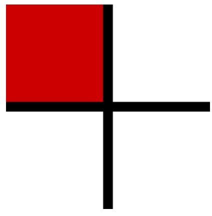

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On Speech, Critique and Protection*

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abstract

This paper addresses the relationship between speech and critique by juxtaposing the ideas of free speech and fearless speech. It is written out of a strong personal belief that the inadequacy of the former mode of speech might well be superseded by the latter as a vehicle for critique. It argues that progressive notions of free speech as the basis for critique are conventionally and restrictively modelled on Athenian public spaces in which speech is neither free nor dialogue an *a priori* social good. In times where the very reality of a 'public space' seems to have been usurped by the interests of various elites, notably those associated with capital, I suggest that critique and social change might be better served by the actions of fearless speech, that is, courage to speak to power in the face of personal danger and out of a strong sense of moral duty. To me, it is in the everyday and embodied act of fearless rather than free speech that a certain kind of politics could be resuscitated from the incapacitating structures of Athenian democracy.

A Postcard from the Edge

I have always found it difficult to tell other people the truth about how I feel for fear of upsetting them (even if they have upset me!). I learned this inequitable emotional economy and its sublimation of true feeling at an early age. Perhaps it was part of my Scottish state education. Perhaps it is a legacy of my family context and my difficult formative years. Who can say? Whatever the case, owning up to feelings of frustration, hurt, anger or disagreement with others, has consistently implicated me in a debilitating fear of the effects of speech that expresses uncomfortable sentiments. I suppose I fear retribution. For me speech is never free. It always exacts costs both in its production and in its effects. In this sense, talking 'truthfully', especially in face-to-face contexts of disagreement, has to a large extent been at the margins of my personal and professional lives. I do not mean to say that I am a liar. I guess I just work through conflicting emotions with the best of intentions. And in academic life, I continue to live with a working fear of committing to arguments that feel emotionally right, but logically destructible. In this piece, I take the potentially therapeutic step of staking a claim in debates about the relationship between speech and critique for the important role of fearless speech. This paper is written out of a belief that rational argumentation

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surrounding the complex relationships between 'speaking and critiquing' is perhaps best augmented by a biographical step in which the speaker takes a risk and confronts power and fear in a very personal way. To me, this feels right, even if it might not logically be right for others. In this way speech and critique can move from the realm of an abstracted 'court' or 'public space' towards the embodied, fearful and contextual practices of the everyday. To my mind, speech and critique will rarely be well served by some liberal progressive notion of free speech and might better be pursued through the personally challenging route of fearless speech.

The Illusion of Free Speech

> 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. (US Constitution, Bill of Rights)

For progressives of many different political persuasions, the idea of the freedom of speech is central to the processes and practices of dialogue and critique that not only bring to light a society's greatest injustices, but can also potentially change them. That speech can be free, and indeed should be free, is a core assumption that forms part of many societies' self-regulating mechanisms, most often codified by a constitution and its political and legal declarations and rights. It is, notionally at least, at the beating heart of politics. Speech and critique are underpinned by the assumed and unqualified good of freedom. The presumption is that democracy and political process and progress are assisted by the protection of free speech. By safeguarding free speech, we are protecting the capacity for a transparent process of critique, instantiated in dialogue and debate, and the possibility for social change.

This is not a view from nowhere. The First Amendment, and similar enshrinements of the freedom of speech in other written and unwritten democratic constitutions, is of course part of the Athenian tradition of free speech. Featured in the earliest writings of Athens (e.g. Thales ca. BC 600), democracy eventually reached its peak in the age of Pericles (BC 450-430), a time during which the creation of the *polis* (city-state or community) and its decision-making structures for the regulation of public life fully flourished (Bowra, 1971; Jones, 1957). Under Athenian democracy, political decisions were transferred from the hands of the few in the assembly, to the hands of the many citizens[1] that constituted the *polis*. Public meeting spaces were created, notably the *agora* (or the marketplace) in ancient Athens, in which decisions were debated and then agreed to by the public. All decisions needed the support and agreement of the public. It was therefore the job of politicians, through rhetoric and through dialogue, to convince the public of the good of a particular decision. In this context then, speech, or the spoken word, become a key instrument of power in the emergence of the *polis*. Prevailing upon the minds of others through language, and through dialogue, became the paradigmatic *modus operandi* of the political system.

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1 It should be noted that citizenship and participation in Athenian democracy was restricted to men of a particular class. It was not open to women or to slaves.

