout the world is to make mediocrity the dominant power among humankind. In ancient history, in the Middle Ages, and to a diminishing degree through the long transition from feudalism to the present, the individual was a power in themselves; and anyone with great talents or high social position was a considerable power. Today individuals are lost in the crowd. In politics it is almost a cliché to say that public opinion now rules the world. The only power worthy of the name is that of the masses, and of governments insofar as they make themselves the instrument of the tendencies and instincts of the masses. This is as true in the moral and social relations of private life as in public affairs. Those whose opinions go by the name of public opinion are not always the same sort of public: in America they are the whole white population; in England, chiefly the middle class. But they are always a mass—that is to say, collective mediocrity. And what is still more novel, the mass no longer takes its opinions from dignitaries in Church or State, from recognized leaders, or from books. Their thinking is done

for them by people much like themselves, who address them or speak in their name, on the spur of the moment, through the newspapers. I am not complaining about all this. I do not claim that anything better is compatible, as a general rule, with the present low state of the human mind. But that does not stop the government of mediocrity from being mediocre government. No government by a democracy or by a large aristocracy, either in its political acts or in the opinions, qualities, and tone of mind it fosters, ever did or could rise above mediocrity—except insofar as the sovereign Many have let themselves be guided (as in their best times they always have) by the advice and influence of a more highly gifted and educated One or Few. The initiation of all wise or noble things comes, and must come, from individuals—generally, at first, from some one individual. The honor and glory of the average person is being able to follow that initiative: to respond inwardly to wise and noble things and be led to them with open eyes. I am not endorsing the sort of "hero worship" that applauds the strong man of genius for seizing control of the world by force and making it do his bidding against its will. All he can claim is freedom to point out the way. The power to compel others to take it is not only incompatible with the freedom and development of everyone else, but corrupting to the strong man himself.[5] It does seem, however, that when the opinions of masses of merely average people have become, or are becoming, the dominant power everywhere, the counterweight and corrective to that tendency would be the ever more pronounced individuality of those who stand on the higher peaks of thought. It is in these circumstances above all that exceptional individuals, instead of being discouraged, should be encouraged to act differently from the mass. In other times there was no advantage in their doing so unless they acted not only differently but better. In this age, the mere example of nonconformity, the mere refusal to bow to custom, is itself a service. Precisely because the tyranny of opinion is such that it makes eccentricity

5 "Hero-worship" alludes to Thomas Carlyle's *On Heroes, Hero-Worship, and the Heroic in History* (1841).

a matter of reproach, it is desirable, in order to break through that tyranny, that people should be eccentric. Eccentricity has always flourished when and where strength of character has flourished, and the amount of eccentricity in a society has generally been proportional to the amount of genius, mental vigor, and moral courage it contained. That so few now dare to be eccentric marks the chief danger of our time.

3.14 I have said that it is important to give the freest possible scope to uncustomary things, so that in time it may become clear which of them are fit to become customs. But independence of action and disregard of custom deserve encouragement not only for the chance they offer of hitting on better ways of acting and customs more worthy of general adoption; nor is it only people of decided mental superiority who have a fair claim to live their lives in their own way. There is no reason why all human lives should be built on one pattern, or on some small number of patterns. If a person has any reasonable amount of common sense and experience, their own way of arranging their life is the best, not because it is the best in itself, but because it is their own. Human beings are not like sheep; and even sheep are not indistinguishably alike. A man cannot get a coat or a pair of boots that fit him unless they are made to his measure or he has a whole warehouse to choose from. Is it easier to fit him with a life than with a coat? Or are human beings more alike in their whole physical and spiritual makeup than in the shape of their feet? If it were only that people have different tastes, that would be reason enough not to try to shape them all on one model. But different people also need different conditions for their spiritual development. They can no more all live healthily in the same moral atmosphere and climate than all the variety of plants can in the same physical one. The same things that help one person cultivate their higher nature hinder another. The same way of life is a healthy stimulus to one, keeping all their faculties of action and enjoyment in the best order, while to another it is a distracting burden that suspends or crushes all inner life. Human beings differ so much in their

sources of pleasure, their sensitivity to pain, and the way different physical and moral influences act on them, that unless there is a corresponding variety in their ways of life, they neither get their fair share of happiness nor grow to the mental, moral, and aesthetic stature their nature is capable of. Why, then, should tolerance, as far as public feeling is concerned, extend only to tastes and ways of life that force acceptance by the sheer number of their followers? Nowhere (except in some monastic institutions) is diversity of taste entirely unrecognized. A person may, without blame, like or dislike rowing, or smoking, or music, or athletics, or chess, or cards, or study, because both those who like each of these things and those who dislike them are too numerous to be put down. But the man—and still more the woman—who can be accused either of doing "what nobody does" or of not doing "what everybody does" is the target of as much disparaging comment as if he or she had committed some serious moral offense. People need a title, or some other badge of rank, or the esteem of people of rank, in order to indulge somewhat in the luxury of doing as they like without damage to their reputation. To indulge somewhat, I repeat: for those who allow themselves much of that indulgence risk something worse than disparaging remarks—they are in danger of a commission

of lunacy, and of having their property taken from them and given to their relatives.[67]

3.15 There is one feature of the present direction of public opinion that is especially likely to make it intolerant of any marked display of individuality. The general average of humankind are moderate not only in intellect but also in inclinations. They have no tastes or wishes strong enough to lead them to do anything unusual, and so they do not understand those who do, and they class all such people with the wild and self-indulgent whom they are used to looking down on. Now, in addition to this general fact, we need only suppose that a strong movement has begun toward the improvement of morals, and it is obvious what we must expect. Such a movement has begun in our time. Much has actually been achieved in the way of more regular conduct and the discouragement of excesses, and there is a philanthropic spirit abroad, for which there is no more inviting field than the moral and prudential improvement of our fellow creatures. These tendencies of the times make the public more

6 MILL'S NOTE. There is something both contemptible and frightening in the kind of evidence on which, in recent years, anyone can be declared by a court unfit to manage their own affairs—and on which, after their death, their disposal of their property can be set aside, if there is enough of it to pay the costs of the lawsuit, which are charged to the property itself. Every minute detail of the person's daily life is pried into, and anything found that, seen through the perceiving and describing faculties of the lowest of the low, looks at all unlike absolute commonplace is laid before the jury as evidence of insanity—often successfully. The jurors are little if at all less vulgar and ignorant than the witnesses, while the judges, with that extraordinary ignorance of human nature and life that constantly astonishes us in English lawyers, often help to mislead them. These trials speak volumes about the state of feeling and opinion among the vulgar regarding human liberty. Far from placing any value on individuality—far from respecting each individual's right to act, in matters that concern no one else, as their own judgment and inclinations see fit—judges and juries cannot even conceive that a sane person could want such freedom. In earlier days, when it was proposed to burn atheists, charitable people used to suggest putting them in a madhouse instead. It would be no surprise nowadays to see this done, and to see those who did it congratulating themselves because, instead of persecuting for religion, they had adopted so humane and Christian a way of treating these unfortunates—not without a quiet satisfaction that the unfortunates had thereby got what they deserved.

7 A commission de lunatico inquirendo was a legal inquiry into whether a person was insane and unfit to manage their property.

inclined than in most earlier periods to lay down general rules of conduct and try to make everyone conform to the approved standard. And that standard, whether stated or implied, is to desire nothing strongly. Its ideal of character is to have no marked character—to maim by compression, like the bound foot of a Chinese lady, every part of human nature that stands out prominently and tends to make a person noticeably different in outline from commonplace humanity.[8]

3.16 As usually happens with ideals that exclude half of what is desirable, the present standard of approval produces only an inferior imitation of the other half. Instead of great energies guided by vigorous reason, and strong feelings strongly controlled by a conscientious will, it results in weak feelings and weak energies, which can therefore be kept in outward conformity to rules without any strength of either will or reason. Energetic characters on any large scale are already becoming a thing of the past. There is now scarcely any outlet for energy in this country except business. The energy spent there may still be considered substantial. What little is left over from that is spent on some hobby—which may be useful, even philanthropic, but is always some single thing, and generally a small one. The greatness of England is now entirely collective. Individually small, we seem capable of anything great only through our habit of combining; and with this our moral and religious philanthropists are perfectly content. But it was people of a different stamp who made England what it has been, and people of a different stamp will be needed to prevent its decline.

THE DESPOTISM OF CUSTOM

Mill argues that the despotism of custom halts progress, citing China, and warns Europe against uniformity.

3.17 The despotism of custom is everywhere the standing obstacle to human advancement, being in constant opposition to the disposition to aim at something better than the customary, which

8 Refers to the practice of foot-binding in imperial China.

is called, depending on circumstances, the spirit of liberty or the spirit of progress or improvement. The spirit of improvement is not always a spirit of liberty, for it may aim at forcing improvements on an unwilling people; and the spirit of liberty, insofar as it resists such attempts, may ally itself locally and temporarily with the opponents of improvement. But the only unfailing and permanent source of improvement is liberty, since through it there are as many possible independent centers of improvement as there are individuals. The progressive principle, however, in either form—whether as the love of liberty or of improvement—is opposed to the rule of custom, since it involves at least emancipation from that yoke; and the contest between the two makes up the chief interest of the history of humankind. The greater part of the world has, properly speaking, no history, because the despotism of custom is complete there. This is the case throughout the East. There, custom is the final appeal in all things; justice and right mean conformity to custom; and no one, unless some tyrant drunk with power, thinks of resisting the argument from custom. And we see the result. Those nations must once have had originality. They did not spring out of the ground already populous, literate, and skilled in many of the arts of life; they made themselves all this, and were then the greatest and most powerful nations in the world. What are they now? The subjects or dependents of peoples whose ancestors wandered in the forests when theirs had magnificent palaces and splendid temples, but over whom custom held only a divided rule, shared with liberty and progress. A people, it seems, may be progressive for a certain length of time and then stop. When does it stop? When it ceases to possess individuality. If a similar change should overtake the nations of Europe, it will not take exactly the same form. The despotism of custom that threatens these nations is not exactly standing still. It forbids singularity, but it does not prevent change, provided everyone changes together. We have discarded the fixed costumes of our ancestors; everyone must still dress like everyone else, but the fashion may change once or twice a

year. We thus make sure that when there is change, it is for change's sake, and not from any idea of beauty or convenience—for the same idea of beauty or convenience would not strike the whole world at the same moment and be dropped by everyone simultaneously at another. But we are progressive as well as changeable. We continually make new mechanical inventions and keep them until better ones replace them; we are eager for improvement in politics, in education, even in morals—though in morals our idea of improvement mostly consists in persuading or forcing other people to be as good as ourselves. It is not progress that we object to. On the contrary, we flatter ourselves that we are the most progressive people who ever lived. It is individuality that we wage war on. We would think we had done wonders if we had made ourselves all alike—forgetting that the unlikeness of one person to another is generally the first thing that draws each one's attention to the imperfection of their own type and the superiority of another's, or to the possibility of combining the advantages of both to produce something better than either. We have a warning example in China—a nation of great talent and, in some respects, even wisdom, owing to the rare good fortune of having been provided at an early period with a particularly good set of customs. These were in some measure the work of men to whom even the most enlightened European must grant, with certain qualifications, the title of sages and philosophers. The Chinese are remarkable, too, for the excellence of their machinery for impressing the best wisdom they possess, as far as possible, on every mind in the community, and for ensuring that those who have absorbed most of it occupy the positions of honor and power.[9] Surely the people who did this must have discovered the secret of human progress, and must have kept themselves steadily at the head of the world's advance. On the contrary, they have become stationary—have stayed so for thousands of years—and if they are ever to be improved further, it must be by foreigners. They have succeeded beyond all hope in what English philanthropists are so

9 Mill has in mind Confucius and the imperial civil-service examinations.

busily working at: making a people all alike, all governing their thoughts and conduct by the same maxims and rules. And these are the fruits. The modern regime of public opinion is, in an unorganized form, what the Chinese educational and political systems are in an organized one. And unless individuality can successfully assert itself against this yoke, Europe, despite its noble history and its professed Christianity, will tend to become another China.

