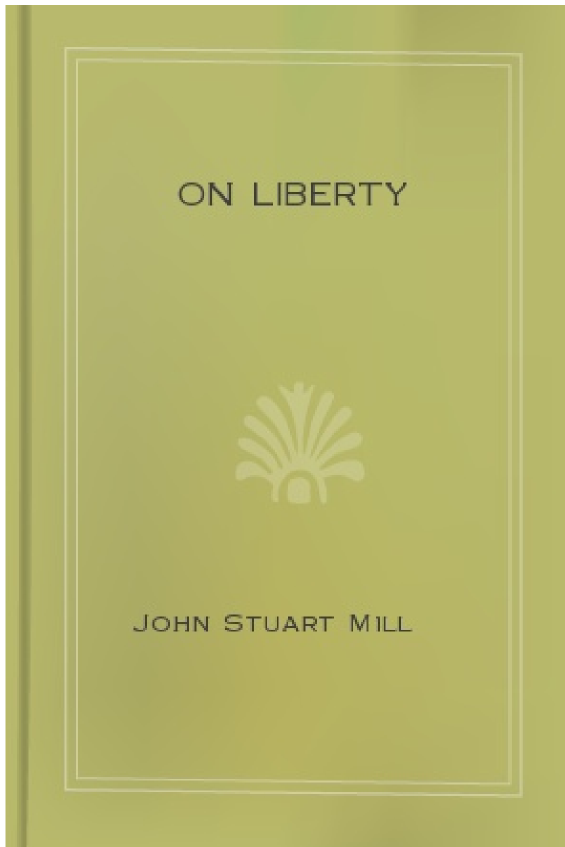

On Liberty, by John Stuart Mill

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Title: On Liberty

Author: John Stuart Mill

Release Date: January 10, 2011 [EBook #34901]

Language: English

Character set encoding: ASCII

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On Liberty.

By John Stuart Mill.

With an Introduction by W. L. Courtney, LL.D.

The Walter Scott Publishing Co., Ltd. London and Felling-on-Tyne New York and Melbourne

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To the beloved and deplored memory of her who was the inspirer, and in part the author, of all that is best in my writings--the friend and wife whose exalted sense of truth and right was my strongest incitement, and whose approbation was my chief reward--I dedicate this volume. Like all that I have written for many years, it belongs as much to her as to me; but the work as it stands has had, in a very insufficient degree, the inestimable advantage of her revision; some of the most important portions having been reserved for a more careful re-examination, which they are now never destined to receive. Were I but capable of interpreting to the world one-half the great thoughts and noble feelings which are buried in her grave, I should be the medium of a greater benefit to it than is ever likely to arise from anything that I can write, unprompted and unassisted by her all but unrivalled wisdom.

INTRODUCTION.

I.

John Stuart Mill was born on 20th May 1806. He was a delicate child, and the extraordinary education designed by his father was not calculated to develop and improve his physical powers. "I never was a boy," he says; "never played cricket." His exercise was taken in the form of walks with his father, during which the elder Mill lectured his son and examined him on his work. It is idle to speculate on the possible results of a different treatment. Mill remained delicate throughout his life, but was endowed with that intense mental energy which is so often combined with physical weakness. His youth was sacrificed to an idea; he was designed by his father to carry on his work; the individuality of the boy was unimportant. A visit to the south of France at the age of fourteen, in company with the family of General Sir Samuel Bentham, was not without its influence. It was a glimpse of another atmosphere, though the studious habits of his home life were maintained. Moreover, he derived from it his interest in foreign politics, which remained one of his characteristics to the end of his life. In 1823 he was appointed junior clerk in the Examiners' Office at the India House.

Mill's first essays were written in the *Traveller* about a year before he entered the India House. From that time forward his literary work was uninterrupted save by attacks of illness. His industry was stupendous. He wrote articles on an infinite variety of subjects, political, metaphysical, philosophic, religious, poetical. He discovered Tennyson for his generation, he influenced the writing of Carlyle's *French Revolution* as well as its success. And all the while he was engaged in studying and preparing for his more ambitious works, while he rose step by step at the India Office. His *Essays on Unsettled Questions in Political Economy* were written in 1831, although they did not appear until thirteen years later. His *System of Logic*, the design of which was even then fashioning itself in his brain, took thirteen years to complete, and was actually published before the *Political Economy*. In 1844 appeared the article on Michelet, which its author anticipated would cause some discussion, but which did not create the sensation he expected. Next year there were the "Claims of Labour" and "Guizot," and in 1847 his articles on Irish affairs in the *Morning Chronicle*. These years were very much influenced by his friendship and correspondence with Comte, a curious comradeship between men of such different temperament. In 1848 Mill published his *Political Economy*, to which he had given his serious study since the completion of his *Logic*. His articles and reviews, though they involved a good deal of work--as, for instance, the re-perusal of the *Iliad* and the *Odyssey* in the original before reviewing Grote's *Greece*--were recreation to the student. The year 1856 saw him head of the Examiners' Office in the India House, and another two years brought the end of his official work, owing to the transfer of India to the Crown. In the same year his wife died. *Liberty* was published shortly after, as well as the *Thoughts on Parliamentary Reform*, and no year passed without Mill making important contributions on the political, philosophical, and ethical questions of the day.

