
J.S. Mill: On Liberty

QUESTIONS ON SECTION 4

1. At the beginning of section 4 of *On Liberty* Mill develops further on the principle of non interference in one's personal affairs. When is principle open to discussion, according to Mill? Can you summarize what form of Utilitarianism Mill is endorsing, on the basis of what you have read so far in *On Liberty*?
2. Mill recognizes individual as well as communal aspects of a society; however, those related to individuality stand on higher grounds in Mill's ranking of values. Does Mill strike an acceptable balance between the two aspects? On the basis of which arguments are individual aspects worth of priority, when it comes to deciding between the options of maximizing welfare, or protecting someone's sphere of non-interference?
3. Can you think of an alternative balance between the values of individualism and collectivity, which would give priority to the latter? Can you think of any arguments, based on Mill's own premises, to defend an alternative balance between individual and collective values?
4. On page 86 Mills states that people who think or act in discordance with the major part of a community cannot be persecuted or deprived of any of their political and civil rights; they can, nevertheless, be the subject of "social judgment" when found morally faulty. Their fellow citizens can speak ill of them to others, caution others against them, avoid them and their congregations ,etc. These are "natural penalties", which particularly immoral people are condemned to suffer, in virtue of their conduct. Do you see any problem here with Mill's account? Is Mill allowing the possibility that minorities be ostracized or discriminated against?
5. What are the "objects of moral reprobation"? Are they subject to sanction or punishment from the society? Are they subject to social stigma and condemnation? Who decides what the objects of moral reprobation are? Who decides what moral vices and virtues are?
6. Can we be held accountable for failing to fulfill a "duty to ourselves"?
7. The concept of "sphere of non interference" is a problematic one: Is there really a domain of action where our actions affect only ourselves and no one else? Even if there was such an ideal sphere, isn't it too narrow to apply it in practical situations?
8. On page 88 Mill is about to discuss some objections to his arguments based on the problems related to the concept of "sphere of non interference". How (a critic of Mill may ask) can any aspect in the conduct of a society's member be completely isolated from all the other members? How does Mill defend his arguments against that objection? And what are the limits outside of which a certain behavior, for example, a self-harming one, instead becomes part of the domain of law or morality, and can therefore be punished accordingly?
9. What is the difference between a definite damage or a definite risk of damage and a merely contingent and constructive injury? Under which of the two is society allowed to intervene by regulating behavior with laws? Does Mill intend to say that in those cases

- where only contingent or constructive injury are involved there is no harm at all for society?
10. What does Mill say about “education”? Why is it important for a state to raise generations of “rational” (e.g. non self-harming) individuals, regardless of its duty of guaranteeing even the personal freedom of irrational individuals?
 11. Some people, yet, may be greatly offended by the simple presence, or sight, of individuals who violate widely recognized moral and social norms. That is, the fact of simply *allowing* certain types of private conduct may be of great offense to the psychology or feelings of some or even the majority of individuals. What does Mill have to say to those? Why does he use the metaphor of the thief to make his point.
 12. We could think of an ideal public opinion that only condemns those actions which universal experience has shown to be conducive of negative effects beyond reasonable doubt. The problem is that what the real public opinion normally does is to sanction those acts of conduct that are just different from the majority of other people. Isn't the same effect (general condemnation, discrimination) bound to happen also in other cases, for which Mill, a few pages earlier, seemed to have no objections (e.g. cases of discrimination)?
 13. What is the “logic of persecutors”? (p. 96)