

Laisser-faire and Interferences of Government
: On MILL's Thought of Limited Government
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: On MILL's thought of limited government Interferences

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Preface

Laisser-faire school and Government Interferences school are representing two basic trends which run through the evolution of western government thought. Laisser-faire school holds that scope of government power must be limited to certain functions as the protection of person and property. However, Government Interferences school insists that government has power and should interfere as long as a government interference is useful. John Stuart Mill, a British philosopher and political economist of 19 century insisting that government should protect individual liberty, safeguard economical liberty and pursue the Laisser-faire policy advocates, meanwhile, that government should provide more opportunities and guarantees in order to increase people's well-being according to the principles of his concept of Utilitarianism. He draws a clear distinction line and defines the scope for the Interferences, emphasizing that government should mainly carry out non-authoritative interference. In other words, he brings up a set of entire thought of limited 'government interference' policy. Based on this thought, he begins to analyze the relationship between 'Laisser-faire' and 'Interferences of Government' completely and as a result makes a revision of the 'Laisser-faire' doctrine, and develops the theory of active government interferences

into an important principle of neo-liberalism.

1 Safeguard liberty

Since Mill is a liberalist, he stands for the Laisser-faire principles, based on the notion that individual liberty should be fully respected. So, what are the individual liberties he refers to?

He maintains that the individual liberties comprise, first, freedom of conscience in the most comprehensive sense, freedom of thoughts and feelings, absolute freedom of opinions and sentiments on all subjects, practical or speculative, scientific, moral or theological.

Secondly, liberty of tastes and pursuits, of framing the plan of our life to suit our own character and freedom of conduct.

Thirdly, the liberty of combination among individuals, freedom to unite for any purpose unless it doesn't harm others. If we analyse the individual liberties Mill refers to, we may discover that they chiefly mean the liberty for individual to preserve his individuality.

For, no one is willing to devote his own liberty innately to wipe out his individuality. Everyone wishes to be free and to enjoy his individual liberties at most, so long as it is a human being. Mill underscores "the importance, to man and society, of a large variety in types of character, and of giving full freedom to human nature to expand itself in innumerable and conflicting directions"⁽¹⁾ and "that the free development of individuality is one of the leading essentials of well-being."⁽²⁾ It means that it is quite difficult for a society to develop without any individuality at all, and it is not good for well-being and happiness of mankind too. "It is not by wearing down into uniformity all that is individual in themselves, but by cultivating it, and calling it forth, within the limits imposed by the rights

and interests of others, that human being become a noble and beautiful object of contemplation.”⁽³⁾ Each person belongs to himself and should not become a kind of person like a loyal servant. The nobility and beauty of human being and public health of mankind can be realized at most, only if it is like this.

Why one person moulds his own individuality? Mill is making a point that “where, not the person’s own character, but the traditions or customs of other people are the rule of conduct, there is wanting one of the principal ingredients of human happiness, and quite the chief ingredient of individual and social progress.”⁽⁴⁾ So, the model of individuality is the major motivation to realize the happiness of human being. And more : “the only unfailling and permanent source of improvement is liberty, since by it there are as many possible independent centres of improvement as there are individuals”⁽⁵⁾.

Individuality is so important, therefore, he may develop his own individuality freely in common so long as it is a person. In Mill’s opinion, “that free scope should be given to varieties of character, short of injury to others ; and that the worth of different modes of life should be proved practically, when any one thinks fit to try them ”⁽⁶⁾ But not everyone is able to obtain the proper environment and conditions in order to develop his own individuality in the concrete state or at a certain age. Certainly, Mill has thought it over, so he cares very much about how to cultivate one’s individuality. For one person, the object “towards which every human being must ceaselessly direct his efforts, and on which especially those who design to influence their fellow-men must ever keep their eyes, is the individuality of power and development ;” that for this there are two requisites, “freedom ,and variety of situations ;” and that from the union of these arise “individual vigour and manifold diversity,” which combine

themselves in “originality”⁽⁷⁾ so that they may bring about the happiness to human being continuously.

