

Mill on Freedom of Thought and Expression

Mill says: the evil of silencing the expression of opinion is the same whether the opinion expressed is true or false. If it were true and were suppressed, posterity as well as the current generation are deprived of the opportunity to exchange error for truth. If false and were suppressed, mankind loses what is almost as great a benefit – the clearer understanding of truth produced when it collides with error.

1) Let us suppose the opinion expressed and which the authorities wish to suppress, is true. Those who wish to silence the speaker, deny the truth of the statement – but they are not infallible. Everyone believes that he himself is infallible, but only a wise man takes precautions against his own infallibility. Only a wise man understands that it may be accident that decides his opinions: for example, a man born in London who is a Christian, who, if he had been born in Beijing would have been a Buddhist. If the state decides those questions for others without allowing them to hear the arguments on both sides, that is what Mill calls an assumption of infallibility – not the fact that the authorities are sure of their own views.

Some writers argue that, in the religious and other cases, persecution is an ordeal through which truth must pass, and that legal penalties and the actions of the state in suppressing the truth have, in the end, no power. Mill offers the example of the Reformation in Mediaeval/ Early Modern Europe, where the Albigensians, Lollards, Hussites and many other groups which wished to reform the church to its earlier traditions of charity and the rejection of wealth, or to leave the church, were persecuted for hundreds of years before the Reformation succeeded. In fact, this example proves the point made by the writers referred to above. Mill also says, nowadays the victims of religious persecution are not killed but instead fined or subject to other penalties of both legal and public opinion. Thereby people are encouraged, says Mill, to disguise their opinions, or not to engage in any active effort to propagate them.

2) In the case where the state, or public opinion, silences the expression of a particular statement, even when the statement is false, it often contains a part of the truth. Since the commonly-held views also probably contains only a part of the truth, it is only by the collision of opinions that we can discover the whole truth.

3) Mill argues: Let us assume that received views are true, but unless they are openly discussed and debated, those opinions will be held as dead dogmas (given things) rather than as living truths. If you hold those current views but have no knowledge of the opposing views, or the reasons why those opposing views may be held, you have no reason to hold either view. 99 out of 100 educated people are in this position even if they are capable of arguing for their opinion.

4) Index Librorum Prohibitorum (index of forbidden books). The Roman Catholic Church, Mill says, bans lay people from reading certain books, but permits clerics (that is, those who have been intellectually trained) to read them, in order to prepare

arguments against them. But the lay people are expected to accept these beliefs on trust, which Mill does not agree with. The meaning of the doctrines will be lost.

At the end of his discussion, Mill comments on the role of politeness in intellectual discourse. Opinions contrary to those that are commonly received can obtain a hearing only by the use of moderate language and avoidance of unnecessary offence. Harsh language deters people from hearing contrary opinions. But the law should not control this.

The criticisms of Leslie Stephen

L. Stephen discusses Mill's idea that continual contradiction and argument about some opinions is desirable, otherwise those opinions would be held in a dead conventional way rather than in a strong living way. L. Stephen suggests that Mill wrongly took his ideas about the value of argument from his own (Mill's) experience as a boy, arguing with his father. L. Stephen argues instead that contradiction tends to weaken a belief: the best way to strengthen a belief is to apply it to practical things – consider in what way we have our belief that $2 + 2 = 4$ reinforced, or our beliefs in physical laws. Mill also does not distinguish between different types of opinions, except where he explains that in mathematics there are no "different opinions" or "points of view". Mill puts religious beliefs with other matters of opinion. Beliefs, true or false, keep their vitality as long as they are put into practice, whether or not they are held unanimously. But religious beliefs are not verified in the same way as other beliefs: if I act on God's commands, and am satisfied with my action, this does not prove a true statement about matters of fact.

Also, beliefs keep their vitality even if we are unable to follow direct proofs, but because we can verify indirectly. L. Stephen suggests that most people cannot assess the experimental evidence and the mathematics in astronomical theories, but we can understand how every day astronomical calculations are tested and verified. "The question is not whether we should take things on trust [which Mill thinks we should not], we cannot help it. But upon what conditions our trust becomes rational."

L. Stephen also comments that Mill does not distinguish between two different sorts of truth. Mill speaks of truths as though they were all the truths of particular facts (eg., "the existence of North America") which, when once suppressed, may be rediscovered: and ignores those truths which do not merely add some new scientific law or fact to our store of knowledge but rather help to "systematise and affect our whole method of reasoning".

L. Stephen argues that Mill exaggerates the value, not of freedom, but of its byproduct, contradiction. Mill would probably approve of perpetual-motion-machine makers simply because they contradict the laws of the conservation of energy. In fact intelligence shows itself as much when recognising and understanding a valid proof, for which no contradiction is necessary, as when rejecting a fallacy. The progress of the processes of knowledge and science is as dependent on the cooperation and the acceptance of rational authority as it is upon rejecting errors and declining to submit to arbitrary authority.

Some further criticisms can be offered – these from L. Stephen's brother Sir J. F. Stephen's book "Liberty Equality Fraternity". Legislation – about marriage, education, and the laws relating to religious charities – affects the interests all religious believers and their institutions. Such legislation cannot be framed without making assumptions about the truth about the truth or otherwise of each of these religions. If the government is even handed, (eg by insisting that schooling is secular, marriages other than civil are invalid in law, etc.) this is tending in fact to secularism. All government and legislation must have a moral basis and this implies a religious basis also.

J F Stephen also argues that "to attack beliefs on which the framework of society rests is a proceeding which both is and ought to be dangerous." "Mill's criticism of social intolerance is that it makes timid people afraid to express unpopular opinions." "Speculation on government, morals and religion is a matter of vital practical importance, not just the food for curiosity" though it is no doubt curiosity which initially leads people to study these subjects. (Liberty Equality Fraternity, pp. 52-53 in Liberty Fund edition: also see pp. 36 ff.)

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