Athenian democracy and freedom of speech eventually disappeared, a short time after the death of Socrates and in consonance with the rise to power of Macedonian controlled oligarchies. Despite this, its *modus operandi* were highly influential in later philosophical and political writings that would shape the purpose and nature of Modern political systems, the emergence of the nation-state system, cultures of rationalism and the creation of public spaces for state-civil society relations. Today we continue to live in the West with the paradigmatic spectre of politics as a public space in which decisions come to be made through dialogue and discussion where all are in principle free to speak their mind and where critique is thereby assured.

I would like to challenge a number of assumptions that are often and unquestioningly associated with the projection of a dialogical model of free speech into a public space. Specifically, these are the ideas that: there is such a thing as free speech; that dialogue is an obvious good in which power relations are disavowed in the search for consensus on certain decisions; and that there is in fact a public space that can be used for the purpose of political citizenship and critique. Principally through the works of Stanley Fish and Paolo Virno, I suggest not only that each of these assumptions is problematic, but also that they conjure up something of a political illusion. For what I see happening in the continuous projection of a dialogical public space based on the freedom of speech is a repression of 'real' politics. To explain, I turn first to the work of Stanley Fish whose 1994 book *There's No Such Thing As Free Speech*, not only makes his stance on the matter of the possibilities of free speech perfectly clear, but whose sub-title (*...And It's A Good Thing Too*) suggests its very undesirability.

Is Speech Free?

As I understand it, one of the key aims of Fish's work on free speech is to take the concept out of the vocabulary of the liberal or progressive left political agenda. Contrary to the assumption that free speech is some kind of independent or universal human value with obvious and already agreed upon content, Fish argues that free speech has, in the context of the US (but one might extend this to other nations too), been deployed in the pursuance of policies that the left finds problematic. To sum up his view, free speech is a political prize, not an uncontested human right.[2]

He develops his argument by suggesting, first of all, that any affirmation of freedom of expression, such as that encoded in free speech, is made possible by *restriction*. He writes:

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2 The work of Habermas on the ideal speech situation is perhaps a more obvious starting point for considering the relationship between speech and critique than Fish and Foucault. Indeed, Fish and Habermas would both seem to share the view that free speech is an impossibility and a political prize, and is perhaps better viewed as a principle in the struggle for democracy. This is of course a different reading of Habermas from the one that many in organization studies seem to propagate according to which the impossibility of an ideal speech situation beyond power renders Habermas naïve and ignorant of the inevitabilities of power. This dominant reading of Habermas is, to my mind, infelicitous. In any case, I have chosen not to cover Habermas in any detail despite his potential centrality to considerations of speech and critique. For the purposes of this paper, my interest lies in the work of Fish and more especially Foucault from whom there is much to learn about speaking critically. I do not feel the need to address Habermas for the sake of covering some notional canon of writers on speech and power.

> restriction, in the form of an underlying articulation of the world that necessarily (if silently) negates alternatively possible articulations, is constitutive of expression. Without restriction, without an inbuilt sense of what it would be meaningless to say or wrong to say, there could be no assertion and no reason for asserting it. The exception to unregulated expression is not a negative restriction but a positive hollowing out of value – we are for *this*, which means we are against *that* – in relation to which meaningful assertion can then occur. It is in reference to that value – constituted as all values are by an act of exclusion – that some forms of speech will be heard as (quite literally) intolerable. (1994: 103-104)

The very value of the freedom of speech has been produced then through negation and through restriction. It is this 'originary exclusion' that gives freedom of speech its meaning. The expression of the value of free speech is already political in the sense that the boundary-work of inclusion and exclusion furnishes its very conditions of possibility. Furthermore, and as with all boundary-work in language, this 'hollowing out of value' takes place against a background in which assumptions are made about what is good, what is desirable for society. As Fish points out, it is this assumed, yet never explicitly articulated good, to which the freedom of speech must accede in times of conflict or contestation. The freedom of speech is not therefore a general freedom, but one that is conditional on its exclusionary terrain of production.