3.18 What is it that has so far preserved Europe from this fate? What has made the European family of nations an improving, rather than a stationary, part of humankind? Not any superior excellence in them, which, when it exists, exists as the effect, not the cause, but their remarkable diversity of character and culture. Individuals, classes, and nations have been extremely unlike one another. They have struck out a great variety of paths, each leading to something valuable. And although at every period those traveling different paths have been intolerant of one another, and each would have thought it an excellent thing if all the rest could have been compelled to travel his road, their attempts to block each other's development have rarely had any lasting success, and each has in time come to accept the good the others have offered. Europe, in my judgment, owes its progressive and many-sided development entirely to this plurality of paths. But it is already beginning to enjoy this benefit to a considerably lesser degree. It is decidedly advancing toward the Chinese ideal of making all people alike. M. de Tocqueville, in his last important work, remarks how much more the French of today resemble one another than even those of the previous generation did. The same remark could be made of the English to a far greater degree. In a passage already quoted, Wilhelm von Humboldt points out two things as necessary conditions of human development, because they are necessary to make people unlike one another: namely, freedom, and variety of situations. The second of these two conditions is diminishing in this country every day. The circumstances that surround different classes and individuals, and shape their characters, are daily

becoming more alike.[10] Formerly, different ranks, different neighborhoods, different trades and professions lived in what might be called different worlds; now, to a great extent, they live in the same one. Comparatively speaking, they now read the same things, listen to the same things, see the same things, go to the same places, have their hopes and fears directed at the same objects, have the same rights and liberties, and the same means of asserting them. Great as the remaining differences of position are, they are nothing compared with those that have disappeared. And the assimilation is still going on. All the political changes of the age promote it, since they all tend to raise the low and lower the high. Every extension of education promotes it, because education brings people under common influences and gives them access to the general stock of facts and sentiments. Improvements in transportation and communication promote it, by bringing the inhabitants of distant places into personal contact and keeping up a rapid flow of people moving from one place to another. The growth of commerce and manufacturing promotes it, by spreading the advantages of comfortable circumstances more widely and opening all objects of ambition, even the highest, to general competition, so that the desire to rise is no longer the mark of a particular class, but of all classes. A more powerful force than all of these in bringing about a general similarity among humankind is the complete establishment, in this and other free countries, of the dominance of public opinion in the state. As the various social heights that allowed those entrenched on them to disregard the opinion of the multitude are gradually leveled; as the very idea of resisting the will of the public, when it is clearly known that the public has a will, fades more and more from the minds of practical politicians—there ceases to be any social support for nonconformity: any substantial power in society that, being itself opposed to the dominance of numbers, has an interest in taking under its protection opinions and tendencies at odds with those of the public.

10 Alexis de Tocqueville's *The Old Regime and the Revolution* (1856).

3.19 All these causes combined form so great a mass of influences hostile to individuality that it is hard to see how it can hold its ground. It will do so with increasing difficulty unless the intelligent part of the public can be made to feel its value—to see that it is good for there to be differences, even if they are not for the better, even if, as it may seem to them, some are for the worse. If the claims of individuality are ever to be asserted, the time is now, while much is still lacking to complete the enforced assimilation. Only in the early stages can any stand against the encroachment succeed. The demand that everyone else resemble ourselves grows by what it feeds on. If resistance waits until life has been reduced *nearly* to one uniform type, every deviation from that type will come to be regarded as impious, immoral, even monstrous and contrary to nature. People quickly become unable to conceive of diversity once they have gone for some time without seeing it.

Chapter IV

Of the Limits to the Authority of Society over the Individual
Mill distinguishes conduct that concerns only oneself from conduct that harms others, which society may regulate.

4.1 What, then, is the rightful limit to the sovereignty of the individual over themselves? Where does the authority of society begin? How much of human life should be assigned to individuality, and how much to society?

4.2 Each will receive its proper share if each has the part that more particularly concerns it. To individuality should belong the part of life in which it is chiefly the individual who is interested; to society, the part that chiefly interests society.

WHAT EACH OWES TO SOCIETY

Mill explains that people owe society only certain duties, and self-regarding faults merit only natural consequences.

4.3 Society is not founded on a contract, and no good purpose is served by inventing a contract in order to derive social obligations from it. Nevertheless, everyone who receives the protection of society owes something in return for the benefit, and the fact of living in society makes it indispensable that each person be bound to observe a certain line of conduct toward the rest. This conduct consists, first, in not injuring one another's interests—or rather, certain interests that, either by explicit legal provision or by tacit understanding, ought to be considered rights; and second, in each person's bearing their share (to be fixed on some fair principle) of the labors and sacrifices

incurred in defending society or its members from injury and harassment. Society is justified in enforcing these conditions, whatever the cost to those who try to avoid fulfilling them. Nor is this all that society may do. An individual's acts may be harmful to others, or lack due consideration for their welfare, without going so far as to violate any of their established rights. The offender may then be justly punished by opinion, though not by law. As soon as any part of a person's conduct harms the interests of others, society has jurisdiction over it, and the question of whether the general welfare will or will not be promoted by interfering with it becomes open to discussion. But there is no room for any such question when a person's conduct affects the interests of no one but themselves, or need not affect others unless they choose (all the people concerned being adults with an ordinary amount of understanding). In all such cases there should be perfect freedom, legal and social, to do the action and bear the consequences.

4.4 It would be a great misunderstanding of this doctrine to suppose that it is one of selfish indifference—that it claims human beings have no business with each other's conduct in life, and should not concern themselves with each other's well-doing or well-being unless their own interest is involved. Far from any decrease, there is need for a great increase of unselfish effort to promote the good of others. But unselfish benevolence can find other instruments for persuading people toward their good than whips and scourges, whether literal or metaphorical. I am the last person to undervalue the self-regarding virtues; they are second in importance, if even second, only to the social ones. It is equally the business of education to cultivate both. But even education works by conviction and persuasion as well as by compulsion, and once the period of education is over, the self-regarding virtues should be instilled by conviction and persuasion alone. Human beings owe each other help in telling the better from the worse, and encouragement to choose the better and avoid the worse. They should always be spurring each other on to greater exercise of their higher faculties, and to directing

their feelings and aims more and more toward wise rather than foolish, uplifting rather than degrading, objects and thoughts. But neither one person nor any number of people is entitled to tell another human being of mature years that he shall not do with his life, for his own benefit, what he chooses to do with it. He is the person most interested in his own well-being. The interest that anyone else can have in it, except in cases of strong personal attachment, is trivial compared with his own. The interest society has in him individually (except as to his conduct toward others) is partial and altogether indirect. And with regard to his own feelings and circumstances, the most ordinary man or woman has means of knowledge immeasurably greater than anyone else can possess. Society's interference to overrule a person's judgment and purposes in what concerns only themselves must be based on general presumptions. These may be entirely wrong, and even if right, are as likely as not to be misapplied to individual cases by people who know no more about the circumstances of those cases than anyone looking at them purely from the outside. In this department of human affairs, therefore, individuality has its proper field of action. In the conduct of human beings toward one another, general rules must for the most part be observed, so that people may know what to expect. But in each person's own concerns, their individual spontaneity is entitled to free exercise. Considerations to aid their judgment, and urgings to strengthen their will, may be offered to them—even pressed on them—by others; but they themselves are the final judge. All the errors they are likely to commit against advice and warning are far outweighed by the evil of allowing others to compel them to do what those others consider their good.

4.5 I do not mean that the feelings with which others regard a person ought not to be affected in any way by that person's self-regarding qualities or deficiencies. That is neither possible nor desirable. If someone excels in any of the qualities that contribute to their own good, they are to that extent a proper object of admiration. They are that much nearer to the ideal perfection of

human nature. If they are grossly deficient in those qualities, a feeling the opposite of admiration will follow. There is a degree of folly, and a degree of what may be called (though the phrase is not beyond objection) lowness or depravity of taste, which, though it cannot justify doing harm to the person who shows it, necessarily and properly makes them an object of distaste, or in extreme cases even of contempt. A person could not have the opposite qualities in due strength without having these feelings. Though doing no wrong to anyone, a person may act in a way that forces us to judge and regard them as a fool, or as a being of an inferior order. And since this judgment and feeling are a fact they would prefer to avoid, it does them a service to warn them of it beforehand, as of any other unpleasant consequence they expose themselves to. It would be good, indeed, if this kindness were offered much more freely than current notions of politeness allow, and if one person could honestly tell another that they think them at fault without being thought rude or presumptuous. We also have a right, in various ways, to act on our unfavorable opinion of anyone—not to suppress their individuality, but in exercising our own. We are not obliged, for example, to seek their company; we have a right to avoid it (though not to make a show of avoiding it), for we have a right to choose the company most agreeable to us. We have a right, and it may be our duty, to warn others against them, if we think their example or conversation likely to have a harmful effect on those they associate with. We may give others preference over them in optional kindnesses, except those that tend toward their improvement. In these various ways a person may suffer very severe penalties at the hands of others for faults that directly concern only themselves. But they suffer these penalties only insofar as they are the natural and, so to speak, spontaneous consequences of the faults themselves, not because they are deliberately inflicted on them as punishment. A person who shows rashness, obstinacy, or conceit—who cannot live within moderate means—who cannot restrain themselves from harmful indulgences—who pursues animal pleasures at the expense

of those of feeling and intellect—must expect to sink in others' opinion and to receive a smaller share of their goodwill. But they have no right to complain of this, unless they have earned others' favor by special excellence in their social relations, and so established a claim to their kindness that is not affected by their failings toward themselves.

