

WORLD'S  CLASSICS



JOHN STUART MILL

**ON LIBERTY
AND OTHER ESSAYS**

THE WORLD'S CLASSICS

JOHN STUART MILL

*On Liberty
and Other
Essays*

Edited with an Introduction by
JOHN GRAY

Oxford New York
OXFORD UNIVERSITY PRESS

Oxford University Press, Great Clarendon Street, Oxford OX2 6DP

Oxford New York

Athens Auckland Bangkok Bogota Bombay
Buenos Aires Calcutta Cape Town Dar es Salaam

Delhi Florence Hong Kong Istanbul Karachi

Kuala Lumpur Madras Madrid Melbourne

Mexico City Nairobi Paris Singapore

Taipei Tokyo Toronto

and associated companies in

Berlin Ibadan

Oxford is a trade mark of Oxford University Press

Introduction, Note on the Text, Select Bibliography,
Chronology and Explanatory Notes © John Gray 1991

First published as a World's Classics paperback 1991

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, without the prior permission in writing of Oxford University Press. Within the UK, exceptions are allowed in respect of any fair dealing for the purpose of research or private study, or criticism or review, as permitted under the Copyright, Designs and Patents Act, 1988, or in the case of reprographic reproduction in accordance with the terms of the licences issued by the Copyright Licensing Agency. Enquiries concerning reproduction outside these terms and in other countries should be sent to the Rights Department, Oxford University Press, at the address above

This book is sold subject to the condition that it shall not, by way of trade or otherwise, be lent, re-sold, hired out or otherwise circulated without the publisher's prior consent in any form of binding or cover other than that in which it is published and without a similar condition including this condition being imposed on the subsequent purchaser

British Library Cataloguing in Publication Data

Data available

Library of Congress Cataloging in Publication Data

Mill, John Stuart, 1806-1873.

[Selections. 1991]

On liberty, and other essays/John Stuart Mill; edited with an introduction by John Gray.

(The World's classics)

Includes bibliographical references (p.).

Contents: On Liberty Utilitarianism Considerations on representative government The subjection of women.

1. Liberty. 2. Utilitarianism.

3. Representative government and representation.

4. Women's rights. I. Gray, John, 1948

II. Title. III. Series.

JC585.M74 1991 323.44-dc20 90 28946

ISBN 0 19 282208 X

11 13 15 17 19 20 18 16 14 12

Printed in Great Britain by

BPC Paperbacks Ltd.

Aylesbury, Bucks

INTRODUCTION

ON the received and conventional view, John Stuart Mill is an eclectic and transitional thinker, who is never able either to endorse or to abandon the classical utilitarian philosophy he inherited from his father, James Mill, and whose writings implement no research programme, exhibit no settled doctrine, but merely reflect his vacillations of mind. In sharp contrast to this conventional wisdom, recent Mill scholarship presents him as a methodical and programmatic thinker, whose lifelong project was the reconstruction of classical utilitarianism in a form that could withstand the criticisms of Macaulay and absorb the insights of Coleridge. It is this view of Mill's work that will be expounded in this Introduction to four of his most seminal essays.

Here a chronology of Mill's most relevant works may be helpful. Mill had given his account of natural and moral (as we should say, social) science, and of moral reasoning, in his *System of Logic*, which he published in 1843, and which, for half a century or more, remained the standard work in English on the subject. In the *Logic*, Mill initiated the project of a Science of Ethology, which would identify the laws of mind and of the formation of character, and from which predictions could be derived, given the facts of history. In 1848, Mill published his *Principles of Political Economy*, which (like the *Logic*) at once became a standard text, exercising a dominance over intellectual life in Britain well into the late nineteenth century. The *Principles* aimed to give substance to the Science of Ethology adumbrated in the *Logic*, but Mill was no more successful there than in any of his works in coming forward with the laws of mind and society whose existence he had postulated in the earlier work. For Mill, as perhaps for us, this project, a science of mind and society, was always to remain an aspiration, never a reality.

