

Title: Free Speech: A History From Socrates to Social Media

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Transcript

Jacob Mchangama

There's nothing more corrosive to the idea of free speech than sort of grandstanding on free speech one day and then the next day demanding that certain types of speech that you don't like be banned. When you live in open, free democracies, defending free speech generally involves very often defending speech that most people don't like and that you yourself might find loathsome as part of the job description.

Zach Rausch

Jacob Mchangama on Heterodox Out Loud. I'm Zach Rausch. Today, we explore the history of free speech, how the understanding of it has changed, and the volatile swings in public opinion about this core value. Our guest today is Jacob Mchangama, a Danish lawyer, human rights advocate, and social commentator. He is the founder and director of Justicia, a Copenhagen-based think tank focusing on human rights, freedom of speech, and rule of law. He's the author of the acclaimed new book, "Free Speech: A History from Socrates to Social Media." In our interview, we discussed the origins of free speech, what a culture of free expression looks like, and why any social justice movement should consider it to be essential. Before we chat, we'll listen to Jacob's blog post, "Free Speech: A History from Socrates to Social Media," read by Jonathan Todd Ross.

The full blog post can be found on our website here: [Free Speech: A History From Socrates to Social Media](#)

Zach Rausch

Now, our interview with Jacob. Jacob, thank you so much for coming on to Heterodox Out Loud.

Jacob Mchangama

Thank you so much for having me. I've been looking forward to it.

Zach Rausch

We're going to be talking about a blog post that you wrote for us called, "Free Speech: A History from Socrates to Social Media," which is also the title of a very recent book that you just wrote that came out in March. So, before getting into the book and your core arguments, I just want to get a little bit about your story. Tell us how and why you came to write this book and what was the trajectory to this point.

Jacob Mchangama

I live and was born and raised in Copenhagen, Denmark, which is not exactly the most authoritarian state in the world. And so I grew up in a very secular, liberal society taking free speech for granted. And then in 2005, there was a Danish newspaper that published some cartoons depicting the Prophet Muhammad. And then suddenly sort of ancient conflicts over the relationship between free speech and religion that I think most Danes thought had been settled were sort of revived. But it also sort of changed the dynamics of the discussion because suddenly a lot of people who might normally see themselves as very secular and liberal and very much in favor of religion being criticized and mocked, had second thoughts and saw these cartoons as an abuse of free speech, punching down on a vulnerable minority, whereas the right, and I'm generalizing here obviously, sort of saw themselves as free speech absolutists. And then the dynamics changed again later on when the center-right government sort of restricted free speech in ways that were transparently aimed at Muslims or Muslim radical preachers. And then the right said, "Well, these restrictions on free speech are necessary to save free speech," whereas people on the left said, "Well, now we're compromising our values."

And so in 2017, I launched a podcast on the history of free speech and that ran for, I think, 41 episodes. And the book is really an attempt to boil the podcast down to a sort of coherent account of the history of free speech.

Zach Rausch

And so your passion for the subject, how much of it is your own intellectual curiosity and what's driving you?

Jacob Mchangama

Yeah, the more I've studied free speech, the more it seems to me that it is, in fact, the most important and consequential right. Also, I think that free speech and equality are mutually reinforcing rather than mutually exclusive, as some people seem to argue. So I see free speech as perhaps the most powerful engine of human equality that we've ever stumbled upon and really the guarantor of all traditionally oppressed groups and minorities that want to in order for them to be able to advance the cause of equal dignity.

Zach Rausch

I really want to talk about that because I think that's extremely relevant to a lot of the work that we do at Heterodox Academy. Can you give us just kind of the big picture view of your book and maybe just some of the core arguments that you think are relevant to Heterodox Academy's audience, which is professors, students, and administrators at universities?