In the US, the freedom of speech is a primary value. In other words, it is one that trumps all other values, although of course this can be tested in the courtroom. In democratic nations that support the freedom of speech, certain restrictions and qualifications of this value have been regarded as a necessary social good. These restrictions pertain in the main to the difficult area of 'hate speech' i.e. racist, homophobic and other forms of language that can be used to incite violence and result in the physical and emotional damage of another human. In Germany, for example, anti-Semitic utterances, especially in the context of the Holocaust, can result in a jail sentence. And in Canada, communication that 'promotes hatred' is outlawed. In the area of race talk in these countries then, there are clear restrictions on free speech. In the US, the freedom of speech is an *a priori* value that cannot, in the first legal instance, be overturned. Although there are anti-hate speech codes in many university campuses in the US, the constitution protects the *principle* of free speech, over the content and *effects* of that speech.

As Fish points out, there are ways to get around this supremacy of the First Amendment based on precisely the distinction between speech and action which the US constitution presupposes. Whilst free speech is upheld as a civil right in the US, the freedom of action (i.e. the right to do what the hell you like regardless of the consequence) is, unsurprisingly, not legally permissible. What can be done to challenge the supremacy of the First Amendment in court is to manipulate the distinction between speech and action by suggesting that, to paraphrase Fish,

> some forms of speech are not really speech because their purpose is to incite violence or because they are, as the court declares in Chaplinsky v. New Hampshire (1942), 'fighting words' likely to provoke the average person to retaliation, and thereby cause a breach of the peace. (1994: 105)

The problem that Fish identifies here is not so much one of differentiating fighting from non-fighting words, but of deciding words that will provoke one group (the group of 'average people', to use the legal jargon above) from words that provoke another group

(the group of 'not-average' people). There are three important conclusions to derive from this. First, any idea is an incitement to somebody else and as such, there is no category of speech that can be detached from actions and consequences. Secondly, because the separation of speech and conduct is a fiction, there is no 'uncontaminated' speech for the First Amendment to protect. This is one of Fish's most provocative statements. And third, it gives us access to the insidious politics of free speech, that is, the one in which an unarticulated good is being protected and through which 'real' politics (that is the question of 'whose good' this is) becomes stigmatised. For when courts rule out legislation (say anti-hate speech codes) because it violates the category of protected speech, according to Fish,

> it is not because the speech in question is without consequences but because the consequences have been discounted in relation to a good that is judged to outweigh them. Despite what they say, courts are never in the business of protecting speech per se, 'mere' speech (a nonexistent animal); rather, they are in the business of classifying speech (as protected or regulatable) in relation to a value – the health of the republic, vigour of the economy, the maintenance of the status quo, the undoing of the status quo – that is the true, if acknowledged object of their protection (1994: 106)

And here I think we come to the crux of the reason why clutching on to free speech in an unquestioning way plays into the hands of conservatism. Speech matters precisely because it has consequences, and its consequences can only be understood in the context of community membership and of the collective good that is being promoted or threatened through that speech. This is why to me, speech and critique is a clear matter of protection. What is being protected through speech is the furtherance of a world framed unequally in the interests of particular communities over others, and through the need for others not to question this state of affairs. In other words, it is a protection against a different vision of the world, and a different balance of power. What is called 'freedom' then involves a regime of 'unfreedom' disguised by the façade of open democracy and free speech. This is precisely the point that Fish builds up to in his commentary on free speech (for a critique of some of Fish's position, see later comments from Terry Eagleton). He posits the question of why it is that the US legal system persists with the illusion of free speech when, as suggested earlier, it is impossible. The answer is, and I am in agreement here with Fish, that people do not wish to deal with

> what they correctly take to be the alternative. That alternative is *politics*, i.e. the realization, (…) that decisions about what is and is not protected in the realm of expression will not rest on principle or doctrine but on the ability of some persons to interpret – recharacterize or rewrite – principles or doctrine in ways that lead to the protection of speech they want heard and the regulation of speech they want heard and the regulation of speech they want silenced. (1994: 110)

In this way, politics is paradoxically disavowed by the very concept of free speech. It provides us with an illusory vehicle for critique and change, whilst all the time facilitating a hidden process of inclusion and exclusion.

Is Dialogue An Obvious Good?

