Inquisitive Politics

Agnes Callard

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Contents

The public intellectual space seems to be dominated by various forms of bullying, in various kinds of disguise.

One person wants to "call out" your bad assumptions; another commands you to concede their point of view.

The overall effect, for participants, is of being in a tug of war for one's attentions, emotions, allegiance.

Is there another way to conduct public intellectual activity? When the matters under discussion are of pressing, vital importance, is it really possible to be inquisitive about them?

The Peggy Downes Baskin Ethics Lecture Series is a lively forum for the discussion and exploration of ethics-related challenges in human endeavors.

The Ethics Lecture is made possible by the Peggy Downes Baskin Humanities Endowment for Interdisciplinary Ethics which enables the Humanities Division to promote a dialogue about ethics and ethics related challenges in an interdisciplinary setting.

The endowment was established in honor of Peggy Downes Baskin's longtime interest in ethical issues across the academic spectrum.

`https://www.youtube.com/watch?v=qYqJdXaQjxo`

Introduction

Nathaniel: Welcome, everybody. I want to extend a warm welcome to everybody here at the Cowell Hay Barn, and also to, I think, a couple of hundred people out there, our virtual audience.

To the Peggy Downs Baskin Ethics Lecture Series. It's hosted by the Humanities Institute, and I am Nathaniel Deutsch, the faculty director of the Humanities Institute. I'm also a professor of history here at the university.

This lecture series is made possible by the Peggy Downs Baskin Humanities Endowment for Interdisciplinary Ethics, a fund that was created in honor of Peggy's interest in the study and public dialogue of ethical questions.

Peggy taught in our Feminist Studies department and is also an author, photographer, and philanthropist. And we are thrilled to hold this event in her honor.

We also want to extend our thanks to the entire Baskin family for your tremendous impact on our campus.

That's really been ongoing for years now.

This is the 10th time that we've come together to have a discussion about prominent ethical questions spanning multiple disciplines. And we welcome Professor Agnes Collard, who I'll introduce in a few minutes.

to a long list of notable speakers in this lecture series, including Margaret Atwood, Jeron Lanier, and Ezra Klein, and the late Toni Morrison, to name only a few.

But before I introduce this year's speaker, I'd also want to thank a few people here at the university who really made this event possible.

The first is Kerry Napolus, who's the Director of Development for the Humanities Division, and also, I don't know where he is, but Rafferty Lincoln, who also works for development and who was really the point person on this event and made it possible more than anyone, I would say.

Irina Polic, who is over here, the Managing Director of the Humanities Institute, and all of the staff at the Humanities Institute.

Laura and Saskia are over there.

So thank you all for making this event happen.

I also want to share a few technical details about the event.

First of all, for our online audience, we're using a Zoom webinar tool, so there's no chat function.

So please use the Q&A tool to submit your questions, and we'll be taking questions after Professor Collard's talk.

There's going to be ample time after the lecture for questions in person and Zoom people, and we're going to alternate between the two. And finally, this event is being recorded.

So now I'd like to introduce Professor Agnes Collard, who's an associate professor of philosophy at the University of Chicago.

She's the author of Aspiration, The Agency of Becoming, published by Oxford University Press, and is the editor of On Anger.

Among her many honors are a Guggenheim Fellowship, which she received in 2019, and the Leibowitz Prize, which I found to be very interesting.

I'll read you a description of what it's for, to quote a pair of philosophers who hold contrasting, not necessarily opposing.

views of an important philosophical question that is of current interest both to the field and to an educated public audience. And this reflects Professor Collard's work in public philosophy.

Many of you know that our own campus is a leader in this field through the work of the Center for Public Philosophy and Professor John Ellis, who's the director of that.

I don't know where he's– he's over here.

Professor Collard has published extensively in this area, and I first came across her work in her essays for The New York Times.

I'd like to read you a few of the titles.

I think this is the one that I first came across, and then I read a bunch of other ones.

Should We Cancel Aristotle? Why Am I Reading Apocalyptic Novels Now? What Does It Mean to Speak as a Woman? And her essay in The New Yorker, What Do the Humanities Do in a Crisis? So as you can see, all very timely.

essays.

The title of her talk today is Inquisitive Politics.

Please join me in welcoming Professor Agnes Callard.

Lecture begins

Agnes: Thank you.

So last week, there was an op-ed in the New York Times by a college student named Emma Camp, a senior at the University of Virginia, who described her disappointment about her college experience.

She went to college hoping for, I quote, an environment that champions intellectual diversity and rigorous disagreement.

Instead, she writes, my college experience has been defined by strict ideological conformity.

She draws on surveys that show students reporting high levels of self-censorship.

She observes anxiety around expression, self-expression, in her peers. And she describes some of her own experiences, such as the time she elicited anger in a classroom by criticizing sati, the historical practice of ritual suicide among Indian widows.

Is this mic going OK? OK, because to me, it sounds like it's coming in and out.

All right.

She says that when she goes to her philosophy professor's office hours to discuss questions about gender and sexuality, the two of them keep their voices lowered from fear of being overheard.

Online, the reception of this piece was cleanly divided along political lines.

She was lauded and applauded for her courage and rightness by the anti-woke and mocked and insulted by the woke.

The positive reaction she got seemed patronizing to me.

She was trying to get us to see a problem.

She wasn't angling for applause.

The negative one seemed hard-hearted.

If someone's trying to show you a problem, you don't make fun of her for that or insistently look the other way.

So let me tell you what I heard in reading her piece.

She's describing an experience of oppression, of being intellectually bullied, of chilling effects on thought and speech.

I haven't had so many experiences of precisely the sort she describes, probably partly because I managed to stay pretty far outside what's conventionally called politics, and

partly because as a tenured professor, I'm pretty comfortably shielded from many coercive forces.

But I have heard others describe them, and in general, I'm very inclined to give those who complain of oppression the benefit of the doubt.

The philosopher Simone Weil puts it this way.

She says that the complaint I am being hurt is infallible.

People are experts in their own pain, and you should take their word for it.

If she and others say that they're being hurt and bullied, I believe them.

At a more general level, abstracting from politics in particular, I'm acutely sensitive to the problem of wanting to converse, but finding the door to others' minds closed to you.

I follow Socrates in thinking that thinking itself is inherently communicative, which means that if we can't talk freely, we can't think freely.

So you don't need to do much to sell me on the idea that this is an important problem.

So I mean, in one way, I'm telling you, I was very sympathetic to her piece.

But I also felt bullied by it, specifically by how it ended.

Let me read that part to you.

Universities must do more than make public statements supporting free expression.

We need a campus culture that prioritizes ideological diversity and strong policies that protect expression in the classroom.

Universities should refuse to cancel controversial speakers or cave to unreasonable student demands.

They should encourage professors to reward intellectual diversity and non-conformism in classroom discussions. And most urgently, they should discard restrictive speech codes and bias response teams that pathalize ideological conflict.

Okay, the reason I feel bullied by this is not exactly that I disagree with any of it.

I'm not sure what campus speech coach she's referring to, but I'm certainly not wedded to any that I know of.

Ideological diversity sounds good to me, and I care very much about facilitating open expression in the classroom.

Refusing to cave to unreasonable demands? That seems reasonable.

If you know me at all, you know I'm a fan of non-conformism, so what's wrong? My problem is the language that Camp uses to describe things universities must do, what they should refuse, the language of we need and strong policies and most urgently.

I feel like someone is shouting at me, ordering me around, commandeering the role of dictating what we think.

I may even think those things.

I still don't want someone shoving the words in my mouth.

My instinct is to say, shh, Let's quiet down.

Let's talk about this like civilized people.

Let's have a conversation and figure out what we think.

Now, you might point out to me, this is what all op-eds sound like.

They are always telling us what we urgently must do right now, what needs to happen, what you should be getting very worried about.

Be afraid.

Be very afraid.

The time is for not paying attention to whatever this op-ed is telling you to pay attention to has passed.

Okay, it's true.

This is how most op-eds sound.

But I think we should be more surprised by the language of op-eds than we are.

Imagine talking like that to a stranger on the street.

You turn to the person next to you at the bus stop and you say, Here's what we urgently need to do right now.

You'd never do that.

You'd say, Nice weather we're having. And the op-ed writer knows a lot less about you than the stranger on the street.

In the case of the stranger, you can at least look at them and make some inferences from their appearance and from the fact that you're waiting for the same bus.

The op-ed writer knows nothing. And when I say nothing, I really do mean nothing.

Do they know that I'm an American? Someone could read the New York Times from another country.

Do they know I speak English? Op-ed could be translated.

Do they know I'm alive at the same time as them? Someone could read an op-ed years later.

The relationship you have with the stranger you cross paths with on the street is the height of intimacy when you compare it to the giant chasm of ignorance that stands between you and the op-ed writer. And yet this person, who knows literally nothing about me, is coming up to me and telling me what I must do.

