

**AMINTAPHIL: AMERICAN SECTION OF THE INTERNATIONAL
ASSOCIATION FOR PHILOSOPHY OF LAW AND SOCIAL PHILOSOPHY**

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NEWSLETTER #3, 2007 - 08

January 7, 2008

This newsletter contains the sub-topics for our 2008 meeting. That meeting, whose theme is **Free Speech in a Diverse World**, will be held from September 25 – 28, 2008 at Villanova University, outside of Philadelphia. The Newsletter also contains two electoral ballots—an election for a new At-Large member of the Executive Committee and a proposal about a meeting location for 2012. Neither ballot contains the names of Barack Obama or Mike Huckabee!

I. Sub-Topics. Under the direction of Deirdre Golash, the Program Committee has come up with the following list of sub-topics and possible topics. The committee hopes you will find this help in developing ideas for papers. These topics can also be found on the AMINTAPHIL web site at

<http://www.philosophy.utah.edu/AMINTAPHIL/2008conf.htm>.

Topic Outline: Free Speech in a Diverse World

- I. The value of free expression (in a diverse world)
 - a. Liberal view
 - i. Individual self-fulfillment
 - ii. Value to audience
 1. Marketplace of ideas
 2. Mill's argument
 3. Does pluralism conflict with the idea of one emergent truth?
 - b. Communitarian view
 - i. Teleological value?
 - c. Comparative value of free expression
 - i. As it conflicts with, e.g., peace, prosperity (when resources used to guarantee safety of Nazi marchers), harmony, civility, promotion of tolerance
- II. Value of diversity (as it relates to freedom of expression)
 - i. Which forms of diversity are valuable and why?

1. political
 2. cultural and artistic
 3. commercial interests
- III. Diversity as a reason for promoting free expression
- i. Pornography
 1. as affirming sexual diversity
 - a. sexual minorities: gay, lesbian, polyamorous, BDSM
 2. as providing catharsis for undesirable sexual urges
 - ii. Rap music
 1. voice of disenfranchised
 - iii. Political expression
 1. Constructive critique of policies
 2. Fomenting needed rebellion
 - iv. Critique of “political correctness”
 1. Firing of radio personalities (eg Don Imus)
- IV. Diversity as a reason for limiting free expression
- i. Hate speech
 1. individually directed (“assaultive speech” per Lawrence)
 2. public, e.g., lecture promoting racist ideas
 - ii. Pornography
 1. as denigrating women
 - a. true of all/some/none?
 2. as promoting sex crimes (rape, pedophilia)
 - iii. Silencing effects on disempowered groups
 - iv. Group defamation
 - v. Rap music
 1. misogynistic
 2. promotes violence
 - vi. Religious offensiveness
 1. Danish cartoons
 2. Teddy bear named Mohammed
 3. Salman Rushdie
 4. Pisschrist
 - vii. Political expression
 1. Destructive critiques: flag burning, Farrakhan, Hitler, Holocaust denial
 2. Promoting intolerance; spreading falsehood (Rwanda)
- V. Role of government in limiting (or guaranteeing) expressive rights
- a. Can forms of expression (e.g., expletives) be limited without limiting content?
 - b. Limits of government right to limit speech to preserve itself (sedition, incitement to riot, incitement to revolutionary action)
 - c. Toleration of intolerant expression

- d. Language restrictions: “English-only” or requirements to provide multiple translations
- VI. Individual responsibility: ethics of expression
 - a. Duties of individuals (that may exceed government-imposed limits):
 - i. Duty of civility
 - ii. Duty of truthfulness
 - iii. Duty of respect to other cultures
- VII. Access to means of expression
 - a. If it’s important to consider all points of view, should we guarantee that all points of view get, e.g., equal airtime?
 - b. Should media make more of an effort to give fair and even presentation of other side of international disputes?
 - c. To what extent does the advent of the Internet tend to equalize access to public audiences? Can websites compete with network news? What about the technology gap? To what extent does the enhanced ability it provides to filter viewpoints further entrench existing attitudes?
- VIII. Public reason
 - a. What limits on free speech are compatible with public reason in a diverse society?

II. Deadlines. No official deadlines have as yet been set for papers and commentaries. The Executive Committee is discussing this and official deadlines will be announced in the next newsletter and on the web site at

<http://www.philosophy.utah.edu/AMINTAPHIL/index.htm>.

As a rough guideline, the deadline for principal paper will be in the vicinity of Aug. 15. The deadline for commentaries about Sept. 10. Consider this as tentative until final decisions are made. Hotel information will be available in the next newsletter.

III. Ballots. We have two ballots to cast. Deirdre Golash has been an At-Large member of the Executive Committee but she gave that up when she became Chair of the Program Committee, who is also a member of the Executive Committee. Our procedures require that we an election of the whole membership between two candidates. The Nominations and Executive Committees have considered replacements for Deirdre and have nominated the following two people, both of whom are willing to serve: Ann Cudd and Marilyn Friedman. The ballot is below.

For your information, the Executive Committee is now composed of the following members:

Carol Gould, Philosophy, Temple University, President

Wade Robison, Rochester Institute of Technology, Vice President

Larry May, Philosophy, Washington University, Past President

Bruce Landesman, Philosophy, University of Utah, Executive Director

Richard Nunan, Philosophy, College of Charleston, Nominations Committee
Chair

Mortimer Sellers, Law, University of Baltimore, Publications Committee Chair

Deirdre Golash, American University, Chair, Program Committee

Leslie Francis, Philosophy, University of Utah, IVR Representative
William Nelson, University of Houston, Member at Large

The second ballot is the result of an offer from Tim Sellers to hold the 2012 AMINTAPHIL Conference at the University of Baltimore School of Law. At our last meeting in 2006, we decided to plan two conferences ahead. We are thus scheduled for Villanova this year and the Rochester Institute of Technology in 2010.

The Executive Committee discussed Tim's offer and asks you to vote for one of the following (the official ballot is on the next page): either accept the offer now, or defer the decision among that offer and any others until after the 2008 conference.

Reasons given in favor of accepting the offer now is having our locations settled in advance, Tim's generosity in making the offer, and his expected help from the law school. Reasons against is that it will be the third meeting in a row in the east (Philadelphia, Rochester, and Baltimore). It should be noted that the two preceding meetings (2004 and 2006) were in the Far West and Midwest (Palo Alto and St. Louis).

The Ballots are on the next page. Please copy the page and email it back to me. (Or copy the whole newsletter if you wish). Please return the ballots by Monday, January 14, 2008.

BALLOT 1: AT LARGE EC MEMBER

Please vote for one (1):

_____ Cudd, Ann

_____ Friedman, Marilyn

BALLOT 2: 2012 MEETING

Please vote for one (1):

_____ Hold the 2012 meeting at the Univ of Baltimore
School of Law

_____ Put off consideration of the 2012 meeting until
after the 2008 meeting

Please return to Bruce.Landesman@mail.hum.utah.edu by January 14, 2008.