It is in the four essays assembled here that we see Mill at his most methodical and systematic, applying the general conceptions advanced in the *Logic* to his central moral and

political concerns, as they represented themselves to him as topical issues of his time. In fact, though they were published separately a couple of years apart, the first two of the four essays, *On Liberty* (1859) and *Utilitarianism* (*Frazer's Magazine*, 1861) were most likely conceived and drafted around the same time (1854–6). More particularly, the crucial last chapter of *Utilitarianism*, in which Mill attempts to develop a utilitarian theory of justice, was probably drafted in 1854, before *On Liberty* was written, but when the idea of an essay on the limits of social control of the individual was first mooted. Again, although it was published only in 1869, *The Subjection of Women* was written in 1861, the year in which *Considerations on Representative Government* was published. The essays here collected embody the products of an extraordinary bout of creativity on Mill's part, in the six or seven years between 1854 and 1861, when he had reason to think his life might be short, and sought to speak his mind on the issues he judged central in his time. This chronology, which is supported by all available evidences, is of no small importance, since it tells against the conventional view that *On Liberty* and *Utilitarianism* express the two sides of Mill's divided intellectual personality. If they were conceived and composed around the same time, with the last chapter of *Utilitarianism* being written before *On Liberty*, and if they can be shown to be applications of a doctrine Mill had set out earlier, then the two essays cannot be merely inconsistent with one another, even if our final judgement be that both fail in the objectives they have in common. Indeed, our conclusion will be that the ultimate failure of Mill's project in these essays is the failure of a system of ideas that is no less architectonic and internally consistent than those of Bentham or James Mill.

We find the key to an adequate understanding of the first two essays, *On Liberty* and *Utilitarianism*, in the doctrine of the Art of Life, set out in the closing chapters of the *System of Logic*. There Mill refers to the Logic of Practice or Art as being expressed in the imperative mood, with that of science being expressed in indicatives. Like R. M. Hare in our time, Mill thought that practical reasoning was to and from imperatives—that there was, as we might put it, such a thing as

a deontic logic. According to Mill, the *Logic of Practice* or *Art of Life*, has as its subject-matter the ends of action, or teleology, and aims to classify these ends into departments or families, and to settle conflicts between them. In effect, Mill is proposing an account of practical reasoning, according to which 'the promotion of happiness is the ultimate principle of Teleology'. Of the various maxims of the several branches of practical reasoning, Mill tells us that they

together with the principal conclusions which may be deduced from them, form (or rather might form) a body of doctrine, which is properly the *Art of Life*, in its three departments, *Morality*, *Prudence* or *Policy*, and *Aesthetics*; the *Right*, the *Expedient*, and the *Beautiful* or *Noble*, in human conduct and works. To this art (which, in the main, is unfortunately still to be created) all the other arts are subordinate; since its principles are those which must determine whether the special aim of any particular art is worthy or desirable, and what is its place in the scale of desirable things. Every art is thus a joint result of the laws of nature disclosed by science, and of the general principles of what has been called *Teleology*, or the *Doctrine of Ends*; which . . . may also be called, the *Principles of Practical Reasoning*.

In this doctrine of the *Art of Life*, while the promotion of happiness is the ultimate principle of teleology, it is not in itself the criterion of right action. For Mill, as he makes clear, the role of the Principle of Utility—the principle which assesses all things in terms of their contribution to happiness—is not to guide conduct, but rather to specify what has intrinsic or ultimate value—namely, happiness, and that alone. The maxims of the various departments or branches of the *Art of Life* must, of course, be derived from, or justifiable by reference to, the Principle of Utility, but it is they, and not the Principle of Utility, that are action-guiding. As with R. M. Hare's theory of moral reasoning, Mill's account of practical reasoning is a split-level or two-tier theory, which in the moral sphere issues in a species of indirect utilitarian ethics. This is to say that, in Mill's utilitarianism, deontic maxims, or rules for right and wrong conduct, are justified by reference to a teleological principle, that of Utility. The theory is two-tiered, however, in that the Principle of Utility

is supposed to be applied only at the critical level, in evaluating different practices and codes of conduct, and not at the practical level. Mill's theory has the structure, and the difficulties, some of them fatal, of any sort of indirect consequentialism, in which the test of utility applies not to acts but to motives and codes of conduct, and in which utility-barring or deontic maxims for the guidance of conduct are given a justification that remains ultimately instrumental and teleological. I shall consider the difficulties of Mill's version of indirect consequentialism towards the end of this Introduction.