Back away, I say.

As you can tell, I really dislike this kind of coercive talk.

But don't I know that it's par for the course in an op-ed? Yes.

But I guess when someone opens with an impassioned plea to be allowed to speak freely, that lowers my defenses.

I start to think, this is someone who might actually want to talk to me. And then out of the blue, she starts shouting at me.

Then I feel bullied.

Let me say, the camp comes across as a thoughtful person who doesn't want to coerce anyone.

I'm convinced she is sincere in avowing A passionate commitment to free expression.

I think if I talked to her about this op-ed, she'd say the last thing she wants to do is bully people, and I'd believe her.

But it's quite possible that the people who were bullying her weren't trying to do that either.

It's pretty common for people to tell stories like camps about the times they were bullied. And it's very rare for people to write or talk about the times they bullied others.

Where are all the people doing the bullying? Are they all hiding, covering up their dark pasts? I don't think so.

I have stories of being bullied, but it's hard for me to think even to myself inside in my heart of hearts.

of stories of me bullying anyone. And this is true of basically everyone I'm close to, people whose dark secrets I know well.

It's just improbable that I live in a bully-free pocket of the universe, and all the bullies have gathered elsewhere.

The more reasonable inference is that a lot of the time, bullies don't know that they're bullies.

We bully people without realizing it, but we do realize acutely when we are bullied, so there are a lot more stories from that point of view.

All of this suggests that not bullying people is harder than it first appears. And likewise, freely defending free speech, that is, opposing bullying speech without becoming a bully yourself, is harder than it first appears.

Somehow we're inclined to defend free speech by using coercive speech.

We're trying to put out the fire and we're fanning the flames.

This isn't just camp.

It's a much more general phenomenon.

So do you guys remember the Harper's letter? This was a Harper's Magazine letter from the summer of 2021.

It was a call for free speech and open debate.

It sort of put itself forward.

I'm not going to read it to you.

It put itself forward as defending free speech and open debate against the forces of illiberalism, which the letter described as gaining strength, right? I will read you, I'll read you because that one's bigger.

I underlined some of the coercive language, but I'll read you.

On the right-hand side is a letter that I wrote to Harper's in response to the Harper's letter.

It was printed in the same issue as the letter.

We welcome responses, Harper's Magazine noted in its online introduction to the letter, but its writers do not seem to.

They, quote, raise their voices.

They, quote, refuse.

They tell us what, quote, must not be allowed to happen or what is, quote, needed.

But something they do not do is argue for the value of open debate.

Is it even possible to argue for free speech? Yes.

In On Liberty, John Stuart Mill is careful to acknowledge the structural source of pressures on speech.

The tyranny of the majority is not a product of evil illiberal forces, but a danger endemic to political freedom.

Mill's arguments stem from an optimistic conception of human reason.

Instead of taking a stand against opponents of free speech, Mill treats them as reasonable, intelligent interlocutors.

Because the, quote, stifling atmosphere to which the letter refers is palpable in every sentence of it, is worth reminding ourselves that a freer defense of free speech is possible.

I felt bullied by the Harper's letter, too, especially by the fact that so many famous people signed it.

I felt that each name was like a drop of importance glomming onto each other name, and the whole thing congealed into a giant blob of status, pressing on me to agree with it.

It was in response to that pressure that I felt called upon to write to Harper's.

Stop using words to push and nudge and prod me.

Talk to me like a human being.

You might wonder, why am I being so sensitive? I'm not actually under any kind of threat from the intellectuals who signed this letter, much less from a lone college senior.

I can think whatever I want.

I can sit down and do discussions I don't feel like participating in.

No one is forcing me to read op-eds or open letters.

Everyone knows that if you spend time online, you will be on the receiving end of a torrent of pressure, pressure to click, to read, to respond, to engage, to get emotional.

The conventional wisdom is, if you don't like it, tune it out.

Keep scrolling and don't click.

Use Twitter's blog function, log off altogether.

Learn to ignore whatever bothers you.

It's hard to object to the prospect of a little less online fury, but I'm not sure we've thought through the long-term effects of what would happen if everybody took this blanket advice to tune out and detach.

Do we want a world of total indifference? So, have you ever been in an intimate relationship where every time you complain, the other person will calmly point out that you were free to go? If you don't like it, just walk away.

No one's forcing you to stay, take it or leave it.

Those aren't exactly friendly things to say.

Someone who traffics only in ultimatums isn't being cooperative.

I was once in such a relationship, so when people tell me, to just not read op-eds or to just block people on Twitter or mock me because I'm getting all worked up

over the fact that someone is wrong on the internet? Well, my instinct is to tell those calm-downers and chill-outers what I told the take it or leave it guy.

You're not being very nice.

I think I understand why, politically, if you're Emma Camp, your advice to me is often going to be chill out, step back, calm down, detach, move on, walk away, toughen up.

You're worried that I'm gonna start coercively leveraging my complaints against you.

I've proven myself to be the sort of person who is easily hurt.

If I can't handle a few imperatives and modal verbs, I'm clearly the sort of sensitive snowflake who's gonna start making demands about what other people need to do in order to keep me comfortable.

You're afraid that I'm gonna use my pain to shut you up.

Maybe I'm gonna try to police your language by insisting on codes of speech that cater to the words that upset me.

You're not prepared to say goodbye to must and most urgently.

You don't want to let me banish the first-person plural pronoun.

You might try to get the jump on me by instituting some strong policies that protect free expression to make sure we don't end up pathologizing ideological conflict.

You want to put fair, objective rules in place to make sure that I can't put my oppressive rules in place because you see me as a threat to your freedom of speech.

But how do we decide which rules are fair? Your suggestion is that we be strictly unemotional, rational, and egalitarian about it.

Let's just both agree to express our views as openly as possible.

Maybe you even offer me equal time.

We'll each talk for four minutes.

We set a bunch of ground rules.

Let's debate.

As a high school student, I was on the debate team, and I enjoyed it very much.

It was a really fun intellectual support.

My son is about to compete in the national tournament of ethics bowl debates.

I'm very proud of him.

I think debate is a worthwhile activity.

But contrary to the title of camp's op-ed, a title I doubt she wrote, by the way, college is not, first and foremost, a place for debate.

Now, you might have expected that claim from a math professor or a German professor.

Maybe you're surprised to hear it coming from a philosopher.

But it's true.

I don't see my classrooms as venues for debates.

I run a lot of events, but I don't run any that are structured as debates. And I don't enter into debates with my colleagues or my graduate students. And I think my

philosophical colleagues, both at my own university and elsewhere, would agree with me.

Debating is not philosophizing.

The first person to make this claim was Socrates.

He does so in the Platonic dialogue, the Gorgias.

It's a long quote, but I'm going to read the whole thing.

So first, Polus is his interlocutor, says to him, Obviously, what you're saying is wrong, Socrates.

Everyone disagrees with you.

Don't you think you've been refuted already, Socrates, when you're saying things the likes of which no human being would maintain? Just ask any one of these people.

There's a bunch of people around them.

Socrates.

My wonderful man.

You're trying to refute me in oratorical style the way people in law courts do when they think they're refuting some claim.

But there are two.

One side thinks it's refuting the other when it produces many reputable witnesses on behalf of the arguments it presents, while the person who asserts the opposite produces only one witness or none at all.

This refutation is worthless as far as the truth is concerned, for it might happen sometimes that an individual is brought down by false testimony of many reputable people.

Now, too, nearly every Athenian and alien will take your side of the things you're saying, if it's witnesses you want to produce against me to show that what I say isn't true.

Nikias, the son of Nicaratus, will testify for you, if you like, and his brothers along with him, the ones whose tripods are standing in a row in the precinct of Dionysus.

Aristocrates, the son of Skeleus, will, too, if you like, the one to whom that handsome vote of offering in the precinct of Pythian Apollo belongs, and so will the whole.

House of Pericles, if you like, and any other family you care to choose.

Nevertheless, though I'm only one person, I don't agree with you.

You don't compel me.

Instead, you produce many false witnesses against me and try to banish me from my property, the truth.

For my part, if I don't produce you as a single witness to agree with what I'm saying, then I suppose I've achieved nothing worth mentioning concerning the things we've been discussing. And I suppose you haven't either if I don't testify on your side, though I'm just one person, and you disregard all these other people.

So here we can see Socrates rejecting the method where one proves a point by having two people stage a conversation before an audience.

Socrates doesn't care how many votes Polis can ring from the audience.

He's indifferent to how many others are willing to take Polis' side.

But that is what a debate is all about, convincing a third party.

It might be the judge of the debate tournament, it might be the jury in a court case, the voters in a presidential debate, or an audience of people that are maybe polled before and after the debater speak to see which speaker had the greater effect.

Socrates thinks that in a conversation, people should talk to each other.

