

both or either, I do not now enquire." Why not? We should like very much to know what Mr. Stephen thinks can, as the world is constituted—and it was for this world, not for another, that Mr. Mill's treatise was written—be done in the way of compulsion to benefit these misguided people. As to its being "worth while" to do them good, to amend all their distressing qualities, no ordinarily philanthropic person can entertain a moment's doubt. If, in spite of its being worth while, the thing still cannot be done, there is a strong presumption that it ought not to be done; or, in other words, that the difficulty arises from a natural and legitimate repugnance on the part of people to be interfered with by others in matters that concern only themselves. When Mr. Stephen says that the "freest of free discussion" could do such people no good, he makes a somewhat venturesome statement. Frivolity and the spirit of routine are qualities which are directly promoted by the undue pressure of traditional opinions and customs. "It is to liberty," says M^{de}me. de Staël, speaking of the vigorous public life of England, "that we must attribute this emulation and this wisdom. In France men have so rarely had it in their power to exert any influence by their writings upon the institutions of the country, that they have scarcely aimed at anything beyond a display of cleverness, even in the most serious discussions." The wide-spread frivolity of French society under the late Empire was the theme of universal remark. Everywhere indeed tyranny and levity, liberty and seriousness of character, have gone hand in hand. The question, however, is not so much what direct advantage the frivolous classes would derive from the removal of restraints, but what the effect would be upon a different class, and what the indirect effect would be upon society at large. That a vast amount of mere make-believe passes current as real opinion, Mr. Stephen would probably not think of denying. And what must be the effect of all this pretence, first, upon those who practise it; and secondly, upon the poor "frivolous" classes who take whatever is offered them by their recognised opinion-makers? These are questions which it would not have taken Mr. Stephen at all out of his way to have answered.

Mr. Stephen joins issue with Mr. Mill as regards the pretension which may properly be said to be involved in the act of a legislator

who forbids any one calling in question certain opinions. Mr. Mill says that a legislator who acts in this way virtually lays claim to infallibility; since he claims to be *certain* that the opinions he shields from discussion are the true ones, which he cannot be unless he is infallible. "Complete liberty," he says, "of contradicting our opinion is the very condition which justifies us in assuming its truth for purposes of action; and on no other terms can a being with human faculties have any rational assurance of being right." Mr. Mill's critic tries to parry this argument by saying that a law forbidding people to deny the existence of London Bridge would not weaken any man's rational assurance that the bridge in question exists. But what an empty flourish this is! The assurance which any one who has not seen London Bridge, has of its existence, is an assurance acquired in strict conformity with Mr. Mill's canon, inasmuch as no one has ever denied its existence, though, so far as legal prohibitions went, every one has been at liberty to do so. And, forsooth, we are to reject the canon because we cannot imagine our rational assurance destroyed by an absurd and impossible law. Surely this is the merest trifling with a serious question. Let any one who desires to judge Mr. Mill fairly, simply ask himself what is the natural effect of legal restrictions on the expression of opinion. Such restrictions, in the first place, are never imposed except where a number of persons hold, and desire the privilege of expressing, the opinions that are placed under the ban. In the second place, they inevitably suggest that the proscribed opinions, if allowed free utterance, would gain additional adherents. In the third place, as they discourage all discussion on certain points, they deprive the authorized opinions of the advantage they would derive, if true, from a searching investigation of their claims. Once protect a certain set of doctrines by law, and make the protection effective, and what interest has any one after that in setting forth their claims to a rational acceptance? There can, of course, be no kind of satisfactory discussion where one side is silenced. The *advocatus diaboli*, who is sometimes introduced to give a show of fairness, very poorly represents his principal. If we are to hear what the devil has to say, we must let him plead *in propria persona*.

Again, Mr. Stephen says that if the plaintiff in a libel suit has gained his case, and