



## Speaker's corner: A comment alongside Essed

Martin Parker

On the north-eastern edge of Hyde Park in central London is a place called 'Speaker's Corner'. Since the mid 19<sup>th</sup> century it has been a place which symbolizes free speech, the ability to express opinions fearlessly, to stand on a box and shout the truth to the people. And the crowd which gathers every Sunday to listen can shout their opinions back again, frothing at the mouth with fury, laughing at the lunacy, tutting in English disapproval, or quoting the bible with staring eyes as they maintain that the world is going to hell.

The British judge, Lord Justice Sedley, in his 1999 decision in a court case concerning some evangelical Christians preaching in the street, decided that:

Free speech includes not only the inoffensive but the irritating, the contentious, the eccentric, the heretical, the unwelcome and the provocative provided it does not tend to provoke violence. Freedom only to speak inoffensively is not worth having. What Speakers' Corner (where the law applies as fully as anywhere else) demonstrates is the tolerance which is both extended by the law to opinion of every kind and expected by the law in the conduct of those who disagree, even strongly, with what they hear. (*Redmond-Bate v Director of Public Prosecutions*, 1999)

There is a Speaker's Corner in the Netherlands too, the 'Spreeksteen' in the Oosterpark in Amsterdam, and it has hosted speakers from the far right, no doubt people who felt entitled to express their racism.

On the day that Philomena Essed spoke at Copenhagen Business School I was asked to respond. This short piece is a version of my response on the day to her arguments about the intersections between everyday racism and the right to speak. It seems apposite then to begin by asking 'who speaks' in this essay?

Perhaps it's me. Martin Parker, a free individual with the right to speak. At Speaker's Corner, and by extension the rest of England and perhaps the Netherlands and Denmark too, I am entitled to say what I want, as long as I don't provoke violence. This is my privilege, my due, my birthright. I have the liberty, licence, dispensation, leave, warrant to say what I want. I have an exemption, an immunity, an indemnity. I have been given permission, as a citizen of this place, this democratic country. Who are you to stop me?

And there is the paradox, because all these words suggest that my freedom to speak is granted by someone else. My 'right' to say what I want depends on a social context, on an agreement embedded in customs and laws. My rights are not simply mine, but they depend on others. Indeed the etymology of right comes from ideas about governance – as in the right of kings, divine right and so on. It derives from *regula* in latin, 'a straight stick' (in English still also called a 'ruler') and in turn from an old indo-european word for movement in a straight line. A body that moves through space in one direction, in a line, without deviation. In *De rerum natura*, written some 17 centuries before Newton, Lucretius had suggested an original state of being in which the universe was populated by many objects travelling in parallel straight lines through infinite space (1951: 60 *passim*). Is this what the entitled imagine they are? Self-propelled atoms, ruled by themselves? Not affected by the opinions of others? Allowed to stand on a soapbox and shout their opinions to the birds?

That being said, there is something really important about Speakers' Corner, and I don't want to suffocate it by being clever. The power of the idea of free speech, however offensive, is related to some much wider senses of freedom too. If I can say what I want then it implies a freedom from coercion, from the arbitrary excesses of kings, sovereigns and their lords, popes and their hypocritical clerics. People were burnt at the stake for their beliefs, crushed under huge stones, had their tongues cut out. This is why liberty matters, and it is not an idea that should be swept away in the name of avoiding offence. As Isiah Berlin expressed it, this is 'positive' liberty, the freedom to practice your religion, to trade, to hold dissenting beliefs, to be a protestant, to vote for who I want to (Berlin, 1969). To say that this is a human right, that we are all humans and that we all have the same rights, is a powerful idea. So free speech seems to be a really important element in liberal democracy, related to ideas about individuals and their capacities to dissent, to be critical of an established order, even to criticize the idea that free speech does not mean that you can say whatever you want. The very idea of a critical essay on 'entitlement racism' requires the entitlements that it argues are racist.

This might seem like a paradox, or a criticism, but it isn't. This is largely because the term 'free speech' is not a description of social ontology, or of law and justice, or even of everyday practice.

Ontologically, what we know (in our age of the 'social' sciences) is that we humans are indivisible. What we understand as being human is always collective, relational, entangled. Individuals are never islands, they never move in straight lines, unaffected by the fashions and opinions of others. Language, money, markets, cities, organizations, subjectivity, identity and are all co-produced, made together in exchanges of meanings and materials. Ontologically then, since rights are produced by collectives of human beings, they are also relational, never absolute, never simply mine but always ours.

Practically, rights have never been absolute anyway. The rise of the language of rights is parallel to the language of law, of the restriction of rights under specified conditions. The idea of rights is intimately connected to the nation state, to a mode of governance over a territory which monopolizes the means of violence, as well as the conditions for speech and silence. This could include the termination of life, or curtailing freedom of movement, and of course the freedom of speech in the case of libel, treason or hate speech. In fact, you are not actually free to say anything at Speaker's Corner. People have been arrested for obscenity, blasphemy, inciting a breach of the peace, or even insulting Her Royal Majesty the Queen of England. Silly old woman.