He's been offended by Polus ignoring him, and he feels that Polus' attempt to use the agreement of outside parties to put pressure on him is bullying.

Let me repeat this part because I find it rousing.

Nevertheless, though I'm only one person, I don't agree with you.

You don't compel me.

Instead, you produce many false witnesses against me and try to banish me from my property, the truth.

That is how you stand up to bullies, go Socrates.

Okay, taking turns talking is not the same thing as having a conversation.

That's the basic point, right? If I'm not talking to you, then I'll forward it to Yuri, I'm not talking to you freely.

So if we're looking for the freedom of speech, we're gonna have to look somewhere else besides debate.

Should we look to persuasion? That's the next obvious place to go.

'Cause if I'm trying to persuade you, then it can't be denied that I'm addressing my words to you.

In fact, instead of thinking the relationship between the debaters, you could think of the relationship between one of the debaters and the audience.

You get persuasion.

So I'm addressing my words to you if I'm trying to persuade you.

I'm clearly aiming to change your mind.

So persuasion does not fail in the same way that debate fails, but it does fail.

That very dialogue that I just quote, this dialogue here, the Gorgias actually, it's directed first and foremost against persuasion.

Socrates, so philosophers, we're against debate and we're also against persuasion.

Socrates is talking to three orders, masters of persuasion, Gorgias, Polus, and Calculus. And he explains why he's not in the persuasion business.

I'm not gonna quote here 'cause it's just like a lot of, we would have to quote a lot of texts, right? But basically, persuaders aim to instill belief, not knowledge.

They want to change someone's mind for the purposes of getting them to act more cooperatively.

So they have to be prepared to persuade on a variety of topics, wherever the conflict happens to arise, right? The orators with whom Socrates talks freely grant that they don't actually have expertise in all such matters.

Indeed, what they pride themselves on is precisely the fact that the art of oratory allows them to persuade without knowledge, but nonetheless, to persuade unilaterally.

Let me explain what I mean by unilaterally.

Suppose 2 people disagree about some question, where one of them knows the answer, really knows it.

If at the end of the conversation their views converge, they're going to converge on the knowledgeable person's answer.

She can teach what she knows, and she won't be able to be convinced out of it.

By contrast, if two people without knowledge talk, either one might change the mind of the other.

This poses a problem politically.

Conversation is not a reliable mechanism for coordination.

When people speak, for instance, of the value of dialogue and communication and persuasion with reference, for instance, to the vaccine hesitant, they don't imagine the outcome where we all walk out more avoidant of vaccines.

The power to persuade substitutes for knowledge in ensuring a unilateral direction of belief alignment. And that is, of course, what makes it politically useful in the resolution of disagreement.

So here's a passage where the orator Gorgias compares himself to his brother, who's a doctor.

Many times I've gone with my brother or with other doctors to call on some sick person who refuses to take his medicine or allow the doctor to perform surgery or cauterization on him. And when the doctor failed to persuade him, I succeeded by means of no other craft than oratory. And I maintain, too, that if an orator and a doctor come to any city anywhere you like and had to compete in speaking in the assembly or some other gathering over which of them should be appointed doctor, the doctor wouldn't make any showing at all, but the one who had the ability to speak would be appointed, if so he wished. And if he were to compete with any other craftsman, whatever, the orator, more than anyone else, would persuade them that they should appoint him.

For there isn't anything that the orator couldn't speak more persuasively about to a gathering than could any other craftsman, whatever.

That is how great my accomplishment of this craft is and this sort of accomplishment it is.

Gorgia says you're showing off the power of persuasion as the power of getting others' beliefs to line up with your own, or even not necessarily your own, but whatever it is you want them to believe.

If you have the power to mold the minds of others into whatever shape you choose, I call that coercive speech, and I don't want any part of it.

Keep your dark arts of persuasion away from me. Okay.

So, debate isn't free speech, persuasion isn't free speech.

What is free speech? That is a surprisingly hard question to ask.

I don't mean to answer, I mean to ask.

Somehow the phrase free speech is so familiar that we feel sure we know what we're talking about when we use it.

So we don't think there is any question to be asked.

To help defamiliarize this territory, I'm going to tell you a story.

It's a true story.

I was about 21 years old, a senior in college like Emma Camp when I fell in love with Socrates.

This is the back of my jacket here too.

This is the jacket.

I put it on my jacket.

Okay, that's the same slide. Okay.

I always wanted more Socrates in my life.

Of course, I read Socratic dialogues, and I took classes on those dialogues, and I read commentary on them, and I learned Greek so that I could be in the original, but that didn't satisfy me.

It wasn't enough for me to participate in class discussions about the dialogues or write papers in which I analyzed Socrates' arguments.

I didn't just want to talk about Socrates.

I wanted to be Socrates.

So my image of Socrates was that he would go to the most public place in the city, the center of the city, the Agora, and have unscripted, unplanned conversations with whoever happened to be there.

That image or a fantasy, we might call it, isn't exactly right.

I wasn't reading carefully enough to notice first that though Socrates does hang out in the Agora, most of the conversations in the dialogue actually take place elsewhere. And second, Socrates is in fact always in some way known to at least one of his interlocutors.

That's right.

He wasn't accosting strangers.

But that's how I imagined him, and so that's what I wanted to do too.

I lived in Chicago, and the closest thing to an Agora in Chicago, as I saw it, was the steps in front of the Art Institute.

So that's where I went.

When I got there, I walked up to people and I asked them whether they wanted to have a philosophical conversation.

That was one of my openers.

Anyway, I also tried, what is art, what is courage, what is the meaning of life? I don't have a great recollection of the exchanges that followed, this was a long time ago, but I do remember one reason I kept switching up the openers was I thought maybe that my starting question was the problem. Okay.

So in the Socratic dialogues, there is like a rough pattern of how this goes, right? Socrates asks a question like what is virtue? Then his interlocutor like immediately

supplies an overconfident answer, and then Socrates's refutation of that answer paves the way for an extended inquiry into the nature of the topic.

This is not what happened to me.

The conversations I had were all really short, and they never really got off the ground.

The people I talked to seemed vaguely offended by my very approach, confused about my intentions, and in truth, a little bit afraid of me.

What I was most struck by is that they actually tried to hide from me the fact that they were offended, confused, and afraid.

They were modulating their reactions to me for my benefit and put off for my failure to have done the same.

They were going to be polite even if I wasn't.

Okay, so it turns out people do not enjoy being randomly selected to be philosophical addressees.

They're just not okay with you walking up to them and asking them philosophy questions.

At least they weren't okay with my tactless 21-year-old self doing that in 1997.

You might think the problem here is that they didn't have a chance to opt in, that I was accosting them in a way that forced them to have an interaction with me.

I was bullying them into talking to me when they didn't want to. And this gets to the heart of what I want to show you here, which is that there is a certain paradox.

I've never heard this paradox discussed, by the way, so I'm not quite sure how to phrase it.

but it's a paradox about how we consent to conversation.

Okay, so like the quickest version of the paradox comes if you consider like the first of my questions, like do you want to have a philosophical conversation? It's harder to think of a clearer way to secure consent than that, right? But the problem was many people did not want to be asked that question in the 1st place. And I couldn't find that out about them by asking whether they wanting to be asked it, because now we've just iterated the problem.

It's pretty unlikely that people who mind being asked whether they want to have a philosophical conversation are fine being asked whether they're willing to be asked whether they want to have a philosophical conversation, right? There isn't always a meta level to retreat to, sadly.

I mean, and suppose someone does consent to having a philosophical conversation.

Does that mean they've consented to every possible philosophy conversation I might want to have with them? We could try restricting the set of topics, but even there, there are so many things to be said about the topics.

Really, there's no way for me to be sure in advance that you're okay with me saying a certain sentence to you unless I first ask you consent for me to say the following sentence to you.

But of course, once I say this sentence, the cat is out of the bag and I've already said it without your consent.

The problem here is a lot like the problem explaining to someone what word you're stammering to remember, like the one that's on the tip of your tongue.

Like, if I knew that the word that I wanted to remember was, say, schism, then we wouldn't be in this pickle in the first place.

I can never say the word I can't remember is schism.

I can gesture in the direction of the word.

I know it's a word for a cut or a break, but I can't tell you exactly what I'm trying to remember.

Now, maybe that sort of vagueness is fine.

trying to remember, but there's a reason to think it's not fine for consent.

Consider consenting to sex, which, as hard as a problem as it is, is an easy problem compared to conversational consent.

The reason it's a relatively easy problem is that in principle, you can describe sex acts to someone and secure their advance agreement to those specific acts.

Of course, most of the time, even with new sexual partners, we do not specify a list of sex acts because we don't feel we have to.

The cleanest, dirty secret about sex is that the scope for variation is actually pretty small.

Given the facts about how human bodies are configured, there aren't really that many possibilities for how it might go.

