

THE CONCEPT OF FREEDOM BY KANT AND MILL

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Abstract: The notion of freedom is one of those concepts that many attempts have been made to explain and define. This notion has been used in different social constellations. Depending on the historical period, this notion has been the subject of significant scrutiny and discussion. Thus, freedom was used in different meanings: freedom as a philosophical, theological, legal, economic, political and social concept. Among other things, it can be said about freedom that as a concept it has acquired a wide meaning in the philosophical and social literature. In this sense, the Oxford Political Dictionary defines freedom "as the absence of interference or hindrance". It even makes it clear to us that because of the importance given to the ideas of freedom, every aspect of its characterization in the definition is objectionable. On the other hand, the Dictionary of Philosophy defines freedom as: "the possibility for man to think, behave, act, decide, or choose according to his own desire, without any external compulsion, push, or violence." From this we understand that the definitions mentioned here can be contradictory aspects of freedom in other conceptions. *In this essay will be examined the concept of freedom according to Kant and Mill. First, the concept of freedom according to Kant will be addressed, where it will be highlighted in which contexts Kant used the word freedom. Likewise, the definition of freedom and how Kant related freedom to morality will be examined. Whereas, in the next part, the concept of freedom according to Mill will be examined, where it will be noted that Mill was an individualist, who saw society only as a community of individuals determined by their nature and actions. In this part, the conditions that must exist for an individual or society to be called free will also be examined. While, in the last part, a parallel will be drawn to the examination of the concept of freedom according to Kant and Mill. This part consists of three main points, which try to reflect a comparison of the concept of freedom between them. In general, Kant and Mill's concept of freedom will be the basis of examination to support the examination of freedom in their different contexts.*

To understand the freedom of Kant and Mill in more detail, it is necessary to have a comparative elaboration of the freedom between them. Unlike Mill, Kant thought that true freedom is not possible in the material and empirical world, where causality rules. Kant talked about transcendental freedom, which is the autonomous activity of man determined by personal laws. Whereas Mill meant that the very principle of freedom requires selfless efforts to improve human behavior and character, which contradicts Kant. In Mill's utilitarian view, the concept of freedom and other moral principles derive their character and meaning from the goal of happiness, while Kant argues otherwise.

Keywords: freedom, community, social, political and social concept

1. INTRODUCTION

This paper deals with the concept of freedom according to Kant and Mill, based on the conceptual differences between them. To understand the freedom of Kant and Mill in more detail, it is necessary to have a comparative elaboration of the freedom between them. Unlike Mill, Kant thought that true freedom is not possible in the material and empirical world, where causality rules. Kant talked about transcendental freedom, which is the autonomous activity of man determined by personal laws. Whereas Milli meant that the very principle of freedom requires selfless efforts to improve human behavior and character, which contradicts Kant. Consequently, the characteristic action of Kant's freedom is to synthesize and unify individual concepts in the practice of reason. Through this is understood the change of approach in the concept of freedom of Mill, who in his work "On freedom" published in 1859, considers it as a project of social and civil freedom as "the nature and limits of the power that can be exercised in legal way by society over the individual". The purpose of this paper is to examine the concept of freedom and the different views of John Stuart Mill and Immanuel Kant on freedom. In addition, the paper examines the comparison of concepts on freedom and the impact it has had on the political history of Europe.

2. METHODOLOGY

For the realization of this work, the methods of comparative analysis and synthesis determined in advance will be used. To carry out the paper from a theoretical point of view, the understanding of scientific and legal notions will be analyzed, where it is intended that through the method of description, analysis and synthesis, a clear overview of the conceptual differences in the treatment of freedom by Kant and Milli will be given.

3. RESULTS

With this paper, it is intended to provide a clear overview of the examination of Kant and Mill's concepts of freedom, the differences, similarities and influences they have had in the political and cultural history of Europe, knowing that their works have had a historical perception and referral. The concept of freedom treated in this paper has reflected that Kant and Mill differ in the examination and understanding of the concept of freedom, referring to the autonomous and individual sources of free practical reason. Through this, it is understood that Kant understood freedom as an interdependent construct in different social aspects, while Mill understood it as an abstraction, where freedom was always endangered by a tyranny of the majority in terms of governance.

