UNDERSTANDING POLITICS · CHAPTER 8

# Free Speech, Harm and Political Equality

*Mill and his critics*

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OPENING PUZZLE

# An invitation and a protest

### The invitation

A society invites a speaker who argues a minority should have fewer rights.

### The protest

Students say the format treats their equal standing as an open question.

**Ask:** what exactly is at stake: liberty, access, safety, inquiry or equal participation?

WHY PROTECT EXPRESSION?

# Four justifications

### Truth

Discussion corrects error.

### Autonomy

Judgment needs access to ideas.

### Democracy

Citizens must criticise and organise.

Equal standing adds a fourth: being heard is part of membership.

> *“If all mankind minus one, were of one opinion … mankind would be no more justified in silencing that one person, than he, if he had the power, would be justified in silencing mankind.”*

Mill, *On Liberty*, ch. 2

“All silencing of discussion is an assumption of infallibility.”

MILL · LIVING TRUTH

> *“If it is not fully, frequently, and fearlessly discussed, it will be held as a dead dogma, not a living truth.”*

Mill, *On Liberty*, ch. 2

“He who knows only his own side of the case, knows little of that.”

> *“The dictum that truth always triumphs over persecution, is one of those pleasant falsehoods which men repeat after one another till they pass into commonplaces.”*

Mill, *On Liberty*, ch. 2

Mill does not think truth wins unaided.

MILL · CONTEXT

> *“An opinion that corn-dealers are starvers of the poor … may justly incur punishment when delivered orally to an excited mob assembled before the house of a corn-dealer.”*

Mill, *On Liberty*, ch. 3

Same opinion, different setting: content alone does not decide.

# Not every injury is the same

### Offence

Distress, disgust or affront.

### Harm

Injury to interests that warrant protection.

### Contested

Repeated degrading speech affecting work or participation.

HATE SPEECH

# Equal standing and its risks

### Waldron

Hate speech undermines the public assurance of equal standing.

### Matsuda

Attend to the experience of those targeted.

### The risk

Vague rules can be used against dissent and minorities.

THREE DIFFERENT CLAIMS

# Speech, platform, amplification

### Expression

A general liberty to publish.

### Access

A claim on a particular institution’s space.

### Amplification

A claim to promotion and reach.

# Capacities and appearance

## Wollstonecraft

Formal permission is not enough when capacities are formed unequally.

## Arendt

Speech is how people appear as distinct participants.

The answer is support for agency, never a competence test for speaking.

SEMINAR TASK · 25 MINUTES

# Should the university host the event?

1. Group A defends hosting with a moderated format.
2. Group B defends withdrawing sponsorship but allowing a room booking.
3. Group C applies each group’s policy to a speaker they themselves favour.

THIS WEEK’S ESSAY

# Does Mill’s defence apply to all expression?

### Plan

Reconstruct ch. 2’s three branches.

### Test

Threats, harassment, the corn-dealer.

### Judge

Strong protection for opinion; context for acts through speech.

1,500 words maximum · Student Pack: essay questions