Even if there are some difficulties, and these are real ones, raised by the fact that one can withdraw consent at any time, right, the problem of continuous consent, still, consent provides us with at least a partial model for what it is to be participating in sex voluntarily.

So it's at least possible that two people count on the basis of consent as freely engaging in sexual activity.

There are a lot of clear cases of consensual sex, and a lot of clear cases of non-consensual sex, right? It's just not obvious to me that the same holds for conversation.

Let me consider a proposal against myself, a negative proposal for how conversational consent works.

It's a very popular picture, okay? So you might argue that we generate a framework for conversational consent, not by specifying what you can say, but by ruling out the forbidden territory and calling everything that remains the marketplace of ideas.

All right.

So what you imagine is that we have sort of ground rules framing entry into a negatively specified arena of free expression. And once you enter that arena, like you're decided to go shopping, right? You understand that people are free to say anything they want so long as it doesn't contain, say, insults, curse words, slander, et cetera.

Those are the ground rules.

This relatively spare set of rules governing this arena is supposed to be very different from the heavily context-dependent social norms that govern the behavior of walking up to someone and starting a conversation with them.

So those who enter the marketplace of ideas are, unlike the people who enter the steps of the Art Institute, consenting to be in a space where conversational regulation, the ground rules, are at a minimum. And as long as those rules are followed, anything is said is fair game.

But now, once you're on board with the idea that there are some ground rules, there's no principled limit to how many of them there should be.

So you may end up in fights over what kind of speech is admissible into the public sphere.

Moreover, Because what's permitted within the marketplace of ideas may have negative consequences for people outside it, there will also be fights over what kinds of punishments, consequences, or forms of accountability are acceptable as a consequence of how people react to your speech.

So politically today, we see a battle between people who want this arena to be as deregulated as possible, as immune from implication as possible, the idea being you consent to enter, then all bets are off. And those who are more open both to restrictions to prevent injury and to the imposition of consequences or accountability for injuries once they occur.

There's also the idea of restricting people's access to this sphere as a form of accountability, right? That's what cancellation, in effect, is.

Okay, so This version of free speech, now that we flesh it out like this, you can see it's very much like the idea of a free market.

So on the one side, we have those who believe that in order to prevent harms, we need responsible regulation and moral accountability. And on the other side, we have the free market fans who believe that regulation itself tends to bring harms.

Of course, no one believes in completely free speech, right? I mentioned curse words, slander, insults.

We can add overt expressions of prejudice. And no one avows allegiance to Orwellian Newsspeak, right? So these two sides are really just haggling about where to draw the line.

How free of a marketplace of ideas do we want, which is to say, how free should it be from regulation and how free should it be from accountability? Okay, what I want you to notice about this picture is that underlying the disagreements that divide the pro and anti-regulation camps from one another, there is a fundamental agreement about how to solve the problem of conversational consent.

The idea is that there's a marketplace of ideas where some people are freely putting ideas out there and other people are freely picking them up.

So the marketplace of ideas decouples the act of speaking from the act of listening.

That's why both sides would find my comparison of writing an op-ed to walking up to someone on the street to be absurd.

There's a completely different acts, they would say.

Conversations are interpersonal interactions whose conduct is dictated by context-heavy social norms.

One shouldn't expect to speak freely to people on the street, our neighbors, our children.

Free speech is about adding and subtracting to a public idea bucket.

The question under dispute is only about who gets to add what when.

All right, maybe at this point, you're not going to be surprised to hear.

I think this is wrong and that Socrates agrees with me, right? He thinks that talking to people is really not at all like shopping for ideas.

OK, this is from the Protagoras.

When you buy food and drink from the merchant, you can take each item back home from the store in its own container, and before you ingest it in your body, you can lay it all out and call in an expert for consultation as to what should be eaten or drunk and what not, and how much and when.

So there's not much risk in your purchase.

But you cannot carry teachings away in a separate container.

You put down your money and take the teaching away in your soul by having learned it, and off you go, either helped or injured.

There is no such thing as a marketplace of ideas because ideas can't exist outside people.

There's nowhere the marketplace could be.

Ideas aren't things.

They're not possessions.

Before they're your ideas, you don't have them at all.

They're just parts of someone else's mind. And after you've imbibed them, they're not something you have.

They're a point of view from which you look out at the world.

They're what you are.

So if you let someone give you an idea, they've put something in your head that by definition you did not want there beforehand.

How do you consent to that? Now we've come to the problem of conversational consent in its toughest form because the truth is that no one is ever going to consent in advance to thinking really differently from how they think now.

Imagine you're offered the prospect.

Would you like that in a moment from now you will think totally differently from the way you think now? You're not gonna take it 'cause you think the way you think now is correct, otherwise you wouldn't think that way.

Maybe I was encountering some shadow of this on the steps of the Art Institute.

If I was channeling Socrates at all, then what I was doing should have come across as oppositional and transformational.

Socrates says at one point, I haven't gotten these letters on the jacket yet, but it's going to say that.

It says this in Greek, right? He says, whatever else happens, let's make sure we don't remain as we are, right? He says, I mean, more literally translated, right? For us to allow ourselves to be as we are now, I do not advise it. Okay.

So he thought we should become new people.

But how could you agree to that? Why would you ever agree to thinking what you don't currently think? You don't have reasons to accept it now, so now you should decline.

But by the time you have reason to accept it, you've already changed your mind.

If you knew what you were getting yourself into with a Socratic conversation, you'd never consent.

The feeling of being bullied is the feeling, I didn't agree to this.

You're pushing my mind in a direction I don't want it to go. And we think people shouldn't be pushed.

around against their wills.

So we reach for the idea of a safe sphere established by consent, like a gateway, consent gateway, right? But even if you can in some sense consent to entering the marketplace of ideas, you really can't consent to the kind of conversation that aims to make you radically different from how you are now.

You don't think you should be that way, or you already would be, so you won't agree to the transformation.

But the alternative to being upfront about how we change people's minds is what? Changing it behind their back by brainwashing, right? By doing it maybe so slowly they don't notice? That doesn't seem open or honest.

Or we could relegate ourselves to non-transformative conversations where we're assured in advance that no big shifts of thought will take place.

Small talk and gossip and chit chat and socializing and carefully huge enormous about how you're supposed to behave in each context.

Speech as good behavior.

That's not very free either.

So I ask again, how do we talk freely, openly, and honestly, not at each other, but to each other? I hope you're starting to see that there's a real question here, and the answer isn't obvious.

For all our impassioned defenses of the concept, it's not clear we have any idea at all what we mean by free speech.

I think that's the deeper level of why I feel uncomfortable with Camp's imperatives, right? She's really energetically trying to bring something about, and she wants to recruit us to the cause, but she doesn't seem to have any idea what the thing is that she's trying to bring about.

So it's been a long time, almost a quarter century, since I annoyed people on the steps of the Art Institute, but I haven't given up trying to channel Socrates.

Nowadays, I do it by refutation, which I would describe as one of my life projects.

I refute my colleagues, my students, my children.

I've gotten better at refuting strangers in ways that are socially acceptable.

I once designed my own bumper sticker, and it said, refute everyone.

I believe in Socratic refutation, and I'm going to argue that it, Socratic refutation, is free speech.

My argument is going to be, like, really abbreviated in this part.

I'm writing a book about this right now, so I'm sort of smooshing a bunch of ideas into, like, you know, a page.

But I wanted to give you at least a taste of my own positive answer.

So the dictionary definition of refutation is proving someone wrong, right? Socratic refutation is a special version of that.

It's proving that they haven't really answered the question they were trying to answer.

In the Socratic dialogues, the way refutation shows up is that Socrates asks, what is virtue? What is courage? What is persuasion? What is piety? And this part is important.

He poses those questions to people who were in some way professing to have answers because they were teachers of virtue, because they were military generals, because they were professional orators, because they were priests.

The person replies confidently with facility, and then Socrates shows them how, in one way or another, they haven't really answered his question.

The problem might be that they gave examples rather than a definition.

It might be that their definition contradicts some other view they want to hold on to.

It might be that their definition is circular.

The Socratic dialogues can be read as a catalog of all the different ways you can give bad answers to a question and all the different ways you can show someone that those answers are bad to refute them.

I've been engaged in refutation throughout this talk.

of the three models of free speech, debate, persuasion, and the marketplace of ideas.

I've argued that these models fail to specify what it is for us to talk freely to each other. And if that's what they're designed to showcase, then there's something wrong with those models as answers to the question, what is free speech? They might still be useful in other ways.

That is, Even after someone tells us about the marketplace of ideas or about vigorous debate, this is the sort of thing people do start talking about when you start talking about free speech, right? They start bringing up debate and the marketplace of ideas, right? But even after they bring all those things up, we are still left wondering, how do we talk freely, openly, and honestly, not at each other, but to each other? So we asked, we asked our question, what is free speech? And the Friends of Free Speech invoke debate, persuasion, and the marketplace of ideas.

