

Freedom of Speech and the Myth of Empiricism

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In his 1994 book Freedom of Speech: Words Are Not Deeds, Harry M. Bracken, renowned American philosopher and friend of Chomsky, opposes empiricism and rationalism as the sources of competing approaches to the issue of freedom of speech. In his view, while freedom of speech flourished within the framework of Cartesian-type theories (Pierre Bayle), it was undermined within empiricist-type theories (John Locke). This is because the dualisms: mind/body and talk/action that entail distinction between subversive but private thoughts and subversive actions lie at the core of Cartesianism but are totally absent from empiricism. The aim of the present paper is to verify Bracken's thesis by setting it against contrary textual evidence and recent research by Peter Anstey, Anna Wierzbicka and others.

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In his 1994 book, *Freedom of Speech: Words are not Deeds*, American philosopher, Harry M. Bracken (1926-2011) traces the sources of the First Amendment to the US Constitution.

The text of the First Amendment (1791), the part of the Bill of Rights that guarantees the freedom of expression, religion and assembly, runs as follows:

Amendment I. Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

John Locke is often said to be “the” philosopher of the American Revolution, but the principle of the freedom of speech, Bracken claims, is not Lockean but Baylean. However, Bracken cannot prove Pierre Bayle’s direct influence on the Founding Fathers. Instead, he suggests that “Madison, as a (the?) major influence in the drafting of the First Amendment, inserted the absolutist free-speech clause