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J. S. MILL AND THE DEFINITION OF FREEDOM

JAMES P. SCANLAN

IN THE past few years some writings of John Stuart Mill have become objects of historical detective work designed to promote a more profound and accurate understanding of Mill's philosophy. In one case of Mill-sleuthing, reported in this journal in 1951, Professor Albert W. Levi ingeniously explored the history of Mill's *Autobiography*, bringing out for the first time much evidence concerning dates and motives of composition.¹ Levi found that the *Autobiography* was composed during three periods of "deep emotion" in Mill's life, and he argues that the work so viewed "provides many clues as to the ways in which Mill's thought was energized by his feelings" and suggests that Mill was not a reasoning machine but "a man of flesh and blood whose thought eternally flows where his emotions lead." The present article is occasioned by a similar investigation, more recent and little known on this side of the Atlantic. The investigator is Professor John C. Rees of the University College of Swansea, Wales, who has concerned himself not with the more notorious of Mill's literary productions but with what has been called Mill's "least known work," an essay entitled *On Social Freedom*. The essay is remarkable on two counts: first, in some significant respects it contradicts *On Liberty*; second, it has been almost completely neglected by Mill scholars, in spite of having been published twice since Mill's death. But the detective work in this case has a philosophical significance somewhat different from

that of Levi's: the upshot of Rees's investigation is that Mill did not write the essay at all, while the conclusion of the present author is that the curious document nevertheless sheds light on an important element in Mill's thought, and an element wherein Mill's thought did not so readily flow where his emotions led.

The element in question is Mill's definition and use of the concept *freedom*. After a brief analysis of the treatment of this concept in *On Liberty*, we shall look into *On Social Freedom* and the findings of Rees.

I

Toward the end of *On Liberty*, in the course of illustrating his conclusions, Mill remarks that preventing a person (who is ignorant of the circumstances) from crossing an unsafe bridge is no infringement of his liberty, "for liberty consists in doing what one desires, and he does not desire to fall into the river."² Surprisingly enough, this almost parenthetical assertion contains the most explicit and positive definition of liberty or freedom (Mill uses the two words synonymously) provided by Mill in the entire essay. Nevertheless, its content is not surprising. There is abundant evidence that a definition of freedom as "doing what one desires" was accepted by Mill as a matter of course.

First, we may note that the definition follows similar formulas of Hobbes and Locke with which Mill was certainly familiar. According to Hobbes, "liberty, or freedom" in their most general con-

notation signify absence of opposition; applied specifically to a human being, liberty "consisteth in this, that he finds no stop, in doing what he has the will, desire, or inclination to do."³ Locke expands the formula to make freedom hinge on "the dependence of the existence, or not existence of any action, upon our volition of it," so that for him freedom consists in "our being able to act or not to act, according as we shall choose or will." Locke thus includes a reference to the alternatives of action and inaction, but the essential point is still the dependence of action on volition, as with Mill's "doing what one desires." Locke even shows us a possible source of Mill's example of the unsafe bridge:

Likewise a man falling into the water (a bridge breaking under him) has not herein liberty, is not a free agent. For though he has volition, though he prefers his not falling to falling; yet the forbearance of that motion not being in his power, the stop or cessation of that motion follows not upon his volition; and therefore therein he is not free.⁴

Second, Mill's formula in *On Liberty* is consistent with discussions of freedom in his other major works. In *Representative Government*, while there is no systematic treatment of freedom, the term is used frequently in the sense of "doing what one desires" where "one" is either the political community or the individual citizen as a factor in political decisions.⁵ In *Principles of Political Economy*, again freedom is not explicitly defined; but it is characterized in substantial agreement with *On Liberty* by such expressions as "doing what one is inclined to" and "acting according to one's own judgment of what is desirable."⁶

Third and most important, a definition of freedom as "doing what one de-

sires" is consistent with the discussion of freedom in other parts of *On Liberty*, including the chief structural portions of the essay. His subject, Mill asserts at the outset, is "Civil, or Social Liberty: the nature and limits of the power which can be legitimately exercised by society over the individual." The somewhat puzzling apposition in this statement is clarified as Mill proceeds. It becomes clear that Mill means to distinguish an area of action in which men are free—i.e., are allowed to act according to their own desires or inclinations—from an area in which actions are subject to the power of society; and that he is interested in determining the legitimate boundaries of the latter area. This is made evident, and the sense of freedom Mill is employing is brought out more fully, in Mill's statement of the principle which is his major conclusion:

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 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 forbear because it will be better for him to do so, because it will make him happier, because, in the opinion of others, to do so would be wise, or even right.⁷