Seven years after the death of his wife, Mill was invited to contest Westminster. His feeling on the conduct of elections made him refuse to take any personal action in the matter, and he gave the frankest expression to his political views, but nevertheless he was elected by a large majority. He was not a conventional success in the House; as a speaker he lacked magnetism. But his influence was widely felt. "For the sake of the House of Commons at large," said Mr. Gladstone, "I rejoiced in his advent and deplored his disappearance. He did us all good." After only three years in Parliament, he was defeated at the next General Election by Mr. W. H. Smith. He retired to Avignon, to the pleasant little house where the happiest years of his life had been spent in the companionship of his wife, and continued his disinterested labours. He completed his edition of his father's *Analysis of the Mind*, and also produced, in addition to less important work, *The Subjection of Women*, in which he had the active co-operation of his step-daughter. A book on Socialism was under consideration, but, like an earlier study of Sociology, it never was written. He died in 1873, his last years being spent peacefully in the pleasant society of his step-daughter, from whose tender care and earnest intellectual sympathy he caught maybe a far-off reflection of the light which had irradiated his spiritual life.

II.

The circumstances under which John Stuart Mill wrote his *Liberty* are largely connected with the influence which Mrs. Taylor wielded over his career. The dedication is well known. It contains the most extraordinary panegyric on a woman that any philosopher has ever penned. "Were I but capable of interpreting to the world one-half the great thoughts and noble feelings which are buried in her grave, I should be the medium of a greater benefit to it than is ever likely to arise from anything that I can write, unprompted and unassisted by her all but unrivalled wisdom." It is easy for the ordinary worldly cynicism to curl a sceptical lip over sentences like these. There may be exaggeration of sentiment, the necessary and inevitable reaction of a man who was trained according to the "dry light" of so unimpressionable a man as James Mill, the father; but the passage quoted is not the only one in which John Stuart Mill proclaims his unhesitating belief in the intellectual influence of his wife. The treatise on *Liberty* was written especially under her authority and encouragement, but there are many earlier references to the power which she exercised over his mind. Mill was introduced to her as early as 1831, at a dinner-party at Mr. Taylor's house, where were present, amongst others, Roebuck, W. J. Fox, and Miss Harriet Martineau. The acquaintance rapidly ripened into intimacy and the intimacy into friendship, and Mill was never weary of expatiating on all the advantages of so singular a relationship. In some of the presentation copies of his work on *Political Economy*, he wrote the following dedication:--"To Mrs. John Taylor, who, of all persons known to the author, is the most highly qualified either to originate or to appreciate speculation on social advancement, this work is with the highest respect and esteem dedicated." An article on the enfranchisement of women was made the occasion for another encomium. We shall hardly be wrong in attributing a much later book, *The Subjection of Women*, published in 1869, to the influence wielded by Mrs. Taylor. Finally, the pages of the *Autobiography* ring with the dithyrambic praise of his "almost infallible counsellor."

The facts of this remarkable intimacy can easily be stated. The deductions are more difficult. There is no question that Mill's infatuation was the cause of considerable trouble to his acquaintances and friends. His father openly taxed him with being in love with another man's wife. Roebuck, Mrs. Grote, Mrs. Austin, Miss Harriet Martineau were amongst those who suffered because they made some allusion to a forbidden subject. Mrs. Taylor lived with her daughter in a lodging in the country; but in 1851 her husband died, and then Mill made her his wife. Opinions were widely divergent as to her merits; but every one agreed that up to the time of her death, in 1858, Mill was wholly lost to his friends. George Mill, one of Mill's younger brothers, gave it as his opinion that she was a clever and remarkable woman, but "nothing like what John took her to be." Carlyle, in his reminiscences, described her with ambiguous epithets. She was "vivid," "iridescent," "pale and passionate and sad-looking, a living-romance heroine of the royalist volition and questionable destiny." It is not possible to make much of a judgment like this, but we get on more certain ground when we discover that Mrs. Carlyle said on one occasion that "she is thought to be dangerous," and that Carlyle added that she was worse than dangerous, she was patronising. The occasion when Mill and his wife were brought into close contact with the Carlyles is well known. The manuscript of the first volume of the *French Revolution* had

been lent to Mill, and was accidentally burnt by Mrs. Mill's servant. Mill and his wife drove up to Carlyle's door, the wife speechless, the husband so full of conversation that he detained Carlyle with desperate attempts at loquacity for two hours. But Dr. Garnett tells us, in his *Life of Carlyle*, that Mill made a substantial reparation for the calamity for which he was responsible by inducing the aggrieved author to accept half of the L200 which he offered. Mrs. Mill, as I have said, died in 1858, after seven years of happy companionship with her husband, and was buried at Avignon. The inscription which Mill wrote for her grave is too characteristic to be omitted:--"Her great and loving heart, her noble soul, her clear, powerful, original, and comprehensive intellect, made her the guide and support, the instructor in wisdom and the example in goodness, as she was the sole earthly delight of those who had the happiness to belong to her. As earnest for all public good as she was generous and devoted to all who surrounded her, her influence has been felt in many of the greatest improvements of the age, and will be in those still to come. Were there even a few hearts and intellects like hers, this earth would already become the hoped-for Heaven." These lines prove the intensity of Mill's feeling, which is not afraid of abundant verbiage; but they also prove that he could not imagine what the effect would be on others, and, as Grote said, only Mill's reputation could survive these and similar displays.

