

Summary: Freedom of Speech

Presentation by Per Sandin, 2015-10-07

Introduction

Freedom of speech (or freedom of expression) is a manifestation of and/or element in freedom of opinion.

“Freedom of speech” gives 13 hits on the SLU web. That is very little, one would think. What are the reasons for its scarcity? It might be that it is (a) not considered important. This is not plausible. Rather, (b) it is taken for granted. But freedom of expression is sometimes under threat.

The theory

Why should we have freedom of speech at all? What are the arguments in favor? Three common ones are:

1. Individual liberty is valuable in itself
2. Freedom of speech is a prerequisite for democracy
3. Allowing many opinions will facilitate attainment of truth (important in science and scholarship)

Thus, freedom of speech is considered a political value. It is however not the ONLY political value, and throughout history it has sometimes been considered more important than other values, sometimes less.

Freedom of speech is never absolute. It is circumscribed in various ways, for instance through legal prohibitions against espionage, libel, and so on. Some countries have prohibitions against blasphemy (Sweden not anymore). It should be noted that speaking is also doing – we act through utterances. The restrictions on freedom of speech are sometimes legal, but they might also be social or moral.

Freedom of speech is a liberal idea. As expressed by one of the fathers of liberal political philosophy, John Stuart Mill, in his 1859 book *On Liberty*:

“The only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others”

According to the liberal idea, it is not acceptable to limit a person's liberty in order to protect that person herself – that would be an instance of paternalism.

It is however difficult to decide what counts as harm. An example is pornography: Is anyone harmed by the existence of pornography? It may be argued that people are merely offended, and that offence is not harm.

Freedom of expression is perhaps especially important in academia. It is considered part of the ethos of science, as codified for instance in Robert Merton's CUDOS norms in the form of communalism. "Openness" is mentioned as a core value of SLU and many other universities.

Three Example from University Contexts

However there are examples where the limits of freedom of expression are tested in universities. I offer three examples:

- When treating in his role as a private individual a professor at a Swedish university used derogatory expressions about another individual. He regretted this, apologized and removed the tweets. However, a representative of the university expressed concern in the media and feared that such activities might damage the university's reputation. The university was later criticized by The Parliamentary Ombudsmen for interfering with the professor's freedom of expression.
- Drawings of the prophet Muhammed were posted on billboards at in a university building. A representative of the university said that the drawings must have been posted in order to scare and provoke students and employees. He argued that the drawings did not have anything to do with freedom of expression, since there are other fora for exchange of ideas and since the drawings were anonymous. The latter point is potentially problematic, since there are those who argue that the option of anonymity is a prerequisite for freedom of expression.
- Are trigger warnings (e.g. information to students that parts of course literature might be upsetting) an undue limitation of freedom of speech? My own tentative answer is no.

Food for Thought

Finally, I will pose four questions. However, I will not answer them. Instead, please consider them food for thought and further discussion.

1. Is freedom of speech more important for students and university employees than for people in general?

2. Are there any unwarranted limitations of the freedom of speech of students and university employees today?
3. Is freedom of speech for students and university employees too permissive?
4. What will happen in the future?

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