



General Certificate of Education
Advanced Level Examination
June 2011

Critical Thinking

CRIT4/PM

Unit 4 Reasoning and Decision Making

Case Study Source Material

To be opened and issued to candidates on or after 1 April 2011

- The material consists of eight sources (**Documents A to H**) on the subject of **Free Speech**. These documents are being given to you in advance of the Unit 4 examination to enable you to study the content and approach of each extract, and to consider issues which they raise, in preparation for the questions based on this material in the examination.
- One further source (**Document I**) will be provided as an insert within the examination paper.
- Your teachers **are** permitted to discuss the material with you before the examination.
- You may write notes in this copy of the Source Material, but you will **not** be allowed to bring this copy, or any other notes you may have made, into the examination room. You will be provided with a clean copy of the Source Material at the start of the Unit 4 examination.
- This is a controversial subject, and feelings on many aspects of it can run high. The examination questions will ask you to *critically consider* various claims and arguments, and to make a *reasoned decision* of your own.
- You are not required to carry out any further study of the material than is necessary for you to gain an understanding of the detail that it contains and to consider the issues that are raised. It is suggested that at least three hours' detailed study is required for this purpose.

Document A**Free Speech, Muhammad, and the Holocaust**

- 1 The timing of Austria's conviction and imprisonment of David Irving for denying the Holocaust could not have been worse. Coming after the deaths of at least 30 people in Syria, Lebanon, Afghanistan, Libya, Nigeria, and other Islamic countries during protests against cartoons ridiculing Muhammad, the Irving verdict makes a mockery of the claim that in democratic countries, freedom of expression is a basic right.
- 2 We cannot consistently hold that cartoonists have a right to mock religious figures but that it should be a criminal offense to deny the existence of the Holocaust. I believe that we should stand behind freedom of speech. And that means that David Irving should be freed.
- 3 Before you accuse me of failing to understand the sensitivities of victims of the Holocaust, or the nature of Austrian anti-Semitism, I should say that I am the son of Austrian Jews. My parents escaped Austria in time, but my grandparents did not.
- 4 All four of my grandparents were deported to ghettos in Poland and Czechoslovakia. Two of them were sent to Lodz, in Poland, and then probably murdered with carbon monoxide at the extermination camp at Chelmno. One fell ill and died in the overcrowded and underfed ghetto at Theresienstadt. My maternal grandmother was the only survivor.
- 5 So I have no sympathy for David Irving's absurd denial of the Holocaust – which he now claims was a mistake. I support efforts to prevent any return to Nazism in Austria or anywhere else. But how is the cause of truth served by prohibiting Holocaust denial? If there are still people crazy enough to deny that the Holocaust occurred, will they be persuaded by imprisoning people who express that view? On the contrary, they will be more likely to think that people who are being imprisoned for expressing views cannot be refuted by evidence and argument alone.
- 6 In his classic defense of freedom of speech in, *On Liberty*, John Stuart Mill wrote that if a view is not "fully, frequently, and fearlessly discussed," it will become "a dead dogma, not a living truth." The existence of the Holocaust should remain a living truth, and those who are skeptical about the enormity of the Nazi atrocities should be confronted with the evidence for it.
- 7 In the aftermath of World War II, when the Austrian republic was struggling to establish itself as a democracy, it was reasonable, as a temporary emergency measure, for Austrian democrats to suppress Nazi ideas and propaganda. But that danger is long past. Austria is a democracy and a member of the European Union. Despite the occasional resurgence of anti-immigrant and even racist views – an occurrence that is, lamentably, not limited to countries with a fascist past – there is no longer a serious threat of any return to Nazism in Austria.
- 8 By contrast, freedom of speech is essential to democratic regimes, and it must include the freedom to say what everyone else believes to be false, and even what many people find offensive. We must be free to deny the existence of God, and to criticize the teachings of Jesus, Moses, Muhammad, and Buddha, as reported in texts that millions of people regard as sacred. Without that freedom, human progress will always run up against a basic roadblock.
- 9 Article 10 of the European Convention on Human Rights and Fundamental Freedoms states: "Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers."