But we don't even need social ontology or a history of the nation state to make this point. In everyday terms, we almost always adjust what we say and do to prevent offence or present a good image of ourselves. Absolute truth telling is not an obligation, which is why we have the concept of the white lie, or the very many strategies which are used in polite conversation to avoid offence. If asked whether a particular piece of clothing makes the wearer look fat, or if a present was appreciated, it is a good idea to respond with some regard for the sensitivities of the person asking the question. If you don't, you won't have many friends.

In many ways then, the abstract idea of 'freedom of speech' is always qualified, the speaker is always cornered. Indeed, the phrase is a sort of oxymoron because any speech requires agreement on the form of life – language, institutions, custom – that allows any speech to make sense. Speech is always collective, a relation. It always has a speaker who modifies their address in the anticipation of the response of a person or group. And all the people in this relation have genders, sexualities, ethnicities, ages, body shapes as well as Judith Butler's 'endless and embarrassed' etc (1990: 143). Importantly also, given that Philomena Essed's talk was delivered in the hallowed halls of a business school, speakers often speak from or through

institutional positions – as politicians, scientists, employees, journalists, managers, artists, academics, managers, trade unionists, citizens, dentists and airline pilots. In short, all speakers and listeners are always already located, embedded, entangled.

Freedom, in the sense that it is used by those who demand their entitlements, implies the idea of a sovereign individual, someone self produced, standing on a wide open plain, shouting their opinions to the wide world with no fear or favour. You have no right to stop me! It's an attractive conceit, in a way, but (as the English metaphysical poet John Donne put it) no man is an island, we are all part of the main. And many people are not men.

So, lets ask again, who speaks in this piece then?

Me, Martin Parker. Man, heterosexual, middle aged, middle class, cisgender, white British, professor. That person often demands the right to speak. Indeed, that person has more rights than he knows what to do with. Where to eat, where to go, where to work, what to write, what opinions to express. Smugly, and ignorantly, he is the King of History, and he demands the right to say things that many people tell him that he cannot (Parker, 2001; 2018). But of course he is actually someone located in history, in the institution of the university, in the rich cowboy town of the Business School. Any rights he has have been granted to him by institutional locations, which means that his rights are not 'his'. Rather they are assumptions located in his station, in the fertile intersections that make his demands to speak so immodest, so demanding.

And so here, at last, I begin travelling alongside Philomena Essed's complaints. The defence that 'it is my right to', would be better expressed (ontologically, legally, practically) as 'do you grant me the right to?', because if you do not, I have no right. There is no right. Its just a way of making demands, of insisting on doing something that someone else might not want you to do. As if human beings were like atoms with the right to carry on going in a straight line, regardless of who they bump into, what collisions and what hurt they produce.

Now this isn't to say that 'Martin Parker' won't sometimes cause offence, or take offence, because speech is always potentially political, in the sense that it involves claims that can be contested. Following Chantal Mouffe (2013), the different interests of participants in any context are what produces the inevitability of 'the political' as the ground of social life. I will sometimes disagree with Philomena Essed, that is inevitable, but I will not do so because I am entitled to do so. Rather, the question should, I think, be posed in a different way. Who do I ask about my entitlements? How do I ask about my entitlements? How can we begin to speak

about 'our' entitlements? And, finally, what sort of institutions and relations might help us have these agonistic conversations?

Michel Foucault puts this in quite similar ways, when describing his enquiry into the Ancient Greek concept of *parrhesia*, fearless or free speech, truth telling. Foucault steers clear of celebrating the individuals or societies that engage in that speech, and indeed into the nature of 'truth' itself, but instead positions his enquiry as one into a specific 'problematization'.

Who is able to tell the truth? What are the moral, the ethical, and the spiritual conditions which entitle someone to present himself as, and to be considered as, a truth-teller? About what topics is it important to tell the truth? (About the world? About nature? About the city? About behavior? About man?) What are the consequences of telling the truth? What are its anticipated positive effects for the city, for the city's rulers, for the individual, etc. And finally: What is the relation between the activity of truth-telling and the exercise of power? Should truth-telling be brought into coincidence with the exercise of power, or should these activities be completely independent and kept separate? (Foucault, 2001: 169-170)

These, it seems to me, are the sorts of questions we should be asking about the entitlement to speak. They are not questions about rights, but about the institutions and relations that produce the conditions for our speech, both mine and that of Philomena Essed. Because the alternative to making rights relational is just to continue to assume it's just about a speaker, on the corner, me, entitled to say whatever the fuck I want.

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