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## An Analytical Study of Freedom and John Mill's on Liberty

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### KEYWORDS

Freedom of thought and expression, Negative freedom, Positive freedom.

### ABSTRACT

Man is a social and farsighted being. He lives in a welfare state so that he can develop his personality with the fundamental rights (Articles 14, 19, 21) and human rights (Universal Declaration of Human Rights-1948) contained in the Constitution. It is the duty of every state to provide appropriate conditions, rights, resources and justice for the development of the personality of society and citizens. A person can develop his personality in all aspects while using his rights only when there is no restriction or prohibition on the person regarding their use and these conditions are equally available to every person in the society. Freedom is naturally inherent in a person from his birth in the form of a human right. Freedom is a value as well as a means of other values. Freedom is a natural right of man. J.S. Mill has used the meaning of freedom in the sense of independent activity and also in the sense of personal freedom. Man can use maximum freedom but his freedom can be only that as per the declaration of human rights, 'freedom to do anything without harming others. In this article, Mill's thoughts on freedom are to be studied in depth and all other thoughts and concepts will be studied in this context.

### Introduction

Clear meaning of freedom Mill has expressed his thoughts about freedom in his book "On Liberty". In this Mill has said that freedom is essential for the progressive life of a person and his personality development. Originality and strength are required for the political, social and economic upliftment of man in society. Mill considers personality development to be the most essential truth of human life which can be developed in an environment of freedom. If seen from the point of view of development, then freedom comes after

independence.

### Objectives and Research Methodology

- Conduct a detailed analysis of J.S. Mill's "On Liberty", focusing on his conception of liberty and its limitations.
- Analyse Mill's writings in the context of the broader philosophical discourse on liberty.
- Study constitutional provisions (Articles 14, 19, 21 of the Indian Constitution) and the Universal Declaration of Human Rights (1948) to draw parallels with Mill's view on liberty.

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- Compare Mill's views with other philosophers' conceptions of liberty to understand his unique contribution to the concept of liberty.
- Analyse and study various positive and negative liberty theories.
- Assess and understand the practical challenges of Mill's views and theories on liberty.

### **Freedom of thought and expression**

Article 19 of the Indian Constitution guarantees several freedoms to citizens. Freedom of speech and expression: This right includes the right to express one's opinion without fear. It includes the freedom to communicate ideas and information through oral, written, electronic, broadcast and press. Freedom to assemble peacefully. Freedom to form associations or unions. Freedom to move about in any part of the territory of India. Freedom to reside and settle in any part of the territory of India. Freedom to practice any profession or to carry on any occupation, trade or business. There are certain restrictions on the rights under Article 19: These rights can be restricted in cases of security of the state, friendly relations with foreign countries, public order, decency or morality, or contempt of court, defamation or incitement to violence. The state has the right to create a state monopoly either partially or completely in respect of any trade or occupation or industry or service.

Mill's position in support of individual liberty is shared by Milton, Voltaire, Rousseau, Paine and It is considered the same with Jefferson, because man is a social animal. Hence, he lives in society from

birth to death which he considered the key to human progress. Without it, man will become stagnant. When we discuss freedom, we believe that freedom is the nature of every rational human being. Following is an explanation of Mill's views on freedom of thought and expression.

1. Mill has supported the freedom of citizens to express their views, give speeches, participate in debates, etc. Mill used to say that "every person in the society should be given the opportunity to express his views. If any of them is suppressed by powerful people, then the society suffers a setback on its progress."

