

“My Education is a Threat”: Free Reading in Prison

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“First Amendment,” by C. D. Arthur, 2023 (McCordick, 2023: p. 35)

You, the reader of this very sentence, are probably *not* in prison in the USA. This is principally for three reasons. **First**,

[a]ccording to the National Adult Literacy Survey, 70% of all incarcerated adults cannot read at a fourth-grade level, “meaning they lack the reading skills to navigate many everyday tasks or hold down anything but lower (paying) jobs.” (LMS, 2023; see also NCES, 2023)

So even if incarcerated persons *were* able to have free, unsupervised access to the internet, up to 70% of them would have little aptitude for and even less interest in reading philosophy essays posted in obscure corners of academia.edu. **Second**, in fact most incarcerated people in the USA do *not* have free, unsupervised access to the internet

(Wikipedia, 2023), hence they cannot autonomously use academia.edu, even if they do have good reading skills and an interest in philosophy. And **third**,

[p]risons are undoubtedly the most restrictive reading environments in the country. The venerable, century-old free expression nonprofit PEN America, which co-sponsored [the art exhibition] *Return to Sender*, has described the book restriction policies currently in place in the U.S. carceral system as the “largest book ban policy” in the country. (McCordick, 2023: p. 35)

Thus even if incarcerated people do have some *supervised* access to the internet, *including* academia.edu, have good reading skills, and also have an interest in philosophy, this essay would in all likelihood be banned simply by virtue of its edgy title.

In another essay, I’ve argued that *not only do all US citizens have the legal right to literacy, but also that everyone everywhere has the moral right to literacy* (Hanna, 2023a). Let’s assume that that argument is sound. Then, since all incarcerated people in the USA are not only US citizens, but also human persons innately possessing dignity, therefore *not only is prison illiteracy in the USA illegal, but also it’s immoral*. Relatedly but also even more specifically, in the rest of this essay I want to argue that *not only is prison reading censorship in the USA illegal, but also it’s immoral*.

First, I’ll present a brief exposition of a substantive moral theory I call *broadly Kantian dignitarianism*:

[B]y *broadly Kantian dignitarianism*, I mean the contemporary universalist moral and political theory that ascribes absolute, non-denumerably infinite, intrinsic, and objective value or worth—aka *dignity*—to all *human real persons* (Hanna, 2018a) and asserts that everyone ought always and everywhere to treat everyone, including themselves, with sufficient respect for their human dignity, which means (i) *universal anti-oppression*, i.e., never treating anyone, including yourself, either as a mere means or a mere thing, (ii) *universal benevolence or kindness*, i.e., always trying to promote the satisfaction of everyone’s true human needs, including your own, together with (iii) *principled free choice and action*, i.e., always choosing and acting according to a set of general moral principles that inherently govern and guide our free will and practical agency [Hanna, 2018b, 2023b]. The very ideas of “universal human equality” and “universal human rights” presuppose the truth and rightness of broadly Kantian dignitarianism; and the very idea that “crimes against humanity”—including systematically persecuting people on the basis of their religious beliefs, ethnicity, race, sex or gender, “disappearing” people, genocide, murder, rape, slavery, torture, and so-on—are all absolutely immoral and heinously wrong, indeed evil, *also* presupposes broadly Kantian dignitarianism. Moreover, if we also feel the need of an argument from moral or political authority, then we can cite Frederick Douglass as

one of the most morally and politically important proponents of broadly Kantian dignitarianism (Bromell, 2021; Hanna, 2023c).

Indeed, the profound moral and sociopolitical affinity and coherence between, on the one hand, Kant's late 18th century conception of human dignity, and on the other, Frederick Douglass's mid-19th century conception of human dignity, is the key to recognizing the radical 21st century implications of broadly Kantian dignitarianism:

[All] rational beings stand under the law that each of them is to treat themselves and all others *never merely as means* but also always *at the same time as ends in themselves*. . . . In the realm of ends everything has either a *price* or a *dignity* (*Würde*). What has a price can be replaced by something else as its *equivalent*; what on the other hand is raised above all price and therefore admits of no equivalent has dignity. What is related to general human inclinations and needs has a *market price*; that which, even without presupposing a need, conforms with a certain taste, that is, with a delight in the mere purposeless play of our mental powers, has an *affective price* (*Affectionpreis*); but that which constitutes the condition under which alone something can be an end in itself has not merely a relative worth, that is, a price, but an inner worth, that is, *dignity*. Now, morality is the condition under which alone a rational being can be an end in itself, since only through this is it possible to be a lawgiving member in the realm of ends. Hence morality, and humanity insofar as it is capable of morality, is that which alone has dignity. (Kant, 1785/1996: pp. 83-84, Ak 4: 433-435)

