

Christianity and Censorship:
An Examination of Free Speech and Christian Responsibility
in America

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As the Evangelical movement invades the American political process, the demands of day by day law-making and the precise extent to which moral values can be publicly supported requires careful thought. The Christian is torn between a commitment to protect his family from the impositions of a grossly immoral society and his loyalty to the pluralistic political society which protects his freedoms as well as those of his spiritual enemies. One of the areas he must address is that of censorship, which has traditionally been one of the cutting edges of a free nation.

In examining the rights of liberty as they relate to the responsibilities of individuals to the public good, the ideas on which freedom in American is based must be examined from both their Christian and secular roots. The modern concepts of political liberty and freedom of speech have their direct source in the Puritan revolution of the mid-seventeenth century, and from this period John Milton's *Areopagitica* represents the most advanced thinking on the subject at hand. The Enlightenment which followed after the Puritans gave a secular base to many Puritan ideas, as Locke is often credited with political theories developed by James Harrington. The best developed defense of free speech and action on the secular base is that of John Stuart Mill. Hence, Milton and Mill shall be contrasted and related to the dilemma of modern American culture. The focus will be: Is freedom of speech really a right to broadcast pornography openly over the public air waves or sell pornography openly in convenience stores? If such protection is not warranted, where must the lines be drawn?

John Milton addressed his work to the English parliament which followed the execution of King Charles I. The parliament, which was predominantly Puritan, had initially allowed freedom of the press as a liberty which was completely denied by Charles. Once the works of those opposed to the Puritans became widely circulated, however, the parliament imposed a very strict licensing law on all books, tracts, or pamphlets printed on any press. The books of any author in England or imported work needed governmental approval for distribution. Against this practice Milton wrote the *Areopagitica* in 1643.

Milton's first reason against licensing was that it never could accomplish what it was meant to do, which is restrain evil. Second, it will necessarily result in the blunting of learning. Milton writes:

It will be primarily to the discouragement of all learning, and the stop of Truth, not only by disexercising and blunting our abilities in what we know already, but by hindering and cropping the discovery that might be yet further made both in religious and civil wisdom.¹

Milton follows this warning with a brief assurance that both church and government should have "a vigilant eye how books demean them selves as well as men," and he suggests repression is appropriate in these cases of "demeaning" works. He proceeds to describe the soulfulness of books, which makes them too important for blanket censorship, but also too important for complete license, "For books are not absolutely dead things." That books are an extension of the human soul is a unique contribution by Milton, and implicitly biblical:

... unless wariness be used, as good almost kill a man as kill a good book. Who kills a man kills a reasonable creature, God's image; but he who destroys a good book, kills reason itself, kills the image of God, as it were in the eye. Many a man lives a burden to the earth; but a good book is the precious life-blood of a master spirit, embalmed and treasured up on purpose to a life beyond life . . .

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Censorship then is reckoned by Milton as a kind of "homicide . . . sometimes a martyrdom." The poetic imagery of Milton should not obscure his point, that because men are valuable as made in the image of God, their creative works, right or wrong, have a significance beyond mere paper and ink. Thus he speaks of licensing or censorship as an execution that "ends not in the slaying of an elemental life, but strikes at that ethereal and fifth essence, the breath of reason itself, slays an immortality rather than a

life."

Milton proceeds then to describe a brief history of censorship reaching its height under the Inquisition and the Imprimatur --a Catholic licencing method. He devastates the parliamentary practice by pointing out how they have gone beyond even the ancient's laws to model England after the Catholic Inquisition! He defends free access to books biblically by appealing to the pagan learning of men like Moses, Daniel, and Paul. Then Milton reaches back into church history when Julian the Apostate forbade Christians the learning of heathens because, he said, they wound us with our weapons, and with our own arts and sciences they overcome us."³ The point is that books by Christianity's opponents should not be suppressed but refuted. "Knowledge," Milton asserts, "cannot defile, nor consequently the books, if the will and conscience be not defiled."

Milton sums up his argument with an examination of true virtue. True Christian virtue is that which is tested. Milton applies to learning what Luther learned in a monastery, that evil cannot be blocked out through seclusion or walls. Milton argues:

I cannot praise a fugitive and cloistered virtue, unexercised and unbreathed, that never sallies out and sees her adversary, but slinks out of the race, where that immortal garland is to be run for, not without dust and heat. Assuredly we bring not innocence into the world, we bring impurity much rather; that which purifies us is trial, and trial is by what is contrary . . . Since therefore the knowledge and survey of vice is in the world so necessary to the constituting of human virtue, and the scanning of error to the confirmation of truth, how can we more safely, and with less danger, scout into the regions of sin and falsity than by reading all manner of tractates and hearing all manner of reason? ⁴

Milton responds to accusations that freedom would lead to heresy by answering that this is the reason the Catholics forbid the Bible to laymen. All religious material, including the Bible, can be a heretical source. Another charge that other books are vain, or wasteful, or not to be exposed to, Milton answers that such books are not temptations or vanities, but "useful drugs and materials wherewith to temper and compose effective and strong medicines." Virtue is stronger when tested.