Every one will judge for himself of this romantic episode in Mill's career, according to such experience as he may possess of the philosophic mind and of the value of these curious but not infrequent relationships. It may have been a piece of infatuation, or, if we prefer to say so, it may have been the most gracious and the most human page in Mill's career. Mrs. Mill may have flattered her husband's vanity by echoing his opinions, or she may have indeed been an Egeria, full of inspiration and intellectual helpfulness. What usually happens in these cases,--although the philosopher himself, through his belief in the equality of the sexes, was debarred from thinking so,--is the extremely valuable action and reaction of two different classes and orders of mind. To any one whose thoughts have been occupied with the sphere of abstract speculation, the lively and vivid presentment of concrete fact comes as a delightful and agreeable shock. The instinct of the woman often enables her not only to apprehend but to illustrate a truth for which she would be totally unable to give the adequate philosophic reasoning. On the other hand, the man, with the more careful logical methods and the slow processes of formal reasoning, is apt to suppose that the happy intuition which leaps to the conclusion is really based on the intellectual processes of which he is conscious in his own case. Thus both parties to the happy contract are equally pleased. The abstract truth gets the concrete illustration; the concrete illustration finds its proper foundation in a series of abstract inquiries. Perhaps Carlyle's epithets of "iridescent" and "vivid" refer incidentally to Mrs. Mill's quick perceptiveness, and thus throw a useful light on the mutual advantages of the common work of husband and wife. But it savours almost of impertinence even to attempt to lift the veil on a mystery like this. It is enough to say, perhaps, that however much we may deplore the exaggeration of Mill's references to his wife, we recognise that, for whatever reason, the pair lived an ideally happy life.

It still, however, remains to estimate the extent to which Mrs. Taylor, both before and after her marriage with Mill, made actual contributions to his thoughts and his public work. Here I may be perhaps permitted to avail myself of what I have already written in a previous work.[1] Mill gives us abundant help in this matter in the *Autobiography*. When first he knew her, his thoughts were turning to the subject of Logic. But his published work on the subject owed nothing to her, he tells us, in its doctrines. It was Mill's custom to write the whole of a book so as to get his general scheme complete, and then laboriously to re-write it in order to perfect the phrases and the composition. Doubtless Mrs. Taylor was of considerable help to him as a critic of style. But to be a critic of doctrine she was hardly qualified. Mill has made some clear admissions on this point. "The only actual revolution which has ever taken place in my modes of thinking was already complete,"[2] he says, before her influence became paramount. There is a curiously humble estimate of his own powers (to which Dr. Bain has called attention), which reads at first sight as if it contradicted this. "During the greater part of my literary life I have performed the office in relation to her, which, from a rather early period, I had considered as the most useful part that I was qualified to take in the domain of thought, that of an interpreter of original thinkers, and mediator between them and the public." So far it would seem that Mill had sat at the feet of his oracle; but observe the highly remarkable exception which is made in the following sentence:--"For I had always a humble opinion of my own powers as an original thinker, *except in abstract science (logic,*

metaphysics, and the theoretic principles of political economy and politics.)"[3] If Mill then was an original thinker in logic, metaphysics, and the science of economy and politics, it is clear that he had not learnt these from her lips. And to most men logic and metaphysics may be safely taken as forming a domain in which originality of thought, if it can be honestly professed, is a sufficient title of distinction.

Mrs. Taylor's assistance in the *Political Economy* is confined to certain definite points. The purely scientific part was, we are assured, not learnt from her. "But it was chiefly her influence which gave to the book that general tone by which it is distinguished from all previous expositions of political economy that had any pretensions to be scientific, and which has made it so useful in conciliating minds which those previous expositions had repelled. This tone consisted chiefly in making the proper distinction between the laws of the production of wealth, which are real laws of Nature, dependent on the properties of objects, and the modes of its distribution, which, subject to certain conditions, depend on human will.... *I had indeed partially learnt this view of things from the thoughts awakened in me by the speculations of St. Simonians*; but it was made a living principle, pervading and animating the book, by my wife's promptings."[4] The part which is italicised is noticeable. Here, as elsewhere, Mill thinks out the matter by himself; the concrete form of the thoughts is suggested or prompted by the wife. Apart from this "general tone," Mill tells us that there was a specific contribution. "The chapter which has had a greater influence on opinion than all the rest, that on the Probable Future of the Labouring Classes, is entirely due to her. In the first draft of the book that chapter did not exist. She pointed out the need of such a chapter, and the extreme imperfection of the book without it; she was the cause of my writing it." From this it would appear that she gave Mill that tendency to Socialism which, while it lends a progressive spirit to his speculations on politics, at the same time does not manifestly accord with his earlier advocacy of peasant proprietorships. Nor, again, is it, on the face of it, consistent with those doctrines of individual liberty which, aided by the intellectual companionship of his wife, he propounded in a later work. The ideal of individual freedom is not the ideal of Socialism, just as that invocation of governmental aid to which the Socialist resorts is not consistent with the theory of *laisser-faire*. Yet *Liberty* was planned by Mill and his wife in concert. Perhaps a slight visionariness of speculation was no less the attribute of Mrs. Mill than an absence of rigid logical principles. Be this as it may, she undoubtedly checked the half-recognised leanings of her husband in the direction of Coleridge and Carlyle. Whether this was an instance of her steadying influence,[5] or whether it added one more unassimilated element to Mill's diverse intellectual sustenance, may be wisely left an open question. We cannot, however, be wrong in attributing to her the parentage of one book of Mill, *The Subjection of Women*. It is true that Mill had before learnt that men and women ought to be equal in legal, political, social, and domestic relations. This was a point on which he had already fallen foul of his father's essay on *Government*. But Mrs. Taylor had actually written on this very point, and the warmth and fervour of Mill's denunciations of women's servitude were unmistakably caught from his wife's view of the practical disabilities entailed by the feminine position.

III.