2. We do not accept opposition to the traditional ideas which people have been following for centuries. Moreover, the person who expresses a contrary idea is tortured by the state. But are these traditional ideas always true? Should they be accepted blindly? In answer to this, Mill says that "we do not worship the idea because our ancestors have been considering it to be true and neither the people nor the state should crush any idea expressed against this tradition." Our experience and study are a clear proof that many traditional ideas were based on narrow thinking and blind faith and have been found to be false today. In the initial days, when ideas were put forward in opposition to the traditional ideology, those thinkers of the society and the government were rebuked, condemned, they even had to drink poison, they were called crazy. Then, finally, their ideas were accepted. Crazy people were also accepted, apart from accepting their ideas, people felt proud by following their ideas. For example, the name of Jesus is taken because the tradition of

his thoughts was considered reactionary and hence, he was put on the list, but today the number of people who follow his thoughts has increased. If Jesus had been given a proper opportunity to express his thoughts, then how much would the society have benefited from his thoughts today.

3. Mill has supported the freedom to express his thoughts. He says that the freedom to express thoughts is restricted by arguing that this thought is false and harmful, but how can one know which thought will be false or harmful before expressing it. Should a person be given the right to express his thoughts, because the harmful and false thoughts among them can be examined properly? But every thought should have the right to express itself, only when there is a conflict between two thoughts, then the truth and falsehood can be decided properly, truth always wins. Which thought is true or false, this observation can be made by comparing two opposing thoughts, because that determines the value of truth. Truth is a gold coin, the more you rub it, the more it will shine, the true thought is able to survive by comparative study of the opposite thought.

4. Mill supports the freedom to express ideas and says that the truth does not rest solely on one side of a dispute. More than one side can be true in their own way of thinking. Truth is unlimited and boundless." It does not have one side but many other sides which can complement each other. Only the product of many ideas can reach the truth. In search of truth, a person is like a blind person despite having eyes who guess the truth on the basis of his own imagination and intelligence.

5. Mill supported the freedom of ideas and believed

that "society should not stop any person from expressing his ideas. If other people have the same opinion, it will not mean that they should stop any one person from expressing his ideas due to their collective power." They should not do this keeping in mind the interest of the entire humanity. If any one person is stopped from expressing his ideas due to power, then it will be inappropriate, just as if that person, being powerful, stops other people from expressing their ideas. If all men and one man are of the same opinion, then only one man has opposing views. It will not be justified for men to keep him silent, just as if he could stop a man if he had power.

Mill says, "A unique fault of stopping thought and expression is that doing so is robbing mankind, future and present generations and it also causes more harm to its opponents than to those who hold it."

Mill says, "There is no doubt that freedom of thought and expression is important in itself, but man is the only creature in the whole world who can make the path of freedom possible for himself by gaining knowledge from natural laws and getting freedom from its slavery."

The freedom of a person cannot be harmed for any other benefit. F.A. Hayek argued that "The government should not make such arrangements in the name of freedom and should not create any hindrance in the real freedom of the individual." The state should give the individual the opportunity to express his thoughts freely, suppressing the thoughts of an individual is harmful for human interest. According to Mill, "There are three types of thoughts of an individual. (1) Truth (2) Half-

truth (3) Falsehood. He has said that if the thought is true then suppressing it is baseless. Humanity will be deprived of a true thought and if the thought is half-truth, then it is fine if half lie is suppressed, but half-truth should not be suppressed and even if the thought is false, it should be expressed because without expressing it, how will we know whether it is true or false."

Mill, while supporting individual freedom, says that "If all the people are of the same opinion except one and one person is opposed to their opinion, then all the other people will not be justified in silencing that one person." If a single person has the right and power to silence the entire human race. Freedom is dear to everyone. It should not be limited to any particular person, caste or community. Its scope should be the entire nation and the entire human race. No person in the society should be deprived of freedom because it is the right of the person who lives in the society. Man's independent thoughts provide him the opportunity to develop in the society. If a person expresses a new idea and the entire society opposes it, even then he should not be stopped from expressing his thoughts. But the question arises whether freedom will be safe in a social political system or not? Mill has seen the state as an evil. He believes that he wants to limit the powers of the state for the freedom of the individual because he says that it is better for the state to do as little work as possible in the general interest. Minimum restrictions should be imposed on the individual. Mill is a democrat but he is apprehensive about the law and order of the state. For this reason, he talked about restricting the powers of the state, which is necessary for the

protection of freedom. He says that society also tries to impose its views on individuals, hence he hopes to protect them from the atrocities of society. In this individualistic ideology of Mill, the freedom of the individual is central, so that the individual can make the right decision about himself. The freedom of an individual in taking decisions reflects his real freedom. There should be no restriction on the individual to take decisions in his own interest and to try to achieve it, as long as his actions do not interfere with the freedom of any other person.

