

Educating for Civil Discourse: Fortifying the Fragile Path Between Too Little and Too Much Freedom of Speech

Susan T. Gardner

Capilano University, North Vancouver, Canada

Daniel J. Anderson

VIP4C, Vancouver, Canada

Although “civil discourse” amongst multiple individuals with diverse viewpoints is necessary to move toward truth, to maintain democratic buoyancy, and to get the most accurate read on how best to move forward toward our collective good, civil discourse is nonetheless under catastrophic threat by contemporary forces that include the sloppy use of the term “hate speech”; the “libelling by labeling” (aka “cancelling”) in the public square of social media; technologically powered disinformation campaigns; and the growth of “safetyism” in academia. In light of these threats, the goal must be to convince educators, particularly philosophical educators, of the need to adopt a whole new focus in education, namely one that puts a spotlight on the fact that the utilization of the freedom of speech to destroy the freedom of speech of others utterly undermines the positive value of freedom of speech. In order to motivate individuals to turn their back on the dopamine rush of shutting someone down, educators must also spend a great deal of time showcasing the merits of “civil discourse” by providing young people with extensive experience in engaging in facilitated “civil discourse” (aka *Communities of Philosophical Inquiry*) so that its value can be woven into a personal commitment.

Keywords: civil discourse, freedom of speech, Communities of Philosophical Inquiry, hate speech, cancelling, disinformation, safetyism

Introduction

Left-wing proponents often want to contain the freedom of speech of those whom they consider have harmful views, e.g., White supremacists who might argue that Black people are inferior, or academics like Richard Herrnstein and Charles Murray (1994) who want to study if there might be a basis in biology for a difference in intelligence between the races. Conversely, right-wing proponents often want to shut down those who espouse views that they view as harmful, e.g., those who argue that gender is a social construction and that there is no basis in biology for embodying one gender over another. And tribalists of all stripes want to shut out any speech that might undermine the devotion to their tribal ideology. And social media, with its weapon of “cancellation” always at the ready, threatens the freedom of speech of pretty much everyone.

Should we care? And if we should care, how ought those who care confront this wholesale assault on freedom of speech?

In answering this question, we will begin with the assumption that there are three primary modes of communication: (1) one that might be called “civil discourse”, i.e., an interchange in which diverse views are respectfully considered; (2) one that might be called “activist communication”, an exercise in which the communicative exchange is intended to be loudly one-way, but which borrows its legitimacy from the goal of getting one’s concerns onto the dialogical table of “civil discourse”; (3) and one that might be called “power communication”, i.e., authoritative communication, that may or may not be legitimate (e.g., a magistrate or a robber), that brooks no disagreement.

Since the issue of freedom of speech primarily concerns the first two modes of communication, this will be the focus of the paper. Specifically, we will argue that, in established democracies, the greater contemporary threat to freedom of speech is found in the erosion of civil discourse as a result of technologically weaponized activist communication that is drowning the former.¹

However, since the products of “civil discourse” are, we would suggest, “priceless”, (i.e., truth, democracy, and considered reflection on future action) we will go to some lengths to analyze the forces that are putting “civil discourse” under threat, namely: the sloppy use of the term “hate speech”; the “libelling by labeling” (aka “cancelling”) in the public square of social media; technologically powered disinformation campaigns; and the growth of “safetyism” in academia. All of these are powered by an activist intent that, prior to the present technological age, has often resulted in overall social benefits. However, the power of activist communication, electrified by contemporary social media and AI, is of altogether a different magnitude and hence different kind than the sort of activist communication of the 1960’s that gave birth to the civil rights movement, just as nuclear weapons are of an altogether different magnitude and kind than conventional armaments. And like nuclear weapons that have the power to render humanity extinct, we will argue that modern technology has the power to render civil discourse extinct.

Humanity ultimately recognized the catastrophic nature of MAD (Mutually Assured Destruction) and has worked hard both on non-proliferation treaties (Suleyman & Bhaskar, 2024, p. 43), and on decommissioning at least some nuclear warheads, with the result that there are significantly fewer today than during the peak in the 1980s.² The same principle needs to be recognized regarding “nuclear (or activist) communication”; that this war of all against all is undermining the very possibility of civil discourse. However, since the enemy lines in nuclear communication are drawn between *individuals*, not countries, non-proliferation agreements, particularly in a democracy, must be embraced by *individuals* rather than countries. So, just as Mill argued that education rather than law was the only route via which freedom of speech can be secured³, so we will argue that education is the only route to secure civil discourse. Specially, we will suggest that the present technological revolution requires a whole new focus in education just as the invention of the printing press did some 600 years ago. And this focus must put a spotlight on the fact that the utilization of the freedom of speech to destroy the freedom of

¹ Brendan Sweetman argues, in *The Crisis of Democratic Pluralism* (2021), that a looming crisis facing the liberal form democratic form of government is the practical failure of public discourse (pp. 7-8), and that “It is now a cultural phenomenon in itself that reasoned discourse is regarded as generally hopeless” (p. 84) largely because freedom of speech has led us away from truth by undermining reason (p. 87).

² <https://www.armscontrol.org/factsheets/nuclear-weapons-who-has-what-glance>.

