

**Review: *Against Free Speech* by Anthony Leaker, Rowman & Littlefield, 2020, 136pp, ISBN 978-1-78660-854-3, £69 (Hardback)**

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How could anyone position themselves as being *against* free speech? Given the veneration of free speech (often as a central pillar of ‘liberal democracy’ or, more odiously, ‘Western civilisation’), any argument fulfilling a titular promise of being against free speech is a bold one indeed. *Against Free Speech* ought to be welcomed on at least that basis, after all it is, in one sense, but an additional belief in the “marketplace of ideas” (p.9) that liberals so enthusiastically support. Ironically, defenders of free speech and “hard-hitting reasoned debate” (p.19) cannot dismiss *Against Free Speech* without properly engaging with it, at least not without giving the game away. The text’s incisive and timely analysis of precisely what game is being played in debates surrounding free speech is a valuable contribution on its own terms whilst also trapping opponents in a paradox: if they really are *for* free speech they need to take seriously arguments *against* free speech.

This is not a text that seeks to refine the notion of free speech, as if its contemporary implication in various iterations of right-wing politics is an accidental aberration and can be perfected; rather, it is a forensic analysis of what the idea of free speech *does*. It is a timely provocation to lazy postures that present the worth of free speech as so self-evident that mere utterance of it is taken to dispel the slightest criticism, lest civilisation come undone. Leaker does not have to probe at the edge of contemporary political liberalism or push the logic of current free speech defences very far to find the nefarious implications that current articulations of free speech have, not least because free speech is emphatically “not the preserve of the weak against the strong” (p.3). There is no ‘main target’ responsible for the ills diagnosed: Leaker is careful to note how ‘free speech’ is imbricated in various social arenas, from the media to the academy to politics. What the text observes is when so much discourse that uncritically defends free speech is produced by the already powerful, it is no surprise that the actual speech being defended reproduces certain forms of power (p.8). It should be equally unsurprising that discourse championing free speech becomes imbricated in, for instance, racist, sexist, and transphobic trends given the intellectual origins of free speech, rooted in political liberalism. In a refreshingly

unapologetic assessment of liberalism, Leaker finds “Liberalism has been structurally, ideologically and materially racist, sexist, xenophobic and heteronormative. It was at its origin, it has been throughout most of its history and it still is today” (p.26).

Of course, free speech is easiest to defend as a hollowed-out idea that derives its strength from being a formal principle, venerated over and above any social effects that it might materialise. Leaker’s charge is directed to those most vocal and enthusiastic in their uncritical defence of free speech and whether or not free speech can still be as easily championed in spite of the real-world consequences it has had. Leaker’s analysis should give pause to even the most ardent advocate of free speech, reiterating as he does throughout the text that free speech is “not the preserve of the weak against the strong” (p.3) but is mobilised and benefits the already powerful. Unless defenders of free speech admit that, all along, they *did* support racism, misogyny, homophobia and/or transphobia (to name but some political logics buttressed by defences of free speech), Leaker’s survey of how free speech “works in practice” (p.3) leaves much to be answered by its proponents.

Whilst the text is primarily concerned with how debates and notions of free speech are embedded in current society, Leaker does not leave free speech’s philosophical origins, specifically liberalism, untouched. He perceptively notes that liberalism is at once the cause and remedy of the current ‘crisis’ of free speech (an update on political correctness gone mad): cultural liberalism (or ‘identity politics’) has gone too far by cushioning certain social groups from the sharp edges of free expression, so what is needed is a reassertion of unconstrained free speech in which good ideas will win out (pp.16-20). Despite frequent claims that free speech exists on, or at least engenders, an even playing field, Leaker shows that its philosophical foundations have shored up existing privilege and power from the start.

