



THE MEANING OF FREEDOM OF SPEECH IN MODERN SOCIETY IN THE THEORY OF AUTONOMY

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ANNOTATION

The article deals with the main aspects affecting the freedom of speech in the modern society. It is indicated that for the freedom of expression of thoughts a number of conditions are necessary that persist throughout the long historical development of human civilization. At the same time, certain restrictions are imposed on the expression of ideas, opinions in the event that they affect the feelings, dignity of other people and groups of the population. The theory of the autonomy of freedom of speech is considered in detail.

KEYWORDS: *freedom of speech, society, democracy, social groups, civil rights.*

INTRODUCTION

The meaning of freedom of speech is to appeal to other people and at the same time have some support, a foundation. A person's speech, in order to have value for him, must have the potential for perception. Without this, freedom of speech, at least for some, is freedom without its special value. So, for example, Robinson Crusoe had absolute freedom of speech, but without the presence of an audience, listeners, this opportunity seems shaky,

losing its significance. This is due to the fact that there is no feedback, reaction coming from listeners, dialogical forms of interaction.

What exactly this implies remains to be determined. First of all, it is necessary to fulfill the condition that a convincing view of freedom of speech should address the question of real opportunities to speak out.

In general, four criteria have been developed by which it is advisable to evaluate existing theories of freedom of speech:



Figure 1. Criteria for evaluating existing theories of freedom of speech (compiled by the author)

LITERATURE REVIEW

The famous consequentialist argument of John Stuart Mill [1] in favor of freedom of speech states that its purpose is to make our views and opinions on controversial issues more reasonable; only thanks to their susceptibility to challenge and criticism, these opinions can be clarified and improved and progress will be made towards the discovery of the truth.

The democratic defense of freedom of speech, first considered by A. Meiklejohn in 1948, draws attention to how the dissemination of ideas in the public culture of society is connected with the exercise by citizens of their democratic role in assessing political activity and helping to determine state policy the right direction.

As with other approaches, the argument takes several forms. The post [2] asserts that citizens cannot reasonably consider themselves the authors of the law if they had no real opportunity to influence the course of public discussion.

The theory of autonomy of freedom of speech can be presented in different ways - as a procedural theory based on listeners, as, for example, in Scanlon's work, or as a meaningful ideal.

K. Edwin Baker [3], for example, presents a meaningful speaker-oriented point of view that considers the possibility of speaking as related to the ideal of self-governing life.



RESEARCH METHODS

It is advisable to carry out a critical analysis of classical theories. Currently, there are three classical theories of freedom of speech, which are evaluated according to the four criteria mentioned above.

Freedom of speech is a necessary tool for achieving these goals. While Mill's consequentialist argument may explain the peculiarity of freedom of speech in comparison with other freedoms more generally, its scope will be limited to cases where it is a question of achieving more convincing views or at least, improving deliberative abilities. However, in many cases, the conditions under which these two goals are realized are associated with relatively strict regulation of speech, excluding, for example, fake news or the transmission of culturally orthodox views. In other words, what makes freedom of speech special can often be better achieved by regulating rather than protecting certain forms of speech.

When the aspect of strictness is considered, it seems that, based on Mill's consequentialist argument, speech, such as that in which the dignity, honor of other people, their internal moral and spiritual principles, religious attitudes are affected, should not enjoy protection, if it exists at all. Conversely, although it is difficult not to agree that speech about controversial social, political and related issues in which people seek to improve their views deserves high protection, other intuitively valuable ways of speech seem to go beyond the consequentialist argument [4].

For example, ritual speech within a closed religious organization concerns the ultimate issues of truth and meaning, but as for the adherents of religion, these issues have already been resolved. If such speech is of high value, its source cannot be its contribution to the open and critical process of discovering the truth.

Consequentialism assumes that human well-being is regarded as valuable not in itself, but as an element of more, the property of society [5]. This means that neither the interests of the speakers nor the interests of the listeners have an independent weight apart from calculating the overall utility for the community to which they belong. In a democratic society, this is most fully manifested [6].

As for the ability to speak – the last criterion, the consequentialist theory is silent about this. With a more balanced interpretation of Mill's argument, perhaps an argument could be made that individuals deserve substantial opportunities to develop their deliberative abilities, but this would be a teleological goal, not a matter of law. And, in any case, this argument does not seem to guarantee such opportunities for those whose speech will do little to form more convincing or correct views.

A person uses speech when discussing his goals and aspirations with others, and, of course, in the implementation of independently selected projects, in cooperation with others. Moreover, speech is a means by which a person communicates his thoughts to others and ponders the answers received. If autonomy is interpreted as a substantial ideal, then it is not

difficult to understand how it can demand that individuals have the opportunity to express themselves fully, and not just formal freedom of speech.

But according to other criteria, the autonomous approach is less clear. Firstly, the ideal of individual autonomy opposes that people should be obliged or influenced by others in any area of their lives, so freedom of speech does not represent any special feature in this theory.

In general, there is no categorical difference, that is, between the restriction of autonomy, which does not allow the speaker to communicate his views to others, and other types of restrictions on autonomy, such as restrictions on freedom of movement or freedom of religious conscience [7]. At the same time, some forms of particularly valuable speech do not seem to involve each of the substantially autonomous agents. The ceremonial speech of religious adherents, which was mentioned above, is an example of this.

So are the inflammatory speeches that the audience hears from speakers at political rallies, or at least the instinctive reaction of the audience. As in the previous example, it can be argued that this kind of speech is especially valuable, even if it does not seem to be an example of autonomous activity.

The autonomous approach is also subject to the problem of internal balance. Phenomena such as hate speech and pornography infringe on the autonomy of those they are aimed at. Thus, it is necessary to make a choice between (and judge the significance of), on the one hand, limiting the autonomy of potential speakers in order to protect the autonomy of listeners (including third parties), or, on the other hand, protecting autonomy. speakers with a known consequence of infringement of the autonomous interests of listeners. This is an internal balancing act, which was mentioned earlier, when the same basic value stands both for and against freedom of speech.

CONCLUSION

Thus, the exercise of political power is illegitimate if citizens have not had the opportunity to express their opinion, to speak out against possible laws and proposals. In a democratic society, speech should be interpreted in a relatively broader sense, including not only official political speech, but also literature and art, cultural commentary and social criticism.

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