- 10 To be consistent with that clear statement – and without the vague qualifications of Article 11, which threaten to render it meaningless – Austria should repeal its law against Holocaust denial. Other European nations with similar laws – for example, Germany, France, Italy, and Poland – should do the same, while maintaining or strengthening their efforts to inform their citizens about the reality of the Holocaust and why the racist ideology that led to it should be rejected.
- 11 Laws against incitement to racial, religious, or ethnic hatred, in circumstances where that incitement is intended to – or can reasonably be foreseen to – lead to violence or other criminal acts, are different, and are compatible with maintaining freedom to express any views at all.
- 12 Only when David Irving has been freed will it be possible for Europeans to turn to the Islamic protesters and say: “We apply the principle of freedom of expression even-handedly, whether it offends Moslems, Christians, Jews, or anyone else.”

Source: adapted from PETER SINGER project syndicate, March 2006
www.project-syndicate.org

Document B**Elton John claims Jesus was a 'super-intelligent gay man' in U.S. magazine interview**

Sir Elton John has dubbed Jesus a 'super-intelligent gay man' in a controversial new interview. The singer made the throw-away comment while talking about lesbians trying to survive in the Middle East. 'I think Jesus was a compassionate, super-intelligent gay man who understood human problems,' he told American magazine Parade in an interview due to be published on Sunday. On the cross, he forgave the people who crucified him. Jesus wanted us to be loving and forgiving.

'I don't know what makes people so cruel. Try being a gay woman in the Middle East – you're as good as dead.' His comments are set to cause a firestorm in the U.S., where deeply religious groups burned Beatles records in 1966 after John Lennon claimed the group was more popular than Jesus.

The Beatles received death threats and Lennon was forced to apologise after an American teenage magazine reprinted comments he made about Jesus to the London Evening Standard.

Source: ANNETTE WITHERIDGE, Daily Mail, 19 February 2010

www.dailymail.co.uk/tvshowbiz/article-1252081/Elton-John-claims-Jesus-super-intelligent-gay-man-U-S-magazine-interview.html

Document C**Anger at Malaysia 'Jesus cartoon'**

Malaysia's Muslim-led government closed two publications last year for carrying controversial cartoons of the Prophet Muhammad. Now some members of Malaysia's minority religions say they want the same treatment over this latest incident.

Religion is a famously sensitive subject in Malaysia. So when Tamil-language newspaper, Makkal Osai, published a picture on its front page apparently showing Jesus smoking and drinking it was bound to cause offence.

Christian groups said that although the Jesus of the Bible was a compassionate figure – who turned water into wine, shared a flagon with his disciples at the Last Supper and mixed with tax collectors and prostitutes – action should still be taken.

The paper has since issued an apology, explaining that a graphics editor had mistakenly taken the image from the internet. Most of Malaysia's churches appear to have been appeased. Not so though the Malaysian Indian Congress, an ethnic Tamil political party in the governing coalition, most of whose members are Hindu.

A senior party official has demanded that Makkal Osai's editor be sacked and the paper closed. Interestingly, Makkal Osai has been very critical of the Malaysian Indian Congress, which owns a rival Tamil-language newspaper. Non-Muslims are also waiting to see how the government responds, given that it took tough action over the publication of the Prophet Muhammad cartoons.

Source: JONATHAN KENT, BBC News, 23 August 2007
<http://news.bbc.co.uk/1/hi/6960220.stm>

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Document D

The limits to freedom of speech

By Julian Joyce

The debate at the Oxford Union featuring BNP leader Nick Griffin and historian David Irving highlights fundamental questions about the limits to free speech.

Some protestors called for the debate to be cancelled, both because it might offend people and because it could stir up racial hatred.

But there are others who think people should be allowed to say whatever they think – regardless of the offence it might cause, and even if there is a potential threat to public order.

For some anti-fascist campaigners like Donna Guthrie, the fact that David Irving's views are offensive to large numbers of people is enough to prevent him from speaking.



© 1936 Getty Images

'Racial attacks'

"Irving is a Holocaust denier, and giving him a platform is an insult to the millions who were murdered by the Nazis."

Ms Guthrie – National Campaigner for the group Unite Against Fascism – said there had also been a rise in racial attacks whenever Nick Griffin's BNP party gained seats on local councils.

She added: "Free speech is not uncontrolled. Speech does not happen in a vacuum. We know that when a fascist organisation speaks, there are real consequences."