In actions which concern only himself the individual should be free, i.e., should be allowed to follow his own desires and inclinations *however danger-*

ous (to himself) or "immoral" they may be; in actions harmful to others he should not be free. This, according to Mill, is the proper basis for separating an area in which men may act as they wish from an area in which they should be controlled, or in which their desires and inclinations are subject to judgment by moral and legal standards. In the final chapter of *On Liberty*, Mill makes much use of this conception of freedom as acting according to any desire or inclination whatever. Various cases or areas of action are considered, and Mill seeks to determine how his "simple principle" applies to each. Should a person be free to pursue some legitimate objective, where his success would necessarily cause pain or loss to others? Should employers be allowed to ignore protection for workers in dangerous occupations? Should anyone be free to buy poisons? "Should a person be free to be a pimp, or to keep a gambling-house?"⁸ Whether or not Mill decides that in a given case freedom should be granted, the conception of freedom at work in each case is evident: freedom is acting as one desires, whatever one happens to desire.

From these passages it appears that Mill is employing "freedom" in what has been called a "positivistic" or "descriptive" rather than a "normative" sense. The term "freedom" has no value connotations. To determine whether an individual in any situation *is* free, it is not necessary to make value decisions; it is necessary only to be acquainted with his desires and his possibilities of acting on them. Mill's objective is to determine in what situations an individual *should be* free. Thus Mill's definition of freedom follows the tradition of Hobbes and Locke, in which freedom is identified with acting according to desire,

and in which no moral or other qualifications are placed on the desire.

II

But in the brief essay *On Social Freedom*, all this is changed.

On Social Freedom was not published during Mill's lifetime. The manuscript, it seems, was found among Mill's papers after his death, in the house at Avignon where he spent his last years. The essay was first published in 1907 in the *Oxford and Cambridge Review*, its publication having been authorized, according to the editor, by "Miss M. Taylor, the living representative of John Stuart Mill."⁹ But the piece received little notice and no serious attention. In 1941 the Columbia University Press republished the major portion of the manuscript as a book, entitled *On Social Freedom*, with a twenty-six page Introduction by Dorothy Fosdick.¹⁰ But still it received no attention. It was not included in the bibliography of Mill's writings published in 1945, and until 1954 it was not mentioned in any book dealing with Mill's life or thought.¹¹ Then Michael St. John Packe listed it in the bibliography (but did not mention it in the text) of his comprehensive life of Mill, and more recently Iris W. Mueller has made use of quotations from the essay in her study of Mill and French thought.¹² In 1955 the Liberal Arts Press announced its intention of publishing the essay for yet a third time, in a single volume with *On Liberty*.

Miss Fosdick attempts to date the essay and to describe its significance in relation to Mill's other works. She believes that the essay was written by Mill shortly before his death in 1873. The "idealist implications" of the work indicate that it is a late production, she thinks, "probably composed after Mill

had encountered the beginnings of idealist thought in England"; she is certain that the essay was not written before *On Liberty*, because of the implied criticisms of *On Liberty* which it contains. The major significance of the work lies in these criticisms, according to Miss Fosdick, for they represent "a marked advance in Mill's thinking on the problem involved." In *On Social Freedom*, she finds, Mill shifts from a political to a sociological orientation, and approaches the problem from a "more realistic angle": he attempts to disclose (to quote the subtitle of the essay) "The Necessary Limits of Individual Freedom arising out of the Conditions of our Social Life." He berates what he calls "the individualist theory of freedom," and insists that men cannot be thought of as inhabiting isolated "spheres of activity" but are inextricably interdependent. Such assertions, according to Miss Fosdick, modify Mill's argument in *On Liberty* and "throw new light on the shift in his position from individualism toward socialism and idealism during the latter years of his life."¹³

It is true that there are marked differences of both content and tone separating *On Social Freedom* from *On Liberty*, of which the treatment of individuality is one; others will be brought out below. But perhaps the most clear and evident difference, and the one which concerns us here, is a difference in the definitions of freedom developed and used in the two works.

