

THE PLACE OF INDIVIDUAL LIBERTY IN JOHN STUART MILL: A CRITICAL ANALYSIS

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ABSTRACT

Mill's concern in his theory was the preservation of individual liberty within a democratic society as an intrinsic good in itself. This work will be a critical analysis of how his political teachings brought benefits to the society. The method to be used in this work is that of a critical analysis. This will help the researcher to x-ray Mill's stand on individual liberty, to expose the denigration of individual liberty in a society and how Mill's concept of individual liberty can be used to remedy the situation. In order to solve the problem of individual liberty, Mill looked down on majority tyranny and mass mediocrity as a potent threat to individuality and liberty. He therefore set limits to legitimate interference by society in areas that strictly and exclusively belong to the individual. Thus, he made his famous dictum "I disapprove of what you say, but will defend to death your right to say it." His theory succeeded in liberating individuals from the shackles and chains of despotism. He has left for humanity an everlasting legacy for a better means of governance. Mill reminds the government that the society and individual flourish well in an atmosphere of liberty. For Mill, liberty was good in itself, for it helps in the development of a humane, civilized, moral person. The event of things today in society reveals a situation of serious denigration of individual liberty. There are oppressions and suppressions, perhaps in every nook and cranny of our daily experiences. People have been imprisoned without trial; the press has been so pitifully muzzled that it is very hard to get any reliable information from the mass media. Everything seems to be at a standstill. The political, economic, religious, educational and family sectors are all in shambles. In fact, the situation of the global world is a good clear picture of where liberty is being trampled upon. There is a death of liberty in our world today. Individuals are manipulated and not allowed to develop themselves. Based on the above assertions, this work will be facing the problem of analyzing the work of John Stuart Mill on individual liberty.

Keywords: Liberty, Individual, Authority, Power, Philosophy.

Introduction

The agitation for human freedom has remained a puzzle disturbing the mind of critical thinkers throughout the epochs. It has remained a perennial problem that had almost defied the intellectual and philosophical wizardry of many philosophers down the ages. A little scratch into the history of philosophy from early Greek scene to the contemporary period reveals polyphony of ideas towards giving solution to this lingering problem of individual liberty. This idea of liberty is well portrayed in the works of John Stuart Mill. If anyone is liberal, it is surely John Stuart Mill. According to Paul Meany (2020), John Stuart Mill's on Liberty is one of the most celebrated defenses of free speech ever written. In Mill's thought,

we find in a clearest form the entire elements that together make up the liberal outlook. We find in Mill a qualified affirmation of the priority of individual liberty over other political goods and the settled conviction that the human lot may be indefinitely improved by the judicious exercise of critical reason. Thus, on liberty, Mill stated one simple principle that governs the action of society and individual in the way of compulsion and control:

The sole end for which mankind is warranted individually or collectively, in interfering with the liberty of action of any of their members is self-protection. This is the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will is to prevent harm to others (Mill, 1976:75).

Mill defined the right of the individual to freedom. In his negative sense, it means that society has no right to coerce an unwilling individual, except for self-defense. It is being left to oneself, all restraints qua restraints is an evil. In its positive sense, it means the grant of largest amount of freedom for the pursuit of the individual's creative impulse and energies and self-development. For instance, Mill is of the opinion that if there was a clash between the opinion of the individual and that of community, it was the individual who was the ultimate judge, unless the community could convince him without resorting to threat or coercion. Mill laid down the ground for justifiable interference. Any activity that patterns to the individual alone represented the space over which no coercive interference, either from the government or other people, was permissible. The realm which pattern to the society was the space in which coercion could be used to make the individual conform to some standards of conducts. This distinction between the two areas was stated by the distinction Mill made between self-regarding and others regarding actions, a distinction ordinarily made by Bentham. Hence, he says, "The only part of the conduct of anyone for which he is amenable to society is that which concerns others. In the part that merely concerns him, his independence is of right, absolute. Over himself, over his own body and mind, the individual is sovereign (Mill, 1976:76)." Therefore, in order to clearly portray this, Mill brought in his three concepts in defense of individual liberty as follows: Liberty of thought and discussion, Liberty an element of individual wellbeing and the limits to the authority of society over the individual.