4.6 What I maintain is that the inconveniences strictly inseparable from the unfavorable judgment of others are the only ones a person should ever be subjected to for that part of their conduct and character that concerns their own good but does not affect the interests of others in their dealings with them. Acts harmful to others require entirely different treatment. Encroaching on their rights; inflicting on them any loss or damage not justified by one's own rights; falsehood or deceit in dealing with them; unfair or ungenerous use of advantages over them; even selfishly refraining from defending them against injury—these are proper objects of moral condemnation and, in serious cases, of moral retribution and punishment. And not only these acts but the dispositions that lead to them are properly immoral, and deserve a disapproval that may rise to abhorrence. Cruelty of disposition; malice and ill nature; envy, that most antisocial and hateful of all passions; deceit and insincerity; irritability without sufficient cause, and resentment out of proportion to the provocation; the love of domineering over others; the desire to grab more than one's share of advantages (what the Greeks called *pleonexia*); the pride that takes pleasure in the humiliation of others; the egotism that thinks the self and its concerns more important than everything else, and settles every doubtful question in its own favor—these are moral vices, and they make up a bad and hateful moral character. They are unlike the self-regarding faults mentioned earlier, which are not properly immoralities and, however far they are carried, do not amount to wickedness. Those faults may be proof of any amount of folly, or of a lack of personal dignity and self-respect. But they are a proper subject of moral condemnation only when they involve a breach of duty to others, for whose sake the individual

is bound to take care of himself. What are called duties to ourselves are not socially obligatory, unless circumstances make them at the same time duties to others. The term "duty to oneself," when it means anything more than prudence, means self-respect or self-development; and for none of these is anyone accountable to other people, because for none of them is it for the good of humanity that they be held accountable.

4.7 The distinction between the loss of esteem a person may rightly suffer through a lack of prudence or personal dignity, and the condemnation he deserves for an offense against the rights of others, is not merely a distinction in name. It makes a vast difference, both in our feelings and in our conduct toward him, whether he displeases us in things where we think we have a right to control him, or in things where we know we do not. If he displeases us, we may express our distaste, and we may keep our distance from a person just as from a thing that displeases us; but we will not feel called on, for that reason, to make his life uncomfortable. We will reflect that he already bears, or will bear, the whole penalty of his error. If he spoils his life by mismanaging it, we will not want to spoil it further for that reason. Instead of wishing to punish him, we will rather try to lighten his punishment, by showing him how he may avoid or cure the evils his conduct tends to bring on him. He may be an object of pity to us, perhaps of dislike, but not of anger or resentment; we will not treat him like an enemy of society. The worst we will think ourselves justified in doing is leaving him to himself, if we do not intervene kindly by showing interest or concern for him. It is quite different if he has broken the rules necessary for the protection of his fellow human beings, individually or collectively. The harmful consequences of his acts then fall not on himself but on others; and society, as the protector of all its members, must retaliate against him. It must inflict pain on him for the express purpose of punishment, and must make sure that the punishment is severe enough. In the one case, he is an offender brought before our court, and we are called on not only to sit in judgment on him but, in one form or another, to carry

out our own sentence. In the other case, it is not our role to inflict any suffering on him, except what may incidentally follow from our using, in managing our own affairs, the same liberty we allow him in his.

NO ONE IS ENTIRELY ISOLATED

Mill answers the objection that self-regarding conduct affects others and holds society responsible for education.

4.8 Many people will refuse to accept the distinction drawn here between the part of a person's life that concerns only himself and the part that concerns others. How (it may be asked) can any part of the conduct of a member of society be a matter of indifference to the other members? No one is an entirely isolated being. It is impossible for a person to do anything seriously or permanently harmful to himself without the damage reaching at least his close connections, and often far beyond them. If he damages his property, he harms those who directly or indirectly drew support from it, and usually reduces, by a greater or lesser amount, the general resources of the community. If he impairs his bodily or mental faculties, he not only brings harm on everyone who depended on him for any part of their happiness, but disqualifies himself from performing the services he owes to his fellow human beings generally. He may become a burden on their affection or charity; and if such conduct were very common, hardly any offense committed would take more away from the general sum of good. Finally, even if by his vices or follies a person does no direct harm to others, he is nevertheless (it may be said) harmful by his example, and ought to be compelled to control himself for the sake of those whom the sight or knowledge of his conduct might corrupt or mislead.

4.9 And even if (it will be added) the consequences of misconduct could be confined to the vicious or thoughtless individual, ought society to abandon to their own guidance those who are clearly unfit for it? If protection against themselves is admittedly owed to children and minors, is society not equally bound to

provide it to adults who are just as incapable of governing themselves? If gambling, drunkenness, sexual excess, idleness, or uncleanliness are as harmful to happiness, and as great an obstacle to improvement, as many or most of the acts the law prohibits, why (it may be asked) should the law not try to suppress these too, so far as is consistent with practicality and social convenience? And to make up for the unavoidable imperfections of law, ought not opinion at least to organize a powerful police against these vices, and strictly impose social penalties on those known to practice them? There is no question here (it may be said) of restricting individuality, or of hindering the trial of new and original experiments in living. The only things it seeks to prevent are things that have been tried and condemned from the beginning of the world until now—things that experience has shown to be useful or suitable to no one's individuality. There must be some length of time and amount of experience after which a moral or practical truth can be regarded as established; and the only aim is to keep generation after generation from falling over the same cliff that proved fatal to those who came before.

4.10 I fully admit that the harm a person does to himself may seriously affect those closely connected with him, through both their sympathies and their interests, and may affect society at large to a lesser degree. When conduct of this kind leads a person to violate a distinct and identifiable obligation to some other person or persons, the case is taken out of the self-regarding class, and becomes subject to moral disapproval in the proper sense of the term. If, for example, a man becomes unable to pay his debts through heavy drinking or extravagance, or, having taken on the moral responsibility of a family, becomes unable for the same reason to support or educate them, he is rightly condemned and might justly be punished. But it is for the breach of duty to his family or creditors, not for the extravagance. If the resources that should have gone to them had been diverted to the most prudent investment, he would have been just as much to blame. George Barnwell murdered his uncle to

get money for his mistress; but if he had done it to set himself up in business, he would have been hanged just the same.[1] Again, in the common case of a man who causes his family grief through addiction to bad habits, he deserves reproach for his unkindness or ingratitude. But so he might for cultivating habits that are not vicious in themselves, if they are painful to the people he lives with, or to those who depend on him through personal ties for their comfort. Whoever fails to give the consideration generally due to the interests and feelings of others—when not compelled by some more pressing duty, or justified by a permissible preference for himself—deserves moral disapproval for that failure. But not for its cause, nor for the purely personal errors that may have remotely led to it. In the same way, when a person, through purely self-regarding conduct, makes himself unable to perform some definite duty he owes the public, he is guilty of a social offense. No one ought to be punished simply for being drunk; but a soldier or a police officer should be punished for being drunk on duty. In short, whenever there is definite damage, or a definite risk of damage, either to an individual or to the public, the case is taken out of the province of liberty and placed in that of morality or law.

4.11 But then there is the merely contingent—or, as it may be called, constructive—injury that a person causes society by conduct that neither violates any specific duty to the public nor does perceptible harm to any identifiable individual except himself. That inconvenience is one society can afford to bear, for the sake of the greater good of human freedom. If adults are to be punished for not taking proper care of themselves, I would rather it were for their own sake than on the pretext of preventing them from impairing their ability to render society benefits that society does not claim a right to demand. But I cannot agree to argue the point as if society had no way of bringing its weaker members up to its ordinary standard of rational conduct except to wait until they do something irrational and then punish them

1 George Barnwell: the apprentice-murderer in George Lillo's popular 1731 tragedy *The London Merchant*.

for it, legally or morally. Society has had absolute power over them during the whole early part of their lives. It has had the entire period of childhood and minority in which to try whether it could make them capable of rational conduct in life. The existing generation controls both the training and the entire circumstances of the generation to come. It cannot, indeed, make them perfectly wise and good, because it is itself so sadly lacking in goodness and wisdom; and its best efforts are not always, in individual cases, its most successful ones. But it is perfectly able to make the rising generation, as a whole, as good as itself and a little better. If society lets any considerable number of its members grow up as mere children, incapable of being moved by rational consideration of distant motives, society has only itself to blame for the consequences. Society is armed not only with all the powers of education, but with the sway that the authority of accepted opinion always holds over the minds least fit to judge for themselves; and it is aided by the *natural* penalties that cannot be kept from falling on those who incur the distaste or contempt of the people who know them. Let society not claim that it needs, on top of all this, the power to issue commands and enforce obedience in the personal concerns of individuals—concerns in which, on every principle of justice and policy, the decision ought to rest with those who must live with the consequences. Nor does anything do more to discredit and frustrate the better means of influencing conduct than resorting to the worse. If, among those whom society tries to coerce into prudence or moderation, there are any made of the stuff that vigorous and independent characters are made of, they will inevitably rebel against the yoke. No such person will ever feel that others have a right to control him in his own concerns, as they have a right to prevent him from harming them in theirs. And it easily comes to be seen as a mark of spirit and courage to defy such usurped authority, and to do, with a show, the exact opposite of what it commands—as in the fashion for coarseness that followed, in the time of Charles II, the fanatical moral intol-

erance of the Puritans.[2] As for what is said about the need to protect society from the bad example set by the vicious or self-indulgent: it is true that bad example may have a harmful effect, especially the example of wronging others without the wrongdoer suffering for it. But we are now speaking of conduct that does no wrong to others yet is supposed to do great harm to the person himself. And I do not see how those who believe this can think anything but that the example must, on the whole, be more beneficial than harmful. For if it displays the misconduct, it also displays the painful or degrading consequences that, if the conduct is justly condemned, must be supposed to accompany it in all or most cases.

THE PUBLIC INTERFERES IN THE WRONG PLACE

Mill argues that when the public interferes in personal conduct, it usually does so wrongly.

4.12 But the strongest of all the arguments against public interference with purely personal conduct is that when the public does interfere, the odds are that it interferes wrongly, and in the wrong place. On questions of social morality, of duty to others, the opinion of the public—that is, of an overruling majority—though often wrong, is likely to be right still more often, because on such questions people are only required to judge their own interests: how some kind of conduct, if allowed, would affect themselves. But the opinion of a similar majority, imposed as law on the minority in questions of self-regarding conduct, is just as likely to be wrong as right. For in these cases public opinion means, at best, some people's opinion of what is good or bad for other people. Very often it does not even mean that: the public, with the most perfect indifference, passes over the pleasure or convenience of those whose conduct it condemns, and considers only its own preference. There are many who regard any conduct they dislike as an injury to themselves, and resent it as

2 Charles II: restored to the English throne in 1660 after the Puritan-dominated Commonwealth; his court was notorious for its licentiousness.

an outrage to their feelings—as a religious bigot, when accused of disregarding the religious feelings of others, has been known to reply that they disregard his feelings by persisting in their abominable worship or creed. But there is no equivalence between a person's feeling for his own opinion and the feeling of someone else who is offended that he holds it—no more than between a thief's desire to take a purse and the rightful owner's desire to keep it. And a person's taste is as much his own particular concern as his opinion or his purse. It is easy for anyone to imagine an ideal public that leaves the freedom and choice of individuals undisturbed in all uncertain matters, and only requires them to refrain from kinds of conduct that universal experience has condemned. But where has anyone seen a public that set any such limit to its censorship? And when does the public trouble itself about universal experience? When it interferes with personal conduct, it is seldom thinking of anything but the enormity of acting or feeling differently from itself. And this standard of judgment, thinly disguised, is held up to humanity as the dictate of religion and philosophy by nine-tenths of all moralists and theoretical writers. They teach that things are right because they are right—because we feel them to be so. They tell us to search our own minds and hearts for laws of conduct binding on ourselves and on everyone else. What can the poor public do but apply these instructions, and make their own personal feelings of good and evil, if they are fairly unanimous about them, obligatory on the whole world?