How is the doctrine of the Art of Life applied in *Utilitarianism*? In the second chapter of that essay, Mill characterizes utilitarianism as follows:

The creed which accepts as the foundation of morals, Utility, or the Greatest Happiness Principle, holds that actions are right in proportion as they tend to promote happiness, wrong as they tend to promote the reverse of happiness . . . To give a clear view of the moral standard set up by the theory much more requires to be said: in particular, what things it includes in the ideas of pain and pleasure; and to what extent this is left an open question. But these supplementary questions do not affect the theory of life on which this theory of morality is grounded—namely, that pleasure, and freedom from pain, are the only things desirable as ends . . .

Again, in the fourth chapter of *Utilitarianism*, Mill affirms, rather more succinctly, that 'The Utilitarian doctrine is, that happiness is desirable, and the only thing desirable, as an end.' If we take together these and similar statements, we can see that *Utilitarianism* aims to specify 'the moral standard set up by the theory', where 'the theory of life on which this theory of morality is grounded' is the Principle of Utility, the supreme principle of the Art of Life, or Teleology, stated in the *Logic*. As Mill authoritatively formulates it, the Principle of Utility is an axiological principle, specifying that happiness alone has intrinsic value, not a practical precept laying down criteria of right and wrong conduct. For this reason, the Principle of Utility is not a moral principle. As Mill makes it clear in the *Logic*, it governs all spheres of practice—*aesthetic and prudential*, as well as *moral*. It is as an

axiological principle, which figures as the most fundamental principle of practical reasoning, that Mill represents the Principle of Utility, both in the *Logic* and in *Utilitarianism*.

The chief objects of *Utilitarianism* are to clarify the notion of happiness, to specify the scope and content of the sphere of morality, and to determine the demands of justice. Much traditional criticism has dwelt on phases of Mill's argument that, for us, seem the least interesting and significant parts of the essay. Thus, generations of critics have fastened on lacunae in his notorious attempt at a proof of the Principle of Utility. Mill conflates being desirable with being generally desired, we have been told, and (in a fallacy of composition) he conflates the claim that happiness is in general what people desire with the claim that the general happiness is the sole object of desire. These arguments of Mill's hardly merit the ink that has been spilt on them. It is true that Mill is not at his most perspicuous or his most rigorous in these passages, but then they do not embody the most distinctive or most innovative claims made in *Utilitarianism*. They are, in fact, little more than restatements of the arguments of Bentham. In essence, they add up to the claim—made in much the same terms in our own day, by utilitarians such as J. J. C. Smart—that the rational, disinterested person, whose judgement is unclouded by prejudice or superstition, will find that his judgements, along with those of like-minded people, always presuppose that the general happiness alone is the ultimate end of action. This is certainly an eminently criticizable claim. Among Mill's critics, it is in Sidgwick, with his argument for an ultimate dualism of practical reason between egoistic and impartial concerns, that we find the most powerful counter-argument against the so-called proof. And Mill's readers nowadays may well wonder why—unless one were committed, in Mill's anti-intuitionist fashion, to a rational reconstruction of the entirety of moral life—there need be any single ultimate, fundamental principle of practical reason that demands justification. But these arguments against Mill's excursions into moral epistemology, though telling, do not touch the portions of *Utilitarianism* that are most original and intriguing.