Mill has set limits for some individuals to enjoy the right to freedom. He said that the individuals falling in this category should not be left free. The free environment of freedom should not be provided to children and immature individuals. Freedom should also not be provided to insane or mentally deranged people because the brain of children does not have knowledge before a certain age, their conscience remains undeveloped for a long time. Mill supported absolute freedom of thought and expression because he knew that the individual mind is capable of bringing about change in society and only through free discussion can the individual achieve freedom.

Mill's theory of freedom has contributed a lot to the development and progress of a person. Freedom today is not limited to our thoughts, speeches and actions, it has become the freedom of our religious behaviour, ideology and life. Taking the side of freedom, Bentham said that "natural freedom means the freedom to do as one pleases. It is clear that this kind of freedom cannot be enjoyed by living in a state. Civil liberty is the freedom to

behave according to one's will in a way that does not hinder the freedom of others in any way." Kant's view about freedom was that the meaning of man's moral freedom is that "freedom can be achieved only by moral conduct because it is not something imposed on a person from outside but is the command of his own conscience."

There are two concepts of freedom -

1. Negative freedom
2. Positive freedom

### **Negative freedom -**

Mill's views on negative freedom are especially important. Like Locke, Mill is also an individualist thinker and he accepts individual freedom as the highest value. He says that the aim of a person is to develop himself to the maximum and he can do so only when there is no restriction of any kind on him or there is minimum interference of the state in his life. Hobbes, Locke, Jefferson, Adam Smith, Benjamin, Robert Nozick, F.A. Hayek and other thinkers also supported Mill in his negative freedom. Laski was also a supporter of negative freedom earlier. According to him, freedom is the absence of restrictions on those social conditions which are the essential guarantee for the happiness of a person in modern civilization. But after some time, he became a supporter of positive freedom. Under the negative concept, 'freedom is seen as a state of absence of all kinds of restrictions'. When we talk about freedom, we find it only in the form of 'absence of restrictions'. If we say it in other words, if a person wishes to do something and is able to do it, then he should not be stopped from doing so.

This kind of freedom is called formal freedom.

Giving this kind of freedom does not mean that if a person wants to do anything, he will be helped in doing it. When society is suffering from huge economic inequalities, then negative freedom adopts a neutral attitude towards these inequalities. Mill's form of freedom becomes even more powerful when we see that he wants the progress of individual men and women, because he believes that all ideal and rational things come from individuals only. A situation in which a person is able to shape his life as he wants, and the state does not allow any obstacle in his way. Mill's entire political thinking is based on the value of the individual. Mill accepts him as a social being but at the same time he also expresses his belief that a person does not voluntarily contribute to the interests of society. Only a person can understand the interests of an individual, not the society. He can achieve them in his best way. Christian Berlin supports negative freedom. But among modern thinkers, Berlin talks about non-interference and in this he has considered restrictions on individuals as prohibited. He said that freedom is the absence of pressure from other people, i.e. the area in which a person can work without any interference will be called freedom.

So, according to Berlin, there should be such a system in which a person can try to fulfill his goal according to his ability and he does not have to face any obstacle from other people. He said that if a person is incapable of achieving his goal, then it will not be called lack of freedom.

