

Forcing Freedom: Applying Mill's Principles of Liberty in an International Society

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Liberty! Freedom! Tyranny is dead!
Run hence, proclaim, cry it about the streets!
-William Shakespeare, *Julius Caesar*

Published in 1859, John Stuart Mill's *On Liberty* advocates individuals' moral and economic freedom from the state. Nearly 150 years later, Mill's work continues to be relevant in determining our personal liberties and the limits of the government. However, as society becomes increasingly international in scope, it is important to consider how Mill's liberty theory applies to international affairs and the relations between governments. When Mill's principles are extended to such an application, they become more difficult to define. In this paper, I will consider what the appropriate application of Mill's theory is to the relationship between nations that do not endorse the liberty principle for their citizens¹ – but do not interfere with other nations – and those that do endorse the liberty principle for their citizens. Though Mill has written specifically on the topic of interventionism (namely, "A Few Words on Non-Intervention"), this paper will focus primarily on Mill's

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principles of liberty as outlined in *On Liberty*, with reference to his other works only to illustrate that my interpretation of *On Liberty* is in accordance with them. I will first consider an extension of the harm principle² to intergovernmental relations, which would require that liberal nations respect the autonomy of non-liberal political authorities in all cases where the non-liberal political authority does not cause harm to other nations. I will reject this application of Mill's theory on a number of grounds with the purpose of furthering the contention that *On Liberty* supports intervention at least in some instances. I will then argue that a correct interpretation of Mill's theory will support the intervention of liberal governments on behalf of those citizens whose governments do not endorse the liberty principle, but do not interfere with other nations.

Other liberal theorists have contended that the aim of liberal foreign policy is "to be quiet, to be unostentatious, to pretend to nothing, not to thrust claims and unconstitutional claims for ascendancy and otherwise in the teeth of your neighbor."³ Other liberal theorists, such as Joseph Strayer, Charles Tilly, and Anthony Giddens,⁴ have argued that states are autonomous and sovereign based on their function: "the state's 'function' was to make war and to build power vis-à-vis other states *and* society. 'Society' was largely an adversary in this process as it resisted the states rulers' power to extract resources and to monopolize political and judicial authority."⁵ Although it is accepted that Mill does not subscribe to a similar view of state autonomy and the power of nations, I am going to put forward one interpretation of *On Liberty* that would agree with those liberals who favor state sovereignty. Though this interpretation, which I will refer to as the argument from analogy, is of my own creation and is not an exact representation of the liberal arguments cited above, it will be useful in illustrating the true scope and nature of Mill's liberty theory as opposed to the liberal state sovereignty arguments cited above.

The argument from analogy is based on the harm principle as Mill establishes it in *On Liberty*:

The sole end for which mankind are warranted... in interfering with the liberty of action of any of their number, is self-protection. That 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. His own good, either physical or moral, is not sufficient warrant.⁶

Put simply, the harm principle prohibits the restraint of another person's actions unless those actions will cause harm to others. Although in *On Liberty* Mill intends this principle to guide a government's actions towards its citizens or a person's actions towards other people, an analogy can be drawn from the relationship between persons to the relationship between nations, allowing the harm principle to be extended to foreign policy.

I will refer to the principle established when the harm principle is extended to foreign policy as the "international harm principle." Like the state sovereignty arguments made by the liberal theorists, mentioned above, the international harm principle will imagine governments to be separate entities, like a giant Hobbesian Leviathan. The international harm principle would require that government A ought not to restrain the actions of government B so long as B's actions do not cause harm to other nations. For example, imagine that in a coup, France is taken over by a tyrannical ruler who bans all Frenchmen from eating baguettes because they are bad for individuals' health. According to Mill's position in *On Liberty*, the French law banning the eating of baguettes is a violation of its citizens' liberty, but the international harm principle would prohibit the United States from interfering, so long as the baguette ban does not cause it harm. If, say, France began dumping its uneaten baguettes into Italy, then the new law might cause Italy harm and the United States *might* be justified in interfering.⁷ A key point to observe in the harm principle analogy is that when the harm principle is extended to foreign policy, governments become giant people and any interference with another government necessarily targets that government

and not its citizens; the purpose of any intervention is always to prevent harm to one's own nation or to the community of nations, and *not* to help the citizens whose liberty is being denied.

Mill did not intend and would not support the analogy made from the harm principle to the international harm principle, and he would not support the consequential strict principle of non-intervention, either. In "A Few Words on Non-Intervention," Mill clearly argues that there are cases in which intervention is necessary and should be done.⁸ While the above harm principle analogy would seem to illustrate that in *On Liberty* Mill contradicts his argument in "A Few Words on Non-Intervention," I contend that Mill's argument in *On Liberty* alone can show that Mill would not support a strict principle of non-intervention. While other liberal theorists have argued that, as in the international harm principle, nations ought not to interfere with other nations that do not cause harm, such arguments require an emphasis on the sovereignty of the nation as a Leviathan-like entity to which Mill does not subscribe.

