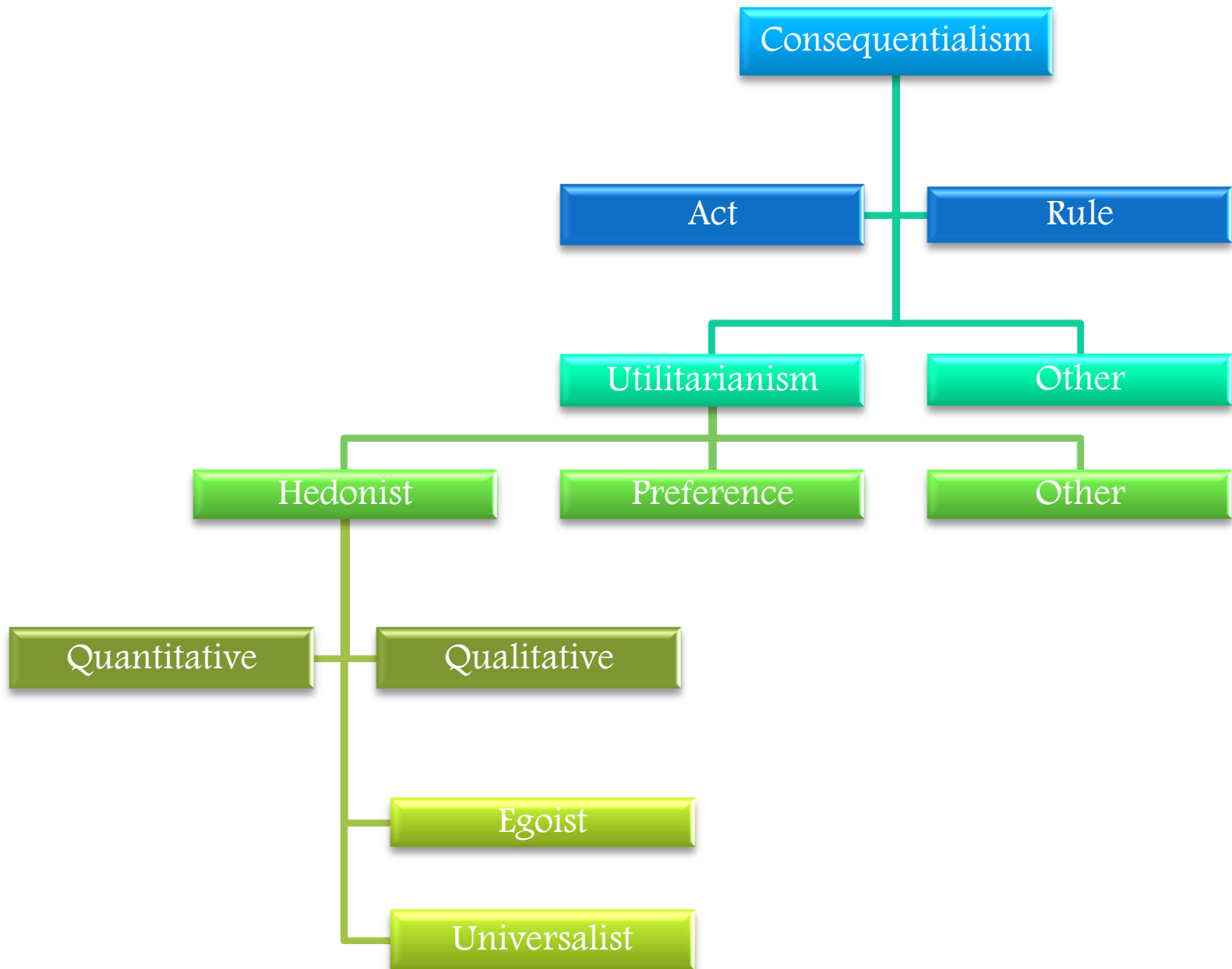


# Mill on Paternalism and Freedom of Opinion

Bioethics: Autonomy and Health (Fall 2012)