4.13 The evil pointed out here does not exist only in theory; and it may perhaps be expected that I should specify the cases in which the public of this age and country wrongly gives its own preferences the character of moral laws. I am not writing an essay on the aberrations of current moral feeling; that subject is too weighty to be discussed in passing, by way of illustration. Yet examples are necessary, to show that the principle I defend is of serious practical importance, and that I am not trying to put up a barrier against imaginary evils. And it is not difficult to show, with abundant examples, that extending the bounds of

what may be called moral police until it encroaches on the most unquestionably legitimate liberty of the individual is one of the most universal of all human tendencies.

RELIGIOUS MAJORITIES AND PERSONAL TASTES

Mill gives examples of majorities imposing religious scruples and tastes, from pork bans to Puritan morals.

4.14 As a first example, consider the antipathies people cherish on no better grounds than that those whose religious opinions differ from theirs do not practice their religious observances, especially their religious abstinences. To cite a rather trivial case, nothing in the creed or practice of Christians does more to inflame Muslims' hatred of them than the fact that they eat pork. There are few acts that Christians and Europeans regard with more genuine disgust than Muslims regard this particular way of satisfying hunger. It is, in the first place, an offense against their religion. But this by no means explains either the degree or the kind of their revulsion; for wine is also forbidden by their religion, and all Muslims consider drinking it wrong, but not disgusting. Their aversion to the flesh of the "unclean beast" is, on the contrary, of that peculiar character, like an instinctive antipathy, which the idea of uncleanness, once it sinks deep into the feelings, always seems to arouse—even in those whose personal habits are anything but scrupulously clean. The sense of religious impurity, so intense among Hindus, is a remarkable example of it. Suppose now that in a nation where most people were Muslims, that majority should insist on not allowing pork to be eaten anywhere in the country. This

would be nothing new in Muslim countries.[3] Would it be a legitimate exercise of the moral authority of public opinion? And if not, why not? The practice really is revolting to such a public. They also sincerely believe that God forbids and abhors it. Nor could the prohibition be condemned as religious persecution. It might be religious in its origin, but it would not be persecution for religion, since nobody's religion makes it a duty to eat pork. The only defensible ground for condemning it would be that the public has no business interfering with the personal tastes and self-regarding concerns of individuals.

4.15 To come somewhat closer to home: most Spaniards consider it a gross impiety, offensive in the highest degree to the Supreme Being, to worship him in any way other than the Roman Catholic one; and no other public worship is lawful on Spanish soil. The people of all southern Europe regard a married clergy as not only irreligious but unchaste, indecent, gross, disgusting. What do Protestants think of these perfectly sincere feelings, and of the attempt to enforce them against non-Catholics? Yet if people are justified in interfering with each other's liberty in things that do not concern the interests of others, on what principle can these cases be consistently excluded? Or who can blame people for wanting to suppress what they regard as a scandal in the sight of God and man? No stronger case can be made for prohibiting anything regarded as a personal immorality than is made for suppressing these practices in the eyes of those who regard them as impieties. And unless we are willing

3 MILL'S NOTE. The case of the Parsis of Bombay is a curious example of this. When this hardworking and enterprising people, descendants of the Zoroastrians of Persia, fled their native country before the Caliphs and arrived in western India, the Hindu rulers granted them toleration on condition that they not eat beef. When those regions later came under the rule of Muslim conquerors, the Parsis obtained continued tolerance from them on condition that they refrain from pork. What began as obedience to authority became second nature, and the Parsis to this day abstain from both beef and pork. Though their religion does not require it, the double abstinence has had time to grow into a custom of their community; and in the East, custom is a religion.

TRANSLATOR'S NOTE. The Parsis migrated from Persia to India after the Arab conquest of Persia in the seventh century AD.

to adopt the logic of persecutors, and say that we may persecute others because we are right, and they must not persecute us because they are wrong, we must beware of accepting a principle whose application to ourselves we would resent as a gross injustice.

4.16 Someone may object to the preceding examples, though unreasonably, that they are drawn from situations impossible among us, since opinion in this country is not likely to enforce abstinence from particular foods, or to interfere with people for worshipping, or for marrying or not marrying, according to their creed or inclination. The next example, however, will be taken from an interference with liberty whose danger we have by no means left behind. Wherever the Puritans have been powerful enough—as in New England, and in Great Britain at the time of the Commonwealth—they have tried, with considerable success, to suppress all public and nearly all private amusements: especially music, dancing, public games or other gatherings for entertainment, and the theater.[4] There are still large groups of people in this country whose ideas of morality and religion condemn these recreations. Since those people belong mainly to the middle class, which is the dominant power in the present social and political condition of the kingdom, it is by no means impossible that people with these views may some day command a majority in Parliament. How will the rest of the community like having the amusements permitted to them regulated by the religious and moral sentiments of the stricter Calvinists and Methodists? Would they not, rather curtly, want these intrusively pious members of society to mind their own business? This is exactly what should be said to every government and every public that claims that no one shall enjoy any pleasure they think wrong. But if the principle behind that claim is admitted, no one can reasonably object to its being acted on as the majority, or any other dominant power in the country, sees fit. And everyone must be ready to conform to the

4 The Commonwealth: the period of republican rule in Britain (1649–1660) after the execution of Charles I.

idea of a Christian commonwealth as the early settlers of New England understood it, if a religious persuasion like theirs should ever manage to regain its lost ground—as religions thought to be in decline have so often been known to do.

4.17 To imagine another possibility, perhaps more likely to come about than the last one: there is admittedly a strong tendency in the modern world toward a democratic constitution of society, whether or not accompanied by popular political institutions. It is claimed that in the country where this tendency is most fully realized—where both society and government are most democratic, the United States—the feeling of the majority, who dislike any appearance of a showier or more expensive style of living than they can hope to match, works as a fairly effective sumptuary law. In many parts of the Union, it is said, it is really difficult for a person with a very large income to find any way of spending it that will not incur popular disapproval. Although statements like these are no doubt much exaggerated as an account of actual facts, the state of things they describe is not only conceivable and possible but a likely result of democratic feeling combined with the notion that the public has a right to veto the way individuals spend their incomes. We need only suppose, in addition, a wide spread of socialist opinions, and it may become disgraceful in the eyes of the majority to own more than some very small amount of property, or to have any income not earned by manual labor. Opinions similar in principle to these already prevail widely among skilled workers, and weigh oppressively on those who are answerable mainly to the opinion of that class—namely, its own members. It is known that the bad workers, who make up the majority of the laborers in many branches of industry, firmly believe that bad workers ought to receive the same wages as good ones, and that no one should be allowed, through piecework or otherwise, to earn more through superior skill or effort than others can earn without it. And they use a moral police, which sometimes becomes a physical one, to deter skilled workers from receiving, and employers from giving, higher pay for more useful service.

If the public has any jurisdiction over private concerns, I cannot see that these people are at fault, or that any individual's particular public can be blamed for claiming the same authority over his individual conduct that the general public claims over people in general.

THE MAINE LAW AND "SOCIAL RIGHTS"

Mill criticizes alcohol prohibition and rejects the claimed "social right" to others' virtue.

4.18 But without dwelling on hypothetical cases: in our own day, gross violations of the liberty of private life are actually practiced, and still greater ones are threatened with some prospect of success. And opinions are put forward that assert an unlimited right of the public not only to prohibit by law everything it thinks wrong, but, in order to get at what it thinks wrong, to prohibit any number of things it admits are innocent.

4.19 In the name of preventing intemperance, the people of one English colony and of nearly half the United States have been forbidden by law to make any use whatever of fermented drinks, except for medical purposes—for prohibiting their sale is in fact, as it is intended to be, prohibiting their use. And although the impossibility of enforcing the law has led to its repeal in several of the states that adopted it, including the one it is named after, an attempt has nevertheless been started, and is being pursued with considerable zeal by many self-proclaimed philanthropists, to campaign for a similar law in this country.[5] The association formed for this purpose—the "Alliance," as it calls itself—has gained some notoriety through the publicity given to a correspondence between its Secretary and one of the very few English public men who hold that a politician's opinions ought to be based on principles. Lord Stanley's part in this correspondence should strengthen the hopes

5 The "Maine Law" of 1851 prohibited the sale of alcohol in Maine and was copied by other states; Maine repealed it in 1856. The colony was probably New Brunswick, which passed a prohibition law in 1855 and repealed it in 1856.

already placed in him by those who know how rare, sadly, are the qualities shown in some of his public appearances among those who figure in political life.[6] The Alliance's spokesman, who would "deeply deplore the recognition of any principle which could be wrested to justify bigotry and persecution," undertakes to point out the "broad and impassable barrier" that separates such principles from those of the association. "All matters relating to thought, opinion, conscience, appear to me," he says, "to be without the sphere of legislation; all pertaining to social act, habit, relation, subject only to a discretionary power vested in the State itself, and not in the individual, to be within it." No mention is made of a third class, different from either of these—namely, acts and habits that are not social but individual—although it is surely to this class that the act of drinking fermented liquor belongs. Selling fermented liquor, however, is trading, and trading is a social act. But the violation complained of is not of the seller's liberty but of the buyer's and consumer's; for the State might just as well forbid him to drink wine as deliberately make it impossible for him to get it. The Secretary, however, says: "I claim, as a citizen, a right to legislate whenever my social rights are invaded by the social act of another." And now for the definition of these "social rights": "If anything invades my social rights, certainly the traffic in strong drink does. It destroys my primary right of security, by constantly creating and stimulating social disorder. It invades my right of equality, by deriving a profit from the creation of a misery, I am taxed to support. It impedes my right to free moral and intellectual development, by surrounding my path with dangers, and by weakening and demoralising society, from which I have a right to claim mutual aid and intercourse." Here is a theory of "social rights" whose like has probably never before been put into plain words. It amounts to nothing less than this: that it is the absolute social right of every individual that every other individual

6 The United Kingdom Alliance, founded in 1853 to campaign for prohibition; its secretary was Samuel Pope. Lord Stanley: Edward Henry Stanley, later 15th Earl of Derby.

shall act in every respect exactly as he ought; that whoever falls short in the smallest detail violates my social right, and entitles me to demand that the legislature remove the grievance. So monstrous a principle is far more dangerous than any single interference with liberty. There is no violation of liberty it would not justify. It recognizes no right to any freedom whatever, except perhaps the freedom to hold opinions in secret without ever disclosing them; for the moment an opinion I consider harmful passes anyone's lips, it invades all the "social rights" the Alliance attributes to me. The doctrine gives all of humanity a vested interest in each other's moral, intellectual, and even physical perfection, to be defined by each claimant according to his own standard.