Like state-centric notions of liberalism, the analogy of the international harm principle does not take seriously Mill's commitment to the individual as *the* central moral figure. By extending the harm principle to an international harm principle such that intervention is not acceptable in the case of a nation that does not endorse the liberty principle but does not interfere with other nations, we ignore one of the key concepts of *On Liberty*. In Chapter 1 of *On Liberty*, Mill says, "The subject of this Essay is... Civil or Social Liberty: the nature and limits of the power which can be legitimately exercised by society over the *individual*."⁹ The question is not "when is any party justified in interfering with another party's liberty?" but rather one of society versus the individual. Furthermore, Mill spends an entire chapter¹⁰ arguing for the desirability of individuality and maintaining the principle that the free development of individuality is essential to the well-being of society. The individual is central to Mill's liberty theory; liberty, as Mill conceives it, does not make sense unless the individual is its moral end, for liberty is the power of the individual within a society.

Considering Mill's emphasis on the individual as the moral end of liberty, the analogy argument for non-intervention must be reevaluated. The analogy used to extend the harm principle to an international harm principle requires that the nation becomes the 'individual' and the international community becomes 'society,' but such an analogy ignores the fact that individuals necessarily comprise any nation, and that Mill's conception of liberty must chiefly concern those individuals. Take for example the case described above, where a tyrannical ruler takes over France and prohibits all French citizens from eating baguette. What is important to Mill's liberty principle in this case is that the French citizens' actions are being restrained, despite the fact (or at least not because of the fact) that their not eating baguettes would not cause any harm to society. When we use the international harm principle to imagine nations as sovereign entities in this case, we, as the United States or Italy or any other nation considering intervention, necessarily ignore the plight of the French citizens who are being denied their baguette and focus only on how the baguette ban affects us. If the ban does not affect us, says the international harm principle, we are not justified in interfering. In "A Few Words on Non-Intervention," Mill asserts, "of all attitudes which a nation can take upon the subject of intervention, the meanest and worst is to profess that it interferes only when it can serve its own objects by it."¹¹ In *On Liberty*, Mill's emphasis on the importance of the individual to both the definition of liberty and to the well-being of society illustrates this same concept: that a political authority ought not to intervene solely for its own purposes. Because the international harm principle, like liberal theories of state sovereignty, would not allow intervention except in the case that a nation is being harmed, to serve its own purposes while ignoring the importance of the individual, such a principle cannot be an appropriate interpretation of Mill's liberty theory.

I will now move on to my argument that Mill's principles in *On Liberty* would require the intervention of liberal governments on behalf of those citizens whose governments do not endorse the liberty principle, but do not interfere with other nations. As I

stressed in the previous two paragraphs, Mill has a strong commitment to the individual as the sole moral end of liberty and any foreign policy that does not take this commitment seriously cannot be an appropriate interpretation of Mill's liberty theory. The single purpose of government for Mill is to preserve the liberty of its citizens, and furthermore, "the worth of a State, in the long run, is the worth of the individuals composing it."¹² It does not matter, then, whether it is government at the city, state, nation or world level, so long as its laws are laws that provide the most possible liberty to its citizens, or, put differently, its laws do not interfere with the actions of its citizens who do not cause harm to others. In utilitarian terms, nations themselves have utility only insofar as their citizens have utility, and their citizens have the most utility when they are free to pursue individual interests and to have discussions. Such freedom is not unlimited, but rather government "provides security for most of our freedom by limiting some of it."¹³ Albert William Levi goes even further in his analysis of *On Liberty* to say that "Liberty in a sense transcends the realm of the social altogether."¹⁴ Assuming the social to include the governments and the laws that define social life, I take this to mean that liberty is part of some greater good, and thus government must answer to that good above and beyond all else. All of this is to say that if a government does not endorse the liberty principle, it is not, in a sense, fulfilling its role as a government. A non-liberal government is like a band of robbers stealing its citizen's liberties, and because that will potentially negatively affect the total utility of society, it may be necessary¹⁵ to take action against them. Even if a non-liberal government is, as Rawls would call it, a "decent hierarchal people," and provides its citizens with basic human liberties and some system of justice, that government is still stealing from its citizens their freedom of individuality, and thus liberal nations have the right to choose to interfere with them.¹⁶

It may be argued that a non-liberal nation is like the Mormon community that Mill discusses in Chapter 4, and thus there is no right of interference. In Chapter 4, Mill says about the Mormon religion, which is voluntary, that:

It is difficult to see on what principles but those of tyranny they can be prevented from living there [in a remote corner of the earth, which they have been the first to render habitable to human beings] under what laws they please, provided they commit no aggression on other nations, and allow perfect freedom of departure to those who are dissatisfied with their ways....I cannot admit that persons entirely unconnected with them ought to step in and require that a condition of things with which all who are directly interested appear to be satisfied, should be put an end to because it is a scandal to persons some thousands of miles distant, who have no part or concern for it.¹⁷