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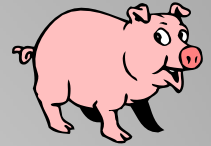


- 1806–1873
- British philosopher and economist
- Advocated for social reform and fundamental moral equality
- Rooted in empiricism and utilitarianism
  - Experiments in living
  - An act is right only insofar as it maximizes net pleasure and minimizes net pain



John Stuart Mill

- Incorporate higher and lower pleasures
  - Better to be Socrates dissatisfied than a pig satisfied
- Compelled by notion of human *dignity*
- Possible interpretation: rule utilitarianism
  - Step 1: What rules, if generally adhered to, would maximize net pleasure and minimize net pain
  - Step 2: Does the proposed action conform to or violate any of the predetermined rules?



## Mill's Utilitarianism

- What external pressures shape what an individual desires, expresses, believes, decides, and becomes?
- Is individualism a moral good?
  - Is it **intrinsically** good?
  - Is it **instrumentally** good?
  - Is it both intrinsically and instrumentally good?
- How is utility served by giving people many large spheres of freedom?

*Key Questions Considered in On Liberty*

- Tyranny of the majority
  - Distinct from *political* tyranny
- “leaves fewer means of escape, penetrating much more deeply into the details of life, and enslaving the soul itself” (154)
- Danger of custom
  - Lacks reason
  - Self-interest becomes class interest
  - Can stunt progress



Mill's Observations and Concerns

- “the sole end for which mankind are warranted, individually or collectively, in interfering with the liberty of action of any of their number is self-protection” (158)
- **Harm principle:** It is ethically justified to intervene with another’s liberty if and only if doing so prevents harm to others
  - Preventable “harm” cannot be trivial or mere disagreement

**Justifiable Interference**



- When exercise of my personal freedom will cut off all future possibilities of freedom
  - E.g., slave contracts
- When dealing with children and those without full mental capacities
- When dealing with “barbarians”
  - But only to improve their condition, so they can eventually have the ability to reason and act freely

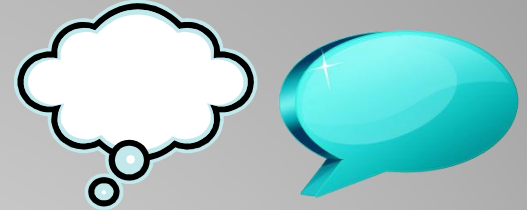


Justifiable Interference and Compulsion

- “it must be utility in the largest sense, grounded on the **permanent interests** of man as a **progressive being**” (159, emphasis added)
- Not contingent according to place, time, needs, or desires of society
- *Intrinsically* valuable
- Require freedom and variety of situations

## Freedom and Utility

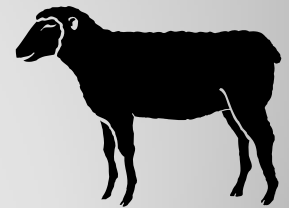
- Thought and expression
- Tasks and pursuits
- To unite



Crucial Protected Freedoms

- Experiments in living and pluralism important for human well-being and social progress
- Opens up new possibilities, permits innovation
  - New ideas, interpretations, experiences
  - Opportunity for genius
- Dynamic and critical civilization, rather than inert and herd-like

Individuality as a Moral Good



- Exercises mental faculties and grows character
  - “to conform to custom *merely as* custom does not educate or develop in him any of the qualities which are the distinctive endowment of a human being” (195, emphasis added)
- Valuable if chosen by self, rather than imposed by others
  - Even if decision itself is apparently unwise, eccentric, or bad for the individual

Individuality as a Moral Good



- Does Mill make a convincing argument that individuality serves the public good?
- Do you think that individuality is intrinsically good?
- In what ways are the spheres of liberty expansive on this account?
- In what ways are spheres of liberty overly restricted?
- What might be appealing about a utilitarian approach?  
What might be problematic?

## Discussion Questions



*Questions? Comments?*