

# Freedom of Speech

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## 1 What is Freedom of Speech?

People often confuse the principle of free speech with a specific law intended to protect free speech, such as the first amendment of the US constitution. Freedom of speech is not a specific law or set of laws. Freedom of speech is the principle that coercion should not be used to suppress ideas.

## 2 What is Freedom of Speech For?

The primary function of free speech is to enable social rationality. Social rationality means thinking together. Discussion and debate are ways of thinking together. They are ways of solving problems and making decisions together. Freedom of speech creates a space in which people can freely exchange ideas, and thus think together.

Freedom of speech is necessary for social rationality, because otherwise alternatives cannot be presented for consideration. Without freedom of speech, only popular or official opinions can be safely expressed. Under those conditions, the social belief system is fixed. Errors cannot be corrected, and new ideas cannot be explored. Thought requires the freedom to consider alternatives.

It requires an open mind. A society that does not permit free speech has a closed mind. It cannot think. Freedom of speech protects society from becoming trapped in a vicious cycle of conformity.

There is a more general principle behind freedom of speech, which could be called “the principle of reason”, or simply “rationality”. It is the principle that ideas should be chosen based on their merits, not imposed by coercion or deception. Freedom of speech protects ideas from being suppressed by coercion. That is the primary function of free speech. It creates a space in which ideas can be exchanged freely and selected based on their merits, rather than imposed by authority, whether it is the authority of the state or the authority of the mob.

Freedom of speech has a secondary function. It protects individuals from the arbitrary exercise of social power. The power to police speech is very easy to abuse, because speech is a complex thing. It depends on context and interpretation. It has insincere forms, such as jokes, satire and trolling. Freedom of speech protects individuals from being punished for a joke or an off-hand remark. It also protects minorities from a tyranny of the majority. It protects people with minority views from persecution by the state or the mob.

### **3 Threats and Censorship of Free Speech**

Freedom of speech requires more than just freedom from state censorship. It requires a culture that respects individual freedom of belief, a culture that values rationality above conformity.

Freedom of speech can be limited by the state, corporations, the mob or individuals acting alone. Any use of coercion to suppress ideas is an attack on freedom of speech.

#### **3.1 The Corporate Threat To Free Speech**

Currently, the biggest threat to free speech comes from corporations, not governments.

In the modern West, the mainstream media and the internet are dominated by a small number of large companies, all of which have similar corporate cultures. They operate somewhat like a cartel, not like competitors in an ideal open market. These large corporations are imposing censorship on public discourse, in the name of “social justice”. This is an attack on free speech, because it creates a public discourse space in which certain ideas are suppressed. It is the use of corporate power to suppress ideas.

We also see large corporations denying employment to people who express controversial views. For example, Brendan Eich was forced out of his position at Mozilla because he had supported a ban on same-sex marriage. That was a mainstream view in 2008 (held by Obama), but by 2014 it had become synonymous with “hate”. More recently, James Damore was fired from Google for posting an internal document critical of Google’s diversity agenda. It wouldn’t be a problem if only a few companies were doing this sort of thing. People could go elsewhere for employment. But it seems that most large companies implicitly place limits on speech. That may be partly due to their fear of lawsuits alleging discrimination (hostile workplace). It is also due to corporations wanting to associate themselves with popular and high-status beliefs, and disassociate themselves from heresies.

The corporate attack on free speech is escalating. Companies that provide critical infrastructure, such as banking and web-hosting, are denying service to heretical websites and alternative social media platforms. They are not only censoring individuals, they are colluding to prevent free speech

platforms from existing. They are trying to ensure that heretics have no *substantive* free speech, even if they have legal free speech.

### **3.2 The Naive “Free Market” Defense of Corporate Censorship**

A common response to complaints about corporate censorship is that it’s “just the free market”. This is either naive or dishonest.

First, freedom of speech is one of the necessary preconditions for a free market. Free markets depend on the rule of law, free association, free speech and property rights. Those conditions must exist for a free market to exist. Corporate interference in public speech is analogous to corporate interference in the justice system. For free markets to exist, there must be a separation between corporate power and state power. If corporations are trying to nullify the legal rights of citizens, they are undermining the institutional basis of the free market. The scope of corporate power should be limited to the pursuit of profit. When corporations attempt to control the minds of the masses, they are no longer acting as corporations.

