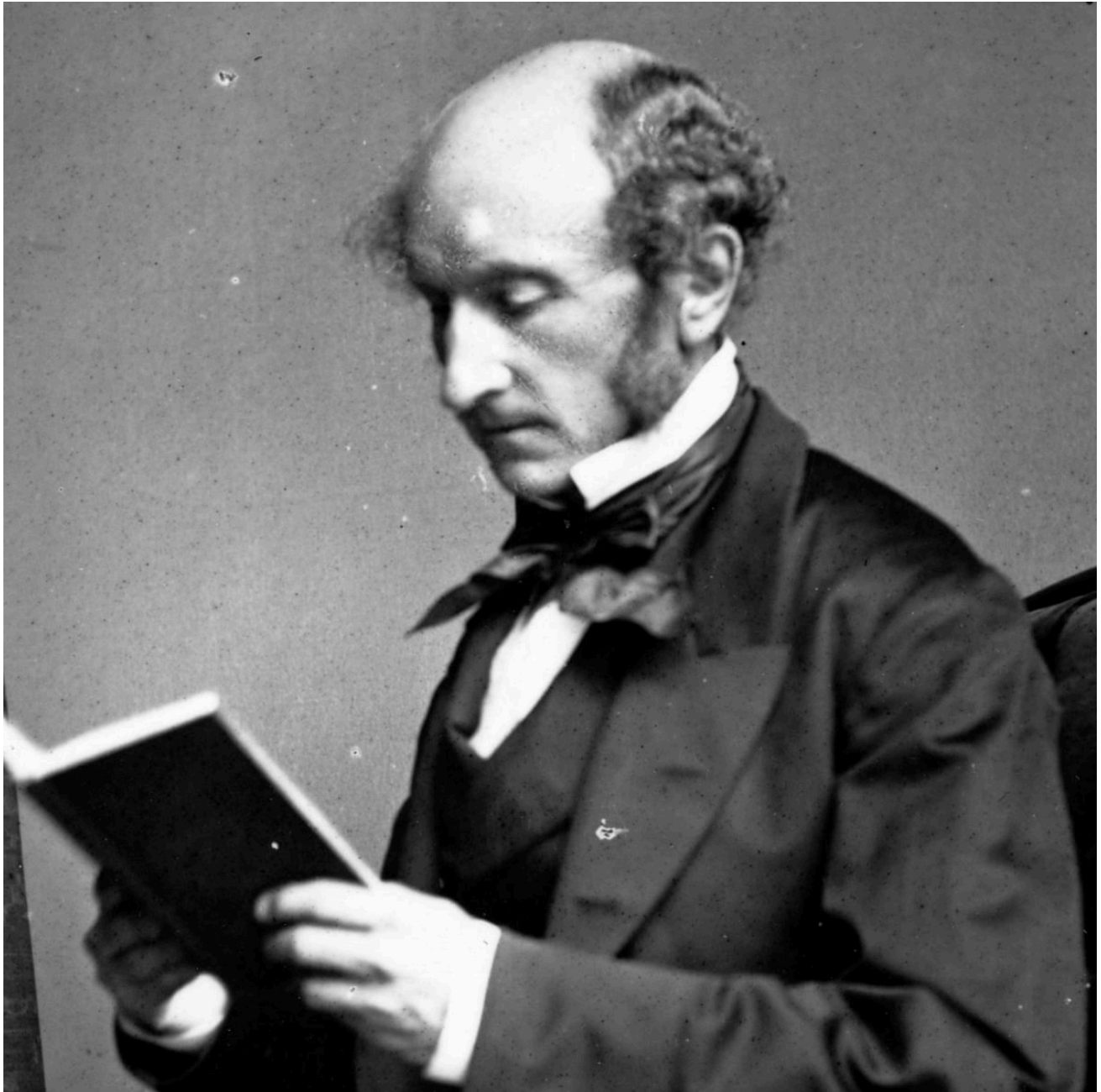


John Stuart Mill, "the Marketplace of Ideas," and Minority Opinion

by Michael Rectenwald



When justifying the airing of opinion, particularly of unpopular opinion, interlocutors have often pointed to John Stuart Mill's *On Liberty* for support. Mill's classical liberal

tome is regarded as one of the greatest defenses of individuality, free thought, and free speech ever written. Raised by the free market economist and utilitarian James Mill, and holding “eccentric” views of his own, particularly with regards to the institution of marriage and the Christian morality supporting it,¹ Mill was well positioned to translate the principles of free market economics into the realm of ideas and their expression.