However, Mill also understands quite well that it doesn't mean there should not be any restrictions on developing the individuality, for there is no absolute free individuality in the world. He says: “As much compression as is necessary to prevent the stronger specimens of human nature from encroaching on the rights of others cannot be dispensed with.”⁽⁸⁾ this kind of necessary compression is good for the development each other, “And even to himself there is a full equivalent in the better development of the social part of his nature, rendered possible by the restraint put upon the selfish part”⁽⁹⁾ So, as long as everyone obeys the certain rules, it is possible for a person to develop his individuality in a fair manner, and carry a different life in accordance with his character.

The above-mentioned arguments embody Mill's desire for the individual liberty and the ideas how it can be realized. However, many problems remain to be solved if one person wants to realize the value of his individual liberty to the social progress and the significance of human being happiness. The most principal and important challenge among them is how to deal well with the relationship between the government interferences and the individual liberty, for “The worth of a State, in the long run, is the worth of the individuals composing it.”⁽¹⁰⁾ If the problem of the government (the representative of a state) interferences is not be handled well, it is difficult to protect the individual liberty. Therefore, Mill spends a lot of his vigor to think about the problem of the government interferences.

2 Limited 'government interference'

Because the most serious threat to the individual liberty goes from the government interferences, Mill stands for the 'Laisser-faire' principle, and insists on restricting the government interferences to the narrowest limits. He says : "as a general rule, the business of life is better performed when those who have an immediate interest in it are left to take their own course, uncontrolled either by the mandate of the law or by the meddling of any public functionary. The persons, or some of the persons, who do the work, are likely to be better judges than the government, of the means of attaining the particular end at which they aim."⁽¹¹⁾ and "what ever theory we adopt respecting the foundation of the social union, and under whatever political institutions we live, there is a circle around every individual human being, which no government, be it that of one, of a few, or of the many, ought to be permitted to overstep ; there is a part of the life of every person, who has come to years of discretion within which the individuality of that person ought to reign uncontrolled either by any other individual or by public collectively."⁽¹²⁾ Based on these, Mill sets forth three kinds of situations that government shouldn't intervene :

The first is, when the thing to be done is likely to be better done by individuals than by government. Speaking generally, there is no so fit to conduct any business or to determine how or by whom it shall be conducted, as those who are personally interested in it. This principle condemns the interferences, once so common of the legislature or the officers of government with the ordinary processes of industry.

The second objection is more nearly allied to our subjection. In many cases, though individuals may not do the particular thing so well, on the

average, as the officers of government, it is nevertheless desirable that it should be done by them rather than by the government, as a means to their own mental education—a mode of strengthening their active faculties, exercising their judgment and giving them a familiar knowledge of the subjects with which they are thus left to deal, such as the recommendation of jury trial, of free and popular local and municipal institutions and of the conduct of industrial and philanthropic enterprises by voluntary associations. The peculiar training of a citizen and the practical part of the political education of a free people may take them out of the narrow circle of personal and family selfishness, and accustoming them to the comprehension of joint interests and the management of joint concerns. Without these habits and powers, a free constitution can neither be worked or preserved, and political freedom is the too-often transitory nature in countries where it does not rest upon a sufficient basis of local liberties.

The third and most cogent reason for restricting the interference of government is the great evil of adding unnecessarily to its power. Every function superadded to those already exercised by the government causes its influence over hopes and fears to be more widely diffused, and converts more and more the active and ambitious part of the public into hangers-on of the government, or of some party which aims at becoming the government. So the evil would be greater, the more efficiently and scientifically the administrative machinery was constructed. This kind of government is not only the heavy burden of the society, but also the great obstacle of the social progress and reform.

Based on the analysis above, Mill points out : “Laisser-faire, in short, should be the general practice : every departure from it, unless required by some great good, is a certain evil.”⁽¹³⁾

Although Mill agrees with the general individual liberty completely, he doesn't support the absolute Laisser-faire. The ground of the practical principle of non-interference must be that most person take a juster and more intelligent view of their own interest. If individual cannot make a best judge concerned with his own greatest interest on account of his age, disease, knowledge, experience and time, the government interferences have to be carried out. Mill always affirms the proper and limited government interferences. He points out, There are matters in which the interference of law is required, not to overrule the judgement of individuals respecting their own interest, but to give effect to that judgment ; they being unable to give effect to it, except by concert, which concert again cannot be effectual unless it receives validity and sanction from the law. "The first of these is the protection of person and property. There is no need to expatiate on the influence exercised over the economical interest of society by the degree of completeness with which this duty of government is performed."⁽¹⁴⁾ Persons may need the assistance of law to give effect to their deliberate collective opinion of their own interest, by affording to every individual a guarantee that his competitors will pursue the same course, without which he cannot safely adopt it himself.