Far more centrally relevant to the argument of that essay than his strained 'proof' of utility are his attempts to give a definite content to the idea of happiness by a theory of the higher pleasures, and his proposal that the sphere of morality be conterminous with that of enforceable obligation. Mill tells us that the higher pleasures are those that people come to prefer after an experience of the relevant alternatives. Once again, the objections to Mill's theory are familiar, and real. It is unclear what is the status of the test of people's informed preference, or choice, in the identification of the higher pleasures. Is the test of experience *evidence* for what is a higher pleasure, or is it *criterial*, such that whatever is preferred or chosen, under the relevant conditions, counts as a higher pleasure? If the latter, is it supposed by Mill that the higher pleasures will compose a determinate set, in that human beings will converge in their choices or preferences, so that, say, they adopt the intellectual rather than the bodily pleasures as the higher pleasures? The text of *Utilitarianism* suggests strongly that Mill intended the test of experience to function criterially, but that he also expected a consensus to emerge among experienced persons, a view that, as we shall see, poses problems for his argument in *On Liberty*. Aside from these difficulties, Mill's proposal that there be qualitative distinctions among pleasures poses familiar problems for the workability of the utilitarian calculus. Is less of a higher pleasure, for example, worth more (in the utilitarian calculus) than more of a lower pleasure? If so, then higher pleasures will always have infinite weight in the balance with lower pleasures, which is hard to square with the empiricist character which Mill, along with Bentham, claimed for the calculus of utilities. More generally, there will be problems of commensurability for any theory, such as Mill's, which allows for non-additive judgements among pleasures.

Powerful as they are, these traditional objections to Mill's theory of the higher pleasures miss its real interest. The theory of the higher pleasures is significant, as part of his larger project, in that it shows him moving away from the Benthamite utilitarianism of pleasant and painful mental

states, not so much to any straightforward sort of preference-utilitarianism, but instead to a sort of eudaimonism—the ethical theory, developed first by Aristotle in the *Nicomachean Ethics*, that the good life for human beings is that in which they achieve well-being via the flourishing of their most distinctive capacities. For Mill, as an empiricist, the identification of these capacities, and their connection with the higher pleasures, can only be a matter of human experience. In *Utilitarianism*, the test of experience figures as a *choice criterion* for the higher pleasures: those pleasures are accorded that privileged status that are so chosen after informed deliberation. This is an important move, since it involves a clear distinction between happiness and contentment (conceived as the satisfactions of existing wants). It involves recognition of an underlying, and subtler truth—that what gives us pleasure may be opaque to us, until we have experienced a relevant range of alternatives. This latter point involves a move by Mill away from pure Benthamite value-subjectivism, to a more Aristotelian position, in which value is connected with self-realization. It also reflects the influence on Mill of Coleridge's thought, which Mill interpreted as containing a powerful critique of the classical utilitarian view of happiness, in which the pleasures of self-cultivation and of the inner life were not accorded their proper place.

Taking his account as a whole, Mill revises the classical utilitarian conception of happiness in three ways. First, he makes clear that, for human beings, happiness is found typically in activity, and not merely in having sensations or experiences of a certain kind. For a human being, a happy life is one in which his activities and projects are reasonably successful, and in which the demands of his nature are reasonably satisfied. Unlike Bentham's, Mill's conception of happiness, because it is linked with successful or flourishing activity, and is not spelt out simply in terms of pleasant states of mind or feeling, is not open to the devastating counter-examples of Huxley's brave new world, or Nozick's experience-machine.

The second revision Mill makes in the classical utilitarian account of happiness is one which recognizes the variety of

