

An Argument for the Censorship of Hate Speech

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Here it will be argued that censoring the expression of what I will call hateful beliefs is justified. I will present the framework and position of John Stuart Mill on the freedom of expression, which posits that no censorship is justifiable, and then present an argument against Mill's view. I will begin by discussing Mill's utilitarianism, his concepts of the harm principle and the tyranny of the majority, and then explain his arguments for total freedom of expression. Afterwards, I will argue that Mill's reasoning, while generally correct, does not apply in cases of hate speech. Following this I will argue hate speech is gravely harmful, and so should be censored on the basis of Mill's own stance on utilitarianism and the harm principle.

Mill's argument for total freedom of expression is rooted in his version of utilitarianism, from which he derives what is often called the harm principle. For Mill, utilitarianism means that the only thing which is good in and of itself is pleasure and the only thing which is bad in and of itself is pain, both understood in the broadest possible senses. The harm principle states that all institutions of government, including democratic ones, only have the right to interfere with an individual's action for the protection of others. In other words, a governmental body can never force someone to do something for the benefit of that person, only to protect others from harm. This usually means prohibiting harmful actions, though in some rare cases this can mean forcing a particular action, so as to prevent harm caused by inaction. In Mill's view, any democratic encroachment of this principle would constitute a "tyranny of the majority", wherein the majority of the political community would be, through collective action, oppressing a minority. According to Mill, this needs to be guarded against just like any other form of tyranny. He gives several utilitarian arguments for the harm principle, which are not necessary to recount here. It is sufficient to say I am in agreement with this principle, along with Mill's view that the collective action of the majority, at least in principle, can unjustly

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limit the freedom of a minority, such that we might call this action a kind of “tyranny” (Mill & Veltman, 2013).

With these basic concepts in mind, Mill argues for total freedom of expression on the basis that any censorship whatsoever is unjust. He provides several arguments for this view, which will be reviewed here. To begin with, Mill considers three possibilities. Firstly, the censored opinion may be correct. In this case, censorship deprives society of a truth and in turn, all the benefits the truth has the potential to provide, whether the benefits are scientific, moral, political, and so on. Therefore, censorship in this case is unjust. Secondly, the censored opinion may be incorrect. In this case, censorship robs us of the debate between truth and falsity. According to Mill, if a true opinion is never in opposition to a false one, and its adherents never engage with their opponents, they will lose the meaning of their view. After all, our knowledge that a position is correct is often derived from how it may be defended against objections, and why it is preferable to other positions. Furthermore, the absence of opposition to a belief gives less reason for the basic justifications for said belief to be remembered, threatening even our most basic understanding of the view’s logical basis. For these reasons, the basis of the truth would be forgotten when falsity is censored, leading to the truth being held dogmatically. In Mill’s view, however, our opinions are only genuinely truthful if we understand their justifications - we only understand truth if we understand why it is true. Thus, when we censor falsity we also lose truth. In fact, Mill goes so far as to say the words we use to express the true opinion become meaningless, and any good the truth results in is lost (Mill & Veltman, 2013).

The third possibility he considers, which he thinks is the most likely to happen in reality, is that both the accepted and the censored view contain an element of the truth, and that the correct view contains elements of both. Mill says that this collision and debate among different partially correct positions is how society progresses, and to censor a partially correct view is therefore not only to deprive society of its element of the truth and the good it would bring, but also of the fundamental social progress it makes possible. (Mill & Veltman, 2013) Mill argues moreover that censoring an opinion

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requires the censorer to assume they are infallible in their judging the suppressed opinion to be false. Yet, infallible judgement does not exist. In addition, a fallible authority, in Mill's view, has no right to prevent others from commenting on any subject (Mill & Veltman, 2013).

Mill considers the possibility that even if a false opinion is censored, it may be taught in schools along with refutations. Nonetheless, he finds this inadequate. In his view, it is essential that a false view be presented as persuasively and rationally as possible. If a position is only presented by a teacher in terms of what the position is and why it is false, the best possible arguments for the position will not be given. As such, the strongest, and therefore most important, counter arguments will also not be given. Consequently, an important piece of the truth will be absent (Mill & Veltman, 2013).

These problems are made worse, Mill says, because censorship can never fully succeed, and so the incorrect view we are trying to suppress, will eventually be espoused. When it is, we will be ill prepared to argue against and defeat it, as we would lack knowledge of both its strongest points and those of our own (Mill & Veltman, 2013).

