

Should our democracy limit hateful speech?

DEBATING DEMOCRATIC PRINCIPLES

In recent years, there has been an effort to punish those who express views motivated by bigotry or racism. Such speech is called *hate speech*. Some states and cities have passed laws prohibiting the display of symbols that are hateful on the basis of race, gender, or religion. Others have enacted laws that increase criminal punishments for bias-motivated violence and intimidation. Sometimes, these laws come into conflict with the First Amendment's protection of free speech. Some laws have been ruled unconstitutional, while others have been upheld.

YES

TEAM A

Hate Speech Should Be Outlawed

Hate speech should be outlawed. Certain symbols and expressions are clearly hateful and have no meaningful social benefit. Our freedom of speech is important, but it is not an absolute guarantee. The government should balance freedom of expression with other democratic values, such as respect, equality, and tolerance.

Hateful speech is particularly dangerous when it is directed against minority groups. Such people already lack power in our society. Prohibiting hateful speech against these groups prevents hateful ideas from turning into discriminatory actions. History shows us that the first act of persecution of minorities is frequently speech that condemns or abuses those minorities.

NO

TEAM B

Hate Speech Should Be Protected

Hate speech is regretful and upsetting, but it should not be illegal. Exposure to offensive speech is one small price to pay to ensure our freedom to speak. It is better to counter hate speech with positive speech, or to ignore it, than to make it illegal. In an open "marketplace of ideas," hateful and offensive ideas will be denounced by other speech.

Additionally, hate speech laws are unworkable. They require the government to determine the intent of the speaker. Once we give the government the power to punish some forms of expression based on the speaker's intent, the government will soon be able to punish other speech as well. The government should only ban actions, not what people say or believe.

EXPLORING THE ESSENTIAL QUESTION

Analyzing Americans disagree about whether our democracy should limit hateful speech. Read the evidence provided, and prepare to debate one side or the other.

1. Identify the best reasons to support your side of the debate question.
2. Draft a compelling opening statement that sets out your position in the debate and summarizes your argument.
3. Anticipate the strongest arguments to support the other position. How could you respond to those points?