[Frederick Douglass's first idea] is that our exercise of our distinctive human powers not only expresses our humanity but also produces self-respect, or what Douglass now calls "natural dignity." This is why he asserts that "our natural powers are the foundation" of our rights: we have rights because we have a human worth, or dignity, that we feel deserves informal acknowledgment and formal protection. Douglass's second idea is . . . that our consciousness of our powers and rights depends, in some measure, on others conveying to us, through acts of respectful acknowledgment, that they, too, are conscious of and recognize our powers and rights. (As Douglass observed in an 1870 speech delivered in Washington, DC: "You know all men derive their impressions of their abilities and possibilities in some measure from the opinions of those who stand about them.") Thus, while our rights derive from our innate powers, and to that degree are inherent in our very humanity, they also rest in the hands of others, who may or may not allow us to become conscious of our powers, achieve our dignity, and exercise our rights. (Bromell, 2021: p. 43; see also Hanna, 2023c)

Second, I'll present a brief exposition of the concept of *free speech*. Free speech is the liberty of unfettered expression in opinion, thought, and lifestyle, hence the liberty to engage in what John Stuart Mill called "experiments of living" (Mill, 1859/1978: ch. III, p. 54)—aka, experiments *in living*—and above all the liberty to express edgy, challenging

beliefs and ideas by means of talk, writing, or any other communicative medium. Free speech has many important goods, including scientific truth, aesthetic beauty, profound artistic or philosophical insight, and authentic self-realization — and their pursuit. But the highest good of free speech is manifest when we exercise the liberty to engage in peaceful criticism of and protests against violations of sufficient respect for human dignity and human oppression, and in peaceful resistance against immoral uses of power. This morally and politically exemplary kind of free speech is not merely “speaking truth to power,” because, over and above truth per se, it is also ethically-driven and peacefully rebellious. It’s therefore *emancipatory speech*.

What rationally and morally justifies free speech? In *On Liberty*, chapter II, Mill famously attempts to provide an adequate justification of free speech on Utilitarian grounds. But Mill’s attempt fails, since it’s always possible that the greatest happiness of the greatest number of people, relative to that historical context and relative to what we are capable of doing by way of action in that context, will consist, precisely, in our collectively *restricting and suppressing* free speech. Mill tries to finesse this problem by re-defining the concept of utility:

I regard utility as the ultimate appeal on all ethical questions; but it must be utility in the largest sense, grounded on the permanent interests of man as a progressive being. (Mill, 1859/1978: Introduction, p. 10)

Nevertheless, Mill’s “utility in the largest sense, grounded on the permanent interests of man as a progressive being” is nothing like the concept of utility as he defines it in *Utilitarianism*:

The creed which accepts as the foundations of morals “utility” or the “greatest happiness principle” holds that actions are right in proportion as they tend to promote happiness; wrong as they tend to produce the reverse of happiness. By happiness [i.e., utility] is intended pleasure and the absence of pain; by unhappiness [i.e., disutility], pain and the privation of pleasure.... [P]leasure and freedom from pain are the only things desirable as ends; and ... all desirable things ... are desirable either for pleasure inherent in themselves or as means to the promotion of pleasure and the prevention of pain. (Mill, 1861/1979: ch. II, p. 7)

Now it’s of course possible to refine the Utilitarian concept of “happiness” or “utility” by defining it in terms of preference-satisfaction, or whatever. But no matter how the concept of utility is refined, when it’s understood in terms of the greatest happiness principle, it always picks out a certain class of “felicific” or happiness-making consequences for as many people as possible, relative to that agent-centered historical context. That being so, then the Utilitarian concept of utility has nothing inherently to do *either* with any person’s

“permanent” —that is, innate, universal, unconditional—interests, *or* with any person’s nature as a “progressive being,” which is necessarily underdetermined by, although still consistent with, her actual or possible happiness: namely, a person’s nature as an irreducible source of human dignity and as an autonomous moral and sociopolitical agent, inherently capable of *radical enlightenment* in the sense of principled and authentic *free thinking, caring, choosing, and acting* (Hanna, 2018a: ch. 5). This broadly Kantian dignitarian idea is adequately captured by the famous first paragraph and last sentence of Kant’s “What is Enlightenment?”:

