

Does Freedom Require Good and Justice? An Examination of Mill's Account on Freedom

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Abstract

It can be stated that the notion of *freedom* in modern political philosophy has always started with defining the individual free will in relation to universal morality that resides in reason. In other words, the free will, or the self, follows a system of moral considerations for humanity, which guides the former and their actions towards the virtues of *good* and *just*. While Immanuel Kant and Jean J. Rousseau's notion of freedom posits their own idea of universal morality to drive internal reason. Surprisingly, in J.S Mill's account of freedom in *On Liberty*, he supposes no importance for universal morality in discussing how subjectivities can be free. Mill believes that reason ought not to follow a morality that is not of one's making, arguing that this principle cannot bring *true* freedom. In replacement, the philosopher turns to the notion of utility to drive reason. Thus, this essay will investigate whether Mill's project of *freedom* can bring about a full account of the *good* and *just*, without a universal morality. Through a deep engagement with Kant and Rousseau's notion of freedom, specifically, the former's *concept of duty* and the latter's conception of God, it can be argued that Mill is unable to do so and present the implications of his shortcomings.

Keywords:

Political Thought, Freedom, Agency, John Stuart Mill

In general, it can be stated that within the Western philosophical tradition, principles of freedom have been contingent on defining free will in relation to a universal morality that resides in reason. Universal morality entails a system of moral considerations for humanity that guides one's free will and actions according to criteria that are consistent with notions of the good and the universally just. In Kant, we are able to see that universal moral law is the principal factor in the emergence of reason, and thus of freedom in individuals. By contrast, in Rousseau, especially the *Profession of Faith*, we are able to see that true freedom emerges in the individual's ability to accept God, being that universal morality based on the laws of nature. However, surprisingly, in J. S. Mill's account of freedom in *On Liberty*, he ascribes no importance to universal morality in discussing how subjectivities can be free. Instead, Mill finds that freedom means only the pursuit of one's own good regardless of external interference, if, and only if, the subject's free will does not deprive others of theirs, which he calls the "harm principle" (Mill, 1859/2009, p. 23). Finding the duty toward universal morality to be an external restriction on free will, Mill turns to the notion of utility as the driver of reason. This essay will investigate whether Mill's deviation from the traditional philosophy on freedom can sufficiently encapsulate a full account of a good and universally just self that is necessary for the nature of freedom. It will argue that Mill's project on liberty is unable to do so and present the implications of Mill's shortcomings in this regard. In my engagement with Kant and Rousseau, I will argue that an external order, whether it be human or divine, is essential to a sufficient account of freedom.

Mill's conception of the self relies on the philosopher's formulation of a new type of oppression present within the nature of modern democratic societies, this being "tyranny of the majority" or "social tyranny" (Mill, 1859/2009, p. 9). In this sense, he believed that the majority, the most numerous among the "people," tend to impose their right over the minority due to the

imbalance of political power. In contrast to historical monarchical and autocratic societies, which favoured physical oppression to make populations obedient, this new form of oppression seeps deeper into the subject's body and mind (Mill, 1859/2009, p. 10). More specifically, the majority holds the right to impose its own morality on the minority, by way of ideas and practices through law and under threat of civil punishment (Mill, 1859/2009, p. 10). In consequence, the minority are forced to conform to these external moralities and thereby lose their agency, and thus, the end of their free will. Hence, Mill asserted a simple principle of freedom: the "individual must be sovereign" (Mill, 1859/2009, p. 18). Applying this process, we can see that one's free will, and by extension one's moral considerations as part of reason, must emanate only from the subjective self and nowhere else. In terms of individuals in relation to their society, complete individual freedom exists when institutional power only restricts the agency of subjects when doing so serves to prevent a perceivable harm to others, either physically or mentally. For freedom to exist in one's relation to society, institutional power is only within the right to exercise their power to restrict the agency of subjects, without consent, only if it is preventing a perceivable harm to others, either physical or mental. This consists both of physical violence and the enticement of violence against others. In sum, Mill asserts that his project provides the only valid definition of freedom, where individuals are unencumbered by external forces to experience the absolute freedom of their opinions and sentiments (Mill, 1859/2009, p. 21).

