

Archbishop Justin hosted a House of Lords debate on freedom of speech today - read his speech that opened the debate.

Lords reconciliation debate

The Archbishop moved the motion: "The Lord Archbishop of Canterbury to move that this House takes note of contemporary challenges to freedom of speech, and the role of public, private and civil society sectors in upholding freedom of speech."

Read the Archbishop's opening speech as it was delivered:

My Lords, I am most grateful to the Leader of the House and to the usual channels, and to all of your Lordships who have taken the trouble to be here today, and especially to the Noble Lord, Lord Parkinson, for answering on behalf of the Government in order that we may have this debate. It is a return to our Advent tradition, interrupted in recent years by elections and pandemics.

Should your Lordships worry that I am infectious in some way, I have been tested to the limits of testing. And I have my granddaughter's cold, for which I would like to record my grateful thanks.

We on these benches have our critics. I have a large number. But for all our present failings, you would be hard pressed to find a more disastrous move by the Lords Spiritual than when in 1831 twenty-one of them lined up behind the Duke of Wellington and opposed the Great Reform Bill.^[1] Had they voted the other way, it would have passed. The people, denied their rights, responded with riots, and bishops were particularly targeted, some with violence. In Bristol the Bishop's Palace was burned down. A dead cat was thrown at my predecessor Archbishop Howley, narrowly missing him but striking his chaplain in the face. "Be glad it wasn't a live one," Howley is reported to have responded.

I start with this dive into the past because it illustrates a present point. The grey area between on the one hand peaceful protest and reasoned criticism, and on the other, incitement to hatred or to violence, is one that we are still trying to navigate today. The Church of England knows about that. I must start by suggesting that our society should never follow our historical example, of coercion, of test acts and of punishment. There is still a prison at Lambeth Palace, at the top of the Lollards' Tower, with room for eight people. It was used for the Lollards. I have a little list.

President Obama touched on the subject of freedom of speech and of religion in a very powerful address on February 5th 2015 to the US national Prayer Breakfast: speaking of freedom of speech, he said that for that and freedom of religion we need humility. I quote, "humility is also recognizing in modern, complicated, diverse societies, the functioning of these rights, the concern for the protection of these rights, calls for each of us to exercise civility and restraint and judgment."

What is it that we are debating today in this House when we talk about freedom of speech, and why does it matter?

Free speech is not just frank speech but fitting speech; it is a necessary condition to the building of good communities. That is my essential point that I am putting in this speech - communities which are healthy enough to disagree well, and which challenge power misused. Your Lordships' House, if I may use flattery but true flattery for a moment, is such an example. Here we are in a place which, after much tragedy and disagreement has learned that what matters is not just communication, but good communication. The House encourages a community of sharp disagreement in a shared space, where politics is done in the classic Aristotelian sense, where issues are settled which reject the classic misuses of power. Misused power is shown by killing, coercion or causing the opponent to flee. And the alternative to all those three is politics.

Politics takes it for granted that human beings are not merely declarative, but communicative, that is to say there is an absolute link between freedom of speech and a healthy community. That is why it matters so much. It is not just a free standing right, a good in and of itself, but it is the means, the only means, to the end of a just and generous society. That is surely something of which we all dream.

Having said that I will touch on three of the major threats to freedom of speech today as I see them: the fear of reprisal, the distortion of truth, and the dehumanisation of those with whom we disagree. They are great threats and as throughout our modern history we should not underestimate the fragility of our society when it comes to the enjoyment of our freedoms. They must always be defended and guarded, or they fail, and with the loss of freedom of speech goes justice and generosity.

When it comes to the principle of freedom of speech I am instinctively personally in favour of a maximalist and communitarian approach. When a columnist for The Spectator said that his hope for the coming year included that I be, "mugged at knifepoint by a gang of refugees", I did not feel threatened or for that matter offended. Not only because I doubt many refugees are avid readers of his column, but because like my predecessors I stand here in a position of privilege, which though it makes me noticed, also confers security.

We are all, in this chamber My Lords, heard by virtue of our position. Sometimes, the height of that pedestal (or pulpit), means that we will be knocked off it very swiftly and publicly when we make a mistake, as I have frequently done. But others do not have the privilege of a red leather cushion to land on. The dynamics of power matter greatly.

