

John Stuart Mill and the cream-bun theory of liberty

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Roy Hattersley ([Liberty is not what it was](#), 6 August) argues that Gladstone, not John Stuart Mill, was the most important Liberal in British history. He quotes Mill's famous dictum - "all errors which he is likely to commit against advice and warning, are far outweighed by the evil of allowing others to constrain him to what they deem his good." - and proclaims it out of date. He could not have chosen two better examples, compulsory seat belts and the prohibition of recreational drugs, to make the case for Mill.

First there is what might be called the "cream-buns argument". Who or what is the authority that deems what is good for us? And what limits would Hattersley impose on their deeming powers? If he were to consult an actuary and seek consistency he would discover that cigarettes and alcohol would rank ahead of seat-belt-free driving and recreational drugs as things to be banned. And where would he stop once he got busy banning. Certainly cream buns, elevators of cholesterol levels and promoters of obesity, would have to be on his list.

Second, and more importantly, the measures prayed in aid by Hattersley are perfect examples of evil out-weighting presumed good. In the case of seat belts he claims that Cabinet dissidents were persuaded by the argument that pedestrians would be protected from the danger of non-seat-belt-wearing car occupants projected through windscreens – a risk for which I challenge him to produce evidence. In fact, after the passage of the seat-belt law more pedestrians and cyclists were killed as a consequence of belted motorists driving less carefully. And after seat belts became compulsory for children in rear seats, the number of children killed while travelling in rear seats increased, again almost certainly as a result of the false sense of security induced in the parent/driver.

In the case of recreational drugs, prohibition has been manifestly more "successful" than was the prohibition of alcohol in the United States in 1920. The prohibition of alcohol succeeded in producing organized crime in the United States. The prohibition of drugs has succeeded in producing globe-spanning criminal empires.

Libertarian champions of Mill can be found across the political spectrum. When the seat belt bill was put to a vote in 1981, the minority in the No Lobby included Michael Foot, Jo Grimmond and Enoch Powell.