Enlightenment is the human being’s emergence from their self-inflicted immaturity. Immaturity is the inability to use one’s own understanding without the guidance of another. This immaturity is self-inflicted if its cause is not lack of understanding, but lack of resolution and courage to use it without the guidance of another. The motto of enlightenment is therefore: *Sapere aude!* Have the courage to use your own understanding! ... [O]nce the germ on which nature has lavished most care—the human being’s inclination and vocation to think freely—has developed within its hard shell, it gradually reacts upon the mentality of the people, who thus gradually become increasingly able to *act freely*. Eventually, it even influences the principles of governments, which find that they can themselves profit by treating the human being, who is *more than a machine*, in a manner appropriate to their dignity. (Kant, 1784/1996: pp. 17 and 22; Ak 8: 35 and 41-42, italics in the original)

From the point of view of radical enlightenment, the rational and moral justification of free speech is our unwavering commitments to universal sufficient respect for human dignity and to universal resistance to human oppression. And that in turn entails that the rational and moral justification of free speech is robustly non-egoistic, non-Utilitarian, and broadly Kantian dignitarian. Correspondingly, from a robustly non-egoistic, non-Utilitarian, and broadly Kantian dignitarian point of view, the *only* moral and political limits of free speech are: (i) incitement to or triggering of violence, (ii) slander, and (iii) coercion. In other words, the only moral and political limits of free speech are *the very things that constitute the highest good of free speech* when we use it peacefully to criticize them, protest against them, and resist them, by means of emancipatory speech, namely: (i) violations of respect for sufficient human dignity, (ii) human oppression, and (iii) immoral uses of power.

Third, I’ll present a brief exposition of the concept of *free reading*:

You, the reader of this very sentence, are consciously reading this very sentence from left to right here and now. The first sentence of this [paragraph], which I’ve called *a self-locating caveat lector sentence*, is not only immediately self-evidently true, but also, as I’ve argued elsewhere, it’s more epistemically fundamental than the Cartesian Cogito....

[Here, however] I want to focus on three equally important but perhaps less immediately self-evident dimensions of the act or process of reading: (i) the *affective* or *caring-based* dimension, (ii) the *embodied* dimension, and (iii) the *agential* dimension. By *affective* or *caring-based*, I mean that which inherently expresses our rational human innate capacities for desire, emotion, and feeling. By *embodied*, I mean *essentially embodied*, i.e., mental facts and mental properties that are necessarily and completely realized as activating forms of life in a single living organismic animal body whose material or physical structure is of a sufficient complexity for their realization. And by *agential*, I mean that which inherently expresses our rational human innate capacities for free will and practical agency, aka “free agency” —i.e., non-deterministic, non-indeterministic, non-mechanical, spontaneous or uncompelled choice and intentional action that’s also inherently guided by principles and reasons, especially including moral principles and reasons.... In short, your rational, conscious, self-conscious, intentional, and intersubjective act or process of reading the first sentence of this [paragraph] was literally *infused* and *suffused* with affect or caring, embodiment, and agency. So for convenience, let’s call this a paradigmatic example of *free reading*, and also say that an act or process of reading counts as free reading if and only if it expresses affect, embodiment, and agency to an eminent degree. (Hanna, 2023d: pp. 1-4)

Fourth and finally, against the backdrop of those ideas, I’ll present a 16-step argument that not only is prison reading censorship in the USA illegal, but also it’s immoral.

1. The First Amendment to the US Constitution reads as follows:

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. (NA, 2023, underlining added)

2. By virtue of The First Amendment, all US citizens have the legal right to any and all free speech that’s expressible by writing, within the limits of legally permissible free speech: let’s call this *the legal right to written free speech*.

3. But in order to be able to write legible texts, writers have to be able to read what they’re writing.

4. Therefore, by virtue of The First Amendment, all US citizens have the legal right to read any and all free speech that’s expressible by writing, within the limits of legally permissible free speech: let’s call this *the legal right to free reading*.

