

Freedom of Thought, Freedom of Speech, The Heritage of Western Civilization

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The Ashbrook Center

Our topic for today is the commitment to free speech and freedom of thought that is the foundation for a society's success, the engine of human progress. We are going to see it in history in its full, creative power, and we are going to look at the threats that confront it today. Needless to say, it is an urgently important topic.

Lest I cast a pall, let me say that standing on this campus, I am optimistic. Ashland University is one of the few institutions in the nation that has endorsed strong principles of freedom of expression: students, faculty, administrators, and trustees have joined in this commitment. And there are few institutions in the nation that have articulated and taught so widely the principles of America's Founding as the Ashbrook Center has done under Roger Beckett's leadership and that of our late friend Peter Schramm.

Those who believe in what Thomas Jefferson called "the illimitable freedom of the human mind" have generally been secure, if not complacent, that this birthright of our nation is an unassailable fact of American life. To borrow Jefferson's words, "we are not afraid to follow truth wherever it may lead, nor to tolerate any error so long as reason is left to combat it."

But the fearless pursuit of truth with minds unfettered, is indeed under assault. Let us be very clear in realizing that intellectual freedom and its handmaiden, freedom of speech, in all their manifestations in civic life and religion are rare and fragile phenomena that many throughout history have sought to crush out of existence. Protecting this freedom is no trivial matter.

Let me illustrate that point in a German phrase: *Dort wo man Buecher verbrennt , verbrennt man auch am Ende Menschen*. "There where people burn books, they will ultimately burn human beings as well." Heine wrote those lines in 1821. A little over a century later, it was the works of such authors as Heine himself, along with Freud, Einstein, Kafka, James Joyce, Tolstoy, Joseph Conrad that were burned by the Nazis, soon followed, indeed, by the murder and burning of millions throughout Europe. At a number of places in Germany, you can find Heine's grim, ironic warning on plaques marking the spots, many of them on university campuses, where these book burnings took place. And if you get a queasy feeling when you read nowadays about Mark Twain's *Huckleberry Finn* being pulled from school library shelves or the demand for warning labels attached to Ovid or F. Scott Fitzgerald's *Great Gatsby*, you have good reason for your disquiet. Or, indeed, just a few months ago, when Knox College in Illinois cancelled the production of a play by Bertolt Brecht – one of the authors whose books 85 years ago the Nazis burned as "decadent." And suppression by public shaming – continues: just this February, Kenyon College students and faculty kicked up such a row over a play about cultural

insensitivity that the playwright in residence gave in and self-censored. The American campus has found neat ways to banish books even without the flames.

The story of freedom of the intellect and the political freedom on which it depends begins in ancient Greece, and we will put a particular focus on ancient Athens, which cultivated these freedoms in a way not seen again until the Founding of our nation. But the Greek miracle, which I do not hesitate to call it, transcended the Greeks. The achievement of ancient Greece, the breakthrough, was not a function of ethnicity or genetics. Freedom of the intellect and its supporting freedoms represent ultimately a story about the combination of social and political institutions that build free societies: it is a common human heritage from which everyone can learn. And if I don't provide any other takeaways in this presentation, please hold on to that thought.

The 6th century BCE is witness to a succession of thinkers who challenge the mythological pantheon of gods and goddesses and the prevailing explanations for the origin of the world. The essence of existence is water, said Thales; no, said Anaximander, it is "the infinite." Anaximenes said "air"; "strife and change" said Heraclitus, symbolized by "fire." "Indivisible oneness" said Parmenides, the thinker who so deeply influenced Plato. Xenophanes made the daring assertion: *if oxen and horses and lions had hands, and could draw with their hands and do what men do, horses would draw the gods to be like horses, and oxen to be like oxen, and they would make the bodies of the gods similar to their own.* And there is not a scrap of evidence that he was ever prosecuted, or harmed... or even, dare I say, "de-platformed."