³ Mill (1859/1962) famously argued that restraints on human freedom are justified only when acts violate a specific duty or cause harm to an assignable individual (p. 213); that the peculiar evil of silencing the expression of an opinion is that it is robbing the human race in the sense that, if the opinion is right, it robs us of the truth, and if it is wrong, it is robbing us of a livelier impression of the truth, produced by its collision with error (pp. 142-143); but that, in such an environment, education should be such that a person possesses the knowledge requisite to make his conclusions, on any given subject worth attending to (p. 241).

speech of others utterly undermines the positive value of freedom of speech, i.e., educators must alert individuals to the MAD force of nuclear communication and at least attempt to persuade them to turn away from the dopamine rush of shutting someone down by accusing them of hate speech, by cancelling, by flooding the zone with disinformation, or demanding silence just because one thinks one can.

Dopamine hits, of course, are addictive so, in order to *motivate* individuals to try to turn their backs on this addiction, educators must spend a great deal of time not only showcasing the merits of civil discourse that is under threat by nuclear communication, namely that it underpins truth and democracy, but as well provides young people with an extensive experience of engaging in facilitated “civil discourse”⁴ so that its value can be woven into a personal commitment.

The Benefits of Freedom of Speech

Necessary to Move Toward Truth

Free speech plays an indispensable role in the pursuit of truth. Speech allows ideas to be scrutinized, questioned, clarified, and improved. Indeed, speech plays an indispensable role in the peer-review process, and in political debate. Perhaps John Stuart Mill said it best when he argued, in his treatise *On Liberty* (1859/1962), that:

He who knows only his own side of the case knows little of that. His reasons may be good, and no one may have been able to refute them. But if he is equally unable to refute the reasons on the opposite side, if he does not so much as know what they are, he has no ground for preferring either opinion [...] Nor is it enough that he should hear the opinions of adversaries from his own teachers, presented as they state them, and accompanied by what they offer as refutations. He must be able to hear them from persons who actually believe them [...] he must know them in their most plausible and persuasive form. (Mill, 1859/1962, p. 36)

Crucially, Mill recognizes that, since a given truth only remains true so long as it can stave off reasonable criticisms, movement towards truth is sustained only within the *context* of freedom of speech. For this reason, Mill emphasizes the importance of an *environment* in which convinced parties can field, exchange, and reform their ideas. Consequently, it is not just speech that is threatened by forces which compromise the dialogical environment, it is truth.

Supports Dialogical Democratic Interchange

Hobbs (1651/1960) argued, with some accuracy, that without strong limitations, humans left on their own would ensure that the resulting chaos would render life “nasty, brutish, and short”. Hence his support for an authoritarian government (or a Leviathan) that would ensure strong constraints.

Enlightenment scholars, however, believed that, because of our combined capacity to reason and dialogue, democratic governance was possible. Hence our present experiment, the fragility of which we suggest, we are failing to take seriously.

Perhaps referring to the quote often credited to Churchill will help us in that regard. If we constantly remind ourselves that “democracy is the worst form of government except for all the others,” we might take more seriously how difficult and forever imperfect democracy really is and hence in need of our constant support. Indeed, if you think about it, the whole idea of “a government of the people, by the people and for the people” is

⁴ The *Community of Inquiry* is the anchor pedagogy in the educational movement of *Philosophy for Children* that focuses on providing youngsters with just this sort of experience.

ludicrous. It suggests that the chaos of enormous numbers of individuals, all with different and often conflicting ideas, can be *dialogically* constrained, controlled, and directed, to say nothing of the fact that dialogue can only be presumed to carry this weight if it is also presumed that all dialogical participants recognize that they have as much *responsibility* to listen and reflect on diverse viewpoints, as they do to offer input—and that compromise is inevitable. It is precisely for this reason, in other words, that all citizens of a democracy must recognize, embrace, and protect a flourishing ecosystem of civil discourse as this is the only environment in which their way of life has any possibility of surviving.

Allows for Imaginatively Testing the Consequences of Intended Action

Free speech shares features with dreams, games, and imagination in its capacity to test out ideas without acting them out. It is clearly an evolutionary advantage for us to be able to consider and contemplate alternative courses of action without actually having to engage in them. As Alfred North Whitehead remarked in his 1933 book *Adventures of Ideas*, “the reason for the importance of thought is that it enables mankind to define general ideas in abstraction from particular concrete circumstances. Thus, ideas die instead of men, and civilization is extended by this power of generalization” (Whitehead, 1933, p. 279). Put more simply—our bad ideas die through dialogical interchange, so that we do not have to.

Keeps Democratic Governments Accountable

Of course, since democratic governments are “of the people”, they do not always get it right. Hence the value of free speech in alerting those in power that there are people not in power who think that they have gotten it wrong. Thus, though free speech has the potential to challenge the very existence of a state, nonetheless, it is usually tolerated because it is recognized that, ultimately, it is the people who lend legitimacy to the government and hence, if large numbers of people are not satisfied, their concerns ought to be taken into account. It is for that reason that, though often annoying, freedom of speech is considered essential to democracy.

It Challenges the Trajectory of Established but Harmful Assumptions

We *Homo sapiens* are animals whose group flourishing was historically best preserved by dividing chores according to gender. This assumption maintained life through the centuries: women are best suited for taking care of the hearth and home, while men are best suited for everything else.

