

LAS VEGAS REVIEW-JOURNAL

Progressives bail on the First Amendment

July 4, 2018

The left in recent years has developed its own version of Newspeak that has steadily crept into the political debate. For progressives, disagreement is “hate,” access means “free” and invest translates as “spend somebody else’s money.” Let’s now add “weaponized,” meaning defended, to the list of liberal euphemisms.

In a remarkable front-page piece on Sunday, The New York Times frets that recent Supreme Court decisions recognizing the importance of free expression signal that conservatives have “weaponized” free speech. “As a result,” the story reports, “liberals who once championed expansive First Amendment rights are now uneasy about them.”

This is both dangerous and regrettable. The young totalitarians who are intent on suppressing speech on America’s college campuses now receive a warm reception from many modern liberal intellectuals. “When I was younger, I had more of the standard liberal view of civil liberties,” a Georgetown law professor told the Times. “And I’ve gradually changed my mind about it. What I have come to see is that it’s a mistake to think of free speech as an effective means to accomplish a more just society.”

Under this twisted logic, the concept of free expression embedded in the Bill of Rights is seen as oppressive to “marginalized communities.” This is why the left-leaning national ACLU in recent years has abrogated its longstanding principles and mission by privately re-evaluating its legal efforts to support the rights of controversial speakers. It’s why Democrats continue to rail against the Supreme Court’s Citizens United decision, even though Obama administration attorneys told the justices that the law in question allowed the government to ban politically themed books and pamphlets. Yes, a book ban.

The Supreme Court, in fact, has been a beacon of light and reason when it comes to protecting our First Amendment liberties during a time when it has become fashionable in some quarters to dismiss the obvious threats inherent in allowing government to regulate discourse. Last week, the majority justices wisely recognized that coerced speech — whether it’s the state demanding a family planning clinic post information about abortions or lawmakers forcing nonunion workers to pay union dues — is wholly inconsistent with the tenets of a free society.

How far are the court’s liberals willing to erode free speech in the name of achieving a desired political end?

“The libertarian position has become dominant on the right on First Amendment issues,” Ilya Shapiro of the Cato Institute told the Times.” It simply means that we should be skeptical of government attempts to regulate speech. That used to be an uncontroversial and nonideological point.”

Indeed. What should make those committed to the free exchange of ideas shudder is not the willingness of the high court's conservative justices to protect free speech, but rather how quickly and completely progressives seem intent on whistling down the path to tyranny by sacrificing one of our nation's most precious principles at the altar of partisanship and identity politics.