4. THE CONCEPT OF FREEDOM ACCORDING TO KANT

The definition of Kant's concept of freedom will be the main theme of this part. Special importance will be given to the sense in which the word freedom is used, because the deep analysis of a word, symbol or synthesis can have similar meanings in different historical periods. In this sense, as Jeanne Hersch has said, Kant's concept of freedom differs from the concept of freedom of Plato, Aristotle and Hobbes. Here I will focus on the elaboration of the concept of freedom based on the works of Kant, because depending on the work, the concept of freedom takes on different meanings (Hersch, 2016:150). Kant distinguished the many meanings of this concept. These derive, as Jeann Hersch says, from the transcendental idea of the freedom of freedom, which established the moral law as a factum of reason, and of freedom as "the only, authentic one, to which every human being through his human attributed the right natural" to a freedom without concept. The concept of freedom is an important principle in the three works of Kant's critical philosophy, such as: Critique of Pure Reason, Critique of Practical Reason and Critique of Judgment. For this reason, the use of the concept of freedom also changes (Kant, 2017:104). Example: in the Critique of Pure Reason, freedom is used in a practical sense. But still, it is considered a neat concept. And this is revealed in the third antinomy of the Critique of Pure Reason, which is the antinomy of freedom against the laws of nature: "Is the world completely determined from the causal point of view, or is there also a causality through freedom. Is the universe completely determined or are free actions possible, because free action triggers a new causal chain" (Hersch, 2016:156).

Precisely, in the Critique of Pure Reason freedom is meant in the cosmological sense, that is, as a transcendental idea. While the concept of freedom takes on a different meaning in the Critique of Practical Reason, where the same is not implied. Kant's practical philosophy is also based on the concept of freedom, as is the case of the categorical imperative, in which freedom is the possible condition of this imperative, that is, as a factum of reason. Kant expresses this in these terms: "Act only according to that maxim, which you can want, at the same time, to turn into a universal law" (Kant, 2012:146-147).

So the individual is autonomous if he has the idea of freedom by which he acts. This means that it denies the transformation of the individual into a thing, which can be used at someone else's will. Through this duty, according to Kant, man encounters freedom. This is also the main concept of practical reason, because freedom, although it is not a phenomenon, must exist because it constitutes a premise for duty. In other words, according to Kant, practical reason deals with morality, and morality to make sense implies freedom.

Knowing that Kant's philosophical system consists of two main parts: the speculative and the practical, then it should be noted that the concept of freedom plays an important role here. This is because, according to Jeanne Hersch, this concept is a connection between the speculative part and the practical part. Even, the concept of freedom can be called problematic, because it should be a bridge between two parts of the system, but at the same time it cannot be part of both. Despite this, Kant's practical philosophy is based on the concept of freedom. For this reason, Kant explains that: "the practical concept of freedom has nothing to do with its speculative concept, because freedom is nothing but a useful practical assumption and an idea, which simply allows me to consider the orders as valid of reason" (Wahl, 2020:84).

So freedom in the practical sense is understood as the independence of coercive arbitrariness through reason. In this sense, Kant distinguishes freedom from the traditional idea of freedom, which in psychological terms is a largely empirical conception. While on the other hand, it understands freedom as an independence of our mind from coercion or from the need born as a result of the sensitive impulses of our brain. So, according to him, being freed from this "anxiety or coercion", everything that is possible through freedom, becomes practical. In this way, practice is closely related to reason. But for Kant, the will of the rational being is also important, where in the Critique of Practical Reason he defines freedom as follows: "freedom is only a practical postulate, that is, a necessary premise, according to which the rational being must determine his will. Rational beings are beings capable of deciding on their own, and their freedom is an idea and not a given of a possible experience" (Kant, 2017:172).