In Britain there are laws protecting our right to free speech. But they are so hedged with qualifications that there is still plenty of room for arguments.

National security

British citizens are covered by the European Convention on Human Rights which states: "Everyone has the right to freedom of expression."

But it adds that governments can restrict free speech for, among other reasons, in the interests of national security, preserving public safety and for the prevention of disorder or crime. For libertarians like Brendan O'Neill, editor of the anti-censorship website Spiked, the convention does not go nearly far enough in protecting his right to say whatever he likes.

"I believe that there should be no limits at all on free speech," he said. "No-one has the right not to be offended: that is the essence of a free society."

He said that those who try to censor debate because it might stir up trouble were under-estimating the intelligence of the audience.

Attack dogs

“The only time free speech should be restricted is if there is a clear and imminent danger of violence,” he said.

“Otherwise, even if what is being said might be defined as inflammatory then we still should not censor it,” he said. “People are not attack dogs – they are not automatically going to become violent if they hear controversial things.”

“Rather, these views should be expressed and challenged. Otherwise these horrible ideas will not be defeated, but will survive and fester underground.”

Jonathan Heawood, English director of the worldwide association of writers Pen, opposed a ban on the debate - but admitted it was a difficult issue, given the views of the two speakers.

“We don’t take the position of ‘anything goes’ when it comes to free speech. There are sometimes legitimate arguments about legal issues and national security.”

“However, although Irving’s views about the Holocaust are an extremely distorted version of history, it is hard to maintain that they directly incite racial hatred.”

Gay rights activist Peter Tatchell counters this with the example of Hitler and the rise of the Nazi party in Germany before the Second World War.

Lives saved

In a piece entitled: “Do fascists have a right to free speech?” he writes: “It is possible that if there had been no free speech for Hitler and the Nazi Party in Germany during the early 1920s... they may not have grown in strength and influence.

“Denying them an opportunity to propagandise, gain respectability and enter the political mainstream might have thwarted their rise to power. Tens of millions of lives may have been saved if the free speech of Nazis had been suppressed early on.”

He added: “In extreme circumstances, there should be intolerance of intolerance. Otherwise some people can use free speech and their human rights to undermine the human rights of others.”

Columbia protests

Monday’s debate in Oxford is an uncanny mirror of a similar event in New York last September. Then, as now, a controversial speaker who questioned the validity of the Holocaust – in this case Iranian president Mahmoud Ahmadinejad – was invited to address a prestigious academic institution – Columbia university.

Mr Ahmadinejad encountered a determined protest by Jewish and other demonstrators who argued that his views did not deserve a platform.

The speech went ahead however. Columbia’s president – the jurist and free-speech expert Lee Bollinger – justified his decision to invite Mr Ahmadinejad.

He wrote at the time: “It is a critical premise of freedom of speech that we do not honour the dishonourable when we open the public forum to their voices.”

“To commit oneself to a life – and a civil society – prepared to examine critically all ideas arises from a deep faith in the myriad benefits of a long-term process of meeting bad beliefs with better beliefs and hateful words with wiser words.”

Source: <http://news.bbc.co.uk/1/hi/uk/7113186.stm>

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Document E
'Freedom of expression must include the licence to offend'

'I believe in free speech. But...' That's become the rallying cry for the liberal left particularly in the wake of the Danish cartoon controversy. You can say what you like. Just so long as you don't offend anyone.

Free speech may be a good, runs the argument, but speech must necessarily be less free in a plural society. As the sociologist Tariq Modood puts it, 'If people are to occupy the same political space without conflict, they mutually have to limit the extent to which they subject each others' fundamental beliefs to criticism'. One of the ironies of living in a plural society, it seems, is that the preservation of diversity requires us to leave less room for a diversity of views.

I believe the opposite is true. In a homogenous society in which everyone thought in exactly the same way then the giving of offence would be nothing more than gratuitous. But in the real world where societies are plural, then it is both inevitable and important that people offend the sensibilities of others. Inevitable, because where different beliefs are deeply held, clashes are unavoidable. And we should deal with those clashes rather than suppress them. Important because any kind of social change or social progress means offending some deeply held sensibilities. The right to 'subject each others' fundamental beliefs to criticism' is the bedrock of an open, diverse society. 'If liberty means anything', as George Orwell once put it, 'it means the right to tell people what they do not want to hear'.