Mill emphasizes : "nor to limit the interference of government by any universal rule, save the simple and vague one that it should never be admitted but when the case of expediency is strong."⁽¹⁵⁾ However, Laisser-faire just cannot realize the action good for others, the general and long interests of society. Mill points out further that all the individual behaviour is for his own interest, but the individual interest is not restricted within the scope of the individual. As a matter of fact, the individual interest relates to the general interest of the state and his future generations, that

is to say, the individual interest is also the general interest at the same time. The general interest can be protected and improved only if society uses the public power. The public power of society just is the government, so the proper interference of government is necessary. “There is a multitude of cases in which governments, with general approbation, assume powers and execute functions for which no reason can be assigned except the simple one, that they conduce to general convenience”⁽¹⁶⁾.

Mill indicates that there are many exceptions to the principle of Laisser-faire. The principle of non-interference is not certain to be fit for some cases or fit for universally. “In the particular circumstances of a given age or nation, there is scarcely anything, really important to the general interest, which it may not be desirable, or even necessary, that the government should take upon itself, not because private individuals cannot effectually perform it, but because they will not.”⁽¹⁷⁾ Hence, Mill divides the functions of government into two sorts. One is termed the necessary function, this sort of function involves many aspects, such as the taxation, property, contract, justice, enforcement and so on, the most necessary function among them is “the function of prohibiting and punishing such conduct on the part of individuals in the exercise of their freedom, as is clearly injurious to other persons, whether the case be one of force, fraud, or negligence.”⁽¹⁸⁾ The reason to which government exercises these functions according is to increase the general expediency of the society. i.e. government exercises these functions in the whole society, and which is generally agreed by every number of the society. Another is the optional function, it refers to the government function that strides across the limit of the approved function by public, “which are sometimes assumed by governments and sometimes not, and which it is not unanimously admitted that they ought to exercise.”⁽¹⁹⁾

According to the principles above, Mill strictly draws the demarcation line between the 'Laisser-faire' and the 'government interferences'. He indicates : "the admitted functions of government embrace a much wider field than easily be included within the ring-fence of any restrictive definition, and that it is hardly possible to find any ground of justification common to them all, except the comprehensive one of general expediency."⁽²⁰⁾ Besides that individual liberty and value should be respected. Meanwhile, Mill emphasizes that they must be based on the social duties. If someone doesn't want to discharge his duty, then the society has the power to carry out the law or moral interferences toward him. Society has the power of judge him as long as the any part of individual action effects the interests of others. Therefore, for the sake of interests of others and social public, i.e. the Great Good, government have to conduct the necessary interferences in some aspects so as to protect the general interests of society.

In fact, Mill revises the original principle of the 'Laisser-faire'. This derives mainly from his principle of utilitarianism. He considers, that "the Greatest Happiness Principle, holds that actions are right in proportion as they tend to promote happiness, wrong as they tend to produce the reverse of happiness"⁽²¹⁾ Then, for the purpose of increasing the "right actions" and decreasing the "wrong actions", for the purpose of promoting the pleasure and preventing the pain, government should give play to active functions and provide more opportunities for people to obtain liberties, not just always carrying out the 'Laisser-faire'.

Although Mill's revised doctrine of the 'Laisser-faire' provides the support of theory for the government interferences, it doesn't mean that the government may enlarge its own functions at its pleasure. The government must remember at any time : the aim of the interference is

not because that it has power, but that it serves individual interest and individual liberty. The interferences are not unlimited but limited. The reason for the limited is because that it is subordinate to Mill's principle of liberty and utilitarianism.

