

PHIL 195: Seminar in Philosophy of Law

Freedom of Expression: Foundations and Controversies

Mondays from 3pm to 5pm, Spring 2023 (in-person)

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Nearly all Americans agree that having an individual right to free speech is a very good thing. At the same time, Americans are more divided than ever on the question of knowing what freedom of expression entails. Should the Constitution keep protecting hate speech as it current does? Is it appropriate for universities to prevent student organizations to invite speakers who share discriminatory views to speak on campus? Should we let people spread misinformation on social media on the ground that they have the right to speak freely? And what do feminist philosophers mean, exactly, when they claim that certain forms of speech *silence* women as a group?

This seminar is an introduction to the philosophy of free speech. We will begin with an inquiry on the foundations of freedom of expression by focusing on influential liberal arguments, for instance on the ideas that free speech is a precondition of truth-seeking and that the only good reason to curb speech is to prevent harm. Then, we will consider important critiques of the liberal perspective by focusing on controversial issues such as hate speech, pornography, insults and slurs, incitement to harm, misinformation and fake news and no platforming. A central question that we will tackle in the seminar amounts to determining what the best response to dangerous speech is: censorship, counter speech or something else entirely.

As this course is a seminar, students will be invited to give an oral presentation on a weekly reading at least once during the semester and to actively participate in seminar discussions. They will also write a paper, present its first draft during a mini-conference, integrate feedback, and then write a final draft.

The instructor commits to making all readings freely available on Canvas.