Liberty was published in 1859, when the nineteenth century was half over, but in its general spirit and in some of its special tendencies the little tract belongs rather to the standpoint of the eighteenth century than to that which saw its birth. In many of his speculations John Stuart Mill forms a sort of connecting link between the doctrines of the earlier English empirical school and those which we associate with the name of Mr. Herbert Spencer. In his *Logic*, for instance, he represents an advance on the theories of Hume, and yet does not see how profoundly the victories of Science modify the conclusions of the earlier thinker. Similarly, in his *Political Economy*, he desires to improve and to enlarge upon Ricardo, and yet does not advance so far as the modifications of political economy by Sociology, indicated by some later--and especially German--speculations on the subject. In the tract on *Liberty*, Mill is advocating the rights of the individual as against Society at the very opening of an era that was rapidly coming to the conclusion that the individual had no absolute rights against Society. The eighteenth century view is that individuals existed first, each with their own special claims and responsibilities; that they deliberately formed a Social State, either by a contract or otherwise; and that then finally they limited their own action out of regard for the interests of the social organism thus arbitrarily produced. This is hardly the view of the nineteenth century. It is possible that

logically the individual is prior to the State; historically and in the order of Nature, the State is prior to the individual. In other words, such rights as every single personality possesses in a modern world do not belong to him by an original ordinance of Nature, but are slowly acquired in the growth and development of the social state. It is not the truth that individual liberties were forfeited by some deliberate act when men made themselves into a Commonwealth. It is more true to say, as Aristotle said long ago, that man is naturally a political animal, that he lived under strict social laws as a mere item, almost a nonentity, as compared with the Order, Society, or Community to which he belonged, and that such privileges as he subsequently acquired have been obtained in virtue of his growing importance as a member of a growing organisation. But if this is even approximately true, it seriously restricts that liberty of the individual for which Mill pleads. The individual has no chance, because he has no rights, against the social organism. Society can punish him for acts or even opinions which are anti-social in character. His virtue lies in recognising the intimate communion with his fellows. His sphere of activity is bounded by the common interest. Just as it is an absurd and exploded theory that all men are originally equal, so it is an ancient and false doctrine to protest that a man has an individual liberty to live and think as he chooses in any spirit of antagonism to that larger body of which he forms an insignificant part.

Nowadays this view of Society and of its development, which we largely owe to the *Philosophie Positive* of M. Auguste Comte, is so familiar and possibly so damaging to the individual initiative, that it becomes necessary to advance and proclaim the truth which resides in an opposite theory. All progress, as we are aware, depends on the joint process of integration and differentiation; synthesis, analysis, and then a larger synthesis seem to form the law of development. If it ever comes to pass that Society is tyrannical in its restrictions of the individual, if, as for instance in some forms of Socialism, based on deceptive analogies of Nature's dealings, the type is everything and the individual nothing, it must be confidently urged in answer that the fuller life of the future depends on the manifold activities, even though they may be antagonistic, of the individual. In England, at all events, we know that government in all its different forms, whether as King, or as a caste of nobles, or as an oligarchical plutocracy, or even as trades unions, is so dwarfing in its action that, for the sake of the future, the individual must revolt. Just as our former point of view limited the value of Mill's treatise on *Liberty*, so these considerations tend to show its eternal importance. The omnipotence of Society means a dead level of uniformity. The claim of the individual to be heard, to say what he likes, to do what he likes, to live as he likes, is absolutely necessary, not only for the variety of elements without which life is poor, but also for the hope of a future age. So long as individual initiative and effort are recognised as a vital element in English history, so long will Mill's *Liberty*, which he confesses was based on a suggestion derived from Von Humboldt, remain as an indispensable contribution to the speculations, and also to the health and sanity, of the world.

What his wife really was to Mill, we shall, perhaps, never know. But that she was an actual and vivid force, which roused the latent enthusiasm of his nature, we have abundant evidence. And when she died at Avignon, though his friends may have regained an almost estranged companionship, Mill was, personally, the poorer. Into the sorrow of that bereavement we cannot enter: we have no right or power to draw the veil. It is enough to quote the simple words, so eloquent of an unspoken grief--"I can say nothing which could describe, even in the faintest manner, what that loss was and is. But because I know that she would have wished it, I endeavour to make the best of what life I have left, and to work for her purposes with such diminished strength as can be derived from thoughts of her, and communion with her memory."

W. L. COURTNEY.

LONDON, *July 5th, 1901*.

FOOTNOTES:

[1] *Life of John Stuart Mill*, chapter vi. (Walter Scott.)

[2] *Autobiography*, p. 190.

[3] *Ibid.*, p. 242.

[4] *Autobiography*, pp. 246, 247.

[5] Cf. an instructive page in the *Autobiography*, p. 252.

CONTENTS.

CHAPTER I.

PAGE INTRODUCTORY 1

CHAPTER II.

OF THE LIBERTY OF THOUGHT AND DISCUSSION 28

CHAPTER III.

OF INDIVIDUALITY, AS ONE OF THE ELEMENTS OF WELL-BEING 103

CHAPTER IV.

OF THE LIMITS TO THE AUTHORITY OF SOCIETY OVER THE INDIVIDUAL 140

CHAPTER V.

APPLICATIONS 177

The grand, leading principle, towards which every argument unfolded in these pages directly converges, is the absolute and essential importance of human development in its richest diversity.--WILHELM VON HUMBOLDT: *Sphere and Duties of Government*.

ON LIBERTY.

CHAPTER I.

INTRODUCTORY.

The subject of this Essay is not the so-called Liberty of the Will, so unfortunately opposed to the misnamed doctrine of Philosophical Necessity; but Civil, or Social Liberty: the nature and limits of the power which can be legitimately exercised by society over the individual. A question seldom stated, and hardly ever discussed, in general terms, but which profoundly influences the practical controversies of the age by its latent presence, and is likely soon to make itself recognised as the vital question of the future. It is so far from being new, that in a certain sense, it has divided mankind, almost from the remotest ages; but in the stage of progress into which the more civilised portions of the species have now entered, it presents itself under new conditions, and requires a different and more fundamental treatment.