Friedman also supported this concept of Mill and Berlin. According to him, freedom is the absence of pressure from other people on a person. He says



that freedom has nothing to do with what a person does with his freedom. He says that economic freedom is called a necessary condition of political freedom. He rejects positive freedom, positive state, socialism, democratic socialism, all because restrictions have been imposed on the freedom of the person in these. Negative freedom was a special demand of the ongoing struggle with feudalism and dictatorial forces, but in special circumstances, negative freedom was the primary demand against pressure, slavery and physical domination. But after some time, the ill effects of negative freedom also started becoming visible. Thereafter, there was a reaction against negative freedom and at the same time, positive freedom also emerged.

#### **Positive freedom –**

The freedom that Mills has praised is not only negative but a positive ideal. Throwing light on the positive side of the state, Mill did not prohibit the interference of the state in the activities of individuals but considered its interference essential in some situations of individual development. He said that the happiness of society is not necessary for the happiness of man because all people are not equal. Mill believes that the state has to perform some moral functions. He said that the constitution of the state should be such that it develops the best moral and intellectual qualities of the citizens. Negative freedom emphasizes on the freedom of choice.

Positive freedom emphasizes on opportunities for the development of human potential. Positive freedom means the availability of opportunities for meaningful and effective choices. Positive freedom was supported especially by Rousseau, Kant,

Hegel, Green, Bosaken, Barker, Laski, McPherson. Negative freedom was seen by thinkers as a solitary person by separating man from society and achieving freedom. The result of this was that freedom remained the right of a limited number of people. Socio-economic freedom demands positive freedom. For example, freedom from hunger, thirst or helplessness is a symbol of positive freedom because the state will have to take concrete steps to establish it. It was emphasized that freedom cannot be imagined in the absence of equality. Positive thinkers believe that man is an intellectual and social being, so the effect of his actions should affect other people. Explaining the meaning of freedom, the positive concept says. Man's freedom is linked to other people. Therefore, no one complains about the ability's nature has deprived us of and the inequalities which cannot be overcome. Freedom is not a license to act arbitrarily. It is the freedom to do certain tasks which have the characteristic of being worth doing. That is why green advocates appropriate restrictions on the freedom of a person. He said that just as beauty is not just the absence of ugliness. Similarly, freedom is not the name of absence of restrictions. Positive freedom is not just absence. It is the achievement of such conditions and environment in which personality development is possible. Green says that "common interest is more harmed by a person breaking a bad law or ordinance (unless it is repealed) than by obeying it. Therefore, it is the social duty of a person to obey the laws and he cannot do anything that is against his social duty." Laski was a strong supporter of positive freedom. He praised positive freedom and

criticized negative freedom. Laski believed that supporting negative freedom meant that the development of personality of individuals is limited to only a few people. According to Laski, "freedom cannot be called the absence of restrictions." Bondage is inherent in the nature of freedom, because the freedoms that I have separately are not meant to destroy the freedom of those with whom I live. Freedom is the creation of opportunities in which the personality of a person can develop. Like positive thinkers, he gave a positive role to the state. He said that he expects the state to create such conditions which lead to the development of man.

In reality, the supporters of positive freedom want to establish such a social political system in which the capable and the weak, the rich and the poor also get freedom. As we know that freedom is the absence of bondages, but whenever we evaluate this meaning of freedom, we find that such freedom gives birth to arbitrariness or promotes disorderliness etc. In the absence of any kind of bondage, man does as he pleases. Those who are strong in the society will make the life of the weak difficult. Man is a social animal. His interest lies in the interest of the society and he should also find his ideal in the social ideals.

Individual freedom is not the wish of the person but his all-round development. Individualist thinkers believe in the negative theory of freedom, according to them freedom is the absence of restrictions. Individualist thinkers have seen the state in the role of an 'evil', they say that the state should have no other work except to maintain peace and harmony in the society. Individualist

thinkers also believe that a person should have freedom only in the absence of complete controls. This is beneficial for both that person and the state. If the state intervenes at the time of social disorder, anarchy and unrest, then it is considered just and in the interest of the society. For example, if someone plays music loudly at midnight due to which other people get disturbed and students' studies are interrupted, then the state has the right to stop that person, which is also its duty. Rousseau says that "Law does not violate and control freedom, but protects and increases it."