Ah, say the would-be censors, but should we not also ensure that minorities are not deliberately denigrated? Is it not incumbent on a civilised society to protect the powerless and the vulnerable? Indeed it is. But ask yourself this: who is it that benefits most from censorship? Not the powerless and the vulnerable but rather those that possess both the power to censor and the necessity to do so.

The impact of censorship is in fact to undermine progressive movements within minority communities. Take the controversy over the Danish cartoons. There's a general assumption that all Muslims were offended by the cartoons and that all Muslims wished to ban them. Not true. Bünyamin Simsek is a Muslim councillor in the Danish city of Aarhus who helped organize a counter-demonstration to the cartoon protests. 'There is', he says, 'a large group of Muslims in this city who want to live in a secular society and adhere to the principle that religion is an issue between them and God and not something that should involve society'. He is not alone. But such voices get silenced in the rush to censor that which is deemed to cause offence.

The censors are helping to strengthen the hand of the most conservative elements and to undermine those who want to challenge tradition and authority. That's why groups such as Southall Black Sisters – an organisation of Asian women activists that for more than 20 years has been combating both racism and discrimination against women – strenuously oppose the idea that the giving of offence should be forbidden. As Rahila Gupta of Southall Black Sisters put it recently, such censorship 'will strengthen the voices of religious intolerance and choke off women's right to dissent'. And this, she observed 'is too high a price to pay to appease an alienated community'.

Of course, many of those who give offence are not progressive at all, but bigots – racists or homophobes. But people must be as free to offend against liberal orthodoxies as against reactionary ones. Free speech for everyone except bigots is not free speech at all. The right to free speech only has political bite when we are forced to defend the rights of people whose views we despise. In any case, you cannot challenge bigoted ideas by banning them. You simply let the sentiments fester underground. Free speech does not mean accepting all views. It means having all views in the open so we can challenge the ones we find unconscionable. Today, though, we do the exact

opposite: there are certain views we ban because they are deemed too unpalatable. But there are other views we are too frightened of challenging because we don't want to give offence to diverse cultures.

But you've got us all wrong, say the censors. We're not out to censor. All we want to do is ensure respect for all beliefs and cultures. What's being demanded, however, is not respect but obedience. 'You will only say or do what we think is acceptable' has become the credo of the multiculturalist censor. It's a view that turns the notion of respect on its head.

In its traditional Kantian sense, respect requires us to treat every human being equally as a moral, autonomous being. Every individual possesses the capacity to express political and moral views and to act upon them. And every individual is responsible for their views and actions and is capable of being judged by them. The importance of free speech is that it is an expression of individual moral autonomy, the capacity of people to engage in a robust debate about their beliefs and their actions – and to bear the consequences.

The multiculturalist censor demands respect not just for the person but also for his or her beliefs. And in so doing they undermine individual autonomy, both by constraining the right of people to criticise others' beliefs and by insisting that individuals who hold those beliefs are too weak or vulnerable to stand up to criticism, satire or abuse. Far from according respect, the multiculturalist censor treats people not as autonomous beings but as incapable victims needing special protection. The result is an auction of victimhood as every group attempts to outbid all others as the one feeling most offended. The latest to jump on to the bandwagon are Hindus; a group calling itself Hindu Human Rights successfully shut down an exhibition by the Indian artist MF Hussain in London last month on the grounds that his paintings of Hindu deities were offensive.

The irony of censorship in the name of multiculturalism is that it undermines much of what is valuable about cultural diversity. When we talk about diversity, what we mean is that the world is a messy place, full of clashes and conflicts. That is all for the good, for such clashes and conflicts are the stuff of political and cultural engagement. The censors, however, seem frightened of the mess, and want everything nicely parcelled up, free of conflict, all neat and ordered. 'Respect' has become the major tool through which they hope to enforce such order.

Well, it's time we stood up for a little less respectful order and a little more messy engagement. It's time we recognised that giving offence is a normal part of a plural society. And it's time we defended free speech. Full stop. No buts.

Source: Intelligence debate, Royal Geographical Society, London, 7 June 2006, speech by Kenan Malik.
www.kenanmalik.com/debates/free_speech_IQ2.html

Document F**Freedom of speech**

ONORA O'NEILL, PHILOSOPHER

In one of Tom Stoppard's plays, one character says to another: "I'm with you on the free press. It's the newspapers I can't stand." Many of us have this thought.