A guiding concern of the text is power, understood predominantly in terms of who gets to speak and how. Although questions of power clearly motivate the text, it does not seek to speak on behalf of the ‘less powerful’ but rather carefully analyses how the ‘less powerful’ have already been prevented from speaking on their own behalf. A concern with power moves the text from example to example, evidencing various social groups impaired or demonized by uncritical championing of free speech. Take, for instance, the figure of the ‘woke student’, insisting upon a censorious culture war that cushions them from the harsh realities of the real world (pp.60-61). Given the frequent ire directed at this figure from mainstream media outlets, anyone would think that students are indeed all powerful and able to impose their woke agenda at whim. But what is really at work in the outrage levelled at ‘wokeism’ is a display of the power of those so outraged:

“Students are silencing us, we hear from people on major media platforms; white men are under attack report white men in their major newspaper columns, major journal articles and network TV interviews, which then get cited and repeated ad nauseam” (p.51). Additionally, Leaker notes the irony of reactions to student wokeism that express nothing but outrage: what students have to say does not matter because the mere fact they are saying *something* challenging the status quo is enough to warrant such exaggerated indignation that the content of what they say can be dismissed. For all the supposed ‘cancelling’ that students (and others) do with wanton abandon, you can be sure that if someone is ‘cancelled’ there will be a newspaper spread or media appearance in which their being ‘cancelled’ is described in histrionic detail. As Leaker perceptively notes, “it is liberal commentators who are entitled and mollycoddled, sensitive to criticism, and unwilling to debate” (p.48).

If speech is, as is often claimed, just speech then there being two sides of a debate (here Leaker references a talk by Charles Murray claiming differences in IQ between different ‘races’) can be presented as just that. But the supposedly healthy debate that an assertion of there being two (equal) sides will, as Leaker carefully analyses, often leave one side desperately ill and vulnerable to structural violence (p.70): “Not only does free speech and law empower the powerful but it harms the less powerful” (73). In the context of racism, protest and uproar against racist speech is seen as a greater problem than racism itself. Even if one ultimately wants to defend ‘violent protest’, Leaker’s point here is that to insist that racist speech be engaged with only on the same platform as it has been given (ie that of free speech) ignores structural inequalities of access to that platform.

Given the way that platforming keeps the cogs of structural injustice oiled and in motion, Leaker somewhat underplays an important argument: no platforming of certain speakers or ideas is not necessarily a refusal to engage with those speakers or ideas, but potentially a rational conclusion *having* engaged with those speakers or ideas (p.72). The fetish of free debate works in favour of those who have access to the means of speech that are accepted as credible, thus preemptively stamping their speech with a degree of credibility irrespective of specific content. Noting the wash of Islamophobia in the media, Leaker observes that “In Western media, Muslim voices are rarely heard” (p.98). Therefore, “the true defender of free speech should be deeply concerned about misrepresentation and the failure of any members of society to be heard” (p.99), but free speech is constrained so that those who can speak most often are the already powerful and what they can say is permitted even should it be harmful to the less powerful.

Having surveyed the implications of free speech in impressive detail, Leaker notes that to be against free speech is to be in favour of some forms of silencing but preempts the liberal disgust by indicating that silencing is something that already happens in liberal societies; censorship is something that we already implicitly accept, at least in some contexts: “Most people in liberal democracies are already against free speech, if by free speech is meant the unfettered absolute right to say what we want when we want to whom we want, in which all context custom, taboo and civic sense is ignored” (p.108). Liberals are, Leaker observes, happy to accept that in some contexts there are additional norms and customs at play that limit what speech is regarded as justifiable or acceptable. It is only when privilege and power are at risk that free speech must be defended irrespective of its consequences.

Whilst showing sensitivity to the potential misuse of censorship and wanting to defend free speech as a means to dissent from the powers that be, Leaker still wants to legitimate certain forms of silencing. Here Leaker is attempting to negotiate a difficult line between “informed dissent [and] misinformed hate speech” (p.111). When tied to a notion of power, this distinction is an attractive one but there is a question of whether designating speech as informed dissent or misinformed hate speech is entirely contextual; or, whether there are other norms underlying the overall argument. The latter is more likely given Leaker’s hints toward “the common good and our responsibility to others” (p.114) on the final page, but these could have been drawn out in some more detail to show how Leaker’s analysis fits into a broader agenda of social justice and anti-oppression.

Leaker’s main conclusion is as simple as it is radical: “what matters is not that we have a right to free speech, but how we use it” (109). *Against Free Speech* might not immediately silence those in power, but as a timely and forthright confrontation to the uncritical defences of unfettered free speech that pervade social life it is an entirely commendable use of speech.

#### WORKS CITED

Leaker, Anthony. *Against Free Speech* (London: Rowman & Littlefield, 2020).