Through this conception, Kant could not think of the causality of human desire in any other way, except under the idea of freedom. Whereas, within the idea of freedom lies the concept of autonomy, which is the universal principle

of morality because a free will and a will subject to the moral law are the same thing. However, Kant points out that freedom is merely an idea, the objective reality of which cannot be governed by natural laws and which is different from the property of desiring. For this reason, Kant calls freedom as a condition to have meaning an unproven postulate that is not rejected, but is necessary in the moral process.

From this we notice that the Criticism of practical reason affects the possibility of a moral decision, which differs from the Criticism of pure reason. Precisely, in the Critique of practical reason, Kant defined that man as a subject of freedom is the noumenon, but at the same time he is connected to phenomenality in the world's empirical consciousness. Kant explains that the concept of freedom, as an idea of reason enjoys a high privilege over all other ideas and is the only concept that gives things in themselves the meaning or guarantee of a fact. So, in the Critique of Practical Reason, freedom means approaching the independence of your will, and independence is the action directed by the moral law itself (Kant, 2017:186)

According to Kant, we can say that freedom takes on different meanings, and therefore Kant defined the basic structure of freedom as such: The difference between the theoretical and practical use of the concept of freedom. Within the framework of theoretical use, he distinguishes between psychological or comparative freedom on the one hand, and transcendental and cosmological freedom on the other. Also, he made a distinction between positive and negative freedom in a practical sense. So Kant structured different ways of using freedom, in which he placed freedom as a special importance.

5. THE CONCEPT OF FREEDOM ACCORDING TO MILL

In the essay on freedom, Mill defends the freedom of the individual and is against the taking of this freedom by the state or society. He is very careful about the forms of intervention of the state and society in the private sphere of the individual. This is because for him, the only reason to justify an intervention in the life of the individual is the presence of the risk of harm to another person. In addition, only in the case of preventing danger to another, the state is legally or morally authorized to intervene in various spheres of social life, placing restrictions on the freedom of the individual. The main objective will be to examine the basic concept of free. This leads us to examine the harm that this concept can cause, which according to Mill, allows us to find the border between the private sphere and the public sphere where interventions by the state and society are presented.

Freedom and the individual are Mill's main preoccupations, so much so that his conception magnifies individual freedom and unmasks everything that suppresses it. According to him, freedom is defined as the absence of coercion of the individual by other individuals or by the political system. Mill defines freedom in this way: "Freedom is a system of individual rights, against the other individual or against the state, because these individual rights are natural and the state legitimizes them with positive laws" (Mill, 2016:16)

So, the purpose of this power is to protect the right of the individual in many spheres of social life. Mill wanted the political state to be only an instrument for the realization of freedom and not a space for this realization. And as a result, he tried to protect the individual from particular forms of violence in society. Mill attaches special importance to the relationship between society and the individual, because according to him, freedom is determined not only through the relationship between society and the individual, but also through the relationship between the individual and other individuals.

This had to do with the fact that man should never interfere with the freedom of other members of humanity, but only in those cases where he interferes for their benefit. Whereas, in cases of state intervention in the areas of human freedom, Mill calls it a violation that the government makes on people's actions and thoughts. This is because, he considered an action good or right, only if the consequence of this action is the greatest happiness of the majority of people. And then action is useful in securing as many good things as any other attitude. He clearly defines this, that this is not right and for this reason: "it should not be allowed that there is a growing tendency in the world to unjustly expand the power of society over the individual, either through public opinion or through legislation, and this is becoming more and more terrible" (Mill, 2016:149).

By this it is implied that Mill did not want individual freedom to be abused in any way, so that even society did not interfere with his freedom, because man is more interested in his own well-being than anyone else. The second issue that will be raised as an object of examination is what was included in Mill's concept of freedom. Within the concept of freedom, Mill included three main issues which constitute the essence of freedom that every individual should enjoy. First, this concept of Mill's freedom included the inner realm of conscience, within which came absolute freedom of thought and feeling about all practical, theoretical, scientific, moral and theological matters. Second, the concept of freedom includes the practical aspect of responding to people's character as they want, as long as their behavior does not hurt others. Third, the concept of freedom includes the freedom of each individual to choose between two alternatives without the freedom of any individual being imposed. From this we note that Mill placed

freedom as the main criterion that an individual enjoyed in the human world, and in their absence a society could not be called free (Carlisle, 2017:86).