While this assumption is still entrenched in some parts of the world, in very recent history in other parts of the world, women engaged in forceful modes of communication (including chaining themselves to parliament houses), to transmit the message, that not only do women benefit from being freed from their domestic chains, but society, as a whole, does so as well. This forceful challenge ultimately secured the vote, and equal education would not have been possible in a society that disallowed freedom of speech.

Decreases Violence

Despite the fact that, in theory, all democratic citizens recognize that things do not always go their way, nonetheless, in practice, not getting one’s way can be infuriating, particularly if one is wholly invested in one side of an issue. In such situations, if folks are allowed to vent their fury in words rather than fists, this can serve as a safety valve. While the use of force and even war is sometimes inevitable, speech, even loud unwelcoming speech, can play an instrumental role in preventing much civil and international bloodshed.

“Civil Discourse” Versus “Activist Communication”

The above listed benefits of freedom of speech can be roughly divided into two: The first three (truth,

democracy, and envisioning consequences of potential action), since they require dialogical interchange between identifiable individuals with potentially opposing viewpoints, require “invitational civility” in the sense that dialogical offerings ought to be presented in a way that invites actual others to respond authentically. Since this invitational attitude is generally accepted as definitional of what it means to be civil, we will refer to this sort of interchange as “civil discourse”.

A different kind of civility is required in the last three kinds of freedom of speech (holding the government accountable, challenging established social assumptions, and letting off steam) since the intention is to engage in *one-way* communication. These are instances in which folks are, as it were, attempting “to speak truth to power.” However, since the goal is presumably to have one’s concerns brought to the dialogical table, maintaining one’s “reputational civility” is important so as to preserve one’s standing as a *potential* dialogical partner once the worthiness of one’s cause has been recognized. Since this form of restraint in the service of potential future dialogue is typical of all sorts of activism, we will refer to this form of interchange as “activist communication”.

Let us deal with these in turn.

Civil Discourse

Ultimately the worth of all freedom of speech is anchored in the value we *Homo sapiens* place on reason. Since we are all less than perfectly rational beings, the hope is that by maximizing reasoned input, a more accurate understanding of any given situation will emerge, and with it, more reasonable responses.

Freedom of speech, then, is not just about shutting up when someone else is talking. The ultimate value of freedom of speech lies in the ability of citizens, colleagues, friends, and enemies to listen to and reflect upon the merits of opposing viewpoints; indeed, to actually solicit and welcome them (Rauch, 2021, p. 56).

We all need to keep in mind, in other words, that taking advantage of one’s *right* to freedom of speech needs to be accompanied by the *responsibility* of articulating one’s position in a way that leaves room for alternative viewpoints⁵. If, in your enthusiasm to convince others about what they ought and ought not to believe or do, you suggest that those who do not recognize the veracity of what you have said are evil, monsters, or idiots, you are claiming the *right* of free speech while denying it to others. You are hypocrisy incarnate.

It is for that reason that we all need to learn not only to articulate our points reasonably and succinctly, but, as well, to articulate them *civilly*, i.e., in a way that suggests that all reasoned viewpoints are welcome contenders for truth. We need to engage in “civil discourse”. According to American University’s Project on Civil Discourse (2018),

[civil discourse] is not purely performative or mere politeness, not an exercise in martyrdom or telling other people who they are; instead, it is truthful and productive, based on engaging with one’s audience through both listening and talking, and it is each speaker’s own *responsibility* to engage in civil discourse (emphasis added).⁶

Civil discourse embodies the values of civic learning: open-mindedness, compromise, and mutual respect. It involves all parties’ commitment to respect for truth, a practice of active listening and purposeful speaking, and an understanding that the cultivation of civil discourse is not a right but a *responsibility* (emphasis added).⁷

⁵ “Unmeasured vituperation employed on the side of prevailing opinion really does deter people from professing contrary opinions, and from listening to those who profess them. If one had to choose, there would be more need restrain vituperation directed at unpopular opinion than the other way around” (Mill, 1859/1962, p. 182).

⁶ https://en.wikipedia.org/wiki/Civil_discourse#:~:text=According%20to%20American%20University's,b%20listening%20and%20talking%2C%20and.

⁷ Ibid.

Activist Communication

The term “civil disobedience” is often used to describe “activist communication”. Though prefaced with the term “civil”, its communicative form is anything but civil in the sense of welcoming opposing viewpoints. The word “civil” in the phrase “civil disobedience” primarily refers to “public space” and can be characterized as form of “shouting to the crowd”, though, in that sense, “civil” also tangentially refers to the fact that this is shouting and not physical violence. According to Martin Luther King Jr., the purpose of civil disobedience is “to create such a crisis and foster such a tension that a community which has constantly refused to negotiate is forced to confront the issue.”^{8,9}

The point of this form of communication, then, is to get one’s concerns on the “dialogical table” when it seems to be crowded out by other issues. Examples of activist civil disobedience might be environmentalists blocking a logging road, or pro-lifers preventing access to an abortion clinic, or a draft dodger burning his draft card.

Since the chances of both governmental *overreach* as well as governmental *underreach* increase with the size and diversity of a government’s fiduciary crowd, most democratic communities try to tolerate this sort of activism. However, though tolerated, whether any mode of activist communication is *justified* will require extensive reasoning and contextual understanding and, ultimately, ought to be evaluated on the degree to which the intent of the activism is indeed to try to get one’s concern onto the dialogical table, rather than arrogantly presuming that it should be “my way or the highway”.