It would not be completely true to say that the law of the state is an obstacle to freedom because law is made to protect freedom. If the law acts as a bond, it also protects freedom, but many times it is seen that the law creates an obstacle in the path of freedom. It means that to maintain freedom, the intervention of the state in some form or the other is necessary.

Mill has presented important ideas regarding the freedom of the individual, but some thinkers have been dissatisfied with Mill's ideas. They have criticized Mill's ideas. Mill has considered freedom of expression and freedom of work as valid. He wants to bring about all-round development of every aspect of society through the development of the individual.

1. Mill has given freedom to do every such work in personal work so that only the doer himself is responsible for it. There should be complete freedom for such activities but those activities which have an impact on other people and society should be restricted but the question is which activity is a personal activity of a person. That is,

there are very few activities which are completely personal. Hence, this idea of Mill is baseless. No other person may have anything to do with it but there are many aspects of freedom which may be contradictory at many places and Mill was not able to see them.

2. Mill has divided the activities of freedom into two principles. There is no such aspect of a person's activities which affects only that person. Knowingly or unknowingly, every activity affects other members of the society in some way or the other. For example, Mill has allowed a person to drink alcohol alone and gamble without any dispute. It seems from the looks of it that those who do such personal activities affect only themselves but indirectly they affect the society as well. Therefore, every work of a person, no matter how personal it is, has its effect on the society directly or indirectly and Mill's division of work is inappropriate.

3. While criticizing the ideas related to freedom, it is argued that Mill has played with human civilization by giving freedom to crazy people to express their views. He said that crazy people should also have the freedom to express their views because if the idea of any one of them is true and there is incomplete talent to help in their development, then it would be injustice towards those crazy people.

4. Mill says that freedom is to remove the problems that come in the way of human development. By giving a limited definition of freedom, Mill has reduced its importance. Mill's thinking is not positive.

5. While criticizing Mill's principles related to

freedom, it is argued that they have encouraged immoral and reprehensible acts in the name of individual freedom. He said that a person should not be deprived of doing such acts which affect him. On the basis of his statement, people who take part in bad habits like drinking alcohol, marijuana etc. are free to lead an immoral life because their effect is only on them, but if the state does not interfere in this work, then many people will keep sinking into this work. When the peace of their life will be disturbed by this disgusting work, then what is the point of opening the eyes of those people? When after ruining their life, they will get nothing except despair, then what if they come to their senses? 6. Barker has criticized Mill's freedom by calling it an imaginary, hollow and negative freedom, but such allegations of Barker cannot be accepted because Mill's objective is to bring about complete development of a person's life. He said that the state should interfere as little as possible in the personality of the person. The freedom that is given to every person living in the nation is called national freedom. It has no meaning in the personal freedom of the person. If a person does not have national freedom, because the person is not different from the nation and the nation is not different from the person, the freedom of both is dependent on each other. A person who considers himself morally free will be selfless, he will respect other people. If a person is given freedom and restrictions are imposed on his moral freedom, then all the freedom he gets will prove to be useless because a person is an intellectual being and he is serious about his freedom and social development on the basis of his intelligence. We



can say that the idea of freedom should not be allowed to disappear from human life. In freedom, it is necessary to have rights. Freedom without rights has no meaning. From the point of view of freedom of thought, the social aspect of life should not be allowed to disappear from the viewpoint of freedom of thought. In freedom, it is necessary to have rights. From the point of view of freedom of thought without rights, freedom from traditions is also freedom. That is, freedom means freedom from bondages.