5. Therefore, by virtue of The First Amendment, all US citizens have the legal right to free reading.
6. All incarcerated people in the USA are US citizens.
7. Therefore, all incarcerated people in the USA have the legal right to free reading.
8. Therefore, prison reading censorship in the USA is illegal.
9. By virtue of the universal moral obligation to treat everyone everywhere with sufficient respect for their human dignity, everyone everywhere has the moral right to any and all free speech expressible by writing, within the limits of morally permissible free speech: let's call this *the moral right to written free speech*.
10. But in order to be able to write legible texts, writers have to be able to read what they're writing.
11. Therefore, by virtue of the universal moral obligation to treat everyone everywhere with sufficient respect for their human dignity, everyone everywhere has a moral right to read any and all free speech expressible by writing, within the limits of morally permissible free speech: let's call this *the moral right to free reading*.
12. Therefore, by virtue of the universal moral obligation to treat everyone everywhere with sufficient respect for their human dignity, everyone everywhere has the moral right to free reading.
13. All incarcerated people in the US are human persons innately possessing dignity.
14. Therefore, all incarcerated people in the USA have the moral right to free reading.
15. Therefore, prison reading censorship in the USA is immoral.
16. Therefore, not only is prison reading censorship in the USA illegal, but also it's immoral. **QED**

In view of that argument, I'll conclude this essay by also strongly endorsing the following remarks:

Hector Rodriguez, an artist whose work is featured in the [*Return to Sender*] exhibition and who served more than 27 years in the New York Department of Corrections and Community Supervision before he was released in February, spoke to the crowd gathered at the opening. “On a number of occasions, books were denied to me because the prison found them to be a threat. ‘A threat to whom or to what?’ I asked myself,” he says. “It was clear to me that the threat the Department of [Corrections] was referring to was my education. My education is a threat....” (McCordick, 2023: p. 37, underlining added)

More generally, Rodriguez’s and any other incarcerated person’s *education*—especially including their literacy and their free reading—is *a threat* to any social institution that systematically undermines and/or violates human dignity (Hanna, 2023e). And what I’ve called *the crime-&-punishment machine* in the USA is a prime example of such a social institution: hence it should be *dismantled* (Hanna, 2023f).

And here’s an instructive postscript. In the context of the present essay, it’s more than merely ironic, and indeed it’s a bit of a scandal, that Kant’s *own* theory of punishment is *retributivist*, up to and including *capital punishment*, and could even be cited *in support* of the contemporary crime-&-punishment machine in the USA (Hanna, 2023f: pp. 1-2). Nevertheless, as I’ve argued,

not only is Kant *profoundly misguided and mistaken* about retributivism and capital punishment, but also they’re both *profoundly inconsistent* with his *own* conception of human dignity. (Hanna, 2023f: p. 2)

So that’s why the substantive moral theory that drives the argument of the present essay is specifically *broadly Kantian* dignitarianism, which, to be sure, is philosophically inspired by Kant’s best ideas, but it’s also rationally and morally justified on grounds that are essentially *independent of* Kant’s writings and his “human, all-too-human” propensity to make the occasional big mistake. Moreover, the creative and critical ability to distinguish sharply between *what’s true* and *what’s false*, and between *what’s the real deal* and *what’s bad bullshit*—including all kinds of ideology and propaganda—in any legible text whatsoever, whether that legible text is philosophical, scientific, literary, historical, moral, sociopolitical, or simply everyday information content delivered in written form, is fully enabled *only* by free reading.

REFERENCES

(Bromell, 2021). Bromell, N. *The Powers of Dignity: The Black Political Philosophy of Frederick Douglass*. Durham NC: Duke Univ. Press. Available online at URL = <https://archive.org/details/powersofdignity00brom/page/n5/mode/2up?view=theater&ui=embed&wrapper=false>.

(Hanna, 2018a). Hanna, R. *Deep Freedom and Real Persons: A Study in Metaphysics*. THE RATIONAL HUMAN CONDITION, Vol. 2. New York: Nova Science. Available online in preview at URL = https://www.academia.edu/35801857/The_Rational_Human_Condition_2_Deep_Freedom_and_Real_Persons_A_Study_in_Metaphysics_Nova_Science_2018.

(Hanna, 2018b). Hanna, R. *Kantian Ethics and Human Existence: A Study in Moral Philosophy*. THE RATIONAL HUMAN CONDITION, Vol. 3. New York: Nova Science. Available online in preview at URL = https://www.academia.edu/36359647/The_Rational_Human_Condition_3_Kantian_Ethics_and_Human_Existence_A_Study_in_Moral_Philosophy_Nova_Science_2018.