Thus, while shouting in all its forms seems on the face of it to harm “civil discourse”, it nonetheless has merit if its intent is to expand the arena of topics under dialogical focus. However, it is important to note that, like lying, activist communication only works if it is rare, otherwise, democracy—which can be characterized as *dialogically controlled chaos*—reverts to mere chaos.

Hence, though your conscience may tell you that you need to occupy your university campus to make a statement condemning Israel for its treatment of Palestinians, you need to recognize that this “activist communication” undermines its own justification if the point is not to ultimately engage in “civil discourse”. If the point is simply to shout out “demands”, e.g., that we will prevent classes from resuming until the university has divested all its interests in Israeli or Jewish enterprises, it utterly loses its legitimacy.

The Message

One would have a hard time trying to convince reasonable beings behind a veil of ignorance that a law supporting freedom of speech (and hence supporting what might well be a crazy-making, ear-splitting, cacophony of sound) has *any* merit unless it supports the values that it claims to support. Ultimately the merits of such a law lie primarily in its support for “civil discourse”, since the value of even “activist communication” is ultimately tied directly to its potential to transform into the former.

Once those values are articulated, however, i.e., truth, democracy, and thoughtful reflection of intended action, those behind the veil would most certainly agree that curtailment of freedom of speech is a grave issue. Such curtailment, however, is sometimes difficult to discern. Since “activist communication” is loud and visible, any attempt to curtail it is likewise usually loud and visible. “Civil discourse”, however, because it involves quiet reflection and does its magic almost invisibly, can be curtailed in ways that are almost imperceptible. It is for that

⁸ <https://www.sciencedirect.com/topics/social-sciences/civil-disobedience#:~:text=It%20is%20a%20nonviolent%20action,or%20the%20group%2C%20find%20unjust.>

⁹ In other words, “civil disobedience” is not to be confused with “civil discourse”, though its legitimacy depends on its intent to transform its strategies into “civil discourse”.

reason that the danger needs to be made more obvious and it is for that reason that the threat to “civil discourse” is the focus on what is to follow.

Civil Discourse Under Threat

In making the case that America has “a free speech problem”, the Editorial Board of *The New York Times* (March 18, 2022) argued, and provided the results of extensive polling to suggest, that Americans are losing the right to speak their minds and voice their opinions in public without fear of being shamed or shunned—and that his problem has emerged from attitudes and actions from both the right and the left of the political spectrum. They argue that “This social silencing, this depluralizing of America, has been evident for years, but dealing with it stirs yet more fear. It feels like a third rail dangerous.”¹⁰ They suggest that “There’s a crisis around the freedom of speech now because many people don’t understand it, they weren’t taught what it means and why it matters.” And they go on to argue that a commitment to freedom of speech “demands conscientiousness about both the power of speech and its potential harms,” and that it is absolutely vital that we understand the difference between speech that is rightfully disallowed and speech that simply challenges us in ways that we might find difficult or even offensive.

In order to rise to the challenge of articulating how freedom of speech, and in particular “civil discourse”, is being “depluralized”, let us examine the four primary strategies that are used to silence views that some find offensive:

- (1) Labeling speech as “hate speech”,
- (2) Silencing by threat of cancelling,
- (3) Disinformation flooding,
- (4) Demands for safety.

Let us deal with these in turn.

Labeling Speech as “Hate Speech”

In the fall of 2024, a private member’s bill (Bill C-413) was brought before the Canadian Parliament in the hope of making the case that “residential school denialism” be added to the Criminal Code. If passed, the bill would make it a criminal offence to reject, justify or minimize the damage caused by residential schools. In other words, the intent of the bill is to classify “residential school denialism” as “hate speech” and thus curtail freedom of speech with regard to that topic.

This proposal that “residential school denialism” be added to the Criminal Code opens up an interesting opportunity for reflection on what might serve as a justification for curtailing freedom of speech by labeling it as “hate speech”, since Canada already has a law that curtails freedom of speech with regard to the Holocaust.

In 2022, Bill C-19 was passed to amend the Canadian Criminal Code to make it illegal to willfully promote antisemitism by denying, condoning, or downplaying the Holocaust in statements made outside of private conversation. The maximum penalty for this offence is two years in prison. Thus, by examining whether the criminalization of Holocaust denial is indeed justified and then comparing that justification to what might count as justification of criminalizing “residential school denial”, we may be able to articulate some criteria for the legitimate use of the “hate speech” label.

¹⁰ In some railway systems, there is a “third rail” that supplies electricity, and death is the usual result for anyone who comes in contact with it. The “third rail” of a nation’s politics is thus a metaphor for any issue so controversial that it is “charged” and “untouchable”.

Holocaust denial. Holocaust denial is considered hate speech and is outlawed in many countries because it seeks to legitimize antisemitism (Germain, 2022) through the overt or implicit suggestion that the Holocaust was invented by Jews to further their own interests and by trying to wipe out the historical reality of the murder of millions of Jews by the Nazis that, according to Germain (2022), is one of the best-documented mass atrocities in human history that is supported by mountains of evidence, extensive survivor testimonies, and eyewitness accounts from those who liberated the concentration death camps.