I will now argue that while the above arguments generally hold, they do not apply in the case of the expression of hateful beliefs. For the purposes of this essay, I will define hateful beliefs as those which, 1. claim that some human beings are in some fundamental way - be it biologically, culturally, due to their sexuality, or any other reason - inferior or lesser than others, 2. that this difference entails their lives are less valuable than those of others, 3. that they are in this fundamental way a danger to others, and 4. that this legitimizes violence against them. Exactly which beliefs would fall into this category will be a subject of much debate. To clarify, I do not hold that it is hateful to say that some cultural beliefs and practices are morally wrong, such that some cultures can be said to be morally superior to others. I would in fact argue that Canadian culture one hundred years ago was inferior to its current state as it was far more racist, sexist and homophobic than it is now. It is, however, hateful to say people belonging to another cultural group are themselves inferior, and not just morally flawed for their participation in such beliefs and

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practices, to the extent that they do participate. Regardless, what is important for the purposes of this paper, is not which groups or beliefs are hateful, but whether we ought to censor those that are. To this question I answer in the affirmative.

Here I will argue Mill's basis for rejecting censorship does not hold in regards to the expressions of hateful beliefs, as defined above. First of all, we do not assume complete certainty when we censor a view. We might ban the expression of a view, for instance, because we think the potential harm the belief could cause if false outweighs any potential benefit it might bring if true meaning censorship is worth the risk.

Hateful beliefs have no logical value whatsoever so society does not lose logical content through censorship. I agree with Mill in that the more plausible a view is, the more it is valuable and the less justification there is for censoring it. This does not mean, however, we should not censor any positions. Mill's argument supposes that there is some logical strength in all arguments which we lose access to when we censor. Furthermore, he argues censoring a position also robs us of the corresponding logic in the counter argument to said position. Mill does not consider, however, the possibility that some positions have no logical strength. Consider the propositions "cupcakes are the essential substance of the universe", "ingesting excrement is the key to a long life", and "bombing cities is the solution to crime". All of these propositions are absurd, and have no supporting evidence. Nonetheless, they are not inherently logically contradictory, and so we cannot be certain they are false. Should we then conclude that these absurd propositions have some logical basis, refutation of which is essential for understanding the truth, and that they are therefore important for intellectual debate? Of course not. Engaging in good faith with someone who truly believes one of these propositions would be a waste of time. The same is true of hateful beliefs. The lack of scientific evidence to support ideas of the biological inferiority of some groups of people is overwhelming, as is the plentiful evidence that people from all cultures are capable of great intellectual, artistic, and humanitarian achievement, among many potential achievements. Hateful beliefs do not have any logical basis to grant such beliefs value. Just as we cannot be absolutely certain that

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the aforementioned absurd propositions are false, we cannot be absolutely certain that hateful beliefs are wrong because they are not necessarily self contradictory. Despite this, we have virtual certainty in both cases, which is sufficient.

Next, I will argue teaching the arguments and failings of hateful beliefs is sufficient for understanding why a hateful belief is wrong, and that a problem is not presented if an advocate of a hateful belief evades censorship. I believe the arguments and history of hateful beliefs should be taught, along with their refutations. From what has already been said, it follows that debate with someone who genuinely holds a hateful belief is not necessary, since they have nothing truly worthwhile to say. Similarly, we can see how a problem is not presented if the advocate of a hateful belief gets passed censorship. If such a person's only real weapon is rhetoric, it will only require rhetoric to defeat.

I will now argue that hate speech should be censored for utilitarian reasons and in accordance with the harm principle. Firstly, hate speech causes significant harm to those it is hateful towards. Our society is plagued by systemic racism, sexism, homophobia, and other problematic phenomena, a thorough account of which is beyond the scope of this paper. As only two examples of the many social inequities, women, racially marginalized groups, LGBTQ+ people, and so on, suffer the consequences of an unfair pay gap in comparison to people who are straight, cis, white or male, and are also presented in media less often, and less favourably. Given the pervasiveness of these forms of discrimination and injustice, claims that members of these groups are inferior can cause psychological harm and undermine the dignity and self respect of these individuals. Secondly, if hateful groups gain the power they so often seek, hateful beliefs encourage and lead directly to violence against its targets, in terms of both violence done by individuals and small groups, and State violence. The rise of fascism in Europe leading to the second World War has shown us how hateful beliefs are capable of establishing power and committing horrific harm. Moreover, the efficacy of deNazification policies in Germany following World War II, which included thorough censorship, show the usefulness of such censorship in preventing further harm.

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In this essay, I have argued for the censorship of hate speech, defined as the expression of beliefs which, 1. posits a group of human beings as inferior, dangerous, and less valuable, and 2. legitimizes violence against them. I have summarized the arguments of John Stuart Mill against any form of censorship, beginning with his basis in utilitarianism and what he calls the harm principle, followed by his use of these concepts to oppose all censorship. I then argued that Mill's arguments do not apply in the case of hateful beliefs and their expression. Ultimately, hate speech does significant harm and so should be censored on utilitarian grounds, in accordance with the harm principle.

Bibliography

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