

# Liberty

John Stuart Mill

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[Brackets] enclose editorial explanations. Small ·dots· enclose material that has been added, but can be read as though it were part of the original text. Occasional •bullets, and also indenting of passages that are not quotations, are meant as aids to grasping the structure of a sentence or a thought. Every four-point ellipsis . . . . indicates the omission of a brief passage that seems to present more difficulty than it is worth. Longer omissions are reported between square brackets in normal-sized type.

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### Chapter 3: Individuality—one of the elements of well-being

I have presented •the reasons that make it imperative that human beings should be free to form opinions and to express them openly, and •the pernicious consequences to the intellectual nature of man (and through that to his moral nature) unless this freedom is either granted or claimed in spite of being prohibited. Now let us see whether those same reasons don't require that men should be free to *act* on their opinions—to carry them out in their lives, without physical or moral hindrance from their fellow-men, *so long as they are acting at their own risk and peril*. This last proviso is of course indispensable. No-one claims that actions should be as free as opinions. On the contrary, even opinions lose their immunity when the circumstances in which they are expressed are such that merely expressing them is a positive incitement to some harmful act. The opinion that *corn-dealers are starvers of the poor* ought to be allowed to pass freely when it is simply presented to the world in print; but someone can justly be punished for announcing it orally or passing it out on a placard to an excited mob that has gathered in front of a corn-dealer's house. (Another example might be the opinion that *private property is robbery*.) Acts of any kind that harm others without justifiable cause may be—and in the more important cases absolutely must be—brought under control, either by adverse opinion or (when necessary) by active interference. The liberty of the individual must be limited by this:

**He must not adversely affect other people.**

[Mill's actual words: 'He must not make himself a nuisance to other people.'] But if he refrains from interfering with others in things that are their own concern, and merely acts according to his own inclination and judgment in things that concern

himself, he should be freely allowed to put his opinions into practice at his own cost; and the reasons for this are the very ones that show that opinion should be free:

- mankind are not infallible;
- their truths are mostly only half-truths;
- uniformity of opinion is not desirable unless it results from the fullest and freest comparison of opposite opinions;
- diversity of opinion is a good thing, not a bad one, until mankind become much more able than at present to recognize all sides of the truth.

These principles apply as much to men's conduct as to their opinions. Just as it is useful that while mankind are imperfect there should be different opinions, so is it that •there should be different experiments in living; that •different kinds of personal character should be given free scope as long as they don't injure others; and that •the value of different ways of life should be tried out in practice when anyone wants to try them. It is desirable, in short, that in matters that don't primarily concern others individuality should assert itself. When a person's conduct is ruled not by *his* character but by the traditions or customs of *others*, one of the principal ingredients of human happiness—and *the* chief ingredient of individual and social progress—is lacking.

The greatest difficulty one meets in maintaining this principle doesn't come from •people's views about the means to an acknowledged end, but from •their indifference to the end in question. If it were •generally felt

that the free development of individuality is a leading essential of well-being; that it isn't merely something that comes along with all that we mean by the terms

‘civilization’, ‘instruction’, ‘education’ and ‘culture’, but is itself a necessary part and precondition of all those things,

there would be no danger of liberty’s being undervalued, and no great difficulty about settling the boundaries between it and social control. The trouble is that in the thinking of most people individual spontaneity is hardly recognized as having any intrinsic value, or as deserving any respect on its own account. The majority are satisfied with the ways of mankind as they now are (·of course·, for it is they who *make* them what they are!), and they can’t understand why those ways shouldn’t be good enough for everybody. As for moral and social reformers—who by definition are *not* satisfied with the ways of mankind as they now are—the majority of *them* don’t have spontaneity as any part of their ideal; rather, they look on it with resentment, as a troublesome and perhaps rebellious obstruction to the general acceptance of what these reformers themselves think would be best for mankind. Wilhelm von Humboldt, so eminent both for his learning and as a politician, based one of his works on the thesis that

- the end of man, or that which is prescribed by the eternal or immutable dictates of reason and not suggested by vague and transient desires, is the highest and most harmonious development of his powers to a complete and consistent whole;

that therefore,

- that towards which every human being must ceaselessly direct his efforts, and on which especially those who design to influence their fellow-men must ever keep their eyes, is the individuality of power and development;

that •for this two things are needed, ‘freedom, and a variety of situations’; and that •from the combination of these arise

‘individual vigour and great diversity’, which combine themselves in ‘originality’ [Wilhelm von Humboldt, *The Sphere and Duties of Government*]. Few people outside Germany even understood what he meant!

And yet, although most people are unaccustomed to a doctrine like that of von Humboldt, and surprised to find anyone attaching so high a value to individuality, one has to think that the issue—the difference between the majority view and von Humboldt’s—can only be one of *degree*. •Looking at it from one side·: No-one’s idea of excellence in conduct is that people should do *absolutely nothing* but copy one another. No-one would assert that people ought not to put into their way of life, and into their handling of their affairs, *any* mark whatever of their own judgment or of their own individual character. •On the other hand, it would be absurd to ·value individuality so absolutely as to· claim that people ought to live as if nothing whatever had been known in the world before they came into it; as if experience so far had done nothing towards showing that one way of life or course of conduct is preferable to another. Nobody denies that people should be taught and trained in youth so that they can know what has been learned from human experience and can benefit from it. But when a human being has arrived at the maturity of his faculties, it is his privilege—and indeed his proper role—to use and interpret experience *in his own way*. It is for him to find out what part of recorded experience is properly applicable to his own circumstances and character. The traditions and customs of other people provide some evidence of what their experience has taught *them*—evidence that has some weight, and thus has a claim to his deference. But ·there are three reasons for not giving it the final decision about how he should live his life·. In the first place, •those people’s experience may be too narrow, or they may not have interpreted it

rightly. Secondly, •their interpretation of their experience may be correct but unsuitable to him. Customs are made for customary circumstances and customary character; and *his* circumstances or his character may be uncustomary. Thirdly, •even when the customs are good in themselves and are suitable to him, still •he ought not• to conform to custom as such, •because that• doesn't educate or develop in him any of the qualities that are the distinctive endowment of a human being. The human faculties of perception, judgment, discriminative feeling, mental activity, and even moral preference are exercised only in making choices. He who does something *because it is the custom* doesn't make a choice. He gains no practice either in seeing what is best or in wanting it. Like our muscular powers, our mental and moral powers are improved only by being used. You don't bring your faculties into play by •doing something merely because others do it, any more than by •believing something only because others believe it. If the reasons for an opinion are not conclusive in *your* way of thinking, your reason can't be strengthened by your adopting the opinion, and is likely instead to be weakened; and if the reasons for acting in a certain way are not in harmony with *your* feelings and character, acting in that way is contributing towards making your feelings and character inert and slack rather than active and energetic. (I am here setting aside cases where personal affections or the rights of others come into the picture.)

He who lets the world (or his own portion of it) choose his plan of life for him doesn't need any faculty other than the ape-like ability to *imitate*. He who chooses his plan for himself employs all his faculties. He must use

observation to see,  
reasoning and judgment to foresee,  
activity to gather materials for decision,  
discrimination to decide,

and, when he has decided,

firmness and self-control to keep to his deliberate decision.

And *how much* he requires and uses these abilities depends directly on *how much* of his conduct is determined according to his own judgment and feelings. He *might* be guided in some good path, and kept out of harm's way, without any of these things. But •in that case• what will be his comparative worth as a human being? It really does *matter* not only what men do but also what sort of men they are that do it. Among the works of man that human life is rightly employed in perfecting and beautifying, surely the most important is man himself. Supposing it were possible to get houses built, corn grown, battles fought, cases tried, and even churches erected and prayers said, by machinery—by automatons in human form—it would be a considerable loss to accept automatons in exchange for men and women, even the men and women who at present inhabit the more civilized parts of the world, who are poor specimens of what nature can and will produce. Human nature is not a machine to be built on the basis of a blueprint, and set to do exactly the work prescribed for it; rather, it is a tree that needs to grow and develop itself on all sides, according to the tendency of the inward forces that make it a living thing.

It will probably be conceded that it is desirable for people to exercise their understandings, and that an intelligent following of custom or even occasionally an intelligent deviation from custom is better than following custom in a blind and mechanical way. To a certain extent it is admitted that our •understanding should be our own. But there isn't the same willingness to admit that our •desires and impulses should likewise be our own, or to admit that it is anything but a peril and a snare to possess impulses of our own, unless they are extremely weak. Yet desires and impulses

are as much a part of a perfect human being as beliefs and restraints. Strong impulses are perilous only when they aren't properly balanced—i.e. when one set of aims and inclinations is developed into strength while others that ought to coexist with them remain weak and inactive. Men act badly not because their desires are strong but because their consciences are weak. There is no natural connection between strong impulses and a weak conscience. The natural connection is the other way. [Those two sentences are as Mill wrote them. Perhaps he means that strong impulses tend to produce not weak consciences but strong ones.] To say that •one person's desires and feelings are stronger and more various than those of someone else is merely to say that •he has more of the raw material of human nature, and is therefore capable perhaps of more evil but certainly of more good. Strong impulses are but another name for *energy*. Energy can be turned to bad uses, but more good can always come from an energetic nature than from a slack and impassive one. Those who have most *natural* feeling are always those whose *cultivated* feelings—the ones developed through education, experience, and thought—can also be made the strongest. The •strong susceptibilities that make personal impulses vivid and powerful are also the source of the most passionate love of virtue and the sternest self-control. Society does its duty *and* protects its interests by developing •*these*, not by rejecting the stuff of which heroes are made because *it* doesn't know how to make them! A person whose desires and impulses are his own—expressing his own nature as it has been developed and modified by his own culture—is said to have a *character*. (One whose desires and impulses are not his own doesn't have a character, any more than a steam-engine does.) If the impulses are not only *his* but are *strong*, and are under the control of a strong will, then he has an *energetic* character. If you think that individuality

of desires and impulses shouldn't be encouraged to unfold itself, you must maintain that society doesn't need strong natures—that it isn't the better for containing many people who have much character—and that a high average level of energy is not desirable.

In some early states of society, these forces of high-level individual energy were too far ahead of society's power at that time to discipline and control them. There was a time when the element of spontaneity and individuality was excessive, and social forces had a hard struggle with it. The difficulty then was to induce men with strong bodies or minds to obey any rules that required them to control their impulses. To overcome this difficulty, law and discipline behaved like the Popes in their struggle against the Emperors: they asserted a power over the whole man, claiming to control all his life in order to control his character, which society hadn't found any other sufficient means of binding. But society *now* has the upper hand over individuality; and the danger that threatens human nature is not too much but too little in the way of personal impulses and preferences. Things have vastly changed since the time when the passions of those who were strong (through their rank or position, or through their personal qualities) were in a state of habitual rebellion against laws and ordinances, and had to be strictly held down so that people within their reach might enjoy a little security. In our times, from the highest class of society down to the lowest, everyone lives as though under the eye of a hostile and dreaded censorship. Not only in what concerns others but in what concerns *only themselves*, the individual or the family don't ask themselves:

what do I prefer? or  
 what would suit my character and disposition? or  
 what would allow the best and highest in me to have fair play, and enable it to grow and thrive?

They ask themselves:

what is suitable to my position?

what is usually done by people in my position and economic level?

or (worse still)

what is usually done by people whose position and circumstances are superior to mine?

I don't mean that they choose what is customary in preference to what suits their own inclination. It doesn't occur to them to *have* any inclination except to do what is customary. Thus the mind itself is bent under the yoke. Even in what people do *for pleasure*, conformity is the first thing they think of; they like in crowds [think of this as on a par with 'they walk in crowds']; they exercise choice only among things that are commonly done; they shun peculiarity of taste and eccentricity of conduct as much as they shun crimes. Eventually, by not following their own nature they come to have no nature to follow: their human capacities are withered and starved; they become incapable of any strong wishes or natural pleasures, and are generally without either •opinions or •feelings that are home-grown and properly *theirs*. Now is *this* the desirable condition of human nature?

It is so on the Calvinistic theory. According to it:

The one great offence of man is self-will. *Obedience* contains all the good of which humanity is capable. You have no choice; you must do this and nothing else; 'whatever isn't a duty is a sin'. Human nature is radically corrupt, so there is no redemption for anyone until human nature is killed within him.

To someone who holds this theory of life,

there is nothing wrong with crushing out any of the human faculties, capacities, and susceptibilities. The only capacity man needs is a capacity to surrender himself to the will of God; and if he uses any of •his

faculties for any purpose but to obey that supposed will more effectively, he is better without •them.

That is the theory of Calvinism; and it is held in a milder form by many who don't consider themselves Calvinists. The mildness consists in giving a less ascetic interpretation to the alleged will of God. They hold that it is his will that mankind should gratify some of their inclinations; not of course in the way they themselves prefer, but in the way of obedience—i.e. in a way prescribed to them by authority, and therefore inevitably the same for all. The crucial point about this 'milder' form of Calvinism is that it still doesn't allow for individuality of character.

In some such insidious [= 'sneaky'] form as this, there is at present a strong tendency to •adopt• this narrow theory of life and the pinched and hidebound type of human character that it favours. No doubt many people sincerely think that human beings thus cramped and dwarfed are as their maker designed them to be; just as many have thought that trees with all their lower branches removed or clipped into figures of animals are much finer than in their natural state. But if it is any part of religion to believe that man was made by a good Being, it is more consistent with that faith to believe •that this Being gave humans all their faculties to be developed and unfolded, not rooted out and incinerated, and •that he takes delight in every advance his creatures make towards the ideal of which they are capable, every increase in their ability to understand, to act, or to enjoy. According to the Calvinistic conception of humanity, we had our nature bestowed on us purely in order to have it stamped out. There is a different ideal of human excellence from that. 'Pagan self-assertion' is one of the elements of human worth, as well as 'Christian self-denial' (I take the phrases from John Sterling's *Essays*). There is a •Greek ideal of self-development, which the Platonic and Christian

ideal of self-government blends with but does not supersede. It may be better to be a John Knox than an Alcibiades, but it is better to be a Pericles than either; and if we had a Pericles today, he would have about him every good that John Knox had.