Gibson Burrell's (2001) consciously provocative statements on dialogue in an earlier issue of *ephemera* can help build upon the suspicions of the archetypal public space, and its celebration of free speech and communication, begun above. To re-iterate a point from earlier, in Athenian democracy, speech, or the spoken word, is a key instrument of

power in establishing authority and asserting dominance in social matters. This emphasis on language, and its instantiation in public discussion and rhetoric, meant that dialogue came to be a privileged form of communication. This legacy of Antiquity carried on into modern political systems (just think about the communicative procedures of various legislative chambers). Burrell, however, takes issue with dialogue, arguing that it is not "the highest form of human communication" (2001: 19), but is to be regarded with some suspicion. His assumption, it appears to me, is that dialogue cannot be viewed independently of the vectors of power between social groups, and especially class-based groups. Talking in relation to modern rather than ancient times, he makes the quip that

> the crew of the Scientific Enterprise must be silent and keep no record of their own. The luxury of speech and recording is for officers. (2001: 18)

The act of recording speech might historically be viewed as a class-based activity, predicated on the belief that it is only the language and discussions of the elites that are worth recording in the first place. This facet of modern historical recording has resonances in the history of Antiquity with regard to the freedom of speech. Slaves and women in Athens were of course 'unfree' and enjoyed no free speech in the *polis*, and rarely in relation to their masters. Their powerlessness was therefore marked by their lack of voice, their lack of participation in dialogue. By contrast, the free citizens of Athens enjoyed a voice and a freedom of speech not granted to the powerless. Their voice was part of their social and political advantage.

Burrell clarifies then a certain relation between power, dialogue and participation in political processes. As he points out, there is something of a double-edged sword in the relationship between voice and privilege, namely the fact that having a lack of voice can be turned to the political advantage of the powerless. In short 'eschewal of talk' to quote Burrell, or not speaking, can be an important form of resistance for the powerless. As he points out,

> the absence of someone to talk to is a source of great concern to the powerful. They seek named individuals to work upon and against. Where no leaders of the opposition are forthcoming there is a palpable sense of menace felt by the institutionally endowed. (2001: 19)

And this is precisely why contemporary terrorism is such a threat and a great source of fear for national governments. It is hidden, diffuse, unwilling to negotiate, to take part in dialogue. It speaks with a grammar of suicide bombs and death without warning. It does not speak in the 'civilized' grammar of Western dialogue and negotiation.[3] This is what, to me, makes Al-Qaeda so powerful. It will not take part in the dialogical games of powerful Western regimes.

In short, dialogue is not necessarily an *a priori* social good, since it is a tool of the powerful and can never ensue from a level playing field. Perhaps silence and non-talk is

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3 It could be argued that Al-Qaeda in fact does speak to us Westerners. As one of the reviewers interestingly pointed out, the political Islam represented by Al-Qaeda can actually be considered a Western phenomenon, well versed in Western habits. Whilst persuaded of this point, I am arguing more simply here, that its terrorist cells will not engage in the rules and forms of verbal negotiation that often characterise terrorist activity.

a more subversive strategy for those without power. It is not only the ideas of free speech and dialogue that are problematic however. The very idea of a public space, in the manner conceived in Ancient Athens and enshrined in modern political constitutions, is perhaps questionable in the late modern period.

Is There Public Space Any More?

The modern notion of the public sphere is tied to the idea of the public space which the Ancient Greeks were so keen to create as the receptacle for dialogue, free speaking and decision-making. However, the work of Paolo Virno, especially in his (2004) text *A Grammar of the Multitude*, is suggestive of a decline in public spaces in the manner that modernity might have imagined them (of course he is not the only one). Virno's analysis in this book pertains to the contemporary world of a post-Fordist economy increasingly based on abstract intelligence and immaterial signs and its effects on the structures and mentalities of the lives of labour. Pointing to the manner in which the alienation of the workforce emanates from the reduction of life to work, Virno deploys the term 'multitude' to refer to the different kinds of subjective experience produced by the social relations of contemporary capital. Where Virno's discussion of the multitude is most pertinent to this argument is in regard to the ever-changing nature of the relationship between intellect and public space. Accordingly, I suggest that public spaces might be viewed as part of the "special places", as Virno calls them, of "discourse and argumentation" (2004: 36). These special places form part of a 'rhetorical-ethical topography' which, according to Virno, is disappearing in late modern times. The restriction of discourse and argumentation to particular places, like the political notion of public space, has dissolved. Instead, intellect has become a central feature of the multitude, of the subjective experience of contemporary capital, not one restricted to particular places. Drawing upon the Aristotelian notion of *topoi koinoi*, or 'common places', Virno sketches a general or abstract intellect of the multitude based on "generic logical-linguistic forms which establish the pattern for all forms of discourse" (2001: 36). In short, the notion of a public sphere in which argumentation is preserved has dissolved and now it is a matter for all. The consequence of this is that although intellectual discussion takes place more publicly, it no longer unfolds in the kinds of public spaces imagined by the Athenians. Virno refers to this situation as "publicness without a public space" (2001: 37).

