

## Questions on Waldron, *The Harm in Hate Speech*, Ch. 7.

1. What does “law L is legitimate” mean?

2. On p. 190 Waldron writes that most hate speech laws “bend over backwards to ensure that there is a lawful way of expressing something like the propositional content of views that become objectionable when expressed as vituperation.” He doesn’t give any examples. So suppose Martians fleeing a catastrophe on their home planet have landed and established a colony on an unoccupied island, one unclaimed by any terrestrial nation. They are sophisticated enough to have a language, which some Americans have learned to speak (some Martians have also learned English). Do you think Waldron would regard either of the following as hate speech? If so, can you think of a way to re-phrase them so that he’d regard them as lawful? (Ignore the fact, which Waldron treats as important, that Martians are not US citizens.)

“Those Martians are idiots, if they ever visit this country they shouldn’t be allowed to drive, they’d be a danger to the rest of us.”

“Martians shouldn’t be trusted to be doctors or lawyers in this country, they’re not up to doing those jobs well.”

Waldron, Jeremy. “Ronald Dworkin and the Legitimacy Argument.” Chapter 7 in *The Harm in Hate Speech*. Harvard University Press, 2014. © Harvard University Press. All rights reserved. This content is excluded from our Creative Commons license. For more information, see <https://ocw.mit.edu/help/faq-fair-use/>.



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