Does this intellectual daring from 25 centuries ago seem trivial? When South African artist Ronald Harrison in 1962 defied the racist apartheid regime and painted the dissident black African leader Albert Luthuli as Jesus, he was arrested and the painting was banned from South Africa. Despots who think they can punish art, of course, are fools: the painting was smuggled to the United Kingdom and returned to South Africa in 1997. It has undoubtedly been viewed hundreds of thousands of times on the Internet.

Now back to ancient Greece. At the core of the Athenian march to freedom are two concepts: *isonomia* ("equal share in the law") and *isegoria*. *Isegoria* is often used simply to denote "freedom" or "equality," but tellingly, its literal, root meaning, unavoidable to any speaker of ancient Greek, is "equal share of speech." Here, for example, is a magnificent passage from the Greek historian, Herodotus, sometimes called, "the father of history." (5.78). *"It is evident not just on a single issue but regarding everything, that the right to speak freely (isegoria) is something of great importance. All the time the Athenians were under the sway of tyrants they were no better in war than their neighbors, but having shaken off the tyrants, they were the best by far. Because when they were kept down, they were slackers, working in service to a master; once freed, each man was zealous to work for himself."*

His enthusiasm for liberty is infectious: in the dialogue he creates between the Persian governor (7.135) and ambassadors from the Greek state of Sparta, right before the massive Persian invasion of Greece, the Persian counsels the Spartans to submit to the Great King of Persia, for

he is generous to his vassals. The Spartans reply: *“The advice you offer comes from ignorance. You understand how to be a slave, but you have never experienced freedom. If you had ever known freedom, you would tell us to fight for it not just with our war spears, but even with a hatchet!”*

We find a glorious articulation of public spirit and private freedom in the words of Perikles, the great leader of the Athenian democracy, 431 BCE.

The name of our system, because it rests not on the few but on the many is democracy. ... And that spirit of freedom with which we conduct political affairs holds for our ways with each other, in that we do not meddle angrily into the daily affairs of our neighbor if he does as he pleases, nor do we give him the kind of hostile looks which, though harmless, are still hurtful. Though we do not take offense in our associations with each other at their personal affairs, in regard to community matters, we respect the laws.

All of us focus on our own affairs together with those of the state: even those who are occupied with their own business don't fall behind in their understanding of political affairs—for we are unique in considering a man who takes no interest in politics not to be a man who is simply uninvolved; we consider him useless.

These are breathtaking words, ringing through nearly 25 centuries, our heritage from the past. Respect for private choice, uncompromising devotion to the good of the nation. Note how close Perikles' words of 431 BCE are to the thoughts articulated more than 23 centuries later by Justice Louis Brandeis, one of the greatest defenders of the First Amendment ever to sit on the U.S. Supreme Court. In *Whitney v. California* Justice Brandeis wrote, “[Those who won our independence] believed that freedom to think as you will and to speak as you think are means indispensable to the discovery and spread of political truth...that the greatest menace to freedom is an inert people, that public discussion is a political duty, and that this should be a fundamental principle of the American government.”

Athens was a vibrant world of clashing ideas, a time of intellectual ferment. We read of salons of intellectuals, Hippias, Prodikos, Protagoras, and Socrates himself, and some very different opinions under debate, some of which would be radical in any place or time.

And the world of drama in ancient Athens set a standard for free speech, raw humor and personal invective against authority figures that has rarely been rivaled in the centuries that followed. *Saturday Night Live* at its most aggressive comes only part way to being a parallel. Every possible authority figure was a target. Socrates, the generals, the playwright Euripides, the demagogue Kleon, and Perikles himself were the objects of humor, sometimes lighthearted, sometimes withering. There was devastating sexual humor, but in deference to the dignity of the lecture hall, I will omit his lurid, albeit hilarious jokes. And now that I have your undivided attention, I will get back to our topic.