Virno is not only suspicious of this development. He is terrified by it. He warns that if this newfound publicness of intellect does not take form in a public sphere in which 'the many can tend to common affairs', then the effects could be terrible. For him:

> The publicness of the intellect, when it does not take place in a public sphere, translates into an unchecked proliferation of hierarchies as groundless as they are thriving. (2001: 41)

Here then the mutability and ever changing forms of community that seem to characterise contemporary life, in markedly different ways from the immediate post-World War Two period, are creating ever shifting hierarchies whose merits and constraints are unable to be checked through a public sphere. There is no point of departure for opposing developments. Virno is not however suggesting that we need a re-newed monopoly of political decision-making for speech and critique, perhaps along the lines of a revisionist or at least re-newed insistence on Athenian dialogism. He says

that some sense of a way forward has to do with "defending plural experiences, forms of non-representative democracy" (2001: 43). Here I read Virno to be arguing for a politics which is not a simple return to state censure.

I think there are two important connections to be made between Fish and Virno concerning the realm of the political. What I think both do, in different ways, is to talk about the manner in which a certain kind of politics becomes suppressed and even stigmatised through human institutions. In the case of the US, the right to free speech provides those in power with a shield against its alternative: real politics and discussions of normative goods. In the case of the contemporary multitude, the abstraction of intellect and the proliferation of hierarchies seem to be another way in which political lines can continue to be drawn without public discussion. The second connection is that neither free speech nor the abstraction or democratisation of intellect, provide the resources to protect ourselves from the 'dangerousness of the world', as Virno puts it. We need to look elsewhere to comfort ourselves from the complex overlapping of fear and anguish that characterise our existence in the permanent mutability of forms of life and the multitude's feeling of not being at home. And it is at this point that a return to Antiquity through the eyes of Michel Foucault commends itself.

Rethinking Free Speech

In the next section I draw on Foucault's lecture series on the Greek concept of *parrhesia* to suggest that 'fearless' speech rather than 'free' speech, in the sense discussed earlier, might be a useful way to conceptualise the relationship between speech and critique in contemporary times. I say this for two reasons. First, because in his discussion of the transformation of meaning of the concept of *parrhesia,* Foucault demonstrates how truth telling shifted from the political realm to the philosophical realm. I think this shift is key in terms of politicising free speech in a different and perhaps more effective way. Second, because this shift towards the philosophical is bound up with the care of the self (Foucault, 1986; 2001), it makes philosophy an everyday practice which draws attention to the potentially greater impact of truth-telling at the embodied, and temporally immediate level of the interpersonal. It thereby underscores the contextual nature of the political, and anchors it in the bodies of the interlocutors. We should not then do away entirely with the notion of speech as the basis for critique. This is what Burrell (2001) seems to do, infelicitously in my view, in encouraging resistance to take the form of silence. Speech can be a basis for critique by embedding it more effectively within the philosophical practices of life, and in the personal dangers and moral duties associated with the confrontation of truth.

The Challenging Reality of Fearless Speech

Fearless Speech (2001) is the title of the posthumously edited and published lectures of Michel Foucault on the concept of *parrhesia*, that is frankness in speaking the truth, or truth-telling. Foucault sets out a definition of *parrhesia* as follows:

> Parrhesia is a kind of verbal activity where the speaker has a specific relation to truth through frankness, a certain relationship to his own life through danger, a certain type of relation to himself

> or other people through criticism (self-criticism or criticism of other people), and a specific relation to moral law through freedom and duty. More precisely, parrhesia is a verbal activity in which a speaker expresses his personal relationship to truth, and risks his life because he recognises truth telling as a duty to improve or help other people (as well as himself). In parrhesia the speaker uses his freedom and chooses frankness instead of persuasion, truth instead of falsehood or silence, the risk of death instead of life and security, criticism instead of flattery, and moral duty instead of self-interest and moral apathy. (2001: 19-20)