Are sensationalising, even misleading newspapers and broadcasting an inevitable cost of press freedom?

If so, why do newspapers in some countries, including Britain, have particularly poor reputations and why do broadcasters in some countries, not including Britain, have particularly poor reputations?

What do the best arguments for press freedom show? Do they show that the press should enjoy unconditional freedom?

I think there are four arguments for press freedom in common use.

One is juridical: it appeals to constitutional or other authorities that simply proclaim rights to a free press – for example the First Amendment to the US Constitution which reads simply "Congress shall make no law abridging the freedom of the press," or Article 10 of the European Convention on Human Rights.

Fine words, but arguments from authority don't provide deep justifications. Other arguments do grow deeper.

Press freedom has variously been defended as necessary for discovering truth, as analogous to individual rights of self-expression, or as required for democracy.

None of these lines of thought, I believe, justifies unconditional press freedom.

Disciplines

Appeals to truth-seeking won't justify unconditional press freedom because, as the philosopher Bernard Williams wrote in *Truth and Truthfulness*: "In institutions dedicated to finding out the truth, such as universities, research institutes, and courts of law, speech is not at all unregulated."

Any search for truth needs structures and disciplines. It's undermined by casual disregard of accuracy or evidence. Unconditional freedom just is not optimal for truth-seeking.

Appeals to the right of self-expression also won't justify unconditional press freedom.

The great 19th Century philosopher John Stuart Mill argued in his book on liberty that freedom of expression for individuals should be limited only by the requirement not to harm others.

He generalised this thought about individual freedom to cover the press. He writes: "The peculiar evil of silencing the expression of an opinion is that it is robbing the human race; posterity as well as existing generations; those who dissent from the opinion, still more than those who hold it.

"For if the opinion is right, they are deprived of the opportunity of exchanging error for truth: and if wrong, they lose what is almost as great a benefit, the clearer perception and livelier impression of truth, produced by its collision with error."

This is not a good argument for unconditional freedom of expression for powerful institutions. Press freedom is not analogous to individual rights of self expression.

Individuals are powerless and they do limited harm if they are casual about accuracy. Yet we do have laws even for them against libel, slander and inciting hatred.

Powerful organisations: governments, businesses, the media which are casual about accuracy can do great harm.

We don't allow companies to lie about their products, or public authorities to invent their accounts.

Yet if the powerful conglomerates that dominate the global media today had unconditional freedom of expression, they would be entitled to be casual about accuracy, thereby harming others and undermining democracy.

So the claim that press freedom is just like individual freedom of expression, although very fashionable, is unconvincing.

That leaves the needs of democracy as the most convincing reason for press freedom. These needs don't justify unconditional press freedom, because democracy needs a press that informs citizens accurately.

Of course, if requirements for accurate reporting were too tightly drawn, the press would be intimidated.

Nobody can be sure of getting everything right – even with zealous “fact checking”. So a press that serves rather than damages democracy needs to aim for accuracy in its reporting: its claims should be truthful, even if they cannot be guaranteed to be true. And this standard can be achieved. The media achieve it well in reporting football results and stock prices.

In complex reporting, it can be achieved by providing evidence and qualifications, by telling readers and listeners when the information is uncertain, by editing that corrects errors promptly, and that explicitly distinguishes reporting from commentary, gossip and features.

The right structures

Only the media that report responsibly in this way allow readers and listeners to judge for themselves and so support democracy.

How can this standard be achieved? Some demands on the press would do too much – notoriously censorship, state or other control of the media of their content is risky and counterproductive.

Other demands are too minimal. Merely allowing individuals to complain if misrepresented, as for example the British Press Complaints Commission Code does, achieves little. Good reporting is a public good, not a consumer product, so complaints procedures for individuals can't secure or even protect it.

Better standards could be achieved without risking censorship by specific regulation to secure accurate reporting, or at least truthful reporting.

I'll finish with one example. Accuracy could be supported by requirements to declare and disclose conflicts of interest on reporters, editors and owners.

Why should those who work in the media be exempt from the disciplines faced by others working in other powerful organisations? Press freedom, I suggest, needs more than a slogan; it needs the right structures.