The struggle between Liberty and Authority is the most conspicuous feature in the portions of history with which we are earliest familiar, particularly in that of Greece, Rome, and England. But in old times this contest was between subjects, or some classes of subjects, and the government. By liberty, was meant protection against the tyranny of the political rulers. The rulers were conceived (except in some of the popular governments of Greece) as in a necessarily antagonistic position to the people whom they ruled. They consisted of a governing One, or a governing tribe or caste, who derived their authority from inheritance or conquest, who, at all events, did not hold it at the pleasure of the governed, and whose supremacy men did not venture, perhaps did not desire, to contest, whatever precautions might be taken against its oppressive exercise. Their power was regarded as necessary, but also as highly dangerous; as a weapon which they would attempt to use against their subjects, no less than against external enemies. To prevent the weaker members of the community from being preyed upon by innumerable vultures, it was needful that there should be an animal of prey stronger than the rest, commissioned to keep them down. But as the king of the vultures would be no less bent upon preying on the flock than any of the minor harpies, it was indispensable to be in a perpetual attitude of defence against his beak and claws. The aim, therefore, of patriots, was to set limits to the power which the ruler should be suffered to exercise over the community; and this limitation was what they meant by liberty. It was attempted in two ways. First, by obtaining a recognition of certain immunities, called political liberties or rights, which it was to be regarded as a breach of duty in the ruler to infringe, and which if he did infringe, specific resistance, or general rebellion, was held to be justifiable. A second, and generally a later expedient, was the establishment of constitutional checks; by which the consent of the community, or of a body of some sort, supposed to represent its interests, was made a necessary condition to some of the more important acts of the governing power. To the first of these modes of limitation, the ruling power, in most European countries, was compelled, more or less, to submit. It was not so with the second; and to attain this, or when already in some degree possessed, to attain it more completely, became everywhere the principal object of the lovers of liberty. And so long as mankind were content to combat one enemy by another, and to be ruled by a master, on condition of being guaranteed more or less efficaciously against his tyranny, they did not carry their aspirations beyond this point.

A time, however, came, in the progress of human affairs, when men ceased to think it a necessity of nature that their governors should be an independent power, opposed in interest to themselves. It appeared to them much better that the various magistrates of the State should be their tenants or delegates, revocable at their pleasure. In that way alone, it seemed, could they have complete security that the powers of government would never be abused to their disadvantage. By degrees, this new demand for elective and temporary rulers became the prominent object of the exertions of the popular party, wherever any such party existed; and superseded, to a considerable extent, the previous efforts to limit the power of rulers. As the struggle proceeded for making the ruling power emanate from the periodical choice of the ruled, some persons began to think that too much importance had been attached to the limitation of the power itself. *That* (it might seem) was a resource against rulers whose interests were habitually opposed to those of the people. What was now wanted was, that the rulers should be identified with the people; that their interest and will should 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 tyrannising over itself. Let the rulers be effectually responsible to it, promptly removable by it, and it could afford to trust them with power of which it could itself dictate the use to be made. Their power was but the nation's own power, concentrated, and in a form convenient for exercise. This mode of thought, or rather perhaps of feeling, was common among the last generation of European liberalism, in the Continental section of which it still apparently predominates. Those who admit any limit to what a government may do, except in the case of such governments as they think ought not to exist, stand out as brilliant exceptions among the political thinkers of the Continent. A similar tone of sentiment might by this time have been prevalent in our own country, if the circumstances which for a time encouraged it, had continued unaltered.

But, in political and philosophical theories, as well as in persons, success discloses faults and infirmities which failure might have concealed from observation. The notion, that the people have no need to limit their power over themselves, might seem axiomatic, when popular government was a thing only dreamed about, or read of as having existed at some distant period of the past. Neither was that notion necessarily disturbed by such temporary aberrations as those of the French Revolution, the worst of which were the work of a usurping few, and which, in any case, belonged, not to the permanent working of popular institutions, but to a sudden and convulsive outbreak against monarchical and aristocratic despotism. In time, however, a democratic republic came to occupy a large portion of the earth's surface, and made itself felt as one of the most powerful members of the community of nations; and elective and responsible government became subject to the observations and criticisms which wait upon a great existing fact. It was now perceived that such phrases as "self-government," and "the power of the people over themselves," do not express the true state of the case. The "people" who exercise the power are not always the same people with those over whom it is exercised; and the "self-government" spoken of is not the government of each by himself, but of each by all the rest. The will of the people, moreover, practically means, the will of the most numerous or the most active *part* of the people; the majority, or those who succeed in making themselves accepted as the majority: the people, consequently, *may* desire to oppress a part of their number; and precautions are as much needed against this, as against any other abuse of power. The limitation, therefore, of the power of government over individuals, loses none of its importance when the holders of power are regularly accountable to the community, that is, to the strongest party therein. This view of things, recommending itself equally to the intelligence of thinkers and to the inclination of those important classes in European society to whose real or supposed interests democracy is adverse, has had no difficulty in establishing itself; and in political speculations "the tyranny of the majority" is now generally included among the evils against which society requires to be on its guard.