The way to make human beings become something noble and beautiful to see and think about is not by wearing down into uniformity all that is individual in them but rather by cultivating it and enabling it to grow, within the limits imposed by the rights and interests of others. . . . And that is also the way to make human life become rich, diversified, and animating, furnishing more abundant nourishment for high thoughts and elevating feelings, and strengthening the tie that binds every individual to the human race by making the race infinitely better worth belonging to. The more each person develops his individuality, the more valuable he becomes to himself, and thus the more capable of being valuable to others. There is a greater fullness of life about his own existence, and when there is more life in the units there is more in the mass that is composed of them. There has to be as much compression of the mass as is necessary to prevent the stronger specimens of human nature from encroaching on the rights of others, but there is ample compensation for this even from the point of view of human development. The means of development that the individual loses by being prevented from gratifying his inclinations at the expense of others was chiefly obtained at the expense of the development of other people, so that *this* lessening of his development may produce an over-all gain in human development. And even for himself there is really no net loss, because what is suppressed in him in the interests of others is balanced by the better development of the social part of his nature, which is made possible by the restraint put on the selfish part. Being held to rigid rules of justice

for the sake of others develops the feelings and capacities that aim at the good of others. But being restrained in things that don't affect their *good*—restrained merely by their *displeasure*—develops nothing valuable except such force of character as may develop in resisting the restraint. If the restraint is accepted, it dulls and blunts the person's whole nature. To give any fair play to the nature of each person, it is essential that different people should be allowed to lead different lives. Historical periods have been noteworthy to posterity in proportion to how widely they have allowed this. Even despotism doesn't produce its worst effects so long as individuality exists under it; and whatever crushes individuality is despotism, whatever name it is given and whether it claims to be enforcing the will of God or the commands of men.

Having said that individuality is the same thing as development, and that the cultivation of individuality is the only thing that does or can produce well-developed human beings, I might here close the argument. For what more or better can be said of any condition of human affairs than that it brings human beings themselves nearer to the best they can be? or what worse can be said of any obstruction to good than that it prevents this? Doubtless, however, these considerations won't be enough to convince those who most need convincing. So I need also to show that these developed human beings are of some use to undeveloped ones—to point out, to those who don't want liberty and wouldn't avail themselves of it if they could, that *they* may be rewarded in some way they can understand for freely allowing other people to make use of liberty.

In the first place, then, I suggest that those who don't want liberty might possibly *learn* something from the exercise of liberty by those who do want it. No-one will deny that originality is a valuable element in human affairs.

There is always need for people not only •to discover new truths and point out when a former truth is true no longer, but also •to start new practices and to set the example of more enlightened conduct and of better taste and sense in human life. Someone who denied this would have to think that the world has already attained perfection in all its ways and practices! Admittedly, not everyone is able to provide this benefit; there are few people—a small fragment of the whole of mankind—whose experiments ·in living·, if adopted by others, would be likely to be an improvement on established practice. But these few are the salt of the earth; without them, human life would become a stagnant pool. I'm talking not only about the ones who introduce good things that didn't exist before, but also about those who keep alive the good things that already exist. If there were nothing new to be done, would human intellect cease to be necessary? Would it be a reason why those who do the old things should forget why they are done, and do them like cattle rather than like human beings? There is only too great a tendency for even the best beliefs and practices to degenerate into •something mechanical; and unless there were a succession of people whose ever-recurring originality prevents the grounds of those beliefs and practices from becoming merely traditional, such •dead matter wouldn't survive the smallest jolt from anything really alive, and there would be no reason why civilization shouldn't die out as did the Byzantine Empire. It's true that persons of genius are and probably always will be a small minority; but in order to have them we must preserve the soil in which they grow. [In Mill's time, 'genius' meant something like 'high intelligence combined with creative imagination'—something like what it means today, but not quite as strong.] Genius can breathe freely only in an *atmosphere* of freedom. Persons of genius are by definition more individual than other people—and therefore

less able to squeeze themselves, without being harmed, into any of the small number of moulds that society provides in order to save its members the trouble of forming their own character. If out of timidity they consent to be forced into one of these moulds, and to let all that part of themselves that can't expand under the pressure remain unexpanded, society won't gain much from their genius. If they are of a strong character and break their fetters, they become a target for the society that hasn't succeeded in reducing them to something commonplace, to point at with solemn warning as 'wild', 'erratic', and so on; like complaining against the Niagara river because it doesn't flow smoothly between its banks like a Dutch canal.

When I insist so emphatically on the importance of genius, and the need to allow it to unfold freely both in thought and in practice, I'm well aware •that no-one will deny this position in theory, and also •that almost everyone is really totally indifferent to it. People think genius a fine thing if it enables a man to write an exciting poem or paint a picture. But in the true sense of 'genius', that of originality in thought and action, though no-one says that it isn't a thing to be admired, most people secretly think they can do very well without it. This, alas, is too natural to be wondered at. Originality is the one thing that unoriginal minds cannot feel the use of. They can't see what it is to do for them—how could they? If they could see what it would do for them it wouldn't be originality. The first thing that originality has to do for them is to open their eyes; and if they got their eyes fully open, they too would have a chance of being original. Meanwhile, recollecting that nothing was ever yet done that someone didn't do *first*, and that all good things that exist are the fruits of originality, let them—the unoriginal people—•be modest enough to believe that there is something still left for originality to accomplish, and •assure themselves that the

less conscious they are of their lack of originality the greater is their need for it.

In sober truth, whatever may be said or even *done* to honour real or supposed mental superiority, the general tendency of things throughout the world is to render mediocrity the dominant power among mankind. In ancient history, in the middle ages, and to a lessening extent through the long transition from feudal times to the present, the individual was a power in himself; and if he had either great talents or a high social position he was a considerable power. These days individuals are lost in the crowd. In politics it almost goes without saying that public opinion now rules the world. The only *power* that deserves the name is that of the masses, and of governments when they act out the tendencies and instincts of the masses. This is as true in the *•moral* and social relations of private life as in *•public* transactions. Those whose opinions go by the name of 'public opinion' are not the same sort of public in every country: in America they are the whole white population, in England chiefly the middle class. But they are always a mass, that is to say, collective mediocrity. And a still greater novelty of the present age is this: the mass don't now take their opinions from dignitaries in church or state, from recognized leaders, or from books. Their thinking is done for them by men much like themselves, addressing them or speaking in their name on the spur of the moment, through the newspapers. I'm not complaining of all this. I don't assert that anything better is generally compatible with the present low state of the human mind. But that doesn't stop the government of mediocrity from being mediocre government. No government by democracy or a numerous aristocracy, either in its political acts or in the opinions, qualities, and tone of mind [Mill's phrase] that it encourages, ever did or could rise above mediocrity, except in so far as the all-powerful

*•Many* have let themselves be guided (which in their best times they always *have* done) by the advice and influence of a more highly gifted and instructed *•One* or *•Few*. All wise or noble things are and must be started by individuals; generally by some one individual. The honour and glory of the average man is that he is capable of *following* that start, that he can respond internally to wise and noble things and be led to them with his eyes open. I am not endorsing the sort of 'hero-worship' that applauds the strong man of genius for forcibly taking over the government of the world and making it do his bidding in spite of itself. All he is entitled to is *freedom to point out the way*. The power of *compelling* others to follow it is not only inconsistent with the freedom and development of everyone else but is also corrupting to the strong man himself. However, at a time when the opinions of masses of merely average men have become or are becoming the dominant power, it does seem that what is needed as a counter-weight and corrective to that tendency is more and more conspicuous *individuality* on the part of those who stand at the higher levels of thought. It is especially in these circumstances that exceptional individuals, instead of being deterred, should be encouraged to act differently from the mass. At other times there was no advantage in their doing so, unless they acted not only *differently* but *better*. In the present age the mere example of non-conformity, the mere refusal to bend the knee to custom, is itself a service *·even* if the way of life it leads to is not *better than* than that of the mass but only *different from* it. Precisely because the tyranny of *·public·* opinion works so as to make eccentricity a *fault*, it is desirable, in order to break through that tyranny, that people should be eccentric. There has always been plenty of eccentricity when and where there has been plenty of strength of character; and the amount of eccentricity in a society has generally been proportional to the amount

of genius, mental vigour, and moral courage the society contained. That so few now dare to be eccentric marks the chief danger of the time.

I have said that it is important to give the freest possible scope to •uncustomary things, so that in due course some of these may turn out to be fit to be converted into •customs. But independence of action and disregard of custom don't deserve encouragement only because they may lead to better ways of action and customs more worthy of general adoption; and people of decided mental superiority are not the only ones with a just claim to carry on their lives in their own way. There is no reason why all human lives should be constructed on some one pattern or some small number of patterns. If a person has even a moderate amount of common sense and experience, his own way of planning his way of life is the best, not because it is the best in itself but because it is *his own way*. Human beings are not like sheep; and even sheep aren't indistinguishably alike. A man can't get a coat or a pair of boots to fit him unless they are either made to his measure or he has a whole warehouse full of coats or boots to choose from. Well, is it easier to fit him with a *life* than with a *coat*? Are human beings more like one another in their whole physical and spiritual make-up than in the shape of their feet? If it were only that people differ in their *tastes*, that would be reason enough for not trying to fit them all into one mould. But different people also need different conditions for their spiritual development; they can't all exist healthily in the same •moral atmosphere and climate any more than all plants can flourish in the same •physical climate. The very things that help one person to develop his higher nature hinder another from doing so. A way of life that is a healthy excitement to one person, keeping all his faculties of action and enjoyment in their best order, is to another a distracting burden that suspends or crushes

all his inner life. Such are the differences among human beings in their sources of pleasure, their susceptibilities to pain, and the operation on them of different physical and moral forces, that unless there is a corresponding variety in their ways of life they won't get their fair share of happiness and won't rise to the mental, moral, and aesthetic level that they are naturally capable of. Why then should tolerance, as far as the public attitude is concerned, extend only to tastes and ways of life that *have* to be accepted because so many people have them? Nowhere (except in some monastic institutions) is diversity of taste *entirely* unrecognized: a person may without blame either like or dislike rowing, or smoking, or music, or athletic exercises, or chess, or cards, or study, because those who like each of these things are too numerous to suppress, and so are those who dislike them. But the man—and still more the woman—who can be accused either of doing 'what nobody does' or of not doing 'what everybody does' is criticized as much as if he or she had committed some serious moral offence. You need to have a title, or some other badge of rank or of support from people of rank, if you're to be able to indulge somewhat in the luxury of doing as you like without harm to your reputation. To indulge *somewhat*, I repeat; for someone who allows himself *much* of that indulgence—that permission to differ—runs the risk of something worse than verbal criticism; they are in danger of being committed as lunatics and of having their property taken from them and given to their relations. [At this point Mill has a long footnote which is here raised into the main text.]

#### START OF THE LONG FOOTNOTE

There is something both contemptible and frightful in the sort of evidence on the basis of which, in recent years, any person can be judicially declared unfit to manage his affairs; and after his death his will can be set aside (if his estate is large

enough to pay the expenses of litigation—which are charged against the estate). All the minute details of his daily life are pried into, and if something is found that looks even slightly out of the ordinary, as seen through the medium of the perceiving and describing faculties of the lowest of the low, it is laid before the jury as evidence of insanity. This move often meets with success, because the jurors are little if at all less vulgar and ignorant than the witnesses, while the judges, with that extraordinary ignorance of human nature and human life that continually astonishes us in English lawyers, often help to mislead them. These trials speak volumes about the state of feeling and opinion among ordinary uneducated people with regard to human liberty. So far from setting any value on individuality—so far from respecting the right of each individual to act (where others aren't concerned) in •the way that seems good to his own judgment and inclinations—judges and juries can't even conceive that a sane person could want •such freedom. In bygone days, when it was proposed to burn atheists, charitable people used to suggest putting them into a mad-house instead. It wouldn't be surprising to see this done *now*, with the doers applauding themselves for treating these unfortunates in such a humane and Christian manner instead of persecuting them on behalf of religion—while also silently deriving satisfaction from the atheists' getting what they deserve!

END OF FOOTNOTE

One characteristic of the present direction of public opinion is especially calculated to make it intolerant of any notable signs of individuality. The general average of mankind are moderate—•*middling*—not only in intellect but also in inclinations: they •haven't any tastes or wishes strong enough to incline them to do anything unusual, so they don't understand those who •have, and classify all such people with the wild and intemperate whom they are accustomed to

look down on. Combine this general fact with the supposition that a strong movement has started towards the improvement of morals, and it is obvious what we have to expect! Well, in these days such a movement *has* started: much has actually been brought about in the way of increased regularity of conduct and discouragement of excesses; and there is a widespread sense of •philanthropy—for the moral and prudential improvement of our fellow-creatures there is no more inviting field than •*that*. These tendencies of the times cause the public to be more disposed than at almost any earlier time to prescribe general rules of conduct and try to make everyone conform to the approved standard. And that standard—whether stated or silently understood—is *to desire nothing strongly*. Its ideal of character is to be without any notable character, to maim by *compression* (like a Chinese lady's foot) every part of human nature that stands out prominently, and tends to make the person noticeably dissimilar in outline to commonplace humanity.

