

Toleration in a Free Society

162 pages

Discussion Colloquium
Institute for Humane Studies

Reader Abstract: This reader is designed to encourage thought about toleration, specifically in regards to free speech or the First Amendment. It presents classical arguments in favor of tolerating speech seen as “wrong” (morally or scientifically), counter-arguments to the notion of *absolute* free speech/tolerance, and more contemporary issues that deal with these challenges.

Session 1: *Mill on Toleration* (28 pages)

Mill, John Stuart. *On Liberty and the Subjection of Women*. New York: Henry Holt and Co., 1879.

- “Of the Liberty of Thought and Discussion,” pages 33-99.
- “Of the Limits to the Authority of Society over the Individual,” 133-165.

Session Abstract: The Mill excerpts from *On Liberty* provide a classical argument against censorship of any kind. These readings are intended to (1) provide the liberal case for toleration and (2) encourage students to think about how the issues of the past have application to the issues they deal with today, which will relate to the subsequent readings, especially those in session IV.

Session 2: *New Issues in Toleration* (45 pages)

Rauch, Jonathan. “[New Threats to Free Thought.](#)” In *Kindly Inquisitors: The New Attacks on Free Thought*, 1-28. Chicago: University of Chicago Press, 2014.

Session Abstract: The Rauch piece is intended to frame the entire day’s conversation, as it has clear application to the subsequent readings. It details a concise history of censorship movements in the past two centuries, and it explains the conflicting principles upon which various people base their approach to opposing views: fundamentalism, simple egalitarianism, radical egalitarianism, humanitarianism, and liberalism. Every one of the subsequent readings can be categorized according to one of Rauch’s principles.

Session 3: *Limits on Toleration* (52 pages)

Mackinnon, Catherine A. *Feminism Unmodified: Discourses on Life and Law*. Cambridge: Harvard University Press, 1987.

- “Sexual Politics of the First Amendment,” pages 206-213.
- Notes, (pages 301-305).

Waldron, Jeremy. “Protecting Dignity or Protection from Offense?” In *The Harm in Hate Speech*, 105-143. Cambridge: Harvard University Press, 2012.

Session Abstract: These readings are intended to offer a counterpoint to the liberal view on toleration as represented in Mill’s writings. The MacKinnon piece offers a feminist argument that treating pornography as free speech entails violence against women, justifying its suppression. She also makes arguments in favoring of limiting the free speech of some (e.g., the super wealthy) in order to keep resources available for the speech of others (marginalized groups). Her arguments would fall into Huemer’s “radical egalitarian” category. Waldron argues that some forms of speech qualify for legislative prohibition, not for the sake of preventing offense but to prevent harm to ‘dignity,’ understood as a basic entitlement to civic equality.

Session 4: *Contemporary Issues on Toleration* (47 pages)

Lukianoff, Greg. [*Freedom from Speech*](#), 1-14, 26-58. New York: Encounter Books, 2014.

Session Abstract: This reading introduces the problem of censoring offensive hate speech in universities, as it produces a “quieting” effect on educators. The focus of the readings is on recent movements to disinvite campus speakers, the “right to not be offended,” and the requirement of “trigger warnings” in classroom materials.