Although *On Social Freedom* opens with a definition of freedom which the Mill of *On Liberty* would not dispute, in the course of the essay the author criticizes this definition deliberately and at length. Men have freedom, he says at the outset, if they can "do what

they please"; expressed in another way, freedom is "the power of voluntary action."¹⁴ But he soon begins to doubt the adequacy of these formulas. In the last and longest section of the Columbia University Press edition of the essay, headed "The Essential Nature of Freedom," he states his doubts:

There is clearly a certain kind or measure of freedom wherever a man chooses one course of action rather than another. . . . But, at the same time it is no less certain that I may be, in some measure, *unfree* even where my course of action is determined by my choice.¹⁵

Suppose, he continues, that I have the opportunity to steal a valuable ring from a jeweler's counter: I can choose to steal it or not to steal it, and act accordingly. Yet, he maintains, since the ring is not mine, no one would "regard me as *so* free to take it as if it *were* mine." It would commonly be said, he believes, that I am *not* free to take it, because I am forbidden by law to do so. But in what way does the law remove my freedom? The law leaves me with a choice, but threatens me with a penalty if I *choose* to disobey. Clearly, the author finds, "the law exercises upon me no kind of influence or restraint save by setting before me a certain motive for acting or forbearing to act."¹⁶ I may or may not follow this motive but in any event my action is a product of choice, and whatever I do will be "doing as I desire." Consequently, "voluntary action" or "doing what one desires" characterizes cases of unfreedom (at least comparative unfreedom) as well as cases of freedom, and so cannot be regarded as providing an adequate definition of freedom.

Utilizing his discovery that law compels or restrains only by giving the individual motives of certain kinds, the author of *On Social Freedom* proceeds to

develop a conception of freedom which makes it possible to distinguish between *free* voluntary action and *unfree* voluntary action. At this point the positive divergence from the doctrines of *On Liberty* begins to appear. For freedom, the author decides, depends upon the character of the motives which prompt the individual to action. Compare the behavior of a citizen in a democracy who sells his vote, or who yields obedience to a tyrant in opposition to the dictates of his conscience, with the behavior of one who suffers imprisonment rather than accept the oppressor. Is not the latter, though confined in prison, a free man? Is not the former unfree, at least comparatively? The author asserts that they are; and he maintains that the crucial difference lies in their motives: "The man who acts from certain motives is *more* free, the man who acts from certain other motives is *less* free."¹⁷ Not the fact of choice, but the character of motivation is the clue to freedom:

I am convinced that a careful scrutiny of human actions will show that where, in actual life, men act with unfreedom—where we feel them to be in any way enslaved or deprived of their freedom, their actions are nevertheless determined by *choice*—that the free action differs from the unfree, or the action which is more free from the action which is less free, in the *different orders of motives which prompt them*.¹⁸

But to complete the picture it is necessary to make the appropriate discrimination among motives. This the author accomplishes by appealing to the *moral worth* of motives. To be free, in short, is to act in accordance with morally valuable or virtuous motives. Yielding to "low or base" motives, a man is unfree; to "higher and nobler," free. The author finds himself unable to specify the high and the low completely; "the science of

morals is yet in its infancy." But he thinks it certain that motives "are extremely variable in their degree of moral worth," and that, for example, "the animal appetites" must be at the bottom of the scale while motives deriving from some "serious conviction" must be placed considerably higher. Thus, he explains, we commonly regard as "wanting in freedom" the action of the politician who allies himself with a party whose policies he disapproves in order to gain a position, or the "villager who foresakes his conventicle and attends the parish church, contrary to his convictions of duty, lest he should offend the squire's lady and lose his Christmas soup and coals."¹⁹ In most situations, as in these cases, men are confronted with a variety of motives; what is important for freedom is that the morally superior motives should win out:

I would submit to the reader this view of human freedom, with all modesty. . . . That man seems to me to act with freedom who yields to the impulse of the *highest motive* which demands his obedience, or which presents itself to his consciousness, at the moment of determination.²⁰

It is this line of development in *On Social Freedom* which best justifies Miss Fosdick's imputation of "idealist implications." Armed with a moralistic conception of freedom, the author assumes the role of the reformer, aiming at the promotion of freedom by the encouragement of action according to morally superior motives. Miss Fosdick concludes that "Mill, like so many of the later idealists, tends to reduce the problem of liberty to the task of creating right motives in men."²¹ But whatever the practical program, it is clear that in this essay freedom has become a normative concept. The "doing what one desires" of *On Liberty* has been discarded. For

an action to be free, it is no longer sufficient that it follow a desire or motive of the agent; it is further necessary that the desire or motive accord with moral standards. Thus to apply the term to any instance of action, a value judgment must be made. Montesquieu in the *Spirit of the Laws* said that liberty consists not in doing what we please but in doing what we ought to do. Apparently the author of *On Social Freedom*, unlike the author of *On Liberty*, would agree.