Those things fail to answer our question when we show them that that's refutation.

Now you might ask, isn't refutation the same thing as debate? No, unlike debate, refutation is directed at the person you're talking to rather than at the audience.

Socratic refutation aims to bring someone to recognize that they didn't have the answer they initially thought they had.

Is refutation persuasion then? No, because you're not giving them something, the person who you're refuting.

You don't have an agenda.

There isn't some view of yours you want to imprint on their mind.

You're just explaining why what they've said leaves the very question they were trying to answer unanswered.

You're telling them, like you're Socrates, and you're like, you know, there's still something I want to know. And they have a claim on answering that because it's the question they thought they were answering.

The beauty of refutation is that it is impossible to bully someone by refuting them.

Socrates says, this is a quote, I didn't put on the thing, but Refutation is the greatest favor one human being can do for another.

I really think he means that, like greater than saving their life.

He's well aware most people don't see it that way.

The person he's talking to doesn't see it that way, Callicles.

But it doesn't matter.

It doesn't matter whether they enjoy it, whether they say they want you to refute them.

It's not about consent.

The refuter is not hostage to pleasing her interlocutor, nor given to flattery in the way that a persuader is.

It is, as a matter of fact, a favor to someone to show them that they're not answering the very question that they think they're answering.

Insofar as they purported to answer that question, they're open to being shown that they haven't.

So, in effect, if someone is claiming to answer a question, they're implicitly permitting you to show them that they haven't.

That's the source of the consent there.

Now, you might ask, right, how do you know what questions someone is claiming to answer? I obviously did a poor job of that on the steps of the Art Institute.

It can be really hard, and Socrates was very good at it.

Arguably, this is the thing he was best at.

So I talk about this a lot in my book, but if you want the three-sentence version, this is very compressed.

The answer is that each one of us bases everything we do on answers to a set of fundamental, and some of them not-so-fundamental, ethical questions.

That makes those answers the springboards of our actions and the bases of our lives.

We live off of answers just as we live off of food.

Different answers for different people, which is why people live differently from one another.

Locating these answers for a given person or group of people is the first step to refuting them.

That's free speech.

So we seem, at this current political moment, to be grasping in the dark after some idea of free speech that we both feel to be intensely important and at the same time struggle to articulate.

I think the Socratic model at least offers us a place to start, a way to make it be the case that there's something we're talking about when we're talking about free speech.

But it might seem incredible to you that I would think that a niche intellectual practice like Socratic refutation really has any relevance to like contemporary politics.

So let me end with a word on that point specifically.

It's going to be the last thing I say.

So go back to Camp's editorial.

Some people, to the reception of it, okay? So some people were defending her as a young person whom we should refrain from punching down on. And others were saying, she's an adult and it's appropriate to treat her like one.

These responses were perfectly politicized.

in that it was only those who agreed with her about free speech who thought she was too young to criticize, and only those who disagreed with her who thought she was old enough to be subjected to the full force of the internet ridicule machine.

So let me say what I mean by politicized.

I'm just going to read this.

is me quoting myself, but put it on here so you can read it.

Okay, if someone claims that some arena, be it minimum wage debates, climate change, COVID pandemic, college course syllabi has been politicized, They mean that action and speech in that arena have to be interpreted against the backdrop of some standing conflict.

So for example, the ostentatious inclusion or removal of a text from my syllabus could constitute a way of positioning myself in a culture war.

I might be providing assurances to my allies, or I might be provoking my enemies.

Okay, so there are two important parts to this definition.

The first is the idea of conflict, and the 2nd is the idea of interpretation.

All interpretation requires context, and politicizing makes conflict an essential part of the interpretive context.

It's often the case that you can't understand the subtext of an op-ed or the tension at a faculty meeting or why certain items are bundled together in a congressional bill without invoking facts about the history of a given debate, just as you can't understand the lone soldier firing a gun without bringing the context of which side he's on and where this battle sits in a larger war.

Of course, there's a very important contrast between the two wars, the politicized one and the one the soldiers are part of.

Politicized battles don't involve bombs, tanks, cannons, guns, or generally weapons of any kind.

Nobody dies.

It's true that people inflict real harms on the other side, even personal harms.

For example, they might make their enemies lose face, lose their jobs, lose their social connections.

Still, these damages, however serious, will not be fully understood unless we invoke the framing of the conflict within which they're situated.

There are real harms, but they're also symbolic harms, symbolizing defeat.

Politicization displaces violence.

It substitutes a war of words for the real civil war that could ensue between the parties if they were to fight with weapons instead. And politics isn't the only arena into which violence can be displaced, right? In every marriage, there are one or more topics that could be described as politicized.

In my own, laundry is an example.

It's a place I can reliably find a fight if I want one.

Politicizers are good at shifting the battle over into the arena where they want to find it right now.

When we speak of office politics, we use politics in the way that I'm using politicized.

We mean office in-fighting.

Even career politicians will say, Let's keep politics out of this, right? Using politics as a shorthand for what's politicized.

They mean, Let's temporarily suspend our usual practice of mapping every interaction onto a symbolic battlefield.

Okay, here's the question I want to ask.

What about real battlefields? Are they also politicized? How symbolic is literal war? I think it's actually pretty symbolic.

So consider a distinction between two different reasons for fighting, two different kinds of wars, pragmatic and ideological.

The pragmatic fight happens because you see fighting as the best way to grab something of theirs or defend something of yours.

It might be your land, your riches, or your life.

The ideological fight happens because there's some moral principle or wrongdoing or perceived slight at stake.

In a pragmatic battle, fighting can be avoided if each party is given peaceful access to whatever item they were fighting for. And there always is such an item because pragmatic battles are battles for things.

Winning is sought only as a means to acquiring the thing in question.

In ideological fighting, victory is the target, and the battle is an arena for reaffirming some threatened idea.

I think it's plausible that there is at least some ideological component in most actual wars, if for no other reason than to explain why such a pragmatically inefficient option as war is so often chosen.

Socrates notes, in a few places, that what drives the Greeks to wage war are disagreements over justice and injustice.

Euthyphro, the Alcibiades, which come off the top of my head.

Okay, if he's right about that, then those wars are ideological.

We might give religious wars and civil wars as examples of wars in which the dimension of moral righteousness comes to the fore.

In a religious war, we're fighting so as to spread our true religious idea and have it replace other's false religious ideas.

In a civil war, we're fighting so that our society may come to be guided by our and not our political enemy's conception of it.

Of course, it's always possible to give political or, sorry, to give religious or ideological cover for what's really a land grab.

But I think the inverse is also true, and people are liable to pretend they're being pragmatic to cover their very sincere hostility and mutual hatred.

For instance, the Iliad, Homer's Iliad opens, with the priest Chryses, having asked the Greeks for his daughter back and having been turned down, praying to Apollo to punish the Greeks for not giving him his daughter back.

Hear me Apollo, god of the silver bow who strides the walls of Chryse and Sila Sacrosanct, Lord in power of Tenitus, Smithheus, god of the plague, if I ever roofed a shrine to please your heart, ever burned the long rich bones of bulls and goats on your holy altar, now, bring my prayer to pass, pay the Dinans back, your arrows for my tears.

Okay, so the result of this prayer is that Apollo does indeed rain down plague on the Greeks, the Danaans, right, who eventually figure out why they're being plagued, leading Agamemnon, their leader, to force Achilles to give Chryses back his daughter, an action which sets immersion the hostility between Achilles and Agamemnon that drives the disastrous action of the rest of the epic poem.

You might wonder, looking back at Chryses' speech, If you are in a position to call in favors from a god, why not just ask him for your daughter back directly? The answer is that Chryses is angry.

He feels he's been wronged and he wants revenge.

Earlier he wanted his daughter back.

Now he wants to teach the Greeks a lesson.

The saga of Chryses and his daughter is, of course, the whole Trojan War in miniature.

It wasn't the prospect of retrieving Menelaus's wife that launched a thousand ships, so much as the wounded pride of the men sailing in them. And so Socrates was right to describe that war as, in large part, ideological.

Regardless of, you know, I'm not an expert on war, right? So we could debate the prevalence of pragmatic versus ideological warfare, but insofar as politicization maps a debate onto a symbolic battlefield, that battlefield is an ideological one, right? That is, ideological warfare is the relevant kind of warfare for making sense of the way we use the word politics in phrases like office politics and let's keep politics out of this.

Okay, so consider how ideological warfare works.

If we're defeating our enemies in order to prove a point, or to teach the world a lesson, or to stand up for truth, goodness, and justice, then the war represents a translation of an ideological dispute into a material medium.

When it comes to military deaths, in addition to the bodily harm inflicted upon the soldiers and the emotional harm inflicted upon their loved ones, there is also the symbolic harm of the defeat of the idea.