(Hanna, 2023a). Hanna, R. "Free Reading, Civil Reading, and The Right to Literacy." Unpublished MS. Available online at URL = https://www.academia.edu/108134017/Free_Reading_Civil_Reading_and_The_Right_to_Literacy_October_2023_version.

(Hanna, 2023b). Hanna, R. "In Defence of Dignity." *Borderless Philosophy* 6: 77-98. Available online at URL = <https://www.cckp.space/single-post/bp6-2023-robert-hanna-in-defence-of-dignity-77-98>.

(Hanna, 2023c). Hanna, R. "Frederick Douglass, Kant, and Human Dignity." Unpublished MS. Available online at URL = https://www.academia.edu/97518662/Frederick_Douglass_Kant_and_Human_Dignity_February_2023_version.

(Hanna, 2023d). Hanna, R. "Dare to Read: Affect, Embodiment, and Agency in Reading." Available online at URL = https://www.academia.edu/107944223/Dare_to_Read_Affect_Embodiment_and_Agency_in_Reading_October_2023_version.

(Hanna, 2023e). Hanna, R. "Higher Education Without Commodification, Mechanization, or Moralization." Unpublished MS. Available online at URL = [https://www.academia.edu/108320497/Higher Education Higher Order Illiteracy and Moral Illiteracy November 2023 version](https://www.academia.edu/108320497/Higher_Education_Higher_Order_Illiteracy_and_Moral_Illiteracy_November_2023_version) >.

(Hanna, 2023f). Hanna, R. "Kant, Dignity, and Dismantling The Crime-&-Punishment Machine." Unpublished MS. Available online at URL = [https://www.academia.edu/107314883/Kant Dignity and Dismantling The Crime and Punishment Machine September 2023 version](https://www.academia.edu/107314883/Kant_Dignity_and_Dismantling_The_Crime_and_Punishment_Machine_September_2023_version) >.

(Kant, 1784/1996). Kant, I. "An Answer to the Question: What is Enlightenment?" Trans. M. Gregor. In Kant, 1996: pp. 17-22, Ak 8: 33-42).

(Kant, 1785/1996). Kant, I. *Groundwork of the Metaphysics of Morals*. Trans. M. Gregor. In (Kant, 1996: pp. 43-108, Ak 4: 387-463).

(Kant, 1996). Kant, I. *Practical Philosophy*. Trans. M. Gregor. Cambridge: Cambridge Univ. Press.

(LMS, 2023). Literacy Mid-South. "The Relationship Between Incarceration and Low Literacy." 16 March. Available online at URL = <https://www.literacymidsouth.org/news/the-relationship-between-incarceration-and-low-literacy>>.

(Maiese and Hanna, 2019). Maiese, M. and Hanna, R. *The Mind-Body Politic*. London: Palgrave Macmillan. Available online in preview at URL = [https://www.academia.edu/38764188/The Mind-Body Politic Preview Co-authored with Michelle Maiese forthcoming from Palgrave Macmillan in July 2019](https://www.academia.edu/38764188/The_Mind-Body_Politic_Preview_Co-authored_with_Michelle_Maiese_forthcoming_from_Palgrave_Macmillan_in_July_2019) >.

(McCordick, 2023). McCordick, J. " 'Prison Itself Is Censorship': Mariame Kaba on the Freedom to Read." In *These Times*. 25 October. Pp. 34-37. Available online at URL = <https://inthesetimes.com/article/prison-book-ban-attica-exhibit-mariame-kaba-george-jackson-toni-morrison>>.

(Mill, 1859/1978). Mill, J.S. *On Liberty*. Indianapolis IN: Hackett.

(Mill, 1861/1979). Mill, J.S. *Utilitarianism*. Indianapolis IN: Hackett.

(NA, 2023). National Archives. "The Bill of Rights: A Transcription." Available online at URL = <<https://www.archives.gov/founding-docs/bill-of-rights-transcript>>.

(NCES, 2023). National Center for Education Statistics. "Prison Literacy." Available online at URL = <https://nces.ed.gov/naal/prison_lit.asp>.

(Wikipedia, 2023). Wikipedia. "Internet in Prisons." Available online at URL = <https://en.wikipedia.org/wiki/Internet_in_prisons>.