III

The above and other peculiarities of *On Social Freedom* led Rees to his investigation of authorship. Drawing on biographical data, the contents of Mill's authenticated works and letters, and an examination of the manuscript, he has built a strong case for believing that Mill was not the author of the essay. His arguments are incorporated in a recently published study of the contemporary response to *On Liberty*, entitled *Mill and His Early Critics*.²² While it is unnecessary to present the arguments in detail, some of the main points deserve a wider audience and may be summarized here.

First, there is no indication in any of Mill's other writings that he was dissatisfied with the principles or conclusions of *On Liberty*. Most of the criticisms which might have led Mill to reconsider his views appeared in 1859 and 1860; but there is evidence that as late as 1871 Mill did not find any reconsideration necessary. It is true that Mill did not read the most comprehensive attack of all, Fitzjames Stephen's *Liberty, Equality, Fraternity*, until a few months before his death. But he was not impressed by it; he told Alexander Bain that Stephen "does not know what he is arguing against."

Second, *On Social Freedom* contains a discussion of free will which Mill could hardly have written. It fails to square with Mill's established views on at least two counts. For one thing, it runs together the two questions of free will and social freedom. Mill had enshrined the distinction of these questions in the opening sentence of *On Liberty*: "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." But the author of *On Social Freedom*, far from emphasizing the distinction, apparently does not recognize the possibility of making it; he proceeds without a break from identifying freedom with a state of indeterminacy, in which it is not the case that "every act . . . is absolutely determined by unalterable laws," to the assertion that the fact of living in society necessarily involves restrictions on freedom.²³ Again, the author of *On Social Freedom* is deeply concerned about the problem of free will. He fears that the problem is real but rationally insoluble—that he cannot by argument deny the reign of "unalterable law," yet that the demands of practical life require him to believe in free will.²⁴ But from some time in the 1830's until his death, Mill was convinced that he had satisfactorily resolved the difficulty with his conclusion that, rightly understood, the doctrines of free will and necessity are consistent and are both true, since "though our character is formed by circumstances, our own desires can do much to shape those circumstances." This conclusion had been reached by 1840, when the first draft of the *Logic* was completed (Rees thinks it probable that Mill had solved the problem some years before), and Mill

persisted in it through the carefully revised eighth edition of the *Logic* in 1872. There remains the possibility that *On Social Freedom* was an early work of Mill's, written before Mill reached his solution, but a reference in the text to "the Queen" shows that it was not written before Victoria's accession in 1837.²⁵

Third, there are many brief passages in *On Social Freedom* where language is used or points are made which it is difficult to attribute to Mill. If Mill is indeed criticizing the "individualist" position of his own *On Liberty*, as Miss Fosdick suggests, is not the following language extraordinary?

I believe that some persons have been disposed to regard each human individual as occupying, or as having a right to occupy, a certain "sphere of activity," in sole and exclusive possession. Within this sphere he is to exercise perfect freedom, unimpeded by the free action of any other human creature.²⁶

Particularly in the portion of the manuscript omitted from the Columbia University Press edition are there assertions which do not sound like Mill. There is, for example, the suggestion that members of trade unions and cooperative societies adopt a uniform style of dress. And there is the concluding passage, which Rees does not believe that Mill, with the *Principles of Political Economy* behind him, could have written even in "the declining years of his life":

I feel some temptation to attempt a somewhat elaborate essay on "The Province of Civil Government," having particular reference to the views of the "Voluntaryist," "laissez faire" and "Manchester" schools of politicians; but I have strong doubts as to my capacity for the task.²⁷

Fourth, the handwriting of the manuscript, which Rees was able to locate and examine, does not resemble the

handwriting of Mill or of his step-daughter, Helen Taylor, who frequently served as his amanuensis.

On the strength of these and other arguments advanced by Rees, the Liberal Arts Press has temporarily abandoned its plan to republish *On Social Freedom*, until such time as "Mill's authorship is again affirmed."²⁸ The present writer believes that Rees's researches make any serious reaffirmation very unlikely. But two questions remain. If Mill did not write *On Social Freedom*, who did, and how did the manuscript come to be among his papers at Avignon? A final bit of evidence brought out by Rees suggests answers to both these questions and is especially interesting in view of our concern with Mill's definition of freedom. In September, 1862, Mill wrote a letter from Avignon to a certain E. R. Edger, acknowledging receipt of a manuscript entitled "Social Freedom." Apparently Edger hoped to elicit from Mill an appraisal of his capacity for philosophical inquiry, and had sent the manuscript as a sample of his work. Mill replies politely and with his usual care that he finds many signs of competence in the work—mostly, however, in the form of "promise rather than performance"—and he exhorts Edger to continue thinking and writing, though not "to the neglect of other modes of gaining a subsistence." Concerning Edger's views Mills says only that, if he were to comment in detail, he "should have much to say against several of your positions, and especially against your definition of liberty."²⁹