As usually happens with ideals that exclude half of what is desirable, the present standard for approval produces only an inferior imitation of the other half. Instead of

- great energies guided by •vigorous reason, and
- strong feelings strongly controlled by a •conscientious will,

its result is weak feelings and weak energies, and just because they are weak they can be kept in outward conformity to the rules without any strength either of will or of reason. . . . There is now scarcely any outlet for energy in this country except *business*. The energy expended in *that* may still be regarded as considerable. What little is left over from business is spent on some hobby—it may be a useful hobby, even a philanthropic one, but it is always some *one thing*, and generally a small thing. The greatness of England is now all collective: we are all individually small, and seem

to be capable of great things only through our habit of combining; and with this state of affairs our moral and religious philanthropists are perfectly contented. But it was men of a different type from this that made England what it has been, and men of a different type will be needed to prevent England's decline.

The despotism of custom is everywhere the permanent blockage to human advancement, because it never loses its hostility to the disposition to aim at something better than what is customary, a disposition that is called—depending on the circumstances—the spirit of •liberty, or the spirit of •progress or of •improvement. These three are not exactly the same, and I shall say a little about how they inter-relate. The spirit of improvement isn't always a spirit of liberty, for it may aim at forcing improvements on an unwilling people; and when the spirit of liberty resists such attempts it becomes, in that place and for a while, an ally of the opponents of 'improvement'. But the only unfailing and permanent source of improvement is liberty, since through liberty there are as many possible independent centres of improvement as there are individuals. The progressive principle can be the love of liberty or the love of improvement; and either way it is antagonistic to the sway of custom, involving at least emancipation from *that* yoke; and what is of most interest in the history of mankind is this contest between improvement and custom. Most parts of the world have no *history* properly so-called, because in them the despotism of custom is complete. This is the case over the whole east. No-one there thinks of resisting the argument from custom, except perhaps some tyrant intoxicated with power. And we see the result. Those nations must once have had originality: they didn't spring up out of the ground populous, literate, and skilled in many of the arts of life; they *made themselves* like that, and at that time were the greatest and

most powerful nations in the world. What are they now? The subjects or dependents of •Europeans—tribes •whose forefathers wandered in the forests when *theirs* had magnificent palaces and gorgeous temples, but •who •subsequently had the good fortune that among them • custom shared its power with liberty and progress. It seems that a people may be progressive for a certain length of time and then stop. When does it stop? *When it ceases to possess individuality.* If a similar change comes over the nations of Europe, it won't have exactly the same shape •as in the east, because the despotism of custom with which the European nations are threatened is not precisely *stationariness*. It forbids singularity, but it doesn't rule out change, provided we all change together. We have discarded the fixed costumes of our forefathers; everyone must still dress like other people, but the fashion may change once or twice a year. In this way we take care that when there is change it is for the sake of change, and not from any idea of beauty or convenience; for the same idea of beauty or convenience would not strike all the world at the same moment and be simultaneously thrown aside by everyone at another moment, •and so to give any power to ideas of beauty or convenience would be a threat to uniformity. But we are progressive as well as changeable: we continually make new inventions in mechanical things, and keep them until they are superseded by something better; we are eager for improvement in politics, in education, even in morals, though our idea of moral improvement chiefly consists in persuading or forcing other people to be as good as *we* are. It isn't •progress that we object to; on the contrary, we flatter ourselves that we are the most progressive people who ever lived. It is •individuality that we war against: we would think we had done wonders if we had made ourselves all alike, forgetting that

one person's unlikeness to another is generally what first draws the attention of either of them to the imperfection of his own type and the superiority of the other, or the possibility of combining the advantages of both so as to produce something better than either.

We have a warning example in China—a nation of much talent, and even much wisdom in some respects. This is due to China's rare good fortune in having been provided at an early period with a particularly good set of customs that were partly the work of men to whom even the most enlightened European must grant the title of sages and philosophers (with certain limitations). The Chinese are remarkable, too, in the excellence of their apparatus for •implanting (as far as possible) the best wisdom they have in every mind in the community, and •seeing to it that those who have acquired the most of that wisdom occupy the positions of honour and power. Surely—you might think—the people who did this have discovered the secret of human progressiveness, and must have kept themselves steadily at the head of the movement of the world. On the contrary, they have become stationary—have remained so for thousands of years—and if they are ever to be further improved it must be by foreigners. They have succeeded beyond all hope in doing what English philanthropists are so industriously working at, namely making a people all alike, all governing their thoughts and conduct by the same maxims and rules; and these—the Chinese people of today—are the fruits of that success. The modern régime of public opinion is an unorganized version of what the Chinese educational and political systems have in an organized form; and unless individuality can successfully assert itself against this yoke, Europe, despite its noble antecedents and its professed Christianity, will tend to become another China.

What is it that has so far preserved Europe from this fate? What has made the European family of nations an •improving rather than a •stationary portion of mankind? It's not that they are more excellent than the Chinese; when excellence exists it is an effect of improvement, not a cause. Rather, it is the remarkable diversity of character and culture among the Europeans. Individuals, classes, and nations have been extremely unlike one another; they have set out on a great variety of paths, each leading to something valuable; and although at every period those who travelled in different paths have been intolerant of one another, and each would have thought it an excellent thing if all the rest could have been compelled to travel *his* road, their attempts to block each other's development have rarely had any permanent success, and each has in time had to put up with receiving the good which the others have offered! Europe's progressive and many-sided development is due, in my judgment, wholly to this plurality of paths. But it is already starting to have less of this benefit. It is decidedly advancing towards the Chinese 'ideal' of making all people alike. M. de Tocqueville, in his last important work, remarks how much more the Frenchmen of the present day resemble one another than did those even of the last generation. The same remark might be made of Englishmen in a far greater degree. In a passage I have already quoted, Wilhelm von Humboldt points out two things as required for human development because they are required to make people unlike one another—namely, •freedom and •variety of situations. The second of these is diminishing day by day in this country. The circumstances that surround different classes and individuals, and shape their characters, are daily becoming more assimilated to one another. Formerly, different ranks, neighbourhoods, trades, professions lived in what might be called different *worlds*; at present to a great degree they inhabit the same

world. Comparatively speaking, they now read the same things, listen to the same things, see the same things, go to the same places, have their hopes and fears directed to the same objects, have the same rights and liberties, and the same means of asserting them. Great as are the differences of position that remain, they are nothing compared with the differences that have gone. And the assimilation still goes on. All the political changes of the day promote it, since they all tend to raise the low and to lower the high. Every extension of education promotes it, because education brings people under common influences and gives them access to the general stock of facts and sentiments. Improvements in the means of communication promote it by bringing the inhabitants of distant places into personal contact, and keeping up a rapid flow of changes of residence between one place and another. The increase in commerce and manufacture promotes it by •spreading more widely the advantages of comfortable circumstances, and by •opening all objects of ambition—even the highest—to general competition, so that the desire to *rise* is no longer a mark of a particular class but of all classes. A force that is even more powerful than all these in bringing about a general similarity among mankind is the way public opinion, in this and other free countries, completely dominates the state. There used to be various social eminences which enabled persons entrenched on them to disregard the opinion of the multitude, but they have

gradually become levelled. The very idea of resisting the will of the public, when they are positively known to *have* a will, disappears more and more from the minds of practical politicians. So there stops being any social support for non-conformity—any substantive social power that is itself opposed to the dominance of numbers, and has a concern for taking under its protection opinions and tendencies that are at odds with those of the public.

The combination of all these causes forms so great a mass of influences hostile to •individuality that it is hard to see how •it can stand its ground. It will do so with increasing difficulty unless the intelligent part of the public can be made to feel its value—to see that it is *good* that there should be differences, even if not for the better, indeed even if it sometimes seems to them to be for the worse. If the claims of individuality are ever to be asserted, the time is *now*, when the enforced assimilation is still far from complete. It is only in the earlier stages that any defence can be successfully mounted against the attack. The demand that all other people shall resemble ourselves grows by what it feeds on. If there is no resistance until life is reduced *nearly* to one uniform type, all variations from that type will come to be considered impious, immoral, even monstrous and contrary to nature. When mankind spend some time without seeing diversity, they quickly become unable even to *conceive* it.

## Chapter 4: The limits to the authority of society over the individual

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

Each will receive its proper share if each has that which more particularly concerns it. To individuality should belong the part of life in which it is chiefly the individual that is interested; to society, the part which chiefly interests society. [Here and throughout, your being 'interested in' something means that your *interests* are involved in it; this is not 'interested in' as the opposite of 'bored by'.]

Though society is not founded on a contract, and though no good purpose is served by inventing a contract in order to infer social obligations from it, everyone who receives the protection of society owes society something in return for this benefit, and the sheer fact that they *have* a society makes it indispensable that each should be bound to conform to a certain line of conduct towards the rest. This conduct consists in two things.

- (1) Not harming the interests of one another; or, rather, not harming certain particular interests which ought to be classified (by explicit law or tacit understanding) as *rights*.
- (2) Doing one's share (to be fixed by some fair principle) of the labours and sacrifices incurred for defending the society or its members from injury and harassment.

Society is justified in enforcing these conditions at the expense of those who try to avoid fulfilling them. Nor is this all that society may do. The acts of an individual may be hurtful to others, or lacking in proper consideration for their welfare, without going so far as violating any of their

constituted rights. The offender may then be justly punished by opinion, though not by law. As soon as any part of a person's conduct has a negative effect on the interests of others, society has jurisdiction over it, and the question whether or not the general welfare will be promoted by interfering with it becomes open to discussion. But there is no room for raising any such question when a person's conduct affects the interests of no-one but himself, or needn't affect others unless they want it to (all the persons concerned being adults with the ordinary amount of understanding). In all such cases there should be perfect freedom, legal and social, to perform the action and accept the consequences.

It would be a great misunderstanding of this doctrine to suppose that it is one of selfish indifference, claiming that human beings have no concern with each other's behaviour and shouldn't concern themselves about one another's well-doing or well-being unless their own interests are involved. Instead of any lessening there is need for a great *increase* of disinterested [= 'not *self*-interested'] effort to promote the good of others. But it is one thing to act on one's belief that it would be better for x himself if he didn't do y and another to bring legal or social pressure on him not to do y. For persuading people to look after themselves, disinterested benevolence can find instruments other than whips and scourges, whether of the literal or the metaphorical sort. I am the last person to undervalue the self-regarding virtues; they are second in importance only to the social virtues, if not first equal with them. It is equally the business of education to cultivate both. But even education works by conviction and persuasion as well as by compulsion; and once the period of education is past, it is *only* by conviction

and persuasion that the self-regarding virtues should be instilled into people. Human beings owe to each other help to distinguish the better from the worse, and encouragement to choose the former and avoid the latter. They should be forever stimulating each other to increased exercise of their higher faculties, and increased direction of their feelings and aims towards things and thoughts that are wise instead of foolish, elevating instead of degrading. But no one person or group is entitled to say to another adult human being that he *shall not* do with his life for his own benefit what he chooses to do with it. He is the person most interested in his own well-being; except in cases of strong personal attachment, the interest that anyone else can have in it is trifling compared with his own; and society's interest in him as an individual (except with regard to his conduct toward others) is fractional and altogether indirect. And there is also a point about the *knowledge* on which interference would have to be based. The most ordinary man or woman has means of knowledge concerning his own feelings and circumstances that immeasurably surpass those that anyone else can have. The interference of society to overrule his judgment and purposes in what affects only himself must be based not on knowledge about him in particular but on *general* presumptions about people as a whole; these general presumptions may be altogether wrong, and even when they are right they are as likely as not to be misapplied to individual cases. (Remember that the application is being made to someone by *other* people, who therefore don't know much about the circumstances of the case). In this department of human affairs, therefore, individuality has its proper field of action. In the conduct of human beings towards one another, it is necessary that general rules should for the most part be observed so that people can know what to expect; but in each person's own concerns, his individual

spontaneity is entitled to free exercise. Considerations to aid his judgment, urgings to strengthen his will, may be offered to him, even pushed at him, by others; but *he* is the final judge. Any errors that he is likely to commit against advice and warning are far outweighed by the evil of allowing others to constrain him to what they think to be his good.

I don't mean that a person's self-regarding qualities or deficiencies oughtn't to affect how others regard him. That is neither possible nor desirable. If he is conspicuous in any of the qualities that conduce to his own good, he is to that extent a proper object of admiration. He is that much nearer to the ideal perfection of human nature. If he is grossly lacking in those qualities, a sentiment the opposite of admiration will follow. There is a degree of folly, and a degree of what may be called (though the phrase is somewhat objectionable) lowness or depravity of taste, which—though it can't justify harming the person who manifests it—makes him necessarily *and properly* the object of distaste and in extreme cases the object of contempt; anyone who has the opposite qualities in due strength would have to have these feelings. Though not doing wrong to anyone else, a person may so act as to compel us to *judge* him to be a fool or a being of some inferior kind, and to *feel* towards him in that way; and since this judgment and feeling are a fact that he would prefer to avoid, it is doing him a service to warn him of it beforehand, as it would be to warn him of any other disagreeable consequence to which he is exposing himself. It would indeed be a good thing if this service were given much more freely than the common notions of politeness at present permit, and if one person could honestly point out to another that he thinks him at fault, without being considered pushy or bad-mannered. We also have a right in various ways to act on our unfavourable opinion of anyone, not oppressing his individuality but exercising ours. We are

not bound, for example, to seek his society; we have a right to avoid it (though not to parade the avoidance), for we have a right to choose the society most acceptable to us. We have a right—and possibly even a duty—to warn others against him if we think his example or conversation likely to have a bad effect on those with whom he associates. When we have at our disposal various possibilities of giving help, we may give others the preference over him unless it is a question of helping him to improve. In these different ways a person may suffer very severe penalties at the hands of others for faults that directly concern only himself; but he suffers these penalties only as natural and spontaneous consequences of the faults themselves, not because they are purposely inflicted on him for the sake of punishment. A person who

shows rashness, obstinacy, self-conceit,  
can't live within moderate means,

can't restrain himself from hurtful indulgences, and  
pursues animal pleasures at the expense of those of  
feeling and intellect,

must expect to be lowered in the opinion of others, and to have a smaller share of their favourable sentiments; has no right to complain of this unless he has deserved their favour by special excellence in his social relations, thus establishing a right to help from them—a right that isn't affected by how badly he treats himself.