Like other tyrannies, the tyranny of the majority was at first, and is still vulgarly, held in dread, chiefly as operating through the acts of the public authorities. But reflecting persons perceived that when society is itself the tyrant--society collectively, over the separate individuals who compose it--its means of tyrannising are not restricted to the acts which it may do by the hands of its political functionaries. Society can and does execute its own mandates: and if it issues wrong mandates instead of right, or any mandates at all in things with which it ought not to meddle, it practises a social tyranny more formidable than many kinds of political oppression, since, though not usually upheld by such extreme penalties, it leaves fewer means of escape, penetrating much more deeply into the details of life, and enslaving the soul itself. Protection, therefore, against the tyranny of the magistrate is not enough: there needs protection also against the tyranny of the prevailing opinion and feeling; against the tendency of society to impose, by other means than civil penalties, its own ideas and practices as rules of conduct on those who dissent from them; to fetter the development, and, if possible, prevent the formation, of any individuality not in harmony with its ways, and compel all characters to fashion themselves upon the model of its own. There is a limit to the legitimate interference of collective opinion with individual independence: and to find that limit, and maintain it against encroachment, is as indispensable to a good condition of human affairs, as protection against political despotism.

But though this proposition is not likely to be contested in general terms, the practical question, where to place the limit--how to make the fitting adjustment between individual independence and social control--is a subject on which nearly everything remains to be done. All that makes existence valuable to any one, depends on the enforcement of restraints upon the actions of other people. Some rules of conduct, therefore, must be

imposed, by law in the first place, and by opinion on many things which are not fit subjects for the operation of law. What these rules should be, is the principal question in human affairs; but if we except a few of the most obvious cases, it is one of those which least progress has been made in resolving. No two ages, and scarcely any two countries, have decided it alike; and the decision of one age or country is a wonder to 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 mankind had always been agreed. The rules which obtain among themselves appear to them self-evident and self-justifying. This all but universal illusion is one of the examples of the magical influence of custom, which is not only, as the proverb says, a second nature, but is continually mistaken for the first. The effect of custom, in preventing any misgiving respecting the rules of conduct which mankind impose on one another, is all the more complete because the subject is one on which it is not generally considered necessary that reasons should be given, either by one person to others, or by each to himself. People are accustomed to believe, and have been encouraged in the belief by some who aspire to the character of philosophers, that their feelings, on subjects of this nature, are better than reasons, and render reasons unnecessary. The practical principle which guides them to their opinions on the regulation of human conduct, is the feeling in each person's mind that everybody should be required to act as he, and those with whom he sympathises, would like them to act. No one, indeed, acknowledges to himself that his standard of judgment is his own liking; but an opinion on a point of conduct, not supported by reasons, can only count as one person's preference; and if the reasons, when given, are a mere appeal to a similar preference felt by other people, it is still only many people's liking instead of one. To an ordinary man, however, his own preference, thus supported, is not only a perfectly satisfactory reason, but the only one he generally has for any of his notions of morality, taste, or propriety, which are not expressly written in his religious creed; and his chief guide in the interpretation even of that. Men's opinions, accordingly, on what is laudable or blamable, are affected by all the multifarious causes which influence their wishes in regard to the conduct of others, and which are as numerous as those which determine their wishes on any other subject. Sometimes their reason--at other times their prejudices or superstitions: often their social affections, not seldom their anti-social ones, their envy or jealousy, their arrogance or contemptuousness: but most commonly, their desires or fears for themselves--their legitimate or illegitimate self-interest. Wherever there is an ascendant class, a large portion of the morality of the country emanates from its class interests, and its feelings of class superiority. The morality between Spartans and Helots, between planters and negroes, between princes and subjects, between nobles and roturiers, between men and women, has been for the most part the creation of these class interests and feelings: and the sentiments thus generated, react in turn upon the moral feelings of the members of the ascendant class, in their relations among themselves. Where, on the other hand, a class, formerly ascendant, has lost its ascendancy, or where its ascendancy is unpopular, the prevailing moral sentiments frequently bear the impress of an impatient dislike of superiority. Another grand determining principle of the rules of conduct, both in act and forbearance, which have been enforced by law or opinion, has been the servility of mankind towards the supposed preferences or aversions of their temporal masters, or of their gods. This servility, though essentially selfish, is not hypocrisy; it gives rise to perfectly genuine sentiments of abhorrence; it made men 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 the direction of the moral sentiments: less, however, as a matter of reason, and on their own account, than as a consequence of the sympathies and antipathies which grew out of them: and sympathies and antipathies which had little or nothing to do with the interests of society, have made themselves felt in the establishment of moralities with quite as great force.

The likings and dislikings of society, or of some powerful portion of it, are thus the main thing which has practically determined the rules laid down for general observance, under the penalties of law or opinion. And in general, those who have been in advance of society in thought and feeling have left this condition of things unassailed in principle, however they may have come into conflict with it in some of its details. They have occupied themselves rather in inquiring what things society ought to like or dislike, than in questioning whether its likings or dislikings should be a law to individuals. They preferred endeavouring to alter the feelings of mankind on the particular points on which they were themselves heretical, rather than make common cause in defence of freedom, with heretics generally. The only case in which the higher ground has been taken on principle and maintained with consistency, by any but an individual here and there, is that of