SABBATH LAWS AND THE MORMONS

Mill criticizes Sabbath laws and the persecution of the Mormons as illegitimate interference.

4.20 Another important example of illegitimate interference with the rightful liberty of the individual—not merely threatened, but long since carried into triumphant effect—is Sabbath legislation. No doubt it is a highly beneficial custom to refrain from one's usual daily occupation on one day of the week, so far as the demands of life permit, although this is not religiously binding on anyone except Jews. And since this custom cannot be observed without general agreement among working people, then, insofar as some people by working may force the same necessity on others, it may be permissible and right for the law to guarantee to each person that others will observe the custom, by suspending the major operations of industry on a particular day. But this justification, based on the direct interest others have in each individual's observance of the practice, does not apply to the self-chosen occupations a person may see fit to fill his leisure with; nor does it hold in the slightest degree for legal restrictions on amusements. It is true that the amusement of some is the day's work of others. But the pleasure, not to men-

tion the useful recreation, of many is worth the labor of a few, provided the work is freely chosen and can be freely given up. Workers are perfectly right to think that if everyone worked on Sunday, seven days' work would have to be given for six days' wages. But as long as the great majority of occupations are suspended, the small number who must still work for others' enjoyment earn proportionally more; and they are not obliged to take those jobs if they prefer leisure to income. If a further remedy is wanted, it might be found in establishing by custom a holiday on some other day of the week for those particular groups. The only ground, therefore, on which restrictions on Sunday amusements can be defended must be that they are religiously wrong —a motive for legislation that can never be protested against too earnestly. "Deorum injuriae Diis curae": wrongs done to the gods are the gods' concern. It remains to be proved that society or any of its officers holds a commission from on high to avenge any supposed offense to the Almighty that is not also a wrong to our fellow human beings.[7] The notion that it is one person's duty that another should be religious was the foundation of every religious persecution ever carried out, and if accepted, would fully justify them. The feeling that breaks out in the repeated attempts to stop railway travel on Sunday, in the resistance to opening museums, and the like, does not have the cruelty of the old persecutors; but the state of mind it reveals is fundamentally the same. It is a determination not to tolerate others in doing what their religion permits, because the persecutor's religion does not permit it. It is a belief that God not only abhors the act of the unbeliever, but will not hold us guiltless if we leave him alone.

4.21 I cannot resist adding to these examples of how little human liberty is commonly valued the language of outright persecution that breaks out in the press of this country whenever it feels called on to notice the remarkable phenomenon of Mormonism. Much might be said about the unexpected and instructive fact that an alleged new revelation, and a religion

7 The Latin maxim is from Tacitus, Annals I.73.

founded on it—the product of obvious imposture, not even supported by the *prestige* of extraordinary qualities in its founder—is believed by hundreds of thousands, and has been made the foundation of a society, in the age of newspapers, railways, and the electric telegraph. What concerns us here is that this religion, like other and better religions, has its martyrs: that its prophet and founder was put to death by a mob for his teaching; that others of its followers lost their lives through the same lawless violence; that they were forcibly expelled, as a body, from the region where they first grew up; and that now, when they have been chased into a solitary refuge in the middle of a desert, many in this country openly declare that it would be right (only not convenient) to send an expedition against them and compel them by force to conform to other people's opinions.[8] The article of Mormon doctrine that chiefly provokes the antipathy that thus breaks through the ordinary restraints of religious tolerance is its sanction of polygamy. Though permitted to Muslims, Hindus, and Chinese, polygamy seems to arouse unquenchable hostility when practiced by people who speak English and profess to be a kind of Christian. No one disapproves of this Mormon institution more deeply than I do—for other reasons, and because, far from being in any way supported by the principle of liberty, it is a direct violation of that principle, merely riveting the chains of one half of the community and freeing the other half from any reciprocal obligation toward them. Still, it must be remembered that this relationship is as voluntary on the part of the women involved in it, who may be considered its victims, as is the case with any other form of the institution of marriage. However surprising this may seem, it is explained by the common ideas and customs of the world, which, by teaching women to think marriage the one thing needful, make it understandable that many a woman should prefer being one of several wives to not being a wife at all. Other countries are not asked to recognize such unions, or to exempt any part of their

8 Joseph Smith, founder of the Latter-day Saints, was killed by a mob in Carthage, Illinois, in 1844; the Mormons then migrated to the Utah desert.

inhabitants from their own laws on account of Mormon opinions. But the dissenters have conceded to the hostile feelings of others far more than could justly be demanded. They have left the countries where their doctrines were unwelcome, and settled in a remote corner of the earth which they were the first to make habitable for human beings. That being so, it is hard to see on what principles but those of tyranny they can be prevented from living there under whatever laws they please—provided they commit no aggression against other nations, and allow perfect freedom to leave to those who are dissatisfied with their ways. A recent writer, of considerable merit in some respects, proposes (to use his own words) not a crusade but a *civilizade* against this polygamous community, to put an end to what seems to him a step back for civilization. It seems so to me too, but I am not aware that any community has a right to force another to be civilized. So long as those who suffer under the bad law do not ask other communities for help, I cannot accept that people entirely unconnected with them ought to step in and demand an end to a state of things with which all who are directly involved seem satisfied, because it is a scandal to people some thousands of miles away who have no part or concern in it. Let them send missionaries, if they like, to preach against it; and let them oppose the spread of similar doctrines among their own people by any fair means (of which silencing the teachers is not one). If civilization prevailed over the uncivilized world when that world had the earth to itself, it is too much to profess to fear that the uncivilized world, once fairly subdued, might revive and conquer civilization. A civilization that could thus give way to its defeated enemy must first have become so degenerate that neither its appointed priests and teachers nor anyone else has the ability, or will take the trouble, to stand up for it. If so, the sooner such a civilization is given notice to leave, the better. It can only go from bad to worse until it is destroyed and regenerated (like the Western Roman Empire) by vigorous invading peoples.

Chapter V

Applications
Mill applies his principles to trade, drugs, contracts, education and the limits of government action.

5.1 The principles set out in these pages must be more generally accepted as the basis for discussing details before any attempt to apply them consistently to all the various departments of government and morals can be made with much prospect of success. The few remarks I intend to make on questions of detail are meant to illustrate the principles, rather than to follow them out to their consequences. I offer not so much applications as samples of application. These may help to make clearer the meaning and limits of the two maxims that together form the entire doctrine of this essay, and help our judgment hold the balance between them in cases where it seems doubtful which one applies.

5.2 The maxims are, first, that the individual is not accountable to society for his actions insofar as they concern the interests of no one but himself. Advice, instruction, persuasion, and avoidance by other people, if they think it necessary for their own good, are the only measures by which society can justifiably express its dislike or disapproval of his conduct. Second, that for actions that harm the interests of others, the individual is accountable, and may be subjected to either social or legal punishment, if society judges that one or the other is needed for its protection.

TRADE, POISONS, AND PREVENTION

Mill applies his principles to free trade, the sale of poisons, and the prevention of crime.

5.3 In the first place, it must by no means be supposed that because only damage, or the probability of damage, to the interests of others can justify society's interference, it therefore always does justify such interference. In many cases an individual, in pursuing a legitimate goal, necessarily and therefore legitimately causes pain or loss to others, or intercepts a good they had a reasonable hope of obtaining. Such conflicts of interest between individuals often arise from bad social institutions, but are unavoidable while those institutions last; and some would be unavoidable under any institutions. Whoever succeeds in an overcrowded profession or in a competitive examination, whoever is preferred to another in any contest for something both want, benefits from the loss of others—from their wasted effort and their disappointment. But it is commonly agreed to be better for the general interest of humanity that people should pursue their goals undeterred by consequences of this sort. In other words, society grants the disappointed competitors no right, either legal or moral, to be spared this kind of suffering. It feels called on to interfere only when means of success have been used that it is against the general interest to permit—namely, fraud or treachery, and force.

5.4 Again, trade is a social act. Whoever undertakes to sell any kind of goods to the public does something that affects the interests of other people and of society in general; and so his conduct in principle falls within society's jurisdiction. Accordingly, it was once considered the duty of governments, in all cases thought important, to fix prices and regulate the processes of manufacture. But it is now recognized, though only after a long struggle, that both low prices and good quality of goods are most effectively secured by leaving producers and sellers perfectly free, under the sole check of equal freedom for buyers to

supply themselves elsewhere. This is the so-called doctrine of Free Trade, which rests on grounds different from, though just as solid as, the principle of individual liberty defended in this essay. Restrictions on trade, or on production for trade, are indeed restraints; and all restraint, as restraint, is an evil. But the restraints in question affect only the part of conduct that society is competent to restrain, and they are wrong solely because they do not actually produce the results they are meant to produce. Just as the principle of individual liberty is not involved in the doctrine of Free Trade, neither is it involved in most of the questions that arise about the limits of that doctrine: for example, how much public control is permissible to prevent fraud by adulteration of goods, or how far sanitary precautions, or arrangements to protect workers employed in dangerous occupations, should be imposed on employers. Such questions involve considerations of liberty only insofar as leaving people to themselves is always better, other things being equal, than controlling them. But that they may be legitimately controlled for these purposes is undeniable in principle. On the other hand, there are questions about interference with trade that are essentially questions of liberty—such as the Maine Law, already mentioned; the prohibition of opium imports into China; the restriction of the sale of poisons—in short, all cases where the purpose of the interference is to make it impossible or difficult to obtain a particular commodity. These interferences are objectionable as violations not of the producer's or seller's liberty, but of the buyer's.[1]

5.5 One of these examples, the sale of poisons, opens a new question: the proper limits of what may be called the functions of police—how far liberty may legitimately be invaded to prevent crime or accident. It is one of the undisputed functions of government to take precautions against crime before it has been committed, as well as to detect and punish it afterward. The preventive function of government, however, is far more liable to

1 China's ban on opium imports led to the Opium Wars with Britain (1839–1842 and 1856–1860).

be abused, to the detriment of liberty, than the punitive function. For there is hardly any part of a human being's legitimate freedom of action that could not be represented—and fairly, too—as making some form of wrongdoing easier. Nevertheless, if a public authority, or even a private person, sees anyone clearly preparing to commit a crime, they are not bound to look on idly until the crime is committed, but may intervene to prevent it. If poisons were never bought or used for any purpose except committing murder, it would be right to prohibit their manufacture and sale. They may, however, be wanted not only for innocent but for useful purposes, and restrictions cannot be imposed in the one case without affecting the other. Again, it is a proper function of public authority to guard against accidents. If a public officer or anyone else saw a person about to cross a bridge known to be unsafe, and there was no time to warn him of the danger, they might seize him and turn him back without any real violation of his liberty; for liberty consists in doing what one wants, and he does not want to fall into the river. Nevertheless, when there is not a certainty but only a danger of harm, no one but the person himself can judge whether his motive for running the risk is sufficient. In this case, therefore (unless he is a child, or delirious, or in some state of excitement or absorption incompatible with the full use of the power of reflection), he ought, I believe, only to be warned of the danger, not forcibly prevented from exposing himself to it. Similar considerations, applied to a question like the sale of poisons, may help us decide which of the possible forms of regulation are or are not contrary to principle. A precaution such as labeling the drug with some word expressing its dangerous character, for example, may be enforced without violating liberty: the buyer cannot wish not to know that the thing he has is poisonous. But to require a doctor's certificate in every case would make it sometimes impossible, and always expensive, to obtain the article for legitimate uses. The only way I can see of putting obstacles in the way of crime committed by this means, without any infringement worth considering on the liberty of those who want the

poisonous substance for other purposes, is to provide what Bentham aptly called "preappointed evidence." Everyone is familiar with this provision in the case of contracts.[2] It is usual and right that the law, when a contract is made, should require, as the condition of enforcing it, that certain formalities be observed—signatures, attestation by witnesses, and the like—so that if a dispute arises later, there will be evidence to prove that the contract was really made, and that nothing in the circumstances made it legally invalid. The effect is to put great obstacles in the way of fictitious contracts, or contracts made in circumstances that, if known, would destroy their validity. Similar precautions might be enforced in the sale of articles suited to be instruments of crime. The seller, for example, might be required to enter in a register the exact time of the transaction, the name and address of the buyer, and the precise quality and quantity sold; to ask what it was wanted for, and record the answer he received. When there was no medical prescription, the presence of some third person might be required, to establish the purchaser's identity in case there should later be reason to believe the article had been put to criminal use. Such regulations would in general be no significant obstacle to obtaining the article, but a very considerable one to misusing it without detection.