What I contend for is this: with regard to the part of someone's conduct and character that concerns his own good but doesn't affect the interests of others in their relations with him, the only inconveniences that he should be subject to are ones that are strictly inseparable from the unfavourable judgment of others. Acts injurious to others require a totally different treatment. Encroachment on the rights of other, infliction on them of any loss or damage not justified by his own rights, falsehood or trickery in dealing with them, unfair

or ungenerous use of advantages over them, even selfish abstinence from defending them against harm—these are fit objects of moral reproach and, in serious cases, of moral retribution and punishment. And not only these •acts but also the •dispositions that lead to them are strictly immoral, and are fit objects of disapproval that may rise to the level of disgust.

Cruelty of disposition, malice and ill-nature, envy (that most anti-social and odious of all passions), hypocrisy and insincerity, irritability over trifles, immoderate resentment, the love of domineering over others, the desire to gather in more than one's share of advantages, the pride that is pleased when others fail, the egotism that thinks self and its concerns more important than everything else and decides all doubtful questions in his own favour

—these are moral vices, and constitute a bad and odious moral character. Not so the self-regarding faults previously mentioned: they are not strictly immoralities, and don't constitute wickedness however intense they are. They may be proofs of any amount of folly or lack of personal dignity and self-respect; but they invite moral condemnation only when they involve a breach of duty to others for whose sake the individual is obliged to take care of himself. What are called duties to ourselves are not socially obligatory unless circumstances turn them into duties to others as well. The phrase 'duty to oneself', when it means anything more than *prudence*, means self-respect or self-development; and there is no 'it's-for-the-good-of-mankind' reason why anyone should be held accountable to his fellow-creatures for either of them.

The distinction between •the loss of regard that a person may rightly incur through a lack of prudence or of personal dignity and •the condemnation that is due to him for an

offence against the rights of others, is not a merely verbal one. It makes a vast difference both in our feelings and in our conduct towards him, whether he displeases us in •things in which we think we *have* a right to control him, or displeases us in •things in which we know we *haven't*. If he displeases us, we may express our distaste, and we may keep our distance from a *person* as well as from a *thing* that displeases us; but we shan't therefore feel called on to make his life uncomfortable. We shall reflect that he already bears, or will bear, the whole penalty of his error. If he spoils his life by mismanagement, that won't lead us to want to spoil it still further: instead of wishing to punish him, we'll try to lighten his punishment, by showing him how to avoid or cure the evils that his conduct tends to bring on him. He may be to us an object of •pity, perhaps of •dislike, but not of •anger or •resentment; we shan't treat him like an enemy of society; the worst we shall think ourselves justified in doing is leaving him to himself, if we don't interfere benevolently by showing interest or concern for him. The situation is entire different if he has infringed the rules necessary for the protection of his fellow-creatures, individually or collectively. The evil consequences of his acts don't then fall on himself but on others; and society, as the protector of all its members, must strike back at him, inflicting pain on him for the express purpose of punishment, and must take care that the pain is sufficiently severe. In this •latter case he is an offender in our court, and we are called on not only to sit in judgment on him but, in one way or another, to carry out our own sentence; whereas in the •former case it is not our role to inflict any suffering on him except what may incidentally follow from our using the same liberty in the regulation of our own affairs that we allow him in his.

Many people will deny that we can distinguish the part of

a person's life that concerns only himself from the part that concerns others. They may say:

How can any part of the conduct of a member of society be a matter of indifference to the other members? No person is an entirely isolated being; it is impossible for a person to do anything seriously or permanently hurtful to himself without harm coming at least to those closely connected with him and often far beyond them. If he injures his property, he does harm to those who directly or indirectly derived support from it, and usually lessens somewhat the general resources of the community. If he worsens his physical or mental abilities, he not only brings evil on all who depended on him for any portion of their happiness but makes himself unable to render the services that he owes to his fellow-creatures generally; perhaps becomes a burden on their affection or benevolence. . . .

Finally, if by his vices or follies a person does no direct harm to others, he nevertheless does do harm by the example he sets, and he ought to be compelled to control himself, for the sake of those whom the sight or knowledge of his conduct might corrupt or mislead.

And even if the consequences of misconduct could be confined to the vicious or thoughtless individual himself, ought society to abandon to their own guidance those who are manifestly unfit for it? We all agree that children and young people should be protected against themselves; so isn't society equally bound to protect against themselves adults who are equally incapable of self-government? If gambling, or drunkenness, or sexual licence, or idleness, or uncleanness, are as injurious to happiness and as great a hindrance to improvement as many or most

of the acts prohibited by law, why shouldn't the law try to put *them* down also (as far as practicability and social convenience allow)? And as a supplement to the unavoidable imperfections of law, oughtn't *public opinion* at least to organize a powerful guard against these vices, and rigorously apply social penalties on those who are known to practise them? There is no question here of restricting individuality or blocking trials of new and original experiments in living. Nothing is being prevented except things that have been tried and condemned from the beginning of the world until now—things that experience has shown not to be useful or suitable to any person's individuality. There must be *some* length of time and amount of experience after which a moral or prudential truth can be regarded as established! All that is proposed here is to prevent generation after generation from falling over the same precipice that has been fatal to their predecessors.

I fully admit that the harm a person does to himself may seriously affect (both through their sympathies and their interests) those closely connected with him, and may in a lesser degree affect society in general. When by conduct of this sort a person is led to violate a distinct and assignable obligation to one or more others, the case is no longer in self-regarding category and becomes amenable to *moral* condemnation in the proper sense of the term. [By an 'assignable' obligation, Mill means an obligation to someone in particular, as distinct from (say) an obligation to keep yourself fit in case *someone or other* comes to need your help. More of this at the start of the next paragraph.] For example: if through intemperance or extravagance a man becomes unable to pay his debts, or unable to support and educate his family, he is deservedly condemned and might be justly punished; but it is for the breach of duty

to his family or creditors, not for the extravagance. If the resources that ought to have been devoted to them had been diverted from them for the most prudent investment, the moral culpability would have been the same. . . . Again, if (as often happens) a man causes grief to his family •by his addiction to bad habits, he deserves reproach for his unkindness or ingratitude; but he may deserve it just as much if he causes grief to his family •by cultivating habits that are not in themselves vicious. Someone who

fails in the consideration generally due to the interests and feelings of others, without •being compelled by some more imperative duty or •justified by allowable self-preference,

is a subject of moral disapproval for that failure, but not for •the cause of it and not for •any errors that are merely personal to himself and may have indirectly led to it. Similarly, when a person disables himself through purely self-regarding conduct from the performance of some definite duty he has towards the public, he is guilty of a social offence. No-one ought to be punished simply for being drunk, but a soldier or a policeman should be punished for being drunk on duty. In short, whenever there is definite damage, or a definite risk of damage, either to an individual or to the public, the case is taken out of the domain of liberty and placed in that of morality or law.

But with regard to the merely contingent. . . .harm that a person causes to society by conduct that doesn't violate any specific duty to the public or bring harm to any assignable individual except himself: this inconvenience is one that society can afford to bear for the sake of the greater good of human freedom. If adults are to be punished for not taking proper care of themselves, I would rather it were done for their own sake than done on the grounds that we are preventing them from impairing their ability to render to

society benefits that society doesn't claim it has a right to demand! But I can't consent to argue the point as if society had no means of bringing its weaker members up to its ordinary standard of rational conduct, except waiting till they do something irrational and then punishing them—legally or morally—for it. Society has had absolute power over them during all the early part of their existence; it has had the whole period of childhood and teen-age in which to try to make them capable of rational conduct in life. The existing adult generation is master both of the training and the entire circumstances of the generation to come. Indeed it can't make them perfectly wise and good, because it is itself so lamentably short of goodness and wisdom; and its best efforts are not always, in individual cases, its most successful ones; but it is perfectly well able to make the rising generation, as a whole, as good as itself and a little better. If society lets any considerable number of its members grow up as mere children, incapable of being acted on by rational consideration of long-term consequences, society has itself to blame for the upshot. Armed not only with all the powers of education but also with the dominance that the authority of a publicly accepted opinion always exercises over the minds of those who are least fitted to judge for themselves; and aided by the natural penalties that can't be prevented from falling on those who incur the distaste or the contempt of those who know them; let society not claim that besides all this it needs the power to issue commands and enforce obedience in the personal concerns of individuals—concerns in which, on all principles of justice and policy, the decision ought to rest with those who will have to put up with the consequences. And nothing tends more to discredit and frustrate the better means of influencing conduct than a resort to the worse. If those whom we are trying to coerce into prudence or temperance include any who are made

of the same stuff as vigorous and independent characters, they will certainly rebel against the yoke. No such person will ever feel that others have a right to control him in his concerns—the kind of right that they do have to prevent him from harming them in their concerns; and it easily comes to be considered a mark of spirit and courage to fly in the face of such illegitimate authority, ostentatiously doing the exact opposite of what it commands. An example was the fashion of grossness that followed, in the time of Charles II, the fanatical moral intolerance of the puritans. With respect to what is said about the need to protect society from the bad example set for others by the vicious or the self-indulgent: it is true that a bad example may have a pernicious effect, especially the example of doing wrong to others with impunity to the wrong-doer. But we are now speaking of conduct which, while doing no wrong to others, is supposed to do great harm to the agent himself; and I don't see how those who believe this can help thinking that the example must on the whole do more good than harm, because in displaying the misconduct it also displays the painful or degrading consequences which . . . are supposed nearly always to flow from it.

But the strongest of all the arguments against the public's interfering with purely personal conduct is that when it does interfere the odds are that it interferes wrongly and in the wrong place. On questions of social morality—of duty to others—the opinion of the overruling majority is likely to be right oftener than it is wrong, because on such questions they are only required to judge how a given mode of conduct, if allowed to be practised, would affect their interests. But the opinion of a similar majority imposed as a law on the minority on questions of self-regarding conduct is quite as likely to be wrong as right; for in these cases public opinion means at best some people's opinion of what is good or bad

for *other* people; while very often it doesn't even mean that, because the public consider only their own preference and don't pay the slightest regard to the pleasure or convenience of those whose conduct they censure. There are many who regard any conduct that they have a distaste for as an insult to themselves, and resent it as an outrage to their feelings; as a religious bigot, when accused of disregarding the religious feelings of others, has been known to reply that *they* disregard *his* feelings by persisting in their abominable worship or creed! But •a person's feeling for his own opinion is not on a par with •the feeling of someone else who is offended at his holding it; any more than •a person's desire to keep his purse is on a par with •a thief's desire to take it. Someone's *taste* is as much his own particular concern as is his opinion or his purse. It is easy for anyone to imagine an ideal public which leaves individuals free to choose in all matters where there are two sides to the question, and only requires them to abstain from kinds of conduct that •universal experience has condemned. But whoever saw a public that *did* set any such limit to its censorship? and when does the public trouble itself about •universal experience? In its interferences with personal conduct the public is seldom thinking of anything but the dreadfulness of anyone's acting or feeling *differently from itself*; and this standard of judgment is what ninety percent of all moralists and moral theorists hold up to mankind as the dictate of religion and philosophy. The standard in question is thinly disguised in the hands of these people. What they openly teach is that things are right because they are right—because we feel them to be so. They tell us to search in our own minds and hearts for laws of conduct binding on ourselves and on all others. What can the poor public do but apply these instructions and make their own personal feelings of good and evil, if they are reasonably unanimous in them,

obligatory on all the world?

The evil that I am pointing out here isn't one that exists only in theory; and you may expect me to cite examples in which the public of this age and country improperly dresses up its own preferences as moral laws. I am not writing an essay on the aberrations of existing moral feeling, which is too weighty a subject to be discussed parenthetically and by way of illustration. But I do need to provide some examples, to show that the principle I maintain is of serious and practical significance, and that I am not trying to set up a barrier against imaginary evils. And it isn't hard to show by abundant examples that one of the most universal of all human tendencies is the tendency to extend the bounds of what may be called 'moral police' until it encroaches on the most unquestionably legitimate liberty of the individual. Examples of this will occupy the remainder of the present chapter.

As a first instance, consider the hostilities that men feel on no better grounds than that persons whose religious opinions are different from theirs don't practise *their* religious observances, especially their religious abstinences. To cite a rather trivial example, nothing in the creed or practice of Christians does more to make Moslems hate them than the fact of their eating pork. There are few acts that Christians and Europeans regard with more sincere disgust than Moslems regard this particular way of satisfying hunger. It is in the first place an offence against their religion; but *this* doesn't explain either the degree or the kind of their repugnance; for wine also is forbidden by their religion, and Moslems all think it is wrong to drink wine, but they don't think it is disgusting. In contrast with that, their aversion to the flesh of the 'unclean beast' has that special character—like an *instinctive* revulsion—which the idea of uncleanness, when once it thoroughly sinks into

the feelings, seems always to excite even in those whose personal habits are anything but scrupulously clean. A remarkable example of this force of the idea of uncleanness is provided by the sentiment of religious impurity that is so intense in the Hindus. Suppose now that in a people of whom the majority were Moslems, that majority were to insist on not permitting pork to be eaten within the limits of the country. This would be nothing new in Moslem countries.<sup>3</sup> Would it be a legitimate exercise of the moral authority of public opinion? and if not, why not? The practice is really revolting to such a public. They also sincerely think that it is forbidden and abhorred by God. Neither could the prohibition be censured as religious persecution. It might be religious in its origin, but it wouldn't be persecution for religion, since nobody's religion makes it a duty to eat pork. The only tenable ground for condemning it would be that the public has no business interfering with the personal tastes and self-regarding concerns of individuals.