religious belief: a case instructive in many ways, and not least so as forming a most striking instance of the fallibility of what is called the moral sense: for the *odium theologicum*, in a sincere bigot, is one of the most unequivocal cases of moral feeling. Those who first broke the yoke of what called itself the Universal Church, were in general as little willing to permit difference of religious opinion as that church itself. But when the heat of the conflict was over, without giving a complete victory to any party, and each church or sect was reduced to limit its hopes to retaining possession of the ground it already occupied; minorities, seeing that they had no chance of becoming majorities, were under the necessity of pleading to those whom they could not convert, for permission to differ. It is accordingly on this battle-field, almost solely, that the rights of the individual against society have been asserted on broad grounds of principle, and the claim of society to exercise authority over dissentients, openly controverted. The great writers to whom the world owes what religious liberty it possesses, have mostly asserted freedom of conscience as an indefeasible right, and denied absolutely that a human being is accountable to others for his religious belief. Yet so natural to mankind is intolerance in whatever they really care about, that religious freedom has hardly anywhere been practically realised, except where religious indifference, which dislikes to have its peace disturbed by theological quarrels, has added its weight to the scale. In the minds of almost all religious persons, even in the most tolerant countries, the duty of toleration is admitted with tacit reserves. One person will bear with dissent in matters of church government, but not of dogma; another can tolerate everybody, short of a Papist or a Unitarian; another, every one who believes in revealed religion; a few extend their charity a little further, but stop at the belief in a God and in a future state. Wherever the sentiment of the majority is still genuine and intense, it is found to have abated little of its claim to be obeyed.

In England, from the peculiar circumstances of our political history, though the yoke of opinion is perhaps heavier, that of law is lighter, than in most other countries of Europe; and there is considerable jealousy of direct interference, by the legislative or the executive power, with private conduct; not so much from any just regard for the independence of the individual, as from the still subsisting habit of looking on the government as representing an opposite interest to the public. The majority have not yet learnt to feel the power of the government their power, or its opinions their opinions. When they do so, individual liberty will probably be as much exposed to invasion from the government, as it already is from public opinion. But, as yet, there is a considerable amount of feeling ready to be called forth against any attempt of the law to control individuals in things in which they have not hitherto been accustomed to be controlled by it; and this with very little discrimination as to whether the matter is, or is not, within the legitimate sphere of legal control; insomuch that the feeling, highly salutary on the whole, is perhaps quite as often misplaced as well grounded in the particular instances of its application. There is, in fact, no recognised principle by which the propriety or impropriety of government interference is customarily tested. People decide according to their personal preferences. Some, whenever they see any good to be done, or evil to be remedied, would willingly instigate the government to undertake the business; while others prefer to bear almost any amount of social evil, rather than add one to the departments of human interests amenable to governmental control. And men range themselves on one or the other side in any particular case, according to this general direction of their sentiments; or according to the degree of interest which they feel in the particular thing which it is proposed that the government should do, or according to the belief they entertain that the government would, or would not, do it in the manner they prefer; but very rarely on account of any opinion to which they consistently adhere, as to what things are fit to be done by a government. And it seems to me that in consequence of this absence of rule or principle, one side is at present as often wrong as the other; the interference of government is, with about equal frequency, improperly invoked and improperly condemned.

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 be physical force in the form of legal penalties, or the moral coercion of public opinion. That principle is, that the sole end for which mankind are warranted, individually or collectively, in interfering with the liberty of action of any of their number, is self-protection. That the only purpose for which power can be rightfully exercised over any member of a civilised community, against his will, is to prevent harm to others. His own good, either physical or moral, is not a sufficient warrant. He cannot rightfully be compelled to do or forbear because it will be

better for him to do so, because it will make him happier, because, in the opinions of others, to do so would be wise, or even right. These are good reasons for remonstrating with him, or reasoning with him, or persuading him, or entreating him, but not for compelling him, or visiting him with any evil in case he do otherwise. To justify that, the conduct from which it is desired to deter him must be calculated to produce evil to some one else. The only part of the conduct of any one, for which he is amenable to society, is that which concerns others. In the part which merely concerns himself, his independence is, of right, absolute. Over himself, over his own body and mind, the individual is sovereign.

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 persons below the age which the law may fix as that of manhood or womanhood. Those who are still in a state to require being taken care of by others, must be protected against their own actions as well as against external injury. For the same reason, we may leave out of consideration those backward states of society in which the race itself may be considered as in its nonage. The early difficulties in the way of 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 warranted in the use of any expedients that will attain an end, perhaps otherwise unattainable. Despotism is a legitimate mode of government in dealing with barbarians, provided the end be their improvement, and the means justified by actually effecting that end. Liberty, as a principle, has no application to any state of things anterior to the time when mankind have become capable of being improved by free and equal discussion. Until then, there is nothing for them but implicit obedience to an Akbar or a Charlemagne, if they are so fortunate as to find one. But as soon as mankind have attained the capacity of being guided to their own improvement by conviction or persuasion (a period long since reached in all nations with whom we need here concern ourselves), compulsion, either in the direct form or in that of pains and penalties for non-compliance, is no longer admissible as a means to their own good, and justifiable only for the security of others.

It is proper to state that I forego any advantage which could be derived to my argument from the idea of abstract right, as a thing independent of utility. I regard utility as the ultimate appeal on all ethical questions; but it must be utility in the largest sense, grounded on the permanent interests of man as a progressive being. Those interests, I contend, authorise the subjection of individual spontaneity to external control, only in respect to those actions of each, which concern the interest of other people. If any one does an act hurtful to others, there is a *prima facie* case for punishing him, by law, or, where legal penalties are not safely applicable, by general disapprobation. There are also many positive acts for the benefit of others, which he may rightfully be compelled to perform; such as, to give evidence in a court of justice; to bear his fair share in the common defence, or in any other joint work necessary to the interest of the society of which he enjoys the protection; and to perform certain acts of individual beneficence, such as saving a fellow-creature's life, or interposing to protect the defenceless against ill-usage, things which whenever it is obviously a man's duty to do, he may rightfully be made responsible to society for not doing. A person may cause evil 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 latter case, it is true, requires a much more cautious exercise of compulsion than the former. To make any one answerable for doing evil to others, is the rule; to make him answerable for not preventing evil, is, comparatively speaking, the exception. Yet there are many cases clear enough and grave enough to justify that exception. In all things which regard the external relations of the individual, he is *de jure* amenable to those whose interests are concerned, and if need be, to society as their protector. There are often good reasons for not holding him to the responsibility; but these reasons must arise from the special expediencies of the case: either because it is a kind of case in which he is on the whole likely to act better, when left to his own discretion, than when controlled in any way in which society have it in their power to control him; or because the attempt to exercise control would produce other evils, greater than those which it would prevent. When such reasons as these preclude the enforcement of responsibility, the conscience of the agent himself should step into the vacant judgment seat, and protect those interests of others which have no external protection; judging himself all the more rigidly, because the case does not admit of his being made accountable to the judgment of his fellow-creatures.