Censorship of books leads to censoring everything else in life, says Milton, which "makes us all both ridiculous and weary," then frustrated, because evil will not go away. Christians should use positive means of persuasion, not negative. These include virtuous education, religious and civil nurture, because these are things more powerful than all licensing. The secret of good government according to Milton, is the ability "to discern in what the law is to bid restraint and punishment, and in what things persuasion only is to work." He concludes that since governments could never have censors expert enough to judge the merits of books, it is an area better left alone. Licencing and broad censorship power is not the prerogative of government, but falls to the power of the church to war against by virtue and reason, all persuasive means, but none by force.

Two hundred years after Milton's essay, American philosopher John Stuart Mill wrote his essay On Liberty. Mill, a complete secularist, builds a detailed argument for as much freedom as possible. Mill's views are accepted by most Americans today without question, and even the less educated often mimic his central points without knowing their source. Milton's work has not so pervaded society, not even the Christian sub-culture. The differences between the two men are vast and important.

Mill's philosophy is entirely utilitarian. Utility for Mill is the "ultimate appeal on all ethical questions." He adds, however, that this "must be utility in the largest sense, grounded on the permanent interests of man as a progressive being."⁵ Mill's view is secondly elitist, as the rights of freedom are not for all men, but those who live in an educated, civilized society. He writes:

Liberty, as a principle, has no application to any state of things anterior to the time when mankind have become capable of being improved by free and equal discussion. Until then, there is nothing for them but implicit obedience to an Akbar or a Charlemagne, if they are so fortunate as to find one.⁶

Mill's attack on Jefferson's doctrine of inalienable rights is complete, because for Mill the rights of freedom must be earned through progress and education. The two issues of utility and elitism are the focus of the contrast between the two men, and stand at the heart of all secular-religious political discussion. That Mill rejects an "idea of abstract right, as a thing independent of utility" is central for the Christian's understanding of the censorship issue for the modern world.

Because Mill rejects absolute values and with them "inalienable rights," his ethic with regard to free speech is rooted entirely in self-interest. Mill states:

. . . the sole end for which mankind are warranted, individually or collectively, in interfering with the liberty of action of any of their number, is self-protection. That the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others.⁷

This is echoed in the modern cry of independence, "I'm not hurting anybody!"

For Mill, the right of free speech is limited to modern democracy, and even in that state is based on trade-off promises. Rights are limited to how well men can bargain for their self interest with others. It is nothing more than an agreement to tolerate another's pursuits to protect one's own. This explains why Mill contends that morality in a given culture is simply that which belongs to the "ascendant class," from which "a large portion of the morality of the country emanates from its class interests, and its feelings of class superiority." The rising class is in a position to gain for itself better trade-offs in the bargaining for rights and the establishment of moral values. Mill clearly believed that a public morality was acceptable if it did not invade an individual's private actions. He writes:

There are many acts which, being directly injurious only to the agents themselves, ought not to be legally interdicted, but which, if done publicly, are a violation of good manners, and coming thus within the category of offences against decency. . .

This is important for the censorship issue, because even Mill accepts that indecent behavior can be rightfully kept out of public view. It is helpful to keep in mind here Milton's acceptance of a limitation on works which are "demeaning." In concluding Mill's secular point of view, the basis of limitation is 1) Harm to others, and 2) an offence against public morality performed in public.

In contrasting Milton and Mill then, a central difference is the basis of their positions on freedom. Milton's concern for the free press is rooted in man's worth as a creature made in God's image, and his work being an extension of that image. Mill sees freedom as a bargain for rights between civilized and sufficiently educated men. Cal Thomas points out that Milton's position would apply to "each man in his own lifetime." Because the Christian world view is rooted in eternal values, the rights of man are not only for progressive westerners, but for all men under totalitarian governments of the right and left. Thomas states:

Christianity teaches that our moral duties carry eternal significance beyond the goals of any nation or state. "Loving one's neighbor as one's self" by letting him say or do what he wants often forces us to sacrifice our own personal and social benefits. But Christianity's success is not dependent on our own happiness or even on its political triumph. If it were, then spiritual freedom would not extend to the citizens of totalitarian nations (Mill's barbarians). Political freedoms

compliment the message of the Gospel, but man can have eternal freedom without them. This position is more consistent than Mill's, because it applies to both the powerful and the powerless.⁸

Clearly then the Christian need not stumble politically over the American doctrine of free speech, but embrace it as a Christian value stemming from man's creation as a moral agent free to choose his own path. The Christian position then most consistently allows for a whole range of freedom in the realm of ideas. The external moral base also maintains a balance of restrictions when freedom becomes license and harms collective society and the individual.