Thus, the principles that would seem to support the classification of “Holocaust denial” as hate speech are that:

- the intent of the law is to curtail foreseeable actual harm¹¹;
- the intent of those who are engaging in “holocaust denial” is to produce actual harm, i.e., ramp up antisemitism, and
- the speech is a blatant denial of what we know to be true.

Let us use these principles to estimate whether “residential school denialism” is justifiably considered hate speech.

Is residential school denial a form of hate speech? The purpose of the private member’s bill (Bill C-413) that was brought before the Canadian Parliament was to make the case that “residential school denialism” was a form of “hate speech”. The MP who introduced the bill argued that “The residential school system was a genocide designed to wipe out Indigenous cultures, languages, families and heritage. To downplay, deny or justify it is cruel, harmful and hateful” (Stefanovich, 2024).

To begin to evaluate this claim and its support for classifying “residential school denial” as “hate speech”, let us turn to the findings of “The Truth and Reconciliation Commission of Canada”—the TRC—that functioned from 2008-2015, that said the federal government created the institutions for the purpose of separating indigenous children from their families and indoctrinating them into the dominant Euro-Christian Canadian culture.

The report noted that an estimate of 150,000 children attended residential schools during its 120-year history and an estimate of 3,200 of those children died in the residential schools, i.e., 2%. The TRC concluded that the removal of children from the influence of their own culture with the intent of assimilating them into the dominant Canadian culture amounted to cultural genocide.

The first thing of note when reflecting upon whether downplaying the harms of residential school is a form of “hate speech” is that the term “genocide” is a wiggle word. On its own, it usually refers to physical violence aimed at physically exterminating a people, e.g., the Holocaust or the Cambodian Killing Fields. In this regard, denying that the residential school system was genocidal *cannot* be correctly classified as “hate speech” because of its truth value, i.e., a 2% mortality rate matches the rate of mortality expected for all children during that era (Rubenstein & Clifton, 2015; Anderson & Gardner, 2024, p. 180).

But what about “cultural genocide”?

If we assume that culture is very much a function of language, there can be little doubt that cultural genocide has taken place as a result of efforts to assimilate indigenous populations into the dominant Canadian culture through restricting the use of indigenous languages in the residential school system. It is estimated, for example,

¹¹ As Germain (2022) points out the “Holocaust is the most horrifying example of the destruction and death to which unchecked hatred can lead”, thus, the important issue of foreseeable *actual* harm. This law is not about defending the *feelings* of the Jews who must live with the knowledge that so many people not only hated them and wished them harm, but, as well, so many refused to offer them safe harbor. The point of the law is to prevent the sort of unchecked hatred that leads to antisemitic acts.

that, prior to Confederation, the territories that would become Canada were home to over 70 distinct languages. Today, a majority of those indigenous are endangered and only about 0.6% of the Canadian population report an indigenous language as their mother tongue (though, it is less than clear whether the schools alone are responsible for this marked decline).

So, if we grant that cultural genocide has indeed happened, is that grounds for making the claim that downplaying the harms of residential schools is a form of “hate speech”?

The answer is “no”, if hate speech requires the *intent to do harm*. Thus, for example, Conrad Black clearly did not intend to do harm when, in his 2023 book *Forgotten History*, in speaking of the residential school program he says that:

The architects of this program sincerely believed that they were sparing the children a life of grinding poverty, illiteracy, and hopelessness, and that they were equipping them to make their way in the world and to be as prosperous and successful as any citizen of Canada. In some cases, probably the majority, there was some element of truth to this, and the children benefited. In many other cases, tragically, the children were severely mistreated, and the ambience of the schools was inexcusably nasty and cruel. It is difficult at this remove in time to form a balanced judgement of the program. (Black, 2023, p. 73)

And Black goes further, also without intending to do harm, in noting that it is an unnuanced view history that has resulted in John A. Macdonald, Canada’s first Prime Minister, and those of his peers, to be unfairly “likened to the satanic monsters who conceived and operated the Nazi death camps and barbarously murdered millions of innocent people” (Black, 2023, p. 74).

And in support of this latter view, Piasetzki (2023) notes that the modern hatred towards Macdonald is bizarre and ironic as it was Macdonald who invested police resources in defending Indigenous Canadians from American Whiskey traders (p. 98), jumpstarted a vaccination campaign to protect the Indigenous populations from disease (p. 100), and provided food aid during famine (p. 103). And despite inheriting the residential school system which preceded him, *at the request of Indigenous leaders*, Macdonald was obligated to build and staff schools to help Indigenous bands move from the preindustrial era to the modern era. During his time in power, attendance at these schools was completely voluntary (p. 106).

It is clear that Black and Piasetzki are not in league with “hate speech” advocates who would have them attempt to do harm, or distort the truth; indeed, they are attempting to do the reverse, i.e., display the truth.

Of course, there is no doubt that, true or not, many find the downplaying of the harm done by the residential school, as well as the downplaying of the villainy of their architects, so offensive that pushback seems required. Thus, in 2017 Senator Lynn Bayak was removed from a Senate committee for Indigenous people for suggesting that the TRC’s report might have presented a one-sided account (Ballingall, 2017). Though Bayak argued that her removal was “a threat to freedom of speech” (Ballingall, 2017), another MP, who was of Cree ancestry, argued that any “person who celebrates genocide, because this was genocide, has no place in government,” while another responded by asking “Is she going to jump up and defend Nazi German next, and say that it’s freedom of speech?” (Ballingall, 2017).