Thus, it can be considered that the fundamental issue of Mill's freedom is the limit of the individual's sovereignty over himself, and then the authority that the state should or should not have over the individual. In this case, the freedom of Milli means a complete respect for the freedom of the individual, to the extent that it violates the freedom of another. However, the violation of freedom cannot be the cause of his mistreatment. In this way, Milli argues that individuality has its adequate scope even in those cases where this individual is punished. So, the individual is aware that by violating the freedom of another, punishment will follow, but in no way can we violate the freedom of the individual without performing the action that violates the freedom of the other.

(Stillinger, 2010:148).

Mill relates this to the freedom of the will, and as he calls the doctrine of necessity, he says that "people's wills and actions are necessary and inevitable in the individual who enjoys his freedom, where we can be free, but someone else can to be convinced how we will use our freedom" (Mill, 2016:157). By this we understand that depriving someone of personal freedom is unjust, which results in the state taking away freedom when the individual violates the freedom of another. For this reason, I question the full use of freedom by the individual. Generally, Mill's freedom can be summarized in two aspects. First, the freedom that the individual should enjoy should be in principle with the norms of society because in principle the individual can be his own master, but practically not, because there is always someone who sits on his head and limits freedom. And secondly, Mill's freedom protects the individual to have his individuality, where the state interferes as little as possible in his life.

6. COMPARISON

Immanuel Kant was a German philosopher born in 1724 and died in 1804. His philosophical writings influenced people, not only in Europe but the world over. Centuries later, his works still form a major point of reference in studies carried out in the modern world. His writings were such that they brought a new dimension in religion, law and history. Among his many works was the 'Metaphysics of Morals' which form the basis for this paper. His view of morals is that our desires and emotions are categorically imperative, meaning that they are conscience driven. His philosophy is closely related to the golden rule which states that one should always act in accordance to the outcome that will give him the best outcome, while the categorical imperative rule of Kant seems to suggest that actions must be universal for them to be classified as either moral or immoral (Miller, 2019:10).

John Stuart Mill on the other hand was a British philosopher born in 1806 and died in 1873. He also strongly contributed to the development of philosophical views that have continued to influence different aspects in different disciplines like sociology, politics and economy. Among his many developments is the utilitarianism theory that explains morality. Mill argues that the usefulness or moral worth of an action is determined by its utility (pleasure or satisfaction derived from the consequences of the action). Mill seems to suggest that our emotions and desires form a great basis on which we should judge our morals. For example, if telling lies to another person will ensure that the desire to live in harmony with other people is fulfilled, the act of lying will be considered moral, guided by that desire. On the other hand, Kant's argument in metaphysics of moral, would view this as lack of standards because it compromises the true value of lies, which in his view should be universalized as immoral, whether there is gratification derived from it or not. This view forms the basis of the contrasting argument between him and Kant (Miller, 2019: 17).

According to Kant, desires and emotions are insignificant in our choice to uphold or reject morality. He argues that morality is a matter of common sense of duty, regardless of what one feels at the time they are called to that duty. Kant says that there is nothing that can be considered to be good, apart from good will, which he says is the moral compass that is always on the lookout for good. He says that actions guided by morality are not out to seek for rewards, but to fulfill a duty, which is the intrinsic sense of right or wrong, whether there is gratification and pleasure or not, whether our desires are met and our emotions soothed or not. In his view, morals are superior to emotions and desires. His theory is more of a virtue ethics approach or deontological ethics that are based on character (Kant, p 44).

