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Liberté d'expression, offense et responsabilité morale

Freedom of Speech, Offense and Moral Responsibility

Abstract: The assignment of a moral responsibility to the speaker in the production of an offending discourse is asserted according to two paradigmatic perspectives. In an intra-discursive perspective, the speaker's moral responsibility is established in function of a supposed inherent capacity of the discourse to offend; in an externalist perspective, it is proposed independently of an aptitude of the discourse to offend. Uncovering the mechanism of offensive discourse production shows that the intra-discursive perspective is untenable because of an intrinsic incapacity of discourse to offend. It also shows, as far as the externalist perspective is concerned, that the speaker's moral responsibility is limited to creating an occasion for the discursive production of the offense (and does not concern this production as such) and that it is variable because of the variability of the predictability of the production of an offense. The conclusion to which this double result leads is that the invocation of a moral responsibility of the speaker in the discursive production of the offense is not a convincing basis for the establishment of an ethics of freedom of expression.

Keywords: moral responsibility, offense, discourse, freedom of speech