Liberty of Thought and Discussion

The conflict between individual liberty and the demands of the society and the state has long troubled the spirit of man. It was to this profound and difficult dilemma that John Stuart Mill addressed himself. Mill highly asserts the need for individual to be free of interference from the despotism of social opinion and government action. This is viewed in his definition of liberty as the protection against the tyranny of the political rulers. Mill as a libertarian in propagating freedom of the individual appears to be attached to diversity. But the outcome of this diversity is the establishment of common opinions and a common way of arriving at moral and political truth. This is to say that men are to be free so far as possible to develop themselves individually. Therefore, Mill asserts: "The consequence of allowing this freedom will not in the long run be diversity of opinion but at a very remote distance something approaching unanimity (Cowling, 1968:10)." The unanimity here may involve

nothing more than agreement about the rightful method to be employed in solving moral and political dispute.

Man, as a being is not only animalistic but also rationalistic. Man's rationality gives him the right or ability to live in a society with other men. But it is not enough for man only to live in the society and be subjected into it, man has the right to express his feelings and sentiments, hence the freedom of thought and expression. For Mill, the freedom of opinion and expression has been so highly praised especially in constitutionalized countries that the government cannot exert any power or coercion unless in agreement with the public. But Mill denies this right of the people to exercise such coercion either by themselves or by their government. Hence, Mill has this to say:

The power is illegitimate. The best government has no more title to it than the worst. It is as noxious as, or more noxious when created in accordance with public opinion than when in opposition to it. If all mankind minus one were of one opinion and only one person were of the contrary opinion, mankind would be no more justified in silencing that one person than he, if he had the power, would be justified in silencing mankind (Cowling, 1968:10).

For Mill, there should be freedom of expression and discussion since it is only man that is *zoon longonakhon* – animal capable of speech. Martin Heidegger affirms this when he says; "It is speech that makes man that being he is." As Mill is advocating absolute freedom of speech; D.D. Raphael (1976:116) supported him by defining freedom of speech as "The freedom to say what one likes. In the same manner, Laski (1967:120) says that:

From the stand point of the state the citizen must be left unfettered to expressed either individually or in concert with others any opinions he happened to hold. He may preach the complete inadequacy of the social order... He may insist that the political system is the apotheosis of perfection ... whatever form taken by their expression he is entitled to speak without hindrance of any kind.

Mill is not exempted from those who advocate for absolute expression of opinion. For him, opinions are to be expressed whether good or bad and not to be silence. Hence, he is of the opinion that those who stifle opinion have a question to answer based on the fact that they are not sure that the opinion they suppress is wrong or not. Thus, Mill is of this view:

But the peculiar evil silencing the expression of an opinion is that it is robbing the human race; posterity as well as the existing generation, those who dissent from the opinion still more than those who hold it. If the opinion is right, they are deprived of the opportunity of exchanging error for truth; if wrong, they lose what is almost as great a benefit, the clearer perception and livelier impression of truth, produced by its collision with error (Cowling, 1968:135-136).

It is quite difficult then, to say that such and such opinion is wrong or false. Mill further argues that even if we are sure that an opinion is false, we still be wrong in stifling it. For him, too refuse a hearing to an opinion because they are sure that it is false is to assume that their

certainty is the same thing as absolute certainty. Hence, Mill, according to Cowling (1968:136) affirms that “All silencing of discussion is an assumption of infallibility.”

In the same line of thought, Mill is of the view that it is a truism that man is a fallible being (capable of mistakes), but this does not mean that individuals should shrink away from their opinion and not act on them. If we were never to act on our opinions because those opinions may be wrong, we should leave all our interest uncared for and all our duties unperformed. The individual in the society has the right to join in the formulation of the truest opinion and not only by the government. Thus, it is the duty of the government and of individual to form the truest opinion they can, to form them carefully, and never impose them upon others unless they are quite sure of being right. Furthermore, Mill asserts that: but when they are sure, it is not conscientiousness but cowardice to shrink from acting on their opinions and allow doctrines which they honestly think dangerous to the welfare of mankind ... to be scattered abroad without restraint.