personal endowments or natures. Mill acknowledges that, as members of the same species, we have common needs, such that no sort of happy life is achievable if they are not met. Mill has a pretty minimalist view of what these needs are, however, and the last chapter of *Utilitarianism* identifies security—meaning security of life and limb from aggression, and of property from confiscation—as the chief, or most fundamental, of these needs. The subject-matter of Justice, according to Mill, is precisely security, which he qualifies as ‘certain social utilities which are vastly more important, and therefore more absolute and imperative, than any others are as a class’. In *On Liberty*, Mill argues that a sphere of non-interference, in which persons can make autonomous choices, is necessary if they are to enjoy the happiness of individuality. It is in *On Liberty* that Mill affirms (as he does not in *Utilitarianism*) that our natures are diverse and complex, so that there is no one form of life, no one set of pleasures, in which we can all find happiness. In his first revision of happiness as conceived by the classical utilitarians, Mill follows Aristotle, and claims that, for human beings, happiness means a successful or flourishing life. In his second revision, Mill departs from Aristotle, who thought that the content of the good life was to be specified by reference to the nature that all men have in common, and maintains that, for each of us, the good life is that in which he fulfils the demands of the nature that is distinctively his own. In this view, the pluralism of forms of life, and of pleasures, in which human beings may find happiness, rests upon the variety of their natures as persons, each person having endowments and needs that are distinctive of or even peculiar to him. At times, Mill comes close to affirming that, as we realize more fully the demands of our different natures, we become ever more different from each other—a view that his critics have ridiculed as expressing ‘the sanctity of idiosyncrasy’.

In his second revision of classical utilitarianism’s conception of happiness, Mill draws on the tradition of German Hellenism, as it is found in W. von Humboldt’s work, in which an ethic of self-realization is combined with a Romantic affirmation of the peculiarity, or quiddity, of each

human individual. Mill's third revision makes his account of happiness not only pluralistic but hierarchical. The pleasures and forms of life adopted under conditions of autonomous choice are privileged above all others. This is the thesis of *On Liberty*, that, once mankind has left behind its nonage and is improvable by free discussion and experiments in living, the activities of autonomous persons which are not harmful to the interests of others should be protected within a sphere of liberty or non-interference. The privileging or ranking of pleasures in *Utilitarianism*, according to whether they have been chosen after an experience of their relevant alternatives, is in this way paralleled in *On Liberty* by conferring a privileged immunity on the self-chosen activities of autonomous individuals.

The argument of *On Liberty* is that, once a certain level of cultural development has been achieved, and barbarism left behind, individuality—which is to say, that form of life in which persons realize their peculiar natures in autonomously chosen activities—is the single most important ingredient in human well-being. The object of *On Liberty* is to state a principle that demarcates a sphere of liberty within which, through experiments in living, people are uninterfered with in exhibiting their individuality. The Principle of Liberty, or Harm Principle, which lays down that no one's liberty may be constrained save to prevent harm to others, is defended as just that principle in *On Liberty*, but it is important to note the many continuities between Mill's argument there and the account of morality and justice given in the last chapter of *Utilitarianism*. In the latter essay, Mill had advanced (in the context of an elaboration of the account of the Art of Life in the *Logic*) a revisionist conception of morality as that sphere of conduct which is reasonably subject to enforceable obligation. Again, contrary to received opinion, Mill does not, either in *Utilitarianism* or in *On Liberty*, defend private morality against public control. Rather, he assimilates law and morality by specifying enforceability as their common feature. In *Utilitarianism*, Mill gives as the content of justice negative duties and forbearance in regard to the security of others. In *On Liberty*, the obligations enjoined by

the Principle of Liberty are once again negative, and have as their rationale the protection of others' liberty, and thereby the promotion of their autonomy. Both the theory of justice in *Utilitarianism* and the account of just restraint of liberty in *On Liberty* give content to the sphere of morality, as sketched in the doctrine of the Art of Life. In *On Liberty*, the political component of morality—that concerned with justified coercion—is exhausted by the requirements of the Principle of Liberty. The areas protected from interference—often, taken together, called the self-regarding area, a Benthamite term not often used by Mill, but helpful in capturing that part of conduct that affects primarily the agent's own interest—are the areas of prudence and nobility, or excellence of character. One way of representing the parallel arguments of *Utilitarianism* and *On Liberty* is to say that they give substantive reasons for the conceptual reforms of our ordinary conception of morality that were proposed in the *Logic*.

