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Free Speech Is Not 'Killing Us'

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Since our nation's inception, Americans have understood it better than most: With rights come responsibilities. This sentiment has seldom been as apparent as it is in the realm of free speech, where one edgy performance deemed offensive, or one tasteless social-media post that skewers the wrong segment of society, can be a career-breaker. Just ask Shane Gillis about the "Saturday Night Live" gig he lost, or maybe ask Roseanne Barr about the cancellation of her popular rebooted "Roseanne" show after just a few episodes. There are numerous others. Despite apologies and pleas for forgiveness, their career doors were slammed shut for the crime of having said what they wished to say at the time.

Yet a recent New York Times op-ed claiming "Free Speech Is Killing Us" from author Andrew Marantz, a contributor to The New Yorker, has upped the ante on this debate. Intoning the relatively recent atrocities in El Paso, Christchurch, and Charlottesville, Marantz makes the case that something needs to be done, and the best entity to do it is the federal government.

"I am not calling for repealing the First Amendment, or even for banning speech I find offensive on private platforms," he writes. "What I'm arguing against is paralysis. We can protect unpopular speech from government interference while also admitting that unchecked speech can expose us to real risks. And we can take steps to mitigate those risks. The Constitution prevents the government from using sticks, but it says nothing about carrots." Among the carrots Marantz would dangle: a government-backed competitor to Google and Facebook.

Marantz is wrong in a number of respects. Our nation isn't becoming more dangerous in terms of crime, as Reason's Robby Soave points out, nor are providers of content neglecting the idea of policing themselves, as John Samples of the CATO Institute opines. Gabriella Hoffman at The Resurgent also reminds us of the basic truth that sunlight is the best disinfectant for hateful speech.

That last approach has always worked rather well. Now, we can disagree as to whether Gillis stepped over the line to offend in his live performances, or Barr was out of bounds when she tweeted about former Barack Obama adviser Valerie Jarrett. But these situations were dealt with by private entities that took action against the offenders, rather than via a government edict against thought crimes. (Which sounds like something this guy would do.)

However, in some respects Marantz is getting his wish, as Congress has chipped away at longstanding speech protections on the Internet and is threatening to erode them even further in the name of combating human trafficking and what the National Association of Attorneys General called "black market opioid sales, ID theft, deep fakes, election meddling, and foreign

intrusion.” Notably, these First Amendment assaults are coming from both sides of the political aisle, for differing reasons.

Ours is not a nation in which speech is utterly unfettered and unlimited, but to the extent that we have safeguards already in place, we seem to be mostly getting along just fine. The solution to unpopular, hateful speech is to counter it with other speech or simply ignore it and — to borrow a phrase made popular by the Left — to move on.

There’s still something to be said for being civil, for respecting for one another, and for simply abiding by the Golden Rule.