To understand the freedom of Kant and Mill in more detail, it is necessary to have a comparative elaboration of the freedom between them. Unlike Mill, Kant thought that true freedom is not possible in the material and empirical world, where causality rules. Kant talked about transcendental freedom, which is the autonomous activity of man determined by personal laws. Whereas Milli meant that the very principle of freedom requires selfless efforts to improve human behavior and character, which contradicts Kant. In Mill's utilitarian view, the concept of freedom and other moral principles derive their character and meaning from the goal of happiness. So, according to Mill: "freedom and other matters of goals are desirable matters, because happiness is desirable and people desire happiness" (Mill, 2016:79).

However, Kant argues this differently, because the concept of freedom is rooted in the concept of the subject given before his goals. Based on this, this concept can be said to be very valuable in understanding oneself as an independent being, who chooses with free will. So, what is considered a subject and an end in itself, Kant said. According to David Miller, from the Kantian point of view two objections to Mill's concept of freedom can be noted. These objections are conceived in such a way that no empirical foundation can achieve absolute freedom in this world and all the principles of this world are principles of desire.

The concept of freedom is the central normative and metaphysical concept in Kant's philosophy. Freedom of choice and action from constraint by external forces but also even from one's own mere inclinations, something that can be achieved not by the elimination of inclinations, which is not possible for human beings, but by the subjection of inclination to the rule of reason and its demand for universalizability, which Kant ultimately calls "autonomy", "the property of the will by which it is a law to itself" (Miller, 2019:440), is the ultimate value for Kant, the only value that can be an end in itself and has a dignity beyond all price (Miller:2019:435–6). Freedom of the will, the ability to initiate an action spontaneously, independently of determination by mere laws of nature, so that every human agent has the capacity to act in accordance with the moral law no matter what might seem to be predicted by her entire prior history, is for Kant only a logical possibility in theoretical philosophy but an inescapable postulate of pure practical reason, "the necessary condition of the complete fulfillment of the moral law" (M, 2019:132). For Kant, the relation between these two concepts, autonomy as our ultimate value and freedom of the will as our ultimate metaphysical property, although one assertible only on practical grounds, is intimate, to say the least – the unconditional moral law that enjoins us above all else to preserve and promote freedom of action "is merely the self-consciousness of a pure practical reason, this being identical with the positive concept of freedom" (M, 2019:29) – although his view about what to do with this identity is not stable.

A special importance that Milli attached to the concept of freedom was the non-interference of others in the freedom of the individual, expressing himself in these terms: "to be free means to have something that society should not interfere in life yours, and protects the individual as its owner" (Miller, 2019:118) Whereas, Kant considers that many issues derive from the concept of freedom in the external mutual relations of human beings, and has nothing to do with the goals that all people have them by nature. With this we understand that Kant placed the goal in something that man had in himself, and the consideration of the other's goal is called into question. This is because, Kant said: "when we think of ourselves as free, we move ourselves into the world of understanding and accept the independence of the will. I can call myself free only from this point of view, because to be independent of the causal determination of the world of sensations is to be free" (Wallace, 2017:142).

So from this understanding of Kant's concept of the subject, we understand that the subject, independent of experience, is necessary and a prerequisite for the possibility of freedom. And in this respect, it can be said that man would not be free if he were conditioned by the desire for some worldly object. Here lies the difference between Kant's noumenon and Mill's phenomenon. The differences in the concept of freedom between Kant and Mill continue even further, but I will only dwell on a difference that is related between them. Although Mill considered that freedom is a priceless political value, he did not conceive of the limited freedom of the individual, in those cases when he does not violate the freedom of another. Whereas, Kant conceived of freedom in the sense that no moral law and no practical justification is correct without implying freedom. So, Kant clearly underlined that within the idea of freedom lies the concept of autonomy, which is the universal principle of morality.