Jacob Mchangama

So I argue that free speech originates in the Athenian democracy, at least according to the available historical evidence. There might have been other, older civilizations that had free speech, but if so, the evidence just hasn't survived. The Athenian democracy is inseparable from their commitment to democracy and equality. Now, not equality according to our standards, because politically, it was only freeborn male citizens that could vote. And of course, the Athenians had slaves. But compared to just about everywhere else, it was a radically egalitarian where everyone, even the poor, had a voice, a direct voice, in political affairs. But they also had a broader concept of free speech called Parrhesia, or uninhibited speech, which was sort of a civic commitment to social dissent. You could poke fun at the gods, at mighty figures. And even though Socrates was ultimately executed due to very specific circumstances, for decades he would practice free speech in the agora of the marketplace in Athens, where he would sort of roast people in these humiliating intellectual strip teases. And so that type of egalitarian free speech I contrast with a more elitist conception of free speech that originated in Republican Rome.

So that's a much more top-down form of free speech that views ordinary people, the plebs, the ordinary commoners, as unworthy and perhaps even dangerous if they were allowed sort of a direct voice in affairs. So you need to have an elite that filters information. Those two concepts have been in conflict ever since. And we see it now in our digital age where social media and the Internet have really upended traditional gatekeepers.

Zach Rausch

Do you feel like we are in a unique historical moment where there are particular challenges to free speech? How do you see the current moment in the long view?

Jacob Mchangama

I think there are two ways of looking at it. There's one sort of positive outlook which would say Americans have never enjoyed a stronger legal protection under the First Amendment than in 2022 under the Roberts Court. Free speech is also protected in international human rights conventions. Even authoritarian governments have to pay lip service to the idea of free speech. And of course, the digital age has given us ample opportunities to access almost basically the entire knowledge of humankind. On the other hand, you could say that this golden age of free speech is in decline and that we're in a free speech recession because even democracies adopt more and more restrictions on free speech, especially in Europe. And in the U.S., the culture of free speech arguably is in decline. So the boomer generation would have a more sort of civil libertarian look at free speech and say that tolerance and acceptance of racist, even racist speech, goes hand in hand with tolerance for and acceptance of racial minorities. Younger generations have become more skeptical of that idea. And then, of course, you have a backlash against what is perceived to be sort of a cancel culture on the left in the terms of now very overt attempts by the right to legislate various forms of orthodoxies in education, even higher education.

So laws attempting to ban so called critical race theory that really go far into sort of purging various topics. So that, I think, is a very destructive dynamic.

Zach Rausch

Can you talk a little bit more about the change that emerged? This generational change over time led to a shift in perceptions about the value of free speech.

Jacob Mchangama

Yeah, it's a good question. I don't have an authoritative answer. I think that one of the reasons is that the boomer generation lived at a very particular time where you had a shift from you've lived and seen the consequences of Jim Crow, for instance, and seen the importance that free speech played in liberating or ensuring a much higher degree of equality. That free speech preceded some of the great landmark achievements of the civil rights movement and the civil rights movement

cherished the idea of free speech played an important role. But you also saw big differences, I think, in the culture of free speech, of sort of more liberal, civil libertarian attitudes that permitted Americans to say things that were not perhaps strictly illegal, but that could not be said openly about morals and sex and other things that were. Younger generation felt differently than their parents and grandparents. So in that sense, I think free speech was seen as inherent to sort of progress and liberalization emancipation and so on, whereas younger generations have come to take the benefits of free speech for granted. And they also live in an age of social media where the ugly sides of free speech have become much more visible.

And of course, there's also the fact that in the U.S., people on the right have perhaps used free speech in a partisan manner. So talking about free speech only when it comes to cultural threats from the left, but then not caring at all about challenges from the right.

Zach Rausch

I just want to hone in on just on one point here, which is the role of social media today and how that has created a different dynamic around speech that is somewhat new. And you can see hate speech more often online, but also all of the concerns about misinformation fake news. How do you think about these changing technologies?