5.6 Society's inherent right to ward off crimes against itself by taking precautions in advance points to the obvious limits of the maxim that purely self-regarding misconduct cannot properly be interfered with, whether by prevention or by punishment. Drunkenness, for example, is not ordinarily a fit subject for legislation. But I would think it perfectly legitimate that someone who had once been convicted of any act of violence against others while under the influence of drink should be placed under a special legal restriction, applying to him personally: if he were later found drunk, he would be liable to a penalty, and if he committed another offense while in that state, the

2 Jeremy Bentham (1748–1832), the utilitarian philosopher and legal reformer, discussed preappointed evidence in his *Rationale of Judicial Evidence*.

punishment for that other offense would be made more severe. For a person whom drunkenness drives to harm others, getting drunk is a crime against others. Likewise, idleness cannot be made a subject of legal punishment without tyranny, except in a person receiving public support or where it amounts to a breach of contract. But if, from idleness or any other avoidable cause, someone fails to perform his legal duties to others—for instance, to support his children—it is no tyranny to force him to fulfill that obligation by compulsory labor, if no other means are available.

5.7 Again, there are many acts which directly harm only the people who do them, and so ought not to be legally forbidden, but which, if done in public, violate good manners; they then fall into the category of offenses against others and may rightly be prohibited. Offenses against decency are of this kind. There is no need to dwell on them, especially since they are only indirectly connected with our subject: the objection to publicity is just as strong in the case of many actions that are not in themselves condemnable, nor thought to be.

ADVISING WHAT ONE MAY DO

Mill asks whether people may advise or encourage conduct that others are free to do, such as gambling.

5.8 There is another question that must be answered consistently with the principles laid down here. Take personal conduct that is thought blameworthy, but which respect for liberty prevents society from preventing or punishing, because the harm that directly results falls entirely on the person who does it. What that person is free to do, should others be equally free to advise or encourage? This question is not free from difficulty. When one person urges another to do something, that is not strictly a case of self-regarding conduct. Giving advice or offering inducements to anyone is a social act, and so, like actions in general that affect others, might be thought subject to social control. But a little reflection corrects this first impression. It shows that

even if the case does not fall strictly within the definition of individual liberty, the reasons on which the principle of individual liberty rests still apply to it. If people must be allowed, in whatever concerns only themselves, to act as seems best to them at their own risk, they must equally be free to consult one another about what is best to do—to exchange opinions, and to give and receive suggestions. Whatever it is permitted to do, it must be permitted to advise others to do. The question is doubtful only when the instigator gains personally from his advice—when he makes it his occupation, for a living or for money, to promote what society and the state consider an evil. Then, indeed, a new complication enters: the existence of classes of people whose interest is opposed to what is considered the public good, and whose way of making a living depends on working against it. Should this be interfered with or not? Fornication, for example, must be tolerated, and so must gambling; but should a person be free to be a pimp, or to run a gambling house? This case is one of those that lie exactly on the boundary between two principles, and it is not immediately obvious to which of the two it properly belongs. There are arguments on both sides. On the side of toleration, it may be said that pursuing something as an occupation, and living or profiting by it, cannot make criminal what would otherwise be permissible; that the act should be either consistently permitted or consistently prohibited; that if the principles we have defended so far are true, society has no business, *as* society, deciding that anything which concerns only the individual is wrong; that it cannot go beyond dissuasion; and that one person should be as free to persuade as another is to dissuade. Against this it may be argued as follows. The public, or the State, is not entitled to decide authoritatively, for the purpose of suppressing or punishing it, that this or that conduct affecting only the individual's interests is good or bad. But if they regard it as bad, they are fully justified in assuming that whether it is bad is at least a debatable question. On that assumption, they cannot be doing wrong in trying to shut out the influence of solicitations that are not disinterested—of

instigators who cannot possibly be impartial, who have a direct personal interest on one side (the side the State believes to be wrong), and who admittedly promote it only for their own ends. Surely, it may be urged, nothing is lost, no good is sacrificed, by arranging things so that people make their choices, wisely or foolishly, on their own initiative, as free as possible from the wiles of those who stir up their inclinations for their own self-interested purposes. Thus (it may be said) the laws against unlawful games are utterly indefensible—everyone should be free to gamble in their own or one another's houses, or in any meeting place set up by their own subscriptions and open only to members and their guests—and yet public gambling houses should not be permitted. It is true that such a prohibition never works, and that however much tyrannical power is given to the police, gambling houses can always be kept going under other pretexts. But they can be forced to conduct their business with a certain degree of secrecy and mystery, so that nobody knows anything about them except those who seek them out; and society should aim at nothing more than this. There is considerable force in these arguments. I will not venture to decide whether they are enough to justify the moral anomaly of punishing the accessory while the principal is (and must be) allowed to go free—of fining or imprisoning the procurer but not the fornicator, the gambling-house keeper but not the gambler. Still less should the ordinary business of buying and selling be interfered with on similar grounds. Almost everything that is bought and sold can be used to excess, and sellers have a financial interest in encouraging that excess. But no argument can be built on this in favor of, say, the Maine Law; for the class of dealers in strong drink, though they have an interest in its abuse, are indispensable for the sake of its legitimate use. The interest these dealers have in promoting intemperance is, however, a real evil, and it justifies the State in imposing restrictions and requiring guarantees that, without that justification, would be infringements of legitimate liberty.

TAXING AND LICENSING STIMULANTS

Mill considers taxing and licensing alcohol, rejecting restrictions meant only to make drinking harder.

5.9 A further question is whether the State, while permitting conduct it considers contrary to the agent's own best interests, should nevertheless discourage it indirectly: whether, for example, it should take measures to make the means of drunkenness more expensive, or harder to obtain by limiting the number of places where they are sold. On this, as on most other practical questions, many distinctions need to be made. Taxing stimulants for the sole purpose of making them harder to obtain differs only in degree from banning them outright, and would be justifiable only if a ban were justifiable. Every increase in cost is a prohibition for those whose means cannot stretch to the higher price; and for those whose means can, it is a penalty imposed on them for indulging a particular taste. Their choice of pleasures, and how they spend their income once they have met their legal and moral obligations to the State and to other individuals, are their own business and must be left to their own judgment. At first sight, these considerations may seem to condemn singling out stimulants for special taxation to raise revenue. But it must be remembered that taxation to raise revenue is absolutely unavoidable; that in most countries a considerable part of it has to be indirect; and that the State therefore cannot help imposing penalties—which for some people may amount to prohibition—on the use of some goods. It is therefore the State's duty, in setting taxes, to consider which goods consumers can most easily do without; and *all the more*, to choose in preference those whose use beyond a very moderate amount it considers positively harmful. Taxing stimulants, then, up to the point that yields the largest revenue (assuming the State needs all the revenue it produces), is not only permissible but to be approved.

5.10 Whether the sale of these goods should be made a more or less exclusive privilege must be answered differently, depending

on what purpose the restriction is meant to serve. All places of public gathering need police supervision, and places of this kind especially, because offenses against society are particularly likely to start there. It is therefore appropriate to restrict the right to sell these goods (at least for consumption on the premises) to people of known or vouched-for good conduct; to regulate opening and closing hours as far as needed for public supervision; and to withdraw the license if breaches of the peace repeatedly occur through the connivance or incompetence of the keeper, or if the place becomes a meeting spot for plotting and preparing crimes. I do not consider any further restriction justifiable in principle. Limiting the number of beer and spirit shops, for instance, with the express purpose of making them harder to get to and reducing the occasions of temptation, not only inconveniences everyone because a few would abuse the convenience. It is also suited only to a state of society in which the working classes are openly treated as children or as peoples at an early stage of development, and placed under a regime of restraint to prepare them for eventual admission to the privileges of freedom. This is not the principle on which the working classes are supposedly governed in any free country. And no one who values freedom properly will agree to their being governed this way unless every effort has first been made to educate them for freedom and to govern them as free people, and it has been conclusively proved that they can only be governed as children. Simply stating the alternative shows how absurd it would be to suppose that such efforts have been made in any case we need consider here. It is only because the institutions of this country are a mass of inconsistencies that practices belonging to despotic—or so-called paternal—government find their way into our practice, while the general freedom of our institutions rules out the degree of control needed to make such restraint really effective as a moral education.

FREE NOT TO BE FREE

Mill argues that one may not sell oneself into slavery and discusses contracts that bind for life.