On this issue, the question is, how can one be sure that his opinions are right? Opinion can be proved to be right based on discussion and experience and not experience alone. Hence, meaning hearing what can be said of one thing by different individuals. To buttress this fact, according To Cowling (1968:137) Mill says:

Because he has felt that the only way in which a human being can make some approach to knowing the whole of a subject- is by hearing what can be said about it by persons of every variety of opinion. No wise man ever acquired his wisdom in any mode but this nor is it the nature of human intellect to become wise in any other manner.

The steady habit of correcting and completing our opinion by collating it with those of others so far from causing doubt and hesitation in carrying it into practice, is the only stable foundation for a just reliance on it. Commenting on the need for collection of opinions (wise and foolish) according to Cowling (1968:139), Mill says that: “The most intolerant of churches, the Roman Catholic Church, even at the canonization of a saint, admits, and listens patiently to, a “devil’s advocate.” The holist of man, it appears cannot be admitted to posthumous honors, until all that the devil could say against him is known and weighed.”

Moving further, Mill is of the opinion that freedom of thought and opinion makes for a good thinker because it enables him stretch his intelligence very widely to whatever conclusion it may reach. For Karl Jasper (1959:135), it is this ability to think extensively and speak freely that marks a man out as a free being. This he says, “I become free by incessantly broadening my world orientation, by limitlessly visualized premises and possibilities of action and by allowing all motives to speak to me and work within me.” So, it is this freedom of thought and opinion that liberates man from the shackles of mental despotism.

Furthermore, because knowledge is divergent and the objects of knowledge different, liberty of thought and opinion avail us of the opportunities of knowing the different shades of a particular thing and affords one a better and deeper meaning of a situation. According to Mukherjee and Ramaswamy (2007:326), Mill’s has his defense of freedom of thought and discussion thus:

Even if an opinion was incorrect, it ought to be articulated, for only through active interaction and dialogue could opinions evolve; otherwise they would lose their vitality and become dead dogmas.

Free expression of thoughts and opinions furnished us with sharper views of an issue. By the admittance of criticisms, we know our loopholes and then change for the future. For Mill, the truth-value of anything is to be assumed a posteriori and not a priori. Before truth or falsity is placed on anything, it must be pruned into criticism. Through criticizing our opinions, men can be freed from imminent mental slavery; it is a fact we have self-evident truths, which need not be debated upon. So, Mill over stepped by affirming that the truth of anything should be verified.

To reverberate his connection on the legitimacy of this freedom of thought and opinion (expression), Mill says that no opinion should be stilled even though what it is opposing has been proved to be the truth. The false opinion is to be expressed because it will give more ground to the truth so that people will know the veracity of the truth. Having considered the occasion where the accepted opinion is true, it is left for us to look at the situation where the accepted opinion is false or wrong. Openness of views and opinions through freedom of thought and discussion enhanced the correction of wrong accepted opinions. For instance, the cracking of the atoms by Rutherford. Before this man, the Dalton atomic theory defines an atom as the smallest indivisible particle of an element. Rutherford's experiment revealed that the atom hitherto held as indivisible can be divided into its three component parts of Proton, Electron and Neutron. So, Mill maintained that progress is desirable for human welfare and that freedom of thought and discussion is the only means to that end.

With this type of freedom of thought and discussion which guarantees the expression of individual's views on any subject at all one may ask, is one in expressing his views free to label or indulge in character assassination? This is where Mill made a great mistake. Mill did not speak on any limitation in expressing one's view but rather he talked of some mannerism in expressing our view. According to Jasper (1959:135), Mill says that, "for the interest, therefore of truth and justice, it is far more important to restrain this employment of vituperative language." But the question is, should freedom of speech be so absolute as Mill views it? For Appdurai, freedom of speech means the right to say or write what one chooses, insofar as the nature of that thing is not seditious or blasphemous to another situation. By this, we see a limitation placed on the choice of object of speech. But for Mill, it is only based on the manner of expressing one's view. Basically, common sense tells us that freedom of speech must not go into the privacy of another. It is only on general subject matter or on the theme of public importance. So, we must be selective outside genera interest. Bearing this in mind, Laski (1967:121) sees freedom of speech as the, "absence of control on either general statement or personal statement of which the public import is immediate and direct." For Laski, man should be free to express his opinion only on issues that have immediate and direct connection with public interest. Hence, it is pertinent to note that, although one is free to express himself on what concerns public interests, what one says must be true lest justifiable punishment is incurred.