The level of give and take accepted by the people of Athens was also extraordinary. A few weeks after the audience saw the very unflattering portrait of a political leader named Kleon in a play, Kleon was voted into a highly important political office.

What were the limits of intellectual freedom and the free exchange of ideas in ancient Athens?

The concept of an inalienable right to self-expression is something that has evolved in modernity, with many twists and turns and national variations. But it is still remarkable how strongly the ancient Athenians veered toward more, rather than less freedom.

There is always tension between community norms and private choice. Tocqueville following his 1831 tour of America, was keenly aware of this danger to free expression that community beliefs held in America's New Republic: (Tocqueville 2.1.2):

“Under the empire of certain laws, democracy would extinguish the intellectual freedom that the democratic state favors. ...

“As for me, when I feel the hand of power weighing on my brow, it matters little to know who oppresses me, and I am no more disposed to put my head in the yoke because a million arms present it to me.”

The point is made yet more forcefully by John Stuart Mill in 1859. But recall again what Perikles said almost 23 centuries earlier: “We are not angry with our neighbor if he does as he pleases: we don't even give him hard looks.” Even as an aspiration, not fully realized, it is a remarkable value system.

The Athenian democracy was far from perfect, much as Winston Churchill remarked, it is the worst system of government except for all the rest. In 406 BCE, when angered at the generals who had fought at the battle of Argineusai, the Assembly violated its own procedures for debate and discussion, shouting, “It would be a terrible matter if the people did not do exactly as they pleased!” and summarily executed the six. And, of course, all else pales in the history of Athens' failures next to the execution of Socrates in 399 BCE. The Federalist Papers (63) held up this warning:

What bitter anguish would not the people of Athens have often escaped if their government had contained so provident a safeguard (i.e. a Senate) against the tyranny of their own passions? Popular liberty might then have escaped the indelible reproach of decreeing to the same citizens the hemlock on one day and statues on the next.

Our Founders engaged thoughtfully and critically with our inheritance from Greece and Rome, looking for that place where liberty, public duty, and civic virtue are in mutual support. We do well to note the failures of democracy, its needs for separation of power and the like, but not to exaggerate the significance of the failures to the point that we dismiss the urgency of freedom for human flourishing.

There were a few times in ancient Athens, as now, when the majority's social and religious norms came down on intellectuals. But the rarity of these instances confirms the overall picture of intellectual freedom in Athens. In 306 BCE, even after Athenian independence had yielded to the might of Macedon, the Athenian commitment to intellectual freedom was strong enough to punish a citizen for even proposing a law that schools of philosophy had to have the equivalent

of state approval to be allowed to operate. In other words, the Athenians saw his attempt to shut down philosophical arguments as a violation of their customs and beliefs enshrined in law.

Let me summarize this view of antiquity with the words of one of my teachers, Sir Kenneth Dover, who observed that “Tolerance of the free expression of intellectual criticism was at most times and in most circumstances a predominant characteristic of Athenian society.” That is a proud boast for any civilization.

