

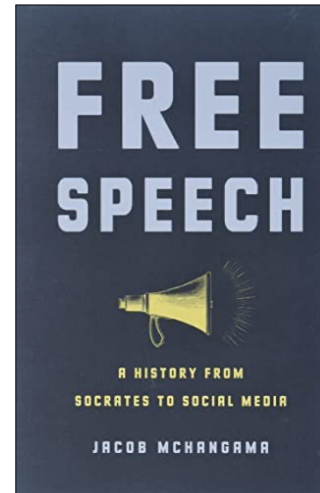
Jacob Mchangama, **Free Speech: A History From Socrates to Social Media**, New York, NY: Basic, 2022, 514 pp., \$32.00 (hardcover).

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In ambition, achievement, and accessibility, **Free Speech: A History From Socrates to Social Media**, by Jacob Mchangama, is an extraordinary book. It delivers a compelling account of the development of free speech and its antithesis, censorship. *Free Speech* not only revisits familiar historical and legal landmarks but also casts light on valiant efforts that were quashed in vitro. It also displays a consistent sensitivity to the racial and gender limitations of the classic defenses of free speech that form the bulwark of modern democracies.

The volume is distinctive in other ways. It is a byproduct of the new media economy: It began online as an influential podcast, *Clear and Present Danger*, which created an audience and support for development of the book. The author, founder and director of the Danish think tank Justitia, brings the credentials of a lawyer, human rights scholar, and activist to the effort. *Wikipedia* describes Mchangama as a free-market conservative; however, he is no ideological foot soldier. Acknowledging the challenges that market-mediated communication poses to free expression, he maintains that commercialization encourages centralization, which provides fertile grounds for censorship. Moreover, he recognizes the conundrum posed by what some of us call market censorship. Referring to content moderation by companies like Facebook and Twitter, he writes, “No government in history has ever been able to exert such extensive control over what is being said, read, and shared by so many people across the world and in real time” (p. 365). On the continuum of free speech views, Mchangama is a maximalist, but a nuanced one, in the tradition of Mill, not Musk.

Reflecting its genesis in Enlightenment philosophies, mainstream free speech maximalism and litigation have frequently, though not exclusively, been driven by and associated with elite intellectual pursuits: the quest for formal knowledge, press freedom, and defense of artistic autonomy. As a result, the values and patronage systems that support freedom of expression have frequently been in tension with Mchangama’s commitments to inclusion of those marginalized by race, gender, and presumably class. It is not only what he calls “Milton’s curse,” the selective support of free speech that one agrees with, but until the 20th century, participation in democratic public fora has been largely limited to propertied White males (p. 107). Even Kant (1804), who coined the Enlightenment motto “Dare to know,” circumscribed the franchise. While he defended intellectual “daring” as essential to the progress of the thinking trades, he nevertheless recognized a need for hierarchy and discipline in other occupations. The author never fully resolves this elitist tension, however. He broadens and complicates established liberal free speech advocacy by insistently foregrounding inclusion.



His expansive canvas—from Socrates to social media—reaches beyond the usual Euro-American portrayals. It includes developments in smaller and non-Western nations and highlights heroic defenders of free expression who have been underappreciated in standard accounts like the prescient political theorist Benjamin Constant (1767–1830). Mchangama also provides a carefully curated compilation of widely celebrated defenses of free expression from Demosthenes to Nelson Mandela. When available, he seamlessly weaves comparative statistics into his account, for example, contextually chronicling growth of publication and prosecutions. He wraps all of this in lively, almost conversational, postmillennial prose, making the book an engaging read as well as an effective free speech primer.