5.11 It was pointed out early in this essay that the liberty of the individual, in things that concern the individual alone, implies a corresponding liberty for any number of individuals to regulate by mutual agreement matters that concern them jointly and concern no one else. This raises no difficulty as long as the wishes of everyone involved remain unchanged. But since those wishes may change, it is often necessary, even in matters that concern only themselves, that they make commitments to one another; and when they do, it is right, as a general rule, that those commitments be kept. Yet probably in the laws of every country this general rule has some exceptions. Not only are people not held to commitments that violate the rights of third parties; it is sometimes considered a sufficient reason for releasing them from a commitment that it harms themselves. In this and most other civilized countries, for example, an agreement by which a person sold himself, or allowed himself to be sold, as a slave would be null and void, enforced neither by law nor by opinion. The reason for limiting a person's power to dispose of his own lot in life in this way is evident, and can be seen very clearly in this extreme case. The reason for not interfering with a person's voluntary acts, except for the sake of others, is regard for his liberty. His voluntary choice is evidence that what he chooses is desirable, or at least bearable, to him, and his good is on the whole best served by letting him pursue it in his own way. But by selling himself as a slave, he gives up his liberty; he forgoes any future use of it beyond that single act. He therefore defeats, in his own case, the very purpose that justifies allowing him to dispose of himself. He is no longer free, and from then on he is in a position that no longer carries the presumption in its favor that would come from his voluntarily remaining in it. The principle of freedom cannot require that he be free not to be

free. It is not freedom to be allowed to give away one's freedom. These reasons, whose force is so conspicuous in this special case, evidently apply much more widely. Yet everywhere they are limited by the necessities of life, which constantly require, not that we give up our freedom, but that we consent to this or that limitation of it. However, the principle that demands unrestricted freedom of action in everything that concerns only the agents themselves also requires that those who have bound themselves to one another, in matters that concern no third party, should be able to release one another from the commitment. And even without such voluntary release, there are perhaps no contracts or commitments—except those concerning money or money's worth—of which one could venture to say that there should be no freedom at all to withdraw. Baron Wilhelm von Humboldt, in the excellent essay I have already quoted, states his conviction that commitments involving personal relationships or services should never be legally binding beyond a limited period; and that the most important of these commitments, marriage—which has the peculiarity that its purposes are defeated unless the feelings of both parties are in harmony with it—should require nothing more than the declared wish of either party to dissolve it. This subject is too important and too complicated to be discussed in passing, and I touch on it only as far as needed for illustration. If the brevity and generality of Baron Humboldt's treatise had not forced him, in this instance, to state his conclusion without discussing the premises, he would no doubt have recognized that the question cannot be settled on grounds as simple as those he confines himself to. When a person, by an explicit promise or by conduct, has encouraged another to rely on his continuing to act in a certain way—to build expectations and calculations, and to stake any part of his plan of life on that assumption—a new set of moral obligations arises on his part toward that person. These may possibly be outweighed, but they cannot be ignored. And again, if the relationship between two contracting parties has had consequences for others—if it has placed third parties in

some special position, or, as in the case of marriage, has even brought third parties into existence—then both contracting parties acquire obligations toward those third persons. The fulfillment of these obligations, or at any rate the way they are fulfilled, must be greatly affected by whether the relationship between the original parties continues or breaks up. It does not follow, nor can I accept, that these obligations go so far as to require the contract to be fulfilled whatever the cost to the happiness of the reluctant party. But they are a necessary element in the question. And even if, as Von Humboldt maintains, they ought to make no difference to the *legal* freedom of the parties to release themselves from the commitment (and I too hold that they ought not to make *much* difference), they necessarily make a great difference to the *moral* freedom. A person is bound to take all these circumstances into account before deciding on a step that may affect such important interests of others; and if he does not give those interests proper weight, he is morally responsible for the wrong. I have made these obvious remarks to illustrate the general principle of liberty better, not because they are at all needed on this particular question—which, on the contrary, is usually discussed as if the interest of the children were everything, and that of the grown-ups nothing.

EDUCATION AND THE FAMILY

Mill argues that the state should require education without running it, and discusses parental duties.

5.12 I have already observed that, because there are no recognized general principles, liberty is often granted where it should be withheld, as well as withheld where it should be granted. And one of the cases in which the feeling for liberty is strongest in the modern European world is one where, in my view, it is entirely misplaced. A person should be free to do as he likes in his own affairs; but he ought not to be free to do as he likes when acting for another, on the pretext that the other's affairs are his own. The State, while respecting each person's liberty in

what particularly concerns himself, is bound to keep a watchful control over how he exercises any power it allows him to have over others. This obligation is almost entirely neglected in the case of family relationships—a case which, in its direct effect on human happiness, is more important than all the others put together. The almost despotic power of husbands over wives need not be dwelt on here. Nothing more is needed to remove that evil completely than that wives should have the same rights, and receive the protection of the law in the same way, as everyone else; and on this subject the defenders of established injustice do not appeal to liberty, but come forward openly as champions of power. It is in the case of children that misapplied ideas of liberty are a real obstacle to the State's fulfilling its duties. One would almost think that a man's children were supposed to be literally, not metaphorically, a part of himself, so jealously does opinion guard against the slightest interference by the law with his absolute and exclusive control over them—more jealously than against almost any interference with his own freedom of action. So much less do most people value liberty than power. Consider education, for example. Is it not almost a self-evident axiom that the State should require and enforce the education, up to a certain standard, of every human being born its citizen? Yet who is not afraid to recognize and assert this truth? Hardly anyone, indeed, will deny that one of the most sacred duties of parents (or, as law and custom now stand, of the father), after bringing a human being into the world, is to give that being an education that fits him to play his part well in life, toward others and toward himself. But while everyone agrees that this is the father's duty, hardly anyone in this country will stand to hear of making him perform it. Instead of being required to make any effort or sacrifice to secure an education for the child, he is left free to accept it or not when it is offered free of charge! It is still not recognized that to bring a child into existence without a fair prospect of being able to provide not only food for its body but instruction and training for its mind is a moral crime, both against the unfortu-

nate child and against society; and that if the parent does not fulfill this obligation, the State ought to see that it is fulfilled, at the parent's expense as far as possible.

5.13 Once the duty of enforcing universal education was accepted, there would be an end to the disputes about what the State should teach and how it should teach it—disputes that now turn the subject into a mere battlefield for sects and parties, so that the time and effort that should go into educating are wasted in quarreling about education. If the government would make up its mind to *require* a good education for every child, it might spare itself the trouble of *providing* one. It could leave parents to obtain the education where and how they pleased, and confine itself to helping pay the school fees of poorer children and covering the entire school costs of those who have no one else to pay for them. The objections rightly raised against State education do not apply to the State's enforcing education, but to the State's taking it upon itself to direct that education, which is a completely different thing. I go as far as anyone in objecting to the whole, or any large part, of the people's education being in the hands of the State. Everything that has been said about the importance of individuality of character, and of diversity in opinions and ways of living, implies that diversity of education is of the same inexpressible importance. A general State education is simply a device for molding people to be exactly like one another. And since the mold it casts them in is the one that pleases the dominant power in the government—whether a monarch, a priesthood, an aristocracy, or the majority of the existing generation—then the more efficient and successful it is, the more it establishes a despotism over the mind, which by natural tendency leads to one over the body. An education established and controlled by the State should exist, if at all, only as one among many competing experiments, carried on to serve as an example and a spur, keeping the others up to a certain standard of excellence. There is one exception: when society in general is so undeveloped that it could not or would not provide proper educational institutions for itself unless the government

took on the task. Then, indeed, the government may, as the lesser of two great evils, take on the business of schools and universities—just as it may take on that of joint-stock companies when private enterprise, in a form suited to undertaking great industrial works, does not exist in the country. But in general, if the country contains enough people qualified to provide education under government sponsorship, those same people would be able and willing to provide an equally good education on a voluntary basis, given the assurance of payment that would come from a law making education compulsory, combined with State aid for those unable to meet the cost.

5.14 The means of enforcing the law could only be public examinations, covering all children and beginning at an early age. An age might be set at which every child must be examined to find out whether he (or she) can read. If a child cannot, the father, unless he has some sufficient excuse, might be subject to a moderate fine, to be worked off by his labor if necessary, and the child might be sent to school at his expense. The examination should be repeated every year, with a gradually widening range of subjects, so as to make the universal acquisition—and, what is more, retention—of a certain minimum of general knowledge virtually compulsory. Beyond that minimum, there should be voluntary examinations in all subjects, at which everyone who reaches a certain standard of proficiency could claim a certificate. To prevent the State from using these arrangements to exert an improper influence over opinion, the knowledge required to pass an examination (beyond the merely instrumental kinds of knowledge, such as languages and their use) should, even in the higher examinations, be confined exclusively to facts and positive science. Examinations on religion, politics, or other disputed topics should not turn on whether opinions are true or false, but on the matter of fact that such and such an opinion is held, on such grounds, by such authors, schools, or churches. Under this system, the rising generation would be no worse off with regard to disputed truths than they are now. They would be brought up as members of the established Church or as Dissenters, just as

they are now; the State would merely see to it that they were well-informed churchmen or well-informed Dissenters. Nothing would prevent them from being taught religion, if their parents chose, at the same schools where they were taught other things. All attempts by the State to bias its citizens' conclusions on disputed subjects are evil; but it may quite properly offer to establish and certify that a person has the knowledge needed to make his conclusions on any given subject worth listening to. A student of philosophy would be the better for being able to pass an examination on both Locke and Kant, whichever of the two he sides with, or even if he sides with neither. And there is no reasonable objection to examining an atheist on the evidences for Christianity, provided he is not required to profess belief in them. The examinations in the higher branches of knowledge, however, should in my view be entirely voluntary.[3] It would be giving governments too dangerous a power to allow them to exclude anyone from a profession, even the profession of teacher, for supposed lack of qualifications. I think, with Wilhelm von Humboldt, that degrees or other public certificates of scientific or professional attainment should be given to everyone who comes forward for examination and passes; but that such certificates should give no advantage over competitors beyond whatever weight public opinion attaches to their testimony.

5.15 It is not only in education that misplaced ideas of liberty prevent parents' moral obligations from being recognized, and legal obligations from being imposed, where there are the strongest grounds for the former always, and in many cases for the latter as well. The very act of causing a human being to exist is one of the most responsible actions in the whole range of human life. To take on this responsibility—to bestow a life that may be either a curse or a blessing—unless the being who receives it will have at least the ordinary chances of a desirable existence, is a crime against that being. And in a country that is

3 John Locke (1632–1704) and Immanuel Kant (1724–1804), leading philosophers of rival schools: Locke grounded knowledge in experience, Kant in the mind's own structures.

overpopulated, or threatened with becoming so, to produce children beyond a very small number, with the effect of lowering the wages of labor through their competition, is a serious offense against everyone who lives by the pay for their labor. The laws in many countries on the Continent that forbid marriage unless the couple can show that they have the means to support a family do not exceed the legitimate powers of the state. Whether or not such laws are advisable (a question that depends mainly on local circumstances and feelings), they are not objectionable as violations of liberty. Such laws are interventions by the state to prohibit a harmful act—an act injurious to others, which ought to be met with condemnation and social stigma even where it is not thought advisable to add legal punishment. Yet the current ideas of liberty, which bend so easily to real infringements of the individual's freedom in things that concern only himself, would resist any attempt to restrain his inclinations when the consequence of indulging them is a life, or lives, of misery and degradation for the children, with many evils for those close enough to be affected by their actions in any way. When we compare mankind's strange respect for liberty with their strange lack of respect for it, we might imagine that a person had an indispensable right to harm others, and no right at all to please himself without causing anyone pain.

GOVERNMENT HELP AND ITS LIMITS

Mill gives reasons against government doing things for people even where liberty is not at stake.

5.16 I have saved for last a large class of questions about the limits of government interference which, though closely connected with the subject of this essay, do not strictly belong to it. These are cases in which the reasons against interference do not depend on the principle of liberty. The question is not about restraining individuals' actions but about helping them: whether the government should do, or cause to be done, some-

thing for their benefit, instead of leaving it to be done by themselves, individually or in voluntary combination.