Second, the economy is not pure laissez faire capitalism. It is highly subsidized and regulated, and large sectors are controlled by a small number of companies. Big corporations are not only acting to suppress speech, they are acting to suppress competition. Twitter and YouTube became successful as free speech platforms, and now they want to prevent any other company from following the same path to success. The free market requires state regulation to prevent monopolies or oligopolies from forming. Big corporations also have ties to the government, and can become an unofficial instrument of state (or deep state) tyranny.

So, we cannot simply shrug off corporate censorship as “the free market”. It is a serious social problem.

### **3.3 Censorship in the Academy**

The academy also practices censorship. Certain ideas are taboo in universities and colleges, again in the name of “social justice”. It is impossible to have a rational discussion on a college campus about race or sex differences, or (more generally) about the implications of evolution for human nature. Certain ideas are off-limits, while other ideas are promoted. Again, this is an attack on free speech, and an attack on rationality. It is the use of institutional power to suppress ideas.

The social function of the academy is to generate and distribute knowledge. That function requires free speech and thought. The academy should be a place to question accepted beliefs and discuss alternative views. Instead, it has become a stagnant purveyor of ideology.

### **3.4 Censorship By Mobs And Lone Individuals**

Freedom of speech can also be attacked by mobs and lone individuals, using threats, doxing or violence to silence others. Doxing is used to attack anonymous speakers, exposing them to retaliation for their beliefs. Mob violence is used to shut down public events in which controversial views are expressed. For free speech to exist, the state has to play a positive role in defending the right to speak, by protecting the speaker from violence. If the state allows the mob to police speech, that is anarcho-tyranny.

In the modern West, “social justice” has created a climate of fear, in which expressing certain views can get you fired or even physically attacked. This is a major free speech issue.

## **4 Addressing Arguments Against Free Speech**

Now I will consider some arguments against free speech.

### **4.1 Politeness Is Also Necessary For Rational Dialog**

Opponents of free speech often demand censorship on the grounds that certain ideas are offensive and hateful, and thus harmful. They say that hate speech silences minorities, because it creates an unpleasant environment, an “unsafe space”. This argument is worth considering. A hostile environment will cause some people to refrain from expressing their views, for fear of being insulted, ridiculed, etc.

I agree that this is a valid concern. Freedom of speech is not the only requirement for rational discourse. Politeness is also important, because it creates an environment that is conducive to rational dialog. There is a potential for conflict between freedom of speech and politeness. People can use their freedom of speech in destructive ways: to insult or annoy others. This is a real problem, especially on the internet. However, there are ways of dealing with it that do not limit free speech. The best way is to have different spaces with different norms and rules, so that if people want a “safe space” they can find one, but there are also very open spaces with few or no limitations. It is very dangerous to impose politeness on everyone from the top down, because “politeness” is hard to define, and it will almost inevitably be used to suppress ideas, not just to prevent rudeness.

### **4.2 Free Speech and Tragedy of the Commons**

There is another criticism of free speech that should be taken seriously. It is that free speech creates a tragedy of the commons. It creates a situation like a crowded room in which everyone has to raise their voice in order to be heard. The result is a cacophony of voices that drowns out intelligent conversation.

There is a lot of truth to this criticism. Free speech does not, by itself, create social rationality. It can create irrationality instead. We cannot rely on the wisdom of the crowd to produce the best ideas.

Again, my response to this criticism is that we need different spaces with different rules. We need spaces where access is restricted based on education, experience or other tests of merit. We need institutions that generate and dispense knowledge. Ideally, the media and the academy would serve those functions. Unfortunately, the media and the academy are prone to corruption. They can use their authority to deceive, rather than inform. Free speech helps to prevent those institutions from becoming corrupt and dishonest. It allows people to criticize and correct them. Freedom of speech is an important check on the power of the establishment to deceive the masses.

## **5 Social Rationality**

Every free speech issue should be framed in terms of social rationality. When free speech issues are framed in this way, they are much easier to resolve. Free speech is a means to an end, not an end in itself. The function of free speech is to create a space in which we can think together.