And in that context, I want to pay tribute to those around the globe and in this country for whom freedom of speech is genuinely something to die for. We will hear more of this later, I suspect and hope. When I spend time with people who can't speak freely, as I did recently, or practice their faith freely, or refuse all faith freely, I am reminded of the huge security that we have in this country, of our power collectively as its citizens. They know the dangers of constraints on speech.

Our understanding of the importance of freedom of speech and the threats to it, needs to keep pace with the threats to its existence.

Government regulation alone cannot be the answer. I welcome the Government's moves to tackle online harms, but while we can protect those most at risk, we cannot – and should not – be trying to legislate ourselves to good behaviour. Dr Martin Luther King said that we cannot restrain hatred, but we can restrain haters. That is the limit of law. Fittingly robust and vehement debate should characterise our national life. On-line harms bills, or cancel culture being itself cancelled cannot make us obey the command to engage with opponents as people, to face them and to destroy our enemies not with forms of suppression or law, but by making them our friends. That is another quote from Dr King. David Amess was an example of frank speech, of strong opinions, that was fitting, and was based in communication, not mere individualism.

In his encyclical *Fratelli Tutti*, Pope Francis spoke of the pervasive characteristic of power and violence in our societies. He spoke of the need to call out the abuse of power over others rather than the building of renewed communities by sharing power with them. The vehemence of social media, my Lords, is often the voice of those previously unheard, and it is resented for that reason by those who have always been heard.

We hear much nonsense of the snowflake generation who seek safety. Younger generations are more concerned than their older counterparts about the safety and protection of minorities, and more willing to call for restrictions on speech to achieve this. We need to keep a sense of perspective here. No-platforming is not a new phenomenon, and there is evidence to suggest that it is very limited. The way I can remember minorities being addressed 40-50 years ago shows that more concern about safety than would have been a good thing. Freedom of speech sometimes means freedom for the powerful to bully and abuse.

When we speak of freedom of speech we create two false binaries. First, we set freedom of speech against safety: freedom demands safety – there is no freedom in acting out of fear – and safety in turn demands freedom. Also there is no conflict between freedom and community, they are absolutely interdependent.

If freedom of speech is to flourish in this country despite its enemies, how might we foster those habits of the heart and mind that encourages a society that listens, reflects, and responds with generosity and grace? And just as importantly, how might we ensure that in our desire to curb the extremes we don't silence the prophetic, we don't silence those who challenge injustice and speak uncomfortable truths, we don't push them to the margins? I hope to hear more today about the institutions and bodies that can enable that to be the characteristic of our society. What my great predecessor William Temple called the intermediary institutions.

One of the most important, I want to say myself, is the BBC, in both its domestic and world service versions. Of course it gets things wrong, but its continual history of being banned by tyrants which goes on to this day, demonstrates the fear that impartial reporting – true freedom of speech – generates in those who seek to stifle all liberty. The BBC usually speaks both frankly, but also fittingly. Increasingly, we also see the faith communities in many places proponents of freedom, living out the Reformation truth that free speech opens the way to communities that challenge injustice. I think today of a senior Anglican overseas, who I speak to very regularly, but whom I cannot name for his own security, who constantly speaks for free speech in a place of great insecurity.

Timothy Garton-Ash summarised three 'vetoes' of freedom in an illuminating way: techniques to silence others include shouting them down (what he calls the 'heckler's veto'), declaring what they say to be offensive (the 'offensiveness veto'), and in extreme cases, killing them or threatening to do so (the 'assassin's veto').^[2] We have witnessed all of these throughout history. The real issue of freedom of speech has not been regulations or measures or laws that oppress it, but these three vetoes, often acting in partnership. Yet attacks on freedom are shape shifters, and their most dramatic metamorphosis has been in recent years.

MPs and Members of your Lordships' House will know what it is to be on the end of robust criticism (which we expect), abuse (which we put up with), and sometimes physical threats (which we have learned, through grave and tragic experience, to take seriously). At its most intense this kind of targeting can make fear the senior partner of judgement.

The anticipation of being howled down on social media is a constraint of speaking freely. It is not fear of being argued with, but of the abusive and threatening hecklers, in their thousands and tens of thousands. The setting up of fake web sites, the use of hacking, the effectiveness of bots, all bring the heckler's veto from a point of irritation to a threat to sanity and stability, even to the threat of social chaos. Algorithms reinforce choices. At the same time, we must bear in mind that in many countries social media has been the main bulwark of struggles for freedom.