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Document G**Freedom of speech**

WOLE SOYINKA, POET AND PLAYWRIGHT

Time for some secular aggression.

From my primary school reader, comes the following morality tale.

A Bedouin on a journey through the desert camped down for the night, his camel tethered to a peg outside the tent.

A while later, the camel pleaded, "Master, the desert air is cold. Can I put my nose inside the tent just to warm it a little?" The kindly Bedouin decided to gratify the camel's wish. Next the camel, meek as ever, proposed that his neck follow suit. The rest of the story is soon guessed.

After the incursion of legs, chest, hump and rump, the camel grumbled that there was not enough room for both.

Still vivid in my mind is the accompanying illustration – the astonished Bedouin sailing through the air from a powerful kick from the camel's hind legs.

Anyone who seeks a graphic actualisation of this fable should visit Lagos, the commercial capital of Nigeria, whose solitary dual carriage motorway into the interior is ritually clogged up by revivalist sessions of rival Christian campsites which litter the borders of that sole motorway into the interior.

The backup traffic for miles imprisoning travellers sometimes all day and night.

Efforts to move them to other sites have failed, and the average citizen finds himself or herself the dispossessed Bedouin of our fable.

If only the acquisition of such territory remained purely physical!

Cult of refuseniks

Alas, more lethally for society, such aggressions include the regions of the mind. Such as when the Bishop of an East African diocese, obsessed with church mandated moralities, preaches, in a region half decimated by HIV aids, that the condom is in fact an instrument of Satan designed to infect its users with the very scourge it is meant to prevent, as God's punishment for promiscuity.

Even in a purely theocratic state, there comes a point – surely – at which the state must restrict clerical interference in clearly scientific matters, most especially where human well being and survival are at issue?

But of course one envisages a social tent in which the camel has not yet kicked out the Bedouin. But at least that cleric did not pretend to be a medical scientist, or practitioner. What are we to make of a trained physician who refuses to treat a female patient unless her head is covered?

That cult of religious refuseniks appears to be waxing strong in the United Kingdom, sweeping even into the consultation room.

The British Medical Association further revealed that some of its Islamic holy healers would not touch any alcohol related diseases, such as cirrhosis of the liver.

What on earth has happened to the tradition of Jonathan Swift and other scourges of enthusiasm?

What, one wonders, do such doctors substitute, in an emergency, for alcohol based sterilizing fluids?

Boiling water, perhaps? My layman knowledge indicates that a swab of methyl alcohol effectively disinfects an open wound.

This same moral compunction is responsible, we learn, for the refusal of such doctors to treat alcoholics and wean them from their addiction.

Discrimination

As always, there are options. One: plaques can be issued by the Ministry of Health, affixed to appropriate clinics with the warning: "Unveiled Muslim women, lesbians, homosexuals and alcoholics are not permitted in these premises".

They would share, for like-minded Jewish doctors, a section which reads: "This Clinic does not treat eaters of pork sausages, pork chops and bacon".

Of course the Medical Association could simply remind such members of their Hippocratic oath, withdraw their certificates and retrain them for other professions.

As it happens, a judge from the state of Kansas USA recently provided us a lead in these matters.

Finding before him a group of religious zealots who had taken to disrupting the funerals of victims of the Iraqi war on religious grounds, he invoked the full rigour of the law.

The activists were not even protesting against the immorality of that war – quite the contrary. Their gospel is that the war is divine punishment for America's permissive attitude towards homosexuality.

Thus, the fallen in that war are recipients of God's wrath, do not deserve even a decent burial, nor their families their private space of mourning.

These conscientious objectors therefore invade funerals with banners screaming "God is Just", "God Hates Fags" etc. etc.

They heckle the priest, make catcalls at passing cortege and generally pile trauma upon trauma on the bereaved.

On Judgement Day the accused received a \$12m fine. Pity it was only a civil suit.

The state should have stepped in and framed the charges under the hate laws of the land. It is time that the worst construction is placed on all forms of discrimination that claim a divine mandate, especially those that transgress against the entitlements of others to a secular dispensation.

These zealots would have us believe that the needless deaths in Iraq are not the work of George Bush and his government but of sexual tendencies.

Faced with such mind pollution, you can only applaud the Kansas state judge, and invoke even scriptural exhortations for the rest of society: I have limited your space of authority. Go and do thou likewise.