Maxi says that "In the development of political literature, his essay written on the freedom of thought and expression of a person is paramount. It contains excellent sentiments which were supported by Milton, Spinoza, Voltaire, Rousseau, Paine, Jefferson and freedom of thought and expression. Imposing any kind of restriction on debate and expression is a sign of weakness. According to Mill, it is necessary for the development of a person that the state should interfere less in the life of a person. Freedom was neglected by Bentham and other utilitarian thinkers, but Mill's views on freedom were completely different from them. He also opposed the belief of idealism in which the state was considered the goal and the individual the means. A person who is familiar with only his own viewpoint on a subject can never have complete knowledge of that subject.

Laski never accepted that freedom is the absence of bondage. There is a lot of similarity in the views of Green and Laski. Laski's statement on freedom is that "freedom is the absence of bondage on the power of all those social conditions which

determine the necessary conditions for the happiness of a person in modern civilization."

Regarding human freedom, Hegel has said that for achieving freedom, man is completely dependent on the state and acts as a means for the glory of the state, but if seen from a philosophical point of view, the state, being an end in itself, is a means for spreading freedom. For man, his freedom is the essence, Kant's views about freedom were very limited and emotional. Unlike Kant, Hegel tried to explain a positive and fact-oriented concept of freedom and a less individualistic concept of the state. Kant's freedom is individualistic and limited. Kant does not say much about the relationship between man and society and neither does he emphasize that true freedom can be attained by man only by participating in the moral and legal life of society. Hegel emphasizes this point and says that true freedom is possible only by participating in the moral life of society. According to Mill, "In a free state, the people who use power are not always the people on whom it is used and the above self-rule is not the rule of each on himself but the rule of each on the rest. Therefore, the importance of limiting the power of the government on individuals cannot be reduced because the rulers are regularly accountable to the society. Now in the political alternative, the tyranny of the majority is generally included among the evils from which it is necessary for the society to protect itself." Due to his tireless efforts and incomplete belief, the real truth of the person is the state, the person can achieve his happiness and freedom only by finding important social work. He accepted that Rousseau was right in saying that the

real freedom of a person lies in following the laws of the state. If we look at it, Hegel's state cannot be hindered by law in any way because the state itself determines all kinds of moral rules, social customs, practices and traditions for the citizens. The citizen who voluntarily follows the ideal laws of the ideal state has the right to get complete freedom, because by following the orders given by the state, man proves his being an ideal citizen.

**Conclusion** - We can say that Mill's freedom is not just a human interest, it is also a social interest. By remaining free, man can also benefit the society by expressing his thoughts. Freedom of thought in society remains alive in the form of a discussion and if any opinion is suppressed forcefully, it will be harmful for both the person and the society. In the present times, even the negative concept of freedom given by Mill is not accepted but we cannot say that Mill's theory of freedom is completely meaningless because the way Mill has praised freedom has been shown to be positive rather than negative.

So, we can say that some inconsistencies and some errors were found in Mill's theory of freedom but his aim was only to provide ideological freedom to the individual so that both human interest and social interest remain and both develop.

The analysis on "Individual freedom and the views of John Stuart Mill" leads to the conclusion that freedom is not only a natural right of man, but it is an essential element for the development of his personality and the overall progress of society.

Freedom is the main means of enhancing the personality of man. It not only provides an opportunity to conduct his personal activities, but

also expands his creativity, self-reliance and social responsibility.

In this, man is given an opportunity to achieve his development and goals. Constitutional limitations: Freedom should be used without harming others. This idea of Mill is linked to modern constitutions and human rights declarations.

Personal and social freedom: Mill considered individual freedom paramount and emphasized on protecting it from the interference of society and the state. According to him, society should make disciplinary intervention in freedom only when it is in the larger interest of the society.

Practical context: The use of freedom is meaningful only when it is applied in the context of justice, equality and inclusiveness. Articles 14, 19 and 21 of the Indian Constitution protect these dimensions of freedom.

Balance of objective and social freedom: John Stuart Mill believed that the real use of freedom is possible only when a person balances his personal freedom with the interests of society.

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