

A decorative graphic on the left side of the slide consisting of two overlapping parallelograms. The front one is blue and the back one is a light green. They are positioned diagonally, with the blue one partially covering the green one.

What limits, if any, should be
placed upon our freedom of
speech?

What is freedom of speech?:

“In a free state, every man may think what he likes, and say what he thinks” - Baruch Spinoza - A Theologico-Political Treatise



Baruch Spinoza
1632-1677

Freedom of speech is essential to modern liberal and democratic debates and societies and is the right to speak, have and receive opinions freely without public restrictions unless certain circumstances - article 10 of the Human Rights Act 1998



Current limitations:

- causes direct harm to others
- incites violence
- threatens public order (hate speech, defematon, harassment)
- national security threats (information)



Should we have any limits? And what are the arguments?:

- U.S. Supreme Court Justice members William Douglas and Hugo Black - “speech of all kinds should be free”
 - Chris Hitchens - best way to counter against hateful speech is to further debate it
 - John Locke - natural right to uphold society and governments
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- Marketplace idea - truth from public debates
 - Arbitrary enforcement - allowing limits on speech needs a gatekeeper - power abuse
 - Objective definitions - defining ‘offensive’ speech is impossible to completely label
 - If we limit a view that's true, we can't correct our own views
 - If we limit a view that's false, we can't correct others views



Positives of limits:

- Lower online crime hate - racist abuse online drops on average 2.2% P/Y
- Protects discrimination and marginalizations
- Prevents false accusations - fraud act 2006
- Limits means more respect for voices of logical reason

Arguments for these limits:

- John Stuart Mill - should have limitations if it prevents harm (example of the corn dealer)
- Brian Leiter - freedom of speech is not 'good'. Peoples thoughts are shaped by environment, not independence
- Soren Kierkegaard - "people demand freedom of speech as compensation fo the freedom of thought which they seldom to use" - people use the right to freedom of speech to cover their lack of critical thinking

'People demand
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which they seldom use.'

Soren Kierkegaard





Should some people have more limits than others?

- Karl Popper - unlimited tolerance ruins freedom of speech. Must be intolerant to the intolerant (eg, Nazi party)
- Thomas Hobbes - in a commonwealth, freedom of speech isn't a right. Sovereign should control it for social order
- Judith Lichtenberg - media places more constraint of freedom of speech, so they can have less restrictions than others
- Government restrictions - laws that put restrictions on certain groups (eg, Palestine Action Group)



My thoughts:

- Some limitations are good
- Or else society will become hostile
- As long as there isn't a gatekeeper who will abuse power
- However, an over limitation on free speech takes away abilities for debates