Source: <http://news.bbc.co.uk/1/hi/7127423.stm>

Turn over ►

Document H

Below are extracts from Nigel Warburton's book '*Arguments for Freedom*'

Mill's Harm Principle

"Should members of a civilized society tolerate unlimited freedom of expression? Should everybody be allowed to say, print, publish, broadcast, or communicate electronically any view whatsoever, no matter how sexist, racist, revolutionary, offensive or pornographic? Very few people believe that there should be no limits at all on the views people can express. Mill's Harm Principle provides a way of discriminating between those views which should be tolerated and those which should not. According to this principle, any view which does not harm others should be tolerated; only views which cause harm to others may be suppressed.

Mill is explicit...in saying that mere offence to others doesn't amount to harm: someone applying Mill's Harm Principle in this area would not have suppressed the publication of Salman Rushdie's *The Satanic Verses*. The fact that it caused great offence to many Muslims would not alone amount to a sufficient reason for banning it. The Harm Principle requires a more tangible harm than mere offence in order to justify suppressing an individual's freedom to express his or her opinions. In contrast a speech which incited racial violence would be the sort of expression of opinion which a follower of Mill might be prepared to ban (p77).

Mill's 'Infallibility Argument' for free speech

If you assume that you are infallible, you assume that you never make a mistake. Mill maintains that anyone who suppresses a view assumes that their own views on the subject cannot be mistaken. Mill's response is that human beings are fallible creatures, and that history has shown that many people who felt certain that they could not be wrong, were in fact wrong. So it is absurd to assume infallibility on any issue, and therefore absurd to suppress any view on the grounds that the view is obviously false. Since the view suppressed may conceivably turn out to be true, those who suppress the view deprive humanity of the opportunity of jettisoning their false opinions and replacing them with true beliefs.

The argument, like most, is probably easier to follow if you consider a specific example. It is well known that in early seventeenth century Europe anyone who suggested that the earth revolved around the sun (Copernicus's theory) rather than vice versa, risked censorship, and at worst imprisonment or even death. The established and widely held opinion was that the reason that the sun rises in the morning and sinks below the horizon at dusk is that the sun is moving around the earth which is fixed. Those who held this view certainly had reasons for their belief. The Roman Catholic Church saw those, such as Galileo Galilei, who endorsed the Copernican theory, as dangerous because they were spreading false views about the nature of the universe...

Galileo was eventually prosecuted for endorsing the Copernican view of the universe both in print and in his teaching. He was forced to recant these views...

In retrospect, astronomers such as Galileo have been vindicated. Scientific evidence, based on much more extensive empirical data than that available in the seventeenth century, has undermined the hypothesis that the sun revolves around the earth. The suppression of the opposing views in the seventeenth century now seems particularly pernicious as the view suppressed turns out to be a more or less true one. Mill's point is simply that the certainty of the people who prevented the Copernican theory from being widely voiced did not guarantee that they were right. By the same sort of reasoning, we may feel certain about all kinds of beliefs that are now widely held, but that doesn't provide a good enough reason for suppressing opposing views. The views that we might suppress could turn out to be true.

Mill's 'Dead Dogma' argument for free speech

The main thrust of this argument is given in the following statement, [by Mill]:

“However unwillingly a person who has a strong opinion may admit the possibility that his opinion may be false, he ought to be moved by the consideration that, however true it may be, if it is not fully, frequently, and fearlessly discussed, it will be held as a dead dogma, not a living truth.”

The Dead Dogma argument is summed up in Mill's aphoristic comment,

“Both teachers and learners go to sleep at their post as soon as there is no enemy in the field.”

[In other words], Even if the established opinion is the whole truth on the matter in question, if we don't allow it to be challenged and criticized, people will believe it without appreciating the reasons why they believe it. It will be a prejudice rather than a belief held on rational grounds.

The Dead Dogma Argument

Mill's line would have to be that, obviously false as the views expressed are, they serve a useful function in forcing historians to be careful about how they document the evidence about the Holocaust, and in keeping awareness of what actually happened a living belief, rather than a dead dogma parroted by people who aren't really aware of the evidence which supports their beliefs.

Source: (Open University Press; 1999), dealing with some of John Stuart Mill's arguments for free speech

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