IV

If Mill had destroyed the manuscript (as he had burned Carlyle's precious draft of *The History of the French Revolution!*), the whole issue would

have been avoided. But the unsigned essay lay for years inviting comparison with *On Liberty*, and that it should some day be mistaken for the second thoughts of an aging Mill is perhaps not surprising. Now by all odds the findings of Rees should end the matter. They should exonerate Mill from the fickleness which *On Social Freedom* would bring into his system, moderately embarrass the few who uncritically accepted the essay as Mill's, and provide a feeble *post factum* justification for the many who ignored it entirely.

Yet for the present writer the findings of Rees serve rather to indict than to exonerate Mill. Mill wrote *On Liberty* and he did not write *On Social Freedom*; there are many reasons for thinking that Mill *could not* have written the latter. But paradoxical as it may seem, when a comparison of the two works is pursued with reference to the concept of freedom, it is possible to find a good reason for thinking that Mill *should* have written *On Social Freedom*, or something very like it, and that failure to do so leaves his system of social thought unhinged at a crucial joint. For *On Social Freedom*, whoever wrote it, contains a conceptual apparatus which is needed to support some of the conclusions Mill held most dear, but which is not worked out in *On Liberty* or in any other of Mill's writings. This contention requires explanation, which may be begun by returning briefly to *On Social Freedom*.

How was the author of *On Social Freedom* led to develop his conception of freedom as acting in accordance with motives of a certain kind (specifically, morally superior motives), as opposed to the broader "doing what one desires" which Mill adopts in *On Liberty*? As we have seen above, his reasoning seemed

to be this: Whenever an individual can be said to be *acting* at all, he is following *some* motive or desire; he is acting in some sense as he desires or pleases. But if this is so, then according to Mill's formula any case of acting is a case of freedom. It may be true, for example, that I desire to park my automobile in the most convenient location; but when parking in that location is prohibited, and I choose to park in a less convenient location, am I not simply acting according to a desire stronger than the first, a desire to avoid the penalties of the law? Similarly, when my desire to avoid the gas chamber overpowers my desire to murder, am I not yet doing as I please? In each case we can infer that Mill would refuse to call the action free; it is by hypothesis placed within the area of actions controlled by society. And in each case we can interpret the author of *On Social Freedom* as asking, Why is the action not free, if it accords with the final, considered desire and freedom is "doing what one desires"?

There is no direct answer in *On Liberty* to such a question, but we may attempt to reply in Mill's behalf, following the spirit of his discussion and utilizing scattered but relevant remarks. No doubt Mill would dismiss the objection as quibbling resting on a perversion of the clear sense of "doing what one desires." Mill frequently distinguishes between "physical" and "moral" obstacles to freedom and between direct and indirect compulsion.³⁰ In the above as in most cases of unfreedom, though there is no compulsion "in the direct form," there is compulsion in the form of "pains and penalties for non-compliance." Now Mill might very well wish to say that in a situation characterized by the threat of such pains and penalties no individual can be

said to act as he desires, for "his" desires are modified by fear externally imposed for the explicit purpose of controlling his actions. Perhaps this may be taken as Mill's analysis of the effects of both legal and social indirect compulsion in removing freedom. Legal power exercised, as Mill says, over the individual "against his will,"³¹ deliberately invests the individual with new and overriding motives or desires; this would square with Mill's assertion that punishment for wrongdoers must be "sufficiently severe," presumably so as to afford sufficiently strong deterrent motivation.³² Social power, or the power of public opinion, similarly may be thought to control action through fear of the consequences; Mill discusses, for example, the "social stigma" attached to the profession of unpopular beliefs, and he deplores at length the effectiveness of the fear through which it operates to suppress truth.³³ In either case, Mill may say that the individual is not free because he is not doing what he desires, and he is not doing what he desires because "his" desire is outweighed by an externally imposed desire to avoid pains and penalties.