5.17 The objections to government interference, when it does not involve an infringement of liberty, may be of three kinds.

5.18 The first is when the thing to be done is likely to be done better by individuals than by the government. Generally speaking, no one is as fit to run any business, or to decide how or by whom it should be run, as those who have a personal interest in it. This principle condemns the interference, once so common, of the legislature or government officials in the ordinary processes of industry. But this part of the subject has been discussed at sufficient length by political economists, and is not especially related to the principles of this essay.

5.19 The second objection is more closely related to our subject. In many cases, even though individuals may not do the particular thing as well, on average, as government officials, it is nevertheless desirable that they rather than the government should do it, as a means to their own mental education—a way of strengthening their active faculties, exercising their judgment, and giving them a firsthand knowledge of the matters thus left to them. This is a principal, though not the only, recommendation of trial by jury (in cases that are not political); of free and popular local and municipal institutions; and of the running of industrial and philanthropic enterprises by voluntary associations. These are not questions of liberty, and are connected with that subject only by distant tendencies; but they are questions of development. It belongs to another occasion to dwell on these things as parts of national education—as being, in fact, the particular training of a citizen, the practical part of the political education of a free people. They take people out of the narrow circle of personal and family selfishness and accustom them to understanding joint interests and managing joint concerns—getting them used to acting from public or semi-public motives, and to guiding their conduct by aims that unite them rather than isolate them from one another. Without these habits and powers, a free constitution can neither be worked nor pre-

served, as shown by the all-too-often short-lived nature of political freedom in countries where it does not rest on a sufficient basis of local liberties. The management of purely local business by the localities, and of the great industrial enterprises by the union of those who voluntarily put up the money, is further recommended by all the advantages this essay has set out as belonging to individuality of development and diversity of ways of acting. Government operations tend to be the same everywhere. With individuals and voluntary associations, on the contrary, there are varied experiments and endless diversity of experience. What the State can usefully do is make itself a central storehouse, and an active circulator and spreader, of the experience that results from many trials. Its business is to enable each experimenter to benefit from the experiments of others, instead of tolerating no experiments but its own.

THE DANGER OF BUREAUCRACY

Mill warns that concentrating talent and power in a bureaucracy weakens the people and the state.

5.20 The third, and most compelling, reason for restricting government interference is the great evil of adding unnecessarily to its power. Every function added to those the government already exercises spreads its influence over people's hopes and fears more widely, and turns more and more of the active and ambitious part of the public into hangers-on of the government, or of some party that aims to become the government. Suppose the roads, the railways, the banks, the insurance offices, the great joint-stock companies, the universities, and the public charities were all branches of the government; suppose, in addition, that the municipal corporations and local boards, with everything that now falls to them, became departments of the central administration; and suppose the employees of all these enterprises were appointed and paid by the government, and looked to the government for every step up in life. Then not all the freedom of the press and popular constitution of the legis-

lature would make this or any other country free except in name. And the evil would be greater the more efficiently and scientifically the administrative machinery was built—the more skillful the arrangements for getting the best-qualified hands and heads to run it. In England it has recently been proposed that all members of the government's civil service should be selected by competitive examination, so as to obtain for those posts the most intelligent and educated people available; and much has been said and written for and against this proposal. One of the arguments its opponents press most is that the position of a permanent civil servant does not offer enough prospect of pay and importance to attract the highest talents, which will always be able to find a more attractive career in the professions, or in the service of companies and other public bodies. One would not have been surprised if this argument had been used by the proposal's supporters, as an answer to its main difficulty. Coming from its opponents, it is strange indeed. What is put forward as an objection is the safety valve of the proposed system. If all the high talent of the country *could* indeed be drawn into government service, a proposal tending to bring that about might well cause unease. If every part of society's business that required organized cooperation, or broad and comprehensive views, were in the government's hands, and if government offices were everywhere filled by the ablest men, then all the broad culture and practiced intelligence in the country, except the purely theoretical, would be concentrated in a large bureaucracy, to which alone the rest of the community would look for everything: the masses for direction and orders in all they had to do; the able and ambitious for personal advancement. Getting into the ranks of this bureaucracy, and once in, rising within it, would be the only objects of ambition. Under such a regime, not only is the public outside poorly qualified, for lack of practical experience, to criticize or check how the bureaucracy works; but even if the accidents of despotism or the natural working of popular institutions occasionally bring to the top a ruler or rulers inclined to reform, no reform can be carried

out that is contrary to the bureaucracy's interest. Such is the sad condition of the Russian empire, as shown by the accounts of those who have had enough opportunity to observe it.[4] The Czar himself is powerless against the bureaucratic body. He can send any one of them to Siberia, but he cannot govern without them, or against their will. They have a tacit veto over every one of his decrees, simply by not carrying it out. In countries of more advanced civilization and a more rebellious spirit, the public is used to expecting everything to be done for them by the State, or at least to doing nothing for themselves without asking the State not only for permission to do it but even for how it is to be done. So they naturally hold the State responsible for every evil that befalls them, and when the evil goes beyond what they can bear, they rise against the government and make what is called a revolution. Whereupon somebody else, with or without legitimate authority from the nation, vaults into the seat of power, issues his orders to the bureaucracy, and everything goes on much as before—the bureaucracy being unchanged, and no one else being capable of taking its place.

5.21 A very different spectacle is seen among a people used to managing their own affairs. In France, since a large part of the people have served in the military, many of them holding at least the rank of noncommissioned officer, every popular uprising has several people competent to take the lead and improvise some passable plan of action. What the French are in military affairs, the Americans are in every kind of civil business. Leave them without a government, and any body of Americans can improvise one, and carry on that or any other public business with enough intelligence, order, and decisiveness. This is what every free people ought to be; and a people capable of this is certain to be free. It will never let itself be enslaved by any man or group of men merely because they are able to seize and pull the reins of the central administration. No bureaucracy can hope to make such a people do or submit to anything they do not like.

4 Mill is describing the Russian Empire under the czars, whose large, entrenched officialdom was notorious in his day.

But where everything is done through the bureaucracy, nothing the bureaucracy really opposes can be done at all. The constitution of such countries is an organization of the nation's experience and practical ability into a disciplined body for the purpose of governing the rest. And the more perfect that organization is in itself, and the more successful it is in attracting and training for itself the most capable people from all ranks of the community, the more complete is the bondage of everyone, the members of the bureaucracy included. For the governors are as much the slaves of their organization and discipline as the governed are of the governors. A Chinese mandarin is as much the tool and creature of a despotism as the humblest farmer. An individual Jesuit is, to the utmost degree of self-abasement, the slave of his order, even though the order itself exists for the collective power and importance of its members.

5.22 It must not be forgotten, too, that absorbing all the country's principal ability into the governing body is fatal, sooner or later, to the mental activity and progressiveness of that body itself. Banded together as they are—operating a system which, like all systems, necessarily runs largely by fixed rules—officials are under constant temptation to sink into lazy routine, or, if now and then they break out of that treadmill, to rush into some half-examined, half-baked scheme that has caught the fancy of some leading member of the corps. The only check on these closely related, though seemingly opposite, tendencies—the only stimulus that can keep the ability of the body itself up to a high standard—is exposure to the watchful criticism of equal ability outside it. It is essential, therefore, that there should be means, independent of the government, of forming such ability and giving it the opportunities and experience needed for sound judgment on great practical affairs. If we want to have, permanently, a skillful and efficient body of officials—above all, a body able to originate improvements and willing to adopt them; if we do not want our bureaucracy to degenerate into a rule of pedants—then this body must not monopolize all the occupations

that form and cultivate the faculties needed for governing mankind.

5.23 To determine the point at which these evils, so dangerous to human freedom and progress, begin—or rather, the point at which they begin to outweigh the benefits of society's collective force being applied, under its recognized leaders, to removing the obstacles to its well-being; to secure as many of the advantages of centralized power and intelligence as can be had without channeling too large a share of the general activity through the government—this is one of the most difficult and complicated questions in the art of government. It is largely a question of detail, in which many and various considerations must be kept in view, and no absolute rule can be laid down. But I believe that the practical principle in which safety lies, the ideal to keep in view, the standard by which to test all arrangements meant to overcome the difficulty, can be put in these words: the greatest dispersal of power consistent with efficiency; but the greatest possible centralization of information, and its diffusion from the center. Thus in municipal administration there would be, as in the New England states, a very fine division among separate officers, chosen by the localities, of all business not better left to the people directly concerned. But in addition, there would be, in each department of local affairs, a central supervisory body forming a branch of the general government. This supervisory body would concentrate, as in a focus, the variety of information and experience gathered from the conduct of that branch of public business in all the localities, from everything comparable done in foreign countries, and from the general principles of political science. This central body should have a right to know everything that is done, and its special duty should be to make the knowledge gained in one place available to others. Freed from the petty prejudices and narrow views of a locality by its high position and wide field of observation, its advice would naturally carry great authority. But its actual power, as a permanent institution, should in my view be limited to compelling local officials to obey the laws laid down for their guidance.

In everything not covered by general rules, those officials should be left to their own judgment, answerable to those who elected them. For breaking the rules they should be answerable to the law, and the rules themselves should be laid down by the legislature. The central administrative authority would only watch over their execution, and if they were not properly carried out, it would appeal—depending on the nature of the case—either to the courts to enforce the law, or to the voters to dismiss the officials who had not carried it out in its proper spirit. Such, in its general conception, is the central supervision that the Poor Law Board is meant to exercise over the administrators of the Poor Rate throughout the country.[5] Whatever powers the Board exercises beyond this limit were right and necessary in that particular case, to cure deep-rooted habits of maladministration in matters that deeply affect not just the localities but the whole community. For no locality has a moral right to turn itself, through mismanagement, into a nest of pauperism that inevitably overflows into other localities and damages the moral and physical condition of the whole working community. The Poor Law Board's powers of administrative coercion and subordinate legislation (which, owing to the state of opinion on the subject, it uses very sparingly), though perfectly justifiable in a matter of first-rate national interest, would be wholly out of place in supervising purely local interests. But a central body of information and instruction for all the localities would be equally valuable in every department of administration. A government cannot have too much of the kind of activity that does not hinder but aids and stimulates individual effort and development. The harm begins when, instead of calling forth the activity and powers of individuals and groups, it substitutes its own activity for theirs; when, instead of informing, advising, and, when necessary, denouncing, it makes them work in shackles, or tells them to stand aside and does their work for them. The worth of a State, in the long run, is the worth of the

5 The Poor Law Board (1847–1871) supervised the local administration of poor relief in England and Wales, funded by the local "poor rate."

individuals who compose it. A State that puts off the interests of *their* mental growth and elevation for the sake of a little more administrative skill in the details of business, or the semblance of it that practice gives; a State that dwarfs its people so that they may be more docile instruments in its hands, even for beneficial purposes—such a State will find that with small people no great thing can really be accomplished, and that the perfect machinery for which it has sacrificed everything will in the end be of no use to it, for want of the vital power which, to make the machine run more smoothly, it has preferred to banish.