To come somewhat nearer home: the majority of Spaniards consider it a gross impiety, offensive in the highest degree to the supreme being, to worship him in any but the Roman Catholic way; and no other public worship is lawful on Spanish soil. The people of all Southern Europe look on a married clergy as not only irreligious, but unchaste, indecent, gross, disgusting. What do protestants think of these perfectly sincere feelings, and of the attempt to enforce them against non-Catholics? Yet, if mankind are justified in interfering with each other's liberty in things that

don't concern the interests of others, on what principle is it possible consistently to exclude these cases? or who can blame people for wanting to suppress what they regard as a scandal in the sight of God and man?

No stronger case can be shown for prohibiting anything that is regarded as a personal immorality than is made out for suppressing these practices in the eyes of those who regard them as impieties; and unless we are willing to adopt the logic of persecutors, and to say that •we may persecute others because we are right and that •they must not persecute us because they are wrong, we must beware of admitting a principle whose application to *ourselves* we would resent as a gross injustice.

Those examples may be objected to, although unreasonably, as drawn from situations that couldn't arise among *us*, because in this country public opinion isn't likely to enforce abstinence from meats, or to interfere with people for worshipping, and for either marrying or not marrying, according to their creed or inclination. My next example, however, will involve an interference with liberty that we have by no means passed all danger of. Wherever the puritans have been sufficiently powerful, as in New England and in Great Britain at the time of Cromwell they have tried with considerable success to put down all public amusements and nearly all private ones—especially music, dancing, public games and other gatherings for purposes of amusement, and the theatre. In this country there are still many people whose notions of morality and religion condemn these recreations; and

<sup>3</sup> The case of the Bombay Parsis is an interesting example of this. This industrious and enterprising tribe, the descendants of the Persian fire-worshippers, fled from their native country to escape the Caliphs; when they arrived in western India they were tolerated by the Hindu sovereigns on condition that they gave up eating beef. When those regions afterwards fell under the dominion of Moslem conquerors, the Parsis obtained from them a continuing tolerance on condition that they gave up eating pork. What was at first •obedience to authority became a •second nature, and the Parsis to this day abstain both from beef and pork. Though not required by their religion, this double abstinence has had time to grow into a custom of their tribe; and in the east custom is a religion.

those people belong chiefly to the middle class, which is the dominant power in the present social and political condition of the kingdom, so that it is by no means impossible that people with these views may some day command a majority in parliament. How will the rest of the community like having the amusements that shall be permitted to them regulated by the religious and moral sentiments of the stricter Calvinists and Methodists? Wouldn't they pretty abruptly tell these intrusively pious members of society to mind their own business? Well, that is *precisely* what should be said to every government and every public who claim that no person shall enjoy any pleasure that *they* think is wrong. Once the principle of that claim is admitted, no-one can reasonably object to its being acted on in the spirit of the majority, or of other dominant power in the country; and everyone must be ready to conform to the idea of a Christian commonwealth as understood by the early settlers in New England, if a religious creed similar to theirs should ever succeed in regaining its lost ground. And religions supposed to be declining often *have* regained lost ground!

Here is another possibility, perhaps more likely to come about than the one last mentioned. We all know that there is a strong tendency in the modern world towards a democratic constitution of society, whether or not accompanied by democratic political institutions. Let us then look at the United States, the country where this tendency is most completely realized—the country where both society and the government are most democratic. It is said that *there* the feeling of the majority, who find disagreeable any appearance of a more showy or costly style of living than they can hope to rival, operates as a fairly effective expense-controlling law, and that in many parts of the Union it is really difficult for a person with a very large income to find any way of spending it without being disapproved of by the people. This is *said*, and

no doubt it is a much exaggerated account of the real facts; but the state of things it portrays is not only conceivable and possible, but is a probable result of •democratic feeling combined with •the notion that the public has a right of veto over how individuals shall spend their incomes. Add to those two the supposition of •a considerable spreading of socialist opinions, and it may become abominable in the eyes of the majority to possess more than a very little property or to have any income not earned by manual labour. Opinions similar in principle to these already prevail widely among the artisan class [= 'the class of skilled manual workers'], and weigh oppressively on those who are especially vulnerable to the opinion of that class, namely its own members. It is known that the bad workmen who form the majority of the workers in many branches of industry are firmly of opinion that bad workmen ought to receive the same wages as good ones, and that those who have superior skill or work harder ought not to be allowed to earn more than those who haven't and don't. And they employ a moral police which occasionally becomes a physical one [meaning: they use moral bullying and sometimes physical force] to deter skillful workmen from receiving and employers from giving more pay for more useful service. If the public have any jurisdiction over private concerns, I can't see that these people are at fault, or that any individual's particular public can be blamed for asserting the same authority over his individual conduct as the general public asserts over people in general.

But setting aside suppositious cases, in our own day •gross intrusions on the liberty of private life are actually practised, •still greater ones are threatened with some expectation of success, and •opinions are presented that would give to the public an unlimited right not only to prohibit by law everything that it thinks wrong, but also, in order to *get at* what it thinks wrong, to prohibit any number of things

that it admits to be innocent.

Under the name of 'preventing intemperance' the people of one English colony and of nearly half the United States have been forbidden by law from making any use whatever of alcoholic drinks, except for medical purposes. [This refers to the so-called 'Maine Law' of 1815.] Prohibition of their *sale*, which is what is explicitly forbidden by law, is and is intended to be prohibition of their *use*. And though the impracticability of enforcing the law has caused its repeal in several of the states that had adopted it, including the one from which it derives its name, an attempt has nevertheless been started, and is pushed with considerable zeal by many of the professed philanthropists, to agitate for a similar law in this country. The association (or 'Alliance' as it terms itself) which has been formed for this purpose has acquired some notoriety through the publicity given to a correspondence between its Secretary and one of the very few English public men who hold that a politician's opinions ought to be founded on principles. Lord Stanley's part in this correspondence should strengthen the hopes already built on him, by those who know how few of those who figure in political life have such qualities as are shown in some of his public appearances. The spokesman for the Alliance, who would 'deeply deplore the recognition of any principle that could be wrenched around so as to justify bigotry and persecution', points out the 'broad and impassable barrier' that divides such principles from those of his association. 'All

matters relating to thought, opinion, conscience appear to me', he says, 'to lie outside the sphere of legislation; all

matters pertaining to social acts and habits. . . . appear to me to be within that sphere.' He doesn't mention a third class, different from either of these, namely acts and habits that are not social but individual;

although it is to *this* class, surely, that the act of drinking alcoholic liquors belongs. Selling such liquors, however, is trading, and trading is a social act. But the infringement complained of is not on the liberty of the seller but on that of the buyer and consumer; since the state might just as well •forbid him to drink wine as •purposely make it impossible for him to obtain it. The Secretary of the Alliance, however, says: 'I claim as a citizen a right to legislate whenever my social rights are invaded by the social act of another.' Now for the definition of these 'social rights'.

'If anything invades my social rights, certainly the traffic in strong drink does. It destroys my primary right of security by constantly creating and stimulating social disorder. It invades my right of equality by making a profit out of the creation of misery that I am taxed to support. It impedes my right to free moral and intellectual development by surrounding my path with dangers and by weakening and demoralizing society, from which I have a right to claim mutual aid and personal relationships.'

This is a theory of 'social rights' the like of which has probably never before been stated clearly! It is nothing short of this: that it is my absolute social right that every *other* individual shall act in every respect exactly as he ought; that whoever fails in the least detail of this violates my social right and entitles me to demand that the legislature remove the grievance. So monstrous a •principle is far more dangerous than any •single interference with liberty; there is no violation of liberty that it wouldn't justify; it acknowledges no right to any freedom whatever, except perhaps the freedom to hold opinions in secret without ever disclosing them; for the moment an opinion that *I* consider poisonous passes anyone's lips it invades all the 'social rights' attributed to *me* by the Alliance. The doctrine ascribes to all mankind a

vested interest in each other's moral, intellectual, and even physical perfection, to be defined by each claimant according to his own standard.

Another important example of illegitimate interference with the rightful liberty of the individual, not simply threatened but long since carried into triumphant effect, is legislation concerning the sabbath. Refraining from one's usual daily occupations on one day of the week, as far as is practically possible, is no doubt a highly beneficial custom, though it is in no respect religiously binding on any except Jews. And it can't be followed without a general consent to that effect among the classes of people with jobs to do, because if some people follow it, that compels others to do so. It may therefore be allowable and right that the law should guarantee to each person the observance *by others* of the custom in question, by suspending the large-scale operations of the economy on a particular day. But this justification is based on the direct interest that *others* have in each individual's observance of the practice; so it doesn't apply to the leisure-time occupations that a person chooses to engage in; nor does it hold good, in the slightest degree, for legal restrictions on amusements. It is true that the amusement of some is the day's work of others; but the labour of a few is compensated for by the •pleasure of the many (and by the •good their recreation does for them), provided that the few freely choose their work and are free to give it up. The workers are perfectly right in thinking that if everyone worked on Sunday, seven days' work would have to be given for six days' wages: but so long as the great mass of employments are suspended, the small number who must still work for the enjoyment of others obtain a proportional increase of earnings; and they aren't obliged to follow those occupations if they would rather have leisure than pay. If a further remedy is sought, it might be found in

the establishment by custom of a holiday on some other day of the week for those particular classes of persons. So the only ground on which restrictions on Sunday amusements can be defended must be that they are religiously wrong; and this is a motive of legislation that never can be too earnestly protested against. 'Injuries to the gods are the gods' business' [Tacitus; Mill gives it in Latin]. It remains to be proved that society or anyone acting for it has been appointed by heaven to avenge any supposed offence to God that isn't also a wrong to our fellow-creatures. The notion that *it is one man's duty that another should be religious* was the basis for all the religious persecutions ever perpetrated, and if it were right it would fully justify them. The feeling that breaks out in the repeated attempts to stop railway travel on Sunday, in the resistance to the opening of museums, and the like, doesn't have the *cruelty* of •the persecutors of old, but the state of mind indicated by it is fundamentally the same as •theirs. It is a determination not to tolerate others in doing what is permitted by their religion, because it isn't permitted by the persecutor's religion. It is a belief that God not only abominates the act of the misbeliever but will blame *us* if we don't interfere with him.

To these examples of the small regard that is commonly paid to human liberty, I can't help adding one more: the language of downright persecution that breaks out from the press of this country whenever it feels called on to say something about the remarkable phenomenon of Mormonism. Much might be said concerning the unexpected and instructive fact that

an alleged new revelation and a religion based on it, the product of obvious fraud and not even supported by the prestige of extraordinary qualities in its founder, is believed by hundreds of thousands of people and has been made the foundation of a •whole• society—in

the age of newspapers, railways, and the electric telegraph!

What here concerns us is that this religion, like other and better ones, has its martyrs; that its prophet and founder was, for his teaching, put to death by a mob; that others of its adherents lost their lives by the same lawless violence; that they were forcibly expelled, in a body, from the territory in which they first grew up; and now that they have been chased into a solitary recess in the middle of a desert, many in this country openly declare that it would be •right (though not •convenient) to send an expedition against them to compel them by force to conform to the opinions of other people. The item in the Mormon doctrine that chiefly arouses the hostility that thus breaks through the ordinary restraints of religious tolerance is its acceptance of *polygamy*. Though permitted to Moslems, Hindus, and Chinese, this seems to arouse unquenchable animosity when practised by people who speak English and claim to be some kind of Christian. No-one disapproves of this Mormon institution ·of polygamy· more deeply than I do. Far from being in any way countenanced by the principle of liberty, it is a direct infraction of that principle, being a mere riveting of the chains of one half of the community, while freeing the other half from having an obligation running the other way; and there are other reasons against it also. Still, it must be remembered that this relation is as much voluntary on the part of the women concerned in it (who may be regarded as its victims) as is the case with any other form of the marriage institution. This may seem surprising, but it has its explanation in the common ideas and customs of the world, which teach women to think of marriage as the one thing they need. That makes it intelligible that many a woman should prefer being one of several wives to not being a wife at all. Other countries are not asked to recognize such unions, or to release any portion

of their inhabitants from their own laws on the grounds that they have Mormon beliefs. But when the dissentients—the Mormons—have

- conceded to the hostile attitudes of others far more than those others were entitled to demand,

and when they have

- left the territories where their doctrines were unacceptable, and settled in a remote corner of the earth that they have been the first to make habitable to human beings,

it's hard to see on what principles but those of *tyranny* they can be prevented from living there under what laws they please, provided they commit no aggression against other nations and allow perfect freedom of departure to those who are dissatisfied with their ways. A recent writer who is in some respects a person of considerable merit proposes not a *crusade* but what he calls a *civilizade* [a war in the service not of the cross but of civilisation] against this polygamous community, to put an end to what seems to him a step backwards in civilization. To me too that is what it seems to be, but I'm not aware that any community has the right to force another to be civilized. As long as those who suffer through the bad law don't call for help from other communities, I can't accept that persons entirely unconnected with them ought to step in and require that a condition of things with which all who are directly involved appear to be satisfied should be put an end to because it scandalizes people some thousands of miles away, people who have no part or concern in it. Let them send missionaries, if they please, to preach against it; and let them, by any fair means (of which silencing the teachers is not one) oppose the progress of similar doctrines among their own people. If civilization has gained the upper hand over barbarism when barbarism had the world to itself, it is absurd to claim to be afraid that barbarism, after having

been fairly put down, might revive and conquer civilization. A civilization that could thus be beaten by its vanquished enemy must already have become so degenerate that neither its appointed priests and teachers nor anybody else is able to stand up for it—or anybody will take the trouble to do so.