This explanation need not be accepted by the author of *On Social Freedom*, who could insist that desires are desires, whatever their genesis, and that Mill has already qualified his original formula by excluding some desires. But suppose we allow Mill to make this one qualification, for which there is some support in *On Liberty*, and to hold that men are free when they do what they desire—provided that the desire in question is not a "second best" desire, generated by an apprehension of pains and penalties accompanying another line of conduct which otherwise would have been chosen. Can we say that a

conception of freedom as "doing what one desires," thus understood, is adequate to the use Mill makes of the term in *On Liberty*? Unfortunately, we cannot. There are at least two sorts of cases in which Mill's usage fails to coincide with the suggested definition. First, there is the case of the individual who respects the dictates of law not "against his will" or from fear of the consequences of acting otherwise, but out of a conviction that the law is right. Where one alternative is the taking of a ring from a jeweler's counter unlawfully, Mill would apparently say that action respecting that alternative is not free: it is a case of action which because of the risk of damage to others has been "taken out of the province of liberty, and placed in that of morality or law."³⁴ But if the individual is not motivated to refrain from the action by fear of pains and penalties, his action qualifies as free according to the foregoing definition. The second type of case may be exemplified by referring once more to Mill's unsafe bridge. Suppose that an individual, desiring to cross a bridge, decides on examination that the bridge is unsafe and accordingly modifies his plans. In this case, which is the reverse of the first, Mill would presumably call the agent free; indeed, the whole point of Mill's mentioning the bridge at all is that he is concerned to maintain that only where there is a certainty of danger to the individual of which he is not aware, is society justified in interfering with his action. But following the above definition of freedom we must call the action unfree, for the individual is led to modify his action by an apprehension of pains and penalties accompanying a line of conduct which otherwise would have been chosen; if the prospective thief is prevented by fear

from "doing what he desires," so is this man. The case would be the same, of course, in the realm of economic activity, where the adoption of "free trade" or what Mill calls "leaving producers and sellers perfectly free" would leave producers and sellers largely unable to do what they desire, in the above sense, as their plans of action must continually be modified by estimates of economic pains and penalties consequent on courses of action which otherwise are desirable.

Though these cases do indicate some divergence between Mill's use of the term freedom and a sense of "doing what one desires" which there is some evidence Mill had in mind, perhaps it is unfair to dwell on the point. The above argument is based on inference from somewhat casual uses of the term (uses which are, after all, consistent with a common negative conception of freedom as "absence of compulsion") and a somewhat contrived definition of freedom which Mill if pressed might not wish to defend. More important, it is possible to construct from Mill's assertions in *On Liberty* another interpretation of "doing what one desires" which is more in accord with the spirit of the essay and is probably the interpretation on which Mill would rest his case. The dominant theme of *On Liberty* is the importance of individual development. This theme is announced in the epigraph, a quotation from Wilhelm von Humboldt: "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." In the famous third chapter, "Of Individuality, as One of the Elements of Well-Being," this theme is developed with all the elo-

quence Mill can muster. Compulsion is an evil, Mill maintains, because whether effected by law or, more insidiously, by social pressure, it prevents individuals from being themselves, from acting in accordance with their peculiar needs and capacities. People should put into their lives "the impress" of "their own judgment, or of their own individual character."³⁵ Of course actions harmful to others must be subject to control; but

it is desirable . . . that in things which do not primarily concern others, individuality should assert itself. Where, not the person's own character, but the traditions or customs of other people are the rule of conduct, there is wanting one of the principal ingredients of human happiness, and quite the chief ingredient of individual and social progress.³⁶

Now there can be little doubt that these quotations exhibit the full significance of "doing what one desires" so far as Mill is concerned to specify it, and that it is entirely consistent with the tenor of Mill's argument, therefore, to define freedom as acting in accordance with desires or motives which express one's character or personality. It cannot be denied that Mill's appeal for liberty comes finally to an appeal for individual expression. And with this definition as the key, other characterizations of freedom in *On Liberty* begin to fall into line, such as Mill's identification of "liberty of tastes and pursuits" with "framing the plan of our life to suit our own character," and his assertion that "the only freedom which deserves the name, is that of pursuing our own good in our own way."³⁷

If we can assume that Mill would accept the formula "acting in accordance with desires or motives which express one's character or personality" as the definitive translation of "doing what one desires," can we say that he still

maintains his position distinct from the position of *On Social Freedom* and at the same time has a conception of freedom adequate for his arguments? Mill has again distinguished among desires; but apparently he avoids the moralistic implications of *On Social Freedom* by upholding a conception of freedom which contains no value terms but merely, it may be thought, brings out the true significance of "doing what one desires." And it seems that the conception allows Mill to discriminate what are for him the important cases of freedom and unfreedom. Even some of the previously troublesome cases might succumb to this analysis: the man who discards his plan to cross the unsafe bridge, and the economic producer and seller, are putting into their lives the impress of their own judgment and are not subordinating their desires to the traditions and customs of other people. But does this conception cover *all* the cases of freedom and unfreedom Mill is deeply interested in? Once again the answer must be negative. This time, however, there is no need to rely on hypothetical constructions: Mill himself describes the crucial case forcibly, for it is the case of unfreedom which concerns him above all others. It is the case of the individual who lacks nonconformist desires—whose character or personality has been constructed on a socially accepted pattern, and whose own desires are to do what others do. Such individuals are the real though pitiable villains of *On Liberty*. The contemporary world, according to Mill, is largely peopled by "unoriginal minds"; the general average of mankind "have no tastes or wishes strong enough to incline them to do anything unusual."³⁸ From the highest class of society to the lowest, Mill laments, men are all of a piece: they

