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

By Jill Zimmerman

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 moral and economic freedom of the individual 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 is of Mill's theory to the relationship between nations that do not endorse the liberty principle for its citizens<sup>1</sup> – but do not interfere with other nations – and those that do endorse the liberty principle for its citizens.

Though Mill has written specifically on the topic of interventionism (namely, "A Few Words on Non-Intervention"),

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<sup>1</sup> The non-liberal nations that I discuss in this paper do not include what Mill refers to as barbarians (seemingly any people living without any semblance of government or order), 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" (OL 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.

this paper will focus primarily on Mill's 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 principle<sup>2</sup> to intergovernmental relations. I will then 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. Finally I will 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 respect their liberty, but do not interfere with other nations.

Certain liberal theorists have contended that the aim of liberal foreign policy is "to be quiet, to be unostentatious, [and] to pretend to nothing..." (Miller 494). Other liberal theorists, such as Strayer, Tilly, and Giddens, 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' to extract resources and to monopolize political and judicial authority" (Thompson 216). Although in his other writings it is clear that Mill does not subscribe to the latter view of state autonomy, these liberals who favor state sovereignty might find in *On Liberty* an interpretation that supports their view and I will consider the viability of such an interpretation. Though this interpretation, which I will refer to as the argument from analogy, is of my own creation, it will be useful in illustrating the true scope and nature of Mill's liberty theory as opposed to both the interventionist and non-interventionist viewpoints.

The argument from analogy is based on the harm principle as Mill established in

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<sup>2</sup> As defined by Joel Feinberg, *Social Philosophy* (Englewood Cliffs, N.J.: Prentice Hall, 1973), p. 25.

*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. (OL 13)

Put simply, the harm principle permits self-defense. Though 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." As previously noted by liberal theorists, the international harm principle understands governments to be separate entities, like giant Hobbesian Leviathans<sup>3</sup>.

The international harm principle permits government A to intervene only if government B causes 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 baguette. Mill would say that this law is a violation of citizens' liberty, but the international harm principle would prohibit the United States from interfering as long as the law does not cause harm. If France began dumping its uneaten baguette into Italy, then the new law might

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<sup>3</sup> "For by art is created that great LEVIATHAN called a COMMONWEALTH, or STATE (in Latin, CIVITAS), which is but an artificial man, though of greater stature and strength than the natural, for whose protection and defence it was intended...." Thomas Hobbes, *Leviathan* (New York, NY: Oxford University Press, 1998) p. 7.

cause Italy harm and others *might* be justified in interfering<sup>4</sup>. A key point is that when the harm principle is extended to foreign policy, any intergovernmental interferences target the 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--*not* to help the particular 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 also would not support the strict principle of non-intervention. Mill clearly argues that there are cases in which intervention is necessary<sup>5</sup>; while the harm principle analogy seems to contradict *On Liberty*, Mill clarifies 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.

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<sup>4</sup> 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" (OL 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.

<sup>5</sup> 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 accept [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).

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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*" (emphasis added, 5). 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 chapter 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 nations 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 is that the French citizens' actions are being restrained despite the fact (or at least not because of the fact) that their not eating baguette would not cause any harm to society. When we use the international harm principle to imagine nations as

sovereign entities, we, as the United States 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” (243). 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 sometimes ought to intervene solely for the good of others. The international harm principle, like liberal theories of state sovereignty, cannot be an appropriate interpretation of Mill’s liberal theory because it would not allow intervention except in the case that a nation is being harmed, i.e. to serve its own purposes while ignoring the importance of the individual.

I will now move 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” (OL 115). It does not matter then whether it is government at the city, state, nation or world level, so long as its laws provide the most liberty to its citizens.

In utilitarian terms, nations themselves have utility only insofar as their citizens have utility, and their citizens have the most

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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” (Gaus 116). 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” (15). Assuming the social includes 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 fulfilling its role as a government. A non-liberal government is like a band of robbers stealing its citizens’ liberties and, because it might negatively affect the total utility of society, it may be necessary<sup>6</sup> 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, and thus liberal nations have the right to choose to interfere with them (Rawls 62).

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 to interfere. In Chapter 4, Mill says of the Mormon religion:

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

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<sup>6</sup> 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.

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. (OL 92)

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 the complete 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. While it is clear in this case they do not commit aggressions on other nations, it is not as clear that they allow for complete freedom of departure. For the person who is dissatisfied with the polygamy that occurs in the Mormon religion, it would be reasonable but difficult 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 transition upon exit. Referring back to the France example, 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 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. 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 Mormons have no business interfering with it simply because it is a “scandal” (92). 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 which we have today. It fails as an argument against the right of intervention because the Mormon example is not analogous to contemporary international relations.

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 governments exist and are made legitimate. I have concluded that intervention would be a right and not an obligation, but I will not examine exactly how and when Mill would recommend intervention; that is the topic of another 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; whatever maximizes liberty while minimizing harm to others should be the goal of foreign policy.

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