A battle of thoughts has been mapped onto bodies.

Ideological warfare involves A symbolic displacement.

This is really bad.

So exsanguinating the bodies of people who hold an idea is, at best, an indirect way of getting at the idea itself.

All the massive harms of war, all the killing, the maiming, the soul-destroying acts of brutality, all of it adds up in the case of ideological battle to the analog of an ad hominem argument.

It targets the person instead of the idea.

I mean, it's bad, like in terms of all the harms and life off, but also it's a bad argument.

Refutation, by contrast, is a battle to the death, not between two individuals, but between the idea in one and the denial of that idea in the other.

A refutation as the character of a showdown in a Western, this town isn't big enough for the both of us.

Except that in the case of the Western, the claim in question is not ever literally true.

TV book could fit into just about any room, let alone a whole town.

But logical space, big as it is, is not big enough for both an idea and its negation.

So ideological warfare is really an imitation of the real battle, refutation.

Okay, let's go back to politicization.

For example, a letter that proclaimed itself as battling the forces of illiberalism.

We said that politicization creates a war of words in symbolic imitation of real war.

But what is real war? The kind of war with cannons and guns.

We can say that politicization imitates violent physical combat, but only if we acknowledge that the kind of violent physical combat it imitates, the ideological kind, itself imitates something else.

Even real war is just fake refutation.

If war happens when politics breaks down, when we stop being able to fight with words, and so we start fighting with weapons instead, politicized politics happens when free speech breaks down.

Politicization fights ideological battles we manage to keep off the battlefields, but haven't managed to find the conversational space for.

In October of 1939, on the occasion of his 80th birthday, John Dewey wrote an essay called Creative Democracy.

Well, he was so old, he didn't deliver it.

Someone else read it out for him, but it was a celebration of his 80th birthday.

I'll read it to you in a minute.

In it, he argues that democracy is not so much a form of government, but a way of life, specifically that it's the way of life centered around free speech.

As you may note, right, 1939 was not an easy year for democracy.

In February of that year, 20,000 people had attended a Nazi rally at Madison Square Garden in New York City, advertised in the name of pro-Americanism.

Then in September, Germany invaded Poland, sparking a series of declarations that launched World War II.

Okay, so here's what Dewey had to say in October of 1939 about democracy as a way of life.

When I think of the conditions under which men and women are living in many foreign countries today, fear of espionage with danger hanging over the meeting of friends for friendly conversation in private gatherings, I'm inclined to believe that the heart and final guarantee of democracy is in free gatherings of neighbors on the street corner to discuss back and forth what is read in uncensored news of the day and in gatherings of friends in the living rooms of houses and apartments to converse freely with one another.

Intolerance, abuse, calling of names because of differences of opinion about religion or politics or business, as well as because of differences of race, color, wealth, or degree of culture are treason to the democratic way of life.

For everything which bars freedom and fullness of communication sets up barriers that divide human beings into sets and cliques, into antagonistic sects and factions, and thereby undermines the democratic way of life.

Merely legal guarantees of civil liberties, of free belief, free expression, free assembly, are of little avail if in daily life, freedom of communication, the give and take of ideas, facts, experiences, is choked by mutual suspicion, by abuse, by fear and hatred.

These things destroy the essential condition of the democratic way of life even more effectively than open coercion, which, as the example of totalitarian states proves, is effective only when it succeeds in breeding hate, suspicion, and tolerance in the minds of individual human beings.

Okay, so Dewey does not, in this essay, explain what freedom of speech is.

He takes it for granted that we all know what it is.

As I've tried to argue, this is a big mistake, because we actually really don't.

But there are two things Dewey gets right in this passage, and that's why I'm ending with it.

First, he identifies conversation, not debate, not persuasion, not the marketplace of ideas, but conversation as the scene of free speech.

Second, he notes that governmental coercion is not the only kind of coercion and that legal protection of free speech doesn't entail that speech is actually free.

Mutual suspicion, abuse, fear, and hatred make us bully each other even when we don't realize that's what we're doing.

Dewey understands the problem of conversational consent. And he understands that our ability to solve it is the key to democracy.

Actually, I'd go one step further, and I'd say it's the key to peaceful coexistence simpliciter.

If refutation is what depoliticizes politics, and if depoliticized politics is the kind of politics that doesn't lend itself to being displaced onto the battlefield, then free speech really does matter a lot.

Thanks.

Audience questions

Nathaniel: Thank you so much.

Agnes: Yeah, I'm just going to grab my notebook so I can write stuff down.

Oh, I didn't bring my notebook.

I'll write it on here.

Nathaniel: Okay, so we have time for, I think, a good number of questions. And like I said before, we're going to take the first question from the audience here, the live audience, and then, well, you're also live out there, but.

Agnes: Everyone's alive.

Nathaniel: Yes.

So who would like to ask a question?

Agnes: Are we supposed to sit here?

Nathaniel: Oh, are we supposed to sit here? Okay, yeah.

Agnes: Okay.

Nathaniel: Why not?

Agnes: Is it, it's fine? That's fine.

Nathaniel: I just want to make sure it doesn't.

Agnes: Yeah.

Nathaniel: Okay.

Who would like to ask the first question? Yes, please.

Agnes: I've practiced it differently at different parts of my life.

I think the time when I really got going with it was when I started grad school and I would go to talks and I was often really confused by the talks.

But I had a rule for myself.

You have to ask a question at every single talk.

So first of all, that made me pay attention really carefully. And my rule was like, if I don't think of any question, I have to say, I had a really hard time understanding your talk.

Can you just summarize the main point for me very simply? Which would be so humiliating that incentivized me to come up with a different question.

So what I was doing was looking for, what did I not understand? What's the main thing I didn't understand about this talk? And That was like, I would say like the first steps where I can clearly identify that practice as refutation, because I was like hearing this person saying something, and I'm like, what's the big question this is trying to answer, and why do I feel like they haven't answered it? What's left for me? What's like the big problem with the thought that this question is now resolved? And I have to say that like at the early stages of doing this, I was unbelievably self-conscious.

I think that if I were to go back in time and try to tell that person, there's going to come a day where you ask questions in talks and you actually don't at all notice how other people are receiving your question or what other people are responding.

You just listen to the...

I wouldn't have believed myself.

I'd be like, no, come on.

Like, there's room for people and they're judging you. And like, no, eventually it goes away.

It's amazing.

But so I would say there, it was sort of aspirational, right? That I was like trying to ask a question, but I was also very conscious that I was being watched, right? But I was just following this rule, like you have to ask a question.

So that's one way.

Another really important way is just making yourself very refutable. And that is like, because you have to be on both sides, right? And Make it as fun and enjoyable as possible for other people to refute you.

So, if I'm teaching in class, like I will try to like say, okay, here, have like a chunk.

It'll be like, I'll never talk as long as I talk now, right? I'll talk for like 5 minutes and I'll have like a chunk of what I'm putting forward. And usually it'll be in the form of an argument.

Premise, premise, conclusion.

Okay, here it is, right? That's like handing someone a please refute me package, right? It's like, what's the problem here? So there are ways of speaking to people that optimize for reputation on their end.

I think that, I think having certain like long-term interlocutors, like people who sort of know me well enough to see like the places where I'm bullshitting but I don't realize it, to see how I characteristically do that.

Like my husband knows, I will always construct symmetries.

Like my brain just works that way.

If there's, there will always be either two or three parts to something. And he's like, why is there this third thing here? You just add that to make there be 3, you know? So, and that's like, someone has to know you well to know, like, what are the tricks that you pull? I think being edited, like just engaging with an editor who then asks you questions.

Like there, it's once again, it's more like being refuted, but it's kind of a very, there's nothing else like that in terms of somebody who raises questions like, why did you make this point here? And you're like, yeah, why did I make that point there? The editors have like a genius for, it's like they have that power to detect the bullshitting, but just for anyone.

I think, I guess a big part of it today would be like advising graduate students.

I mean, like, I meet, I advise a lot of students, and the way I advise them is like they have a chapter, they send it to me, and I ask them a bunch of questions about it. And as I'm asking them the questions, I feel like their view is like taking shape for me. And I read their paper, right? But that's not when their view takes shape for me.

It's when I get to ask and probe and be like, oh, okay, so this part wasn't actually very important to you.

Here's where you want to focus.

Okay, here's the problem over here.

If you'd say that.

So like that would be a really big part of it, but I didn't have access to that, you know, years ago. And then I think talking to my kids too is like another kind of refutation because you have to explain stuff in a certain way to kids.

Both you have to hold their attention, and there are ways of glossing over things that they're particularly sensitive to.

So it would be like, yeah, a different audience off the top of my head.

Nathaniel: Thank you.

Okay, we're going to take one from the virtual audience.

Audiance questions #1: What are the places, physical or otherwise, where you find free speech as refutation can best flourish?