Mill describes his project as a simple doctrine for life. In asserting that the imposition of external morality restricts free will, he also describes the guiding principle of agency as human desire, human happiness, pleasure, and the avoidance of pain. In other words, Mill disregards the need for universal morality as the foundation for reason. He places the pursuit of one's own good, judgment of the means, and its end as decided by the notion of utility to the subject. In this

context, utility is characterized as the preference of one action over another based on which one brings the most individual good (Mill, 1859/2009, p. 39). While that ultimate end is intentionally left undefined, externally, one can assume Mill is referring to actions that serve to preserve or advance liberty for oneself and society. In practice, individual sovereignty entails a person acting on their natural inclinations as they see fit so long as they do not harm others. Moreover, individuals may and indeed must assume their judgment or own morality to be true in that conduct (Mill, 1859/2009, p. 33).

Mill's principle of free will differs greatly from the Kantian theory of freedom. Although both philosophers promote individual freedom over collectivism, Kant's process differs greatly from the one advanced by Mill (Kant, AK 8:35). The traditional discourse of freedom operates on the theoretical separation of the self into external universal morality and subjective inclinations. In this way, one's reason is predicated on the continual negotiation of one's freedom with the contending forces of social constraints created by universal and one's own individual desires. While freedom for Mill is primarily concerned with one's happiness as its sole end, both in one's public and private use of reason, Kant sees such happiness as an empty maxim. Kant's account of freedom concerns humanity's emancipation from its immaturity, in which individual free will is driven by pure reason (Kant, AK 8:35). Kant finds happiness can only bring about a relative condition of freedom incapable of encompassing all individuals because it is necessarily defined by determinations of lesser and greater pleasures (Kant, AK 8:282). In a society driven by happiness, external morality and its social obligations become a barrier to achieving true freedom. Instead, Kant asserts that freedom must be reformulated according to the *concept of duty*. This entails that duty or reason be conducted in accordance with universal moral law, which seeks to achieve the highest good possible in the world (Kant, AK 8:279). In this equation,

happiness and natural inclinations become a secondary end to free will. Since universal moral law is good in itself, Kant believes individuals who are able to internalize a moral duty to their own achievement of happiness can experience true freedom in the world (Kant, AK 8:283, 8:288).

Kant's idea of freedom extends to the matter of truth and opinion. To achieve the highest good possible, the free will that conforms to duty follows what is called the "categorical imperative." This represents a clear difference between truth and opinion, and one that is absent from Mill's project on liberty. The categorical imperative states that reason decides on an act based not on what is prudent to one's own well-being, but on the principle of whether the act constitutes a good in itself (Kant, AK 4:416). For instance, faced with the inquiry "What is a human being?," Kant's imperative would say that there is one objective truth to the nature of human beings without conditionality. He would assert that all human beings are rational beings, and all who exist by nature are an end in themselves and as such can't be considered means (Kant, AK 4:428). It follows that within a human moral order or constitutional law, this must be upheld as an unchanging truth.

By disregarding the need for universal morality—in this case, an objective definition of the "human being"—Mill's principles materialize in his support for colonialism. He is quoted as claiming that "Despotism is a legitimate mode of government for barbarians, provided the end be their improvement and the means is justified by actually affecting that end" (Mill, 1859/2009, p. 20). However, proponents of Mill's thought might add that this support for colonialism is a distortion of the philosopher's true views on liberty. As Mill himself said, the free individual has an obligation to bring liberty into being not only for himself, but for humanity at large (Mill, 1859/2009, p. 19). Yet liberty in Mill's view lacks an objective definition because, by principle, freedom is decided by its utility to the individual will. By guiding agency on the basis of its

benefit to one's own happiness, it can be argued that tyranny is consistent with Mill's moral framework. If the individual will has posited less developed societies as yet incapable of free and equal discussion, then such societies might be seen as not fully "human" (Mill, 1859/2009, p. 20). It can be argued, then, that the "harm principle" does not apply, since consent is unnecessary for the uncivilized. Thus, the obligation to humanity consists of the subjugation of other human beings to bring them to a place in which they may experience liberty. Without a universal morality that would constrain such actions, Mill's simple project on freedom actualizes the physical and mental tyranny of an external society if it is deemed utilitarian to do so.