Mill's concept of freedom is one of the concepts that has influenced many theorists of political philosophy after him, where the main essence was focused on defining the limits of freedom between the individual and the state, so that, as a result, the government could protect the right of the individual in the spheres variety of social life. But still, Kant's concept of freedom consists in an analysis of the powers of mental reasoning, by which he means the definition of man as a practical being, because freedom according to Kant, although it is not a phenomenon, it is a premise for duty. So I would have concluded with a quote from Lino Velak that: Kant's freedom directs us towards the necessary critical and rational foundation of practical-historical action, in the painful and troublesome actuality of which we are convinced every time more, facing the irrational and heartless mechanisms that reproduce the powers that dominate both at the planetary level and in every part of this world (Velak, 2010:18).

7. CONCLUSION

Concepts on freedom represent one of the most important concepts and fundamental universal values such as freedom. The political history of Europe recognizes freedom through different perspectives, where it only gained meaning when it could be practiced in different forms. Consequently, the views of theorists and philosophers on freedom have had a certain attention with the aim of not limiting power and rehabilitating the extent that authority was centralized and society operated with other social mechanisms. The concept of freedom of Kant and Mill have a special importance, recognizing the governing nature and the attention they had in different social constellations.

Kant paid a lot of attention to "other freedoms" by placing them as a priority in the functioning of a society. Kant conceptualized that freedom takes on different meanings, and therefore Kant defined the basic structure of freedom as follows: The distinction between theoretical and practical use of the concept of freedom. Within the framework of theoretical use, he distinguishes between psychological or comparative freedom on the one hand, and transcendental and cosmological freedom on the other. Also, he made a distinction between positive and negative freedom in a practical sense. So Kant structured different ways of using freedom, in which he placed freedom as a special importance.

An enquiry extensive a state's powers should be is today as pressing as it was the end of the eighteenth century, when Immanuel Kant pursued the question. Should the state restrain itself to the administration of justice through courts and the prevention of harm? Is it for the state to enhance the happiness of its citizens? Or does distributive justice require the (re) distribution of good according to need in order to ensure that everyone enjoys equal shares of the national wealth such as freedom. If Kant is to be relevant for solving this basic dilemma of modern society, one must carefully unfold this principles of ideal governance and secondly, where appropriate, apply them to the modern context. This predominantly interpretative aim of freedom was the purpose of this paper.

Kant wants to show that freedom is possible in the face of natural necessity. Transcendental idealism is his solution, which locates freedom outside of nature. I accept that this makes freedom possible, but object that it precludes the recognition of other rational agents. In making this case, I trace some of the history of Kant's thoughts on freedom. In several of his earlier works, he argues that we are aware of our own activity. He later abandons this approach, as he worries that any awareness of our activity involves access to the noumenal, and thereby conflicts with the epistemic limits of transcendental idealism. In its place, from the second Critique onwards, Kant argues that we are conscious of the moral law, which tells me that I ought to do something, thus revealing that I can. This is the only proof of freedom consistent with transcendental idealism, but I argue that such an exclusively first-personal approach precludes the (third-personal) recognition of other rational agents. I conclude that transcendental idealism thus fails to provide an adequate account of freedom. In its place, I sketch an alternative picture of how freedom is possible, one that locates freedom within, rather than outside of nature.

Kant wants to show that freedom is possible and that we are entitled to think of ourselves as free. Unfortunately, he signs up for a conception of nature as entirely determined by natural necessity, and thus has to locate freedom outside of it. This makes freedom possible, but precludes a workable account of recognition. For this, we need a richer conception of nature. However, we can still retain an important part of Kant's early approach, namely that we are conscious of the causality of our reason. In moving away from Kant's system though, we can also vindicate both this and our third-personal awareness of others' agency.

Whereas, Mill's freedom can be summed up in two aspects. First, the freedom that the individual should enjoy should be in principle with the norms of society because in principle the individual can be his own master, but practically not, because there is always someone who sits on his head and limits freedom. And secondly, Mill's freedom protects the individual to have his individuality, where the state interferes as little as possible in his life. Precisely, Mill tries to paraphrase that the freedom of the individual is always endangered by the tyranny of a majority that takes shape in unexpected circumstances from a call for "just and equal for all".

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