think and act alike because they *are* alike, as alike as mass-produced robots. And, like robots, they experience no discontent in thinking and acting in identical ways, because they harbor no other ambition. Mill emphasizes this last point:

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.³⁹

Now what is important for Mill's definition of freedom is that, by any standards we have discovered thus far, such individuals act freely. By Mill's own admission, they "do what they desire." They are not, according to Mill, motivated by the desire to avoid pains and penalties. More important, they do express their own characters and personalities, however patterned and however widely shared those characters and personalities may be. But is Mill willing to call such persons free? The whole tenor of his impassioned discourse in the chapter on "Individuality" shows that he is not. If such persons are tyrants because through their power the individuality of others is broken, Mill is anxious to point out that, like the tyrants Plato describes, they are also the most complete slaves. They are, to quote Mill's most despairing estimate, "those who do not desire liberty, and would not avail themselves of it." They are those in whom "the mind itself is bowed to the yoke."⁴⁰

At this point it becomes obvious that *no* interpretation of freedom as "doing what one desires" is adequate to support Mill's pronouncements. Though we allow Mill to qualify the formula, though we allow him to say that some of the actual desires of any given individual are more truly "his" than others,

no such qualifications can provide the conclusions Mill requires in his chapter on "Individuality." For if we are to justify Mill in his diagnosis of the predicament of the "unoriginal mind," we must define freedom as acting in accordance with motives which assert and increase originality, differences from others, individuality. Now, this definition is quite different from "doing what one desires." Following the new definition, we cannot identify freedom by pointing to all or some of the actions and associated desires of any given individual; freedom is acting according to desires or motives which a given individual may never experience or entertain—but which, according to Mill, he *should* entertain if he is to become not only free but a genuine individual and a factor in social progress. Free action is action which I *should* desire, which may not coincide with what I *do* desire. Nor can this definition be assimilated to "doing what one desires" in the sense of expressing one's own character. If I am to be free, in the sense which concerns Mill most, it is not sufficient that my actions express my existing character; they must express an ideally individualistic and even adventurous character, which mine may not be. Clearly, an ideal type is presupposed by Mill: feelings and character, he says, should be "active and energetic" instead of "inert and torpid"; he looks to men with "great energies guided by vigorous reason, and strong feelings strongly controlled by a conscientious will."⁴¹ And it is equally clear that for Mill the motives of such men—men whose minds are not "bowed to the yoke"—are the motives of actions which are truly free. We must conclude that, though Mill may have wished to maintain a view of freedom as "doing what one desires," when he came to the all-

important subjects of character and conformity he was unable to do so. There the operation of an ethical ideal, the ideal of militant originality, caused him to impart to the concept of freedom a content which "doing what one desires" cannot carry.

But if this is the case, the argument of the author of *On Social Freedom* concerning the definition of freedom is granted, and *must* be granted for Mill's own pronouncements about freedom to be well founded. Freedom is acting in accordance with some motives only, and these the morally superior motives. Of course the definition required by Mill's views is not identical with the definition of *On Social Freedom*: the author of that essay left open the denotation of "morally superior," whereas Mill does not. The important point, however, is that Mill's definition is similarly normative: it too involves a discrimination among motives made on moral grounds. Like the author of *On Social Freedom*, Mill must agree with Montesquieu that freedom is more properly doing what we ought to do than doing what we please.

That Mill develops a position requiring a "moralistic" conception of freedom should not come as a great surprise to those who recognize the moral impact of *On Liberty*. *On Liberty* is above all effective as a defense of ideals rather than as a dissection of the spheres of society and the individual, and a moralistic conception of freedom is a convenient theoretical device for upholding Mill's intense convictions of the value of individuality. As Mill proceeds in *On Liberty*, the meaning of freedom itself is swept up in his moral enthusiasm. His thought does flow where his emotions lead, as Levi claimed; though his failure to discard explicitly the "doing what one desires" formula and to develop the con-

ceptual framework implied by his conclusions suggests the degree of resistance his thought could assert. It is ironic that some should find it necessary to look beyond *On Liberty* for "idealism" in Mill's thought; but it is more ironic still that the power of an accepted formula should

lead Mill to write to E. R. Edger (if indeed Edger wrote *On Social Freedom*): "I should have much to say against several of your positions, and especially against your definition of liberty."