Rousseau's project on freedom diverges from Mill's in ways that prefigured Kant's ideas on the nature of freedom. Starting from a familiar foundation, Rousseau believes that free will is separated between reason and natural sentiments or inclinations. One can will through reason alone, separated or influenced by one's inclinations (Rousseau, 1762/1979, p. 280). However, what separates Rousseau from Kant is that he believes that humanity alone is unable to produce a sustainable idea of freedom. This inquiry into the nature of freedom is thus laid upon the foundation that God, as the common order, ought to be the principle according to which humanity conceptualizes freedom. Being predicated on the acceptance of the claim that God exists, Rousseau argues that one will see that it is God who has given free beings the ability to act according to one's own freedom (Rousseau, 1762/1979, p. 281). God does not force the individual to follow a specific moral order; rather, he imbues in them the possibility of choosing between being good or wicked. For Rousseau, in addition to unrestricted free will, God has also given humanity the natural inclinations toward goodness and justice. He asserts that this can be seen in self-reflection, or in the ordinary and common saying "be just and you will be happy" (Rousseau, 1762/1979, p. 282). Moreover, one can examine within the external world how the

beautiful ordering of nature reflects the order of good and justice in its peace and harmony.

Therefore, suffering and unhappiness falls upon the individual, who through their reason dismisses human nature and abuses their freedom to commit injustice upon themselves or others.

Rousseau's account of freedom can be lived in the united self, who through reason unifies their individual desires with a universal morality that originates from God's common order. In other words, to be free is to be good. More specifically, Rousseau believes that man has a choice. A *good* man is able to use reason to order himself in relation to the common order (i.e., God) and to unite himself with the whole of existence; or he can abuse his freedom to become wicked, ordering the whole in relation to himself as the centre of all things; in this way he is forever being split between his natural inclination to be good and his reason that denies it (Rousseau, 1762/1979, p. 292). This can be taken as a criticism of Mill, who finds that freedom is exactly such ordering. A notion of freedom driven by utility does not consider the whole of things and thus produces wickedness such as colonialism. Furthermore, Mill's version of freedom would see the subjectivity in constant opposition to one's human nature, because happiness is presupposed in agency. Like Kant, Rousseau believes that happiness must be earned through good and just action. Therefore, Rousseau's project of freedom posits that the act of ordering oneself in relation to God can reveal an objective truth. To believe in God is to respect and nurture His creations, and thus one must both nurture one's own individual freedom by being good and pursue the objective moral obligations in one's relationships with the external world.

It can be concluded that Mill's simple formula for freedom is incapable of bringing about the emergence of a good individual and universally just society. By presenting a case of complete, unrestricted free will, this paper has shown that without a proper definition of morality, Mill cannot provide a simple answer to the question "What is a human being?"

Colonialism is not a distortion of a utility-driven freedom; rather, it is a real and lived possibility. By acknowledging the existence and need for a universal morality, Kant's and Rousseau's respective philosophies on freedom can escape assertions of tyranny and oppression. More precisely, for Kant, the categorical imperative resists the moral relativity that results in social injustices. Rousseau demonstrates that individual freedom only emerges when people act with respect to their innate goodness. Wickedness is a choice, and it is ever-present in the social world. Without the intentional process of acting against it, the individual becomes less free as they live torn from their human nature. Therefore, it must be said that a principle of freedom that declares itself simple should not be taken as the "be-all and end-all." A full account of freedom must recognize the importance of universal external morality, whether Kant's categorical imperative or Rousseau's belief in God. This is because external orders are able to provide the objective truths necessary to differentiate between moral and immoral action.

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