Etymologically, *parrhesia* means 'to say everything'. A *parrhesiastes* (the person engaging in *parrhesia*) is involved in speaking 'frankly'. They do not hide what they think or how they feel: they give an exact account of what they have in mind. In this way *parrhesia* involves a relation between the speaker and what they say in terms of *truth*. There are two important qualifiers to this last statement. First of all, *parrhesia* is frequently contrasted in Ancient Greek literature with rhetoric in terms of definition. Whilst rhetoric would often involve a speaker engaging in language to persuade an audience to accept a particular state of affairs whilst veiling their own opinion, the *parrhesiastes* clarifies in language exactly what their view is. There is no veil to hide behind. The second and related qualifier emanates from Foucault's anticipated criticism of this notion that a 'true' point of view can be simply expressed in language, as if truth were so easy to isolate, especially in the context of a certain postmodern skepticism about all truth-claims. Foucault addresses this point by arguing that the latter response involves the projection of a curiously Modern fetishisation of the concept of 'truth' back onto Antiquity. What we are dealing with here, according to Foucault, are different conceptions of truth: a modern truth based in 'evidence', and an ancient form of truth instead based on certain *moral* qualities.[4]

The importance of morality is built upon a further characteristic of *parrhesia* – that it involves *danger*. *Parrhesia* is only possible in contexts of asymmetrical power relations, and is a behavioural facet of those with a relative lack of power. The question of who can tell the truth and in what circumstances is importantly circumscribed by differences in status between speaker and audience. *Parrhesia* involves courage and risk precisely because it is about speaking to power in a situationally specific way. The truth-teller is always less powerful than the one with whom he/she speaks. And even more specifically, the reason that *parrhesia* "demands the courage to speak the truth in spite of some danger" (2001: 16) is because it embraces the function of *criticism*. In short it involves criticising those in positions of superiority and thereby carries a danger of retribution and reprisal.

So why, in the face of danger, but not in the context of coercion, does one become a *parrhesiastes*? For, as Foucault clarifies, the "orator who speaks the truth to those who cannot accept his truth, and who may be punished, is *free* to keep silent" (2001: 19).

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4 Foucault's historicist concept of a Greek truth based on morality and a modern truth based on evidence is contentious. For one, it too easily and too quickly glides over the competing notions of truth that co-existed within Greek philosophy and society. That Antiquity held philosophically different conceptions of truth is spelled out in Martin Heidegger's text *The Essence of Truth*, translated and published in 2002. In this text he delineates a notion of truth as 'the correctness of propositions' and truth as the 'unhiddenness of beings'. Both these views of truth existed in Antiquity. Foucault's distinction oversimplifies the characterization of ideas about truth in the ancient and the modern periods.

The answer lies in the fact that speaking the truth to power is viewed as a moral duty, or a moral obligation: it is part of a kind of ethical subjectivity, associated with the care of self, which emerged in the later period of writings analysed by Foucault (1984, 1986). Rather than basking in the "security of a life where the truth goes unspoken", one forges a relation to oneself as a truth-teller rather than as a "living being who is false to himself" (2001: 17).

To explain, in his analysis of the Platonic dialogue *Laches*, Foucault notes that this new form of *parrhesia* involved creating a harmonious relationship between *logos* (that is one's beliefs, or one's doctrine) and *bios* (one's life). In other words, attending to the manner in which one lives in harmony with the speech that one uses. What is at stake here was not a testing of one's life once and for all, but an ongoing practice. Socrates was regarded as a paradigm for *parrhesia* because of the constant and stable harmony between his principles of intelligibility for being in the world (*logos*) and his actual behaviour (*bios*). This constant harmony made him a truth-teller and provided the basis for others to label and treat him as such and as someone that they could speak to about their problems. This makes *parrhesia* a particular kind of 'ethical substance' (Foucault, 1997) – a way by which the individual constitutes a particular part of himself as the prime material of his moral conduct. As a mode of subjectivation, truth-telling enables the individual to establish a relation to a particular set of social norms and rules and to recognise himself as obligated to put them into practice (Foucault, 1984).

Contexts of Fearless Speech

A further interesting aspect of Foucault's analysis is his account of the different contexts in which truth-telling can take place. These different contexts take the form of different groups of truth-tellers and different practices of truth-telling: in the public domain (using the example of the Cynics), in community life (citing work on the Epicureans), and in individual life and personal relationships (via Plutarch and Galen). These different contexts bring attention to the variety of ways in which fearless speech was practised in Antiquity and might continue to be practised today.