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NOTES

1. Albert William Levi, "The Writing of Mill's *Autobiography*," *Ethics*, LXI (July, 1951), 284-96.
2. John Stuart Mill, *Utilitarianism, Liberty, and Representative Government* (New York: E. P. Dutton & Co., 1950), p. 204. All subsequent references to *On Liberty* will be to this, the "American Everyman's Library" edition, abbreviated "*Liberty*."
3. Thomas Hobbes, *Leviathan*, Pt. II, chap. 21.
4. John Locke, *An Essay Concerning Human Understanding*, Bk. II, chap. 21, secs. 9, 27.
5. See, for example, Mill, *op. cit.*, pp. 263-89.
6. John Stuart Mill, *Principles of Political Economy* (London: Longmans, Green & Co., 1904), p. 569.
7. *Liberty*, pp. 95 f.
8. *Ibid.*, pp. 201-08.
9. John Stuart Mill, *On Social Freedom, Oxford and Cambridge Review*, Vol. I, nos. 1, 2 (June, Michaelmas Term, 1907). Mill's papers passed from Helen Taylor, his stepdaughter, to Mary Taylor, her niece.
10. All subsequent references to the essay will be to this edition, abbreviated "*Social Freedom*," unless otherwise indicated. This edition includes the first instalment of the essay as it appeared in the June, 1907, issue of the *Oxford and Cambridge Review*, but omits the briefer concluding instalment which appeared in the Michaelmas Term issue. Miss Fosdick gives no indication of being aware that there was a second instalment. The *Oxford and Cambridge Review* was not widely circulated and was published for only six years; very few libraries have a file of it.
11. Ney MacMinn, J. R. Hains, and James M. McCrimmon, *Bibliography of the Published Writings of John Stuart Mill* (Evanston, Ill.: Northwestern University Press, 1945).
12. Michael St. John Packe, *The Life of John Stuart Mill* (London: Secker & Warburg, 1954), p. 533; Iris W. Mueller, *John Stuart Mill and French Thought* (Urbana: University of Illinois Press, 1956).
13. *Social Freedom*, pp. 3-5.
14. *Ibid.*, pp. 32 f.
15. *Ibid.*, p. 50. All italics in this and subsequent quotations from *On Social Freedom* are in the original.
16. *Ibid.*, pp. 51 f.
17. *Ibid.*, pp. 52 f.
18. *Ibid.*, p. 61.
19. *Ibid.*, pp. 53-59.
20. *Ibid.*, p. 56.
21. *Ibid.*, p. 27.
22. J. C. Rees, *Mill and His Early Critics* (Leicester: University College, 1956), pp. 38-54.
23. *Social Freedom*, pp. 31-34.
24. *Ibid.*, pp. 31 f.
25. A further bit of evidence consistent with Rees's case on the last point is that the first use of the expression "the Manchester school," which also appears in the essay, is attributed by the *Oxford English Dictionary* to Disraeli in 1848.
26. *Social Freedom*, p. 40.
27. On these points Rees cites the manuscript, being unaware that this portion of the manuscript also was published in the *Oxford and Cambridge Review*. The relevant passages occur on p. 97 of the Michaelmas Term issue, 1907.
28. John Stuart Mill, *On Liberty* (Curran V. Shields, ed.; New York: Liberal Arts Press, 1956), p. vi.
29. *The Letters of John Stuart Mill*, ed. Hugh S. R. Elliot (London: Longmans, Green & Co., 1910), I, 259-61.
30. *Liberty*, pp. 95, 97, 152.
31. *Ibid.*, pp. 95 f.
32. *Ibid.*, p. 183.
33. *Ibid.*, pp. 122 f.
34. *Ibid.*, p. 186.
35. *Ibid.*, p. 155.
36. *Ibid.*, p. 153.
37. *Ibid.*, p. 99.
38. *Ibid.*, pp. 165, 170.
39. *Ibid.*, p. 159.
40. *Ibid.*, pp. 159, 163.
41. *Ibid.*, pp. 156, 170.

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Notes

¹ **The Writing of Mill's Autobiography**

Albert William Levi

Ethics, Vol. 61, No. 4. (Jul., 1951), pp. 284-296.

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