There is particular irony in the latter comment in that defending Nazism, at least in the sense of trying to *understand* it within the context of the punishing articles of the Treaty of Versailles and the virulent antisemitism rampant in virtually all countries for eons (and may still be), should indeed be considered acceptable under the ramparts of freedom of speech, regardless of how offensive it might be to, for example, Holocaust survivors.

Though it may be that it is soothing to view perpetrators of suffering as monsters, psychotherapy has shown that using the defence mechanisms of repression with distortion and splitting (dividing the world up between good and evil) rarely produces psychic health (Bond, Gardner, Christian, & Sigal, 1983) and is most certainly injurious when the demand is that whole societies follow suit.

We all do better by clearly understanding the imperfections that all we humans share, and that requires becoming acquainted with an ever more nuanced understanding of the complex situations that humans have, and do, find ourselves in—and that, in turn, depends on freedom of speech.

Put more simply, we should all desist from accusations of “hate speech” unless the criteria are such that it is clearly warranted.

Silencing by Threat of Cancelling

Contrary to genuine “hate speech”, the intent of which is to produce physical harm, there are other forms of speech that are intended to produce “social harm”.

One classification of this sort of speech is libel. In Canadian law,

A defamatory libel is matter published, without lawful justification or excuse, that is likely to injure the reputation of any person by exposing him to hatred, contempt or ridicule, or that is designed to insult the person of or concerning whom it is published.¹²

What is striking about this law is that it is so out-of-date. Its reference to “publishing” defamatory material is directed exclusively to institutional publishing and legal documents; it says nothing about the publishing defamatory material on social media with the intent to injure the reputation of a person by exposing her to hatred, contempt, or ridicule.

Before the advent of the internet, the assumption was that an individual calling you a racist or a bigot or whatever, was just part and parcel of the democratic chaos; most people accepted that learning to live with being insulted from time to time is the price we pay for living in a society that values freedom of speech. Certainly, before social media, it was fairly accurate to assume that such labeling by one individual, or even a group, rarely did much damage, since most people were surrounded by communities who knew them.

This is no longer true. Social media, with its power to create epistemic mobs, can do great *real* damage to people (such as costing them their jobs and their friends) that most certainly would be grounds for libel if such public defamatory ridicule and hatred were undertaken by a reputable publishing establishment. In his book *The Constitution of Knowledge: A Defense of Truth* (2021), Jonathan Rauch presents an almost endless sick-making list of people whose lives have been upended, some literally destroyed, by being the target of *epistemic mob violence*, often referred to as “cancelling”.

It turns out, then, ironically that it is the *lack* of internet libel laws (that might restrain cancellers) that has given cancellers free rein to silence others with the result that, indeed, a terrible silence has descended upon the land. A 2020 poll found, for example, that 62% of Americans said that they engaged in self-censorship because they feared others might find what they had to say offensive and hence “cancel-worthy” (Rauch, 2021, p. 222)—a percentage that held even on university campuses amongst both students and professors (p. 221). This latter finding is particularly disturbing since, as Rauch (2021) notes, “the whole point of higher education is to practice and teach critical inquiry by testing and contesting ideas and opinions” (p. 222). He goes on to argue that the fact

¹² <https://laws-lois.justice.gc.ca/eng/acts/C-46/page-44.html#docCont>.

that academia has allowed this chilling of the intellectual climate due to cancellation threat demonstrates a catastrophic failure of universities to defend and fulfill their mission (p. 222).

Though extending the reach of libel laws might help to diminish this threat, another approach and, we suggest, a more effective approach, would be to enhance the epistemic excellence of individuals by an education that helps all who use the internet to recognize the distinction between good speech that invites further speech and propagandizing speech that attempts to bring all further dissent to a halt; to recognize that there is all the difference in the world between criticism and cancelling, and that the former deserves our robust support, even if we don't agree,¹³ while the latter deserves a stoney silence in the hope that, without attention (attention being the currency on the internet), it will wither on the vine.

Adopting this attitude of turning one's back on a cancelling enterprise when it emerges is, of course, not easy, since, after all, it offers us the hedonic hit of public virtue signalling. It is for that reason that we suggest that the best way to convince *budding young Fascists or Communists in sheep's clothing* to avoid the goodies that accrue from joining an epistemic mob is by reinforcing again and again, the value of freedom of speech, along with the clear message that to join a cancelling enterprise is to join in the destruction of our combined dialogical capacity to pursue our common welfare both in tracking the truth and engaging in democratic dialogue. The message needs constant repeating that allowing freedom of speech to be totally swamped by the waves to epistemic mobbing will harm us all—particularly those in the field of education whose *raison d'être* is the pursuit of truth¹⁴.

Disinformation Flooding

The sixth chapter of Rauch's book (2021) is entitled "Troll Epistemology: Flood the Zone with Shit" (p. 155) and, in it, he quotes Tim Wu (2017), a legal scholar who argues that, in the age of internet, since it's attention, not information, that is in short supply, flooding the internet with misinformation (false information), disinformation (deliberate falsehoods), and malinformation (information that is true but is used misleadingly) can be just as effective as more conventional forms of censorship (Rauch, 2021, p. 162, 168).