And now, the most serious point of this presentation. I want to go to a place of moral terror when we look at ourselves in a mirror. Will we deserve such praise? Can we cleave to the words from Yale University’s C Vann Woodward Report on Freedom of Expression at Yale: “*The history of intellectual growth and discovery clearly demonstrates the need for unfettered freedom, the right to think the unthinkable, discuss the unmentionable, and challenge the unchallengeable.*” Yale itself miserably failed the test in 2015, ironically the 40th anniversary of its majestic articulation of the rules of a free campus. Yale Professor Erika Christakis’s email comment that students are capable of selecting Halloween costumes without bureaucratic advice led to student outrage—not at the official, bureaucratic advice—but at her comment. Video footage shows students yelling directly, sometimes with obscenities, at her husband Nicholas Christakis about the couple’s failure to create a “place of comfort and home” for the students. The Christakis’s calls for open dialogue and discussion of these contested matters went ignored. Intense student harassment of Professor Christakis and her husband continued until they left the campus. Equally deplorable was the lack of administrative support for the Christakis. That Erika Christakis’s reasonable and civil email comment provoked such rage and anger is extraordinary and suggests the overall vulnerability of free speech on campus. Then came the horror at Middlebury. After Professor Allison Stanger was hurled to the ground and sent to the emergency room by a mob at Middlebury College for hosting a presentation by sociologist Charles Murray, whom Middlebury students had shouted down, I thought matters could not get worse. Then came the atrocious behavior at Evergreen State College in Washington, where a major classroom disruption overwhelmed Professor Bret Weinstein’s measured efforts to criticize a “day of absence” on which white people were urged to vacate the campus – a man of the political Left, he simply wanted to teach his regularly scheduled biology class. He received no protection from his campus police. And this year has not started well. In February, demonstrators shouted down a program at University of Virginia’s Hillel, ironically titled “Building Bridges,” until they were removed by campus police. In March at Lewis & Clark College’s Law School students disrupted a presentation by Dr. Christina Hoff Sommers. And this month, City University of New York Law students shouted obscenities for 8 minutes at legal scholar Josh Blackman. Only his remarkable patience and self-restraint permitted him more-or-less to speak.

I worry intensely about the place where colleges and universities are heading, where our nation is going, when a Gallup poll reveals that 27% of college students think it is OK to censor political speech if it is offensive to a particular group. I am deeply troubled that the notion made famous by Herbert Marcuse that tolerance is merely a trick of those in power to spread their oppression did not die quickly and forever as it should have in the 1960’s. It’s back now in the cliché,

“speech is violence.” That is only a few steps away from its logical conclusion in Mao Tse-Tung’s dictum, “power comes from the barrel of a rifle.” For if the freedom to articulate unpopular ideas, to look to ideas and words for persuasion and power, to argue a point without fear of reprisal, if that is construed by some contorted logic to be an act of violence, then we are lost. Real violence, real savagery will be the fate of civilization.

I chose Mao as an example for a reason. As we speak, the People’s Republic of China, of which he was the founding leader, is using the internet, not as a tool for the exchange of ideas, but as a means of surveillance, a way to create a social credit system, to build a culture of “sincerity” and a “harmonious socialist society” through the unceasing monitoring of its citizens. President Xi Jinping declared at the recent 19th Party Congress, “Government, military, society and schools – north, south, east, and west – the party is leader of all.” And, the *Financial Times* tells us that from now on Western universities that partner in offering programs in China will have a Communist Party vice-chancellor who sits on their board of trustees. Humankind’s ethical understanding and political science too often trail far behind technological breakthroughs and almost always trail behind the thirst for new revenue. And that needs to be a warning to the West as well as the East. The surveillance state that George Orwell described in fiction in *1984* that enforced its groupthink through tortures applied to dissenters in its aptly named “Ministry of Love,” is not only a possibility, but it is being implemented by the world’s second largest economy. And you can be sure the forces of darkness worldwide will take note for their various schemes to control hearts and minds.

I have taken you on a brief tour of the cradle of democracy and the cradle of intellectual freedom. And then, despite the optimism I feel about the moral stature and future of Ashland University, I asked you to look into the abyss into which civilization can fall. In the opinion of this student of the ancient history, freedom of thought and expression is one of the glorious achievements of Western Civilization, though Western Civilization has too often failed to cherish it. The freedom to think daringly and to discuss daring new ideas is a hard-earned freedom. It is in our hands and in the hands of a rising generation to cherish or to spurn. I hope it is quite clear what choice I earnestly pray that a rising generation will make. Assuredly, we need more college students around the nation to emulate what their peers here at Ashland have done when they themselves ratified principles of freedom of expression. And we need the Ashbrook Center to remind all Americans of the precious gift our Founders gave to us and that it falls to us to answer Benjamin Franklin’s famous statement, “A Republic, if you can keep it” with a resounding, “Yes, we will!”