But there is a sphere of action in which society, as distinguished from the individual, has, if any, only an indirect interest; comprehending all that portion of a person's life and conduct which affects only himself, or if it also affects others, 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 himself, may affect others *through* himself; and the objection which may be grounded on this contingency, will receive consideration in the sequel. This, then, is the appropriate region of human liberty. It comprises, first, the inward domain of consciousness; demanding liberty of conscience, in the most comprehensive sense; liberty of thought and feeling; absolute freedom of opinion and sentiment on all subjects, practical or speculative, scientific, moral, or theological. The liberty of expressing and publishing opinions may seem to fall under a different principle, since it belongs to that part of the conduct of an individual which concerns other people; but, being almost of as much importance as the liberty of thought itself, and resting in great part on the same reasons, is practically inseparable from it. Secondly, the principle requires liberty of tastes and pursuits; of framing the plan of our life to suit our own character; of doing as we like, subject to such consequences as may follow: without impediment from our fellow-creatures, so long as what we do does not harm them, even though they should think our conduct foolish, perverse, or wrong. Thirdly, from this liberty of each individual, follows the liberty, within the same limits, of combination among individuals; freedom to unite, for any purpose not involving harm to others: the persons combining being supposed to be of full age, and not forced or deceived.

No society in which these liberties are not, on the whole, respected, is free, whatever may be its form of government; and none is completely free in which they do not exist absolute and unqualified. The only freedom which deserves the name, is that of pursuing our own good in our own way, so long as we do not attempt to deprive others of theirs, or impede their efforts to obtain it. Each is the proper guardian of his own health, whether bodily, or mental and spiritual. Mankind are greater gainers by suffering each other to live as seems good to themselves, than by compelling each to live as seems good to the rest.

Though this doctrine is anything but new, and, to some persons, may have the air of a truism, there is no doctrine which stands more directly opposed to the general tendency of existing opinion and practice. Society has expended fully as much effort in the attempt (according to its lights) to compel people to conform to its notions of personal, as of social excellence. The ancient commonwealths thought themselves entitled to practise, and the ancient philosophers countenanced, the regulation of every part of private conduct by public authority, on the ground that the State had a deep interest in the whole bodily and mental discipline of every one of its citizens; a mode of thinking which may have been admissible in small republics surrounded by powerful enemies, in constant peril of being subverted by foreign attack or internal commotion, and to which even a short interval of relaxed energy and self-command might so easily be fatal, that they could not afford to wait for the salutary permanent effects of freedom. In the modern world, the greater size of political communities, and above all, the separation between spiritual and temporal authority (which placed the direction of men's consciences in other hands than those which controlled their worldly affairs), prevented so great an interference by law in the details of private life; but the engines of moral repression have been wielded more strenuously against divergence from the reigning opinion in self-regarding, than even in social matters; religion, the most powerful of the elements which have entered into the formation of moral feeling, having almost always been governed either by the ambition of a hierarchy, seeking control over every department of human conduct, or by the spirit of Puritanism. And some of those modern reformers who have placed themselves in strongest opposition to the religions of the past, have been noway behind either churches or sects in their assertion of the right of spiritual domination: M. Comte, in particular, whose social system, as unfolded in his *Traite de Politique Positive*, aims at establishing (though by moral more than by legal appliances) a despotism of society over the individual, surpassing anything contemplated in the political ideal of the most rigid disciplinarian among the ancient philosophers.

Apart from the peculiar tenets of individual thinkers, there is also in the world at large an increasing inclination to stretch unduly the powers of society over the individual, both by the force of opinion and even by that of legislation: and as 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 which tend spontaneously

to disappear, but, on the contrary, to grow more and more formidable. The disposition of mankind, whether as rulers or as fellow-citizens to impose their own opinions and inclinations as a rule of conduct on others, is so energetically supported by some of the best and by some of the worst feelings incident to human nature, that it is hardly ever kept under restraint by anything but want of power; and as the power is not declining, but growing, unless a strong barrier of moral conviction can be raised against the mischief, we must expect, in the present circumstances of the world, to see it increase.

It will be convenient for the argument, if, instead of at once entering upon the general thesis, we confine ourselves in the first instance to a single branch of it, on which the principle here stated is, if not fully, yet to a certain point, recognised by the current opinions. This one branch is the Liberty of Thought: from which it is impossible to separate the cognate liberty of speaking and of writing. Although these liberties, to some considerable amount, form part of the political morality of all countries which profess religious toleration and free institutions, the grounds, both philosophical and practical, on which they rest, are perhaps not so familiar to the general mind, nor so thoroughly appreciated by many even of the leaders of opinion, as might have been expected. Those grounds, when rightly understood, are of much wider application than to only one division of the subject, and a thorough consideration of this part of the question will be found the best introduction to the remainder. Those to whom nothing which I am about to say will be new, may therefore, I hope, excuse me, if on a subject which for now three centuries has been so often discussed, I venture on one discussion more.