According to Rauch, "flooders", also called "trolls", are more commonly of the conservative ilk (in contrast to "cancellers" who are more commonly liberals) and their goal is to mess with the entire epistemic environment (in contrast to "cancellers" whose goal is to mess with identifiable individuals). Thus, Rauch quotes Steve Bannon, a strategist for Republican Donald Trump, who said in an interview with Michael Lewis (2018), "The Democrats don't matter. The real opposition is the media. And the way to deal with them is to flood the zone with shit."

Harry Frankfurt (1986) interestingly wrote an article called "On Bullshit"—even before the bullshit floodgates were opened by the internet—in which he characterized bullshitters as not interested in whether what they say is true or false, but only in its suitability for their purpose, i.e., unlike the liar, producing bullshit requires no knowledge of the truth. Frankfurt speculated that the reason for what he perceived was an increase in bullshit was an increasing expectation to participate in conversation or provide an opinion, and a desire to appear knowledgeable—something that has clearly been exacerbated by the need to "polish one's brand".

¹³ "I may not agree with what you say, but I will defend to the death your right to say it" is a quote often attributed to the French philosopher Voltaire.

¹⁴ It is of note that merely through education and a subsequent change of social norms, there has been a remarkable reduction in smoking in Canada: approximately half of Canadians smoked in 1965, compared to just one in ten in 2020. <https://uwaterloo.ca/tobacco-use-canada/adult-tobacco-use/smoking-canada/historical-trends-smoking-prevalence#:~:text=Over%20the%20past%20five%20decades,steadily%20over%20this%20time%20period.>

There are other reasons why trolls might want to flood the internet besides the seeking of power mentioned by Bannon. One reason, suggested by Oreskes and Conway (2022) is the conservative loathing of all things associated with big government, e.g., Regan's insistence in his inaugural address that "government is not the solution of our problem; government is the problem!" Many conservatives may thus be unconsciously or consciously motivated to obliterate confidence in scientific evidence of topics such as climate change and vaccine efficacy, since such evidence, if believed, might prompt governmental interference in everyday life. And, of course, there is the excrement that is to be expected as an inevitable product of the hubris of individuals, who, since they now have access to AI, believe that they are sufficiently expert to judge the veracity of what "experts", with decades of education and experience, have to say, and so spread their own brand of expertise.¹⁵ That is, in the same way that many on the left may justify their purging of the internet in the name of inclusion or anti-hate, many on the right may justify their pollution of the internet in the name of freedom from interference or independence.

Though bullshit has contaminated the human landscape since, no doubt, even before cattle were domesticated 10,000 years ago, "at scale", disinformation campaigns can be highly toxic: as Hannah Arendt notes, in her book *The Origin of Totalitarianism*: "The ideal subject for totalitarian rule is not the convinced Nazi or the convinced Communists, but people for who the distinction between fact and fiction ... and between true and false... no longer exists." (Rauch, 2021, p. 164).

So how do we fortify an allegiance to truth and a companion revulsion of falsehood? This would seem obviously to require that citizens know how truth is tracked, and as well, develop the confidence to participate in the process themselves, i.e., to engage others with diverse viewpoints in civil discourse, whereby the strength and weaknesses of each position is evaluated, with the view to ultimately embracing the "least worst option" (Gardner, 2009).

Some, of course, argue that fortifying citizens through education is a strategy that is too long and tedious, and that a far more efficacious way to deal with bullshit is to just shut it down, thus, activating the pernicious cycle of curtailing freedom of speech that one views as curtailing freedom of speech. And though some have argued that curtailing disinformation is not the same as curtailing freedom of speech (McIntyre, 2023, pp. 83-85¹⁶), as Knowles points out in his 2021 book *Speechless*, such efforts to police speech inevitably face the pesky problem of deciding who ultimately gets to determine what is true.

And so, we are back, yet again, to civil discourse. All reasoning beings have the capacity to determine what is true; indeed, that is the belief on which democracy is built. However, for that capacity to flourish, an emersion in dialogical education is an absolute must, as initial conceptions of truth can only be evaluated through robust interpersonal reasoning.

The Demand for Safety

"The Untruth of Fragility" (p. 19) is the title of the first chapter in Lukianoff and Haidt's book, *The Coddling of the American Mind* (2019). In it they argue that the meaning of "safety", particularly in academia, has undergone "concept creep" and expanded to include "emotional safety" (p. 24) in the sense that one is entitled to

¹⁵ Note that the legitimacy of expertise is a function of having been immersed within the demanding confines of an extensive falsification process—something that is rarely demonstrated by "citizen experts" who are often reluctant to consider the merits of opposing viewpoints.

¹⁶ "One doesn't fix a polluted information stream by diluting it with truth. You have to remove the source of pollution" (p. 85).

be safe from people who disagree with you (p. 31). From their point of view this is disastrous since this “safetyism” has deprived young people of the experiences that their antifragile minds need, thereby making them more fragile, anxious, and prone to perceiving themselves as victims (p. 32). They reference Jean Twenge, who in her 2017 book about the internet generation (born after 1995), presents evidence that these iGens, who are obsessed with safety, have far higher rates of anxiety and depression than Millennials.

