



## Freedom of obscenity

### *Relativism at work*

Christians today are confronted by obscene images on all sides. The standards of decency for many magazines and newspapers have been falling, television frequently features semi-pornographic material, and even billboards in some cities feature scantily clad people. You can't get away from this filth.

Some might argue that this is the price we pay for living in a "free country." We have the freedom to preach the gospel, and by the same token others have the freedom to promote offensive and obscene material. Fair is fair.

But there's something strange about this. The surge in filthy public images and messages has only been occurring for about 30 years or so. Haven't Canada and many other Western countries been "free societies" for more than 30 years? Why was it that before the late 1960s there was freedom to promote the gospel, but television and other forms of media contained relatively wholesome messages? Was there a double standard?

### **A new "freedom"**

No, there wasn't a double standard, but there was some sort of standard. Although there are likely a number of factors that contributed to the decline in the media (including important cultural changes), one important factor has been a shift in the philosophical basis justifying "freedom of expression." Whereas many years ago freedom of expression was defended on the basis that a free exchange of ideas was necessary in order to discover the truth about any number of issues, it is now defended on the basis that we can't know the truth about much if anything. That is, there has been a shift from seeing freedom of expression as fulfilling a particular purpose, to seeing it as an end in itself. The rationale for this freedom has changed.

The very term "freedom of expression" itself manifests this change in rationale. Originally, in English-speaking democracies, there was freedom of speech and freedom of the press. It was only at a later time that these two freedoms contributed to the evolution of a new freedom, "freedom of expression." This process and its implications are discussed by political scientist Francis Canavan in his book *Freedom of Expression: Purpose as Limit* (Durham, NC: Carolina Academic Press, 1984). As he puts it, "*One of the more curious developments in recent intellectual history is the metamorphosis of freedom of speech and press into freedom of expression*" (p. xi).

### **Freedom with a purpose**

Freedom of speech and the press was originally justified on the basis that they are necessary in a democratic society. In a country where everyone is allowed to vote, people must have access to all kinds of information in order to make good decisions. Indeed, were these freedoms not to exist, the party in power could more easily restrict information it didn't want people to know, thus enhancing its own position in power. People could be denied politically relevant information that they needed. Democracy would basically cease to exist.

Although freedom of speech and the press also applied to other, non-political areas of thought, their most important contribution was to maintain vibrant political democracy. They had a particular purpose in preserving an open political system.

*"There are higher ends which the right of free speech and press is intended to promote. The primary purpose is to serve the political needs of a representative democracy which depends on free discussion of public affairs."*

(p. 30)

In non-political arenas, freedom of speech also had a purpose: the pursuit and discovery of truth. Whether in a scientific field, or a philosophical field, or whatever, it was believed that an open discussion, giving place to all sorts of arguments and opinions, was most likely to bring the truth to light. Suppressing any view could inadvertently hide some element of truth, therefore no opinions should be suppressed. This line of thinking was a major basis for these freedoms. Referring to a number of important Western political theorists,

*Canavan notes that "the freedom they contended for was the freedom of reason to pursue the true and the good through discussion and debate. This is a broad freedom, but not a simply amorphous one. Having a goal, it does have limits, and there is much in the way of expression that it does not cover or covers only lightly."*

(p. 143)

The purpose of freedom of speech and the press is to help illuminate the truth in many areas, political and otherwise. Expressions that do not serve this purpose would therefore fall outside the limits of these freedoms. *"If a freedom is guaranteed for the sake of a certain end, those uses of the freedom which make no contribution to that end, or are positive hindrances to its achievement, are abuses of the freedom"* (p. 6). What contribution do pornography and obscenity make to the pursuit of truth? Absolutely none. Therefore they cannot be protected under the guise of freedom of speech and the press as originally conceived. A new freedom was therefore needed to create legal protection for pornography and obscenity: freedom of expression.

### **Relativism takes hold**

As long as there was some sort of standard to determine which messages could be advocated in public (the search for truth, etc.), restrictions on pornography and obscenity were justifiable. However, in recent decades it has become commonplace to deny that there are any real standards of truth. You may value monogamous heterosexuality, but other people may value various other kinds of sexuality, and want to express them in public arenas. Who are you to impose your morality on anyone else?! If you don't like it, don't look at it! Everybody has the right to do what they want, as long as it doesn't hurt someone else. Thus freedom of expression is now based on moral relativism: since we all have our own beliefs, and the truth cannot be known, everyone can advocate, or have access to, whatever messages and images they want.

The acceptance of moral relativism ensures that no one has grounds to impose a standard upon anyone else. *"It also makes it impossible for him to impose one on himself or any principle that can be validated by reason. Furthermore, and not merely incidentally, it destroys any rational basis for attaching importance to freedom of expression"* (p. 145). And here lies the Achilles heel of relativism as the grounds justifying freedom of expression: if there is no truth or objective standard, then there is no rational basis to accept or support freedom of expression. Support for freedom of expression is no more rational or justifiable than forceful opposition to it, if relativist assumptions are accepted.

*"If expression need serve no goals beyond itself, if all expressions are on the same level because they are all identical in the only essential respect, that of being expressions, then to say that they are all equally valuable is tantamount to saying that they are equally valueless. Freedom to speak and publish was originally advocated for the services it would render to reason in the pursuit of truth. Now it is defended on the ground that, not only is there no definitive standard by which we may judge what is true, there is not even any standard by*

*which we can distinguish reason in pursuit of truth from passion in the pursuit of pleasure, or greed in quest of gain."*

(pp. 145-146)

And if that is the case, then there is no standard that can justify supporting freedom of expression, rather than supporting the suppression of expression.

### **Censorship can be a good thing**

Christians often see images or hear utterances in the media which they know are bad and should not be allowed in public. Efforts to clean up the media are derided as "censorship." But the original rationale supporting freedom of speech (pursuit of the truth) does not necessarily prohibit "censorship," as long as what is being censored has no public value. Pornography and obscenity do not have any public value, so on this basis there is no philosophical barrier to censoring them. Thus it is not inconsistent for the law to guarantee freedom of speech and the press while at the same time suppressing indecent images and messages. Indeed, the law should suppress such things.

*As Canavan says, "law can and must make distinctions and recognize degrees of difference in applying its general rules to the decision of particular cases. The distinctions will be more easily and more accurately made in regard to freedom of speech and press if we get back to asking, more insistently than we have in recent years, what are we trying to protect and why. Not everything that can be labelled "speech," or "expression," or "utterance" is worth protecting."*

(p. 39)

Western Christians should not take for granted the freedom we have to preach the gospel without being suppressed by the government. Many other Christians, such as those in certain Islamic countries, would likely be punished for publicly preaching the gospel. So our freedom is a good thing. But while being thankful for our freedom, it is not inconsistent for us to also support the censorship of pornography and obscenity in the media. Our message falls within the traditional limits justifying freedom of speech and the press, but those indecent ones certainly fall outside the limits. In fact, the relativistic rationale underlying the "freedom of expression" for those bad public messages undermines all freedom. Moral relativism removes all rational grounds supporting freedom, since on the basis of relativism there is no philosophical foundation for supporting freedom over repression. Media officials may decry conservatives for wanting restrictions placed on the images and utterances appearing on television and elsewhere, but it is their own relativistic perspective that will undercut freedom in the long run.

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