

JUSTICE

Lecture 6 – The Utility of Speech

1. Mill's project in *On Liberty*
 - a. Mill's concern: the existence/threat of social tyranny, by way of law and custom
 - b. Mill's question: when does society have the moral right to coerce the individual?
 - c. Mill's answer: only when it's necessary to prevent harm to others (Harm Principle)
2. The Harm Principle:
 - a. A filter for *reasons* we might invoke to justify coercion
 - b. Permits coercion *only* to prevent harm to others
 - c. Forbids coercion for *any* other reason (e.g., paternalistic, moralistic, perfectionist)
 - d. Demands freedom of *all* speech & conduct-not-harmful-to-others
3. Mill's argument for the Harm Principle:
 - a. We should always do what will maximize happiness
 - b. Allowing freedom of all speech & conduct-not-harmful-to-others will maximize happiness
4. Why does freedom of speech maximize happiness? Why not censor unpopular or false doctrines?
 - a. Because censorship of unpopular doctrines can deprive everyone of the benefits of truth (in science, politics, morals)
 - b. Because censorship of false doctrines deprives everyone of the benefit of (being confronted with) falsehood: being "intellectually active"
5. Why does freedom of conduct-not-harmful-to-others maximize happiness? Why not more coercion?
 - a. Because the best—happiest—ways of living will be discovered only if there is room for "experiments in living" and "variety of characters"
 - b. Because freedom of conduct-not-harmful-to-others is necessary for "individuality"—"one of the principal ingredients in human happiness"—whereas coercion stunts "individuality"

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