In *that* case, the sooner such a civilization receives notice to quit, the better! It can only go on from bad to worse until it is destroyed and regenerated (like the western part of the Roman Empire) by energetic barbarians.

## Chapter 5: Applications

One would like the principles asserted in these pages to be applied consistently across all the various branches of government and morals; but there is no chance of doing that fruitfully until the principles have become more generally accepted, so that they can be the basis for a discussion of the relevant details. The few remarks I shall make on questions of detail are meant to •illustrate the principles rather than to •follow them out to their consequences. What I shall be offering are not so much •applications as •specimens of application [= ‘examples of how to go about applying’ the principles]. They may serve to clarify the meaning and the limits of the two maxims that together form the entire doctrine of this work, and to assist the judgment in holding the balance between them in the cases where it appears doubtful which of them is applicable to the case.

The principles in question are these two:

(1) The individual is not accountable to society for his actions insofar as these concern the interests of no-one but himself.

Advice, instruction, persuasion, and avoidance by other people, if they think it necessary for the individual’s own good, are the only measures by which society can justifiably

express its dislike or disapproval of his conduct.

(2) The individual is accountable for such of his actions as are prejudicial to the interests of others, and he may be subjected either to social or to legal punishments if society thinks that one or the other is needed for its protection.

The first point to be made is this: Just because damage (or the probability of damage) to the interests of others is the *only* thing that can justify the interference of society, it doesn’t follow that it *always* justifies such interference. In many cases an individual in pursuing a legitimate object necessarily (and therefore legitimately) causes pain or loss to others, or gets for himself a good that someone else had had a reasonable hope of obtaining. Such oppositions of interest between individuals often arise from bad social institutions, and are unavoidable while those institutions last; others would be unavoidable under any institutions. Anyone who succeeds in an overcrowded profession or in a competitive examination—more generally, someone who comes ahead of someone else in *any* contest for something that they both want—derives benefit from his competitor’s loss, wasted effort, and disappointment. But we all agree that it is better

for the general interest of mankind that people should pursue their objectives undeterred by consequences of this sort. In other words, society doesn't grant disappointed competitors any legal or moral right to immunity from *this* kind of suffering; and feels called on to interfere in competitive situations only when someone has succeeded through •means that it is contrary to the general interest to permit—namely •fraud, treachery, or force.

### •Free trade•

Again, trade is a social act. Someone who undertakes to sell goods of any kind to the public is doing something that affects the interests of other people and of society in general; and so his conduct does *in principle* come within the jurisdiction of society; which is why it used to be thought the duty of governments, in all cases that were thought important, to fix prices and regulate the processes of manufacture. But it is now recognized, though only after a long struggle, that the best way to get good products at low prices is to leave the producers and sellers perfectly free, as long as the buyers are free to get their supplies from elsewhere. This is the so-called doctrine of Free Trade. The case for it is different from the case for the principle of individual liberty defended here, but it is just as solid. Restrictions on trade, or on production for purposes of trade, are indeed restraints; and restraint *as such* is always bad; but the restraints on trade that are in question here affect only that part of conduct that society is in principle entitled to restrain, and they are wrong purely because they don't really produce the results they are meant to produce. So the principle of individual liberty is not involved in the doctrine of Free Trade itself, nor does it come into most of the •questions that arise concerning the limits of that doctrine: for example, •how much public

control is admissible to prevent fraud by adulteration; •how far sanitary precautions, or arrangements to protect people working in dangerous occupations, should be enforced on employers. Questions like these involve the liberty issue only in a marginal way, through the general thesis that

leaving people to themselves is always better, other things being equal, than controlling them.

It can't be denied that people may be legitimately controlled for ends such as the ones I have just mentioned. On the other hand, *some* questions relating to interference with trade are centrally questions of liberty; such as

the Maine Law mentioned above on page 58,  
the prohibition on importing opium into China,  
the restriction of the sale of poisons;

all cases—in short, where the object of the interference is to make it hard or impossible to obtain a particular commodity. These interferences are objectionable as infringements on the liberty not of the producer or seller but of the buyer.

### •Selling poisons•

One of these examples, that of the sale of poisons, raises a new question—the question of what the proper limits are of what may be called the functions of police. [As used here by Mill, 'police' covers any activities that are concerned with watching over society or some part of it, aiming to stop bad things—not just crimes—from happening.] How far can liberty legitimately be invaded for the prevention of crime or of accidents? It is one of the undisputed functions of government to take •precautions against crime before it has been committed, as well as to •detect and punish it afterwards. The preventive function of government, however, is far more liable to be abused at the expense of liberty than is its punitive function; for almost every part of the legitimate freedom of action of a human

being could be represented, and fairly too, as increasing the facilities for *some* kind of misconduct. (Someone earns his living making hammers; now think about the crimes that can be committed using a hammer!) Still, if a public authority or even a private person sees someone evidently preparing to commit a crime, they aren't bound to stay out of it until the crime is committed, but may interfere to prevent it. If poisons were never bought or used for any purpose except to commit murder, it would be right to prohibit their manufacture and sale. In fact, however, they may be wanted for purposes that are not only innocent but useful, and restrictions can't be imposed in one case without operating also in the other. Again, it is a proper part of the duty of public authority to guard against accidents. If either a public officer or anyone else saw a person starting to cross a bridge that was known to be unsafe, and there was no time to warn him of his danger, they might seize him and pull him back without any real infringement of his liberty; for liberty consists in doing what one desires, and he doesn't desire to fall into the river. Nevertheless, when there is not a certainty of trouble but only a risk of it, no-one but the person himself can judge whether in this case he has a strong enough motive to make it worthwhile to run the risk; and so I think he ought only to be warned of the danger, not forcibly prevented from exposing himself to it. (This doesn't apply if he is a child, or delirious, or in some state of excitement or pre-occupation that won't let him think carefully.) Similar considerations, applied to such a question as the sale of poisons, may enable us to decide which possible kinds of regulation are contrary to principle and which are not. For example, a precaution such as labelling the drug with some word warning of its dangerous character can be enforced without violation of liberty: the buyer can't want *not to know* that the stuff he has bought has poisonous qualities. But

to require that in all such cases a doctor's prescription be produced would make it sometimes impossible, and always expensive, to obtain the article for legitimate uses. The only way that I can see of putting difficulties in the way of crime committed through poison, without significantly infringing on the liberty of those who want the poisonous substance for other purposes, is to provide what Bentham has aptly called 'preappointed evidence'. This is familiar to everyone in the case of contracts.

When a contract is entered into, it is usual and right that the law should require, as a condition of its being enforceable, that certain formalities should be observed—signatures, attestation of witnesses, and so on—so that if any dispute should later arise there will be evidence to show that the contract was really entered into, and that there was nothing in the circumstances to make it legally invalid: the effect being to throw great obstacles in the way of fictitious contracts, or contracts that wouldn't be valid if the circumstances in which they were made became known.

Precautions of a similar nature might be enforced in the sale of articles that could be used as instruments of crime. The seller, for example, might be required to enter in a register the exact time of the sale, the name and address of the buyer, and the precise quality and quantity sold; to ask what it was wanted for, and to record the answer he received. And when there was no medical prescription, the presence of some third person might be required, to bring home to the purchaser the fact of what he was buying, in case there should afterwards be reason to think it had been used for criminal purposes. Such regulations wouldn't make it much harder to obtain the poison, but would make it much harder to use it improperly without detection.

### •Selling alcohol•

Society's inherent right to ward off crimes against itself by antecedent precautions suggests the obvious limitations to the maxim that purely self-regarding misconduct cannot properly be meddled with in the way of prevention or punishment. For example, drunkenness isn't a fit subject for legislative interference; but if someone had once been convicted of an act of violence to others under the influence of drink, I think it legitimate that *he* should be placed under a special legal restriction, personal to himself; that if he were ever again found drunk he would be liable to a penalty, and that if when in that state he committed another offence, the punishment he would be liable to for that other offence should be increased in severity. In a person whom drunkenness excites to do harm to others, making *himself* drunk is a crime against *others*. Another example: if an *idle* person isn't receiving support from the public or breaking a contract, it would be tyranny for him to be legally punished for his idleness; but if he is failing to perform his legal duties to others, as for instance to support his children, it is not tyrannical to force him to fulfil that obligation—by forced labour if no other means are available. This applies whether the source of the trouble is his idleness or some other avoidable cause.

Again, there are many acts which, being directly harmful only to the agents themselves, ought not to be legally prohibited, but which when done publicly are a violation of good manners. That brings them within the category of *offences against others*, and so they may rightfully be prohibited. Offences against decency come into this category, but I shan't spend time on them, especially since they are connected only indirectly with our subject. Indecent actions are thought of as wrong in themselves, whether or not done

publicly; but the objection to publicness—which is our subject—is equally strong in the case of many actions that aren't in themselves condemnable and aren't thought to be so by anyone.

There is another question to which we need an answer that is consistent with the principles I have laid down. Take some case of

personal conduct that is generally supposed to be blameable, but which respect for liberty prevents society from preventing or punishing, because the harm directly resulting from it falls wholly on the person himself.

The question is: if the agent is free to act like that, ought others to be equally free to advise or encourage him to do so? This question isn't entirely easy. When someone invites someone else to act in a certain way, we can't say that what the inviter is doing is 'strictly his own business'. Advising or inducing someone is a *social* act; so we might think that it—like actions in general that affect others—is amenable to social control. But a little reflection corrects the first impression by showing that even though the case doesn't fall strictly within the definition of individual liberty, it *does* fall within the scope of the *reasons for* the principle of individual liberty. Here is how. If people must be allowed, in whatever concerns only themselves, to act as seems best to themselves at their own peril, they must equally be free to consult with one another about what should be done—to exchange opinions and give and receive suggestions. *Whatever it is permitted to do, it must be permitted to advise to do*. The question is doubtful only when the advisor gets a personal benefit from his advice, when he makes his living out of promoting what society and the state consider to be an evil.

### •Prostitution and gambling•

That introduces a new element of complication, namely, the existence of classes of people whose interests are opposed to what is considered as the good of the public, and whose way of living is based on counteracting that good. Ought this to be interfered with or not? For example, •fornication [= 'sexual intercourse outside marriage'] must be tolerated, and so must •gambling; but should a person be free to be a •pimp or to keep a •gambling-house? The case is one of those that lie on the exact boundary line between two principles, and it isn't immediately clear which of the two it properly belongs to. There are arguments on both sides. On the side of toleration this may be said:

The fact of following something as an occupation, and living or profiting by the practice of it, can't make criminal something that would otherwise be admissible. The act should either be consistently permitted or consistently prohibited. If the principles that we have been defending are true, society as such has no business deciding anything to be wrong that concerns only the individual. It can't go beyond dissuasion; and one person should be as free to persuade as another to dissuade.

In opposition to this it may be contended that:

Although the public or the state are not warranted in authoritatively deciding, for purposes of repression or punishment, that a given kind of conduct affecting only the interests of the individual is good or bad, if they do regard it as bad they are fully justified in assuming that there is at least an open *question* about whether it is bad or not. Given just this ·very minimal· assumption, they can't be acting wrongly in trying to exclude the influence of persuasions that are

self-interested, of encouragers who can't possibly be impartial—ones who have a direct personal interest on one side, the side the state believes to be wrong, and who admit that they have purely personal motives for promoting it. Surely nothing can be lost, no good can be sacrificed, by arranging things in such a way that individuals make their choice, whether wisely or foolishly, on *their own* initiative, as free as possible from the wiles of people who want to stimulate their inclinations for self-interested purposes of their own. Thus, although

the ·present· laws about gambling are utterly indefensible, and all people should be free to gamble in their own or each other's houses, or in any place of meeting established by their own subscriptions and open only to the members and their visitors,

nevertheless *public* gambling-houses shouldn't be permitted. It is true that the prohibition is never effective, and that however much tyrannical power is given to the police, gambling-houses can always be maintained under other pretences; but still they may be compelled to conduct their operations with a certain degree of secrecy and mystery, so that nobody knows anything about them but those who seek them. That is as much as society should aim at.

There is considerable force in these arguments. I shan't venture to decide whether they are sufficient to justify the moral anomaly of punishing the accessory to an act when the agent himself is (and must be) allowed to go free—of fining or imprisoning the pimp but not the prostitute or her client, the gambling-house keeper but not the gambler. Still less ought the common operations of buying and selling to be interfered with on analogous grounds. Almost every article that is

bought and sold could be used in excess, and the sellers have a financial interest in encouraging that excess; but no argument can be based on this in favour of (for instance) the Maine Law [see page 58]; because the class of dealers in strong drinks, though they have a financial interest in their product's being misused, are indispensably required for the sake of their legitimate use. However, the motivation these dealers have for promoting excessive use of alcohol is a real evil, and it justifies the state in imposing restrictions and requiring guarantees—ones that would be infringements of legitimate liberty if it weren't for that justification.