The Epicureans' focus upon friendship and *community* life (instantiated in the work of Philodemus) underscored the pedagogical function of *parrhesia*. For it is the case that pedagogy and truth-telling were crucially related in Ancient Greece. In this regard, the notion of the mutual confession where members of the community would sit with each other and tell the truth about discrepancies in their *bios-logos* relations is an important form of *parrhesia*. Through the mutual confession, salvation is offered by the group and here, we might unpack the similarities and differences between classical, Christian and modern forms of truth and confession.

In terms of the analysis of *parrhesia* in *interpersonal* relationships, Foucault outlines the important role of the truth-teller in helping others to rid themselves of the kind of *philautia* (or self-love) that can often lead to self-delusion and the inability to see how one's logos and bios are out of synch. An important role for the truth-teller is ridding someone else of their self-delusion. This personalised act of truth-telling calls attention to the subject of interpersonal risk, and the embodied qualities and challenges of a face-to-face, verbal attempt to criticise an immediate other.

Finally in *public* contexts, the Cynics provided a number of examples of practices for truth-telling ranging from critical preaching and scandalous behaviour (such as public masturbation) to provocative dialogue. Whatever your view, the importance of the Cynics for me, lies in the manner in which their relations to truth were clearly exemplified in the way they lived their lives and their emphasis on the notion that truth was a matter for all. The reason they believed in such public acts of preaching and provocation was an attempt on their part to take truth-telling away from the legitimation of circumscribing institutions, and to make it available to all citizens of Athens – that is, to 'democratise it' in a particular sense.

Possibilities for the Present?

Foucault's analysis provides a vehicle for thinking through how we might view speech, as a potential tool of the contemporary critic, in alternative ways to those discussed in the first half of this paper. As Foucault (2001) makes clear, the point of returning to Antiquity is not to replicate it, but to think the possibilities for a renewed present through an alternative appreciation of the past. My fear here, of course, is that I just descend into critical clichés. For anyone interested in critical cliché, I recommend Michael Walzer's (2002) *The Company of Critics.* But for what it is worth ….

For one, the consideration of fearless speech as a philosophical form has important implications not only for the critical management studies community, but also for those more widely interested in the relationship between philosophy and management. Beginning with the latter, what the Ancient Greeks offer us is a view of philosophy as a practice of everyday life subtly implicated in our own being and acting in the world. It becomes an endeavour in which we are morally obliged to inspect the relationship between our actions and our words, and to juxtapose our bodies and our speech, with our beliefs and our prejudices. Philosophy does not have to be understood in the predictably and dismissively narrow way of 'bookish acts of criticism' discarded by Parker in his (2002) *Against Management*. We might call this view of philosophy *praxis*, in the sense that it might be said to be constituted by and constitutive of speech acts directed at change (of different kinds and in different contexts). And by the same token, the practice of fearless speech as an embodiment of an ethical relation to self, brings ethics and morality out of the dust-cupboard of academic theorization and into the practices of everyday life.

This emphasis on philosophy as action-in-the-world aimed at change resonates with particular kinds of skepticism about theory and critique in the domain of critical management studies. In his book review contained in an earlier issue of *ephemera* (2001), Warren Smith addresses the question of the relationship between critique and praxis in the context of Thomas Frank's (2001) work on market populism. He dwells upon Frank's comments which position academics and critics as either co-opted by the market, or pre-occupied with internal theoretical and disciplinary disputes, to the (presumable) extent that their resistance to market populism is at best compromised. Smith notes that a typical academic response to our interpellation by the market involves a confession of our 'implicit identifications' with it and a thinking through of the kinds of contradictions this might involve. He rather pointedly challenges Frank with the question of "what are we going to do about it?" (2001: 293). Rather enthusiastically, I would answer, 'let's engage in fearless speech', 'let's tell the truth to

the face of power'. For me, this is an important point of *principle.* It is something I would want to stand for. But let's be clear – its material enactment is something of a bigger challenge.

Is the critical management studies 'community' (I use the signifier fully aware of the tantrums and tiaras which render it a rather heterogeneous collective of people) really prepared to engage in fearless speech, however? The point about fearless speech, is that it is pursued in knowledge of the consequences that might ensue. As an act of courage, it has some idea of its potential material consequences. To what extent do we really take the courageous step of challenging those in power (be it CEOs, government departments, local authorities, multinational corporations, university vice-chancellors) in a persistent and face-to-face manner? Are we and have we been prepared to pay certain material consequences for such actions in the name of moral responsibility? I am not sure that we are really engaging in this kind of criticism, and I suspect that this could reflect a certain unwillingness to live out the material consequences of these actions. It might upset the vectors of power, and material conditions, that allow us to engage in particular forms of criticism in the socially sanctioned context of public university life and to sustain our own lives.