There are two important parts to this example; first, there are criteria for the recognition of non-liberal groups, and second, there is the establishment of why we should not interfere with such groups. Beginning with the first part, Mill supports the establishment of groups that do not endorse the liberty principle on two conditions: 1) they commit no aggression on other nations; and 2) they allow for the perfect freedom of departure. To use this example to argue that Mill would not support intervention, the non-liberal governments would have to meet these two criteria, and while it is clear that, in the case we are discussing, they do not commit aggressions on other nations, it is not as clear that they allow for the perfect freedom of departure. For the person who is dissatisfied with the polygamy that occurs in the Mormon religion, it would be difficult but reasonable for that person to leave; they would not have to travel far, and they would have at least some skills (particularly the ability to speak the language) that would help them survive upon exit. Referring one last time to the tyrannical ruler who bans Frenchmen from eating baguettes, I believe that it is unreasonable to say that the French citizens have freedom of exit. Because, for the majority of the population, leaving one's country is prohibitively expensive and requires traveling vast distances, learning a new language and

learning new job skills, it is not clear that citizens are “free” to leave, since one cannot be free to do what one cannot do. Because it does not meet the second criterion of freedom of departure, non-liberal nations do not fall into the same category as the Mormon example, and thus does not necessarily result in the same consequences.

In the second part of the above statement, Mill suggests that those people who are unconnected with the group have no business interfering with it simple because it is a “scandal.” As a counterargument to this, I will simply say that in our contemporary society, being unconnected from any other nation is impossible, and thus we have reason to concern ourselves with the liberties of other individuals. When Mill wrote the Mormon example, he could not possibly have imagined that society would reach the level of communication and interconnectedness that we have today. Because the Mormon example is not analogous to contemporary international relations, it fails as an argument against the right of intervention.

In conclusion, Mill’s liberty theory would give the right to liberal nations to intervene with a nation that does not endorse the liberty principle even if that nation does not interfere with other nations. This conclusion is based on Mill’s commitment to the individual as both the sole moral end of liberty and as the basis for which government exists and is made legitimate. I have suggested that intervention would be a right and not an obligation, but I will not go further to detail exactly how and when Mill would recommend intervention, for that is far too large a topic for this paper. However, I will assert that, following the principles of liberty established in *On Liberty*, the decision of how and when to intervene ought to rest on the utility of doing so, with the assumption that whatever maximizes liberty while minimizing harm to others’ liberty has the most utility.

NOTES

¹ The non-liberal nations that I discuss in this paper do not include barbarians, for it is clear that Mill believes that barbarians are, like children, incapable of autonomy; "Despotism is a legitimate mode of government in dealing with barbarians.... Liberty, as a principle, has no application to any state of things anterior to the time when mankind have become capable of being improved by free and equal discussion" (Mill, *On Liberty*, 13-14). Because Mill applies the principle of liberty only to civilized peoples, barbarians are excluded from my argument and it can be assumed that when I discuss non-liberal nations I mean those nations that are civilized but whose governments do not endorse the liberty principle for its citizens.

² As defined in Feinberg, *Social Philosophy*, 25.

³ Miller, "John Stuart Mill's Theory of International Relations," 494.

⁴ See Ercegovic, "Competing National Ideologies, Cyclical Responses," Chapter Four.

⁵ Thomson, "State Sovereignty in International Relations: Bridging the Gap Between Theory and Empirical Research," 216.

⁶ Mill, *On Liberty*, 13.

⁷ That is not to say that Italy *ought* to go to war against France, for it depends on utility: "As soon as any part of a person's conduct affects prejudicially the interests of others, society has jurisdiction over it, and the question whether the general welfare will or will not be promoted by interfering with it, becomes open to discussion" (Mill, *On Liberty*, 76). The example is intended only to draw a distinction between acts that harm others and those that are self-regarding, within the scope of international relations.

⁸ In "A Few Words on Non-Intervention," Mill is careful to explain that intervention is dangerous and generally unjustifiable, but he clearly argues that there exist cases in which intervention is necessary and should be done. In cases of self-defense: "We must except [from the general principle that it is not right to

interfere with another nation], of course, any case in which such assistance is a measure of legitimate self-defense" (260). In cases of a tyranny aided by foreign arms: "Intervention to enforce non-intervention is always rightful, always moral, if not always prudent" (261).

⁹ Mill, *On Liberty*, 5 (emphasis added).

¹⁰ Chapter Three: "Of individuality, as one of the elements of well-being."

¹¹ Mill, "A Few Words on Non-Intervention," 243.

¹² Mill, *On Liberty*, 115.

¹³ Gaus, *Political Concepts and Political Theories*, 116.

¹⁴ Levi, "The Value of Freedom: Mill's Liberty (1859 - 1959)," 15.

¹⁵ I want to stress that no nation or group is ever *obligated* to take action against another nation or group that does not support the liberty principle so long as there is no act of aggression and the members do not ask for help, and even then it is unclear if there would be any obligation to intervene. I only contend that there would be a *right* to intervene.

¹⁶ Rawls, *The Law of Peoples*, 62.

¹⁷ Mill, *On Liberty*, 92.

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