Moving on to specific issues then, the problem of pornography in modern American culture will serve as a focal point for the somewhat theoretical presentation made so far.

When the mayor of Pittsburgh wrote magazine dealers recently, asking them to voluntarily withdraw Hustler magazine from their stands, the ACLU sought and obtained an injunction against the mayor.⁹ The claim was that the letter would have a chilling effect on free speech. This kind of reasoning has dominated free speech discussion in recent years. Is this legitimate with respect to constitutional provisions of free speech? Is this what is meant by America as a pluralistic country?

Richard John Neuhaus warns that keeping all religious values out of legislative or legal action will destroy the democratic, pluralistic society that license claims to serve. He distinguishes the traditional view of pluralism from the modern form which has eliminated morality out of all policy questions. He writes:

I am further persuaded that what is popularly called pluralism is closely related to what is properly called decadence. . . .

I mean, rather, what might be called radical pluralism or total pluralism. It is sometimes called moral pluralism. In its extreme form it denies the possibility of a shared world of moral discourse.¹⁰

Neuhaus defines three forms of decadence, the first being the liberationist form. This form relates directly to free speech as it seeks to find freedom through the continual breaking of traditional rules or norms. The problem for the liberationist is that American society gave in to it so quickly, it has had to increase the severity of its immorality to remain true to its maxim of liberation. Neuhaus states:

It is not easy to be avant-garde when the old guard is in disarray. To sustain the possibility of the claim that one is defying restraints one must go in search of "last taboos" to be defied. Thus the fascination with incest. Thus the professor of English who applauds as a signal of liberation a Hustler magazine cartoon which depicts a doctor copulating with a fetus from a late abortion.¹¹

This explains the continually downward spiral which has occurred and can be seen now in television as it was in films ten years ago. Each year presses the claim a little further. Indeed, the X-rated film's most popular and persistent theme in the eighties is that of incest. One can only wonder what could be next. As Neuhaus points out, "such decadence does not challenge this rule or that, but the very idea of rules."

The question of "harm" is a necessary point of discussion as it is obvious that pornography does harm individuals, society, and even civilization as a whole. John Court, a Christian psychologist and expert on the effects of pornography, brings Mill's overlooked restrictions on freedom to this problem. First, Mill said that children should be protected. What might this say about openly displayed pornography in stores, the wide availability of pornography (even on street vending machines), cable-TV, and the positive portrayal of incest in "adult" films? Second, Mill said that:

. . .the only freedom which deserves the name is that of pursuing our own good in our own way, so long as we do not attempt to deprive others of theirs, or impede their efforts to obtain it.

(Emphasis added.)

This principle can be related to open displays, violent-sexual themes in advertisements, the increase of sexual crimes, and other ways pornography cannot help but touch everyone's life. The problem is that Mill's definition of harm when used today is essentially restricted to direct physical harm. Court emphasizes the need to speak to issues of psychological and moral harm, for which there is abundant clinical evidence. The "therapeutic" use of pornography is simply a myth.¹² Crime is only one factor, as perhaps a more widespread tragedy is the loss of love in relationships and the warped, stunted sexual growth of people who use pornography. Court states:

Pornography, in so far as it denies the need for human relationships and emphasizes isolated sensual feelings, appeals to those whose sexual maturing process had been thwarted or distorted. Moreover, for those who have failed to mature and cannot see what sexuality could be, the idea of sex-in-relationship produces anger and frustration. This colors their sexual fantasies such that a wish to hurt and be hurt becomes a common theme.¹³

The case for real harm to the individual and then to society at large is not hard to make. The dehumanization of women is for women a terrifying reality. Is this reason enough to censor? This seems to fall well under Milton's rule of censoring "demeaning" works. What is more demeaning than pornography? Hence the Christian view clearly has no problem applying strict limitations on pornography, and has every reason to ban it. Free speech, like all other constitutional rights, is not absolute. Such restrictions include shouting fire in a public theater, incitement to riot or overthrow the government, breaches of national security, or libel.¹⁴ The last 25 years have seen the courts radically weaken limits on indecency and pornography. Even nude dancers in bars were protected by free speech provisions since they were trying to "communicate" something. One way that Mill's work might help is his belief that since a man should be free to do anything with himself in his own home, he may also freely entice another (adult) to do the same thing. He claimed that, "whatever it is permitted to do, it must be permitted to advise to do." Mill's next provision leaves room to cut out the pornographers, because according to Mill:

The question is doubtful only when the instigator derives a personal benefit from his advice; when he makes it his occupation, for subsistence or pecuniary gain, to promote what society and the State consider to be an evil.¹⁵