Liberty an Element of Individual Wellbeing

Having seen that for Mill it is imperative that human being should be free to form opinions and express them without reserve, it is pertinent to examine next, whether human being should be free to act upon their opinions, to carry them out in their lives without hindrance, whether physical or moral from their fellow human being, so long as it is at their own risk and peril. It is only when one think and expressed his opinions, which are not stifled, that one develops himself mentally and live will in the society. Thus, for Mill, all creative faculties and the great goods of life could develop only through freedom, and experiments in living.

It is vital to note that society (government) either collectively or individually in executing its function must respect the liberties of the individual. Like in the expression of opinion the individual is free to act on his opinion insofar as it does not interfere with another's right, which definitely will make the opinion/action to lose its immunity. Thus, even opinions lose their immunity when the circumstances in which they are expressed are such as to constitute their expression a positive instigation to some mischievous act. This is to denote that there are occasion in which one's liberty can be interfered with. Commenting further on this, according to Cowling (1968:171), Mill writes:

The sole end for which mankind is warranted individually or collectively in interfering with the liberty of action of any of their members is self-protection, which the only purpose for which power can be rightfully exercise over any member of a civilized community against his will is to prevent harm to others.

In preventing harm to others, the government (authority) can rightfully interfere with the liberty of an individual. But to do this, precaution must be taken because the individual is sovereign. Bearing this in mind, Rader (1969:734-735) asserts that "the principle (of human liberty) requires ... of doing as we like, subject to such consequences as may follow; without impediment from our fellow creatures, so long as what we do not harm them, even though they should think our conduct foolish, perverse or wrong." For Mill, the liberty of the individual must be limited, if one must make himself a nuisance to other people. But if one refrains from molesting others in what concerns them and merely acts according to his own inclination and judgment in things which concern himself, the same reason which shows that opinion should be free prove also that one should be allowed without molestation to carry his opinion into practice at his own cost.

According to Mill, with regard to things, which do not primarily concern others, individuality must assert itself. By individuality, he means acting as one wish without hindrance. But if this individuality is sacrificed to customs and traditions, social progress, originality and creativity for Mill will be dwarfed. In such a situation according to Bethrand Russell (1977:59-60), a tragedy befalls the human race because "human beings cease to be individuals or to retain the native pride that is their birth right if they become machine-bureaucrat and the drill-sergeant, capable of being tabulated in the statistics without anything being omitted." When this situation arises, personal outputs are controlled and the greater parts of the citizen do not recognize individuality as a worthwhile but as a troublesome and possibly a covert attempt, to thwart the order in the society. Mill says, this is not the proper

view of things. For him, customs should not be followed. But this does not mean that people should not be exposed to the general rules of conduct which the old hold with respect and which experience has proven to be preferable to another. No wonder Mill (1974: 757) said that, "nobody denies that people should be so taught and trained in youth as to know and benefit by the ascertained results of human experience."

For Carl Rogers, when individuals are exposed to these conditions, they become more self-responsible, make for progress in self-actualization, become more flexible and more creatively adaptive. Once a human being has reached the age of matured faculties, he/she should be left to use and interpret experience in his own ways and apply them comfortably to his own ways or apply them comfortably to his own circumstances in order to progress in society and to foster originality in whatever he does. Thus, according to Cowling (1968:174), Mill is of the view that, "He who lets the world ... choose his plan of life for him has no need of any other faculty than the ape-like one of limitation."

Mill in asserting that individuals are free to act on their opinion which primarily concerns them without interfering on another's liberty gave the following reason. One of the reasons is due to the imperfect nature of mankind. Hence, he is of the view that due to the nature of imperfection in man there can be differences in opinions, so there is also going to be different experiment of living. For this reason, free scope should be given to varieties of character, short of injury to others. Mill denies the situation where traditions and customs of people are the rule of conduct. For him there will be want of happiness and social progress. Thus, Mill (1974:68) says: "where, not the person's own character, but the traditions or customs of other people are the rule of conduct, there is wanting one of the principal ingredients of human happiness, and quite the chief ingredient of individual and social progress."