Agnes: I think that there are different kind of bests is the issue.

Like in one way, my answer's going to be philosophy talks.

Like philosophers are actually just incredibly good about norms of argumentation.

Like just as you think they would be, they really are.

I think that's the thing that ultimately like drew me into the discipline.

I was a classicist.

I mean, I was in a classics PhD program and I switched over to philosophy and it's because of how philosophers argue.

So they're always looking for your main point.

They're always looking to prove you wrong.

They're like, they're always happy when you prove them wrong.

Like they're really, they have a good temperament about it, which makes, which encourages the activity.

But, right, they're often talking about something that doesn't seem that important.

That's a big problem, right? Because you want to be doing refutation about things that are really big and really important. And some of the structure of the way academic philosophy is conducted and the way in which it has to like, you know, be even talks are like a kind of mechanism for either publications or getting a job means that that's going to dictate what kinds of topics show up in the talk. And they often just They're just too small. And there's, good reason for that, which is a philosophers want to be careful.

But anyway, so that's like there's one way in which philosophers are very good.

I think classrooms are really great.

You know, I've given talks like in a lot of different like schools all over the country and in other countries. And Students are great everywhere.

So it's, I don't think, I mean, University of Chicago students are great, but I think that actually it's a general thing.

The classroom has a kind of magic to it, where people do really open up. And maybe less so on certain topics, right? So I don't, you know, I haven't yet taught gender and sexuality.

I have some interest in teaching it someday, but I haven't done it.

Maybe that'd be more tense than the stuff I teach.

So I don't want to deny that even in classrooms there's that, but I do think that classrooms, it's the same, I feel that way, but the microcosm of the classroom is the blackboard, right? The blackboard or whiteboard or whatever, like it has a kind of power.

When people are teaching, I'm advising grad students about how to teach.

You know, a big part of what I talk to them about is like, how do you put, especially if you've taught language, like I taught Latin and Greek for a while, and just how you write it on the blackboard has like such an effect on whether the students like remember those forms and understand what you're doing.

What you put on the blackboard matters a lot, right? So I do think there are these sort of like solidly magical spaces, like blackboards, classrooms, in which a certain kind of speech opens up.

Anyway, those are two examples.

Nathaniel: Thank you.

Another question here? Yes, please.

Audiance questions #2: Yeah, before I ask this question, I just want to let you know I haven't really studied philosophy, but I'm in the social sciences and So for me, culture is something that came up for me at least.

So you kind of discuss how refutation is not the norm when we discuss ideas. And how do you think American culture has influenced and influences dominant forms of talking about ideas?

Agnes: I wonder whether American culture is especially reputational.

I mean, as you see, I'm taking my bearings from ancient Greek culture.

I do think, like, so students in other countries are a little more shy than, I mean, that's something I found, than American students.

It's also a language barrier, right? it's interesting, Dewey in that essay, Creative Democracy, right? He, I mean, he very much sort of takes a somewhat sociological point of view in that he's, yes, he's thinking about democracy and he's thinking about it in principle as a like, you know, an abstract form of life that could apply anywhere, but he's also really thinking about America and as a land of frontiers.

Right? So he sort of sees America in some ways defined by this idea that there's like always a further frontier, but of course, by this time there isn't one anymore, right? All the land's been taken up, right? Arguably, there never really was in exactly that sense, right? But in any case, he says, well, the new frontier is the moral frontier.

Okay? That's like part of the theme of this paper that I didn't get into, right? But he thinks that as Americans, There's a special orientation towards progress, towards what is new, towards like pushing certain kinds of boundaries that he sees as characteristically American. And so that stress that he places on free speech, he sees it anyway as kind of an American.

He doesn't say that in the passage I read you.

I don't know.

So he feels that way.

I don't know that I feel that way.

I think I just don't know.

I think like, I think that I do see a pretty big hunger for these sorts of ideas everywhere I go.

But it may still be true that even though there is a hunger, there is also a kind of natural disposition.

that makes this methodology a slightly more awkward fit.

It's interesting that, you know, the pragmatists, Dewey, James, Peirce, they were people who were extremely, and we were the first philosophers who were very attuned to like human heterogeneity.

But like, you know, other philosophers, like the idea that there's different sorts of people, like for instance in different countries, like James, like oh there's French philosophy, there's German philosophy, and this comes out of the German character, the German temperament.

So that was a Nobody really thinks that way anymore, I think.

Even people don't think the analytic continental divide is real, right? So I don't know what I think.

I think it's an interesting question.

I don't have sort of expertise on it, but I do find it interesting that philosophers themselves have disagreed among themselves as to whether sort of like how much of A robust sort of like philosophical culture there is.

Audiance questions #1: This is actually from one of our UCSC philosophy faculty.

I have a comment and then a question to get clearer on what your view is.

It seems to me that part of what is happening in that New York Times article and in other calls for free speech is a call for the conditions that make it possible to discuss a view.

Is your view that free speech is a matter of making oneself vulnerable to refutation, or creating the conditions under which refutation is at least a possibility, or both?

Agnes: Yeah.

It's a great question.

So I think that that's a correct interpretation of that piece.

But that interpretation is itself, it's a move in a game, right? So the idea that we need ground rules.

It's that we could establish something, like in the absence of any friendliness, in the absence of getting along at all, in the absence of any shared goals, we could still have ground rules, right? And then it's like, for what? Right? And I went through some possibilities for how ground rules might work, right? They might work to frame a debate.

They might work as a kind of frame for a marketplace of ideas.

But it's hard for me to see how they're going to work for a conversation.

Like, we don't tend to have ground rules for conversations with people.

You know, we don't even really have them in our classrooms, right? I mean, like, I don't make a set of rules for my classroom. And so, I do think I can sort of see how when things degrade to a certain point, you might make a certain, like a set of rules to avoid the worst case scenarios of speech.

But in a way, that might be reasonable, but that has little to do with free speech.

It's sort of like And so in a way, my objection there would be like, look, this whole ground rule thing, it's not getting us to the thing we want.

It's not getting us anywhere in the vicinity of the future.

In fact, laying the ground rules down may be getting us further from that, right? But, you know, maybe we still should do it.

Just like maybe sometimes we should punish people or whatever, like, you know, I mean, I'm not, I'm not, I'm not, as I say, the policies themselves, I wasn't saying we're bad.

But I think the idea that we're getting a hold of the concept of free speech by laying down ground rules, that I think is a mistake.

Nathaniel: Okay, I think we have time for one more question from the audience here.

Audiance questions #2: Thank you.

Thank you so much.

This is more what I'm looking for is more than like an advice rather than a question itself.

So, okay, let me give you a little bit of context for doing my question.

So I am from Colombia.

Right now, Colombia is living through elections. And elections, it's a pretty overwhelming time.

So right now, I don't know what's free speech, because as you said before, I don't want to hurt anybody.

I don't want nobody to hurt me either.

But I am feeling so overwhelmed that I cannot speech freely.

So even though I'm miles away from Colombia, how would you, yeah, like, advice, can you give me, please, an advice? How would be...

a free speech right now.

How can I apply my right to have a free speech and not defend myself? Because that's like I feel right now, like my free speech is defending myself.

Agnes: Yeah.

So you've all kindly not observed that this talk didn't have that much to do with its title, inquisitive, right? I kind of just like wrote this talk over the past couple days.

I changed it from what I originally wanted to talk about because I was moved by this editorial, right? So I think that one of the things that we really miss, though, when we feel confined is the freedom to inquire.

That is, there is a connection.

I just didn't have time to bring it out.

I think Socratic refutation is inquiry.

That's kind of the main thesis of my book, is that refutation is inquiry.

It's how we inquire.

So I think when you say you want to exercise your right, you know, you want to apply this right, like, the way I hear that is, there's actually a bunch of stuff you don't know and that you're confused about, and you don't see any way forward to thinking about that stuff, because you're lost.

But the thing you would need to do in order to think about it seems withheld from you, which is to have conversations, because you don't have the capacity to think it through by yourself.

You're at a loss.

I think that's a really hard position to be in.

I think all of us are in that position with respect to at least some of the things kind of all the time, right? And we just like, some people are more bothered by it than others.

I'm really, really bothered by it.

Like I'm in that position with respect to one particular thing right now and it nags at me constantly that I can't talk it through with the relevant person. And so I like cycle it through in my head And I know that my cycling through is not good thinking.

Like, I know it's, I can see my own thinking, this is crummy thinking, but I can't do any better. And that for me, it's a function of the fact that I don't think we can think by ourselves about the hard things.

Like, I think we literally can't think.

What we do is like, have stream of consciousness, fantasy, paranoia blobs in our heads, and we call it thinking, but it's not thinking.

Thinking is what you do when you explain something in words to other people, and then they're like, wait, what did you say? And then you explain it again.

That's thinking, in my view.