The traditional criticisms of the argument of *On Liberty* are easily summarized. Perhaps the commonest is that Mill's project of deriving a distributive principle, the Principle of Liberty, from the aggregative Principle of Utility, is an attempt at squaring the circle. Even if this criticism is finally valid, it is radically underdeveloped as it stands. For it neglects the most salient feature of indirect utilitarianism in all of its forms, including the Millian, that it embodies the paradoxical claim that utility will not be maximized by adopting the strategy of maximizing utility. Instead, it is asserted that utility will be best promoted if we adopt practical precepts which impose constraints on the policies we adopt in pursuit of utility. The claim of *On Liberty* is that the distributive Principle of Liberty is precisely the utility-barring maxim whose adoption will, in fact, maximally promote aggregate utility. It is, in other words, a utility-maximizing constraint on the pursuit of Utility, which exploits the (alleged) fact that the sum of utility-maximizing acts is not a utility-maximizing sum.

Such is the structure of any species of indirect consequentialism. In the latter part of this Introduction, I will develop some criticisms of Millian, and other species of indirect con-

sequentialism. Here I wish to note that the claim that it is the Principle of Liberty, and not some other principle, that is the most appropriate utility-maximizing constraint on policy, turns on the detailed arguments of the *On Liberty*. These are arguments about the primacy of individuality as an ingredient in the well-being of civilized human beings, the fallibility of state and society in intervening with individuals' freedom of action to promote their development and protect their interests, and the role of experiments in living in enabling people to discover the most suitable forms of life for them. In addition, there are arguments for freedom of discussion, which stress the role of dialogue and contestation in fostering vitality and rationality of belief. Finally, there are arguments in the last chapter of *On Liberty* which show Mill limiting, or defining more exactly, the scope and content of the Principle of Liberty, by showing how it may be supplemented, or even constrained in its application, by principles having to do with preventing offence to others, or the exploitations of others' weaknesses.

The most fundamental criticisms of the project undertaken by Mill in *On Liberty* concern, not Mill's detailed defence of the Principle of Liberty in utilitarian terms, but rather its meaning and applicability. There is, to begin with, the difficulty of demarcating the sphere of liberty protected by the principle. From James Fitzjames Stephen to the present day, Mill's critics have insisted that a sphere of self-regarding actions that affect only (or even primarily) the agent himself either does not exist, or is small and trivial. This is a powerful criticism, not effectively answered by J. C. Rees's claim that it is acts that affect others' interests, rather than simply acts affecting others, that are the subject-matter of the principle. Rees's proposal does not counter the criticism adequately, since there is in Mill no coherent account of interests. If, then, the sphere of liberty is indeterminate or slight, the protection awarded to liberty by the principle is delusive, and its utility in guiding action undermined. Its anti-paternalist implication, for example, is severely weakened, in that we cannot with any reasonable confidence identify acts that damage the interests of the

agent alone. In other words, applying Mill's principle presupposes that we have ready and uncontroversial answers to questions about human interests—questions that are, in truth, hard and intractable.

The obscurity of Mill's conception of human interests expresses a larger difficulty having to do with his account of harm. Unless we know what Mill means by 'harm', we cannot usefully apply his principle. Unfortunately, we enter rapidly into a vicious circle here, since, although it is true (as Feinberg has shown in his magisterial and definitive four-volume Millian treatise on the moral limits of the criminal law) that a conception of harm as set-back to interests is the most consilient with the Millian scheme of things, we are still in the dark as to what counts as an interest, and which interests are to be protected, from harm. Is offence to feelings an interest that is to be protected, and if not, why not? If only some interests are to be protected, or awarded the status of moral rights, how are these to be identified? Can interests be identified in a way that is (so to speak) value-free, in that the identification does not vary across divergent moral outlooks? Or can the selection of some interest as meriting protection from harm be done solely with the resources of the Millian utilitarian calculus? It is plain that, for Mill's principle to be the 'one very simple principle' that he sought to enunciate, he needs a conception of interests that is fairly determinate in its applications, and which can be deployed non-controversially by persons with divergent moral outlooks. If, however, as seems highly plausible, conceptions of harm, and in particular judgements about the relative severity of harms, vary with different moral outlooks, then Mill's principle will be virtually useless as a guide to policy.