The online world – as we will hear later - has completely changed the way we share and receive ideas. We are increasingly our own curators, editors and publishers. The partial upending of traditional power dynamics is a good thing, but we find ourselves in somewhat uncharted territory, in grey areas where the law is just beginning to catch up, and in a different culture in which the rules of engagement are still being developed and understood. We see trade-offs in that our exposure to variety is determined by impersonal and market-driven algorithms. Privacy is as much a choice as it used to be a given.

The lesson from all times, including monopolistic owners of media companies in the past and social media today is that all legislation and social pressure must stand against the commodification of speech. When it becomes a tradeable commodity it ceases to be a freedom building community.

We see this reflected in the words of Zechariah Chafee, a key figure in the modern American First Amendment tradition, who said, 'it is hopeless for the law to draw the line between liberty and licence,' but we can look into our own hearts and make that decision before we speak out.^[3]

The struggle in a connected world is to distinguish what is morally reprehensible from that which is criminally punishable. In our society in this country we are at the point where we say that if we explicitly incite violence and explicitly stir hatred that will lead to violence there should be criminal sanctions. Outside incitement, or our established defences of slander and defamation, I suggest we must focus our efforts on cultivating a culture through education, higher education, further education, and many other ways, which is permissive, rather than prohibitive, by which I mean encouraging of fitting speech rather than attempting to ban 'bad' speech.

Freedom of speech also requires respect for truth. The spread of misinformation by conspiracy theorists - notably around the vaccine - political agitators or hostile actors is a serious problem that big tech companies and Governments must do more to tackle. I look forward to hearing more from my Rt Revd Friend the Bishop of Oxford about this and other online harms, which he will focus on in his own speech.

The third threat to our freedom of speech is the dehumanisation of those with whom we disagree; the devaluation of others in order to diminish their arguments. We must be alert to how our habits of communication can stifle our creative imagination; how they might make us see others as somehow less than fully human.

Much of what is problematic with the online world is that it is not conducive to seeking truth, but that it gives equal opportunity to deliberate and dangerous misinformation designed to cloud the truth. To put it another way, sunlight is no more always the best disinfectant, than disinfectant is ever medicine for treating COVID. When people are too scared to express their genuinely held and legally protected beliefs, that is very dangerous for democracy.

Finally, my Lords, as a Christian, I believe that Jesus Christ is the Truth revealed. But that truth is so profound, so deep and so incomprehensible to us that two thousand years later in the church we are still deepening and reflecting on our understanding of the truth of God. That deepening of truth requires a deepening of community and that requires freedom of speech.

Within the 165 countries of today's global Anglican Communion, we have radically different understandings on almost everything. This is far from new. But the most productive thing we have done is forming groups called 'Bishops in Dialogue', where bishops from all over the Anglican Communion discuss, talk and evaluate the practical implications of what they hear and believe. This is freedom of speech building freedom of community.

My great predecessor Lord Williams said this:

'No-one's interests are best served by avoiding the hard encounters and the fresh insights'.

In John's Gospel, Pilate asks Jesus 'what is truth?' He doesn't wait for an answer – he washes his hands of the situation and pronounces judgement to appease the mob. At Lambeth Palace we seek to avoid the vetoes, the coercion, the causing to flee. We have published something called 'the Difference Course', which seeks to reimagine how we engage across difference.

I believe that God's purpose for humanity is not to have fearful slaves, but loving children. We are called to treat each other as we would ourselves like to be treated – with recognition of our flawed-ness, space for forgiveness and support of our freedom. In so doing we are able to create good communities of justice, truth and generosity.

My Lords, I hope that this debate will be an occasion for more light than heat, sadly too often which is not the case in so much of our public dialogue about freedom questions. I greatly look forward to hearing contributions from across the House and I beg to move the motion standing in my name.

Acknowledgements: as well as to those cited in the footnotes, the Archbishop is grateful to Professor Anna Rowlands, Professor Luke Bretherton, and to his colleagues for contributing their time and thoughts to this speech.

[1] [‘Episcopal treason and plot’: effigy burning in the autumn 1831 reform protests - Riot 1831](#)

[2] Timothy Garton-Ash in Radio 4’s Free Speech Series, Episode 1, ‘Oxygen of Freedom,’ April 2016.

<https://www.bbc.co.uk/sounds/play/b076bv3b>

[3] Quoted in Timothy Garton-Ash’s Free Speech: Ten Principles for a Connected World, 2016, p.80

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