In Mill's opinion, it may be said generally, that anything which it is desirable should be done for the general interests of mankind or of future generations, or for the present interests of those members of the community who require external aid, but which is not of a nature to remunerate individuals or associations for undertaking it, is in itself a suitable thing to be undertaken by government. "For illustration, and without prejudging the particular point, I may advert to the question of diminishing the hours of labour."⁽²²⁾

So the things that government should interfere or do may be divided into two parts.

One thing that is beneficial to social interests, but individual doesn't have a capacity to do. The first is to provide education of the people. In the matter of education, the intervention of government is justifiable because the case is not such as one in which the interest and judgment of a consumer provide sufficient security for the quality of the commodity. "With regard to elementary education, the exception to ordinary rules may, I conceive, justifiably be carried still further"⁽²³⁾ "It is therefore an allowable exercise of the powers of government, to impose on parents the legal obligation of giving elementary instruction to children. This however cannot fairly be done, without taking measures to ensure that such instruction shall be always accessible to them, either gratuitously or at a trifling expence."⁽²⁴⁾

The second is to protect the legal rights of women and children. Mill insists that women should have as absolute a control as men have over

their own persons and their own patrimony or acquisitions, and have the equal social position completely. Children below a certain age cannot make the best judge for their own interests, so they should be protected so far as the eye and hand of the state can reach from being over-worked.

The third is that government should interfere with monopoly in order to protect public interests of society. Many trades, such as the gas, water supply and road transportation, though they do fit for private management, in fact these are always represented by practical monopolies in a great degree. The communities need more security for the proper performance of these services as not to lend them to the interest of the managers. So they are either the part of government, or subjected to the business under reasonable conditions for the general advantage, or government retains power over them, “that the profits of the monopoly may at least be obtained for the public.”⁽²⁵⁾

The fourth is the public charity. Mill insists: “the maxim that individuals are the best judges of their own interest, cannot apply to the very large class of cases, in which those acts of individuals, over which the government claims control, are not done by those individuals for their own interest, but for the interest of other people. This includes, among other things, the important and much agitated subject of public charity”⁽²⁶⁾. No matter how much this problem is opposed, “The claim to help, therefore, created by destitution is one of the strongest which can exist; and there is prima facie the amplest reason for making the relief of so extreme an exigency as certain to those who require it, as by any arrangement of society it can be made.”⁽²⁷⁾ So Mill advocates that government should make Poor Laws, so as to ensure the enterprise benefiting others of public charity to be carried out successfully.

Another thing is that is not of a nature to remunerate individuals for

undertaking it but good for society, is to be undertaken by government. “At some times and places there will be no roads, docks, harbours, canals, works of irrigation, hospitals, schools, colleges, printing presses, unless the government establishes them; the public being either too poor to command the necessary resources, or too little advanced in intelligence to appreciate the ends, or not sufficiently practised in conjoint action to be capable of the means.”⁽²⁸⁾ Mill points out, for the things that persons have no power to finish by their own resources, if the government doesn't do, these social interests will not be met; some things are good for society, such as a voyage of geographical or scientific exploration and building lighthouses on the sea, similar with the mentioned above situation, they are also needed government to do.

Mill provides wider fields for the government interferences, but these fields cannot be gotten to by individual powers. It tells us in fact that the government interferences should consider the public interests, and reminds the officials of coordinating the relationship between the public interests and individual interests. Nevertheless, the precondition is to give priority to individual interests.

Based on the analysis on the scope of the limited government interferences, Mill distinguishes two kinds of intervention by the government, i.e. the authoritative interference of government and non-authoritative interference of government. The authoritative interference of government is “The intervention may extend to controlling the free agency of individuals. Government may interdict all persons from doing certain things; or from doing them without its authorization; or may prescribe to them certain things to be done, or a certain manner of doing things which it is left optional with them to do or to abstain from.”⁽²⁹⁾ So, it is evident that the authoritative form of government intervention has a much

more limited sphere of legitimate action than the other.