These are serious, perhaps insoluble problems for the applicability of Mill's principle, and as such they figure centrally in the traditional critique of *On Liberty*. Even if they can somehow be surmounted, there remains a less commonly noted feature of the principle, which carries with it the fatal implication that no determinate sphere of liberty is assured protection by the principle. This is that the principle states only a necessary, and not a sufficient condition of justified

restraint of liberty. It tells us when we may restrain liberty, but not when we are right to do so. The Principle of Liberty functions as a trip-wire: if harm to others is at issue, then individual liberty may be restrained, but not otherwise. It is a neglected, but vitally important feature of the principle that, even when the harm-prevention condition has been met, it does not enjoin us to limit liberty, since the costs of such restraint may be greater than those of the harms prevented. Nor, even more crucially, does the principle tell us how much liberty may be restrained for the sake of the prevention of how much harm. As far as the Principle of Liberty itself is concerned, a severe restriction of liberty could be imposed for the sake of the prevention of a minor harm. This is so because the principle nowhere mentions the utility of protecting liberty or preventing harm. This omission stems in part from the two-tiered or split-level character of Mill's theory, in that we are to look at the demands of Utility only once the Principle of Liberty has been satisfied. But the omission is also a substantive feature of Mill's doctrine, which is bound to leave the judgement as to the utilitarian costs and benefits of restraint of liberty an open question, to be settled by experience. And this means that, although direct appeal to Utility has been barred, the claims of liberty receive no special privileges once the Principle of Liberty has been met.

Indeed, the principal paradox of Millian utilitarian liberalism is that the Principle of Liberty actually disqualifies utility-promotion as a reason for restraint of liberty, unless such restraint also prevents harm to others. The structure of the argument of *On Liberty* is such, however, that it is clear that, once the threshold presented by the Principle of Liberty is crossed and liberty-limitation is *justifiable*, it becomes *justified* when the balance of restraint of liberty and prevention of harm is that prescribed by the Principle of Utility. As we shall see later, applying the Principle of Utility is no easy matter, especially when happiness is interpreted in the pluralistic and hierarchical fashion of *Utilitarianism*. Where judgements of aggregative and maximal utility can be made, however, there is no reason to suppose that they will always, or even generally, tend to favour a

large sphere of liberty. They may sanction highly unequal distributions of liberty, where these are utilitarianly optimally cost-effective. And where, as will arguably often be the case, judgements of aggregate utility are controversial or arbitrary, the sphere of liberty protected by the principle will be highly indeterminate.

The upshot of these considerations is that, whatever else it may be, the Principle of Liberty is far from being the 'one very simple principle' Mill aimed to state and defend in *On Liberty*. It is vague and obscure in its central categories of harm and interests, and its application is subject to all the vagaries of the utilitarian calculus. Because of the indeterminacies surrounding the self-regarding sphere, it does not (except in limiting cases) tell us definitely where we may not restrain liberty. As a guide to the ideal utilitarian legislator, accordingly, the Principle of Liberty is a ruinous failure. We may also doubt the rationality of any project, such as Mill's, which seeks to restrict deliberation about restraint of liberty to one or a few principles or considerations. If practical and moral reasoning cannot, as Mill supposed, be reconstructed in architectonic fashion, resting on a single foundation, then we may surmise that deliberation about the restraint of liberty, like moral and political deliberation on other topics, will appropriately invoke indefinitely many values and considerations, without seeking to organize them in any fixed hierarchy. It is this outcome, with its subversive consequences for any sort of doctrinal liberalism, that I shall argue for at the end of this Introduction. At this point, it is enough to note that, if the pluralistic perspective opened above be accepted, then a Harm Principle specifying the prevention of harm to others as a good reason for restraint of liberty will be only one among many weighty liberty-limiting principles that may appropriately be invoked in political deliberation. Among the others will be principles—such as paternalist, perfectionist, moralist, and welfarist principles—whose claim on reason it was the object of *On Liberty* to refute.

Considered as an attempt to give definite content to the sphere of Morality demarcated in the Art of Life of the *Logic*,