On Liberty is thus associated with the phrase “the marketplace of ideas,” a metaphor that compares competition of thought and expression in the public square with the competition of commodities in the market. As Mises noted in “[Liberty and Property](#),” it was the market economy that led to the institution of democratic processes and also to the notion of liberty common today. Thus, we would expect that Mill’s *On Liberty* advocated the extension of market principles to the realm of ideation and its expression.

Although he has been [credited with the notion](#) of the marketplace of ideas, Mill did not coin the phrase. It was likely introduced by the US Supreme Court justice Oliver Wendell Holmes Jr. in [Abrams v. United States](#) (1919). What’s more, there is little evidence that *On Liberty* advocated an unhampered marketplace of ideas, where ideas and expression vie in an agora of free and open competition. In fact, there is evidence to the contrary—that Mill preferred a kind of “affirmative action for unconventional opinions,”² an artificial preference bestowed on “minority” views.

Although Mill viewed free expression as a necessary condition for human progress and the discovery of truth, it was not a sufficient condition. When it came to minority opinion, Mill insisted on more than mere toleration:

On any of the great open questions just enumerated, if either of the two opinions has a better claim than the other, not merely to be tolerated, but to be encouraged and

countenanced, it is one which happens at the particular time and place to be in a minority. That is the opinion which, for the time being, represents the neglected interests, the side of human well-being which is in danger of obtaining less than its share.[3](#)

If by “encouraged and countenanced” Mill meant merely that minority views should be tolerated, he wouldn’t have written that minority opinions are “not merely to be tolerated.” By “encouraged and countenanced,” he thus meant “to approve of, to agree to, to consent to, to give one’s blessing to.” Unlike commodities, whose success depends on the favor of consumers, as Mill saw it, some ideas, particularly minority views, need special treatment, even in advance of free and fair competition. A minority opinion is not to be tested on the market like a commodity, in an open and fair competition, because without special sanctions, it would be “in danger of obtaining less than its share.”

Thus, the marketplace of ideas metaphor, if we mean by the phrase a *free market* in ideas and expression, does not accurately capture Mill’s position. Commodities fare well on the market, because they appeal to large numbers or to those with greater buying power. And, short of monopolization, they are not granted approval in advance of competition. According to Mill, minority opinion requires special protections that the free market does not afford to commodities. If we extend the market metaphor to Mill’s position, minority opinions require subsidies.

According to the political philosopher Jill Gordon, the problem that Mill would have had with the marketplace of ideas notion is that the marketplace mechanism is no guarantor of truth, and Mill’s concern was not merely for the variety of opinion but also for the discovery of truth. The market would not choose what is true but what is popular.[4](#)

This line of thinking is generally why it is claimed that universities and other institutions of knowledge production should be protected from “naked” market forces. “The masses,” or “the powerful,” have no special interest in truth, or else no ability to recognize it when they see it. Thus, markets cannot be expected to favor the truth. I will not attempt to adjudicate this question here. Suffice it to say that—especially where the masses are concerned—the obloquy heaped on the market hinges on an elitism that is otherwise denied by the cognoscenti.

But what means might Mill have had in mind for lending minority opinion special support? He didn’t specify any in particular, but according to Gordon, one shouldn’t rule out the state:

Regarding government’s role in countenancing and encouraging minority viewpoints, Mill’s text suggests that any role that government might play in the development of its citizens, through countenancing and encouraging minority opinions, cannot countervail the freedoms of citizens. This tension makes government solutions to the problems of how to encourage and countenance minority opinions especially thorny, although not impossible. A few examples of the type of role government might play in encouraging minority opinion are government funding for alternative mass media, government subsidies for public radio and public television, and government funding for political journals with small circulations.[5](#)

That is, though not a “statist,” Mill, Gordon suggests, was already tending toward the kind of liberalism that began in earnest in the twentieth century.

The most important question, as I see it, is whether Mill’s special encouragement of minority opinion would protect discourse communities from the “social tyranny” that he

claimed is “more formidable than many kinds of political oppression.”⁶ As Mill saw it, only majority opinion can be tyrannical.

But what about the foisting of minority opinion on the majority through state funding? Isn't this much more tyrannical than what Mill detested? And isn't this precisely what is happening today, with such events as [Drag Queen Story Hour](#), with the teaching of critical race theory and other such “encouraged and countenanced” minority opinions?

Subsidized minority opinion is much more likely to amount to social tyranny than the majority opinion of the marketplace. And a tyranny of the minority is antidemocratic. Meanwhile, the marketplace of ideas allows for niche markets, where minority opinions, akin to microbrews, can be vended, and their truths discovered—without being forced on a majority that doesn't want them.

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