Okay, so the reason you feel so bad is because you're not able to think.

But then the question is, okay, well, how could you get into a position to be able to think? And I think it would only be by speaking, right? But then, at that point, it becomes a really pragmatic question, which is, who can you talk to? And I think that's just like, One of the most difficult questions in human life is, who can you talk to at any given time? And as I say, it's a part of the problem of conversational consent.

How do you ever know that you can talk to anyone? How do you ever know in advance we can have a conversation? I'm amazed that there aren't 1,000 books written about this problem.

It's such a huge problem.

It's a problem for me in my everyday life, all the time.

You want to have a conversation, but how do you find the person with whom you can have that conversation? And I don't have the answer to it.

If anyone does, they should send me a message and explain the solution to this giant problem.

But it's a huge problem.

Nathaniel: OK.

Thank you very much.

Oh, this was going to be– do you want to ask one last one?

Audiance questions #1: I think we have time, if that's OK.

Nathaniel: OK, sure.

Agnes: Absolutely.

I'm happy to answer.

I'm happy to answer that question.

Audiance questions #1: Thank you.

How, if at all, should we keep an eye out for bad faith conversation? What about bad faith refutation? Do you ever use bad faith refutation in the classroom?

Agnes: So almost any time I talk about persuasion, argumentation, refutation, I get the question of like, but what about the people who you just can't talk to? What about the people who don't listen? What about the people who are irrational? I've never heard from those people, like they've never spoken up.

It's always people are asking about those other people.

It's a little bit like the bullying problem.

I think that, I guess I think that There's a kind of, sometimes I give a totally super naive response, which is like, just stop believing in bad faith and it'll go away.

I know that's too naive, right? But I think people are way, way too deep believers in bad faith.

Here's the less childish response.

It's something like, there's a reason not to believe in bad faith, which is, This is also Socratic, okay? I think everyone desires the good and everyone wants to know what's true. And it's like, you can't really make sense of a human being unless you think those two things about them.

They want the good and they want to know what's true.

But we screw up all the time. And what we call arguing in bad faith is like somebody not seeing that they're not pursuing the truth.

Now, they may be not seeing that in like a devious, self-conscious, manipulative way, or they may just be not seeing it in a clueless way, but it doesn't really matter which of those two ways, right? Because suppose they're devious, self-conscious, and manipulative, right? And thus they're not pursuing the truth, but they want to pursue the truth.

Everyone wants to pursue the truth.

So they're clueless about that, right? There's a kind of cluelessness at the heart of all error. And so, like, what you should be doing is just trying to point out people's mistakes to them and refute them.

Everyone.

Like, it's a simple prescription for everyone, whether they're in bad faith or not, right? Like, you know, if they're in bad faith, you might also have to sort of like show them, oh, the actual mechanism that you're using to get at the truth isn't working or something like that.

And, you know, you have to be doing that in a way where it's like, where it's not unilateral, right? So like it could turn out that you're the one who's wrong.

Like that's always going to be the case anytime you're arguing with anyone is that it could turn out that you're the one who's wrong.

It could turn out that you're the one who's in bad faith, that you're the one who's being stubborn, that you're the one who's not listening.

But if you sort of also interpret yourself really charitably and say, but look, all I'm doing is trying to know the truth.

Like that's all I'm up to here.

It's all any of us are up to in a conversation is trying to know the truth. And like, so I might screw up.

I might get it wrong.

I almost feel like you would end up more charitable to other people too if you adopted that attitude towards yourself.

Like rather than harboring these suspicions that like what you're doing when you're arguing with people, like trying to show people that you're right.

Like I don't think that's actually what we're doing.

I think we're just trying to know the truth.

But we have this like bad interpretations of ourselves as being in some sense more Machiavellian and diabolical than we actually are. And so, but that, you know, what that gets at is the thing Dewey talks about.

I mean, he doesn't use the word trust, but that's the word, that's the opposite word for the fear and suspicion and whatever, right? And so it's a certain kind of trust. And for me, that trust in people is just, it's sort of consolidated into the idea that everyone desires the good and everybody wants to believe what's true.

Nathaniel: Okay, will you take one?

Agnes: Absolutely.

Nathaniel: Okay, so you are definitely the last one.

So let's hear your question.

What? Yes.

Agnes: Yeah.

So.

Nathaniel: I'm going to repeat the question, I think, right? So how do you prevent refutation from being interpreted as opposition and producing the sense that you are being a bully in the person that you're refuting? Is that– Should we appropriate questioning as part of our culture?

Agnes: I'm a big fan of questions.

When I was learning German, I asked so many questions that the teacher called me, , question lady.

I would just have these lists.

I would go to teacher's office hours as an undergrad, and I had like, I have 50 questions that I wrote down to ask you, and they'd be like, we might not get through all of them.

So it's a thing that perplexes me, that people don't just ask.

Questions are free.

You can ask them, and then you can just find out the things you want to know.

So I, in general, ask a lot of questions.

But I have a feeling– this is a way I also feel about color.

So I love color.

Everything I own is super colorful.

You saw my Socrates's. And I just think that just makes life better.

It's not free, but it, there's not like a super expensive part of the store where the colorful clothing is.

It's actually in the same part as the other clothing and calls about the same, right? So it's like there's like a straight improvement you could have to your life and that people are just not taking.

I don't know why.

Do I think they should take it? Well, that gets to the bullying thing.

It's like, well, maybe they are picking up something that I don't know or something about the color, you know? So I'm open to that discussion, but that is how I tend to feel about the questions and the color.

How do you make sure? So I think it's really interesting that the phrasing of make sure, which I also think is in a lot of these pieces of, it's like, there's a kind of, I want assurances in advance that this isn't going to go in a bad direction. And that's like, you know, she talks about a classroom in which the discussion turned bad.

It turns like uncomfortable.

I guess my meta thought about this is if you're going to have conversations with people, some they're going to go bad, like pretty bad. And there isn't some way to, in advance, secure that the conversation, this is a special space in which nobody can get hurt.

Like, no, it's real.

It's like really important stuff.

It's the most important part of life.

It's sort of like, well, how could you fall in love in a way where you know in advance you won't get hurt? It's like, there's no such thing.

There's no special ground rules we could agree to that would work out.

We should risk it because it's super important.

It's like, The most important thing in life, I think, actually, to know things, are up there among the very few most important things. And so it's worth giant risks. And so like, you know, even if we can't make sure.

But I think that in terms of, you know, like sometimes you might be bullying, right? So that's the thing, is like you might be doing it.

You might be treating someone else unjustly. And I think that you know, what you have to do is like hope that they would tell you, right? And teach you and explain it to you so that you would learn and not do it again. And I think the best way to learn that is actually just by doing it.

So like if, I mean, I have a lot of experience with people being, making people uncomfortable and unhappy by refuting them.

Like as I described, the Art Institute was not the only case, right? The very first time I taught, I had this sort of altercation with a student.

It wasn't the first day, but it was the first course that I taught.

There was like a student who, he was saying something.

It was like a pretty big lecture course. And he was like, we were talking about some Socratic dialogue, actually. And he was like, I asked a question and he answered it. And I asked him a bunch of questions back and forth. And I said something like, And to me in my head, this didn't sound so mean, okay? Like, it seems, this is actually what's happened in a lot of Socratic dialects, it seems to you that you have an idea, but you don't have an idea.

There's no idea in your head where you think there is one, so you keep trying to say and explain it, but that's why it keeps collapsing, because there's nothing there.

Something like that. Okay.

He was very upset about this, right? Very upset.

He came to my office hours.

He was like, you know, I thought teachers are supposed to be supportive and support your growth, and it just seems like you're attacking me, right? And We had a conversation about it.

There's no beautiful reconciliation story.

This person just hated me from that day on.

I'm afraid.

I've had other stories of like good positive ending stories with reconciliation with students, not in this case.

He was just really like, it was very clear that nobody had ever spoken to him in anything like the ballpark.

You know what I mean? It was like, it was so far from his experience.

Whereas I think other people who might be a little taken aback, still they've experienced something in that space.

So it's like how bad you're doing with a given person, you never know because you don't know their history.

You don't know what they went into the conversation with, right? So I guess I think that you're right to worry about this.

It's right that every time we talk to– I think I'm refuting.

I think what I'm doing is like Socratic– Socrates, by the way, is punctic.

polite and so to the point that everyone's like, oh, he's being ironic, right? Don't get me started on that.

We won't talk about that now because I would go on for too long.

But I think that clearly he learned how to do it and it's not easy to do. And I guess I think like, yeah, you're going to have a few skinned knees along the way probably.

Nathaniel: All right.

Well, thank you so much.

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Agnes Callard
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The Peggy Downes Baskin Ethics Lecture. UC Santa Cruz Arts, Lectures, and Entertainment. <www.youtube.com/watch?v=qYqJdXaQjxo>

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