Jacob Mchangama

I actually tend to think that free speech has its harms and its costs, and some of those are amplified by social media. I tend to think that the danger of social media is exaggerated. It's an ancient dynamic of elite panic. So every time that the institutional gatekeepers who have had a privileged access to shape the public sphere when their position is under attack, they tend to view it as a threat to the basic values and foundations of society. And so we've seen a lot of instances going back to the printing press where these disruptions have led to these kind of reactions. You could go back to the transatlantic telegraph, and the New York Times in 1858 would write that it was too fast and unsuited for truth. So basically, information would travel too fast. You could go to someone like Alexander Michael Jordan, who is a celebrated free speech advocate, who thought that the commercial radio was sort of enslaving the minds of people and should not be protected by the First Amendment. And you can even see changes by Barack Obama, hailed the Internet in 2006 as a junior senator, as an instrument that allowed him to say what he wanted without censorship.

And he used social media to great effect in order to mobilize new voters in both 2008 and 2012. And then after the 2020 election, he saw online disinformation as the greatest threat against democracy. So you see institutional attitudes change. So there are problems, there are potential harms. I think the January 6 attack on the Capitol would not have occurred without social media. Social media was instrumental instead of spreading these conspiracy theories. So there can be harmful effects, just like pamphlets and radio have been used to incite genocide and pogroms and the like in the past. But I think that the harmful effects are often exaggerated, and we have a much less nuanced picture of social media and its effects before. And I think that, unfortunately, politicians and traditional media have a vested interest in portraying the problems of social media as more severe than they perhaps are, in the sense that traditional media have had their roles as those that shape the public sphere, the narrative, the truth, upended and lost revenue, ad revenue, and that politicians sense a loss of control.

Zach Rausch

Taking a historical view on free speech, what are some of the most important insights that we can take away from the history of free speech to understand the current moment that we are in?

Jacob Mchangama

Sure, the whole conflict between egalitarian and elite is free speech. I think when you look at current controversies through that dynamic and through that prism, you can perhaps sometimes ask yourself, is this a real problem? Is it an exaggeration? And also to try to sort of break the connection between some speech may be dangerous and harmful. The intuitive solution is to say, well, then we need to ban it. But it does not necessarily follow that because speech may be harmful under certain circumstances, the laws restricting it will be an effective remedy, nor that it will not lead to unintended negative consequences that might be worse than the original problem you're trying to solve. And then when it comes to universities, then ever since universities originated in the Middle Ages, there have been these conflicts about what can be said at universities. Go back to 1917 in the U.S., Columbia fired two professors for opposing American involvement in World War I, and the New York Times was praising Columbia for its decision to root out radicalism and socialism and that academic freedom didn't involve dispensing poisonous ideas. And when you look at that today, everyone would say that, "Wow, that's an incredible degree of intolerance."

But maybe some of the ideas that some people want to purge from universities today will also be looked at by future generations as moral panics. And so, think twice about such solutions.

Zach Rausch

And just to close, what can we do on an individual level to help foster a culture of free speech that you believe in so strongly?

Jacob Mchangama

I think we can try and force ourselves to listen to and engage constructively and in good faith with people who we disagree with, not ascribe the worst possible motives to them. And even if they engage instead of using straw men and try to be patient and sort of extend goodwill to them, I actually find that this sometimes helps in these kinds of discussions and then, of course, be principled. There's nothing more corrosive to the idea of free speech than sort of grandstanding on free speech the one day and then the next day of demanding that certain types of speech that you don't like be banned. And when you live in open, free democracies, defending free speech generally involves very often defending speech that most people don't like and that you yourself might find loathsome as part of the job description.

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Jacob Mchangama on Heterodox Out Loud. Our conversation is one of many thoughtful and provocative interviews we've recorded on our podcast. Find more and listen at our website, HeterodoxAcademy.org. Stay tuned for our upcoming conversations with HxA Conference 2022 speakers Glenn Loury, John McWhorter, and Batya Ungar-Sargon. These insightful conversations will drop next week right here on Heterodox Out Loud. Thanks to Davies Content for producing this podcast and Kara Boyer on our communications team. I'm Zach Rausch. Until next time.