



NEWS CHIEF

Our View: Trump undermines First Amendment

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President Donald Trump capped off a day of complaining about an NBC News story he didn't like by tweeting Wednesday night: "Network news has become so partisan, distorted and fake that licenses must be challenged and, if appropriate, revoked. Not fair to public!"

As with most of Trump's fulminations, his tweet's bark is worse than its bite. However, its sentiments are bad enough.

Despite conveying a thoroughly authoritarian view toward press freedom — the late Venezuelan caudillo Hugo Chavez nullified broadcast licenses of radio and TV stations that criticized him — the U.S. president can't unilaterally follow through on his threat. That's because, unlike local stations, broadcast networks aren't licensed. So there's nothing to revoke.

But there's a bigger obstacle to Trump's autocratic tendencies: the First Amendment. Any move by government to punish the media for its reporting would be instantly met with a lawsuit, and it's difficult to imagine a court upholding such a blatant violation of the Constitution (and the president's sworn oath to "preserve, protect and defend" it). The executive's power is still constrained by the republic's system of checks and balances.

Most likely, Trump has no intention of following through on his threat and was once again trolling his critics. That doesn't mean that the tweet was harmless. On the contrary, in addition to it being highly inappropriate for a president, it perpetuates a hostility toward the First Amendment at a time when public support for it is alarmingly mixed.

Violent and disruptive protests against speakers on college campuses have raised concerns about Americans' commitment to tolerating opposing viewpoints. Recent polls suggest those fears are well-placed:

- A survey of 800 college students, conducted in September by McLaughlin & Associates, found that 81 percent believe that "words can be a form of violence." Some 58 percent of students believe that colleges should "forbid" speakers who have a "history of engaging in hate speech." This despite the fact that most believe it's difficult to define the problem: two-thirds agreed that hate speech "means something different to everyone."

Almost 40 percent believe that it's "sometimes appropriate" to "shout down or disrupt" a speaker, while 30 percent believe that physical violence can be used to stop someone from "using hate speech or engaging in racially charged comments."

- According to The Atlantic’s Conor Friedersdorf, a poll last month by the Cato Institute, a libertarian think tank in Washington, found that 72 percent of Republicans would support making it illegal for an American to burn or desecrate the flag; 53 percent would punish the desecrators by stripping them of their U.S. citizenship. Half of Republicans say the media have too much freedom to do what they want. Fifty-three percent of Democrats say that defending someone else’s right “to say racist things” is just as bad as “holding racist views yourself.” So much for the Voltairean principle, “I disapprove of what you say, but I will defend to the death your right to say it.”

- A You.gov/Economist poll earlier this year found that 45 percent of Republicans, and a quarter of independents, support giving courts the power to shut down “biased or inaccurate” media outlets.

Most polls show large majorities of Americans support free speech in concept, yet when asked about specific things that offend them respondents often have second thoughts.

Trump’s outbursts, in which he goes beyond criticizing the media to talking about punishing them, normalize — if not encourage — cultural hostility to fundamental American values. With public support for First Amendment freedoms on shaky ground, the nation needs leaders who will promote and protect our rights, not contribute to undermining them.