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Mill's On Liberty: A Critical Guide.

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John Stuart Mill regarded *On Liberty* as likely to last longer in its effects than any of his other writings, save perhaps his *System of Logic*, and it continues to engage students and researchers over 150 years after its initial publication. This book brings together ten very different contributions, each of which illuminates the essay's continuing interest. A caution, however: this is no introductory anthology and, while several essays would be accessible and useful to undergraduate students, the collection as a whole is aimed primarily at researchers, or at least more advanced students. Contributors feel no need to make every aspect of Mill's thought accessible to the philosophical novice, and where appropriate they assume general familiarity with the ideas and terminology of moral and political philosophy. Still, for those with an adequate background, this collection forms a fine introduction to some central interpretive debates around *On Liberty*.

In the first essay, Henry West provides a neat overview of Mill's case for liberty, stressing in particular its continuities with Mill's sophisticated utilitarianism, which recognizes the need for agents to be guided by secondary principles, rather than aiming at utility directly. West introduces important themes in Mill's work and would be particularly useful for undergraduate students. The next six or seven essays can be roughly divided into thematic pairs. David Brink and Jonathan Riley each tackle the problem of free expression, which occupies the second chapter of *On Liberty*. Brink offers what I take to be the more conventional view, emphasizing the continuities between Mill's general arguments against paternalism and moralistic legislation and his case for free speech, though he raises the intriguing possibility that certain restrictions, e.g., limits on political campaign spending, could be deliberation-enhancing, if they allow all sides to be heard. Conversely, Riley argues that speech is not in fact protected by the liberty principle but, as a social activity, is always potentially liable to interference. Developing an interpretation offered in his earlier work ('J. S. Mill's Doctrine of Freedom of Expression', *Utilitas* 17 (2005)), Riley argues that expression—like trade—should be left free as a matter of expediency, rather than right. This is an original and provocative reading that, though I found it ultimately unconvincing, reveals just how open Mill's text is to a range of competing interpretations.

While these first three essays could profitably be read by novices, the following two concern wider disputes in political philosophy, in particular the opposition between Mill's allegedly 'comprehensive' liberalism (based on his conception of human nature and the value of individuality) and the more modest 'political' forms of liberalism developed

by 20th century thinkers such as John Rawls and Charles Lamore. Gerald Gaus takes on Lamore's claim that, while Millian liberalism is neutral at the first level (between conceptions of the good), it is not neutral at the second, justificatory level. After offering a penetrating and illuminating analysis of what it means for a law to be neutral, Gaus goes on to note that Mill offers a range of arguments designed to appeal to a wide general public. While not all of these are neutral—some do indeed appeal to contested values such as individuality—Gaus argues that not all these arguments depend on Mill's controversial assumptions, and thus his liberalism can be the subject of consensus between citizens who hold different views of the good life. Next, Robert Amdur examines Rawls' critique of *On Liberty*, arguing that Mill's liberties are no more precarious than those Rawls' own theory (justice as fairness) would protect, and that those who cannot support a Millian constitution would likely also fall outside Rawls' overlapping consensus of reasonable citizens. It is unfortunate that Amdur did not draw on Rawls' recently published *Lectures on the History of Political Philosophy* (Harvard UP 2007), which was presumably unavailable at the time of writing, to better illuminate exactly what Rawls took to be wrong with Mill's thought. There Rawls suggests that Millian liberalism is substantively similar to his own justice as fairness, but inadequate primarily because its grounding rests on a particular psychological, rather than normative, conception of the person. In any case, though these two essays (by, respectively, Gaus and Amdur) are less directly focused on Mill, each illuminates important aspects of his project, and both would appeal to scholars of contemporary liberalism as well those working on Mill.

The next three essays complicate the pattern somewhat, as Wendy Donner's piece arguably complements both Frank Lovett's and Jeremy Waldron's. Lovett considers Mill's attitude to consensual domination, with reference both to *On Liberty*'s rejection of voluntary slavery and to *The Subjection of Women*'s position on marriage. His main conclusion is that Mill cannot, in either case, explain what is wrong with domination, given his limited negative conception of liberty. While the substance of this seems correct, it seems uncharitable to saddle Mill with a narrowly negative view of liberty, given that his rejection of voluntary slavery is only one of several republican elements in his thought. Maybe an alternative line would have been that Mill did not, after all, view liberty only as the absence of interference, for his emphasis on self-development certainly seems to embrace common features of a positive conception of liberty. Donner also begins from Mill's thoughts on marriage, particularly his qualified endorsement of Mormon polygamy, but goes on to question the extent to which cultural groups should be allowed to enforce their traditions and conceptions of morality over their members. Waldron's essay on Mill and multiculturalism continues this theme, arguing that Mill's defense of individuality is not necessarily hospitable to a politics of group identity, since minority ways of life may be equally as stifling as majority customs.

If Waldron illustrates one way in which Mill's arguments can be extended to address contemporary problems, Justine Burley goes even further, exploring what Mill might have said about reproductive cloning or 'genetic experiments in living'. This chapter

at first appears something of an oddity, being primarily concerned with medical technologies that Mill could not even have imagined, but Burley does a good job of drawing on what Mill does say about reproduction and parenting to extrapolate a Millian approach to cloning. Her conclusion, somewhat predictably, is that Mill would not object to reproductive technology in principle, but would permit interference in order to prevent harm to the child. Unfortunately, while she engages with David Benatar's argument that reproduction is always immoral because it is better never to have been, she appears to beg the question in asserting that the relevant baseline is zero, rather than one that takes into account the benefits of not suffering. Nor does she engage with Derek Parfit's non-identity problem, which would suggest that the particular child conceived cannot be harmed by being born, since any other child that the parents had would have been a different child. In any case, these debates, while interesting in themselves, do little to illuminate Mill's thought, and arguably that is the essay's greatest failing in a volume such as this. While it amply demonstrates both the applications to which Mill's doctrine can be put and its genuine relevance to modern issues, it is rather speculative in places and does little to defend the Millian approach.

The final chapter, by Robert Young, reconsiders the anti-paternalistic arguments offered by Mill and Ronald Dworkin, arguing that neither are decisive and thus that, if we value autonomy, we should be ready and willing to intervene in an individual's choices when they are of merely incidental significance, in order to protect their autonomy in more important matters. For example, we may legitimately compel people to wear seatbelts or to attend fire safety courses, because they have little interest in not doing these things and this interference may better promote their autonomy overall. This nicely concludes the collection by returning to one of the central themes of *On Liberty*, so it seems a shame that it is the only essay to focus primarily on paternalism, given the number of essays that address moralism. (Though Lovett's paper may also have some claim to relevance, it is unclear whether Mill's refusal to permit slavery contracts was itself paternalistic.) It is likewise regrettable that, while several authors claim that Mill held an objective view of the human good, there is no chapter that focuses solely on the developmental view of individuality that Mill offers in Chapter 3 or the reconciliation of this with his apparent hedonism, while those interested in the historical reception of Mill's thought may also be disappointed to find that there is scarcely any mention of James Fitzjames Stephen, the Wolfenden Report, or the Hart-Devlin debate (save in Donner's discussion).

Of course, no single volume collection can hope to cover every interesting aspect of Mill's thought, even as expounded in *On Liberty*. Each of the essays here contributes in its own way to developing a richer understanding of Mill's thought and encouraging a genuinely critical approach, of which Mill would doubtless have approved.

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