

The limits of suffering

By Bill Kilpatrick

One of the main premises that any liberal-democratic society must be based on is the notion of individual liberty, meaning that, in the words of philosopher John Stuart Mill, "The only freedom which deserves the name," he wrote, "is that of pursuing our own good in our own way, so long as we do not attempt to deprive others of theirs, or impede [obstruct] their efforts to obtain it. Each [of us] is the proper guardian of their own health, whether bodily, or mental or spiritual. Humankind are greater gainers by suffering each other to live as seems good to themselves, than by compelling each to live as seems good to the rest." For me this is the main guiding principle of any free society, and it also is a guide that shows the limits of freedom and areas of potential conflict. As I walked through a homeless encampment this past week I witnessed, firsthand, the clash between individuals, neighbours, residents, and support people, who, it could be argued, are all pursuing their own particular freedoms in their own way. This clash of freedoms is causing some serious anxiety, stress, and divisions within the community. One of the big questions is what happens when someone is pursuing their own good in their own way and that particular way is a path of self destruction? Well, according to Mill, in a free society that person is free to destroy their own life, if, in so doing they do not impede another person's ability to pursue their own good in their own way. This is one of the corner stones of private property and things work relatively smoothly when we all have our own property where we can pursue our own good in our own way even if that "good" is not so "good." But what happens when you are homeless? And what happens when you are a homeless drug user? It has been said that those with homes have the luxury of having their worst moments occur behind closed doors, but when you are homeless, your worst moments happen for all the world to see and sometimes those moments do impede the ability of others to exercise their freedom and liberty, but whose liberty and freedom should take precedent? This is where conflict is happening. As I weighed the arguments that I was hearing from the neighbours of the encampment as well as those who are supporting the encampment, it was obvious that both had compelling arguments and both were right to an extent and both were wrong to an extent. Those supporting the encampment argued that they were supporting those who had no where else to go, which to an extent, is true. The homeless they argued, have every right to be here as the neighbours do and they deserve compassion and love as all of us do, and again, who can argue with that? They also argued that they were leaving the encampment to run itself and pursuing a course of non-intervention to an extent, which is their choice as landowners, but there are limits to the rights of landowners as much as there are limits to individual liberty. For example, who is responsible for those within the encampment? Are the landowners' responsible for what happens on their land or are the people within the encampment responsible for themselves? Do the landowners have a duty of care regarding the behaviour of those on their property, or is the duty of care solely on the individuals residing there and does drug use impact where this duty of care lies? The neighbours, who appeared empathetic although visibly frustrated, argued that they, including their young children, have a right to not have to witness someone's worst moments, yelling, swearing, drug use, nudity, every time they go for a walk or go out on their balcony. The neighbours also argued that they should not have to clean up the mess that is often left from the members of the encampment who choose to use drugs and toss their garbage outside of the encampment and onto the neighbour's property. However, the response from some of those supporting the encampment is often that those who use drugs cannot possibly be expected to clean up their mess due to the mental impairment of their drug use, or they say that there is not enough biohazard boxes, or they argue that people cannot access a box due to a no trespass order. So, who then should be responsible for the mess that someone makes when they are impaired and making poor choices? Is it the individual? The landowner? Society? The government? No one? A drunk driver is held responsible for their choice to drive no matter how impaired they are, should there be different expectations for someone who uses meth or fentanyl? The vast majority of people that I have spoken to support harm reduction methods such as clean needles and pipes as a way to reduce disease transmission, but they also feel that they should not be responsible for picking up needles and pipes that do, whether some believe it or not, pose a serious public health risk. That is not to say that those who are homeless substance users are unsafe, they are not, but often their behaviour and choices as a result of their drug use is unsafe. While I believe that no one wants to be a homeless substance user; and that they do deserve our care and compassion, I also believe that they need to be held accountable for the choices they make. While I also believe that substance use is often a response to human suffering and trauma and not a result of a weakness of character or a moral failing by the user, I also believe that when human beings are simply left to their own devices, with out any structure, boundaries, expectations or consequences they tend to continue to make poor choices as there is nothing to compel them to change their behaviour for the better. While Mill may be correct that "humankind are greater gainers by suffering each other to live as seems good to themselves," I

don't think he ever lived as a homeless substance user, nor has he lived next to a homeless encampment, nor has he supported those who are homeless substance users, because if he did he would have realized that the suffering part is easier said than done.