Hence the profits made in pornography exclude the profiteers from free discussion as a "private matter." Since the pornographer makes money by exploiting a man's weakness of the lower passions, his objections to censorship are not binding. The problem today, of course, is that Mill's expression "evil" is left out of the discussion. As Neuhaus points out, "Conflicts over values are viewed not as conflicts between contending truths but as conflicts between contending interests."¹⁶ He gives an example of a New York State law against child pornography which had to state in the law that it was based not on religious or moral principles, but psychological recommendations, in order to avoid a suit by civil libertarians. In modern America, society is not allowed to even consider something "an evil." As Christians come to participate in the public arena, they must raise the level of discussion to include the moral dimension. It has been demonstrated that there is no philosophical basis, secular or religious, for the protection of pornography, yet Americans are told by the legal and media elite that it is necessary to preserve free speech. This is simply not the case, and Christians must continue to bring the real harm done by pornography to the public mind.

While waiting for the public consensus to form and legislators to get the political courage to act, Christians can act now to keep things from getting worse. Legislators must be forced to take positions on the availability of pornography. Many laws that exist are not enforced, and others, such as "display"

laws, are legal on principle but often not legislated. Recently, Christian groups of varying denominational backgrounds joined to boycott and picket 7-Eleven stores which make big business on pornography.¹⁷ A very dedicated group in Pennsylvania picketed daily for eight months a pornographic bookstore, forcing it to close.¹⁸

On the positive side, Christians need to speak up for the dignity of man and the human dimension in the arts. Pornography is not art, but a vice-oriented business. Art is meant to give pleasure, but certainly not to mere animal passions, for this would be to make a man less than what he is. Jesuit writer Harold Gardiner states well that "the reasonableness of the pleasure resides in the fact that art appeals to man as man, and not merely to man as an animal."¹⁹ Therefore, believers need to support that which is good and value-affirming and restrain themselves from financially supporting that which degrades the dignity of man. The dollar is the strongest force in determining the nature of the product. The more the culture at large is made aware of what the arts can be, they will more readily agree that pornography is not art, nor deserves any kind of legal sanction.

In conclusion, censorship of ideas, books, or human works, is as a rule not a Christian practice because men have worth and this is the age of God's "weakness," and one of moral persuasion. Both Christian and secular moral philosophy agree on free speech though the Christian basis for toleration is stronger. There are limits to freedom, however, when societal and human responsibilities make demands for restrictions based on genuine harm. Harm is not abstract, nor always physical, and virtuous men can make determinations on what is or is not harmful. Pornography is not an idea nor a true reflection of humanity in its fullness, and as a result has no place in a civilization that values its own preservation. Free speech and a free press are expressions of man as man, but pornography demeans and attacks the very dignity of man on which these freedoms are built. It is the thoughtful Christian's position on these issues that balances freedom and responsibility. Real solutions are on the horizon if believers remain true to these principles.

Endnotes

¹ John Milton, *Areopagitica*, Great Books of the Western World, 32 (Chicago: Encyclopaedia Britannica, Inc., 1952), pp. 383-84.

² Milton, p. 384.

³ Milton, p. 388.

⁴ Milton, p. 391.

⁵ John Stuart Mill, "On Liberty" in *Great Political Thinkers: Plato to the Present*, ed. William Ebenstein (New York: Holt, Rinehart, and Winston, 1969), p. 569.

⁶ Mill, p. 569.

⁷ Mill, p. 568.

⁸ Cal Thomas, *Book Burning* (Westchester, Ill., Crossway Books, 1983), pp. 38-39.

⁹ Richard John Neuhaus, "Law and the Limits of Pluralism," *Christian Legal Society Quarterly*, 5, No. 1 (1984), p. 34.

¹⁰ Neuhaus, *Quarterly*, p. 14.

¹¹ Neuhaus, *Quarterly*, p. 16.

¹² John H. Court, *Pornography: A Christian Critique* (Downers Grove, Ill.: InterVarsity Press, 1980), pp. 76-77.

¹³ Court, p. 64.

¹⁴ Henry J. Abraham, *Freedom and the Court* (New York: Oxford University Press, 1967), pp. 125-26.

¹⁵ John Stuart Mill, *On Liberty*, Great Books of the Western World, 43, (Chicago: Encyclopaedia Britannica, Inc., 1952), p. 314.

¹⁶ Richard John Neuhaus, "The Naked Public Square," *Christianity Today*, October 5, 1984, p. 31.

¹⁷ Steve Rabey, "Christian Leaders Take Steps to Combat the Porn Epidemic," *Christianity Today*, October 19, 1984, 0,47.

¹⁸ Neuhaus, *Christianity Today*, p. 85.

¹⁹ Harold C. Gardiner, S. J., *Movies, Morals, and Art* (New York Sheed and Ward, 1961), p. 106.

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