Mill is of the view that the object towards which every human being must ceaselessly direct his efforts, and on which especially those who design to influence their fellowmen must ever keep their eyes, is the individuality of power and development. He is of the opinion that for these two things (individuality of power and development) to be possible there must be two requisites "freedom, and a variety of situation", which gives rise to originality.

For excellence in conduct to be acquired there must be diversity and originality in conduct. At the same time people should not live as if their wisdom is infallible, as if their coming into the world lead to the birth of wisdom. This is to say that they should also listen to the words of wisdom that has stood the test of time. In view of this Mill (1974:70) has this to say:

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 mode of life, and into the conduct of their concerns, any impress whatever of their own judgment or of their own individual character. On the other hand, it would be absurd to pretend that people ought to live as if nothing whatever had been known in the world before they came into it. As if experience had as yet done nothing towards showing that one mode of existence, or of conduct, is preferable to another.

Another reason of assigning individuality to human being stem from the analogical illustration Mill gave with machine and tree. According to Mill, human nature is not a machine to be built after a model, and set to do exactly the work prescribed for it, but a tree, which requires to grow and developed itself on all sides, according to the tendency of the inward forces which makes it a living thing. For balance individuality and for enhancing proper individual development it is desirable, people should exercise their understandings, and that an intelligent following of custom, or even occasionally an intelligent deviation from custom, is better than a blind arid simply mechanical adhesion to it. He also advocates for a proper balancing of strong human impulses for it is perilous when not properly balanced. To argue against the idea that due to the nature of man's impulse, other peoples' liberty will be trampled with, Mill (1974:73) has this to say:

Those who have most natural feeling are always those whose cultivated feelings may be made the strongest. The same strong susceptibilities which make the personal impulses vivid and powerful, are also the source from whence are generated the most passionate love of virtue, and the sternest self-control. It is through the cultivation of these, that society both does its duty and protects its interest, not by rejecting the stuff of which heroes are made, because it knows not how to make them.

In continuation to the above quotation, Mill is of the view that a person whose desires and impulses are his own are the expression of his own nature, as it has been developed and modified by his own culture is said to have a character. On the other hand one whose desires and impulses are not his own, has no character, no more than a steam-engine has a character. If, in addition to being his own, his impulses are strong, and are under the government of a strong will, he has an energetic character. Therefore, whosoever, thinks that individuality of desires and impulses should not be encourage to unfold itself must maintain that society has no need of strong nature; he also of the opinion that a high general average of energy is not desirable.

Moving further to assert the need of individuality and refuting the voice of those who profess for the idea of being lost in the Crowd; Mill is of the notion that in our time, from the highest class of society down to the lowest, every one lives as under eye of a hostile and dreaded censorship, no one ask himself 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 rather ask themselves the questions that make them to have inclination except for what is customary, like what is suitable to my position? What is usually done by persons of my station, and pecuniary circumstances? Or (worse still) what is usually done by person of my station and circumstances superior to mine? According to Mill this does not bring the best in mankind rather conformity is the first thing thought; they exercise choice only among things commonly done. This can be likened to what the doctrine of the Calvinistic theory did to humanity, thus they say "whatever is not a duty is sin". This made people to do thing not in a manner they themselves prefer, but in the way of obedience, that is, in a way prescribed to them by authority; and, therefore, by the necessary conditions of the case, the same for all.

In conclusion, having said that individuality is the same thing with development, and that it is only the cultivation of individuality which produces, or can produce, well-developed human beings, the argument is therefore, closed; for what more or better can be said of any condition of human affairs, than that it brings human being themselves nearer to the best thing they can be or what worse can be said of any obstruction to good, than that it prevents this, Doubtless, however, these consideration will not suffice to convince those who most need convincing; and it is necessary further to show, that these developed human beings are of some use to the underdeveloped- to point out to those who do not desire liberty, and would not avail themselves of it, that they may be in some intelligible manner rewarded for allowing other people to make use of it without hindrance.