### •Dissuasion•

A further question: when the state regards certain conduct as contrary to the best interests of the agent, should it without *forbidding* that conduct nevertheless *discourage* it? For example, should the state take measures to make the means of drunkenness more costly, or make them harder to get by limiting the number of the places where they are sold? On this as on most other practical questions, many distinctions need to be made. To tax stimulants solely so as to make them more difficult to obtain is a measure differing only in degree from prohibiting them entirely; and it would be justifiable only if prohibition were justifiable. Every increase of cost is a prohibition to those who can't afford the newly raised price; and to those who can afford it, the increase is a penalty inflicted on them for gratifying a particular taste. Their choice of pleasures, and their way of spending their income (after satisfying their legal and moral obligations to the state and to individuals), are their own concern and must be left to their own judgment. These considerations may seem at first sight to condemn the selection of alcohol as a special subject of taxation for purposes of revenue. But

it must be remembered •that taxation for fiscal purposes is absolutely inevitable; •that in most countries a considerable part of that taxation *has to* be indirect; and therefore •that the state can't help imposing penalties on the use of some articles of consumption—penalties that may prevent some people from buying such articles. So the state has a duty to consider, in the imposition of taxes, what commodities the consumers can best spare; and that points very clearly to commodities that it thinks are positively harmful when used in more than very moderate quantities. (Something that will *harm* people is certainly something they can *spare*!) So taxation of stimulants—up to the point that produces the largest amount of revenue (supposing that the state needs so much)—is not only admissible but to be approved of.

*How* exclusive a privilege should the sale of these commodities be? The answer depends on what purposes the restriction is intended to serve. All places where the public gather require the restraint of a police [here = 'the restraint of enforceable rules governing how they are run'], and this is especially true of drinking-places, because offences against society are especially apt to originate there. So it is appropriate •to confine the power of selling alcoholic drinks (at least for consumption on the spot) to persons of known or vouched-for respectability of conduct; •to make whatever regulations about hours of opening and closing are needed for public surveillance; and •to withdraw the license if breaches of the peace repeatedly take place through the connivance or incapacity of the keeper of the drinking-house, or if it becomes a rendezvous for thinking up and planning offences against the law. [Mill here uses 'connivance' in its proper meaning, which comes from a Latin word meaning 'to close one's eyes'. To *connive at* something is to pretend not to notice it, instead of putting a stop to it as you ought to do.] I can't think of any further restriction that would be in principle justifiable. What about limiting the

*number* of beer and spirit-houses so as to make them harder to get to, thus reducing the occasions of temptation? No. Not only does that expose *all* to an inconvenience because there are *some* who would make bad use of easily found drinking-houses, but also it is suited only to a state of society in which the labouring classes are openly treated as children or savages, and placed under a discipline of restraint—like that of a child—to fit them for future admission to the privileges of freedom. This is not the principle on which the labouring classes are said to be governed in any free country; and no-one who properly values freedom will assent to their being so governed unless this is the case:

All efforts have been exhausted to train them for freedom and govern them as freemen, and it has been definitively proved that they can only be governed as children.

The bare statement of this condition shows the absurdity of supposing that such efforts have been made in any case that needs be considered here. The institutions of this country are a mass of inconsistencies, with the result that

- we admit into our practice restraints that belong to the system of despotic government (also called 'paternal' government), while
- the general freedom of our institutions prevents the exercise of the *amount* of control that would be needed to make the restraints really effective as moral education.

•And so we get the worst of both worlds, so to speak•.

### •Contracts—slavery•

I pointed out in an early part of this work that the liberty of •the individual, in matters that concern him alone, implies a corresponding liberty in •any number of individuals to

regulate by mutual agreement such matters as involve them jointly and don't involve anyone else. There is no problem about this so long as the •will of all the people in question remains unaltered; but since that •will may change, it is often necessary (even when no-one else is affected) that they should enter into engagements [= roughly 'contracts'] with one another; and when they do, it is generally good that those engagements should be kept. Yet probably every country has laws creating some exceptions to this general rule. People are not held to engagements that violate the rights of third parties; but also it is sometimes considered a sufficient reason for releasing them from an engagement that it is harmful to themselves. In this and most other civilized countries, for example, an engagement by which a person sells himself (or allows himself to be sold) as a slave would be null and void—not enforced by law or by public opinion. The ground for thus limiting his power of voluntarily disposing of his own course of life is obvious, and is very clearly seen in this extreme case. Here it is.

The reason for *not* interfering with a person's voluntary acts except for the sake of others is consideration for his liberty. His voluntary choice is evidence that what he so chooses is desirable to him, or at least endurable by him, and his good is on the whole best provided for by allowing him to pursue it in his own way. But by selling himself as a slave he *abdicates* his liberty; he forgoes any future use of it after that single act. He therefore defeats the very purpose that is the justification for allowing him to dispose of himself. From now on he won't be free. . . . The principle of freedom can't require that he should be free not to be free! Being allowed to give up his freedom is not *freedom*.

These reasons, the force of which is so conspicuous in this special case, are evidently of far wider application; yet a limit is everywhere set to them by the necessities of life, which continually require not that we should give up our freedom but that we should consent to this or that limitation of it. But the principle that demands uncontrolled freedom of action in all that concerns only the agents themselves requires that those who have become obliged to one another in things that don't concern any third party should be able to release one another from their engagement. . . .

### •Contracts—marriage•

Baron Wilhelm von Humboldt, in the excellent Essay from which I have already quoted, asserts his view that engagements involving personal relations or services should never be legally binding beyond a limited duration of time; and that the most important of these engagements, marriage, having the special feature that its objectives are defeated unless the feelings of *both* the parties are in harmony with it, should require nothing more than the declared wish of *either* party to dissolve it. This subject is too important and too complicated to be discussed in an aside, and I touch on it only so far as I need it for purposes of illustration. This work of Baron Humboldt's aims to be brief and very general; and that required him in this instance to settle for announcing his conclusion without discussing his reasons for it. If he had gone into the reasons, he would doubtless have recognized that the question can't be settled on grounds as simple as those to which he confines himself. When a person, either by explicit promise or by conduct, has encouraged someone else to rely on his continuing to act in a certain way—to build expectations and plans, and to stake any part of his plan of life on that supposition—a new series of moral obligations

arises on his part towards that person. They may possibly be overruled, but they can't be ignored. Again, if the relation between two contracting parties •has had consequences for others, if it •has placed third parties in any special position or even (as in the case of marriage) •has brought third parties *into existence*, then both the contracting parties come to have •obligations towards those third persons; and the choice of whether to maintain the original contract must have a great effect on whether—or at least on *how*—those •obligations are fulfilled. It doesn't follow—and I don't believe—that these obligations extend to requiring the fulfilment of the contract at all costs to the happiness of the reluctant party, but they are a necessary element in the question. And even if, as von Humboldt maintains, they ought to make no difference to the •legal freedom of the parties to release themselves from the engagement (and I also hold that they oughtn't to make *much* legal difference), they necessarily make a great difference to the parties' •moral freedom. A person is •morally• bound to take all these circumstances into account before deciding on a step that may affect such important interests of others; and if he doesn't allow proper weight to those interests he is morally responsible for the wrong •he does to the third parties•. I have made these obvious remarks as an aid to illustrating the general principle of liberty, and not because they are at all needed on the particular question •of divorce•. So far from needing reminders about obligations to third parties, discussions of divorce are usually handled as though the interests of children were everything, and those of adults were nothing!

### •Power of husbands over wives•

I have already remarked that because there are no recognized general principles •governing it•, liberty is often granted

where it should be withheld, as well as withheld where it should be granted. One of the cases in which the sentiment of liberty is the strongest in modern Europe is a case where I think it is altogether misplaced. A person should be free to do as he likes in his own concerns, but he ought not to be free to do as he likes in acting for someone else under the pretext that the other person's affairs are *his* affairs. The state, while it respects the liberty of each in what specially concerns himself, is bound to maintain a vigilant control over his exercise of any power over others that it lets him have. This obligation is almost entirely disregarded in the case of family relations, a case whose direct influence on human happiness makes it more important than all the others taken together. The almost despotic power of husbands over wives isn't something I need to go into here, because it doesn't provide an illuminating work-out for the principle of liberty. There are two reasons for this. One is that cure for this despotism is perfectly simple: all that is needed for the complete removal of the evil is for wives to have the same rights, and to be protected by the law in the same manner, as everyone else. The other is that nobody defends the power of husbands over wives by mis-applying the notion of the husbands' liberty: on this subject, the defenders of established injustice don't avail themselves of the plea of *liberty*, but come out openly as the champions of *power*. It is in the case of *children* that misapplied notions of liberty are a real obstacle to the state's fulfilling its duties. One would almost think that a man's children were supposed to be literally (and not metaphorically) a *part of himself*, given how public opinion watches for and objects to the smallest interference of law with his absolute and exclusive control over them. It watches over this more than over almost any interference with the father's own freedom of action—so much less do people value liberty than they value power.

### •Bringing up children•

Consider, for example, the case of education. Isn't it almost a self-evident axiom that the state should require and compel the education, up to a certain standard, of every human being who is born its citizen? Yet who is there that isn't afraid to recognize and assert this truth? Hardly anyone indeed will deny that it is one of the most sacred duties of the parents (or, as law and usage now stand, the father!) after calling a human being into the world to give to that being an education fitting him to perform his part well in life towards others and towards himself. But while this is unanimously declared to be the father's duty, hardly anyone in this country will *listen* to the suggestion that he should be obliged to perform it. Instead of his being required to make any exertion or sacrifice for securing education to the child, it is left to his choice to accept it or not, even when it is provided at no cost to himself! It still isn't generally recognized that to bring a child into existence without a fair prospect of being able to provide food for its body and also instruction and training for its mind is a moral crime, both against the unfortunate offspring and against society; and that if the parent doesn't fulfil this obligation the state ought to ensure that it is fulfilled—with the costs falling on the parent as far as possible.

If the government's duty to enforce universal education were once admitted, that would put an end to the difficulties about *what* the state should teach, and *how* it should teach. These difficulties now convert the subject into a mere battle-field for sects and parties, causing the time and labour that should have been spent on educating to be wasted in quarrelling about education. If the government made up its mind to *require* a good education for every child, it could save itself the trouble of *providing* one. It could leave it up to

parents to obtain the education where and how they pleased, and restrict its own involvement to •helping to pay the school fees of the poorer classes of children, and •paying the entire school expenses of those who have no-one else to pay for them. The reasonable objections that are brought against State education don't apply to the •enforcement of education by the state; their target is the state's taking on itself the task of •directing that education, which is a totally different thing. No-one objects more strongly than I do to the state's being in charge of the whole or any large part of the education of the people. Everything I have said about the importance of individuality of •character, and variety in •opinions and •ways of life, applies also to variety in •education, which is of the same enormous importance as those three. A general state education is a mere contrivance for moulding people to be exactly like one another; and as the mould in which it casts them is the one that pleases the predominant power in the government, insofar as it is efficient and successful to that extent it establishes a despotism over the mind, which naturally leads to despotism over the body. And this is true whatever the predominant power may be—whether a monarch, a priesthood, an aristocracy, or the majority of the people at that time. If there is to be *any* education established and controlled by the state, it should be merely one among many competing experiments, carried on for the purpose of example and stimulus, to keep the others up to a certain standard of excellence.

An exception to this generalization is created when a society in general is in such a backward condition that it can't or won't provide for itself *any* proper institutions of education unless the government takes on the task. In that case, indeed, the government may accept for itself, as the lesser of two great evils, the business of schools and universities; just as it

may take on the running of joint-stock companies in a country that has no system of private enterprise adequate for undertaking great works of industry.

But in general, if a country contains enough people qualified to provide education under government auspices, those same people would be able and willing to give an equally good education at private schools, given the assurance of payment that would be provided by a law making education compulsory, together with state aid to those unable to pay for themselves.

How could such a law be enforced? It would have to be through public examinations, extending to all children and beginning at an early age. An age might be fixed at which every child must be examined, to discover whether he or she could read. A child who turns out to be unable to read might be sent to school at the father's expense, unless the father had some sufficient ground of excuse; and he might also be subjected to a moderate fine which he could if necessary pay by *working* it off. Once in each year the examination should be renewed, with a gradually extending range of subjects, so as to make it virtually compulsory for everyone to have *and retain* a certain minimum of general knowledge. Beyond that minimum, there should be *voluntary* examinations on all subjects, at which all who reach a certain standard of proficiency might claim a certificate. To prevent the state from exercising through these arrangements an improper influence over opinion, the knowledge required for passing an examination should, even in the higher class of examinations, be strictly confined to facts and positive [= 'factual'] science—and of course the merely instrumental parts of knowledge, such as languages and their use. The examinations on religion, politics, or other controversial topics should depend not on the truth or falsehood of opinions ·about those topics·, but on matters

of fact—that such and such an opinion is held, on such and such grounds, by such and such authors, or schools, or churches. Under this system, the coming generation would be no worse off in regard to all controversial truths than they are at present; they would be brought up as churchmen or dissenters as they now are, the state merely taking care that they should be informed churchmen or informed dissenters. There would be nothing to hinder them from being taught religion, if their parents so chose, at the same schools where they were taught other things. All attempts by the state to bias the conclusions of its citizens on controversial subjects are evil; but the state may very properly offer to discover and certify that a person possesses the knowledge needed to make his conclusions, on any given subject, worth attending to. A student of philosophy would be the better for being able to pass an examination on both Locke and Kant, whichever of the two he takes up with, and even if he doesn't take up with either; and there is no reasonable objection to examining an atheist on the case for Christianity, provided he isn't required to proclaim that he accepts it. But I think that the examinations in the higher branches of knowledge should be entirely voluntary. It would give too dangerous a power to governments if *they* were allowed to exclude anyone from professions, even from the profession of teacher, for allegedly not being qualified. I agree with Wilhelm von Humboldt •that •university• degrees or other public certificates of scientific or professional acquirements should be given to all who present themselves for examination and pass the test; but •that such certificates should give them no advantage over competitors other than the weight that public opinion may give to them as evidence that the person is qualified.