Mill agrees to the non-authoritative interference of government very much, and holds that the form of the interference of government should be non-authoritative if it is possible. The non-authoritative interference of government is a case “when a government, instead of issuing a command and enforcing it by penalties, adopts the course so seldom resorted to by governments, and of which such important use might be made, that of giving advice, and promulgating information ; or when, leaving individuals free to use their own means of pursuing any object of general interest, the government, not meddling with them, but not trusting the object solely to their care, establishes, side by side with their arrangements, an agency of its own for a like purpose”⁽³⁰⁾ So there might be a national bank or a government manufactory without any monopoly against private banks and manufactories. As a matter of fact, this is a kind of the interference of government without restriction and encroachment upon individual liberty.

Mill sets forth two kinds of ways that divides the macroscopic controlling by government here for the first time, i.e. direct controlling and indirect controlling, and sets up a principal criterion of a “good government”, that is “the chiefs of the administration, whether permanent or temporary, should extend a commanding, though general, view over the ensemble of all the interests confided, in any degree, to the responsibility of the central power.”⁽³¹⁾

Mill’s classification to the authoritative interference of government and non-authoritative interference of government actually reveals his thinking about the responsibility of government. The former is the government of limited responsibility, the latter perhaps leads to the government of unlimited responsibility. The government intervention of

limited responsibility must care about individual liberties and the well-being of individuals as much as it possible, and do its best to as more people as it possible ; The government intervention of unlimited responsibility may be extremely harmful to individual liberties, individual well-beings and public interests. A state or government may run banks or manufactories, but in the case when it breaks the principle of liberty and utilitarianism, it will not be permitted. Apparently, Mill's assessments of the interference of government are deriving from the principles of utilitarianism.

Conclusion

In a word, based on the principles of the 'Laisser-faire' of liberalism, Mill in systemic way discourses on the limitations, spheres and ways of the limited 'government interferences' in a compromising manner. It is the first synthesis in a struggling history of the two conceptual frameworks – the 'Laisser-faire' and 'government interferences'. On the one hand, he upholds the general principles of the Laisser-faire liberalism, advocates that social affairs can be better served by individuals ; On the other hand, he maintains that government should interfere with the social affairs and individual actions to some extent for “the Great Good” in the new historical period, and give play to much the active functions of non-authoritative interference. Mill's revision of the principles of the Laisser-faire has made important contributions to the active functions that government may give play to and formation of the new theory of government interferences ; Meanwhile, its revision restricted the theory of the Laisser-faire and brought it to a significant turn. Mill's thoughts of limited government interferences also became the link from the classic theory of the Laisser-faire of liberalism to the theory of government

interferences of neo-liberalism.

Note :

- (1) JohnStuartMill, Autobiography, (London : OxfordUniversityPress, 1924), p. 215.
- (2) JohnStuartMill, Utilitarianism, Liberty, RepresentativeGovernment, (London : J. M. Dent & SonsLtd, 1972), p. 115.
- (3) Ibid, p. 120.
- (4) Ibid, p. 115.
- (5) Ibid, p. 128.
- (6) Ibid, p. 115.
- (7) Ibid, p. 115–116.
- (8) Ibid, p. 121.
- (9) Ibid.
- (10) Ibid, p. 170.
- (11) J. S. Mill, Principles of Political Economy, VOL. II, (London : John W, Parker, West Strand,), P. 518.
- (12) Ibid, p. 506.
- (13) Ibid, p. 515–516.
- (14) Ibid, p. 438.
- (15) Ibid, p. 343--344.
- (16) Ibid, p. 343.
- (17) Ibid, p. 548.
- (18) Ibid.
- (19) Ibid, p. 480.
- (20) Ibid, p. 343--344.
- (21) JohnStuarMill, Utilitarianism, Liberty, RepresentativeGovernment, (London : J. M. Dent & SonsLtd, 1972), p. 6.
- (22) J. S. Mill, Principles of Political Economy, VOL. II, (London : John W, Parker, West Strand,), P. 531.
- (23) Ibid, p. 521.
- (24) Ibid.
- (25) Ibid, p. 530.
- (26) Ibid, p. 535.
- (27) Ibid, p. 536.
- (28) Ibid, p. 548.
- (29) Ibid, p. 505.
- (30) Ibid.

(31) Ibid, p. 511.