The Limits to the Authority of Society over the Individual

Every individual is a member of the society and as such enjoys society's protection over his liberty. It seems right therefore, that for the sake of a smooth functioning of the society and in order to be able to secure the liberty of the individual within it, the state must be granted that exercise of domineering character over the individual which might involve some limitations of the individual liberties. So, there is that danger of sacrificing the individual to the society and at the same time, the danger of "Laissez-faireism" on the part of the individual in the society. Bearing this mind, according to Cowling (1968:174), Mill asks: "What is the rightful limit to the sovereignty of the individual over himself? Where does the authority of the society begin? How much of human life should be assigned to individuality and how much to the society?"

Mill gave some kind of solution to the above aforementioned problem by specifying the grounds on which the individual should not be punished and when he should be subjected to punishment consequent to his action. Thus; "As soon as any part of a person's conduct affects prejudicially the interests of others, society has jurisdiction over it (Cowling, 1968:190). According to Mill, the individual in the society should own it as a duty, not to injure the interest of others especially their rights. Such is the condition in the mind of Mill, which makes the society justifiable in subjecting the individual to punishment. To clearly portray this Ted Honderich (<https://www.ucl.ac.uk>) puts it thus: "It is that the state and society can intervene in the life of the individual against his will, either by the force of law or public opinion, if and only if by his action he causes harm or the risk of it to someone else or to the public." But it is Mill's conviction that the society should not interfere when it comes to "self-regarding actions". In his own words Mill (1974:757) says: "...when a person's conduct affects the interests of no persons besides him, or needs not affect them unless they like... in all such cases, there should be perfect freedom, legal and social to do the action.

Although Mill emphasized the sacredness of "self-regarding action", he equally affirms that the individual should be helped by others to distinguish the better from the worse and should be advised on a better line of action. For Mill, to foster smooth relationship, individual autonomy must not be prolonged "ad infinitum". It must be limited. In the words of G.O Friel (1939:109), Mill says: "For if men live together and each one of them is busy providing that which is necessary for himself, the society will be dissipated into distinct individual units unless there is... (The) care of what pertain to the good of the multitude." Also, in emphasizing on the sacredness of self-regarding action, Mill advocates for a compassion on the side of the people

towards an individual who might be damaging his life due to mismanagement. He is of the opinion that instead of wishing to punish him, we shall rather endeavor to alleviate his punishment, by showing him how he may avoid or cure the evils his conduct tends to bring upon him. He moved further by saying that he may be to us an object of pity, perhaps of dislike, but not of anger or resentment. According to Mill, we shall also not treat him like an enemy of society, the worst we shall think ourselves justified in doing is leaving him to himself, if we do not interfere benevolently by showing interest or concern for him.

There is a pertinent question to ask. How can any part of the conduct of a member of society be a matter of indifference to other members? No person is an isolated being. It is impossible for a person to do anything seriously or permanently hurtful to himself, without the mischief reaching at least to his near connections, and often far beyond them... For instance, if he injures his property, he does harm to those who directly or indirectly derived support from it, and usually diminishes by a greater or less amount, the general resources of the community; if he deteriorates his bodily or mental faculties, he not only bring evil upon all who depended on him for any portion of their happiness, but disqualifies himself the service which he owes to his fellow-creature generally, perhaps becomes a burden on their affection or benevolence; the truism in this matter is that if such conducts were very frequent, hardly any offence that is committed would not incur the general good. On this issue, Mill (1974:99) gave situations when an issue that is self- regarding can attract the guilty of social offence, hence, is subjected to reprobates and be justly punished, thus says:

In like manner, when a person disables himself, by conduct purely self-regarding, from the performance of some definite duty incumbent on him, to the public, he is guilty of a social offence. No person ought to be punished simply for being drunk; but a soldier or a policeman should be punished for being drunk on duty.

According to Mill, whenever, in short, there is a definite damage or a definite risk of damage, either to an individual or to the public, the case is taken out of the province of liberty, and place in that of morality or law. On the other hand, Mill is of the view that with regard to the merely contingent, or as it may be called, constructive injury which a person causes to society, by conduct which neither violates any specific duty to the public, nor occasions perceptible hurt to any assignable individual except himself, the society should bear the inconvenience for the sake of the greater good of human freedom.