Here the question of historical materialism, and the position of the speaking critic in material structures becomes paramount. This connection between the speaker and their material circumstance is interestingly picked through in some of the work of Terry Eagleton. Of particular relevance to this paper is Eagleton's stinging critique of Stanley Fish's book *The Trouble with Principle.* In this piece, Eagleton critiques the basis upon which Fish comes to the conclusion that since all forms of speech are socially conditioned and therefore involve originary exclusion, that no speech is free. Eagleton argues that the consequence of this line of thought, is a certain kind of political conservatism which fails to distinguish the material positions of speakers and the impact of historical material relations on fearless speech. He writes:

> (nor is it) anything but sophistry to claim that, since all speech acts are socially conditioned, no speech is really free. This is rather like claiming that since swarming about the Savoy all day is quite as shaped by social convention as labouring in a salt mine, guests at the Savoy are no freer than miners. (2003: 176)

As privileged academics, the question of our material interests, and those of others whom we confront in our work, will clearly impact any possibility of fearless speech. Our self-preservation might therefore be an unacknowledged motive for not speaking fearlessly. As Smith neatly surmises, perhaps our lack of fearless speech gestures at how "the dissenting voice becomes proof of the liberalism of the powerful" (2001: 293). Are we simply complacent? Are we in self-denial? Do we know what is good for us and want to protect it? Is there any point pursuing critical principles like 'fearless speech'?

I think there is. Critique hardly needs to be coherent; it needs to be pragmatic and to make a difference wherever and whenever this might be possible. As Terry Eagleton, again in his critique of Fish, reminds us, "general principles are as general principles do; at some times and places they may be a lot more subversive or emancipatory than others" (2003: 177). So let us work out a set of principles like fearless speech that might help us to identify situations in which critics might have a useful role to play. Let us

figure out how and when we can engage as passionate and courageous speakers across different contexts. Is Cynical reason possible in contemporary public contexts (see Peter Sloterdijk, 1988, for a discussion of this)? And what about in educational and community life? The Epicurean example reminds us of the need to attend to our students in a truth-telling capacity and to encourage them to reflect on their own moralities and their own lives. Perhaps we should challenge them more forcefully in the classroom and during office hours. And in our personal lives too, we might want to confront the fears that both enable and constrain our intersubjective relations. Perhaps this is the scariest realm of all for the critic as we deal with the slipperiness of our misrecognition, self-love and frequent delusions.

The principle of fearless speech confronts us directly with questions of whether we are willing to pay the material consequences for different kinds of truth-telling actions, and to identify contexts in which our truth-telling might make a reasonable difference. Foucault's *Fearless Speech* has offered me an important point of departure for considering the manner in which philosophical practice, political action and moral fortitude might be pursued through contextually-specific forms and practices of speech. It is an analysis that underlines the importance of speech for critique, and can be opened out to consider the points at which a certain kind of post-structuralist critique can be articulated with structural and materialist concerns. For those, like myself, interested in the potential and practicalities of a leftist politics, such an articulation is crucial.

Fearlessness as Constraint: A Small Afterthought

An ethical subjectivity, I understand Foucault (1997) to suggest, involves unfreedom. It requires a relation to changing constraints that become the basis of one's moral conduct and ethical relation to self. I am suggesting here that fearless speech, the speaking of truth and belief in the face of power and of risk, is a practice of unfreedom which I would choose as a basis for critique. Socrates, of course, was famously put to death for his practice of fearless speech, and for his criticisms of the folly of Athenian democracy. Fearless speech then is critique that cannot be taken lightly. It is though a risk worth taking given the incapacity of the right of 'free speech', as institutionalised in modern political systems, to effect social change at a local level. To me, the concept of free speech eschews a certain politics of the 'real'. Fearless speech, by contrast, should be able to confront it, quite literally in the eyes, the mouth and the immediate presence of the Other. I believe that this embodied and immediate kind of confrontational speech is an underestimated good for those interested in critique. Perhaps this seems somewhat mundane. But, I have always been mundane and am not a bit frightened to cheer it on! I guess, to return to the very first paragraph, it is because the dialogical nature of the routine has always been the location for my personal politics that it is so important to me. It is where I, for the most part, suppress all my demons, and construct all my angels.

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