In Mchangama's view, it is also an urgent read. Supported by recent data from human rights organizations, he argues that after achieving a "Golden Age of free speech unsurpassed in human history" (p. 317) following the end of the Cold War, a global "recession" in freedom has taken place in the 21st century (p. 321). *Free Speech* is a response to this recession. It is history with a purpose: to defend and revitalize free speech, democracy, and human rights—laudable goals in these troubled times. Mchangama is not an academic historian, and he purposively commits a cardinal sin of that guild: presentism. He collects antiquities and burnishes them to a fine sheen for current consumption. Where historians must struggle with discontinuities between past and present, Mchangama posits a theory of "free speech entropy," which he describes as being rooted in psychology (pp. 2–3). Accordingly, he contends that the introduction of free speech "almost invariably" triggers a dialectic in which leaders, "no matter how enlightened," will soon "inevitably convince themselves that now freedom of speech has gone too far" and advocate placing limits on it (pp. 2–3).

This reductive "psychological" theory not only legitimizes coverage of the vast panorama from Socrates to social media, but it is also the organizing principle that provides continuity and central focus to Mchangama's narrative. Unlike standard historical accounts of free speech and democracy, his approach is more akin to inventories undertaken by organizations like Article 19, Index on Censorship, and PEN International, but with more expansive scope and detail. So that, for example, it allows him to give a nuanced account of the Soviet Union's censorship bureaucracy, Glavit; a revisionary rendering of the dissolution of the Weimar Republic; and a positive assessment of contemporary South Africa's narrow definition of hate speech compared to European efforts. It also liberates Mchangama's rhetoric to draw direct and often wittily engaging lines between the positions of the ancients and contemporary cybernauts, for example, linking Tacitus and singer Barbara Streisand (p. 28) or importing current memes like "fake news" to describe the struggles of the American patriots in 1765 (pp. 160–161). And in a discussion of Edmund Burke and Thomas Paine, he asserts, "If Burke was Cliff Richards, Paine was the Beatles" (p. 189). These liberties make the history he resurrects relevant, vibrant, and actionable, but they may give some historians ulcers. Nonetheless, Mchangama's account is rigorously reasoned and supported by over 100 pages of substantive endnotes, which draw extensively on authoritative period and regional academic histories.

Mchangama emphasizes that developing a culture of free speech is essential to its achievement. Although he recognizes the U.S. Constitution's First Amendment as empowering the strongest legal protection of free speech in the world, he approvingly quotes U.S. rights advocate Greg Lukianoff, who contends, "Free speech culture is more important than the First Amendment . . . it is what will decide if our current free speech protections will survive into the future" (p. 342). Yet, Mchangama says little directly about the specific constituents of such cultures or how to cultivate them. He does, however, find more promise in Eleanor

Roosevelt's post-World War II openness than in current positions endorsed by the United Nations and European Union, especially in relation to hate speech, blasphemy, and Internet regulation.

In my view, however, social theory could have provided more fertile grounds than psychology for developing this component of his argument. Despite referencing the term "public sphere" many times, Mchangama never mentions Jurgen Habermas (2009), who is largely responsible for the current cultural resonance of the concept, and who has devoted his life to examining and exemplifying the constituents of democratic discourse. The work of Amartya Sen (2009, 2021) could have contributed here as well. Sen valorizes "democracy by discussion" but maintains that rights are not enough to empower marginalized groups; they must also have the capabilities necessary to exercise those rights. Moreover, since Mchangama finds hate speech regulation particularly prone to censorial creep, the conundrums posed by Catherine MacKinnon (1993) and Jeremy Waldron (2014), respectively, require address. They both argue that hate speech can be equated with action because it intends to do harm: to stoke fear, intimidate, harass, and marginalize its targets. Social media trolling, doxing, and other forms of digital sock-puppetry have, of course, greatly amplified the firepower of such harms.

This is not to diminish the towering achievement of *Free Speech*. Rather, it is to acknowledge that recovering and revitalizing the culture of free speech is a collective effort. It is not just the work of members of the thinking trades—human rights activists, lawyers, scholars, policy wonks, journalists, techies, etc.—although all have significant roles to play. To realize the inclusive vision that Mchangama advocates requires an epistemology, politics, and rhetoric that can resonate across cultural divides. It also requires steely resolve: "Eternal vigilance against both encroaching state power as well as the opaque, automated, and centralized privatized control of speech will be required for free expression to fulfill its promise as a necessary precondition for democracy, freedom and equality" (p. 392).

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