In conclusion of this argument, Mill is of the opinion that it should not be only through legal punishment that the society should use to bring individual to proper conduct. He advocated for proper education on the areas of morality. Thus Mill (1974:100) says:

But I cannot 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 punished then, legally or morally for it. Society has had absolute power over them during all the earthly portion of their existence: it has had the whole period of childhood and nonage in which to try whether it could make them capable of rational conduct in life.

Another area of concern where the society tramples on individual liberty is on the area of making laws based on personal feelings otherwise known as the feeling of the majority. According to Mill, the evil he pointed out is not one which exists only in theory; thus, he gave instances where this is practicable; where the public of his age and country improperly invests its own references with the character of moral laws. Mill calls it "extending the bounds of what may be called moral police, until it encroaches on the most unquestionably legitimate liberty of the individual, one of the most universal of all human propensities. One of the instances considered by Mill is the antipathies which men cherish on no better ground than that person whose religious opinions are different from theirs; do not practice their religious observances especially their religious abstinence. To cite a rather trivial example, nothing in the creed or practice of Christians does more to envenom the hatred of Mohamedians against them, than the fact of their eating pork. Suppose now that in a people, of whom the majority was Muslim men, the majority should insist upon not permitting pork to be eaten within the limits of the country. This would be nothing new in Muslim countries. On the issue mentioned above, Mill (1974:104) gave the solution thus:

Would it be a legitimate exercise of the moral authority of public opinion? Also, if not, the practice is really revolting to such a public. They also sincerely think that it is forbidden and abhorred by the Deity. Neither could the prohibition be censured as religious persecution. It might be religious in its origin, but it would not be persecution for religion, since nobody's religion makes it a duty to eat pork. The only tenable ground of condemnation would be, that with the personal taste and self-regarding concerns of individuals the public has no business to interfere.

Another example of where religious practices infringes on individual's liberty according to Mill was on the issue of Spaniards manner of worship. According to Mill, majority of Spaniards consider it a gross impiety, offensive in the highest degree to the Supreme Being, to worship him in any other manner than the Roman Catholic, and no other public worship is lawful on Spanish soil. He cited also that the people of all Southern Europe look upon a married clergy as not only irreligious, but unchaste, indecent, gross, disgusting. The question that should be asked is this: What do Protestants think of these perfectly sincere feelings, and of the attempt to enforce them against non-Catholics? Another question is this, if mankind is justified in interfering with each other's liberty in things which do not concern the interest of others, on what principle is it possible, consistently to exclude these cases? Or who can blame people for desiring to suppress what they regard as a scandal in the sight of God and man? In order to solve this problem of religious feelings which infringes on human liberty, Mill (1974: 105) has this comment to make:

No stronger case can be shown for prohibiting anything which 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 of which we should resent as a gross injustice the application to ourselves.

Another area where Mill settled the problem of infringing on personal liberty is on the issue, he called democratic feeling. This is the notion that the public has a right to a veto on the manner in which individuals shall spend their incomes. This tendency made it infamous in the eyes of the majority to possess more property than some amount, or any income not earned by manual labour. According to Mill, this tendency prevails widely among the artisan class, and it weighs oppressively on those who are amenable to the opinion chiefly of that class, namely, its own members. This is a diffusion of socialist opinions. It is known that the bad workmen who form the majority of the operative in many branches of industry, are decidedly of opinion that bad workmen ought to receive the same wages as good, and that no one ought to be allowed, through piecework or otherwise, to earn by superior skill or industry more than others can without it. They employ a moral police, which occasionally becomes a physical one, to deter skillful workmen from receiving and employer from giving, a large remuneration for a more useful service. To tackle this issue Mill (1974:107) has this opinion to make:

If the public have any jurisdiction over private concerns, I cannot see that these people are in fault, or that any individual's particular public can be blamed for asserting the same authority over his individual conduct, which the general public asserts over people in general. But, without dwelling upon supposititious cases, there are in our day, gross usurpations upon the liberty of private life actually practiced, and still greater ones threatened with some expectation of success, and opinions propounded which assert an unlimited right in the public not only to prohibit by law everything which it thinks wrong but in order to get at what it thinks wrong, to prohibit many number of things which it admits to be innocent.