The rise of safetyism is hardly surprising. We are wired to get a dopamine hit when exposed to viewpoints that conform to our own, while abhorring opinions that are contradictory. One study in 2017 found that 2/3 of subjects would pay money to avoid the discomfort of exposing themselves to the other side’s political views (Rauch, 2021, p. 29), and some went so far as to compare it to having a tooth pulled.

Since hearing people forcefully disagree with you can be a rattling experience, it is no wonder that many wish to live in a homogeneous society. However, in a globalized world with 8 billion and counting, the chance of reverting back to organizing ourselves into homogeneous tribes, cut off from the influence of other tribes with different scripts, is a pipe dream we must learn to stop feeding.

We *have* to learn to live with a diversity of opinions and this can be significantly easier if we are educated to recognize that the *value of diversity of opinion* (in contrast to *diversity of people* with the same opinion) lies in its capacity to convert a *pathway* into a *highway* toward truth, as well as its power to uphold the democratic way of life that guarantees our freedom. Since preparing the road for the child is now utterly out of our hands, it behooves us to prepare the child for the road. That preparation requires not only a thorough explanation of why “civil discourse” is so individually and socially valuable, but, as well, a constant immersion in facilitated dialogue, which, in Philosophy for Children¹⁷ circles, is referred to as a “Community of Philosophical Inquiry”, though it might just as easily be described as “facilitated civil discourse”.

It is to that subject that we will now turn.

Freedom of Speech, Truth, and Education

Those of us who have never lived in an authoritarian state, simply assume that freedom of speech is hard-wired into the democratic way of life and hence read with incredulity that, for example, a Catholic Priest was sentenced to 11 years in prison for openly criticizing the Belarusian government (Karmanau, 2024).

That could never happen in democratic space, we assume.

This may be an unfounded assumption.

If freedom of speech requires that its value is recognized by citizens, and that citizens likewise recognize that it flourishes only in “civil” space, then our presupposition that the safety of freedom of speech is secure may not only be unfounded, but far-fetched.

Prior to the onset of digital technology, freedom of speech was at least safeguarded within the walls of academia. Indeed, the whole point of “tenure” for professors is to protect academic freedom, so that professors can share a variety of views that may be unpopular or controversial without fear of retribution.

Teaching without fear of retribution, however, has vanished, as the discussion of “cancelling” above made clear. As one professor expressed it: Teaching at a university has become like “tiptoeing through a minefield”, “most of us put up our antennae before we express a view, but even then, a blow up too easily occurs” (Rauch, 2021, p. 230). One such blow up occurred to one of the authors who, in trying to get control of the low-level

¹⁷ <https://www.icpic.org/>.

pandemonium at the beginning of class, said “common guys, let’s get organized.” She was subsequently reported to the department head for making a transgender student feel “unsafe” as a result of the “gendered language” in this comment.

Aside student vigilantism, viewpoint diversity has also been put in jeopardy by the creeping ideological monoculture that is occurring in academia. One study revealed that there was upward of 40 Democrats for each Republican in sociology, English, and anthropology, among others (Rauch, 2021, pp. 224-225); and administrators are even more lopsidedly left leaning (p. 225). A fact that this has impacted viewpoint diversity is demonstrated by a comment made by historian Christopher Dummitt who recalled that, in his graduate years, he never heard a claim that differed from the assumption that gender was a social construct (Rauch, 2021, p. 226). And worse, research has shown that the more time students spend on a university campus, the more their support for viewpoint diversity *declines* (Rauch, 2021, p. 227), the mirror image of what one would have expected in days of yore.

The moral of the story then, is this. If we value truth and democracy and deep reflection prior to action, we must educate so that our young citizens understand the value of “civil discourse”, and are immersed in facilitated civil dialogue with diverse viewpoints. However, for that dialogical experience to do its work, the facilitator must leave behind the urge to nudge her charges toward the “correct position”, and, instead, steadfastly ensure that diverse opinions are given equal weight, even if some of those viewpoints have to come persuasively from the facilitator who may not share them¹⁸.

Conclusion

Many who proudly consider themselves “activists”, and who are presently implicated in threatening the health of “civil discourse” may very well presume that this is nothing other than fine tuning what freedom of speech is all about. Freedom of speech is all well and good, but surely it need not be offensive.

This, of course, is precisely what the attackers of Charlie Hebdo presumed when they murdered 12 people who worked for this French magazine: freedom of the press is all well and good, but insulting Islam is beyond the pale.

We all need to recognize that freedom of speech requires that we not only tolerate but indeed get comfortable with the existence and voicing of opposing viewpoints. And we all need to recognize that, because of the slow and imperceptible nature of the attack on freedom of speech in the form of “civil discourse”, it is not out of the question that it will go the way of the dodo. If it does, truth, democracy, and intelligent reflection about future action will go with it: you cannot have one without the other.

Preventing this disastrous outcome will take serious effort, courage, and thick skins, particularly on the part of educators whose role is, and has always been, to be primary champions of civil discourse that ultimately anchors the value of freedom of speech.

In recognizing the real horror of an intolerance for freedom of speech—in *all its forms*, hopefully we can join arms and move toward the parapets under the slogan “Nous sommes Charlie”.

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¹⁸ “If there is no diversity of opinion, the teachers of mankind should endeavor to provide a substitute” (Mill, 1859/1962, p. 171).

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