Annotations on Strossen’s *HATE*

How do speech laws – designed to protect minorities – sometimes hurt minorities?

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| **Violations and Stifled Freedoms** | **You Had One Job and You Failed** |
| Strossen, N. (2018). *Hate: why we should resist it with free speech, not censorship*. Oxford University Press. 13.“Despite the carrying definitions that have been adopted and proposed “hate speech” laws, they all share two fundamental First Amendment flaws: they violate the cardinal viewpoint neutrality and emergency principles by permitting the government to suppress speech solely because its message is disfavored, disturbing, or feared, and not because it directly causes imminent serious harm. Empowering the government to choose the words and ideas we may not utter or listen to for these reasons stifles out freedom of thought, which is the essence of individual autonomy and also an essential building block for democratic self-government” | Strossen, N. (2018). *Hate: why we should resist it with free speech, not censorship*. Oxford University Press. 14.“Unleashing government’s power to silence ideas that are disfavored, disturbing, or feared not only undermines liberty and democracy; it also subverts the equality goals that animate “hate speech” laws. Such laws are predictably enforced to suppress unpopular speakers and ideas, and too often they even are enforced to stifle speech of the vulnerable, marginalized minority groups they are designed to protect.” |
| **Learn from the Past to Change the Future** | **The Importance of Illumination** |
| Strossen, N. (2018). *Hate: why we should resist it with free speech, not censorship*. Oxford University Press. 18.“[W]e should remember the long, sorry history of preventing… civil rights activists from speaking at Southern universities on grounds that they might prove ‘disruptive’ or ‘offensive’ to the campus community, not to mention the earlier exclusion of suspected communists.” | Strossen, N. (2018). *Hate: why we should resist it with free speech, not censorship*. Oxford University Press. 37“... all ‘hate speech’ laws, no matter how they are drafted, inherently violate the emergency and viewpoint neutrality principles…those principles are important, especially for minority views and voices, thus illuminating the damage that ‘hate speech’ laws would inflict on both liberty and equality.” |
| **The Greatest Irony** |  |
| Strossen, N. (2018). *Hate: why we should resist it with free speech, not censorship*. Oxford University Press. 86.“The greatest irony is when ‘hate speech’ laws, which are designed to protect disempowered minority groups, are disproportionately used to suppress speech by or on behalf of these very groups. Because these groups lack political power, such enforcement patterns are predictable and all too common. The 2016 Human Rights Watch report about India’s ‘hate speech’ laws concluded, for example, that ‘too often the authorities… misuse’ these laws ‘to silence… minority voices” |  |