Having enumerated areas according, to Mill where the society should not interfere with individual liberty. It then means that Mill gave a balance treatment on the limit of the authority of the society over the individual. It therefore follows that the state is justified to limit or interfere with an individual's liberty in cases of imminent danger to the liberty of others which misbalances the natural order in the state. John Rawls recognizes the restoration of the natural order as a task incumbent on the state to undertake and to fulfill. Thus Rawls (1980:213) says "liberty ... is to be limited when there is a reasonable expectation that not doing so will damage the public order which the government should maintain.

Aristotle also supported this supremacy of the state over the individual and approves of this type of relation between them from a geometrical point of view. Hence Aristotle says (1981:60) "... the state has priority over the household and over any individual among us, for the whole must be prior to the part. If Aristotle were to be understood from this statement, it means that whatever happens, the satisfaction of the state should always reign supreme and supersedes any other individual benefits. It can also be inferred from the statement that; interest of the state must be satisfied before that of the individual. The overall interpretation of Aristotle's statement is that the reason for the state to have an authority over individual liberty is no other reason but to protect their interest and to provide them in general the best opportunity for self-development.

Even though, there are justified ground for the state to interfere with the liberty of the individual, among liberal philosophers, there must be check and balances on the state in order to avoid the individual's liberty been interfered with wrongly and unwisely too. Common sense shows that the individual in the society has some liberties and that the state has no right to trample to those liberties which is what Mill called self-regarding actions.

Conclusion

Having analyzed the concept of individual liberty on Mill, the discussion so far made affirms the fact that liberty is a necessary prerequisite for a concrete individual existence and development. Mill defended the right of the individual to freedom. In its negative sense, it meant that society has no right to coerce an unwilling individual, except for self-defense "it is being left to oneself; all restraints qua restraints is an evil". In its positive sense it meant the grant of the largest and the greatest amount of freedom for the pursuit of the individual's creative impulses and energies, and for self-development. For Mill if there is a clash between the opinion of the individual and that of the community, it was the individual who was the ultimate judge, unless the community could convince him without resorting to threat and coercion.

Mill laid down the ground for justifiable interference. Any activity that pertained to the individual alone represented the space over which no coercive interferences, either from the government or from other people, was permissible. The realm which pertained to the society or the public was the space in which coercion could be used to make the individual conform to some standard of conduct. The distinction between the two areas was stated by the distinction Mill made between self-regarding and other-regarding actions.

Mill defended the right of individuality, which meant the right of choice. As far as self-regarding actions were concerned, he explained why coercion would be detrimental to self-development. First, the evils of coercion far outweighed the good achieved. Second, individuals were so diverse in their needs and capacities for happiness that coercion would be futile. Since the person was the best judge of his own interests, therefore, he had the information and the incentive to achieve them. Third since diversity was itself good, other things being equal, it should be encouraged. Lastly, freedom was the most important requirement in the life of a rational person.

Recommendations

- Without clear demarcation between individual and government jurisdiction in terms of liberty our society will be in chaos, anarchy and doom, therefore, I recommend that the work of John Stuart Mill should serve as the compass for any nation who wants to practice genuine democracy.
- John Stuart Mill's concept of self-regarding action and others-regarding action is really a landmark legacy for all generations against majority tyranny. Therefore, I recommend that Nigerian Government should visit it as they are agitating to draft new constitution.
- John Stuart Mill's concept of self-regarding action and others-regarding action should also be taught in our schools so that our young people will be enlightened on the area of mutual relationship.

- Religion has been using her dogma as a threat against individual liberty, I, therefore, recommend that the Government of every nation should use Mill's concept of liberty to checkmate the excesses in religious practices.
- John Stuart Mill's concept of individual liberty stands as a tool for our judicial system on settling matters between two individuals and between an individual and the government. Therefore, I recommend that Mill's concept of liberty be a compulsory course for our students in law schools.

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