### •Having children•

It is not only in the matter of education that misplaced notions of liberty prevent the •moral obligations of parents from being recognized and •legal obligations on them from being imposed, in matters where there are always the strongest grounds for the •former and in many cases for the •latter also. The very act of causing the existence of a human being is one of the most responsible actions [= 'actions in which one takes on responsibilities'] in the range of human life. To undertake this responsibility—giving a life that may be either a curse or a blessing—is a crime against the offspring unless he or she will have at least the ordinary chances of a desirable existence. And in a country that is over-populated or threatened with being so, to produce more than a very small number of children is a serious offence against all who live by the pay they get for their work, because every new child threatens wage-levels by adding to the competition for work. The laws which in many countries on the European continent forbid marriage unless the parties can show that they have the means of supporting a family don't exceed the legitimate powers of the state: and whether such laws really are advisable (which mainly depends on local circumstances and feelings), they are not objectionable as violations of liberty. Such laws are interferences by the state to prohibit a bad act—an act injurious to others, which ought to bring criticism and social stigma even when it isn't thought advisable to add legal punishment. Yet the current ideas of liberty, which bend so easily to real infringements of the freedom of the individual in matters that concern only himself, would repel any attempt to restrain his inclinations when they will otherwise lead to lives of wretchedness and depravity for his offspring, with many evils to other people who are close enough to feel the effects of how the offspring

act. When we compare the strange •respect of mankind for liberty, with their strange •lack of respect for it, we might imagine that a man had an indispensable •right to do harm to others and •no right at all to please himself without doing harm to anyone.

### •Size of government•

I have saved up till the last a large class of questions about the limits of government interference that don't strictly belong to the subject of this Essay but are closely connected with it. These questions arise when the reasons against interference don't turn on the principle of liberty. The question is not about •restraining the actions of individuals but about •helping them: it is asked whether the government should do or cause to be done something for their benefit, instead of leaving it to be done by themselves individually or in voluntary groups.

When government interference wouldn't involve any infringement of liberty, it may still be objected to on either of three grounds.

(1) The first is when the thing to be done is likely to be better done by individuals than by the government. Speaking generally, no-one is as fit to conduct a business or decide how or by whom it shall be conducted as are those whose personal interests are involved in it. This principle condemns the interferences (once so common) of the legislature or the officers of government in the ordinary processes of industry. But this matter has been sufficiently enlarged on by political economists, and is not particularly related to the principles of this Essay.

(2) The second objection has more to do with our subject. In many cases, though •individuals may not on average do the particular thing as well as the officers of government

would, it is nevertheless desirable that it should be done by •them as a means to their own mental education—a way of strengthening their active faculties, exercising their judgment, and giving them a familiar knowledge of the subjects with which they are thus left to deal. Though not the only reason, this is a chief reason for •jury trials in cases that aren't political; for •free and popular local and municipal institutions; for •having industrial and philanthropic enterprises run by voluntary associations. These aren't questions of *liberty*, and are connected with that subject only by remote tendencies; but they are questions of *development*. This is not the place to go at length into these things as parts of national education; as being indeed the special training of a citizen, the practical part of the political education of a free people, taking them out of the narrow circle of personal and family selfishness, getting them used to the wider view of joint interests, the management of joint concerns—habituating them to act from public or semi-public motives and guide their conduct by aims that unite them instead of isolating them from one another. Without these habits and powers, a free constitution can neither be worked nor preserved, as is illustrated by the too-often transitory nature of political freedom in countries where it doesn't rest on a sufficient basis of *local liberties*. The management of purely local business by the localities, and of the great enterprises of industry by the union of those who voluntarily put up the money for them, is further recommended by all the advantages that I have presented as belonging to individuality of development and variety in ways of acting. Government operations tend to be everywhere alike. With individuals and voluntary associations, on the other hand, there are varied experiments and endless diversity of experience. The state can usefully •make itself a central depository of the experience resulting from many trials,

and •actively circulate and diffuse knowledge about what that experience has shown. Its business is to enable each experimenter to benefit by the experiments of others, instead of tolerating no experiments but its own.

(3) The third and most powerful reason for restricting the interference of government is the great evil of adding unnecessarily to its power. Every function added to those already exercised by the government causes its influence over hopes and fears to be more widely diffused, and increasingly converts the active and ambitious part of the public into hangers-on of the government, or of some party that aims at becoming the government. If •the roads, the railways, the banks, the insurance offices, the great joint-stock companies, the universities, and the public charities, were all branches of the government; if in addition •the municipal corporations and local boards, with all that they now do, became departments of the central administration; and if •the employees of all these different enterprises were appointed and paid by the government, and looked to the government for every promotion or pay-increase, not all the freedom of the press and democratic constitution of the legislature would make this or any other country *free* except in name. And the more efficiently and scientifically the administrative machinery was constructed—the more skillful the arrangements for obtaining the best qualified hands and heads with which to work it—the greater the harm it would do. In England it has recently been proposed that all the members of the government's civil service should be selected by competitive examination, to obtain for those jobs the most intelligent and instructed persons that can be found; and much has been said and written for and against this proposal. One of the arguments most insisted on by its opponents is that a permanent official servant of the state doesn't have good enough prospects of salary and importance to attract the highest

talents, which will always be able to find a more inviting career in the professions, or in the service of companies and other public bodies. It would not have been surprising if this argument had been used by the *friends* of the proposition, as an answer to its principal difficulty. It is certainly strange coming from the *opponents*! What is urged as an •objection is •really• the •safety-valve of the proposed system. If indeed all the high talent of the country *could* be drawn into the service of the government, a proposal tending to bring about that result might well cause uneasiness. If every part of the business of society that required organized co-operation or large and comprehensive views were in the hands of the government, and if government posts were always filled by the ablest men, almost all the enlarged culture and practised intelligence in the country would be concentrated in a numerous bureaucracy, to whom alone the rest of the community would look for all things: the mass of people for direction and dictation in all they had to do; able and aspiring people for personal advancement. (I said 'almost all'. The exception would be the intelligence and ability of scientists and scholars.) The sole objects of ambition would be to be admitted into the ranks of this bureaucracy and to rise in it. Under this regime, •government that badly needs changing will not be changed•. •The outside public doesn't have the practical experience it needs to be qualified to criticize or check the mode of operation of the bureaucracy. And •even if the accidents of despotism or the natural working of democratic institutions occasionally raise to the summit a ruler or rulers who want to reform the government, no reform can be carried out that is contrary to the interests of the bureaucracy. That is the sad condition of the Russian empire, as is shown in the accounts of those who have had a good enough opportunity to observe it. The Czar himself is powerless against the bureaucratic body: he can send any

one of them to Siberia, but he can't govern without them or against their will. On every decree of his they have a tacit veto, which they can exercise by merely *not* carrying the decree into effect. In countries of more advanced civilization and of a more revolutionary spirit the public, accustomed to expect everything to be done for them by the state, or at least to do nothing for themselves without asking the state not only for permission to do it but even how it is to be done, naturally hold the state responsible for everything bad that happens to them; and when things become worse than they are willing to put up with, they rise against the government and make what is called a 'revolution'; whereupon somebody else, with or without legitimate authority from the nation, leaps into the seat of power, issues his orders to the bureaucracy, and everything goes on much as it did before—the bureaucracy being unchanged, and nobody else being capable of taking their place.

A very different scene appears among a people accustomed to transact their own business. In France a large part of the people have been engaged in military service, many having held at least the rank of noncommissioned officers; so in every popular uprising there are several persons competent to take the lead and improvise some reasonable plan of action. What the French are in military affairs, the Americans are in every kind of civil business: leave them without a government and every group of Americans is able to improvise one and to carry on that or any other public business with a sufficient amount of intelligence, order and decision. This is what every free people ought to be; and a people capable of this is certain to be free; it will never let itself be enslaved by any man or group of men who can take control only because they are able to seize and pull the reins of the central administration. No bureaucracy can hope to make such a people as *this* do or undergo

anything that they don't like. But where everything is done through the bureaucracy, nothing to which the bureaucracy is really opposed can be done at all. The constitution [here = 'governmental structure'] of such countries is an organization of the experience and practical ability of the nation into a disciplined body for the purpose of governing the rest; and the more perfect that organization is in itself, the more successful in drawing to itself and educating for its own purposes the ablest people from all ranks of the community, the more complete is the bondage of everyone—including *the members of the bureaucracy*. For the governors are as much the slaves of their organization and discipline as the governed are slaves of the governors. A Chinese mandarin is as much the tool and creature of a despotism as the humblest peasant. An individual Jesuit is to the utmost degree of abasement the slave of his order—the Society of Jesus—although the order itself exists for the collective power and importance of its members.

It should also be borne in mind that the absorption of all the principal *ability* of the country into the governing body is fatal, sooner or later, to the mental activity and progressiveness of the governing body itself. Its members are banded together, working a system which (like all systems) has to proceed to a large extent by fixed rules; and this puts them under the constant temptation of sinking into lazy routine, and if they occasionally desert that blinkered trudge along the same old path they have the temptation to rush into some half-examined crudity that has struck the fancy of some leading member of the corps. And the only guard against these closely allied (though seemingly opposite) tendencies, the only stimulus that can keep the ability of the governing body itself up to a high standard, is its being open to the watchful criticism of equally able people *outside* the body. So it is indispensable that there should be

some way, independently of the government, of having such able people and giving them the opportunities and experience necessary for a correct judgment of great practical affairs. If we do want to have permanently a skillful and efficient body of officials, above all, a body that can come up with original ideas and is willing to adopt improvements, and if we don't want our bureaucracy to degenerate into a pedantocracy, this body mustn't absorb into itself all the occupations that form and cultivate the skills required for the government of mankind.

So we have on one side the evils in over-large government, evils that are so formidable to human freedom and advancement; and on the other side the benefits that come from the collective application of the force of society (under its recognized leaders) for removing obstacles to its well-being. This gives us a question of balance, the question of how to secure as much of the advantages of centralized power and intelligence as possible without handing over to the government too great a proportion of the society's activity. In brief: At what point do the evils start to predominate over the benefits? This is one of the most difficult and complicated questions in the business of government. It is largely a question of detail, in which many and various considerations must be kept in view and no absolute rule can be laid down. But I believe that the practical principle that is needed for us to stay safe, the ideal to be kept in view, the standard by which to test all arrangements intended for overcoming the difficulty, can be expressed thus:

- the greatest dissemination of power consistent with efficiency, but
- the greatest possible centralization of information, and diffusion of it from the centre.

Applying the former of these would give a result like that in the New England states: all business that wouldn't be better

left to the individuals directly concerned would be distributed amongst a large number of public officials, chosen by the localities. And, applying the second of the two rules of thumb, each branch of local affairs would be superintended centrally by a branch of the general government; and the superintending body would act like a lens, concentrating the variety of information and experience derived from the conduct of that branch of public business in all the localities, from everything analogous that is done in foreign countries, and from the general principles of political science. This central organization should have a right to know all that is done, and a special duty to make the knowledge acquired in one place available for others. Freed from the petty prejudices and narrow views of a locality by its elevated position and wide sphere of observation, its advice would naturally carry much authority; but its actual power as a permanent institution should, in my view, be limited to compelling the local officers to obey the laws laid down for their guidance. In everything not provided for by general rules, those officers should be left to their own judgment, under responsibility to their constituents. For the violation of rules they should be answerable to the law, and the rules themselves should be laid down by the legislature; the central administrative authority only watching over whether they are obeyed and—if they are not—appealing to the courts to enforce the law or (as the case may be) appealing to the local constituencies to dismiss the officials who haven't acted in the spirit of the law. That is the general conception of how the Poor Law Board is intended to superintend the administrators of the Poor Rate in separate localities throughout this country. Whatever powers the Board has exercised beyond this limit were right and necessary in that particular case, to cure maladministration in matters deeply affecting not merely the localities but the whole country; since no locality has a moral

right to mismanage in such a way as to turn itself into a nest of pauperism, necessarily overflowing into other localities and worsening the moral and physical condition of the whole labouring community. The Poor Law Board has **powers** of administrative coercion and subordinate legislation which, owing to the state of opinion on the subject, it doesn't use much. It is perfectly justifiable in using them in a case where the •national interest is significantly involved, but they would be wholly out of place in the supervision of •purely local interests. But a central organ of **information** and instruction for all the localities would be equally valuable in all branches of administration. A government can't have too much of the kind of activity that positively aids and stimulates individual effort and development. The trouble starts when instead of arousing the activity and powers of individuals and bodies it substitutes its own activity for theirs; when, instead of informing, advising, and sometimes

denouncing, it makes them work in chains or orders them to stand aside while it does their work for them. The worth of a state in the long run is the worth of the individuals composing it. A state that •dwarfs its individuals in order to •make them easier to lead will find—even if it wanted to lead for beneficial purposes—that with small men no great thing can really be accomplished. And a state that makes

- the interests of the individuals' mental expansion and elevation

subordinate to

- having a little more administrative skill (or the semblance of it that practice gives) in the details of business

will eventually find that the perfection of machinery to which it has sacrificed everything will do no good, because of the lack of the vital power which, in order that the machine might work more smoothly, it has preferred to banish.