

**Free speech : should freedom of speech be re-assessed and redefined?**

**Free speech under the test of the internet era and terrorism**

Free speech is killing us	Even noxious ideas need airing	Don't let terrorists determine the limits of free speech
<p><b>NYTimes, Oct 2019; A. Marantz; biased editorial</b></p> <ul style="list-style-type: none"> <li>➤ Harmful language on the internet stems actual violence; we should respect and implement the 1<sup>st</sup> Amendment, but we cannot do nothing under the cloak of freedom of speech to prevent hate and harmful deeds deriving from free speech.</li> </ul> <p>- The internet used to be considered a platform for freedom of speech and progress</p> <p>- Now, recent events have proved that the internet can serve as a crucible (<i>creuset</i>) for harmful, hateful ideas which can then be translated into action. Examples.</p> <p>- The journalist speaks from experience / refers to his own experience as a mole on social media to testify about this online verbal violence that can easily turn real + meeting in a coffee shop</p> <p>- issue at stake: what should be done? a question addressed to everybody, be they government, business or individuals.</p> <p>- First answer is that under the cloak of the First Amendment and freedom of speech, nothing can and must be done. A "settled bipartisan consensus"; immobilism. A taboo. "paralysis". "all-or-nothing dictate".</p> <p>- a comparison to strike minds: should the 2<sup>nd</sup> Amendment not be rethought or amended in order to curb gun violence?</p> <p>- Wielding free speech as an excuse for doing nothing is not honest and moral: first, even some social networks have decided by themselves to ban highly disreputable people (like white supremacist Richard Spencer). Secondly, the First Amendment</p>	<p><b>The Economist, Jan 20; J. Mchangama, of a Danish think-tank. A leading article</b></p> <ul style="list-style-type: none"> <li>➤ Imperative need to protect the freedom of speech, even if harmful speech circulates the web.</li> </ul> <p>- several democratic figures of authority like A. Merkel or E. Macron have warned about the danger of online free speech turning into a weapon of destruction, an undermining of both our democracies and individuals' dignity; therefore they are considering tightening/restricting laws.</p> <p>- main line of argument: struggling against intolerant ideas with restrictive, authoritarian laws recreates/develops intolerance and increases/empowers these very ideas; by stifling the expression of these ideas, you only create a time bomb</p> <p>- Mchangama highlights the risks of limiting free speech:</p> <ol style="list-style-type: none"> <li>1) there can be collateral damage: even moderate groups may suffer from this censorship</li> <li>2) the moderators, especially on social media, may use obscure and biased rules</li> <li>3) the more democracies tend to limit free speech, the more authoritative regimes do so.</li> </ol> <p>- Historical insight to back/background his argumentation: today's questioning/cornelian issue is nothing new. The same pattern endures/persists in history: when minority groups get more rights or more expression on the public scene, it often raises concern and anxiety at possible over-assertion or rebellion.</p> <ol style="list-style-type: none"> <li>1) The elitist vs egalitarian vision of free speech dates back to antiquity: in Athens, free-born men enjoyed equal access to speech and democratic rights while in Rome, only the elite was entitled to free speech.</li> </ol>	<p><b>Time, May 2015; A. Ellian. A column</b></p> <ul style="list-style-type: none"> <li>➤ Western/democratic countries should not apply self-censorship under the threat of terrorism. Free speech should not be restricted by terrorism; terrorism should be fought against</li> </ul> <p>- Fact triggering the article: terrorist attack after the representation of the face of Muhammad / at a cartoon exhibit and contest featuring Muhammad in Texas. 4<sup>th</sup> May = remembrance of WW heroes who died for the defense of freedom = an attack on the nation, on the core value of freedom and the right to express oneself freely, no matter what you say.</p> <p>- Facts / examples of other terrorist attacks showing that terrorists do not need a cop-out like showing the face of the prophet to kill and terrorize.</p> <p>- Their target is freedom, free thought, tolerance, thinking by oneself, and this derives from their fear that their children might one day start thinking by themselves and question the system, hierarchy, traditions and authority.</p> <p>- The main issue is that terrorism creates self-censorship by disseminating fear. If limits should be set to freedom of speech, they should never be determined by terrorists but by legal means.</p> <p>- Governments should fight terrorism instead of debating the possibility of restricting free speech. Freedom cannot exist without safety.</p>

<p>does not “support”, justify/allow some forms of speech that are considered unlawful.</p> <p>- Free speech is a core value in the USA but it must go along other essential values and not annihilate them: equality, safety, democracy...</p> <p>- The journalists does not plead for a repeal of the amendment but advocates compromise and monitored freedom in order not to infringe on other people’s freedom and even “damage their lives.” He is not an “absolutist”</p> <p>- Solutions suggested: 1) by the government or Congress 2) by social media companies</p> <p>- Testimony of A. Powell, a law professor and former director of the ACLU and lawyer of the KKK: protecting somebody’s freedom of speech also requires protecting other people’s rights. We cannot defend one Amendment at the expense of another’s. A free-speech defendant but not an absolutist: a moderate free-speech proponent.</p> <p>- Comparison between noxious speech and carbon pollution: we should not eradicate cars but frame their use to save the planet, as well as we should frame the First Amendment in order to save people.</p>	<p>2) In the Age of Enlightenment (18thc), free speech was designed for the educated and enlightened, not the people.</p> <p>- if free speech is to be anyone’s prerogative, under the principle of equality between all citizens, thus no one can be deprived of this right, whatever their opinions or origins.</p> <p>- The arguments of the defendants of restricted speech: <b>Free speech enabled dictators to openly broadcast their ideas and seize control of democracy. Example: Hitler and the Nazis.</b> However, cracking down on free speech in these countries proved inefficient and only made these dictatorial regimes appear as victims, served their ends and, once in power, ultimately allowed them to use the very same tools to muzzle/silence the opposition.</p> <p>- Nowadays, the internet has replaced popular assemblies and the press, but the issue remains identical: the censored extremist groups use these attacks and restrictions to show themselves as victimized and thereby gain popularity.</p> <p>- Moreover, restricting speech may turn against well-thinking, against people working for the common good, as famous progressists once were by being jailed for voicing their discontent (Gandhi, Martin Luther King.);</p> <p>- In a word, free speech opens the door to dangerous ideas but also to progress through the expression of open-minded, democratic and tolerant ideas. Censorship only ends up empowering the very ideas it strived to stifle. CCL</p>	<p><b><u>Document 4: cartoon, Harley Schwadron, Wall Street Journal, 2017</u></b></p> <p>- a Neo-Nazi demonstrating for his right to free speech</p> <p>- individuals of diverging opinions claiming their rights to free speech</p> <p>- Trump’s administration is taxed with leading judicial inquiries on people visiting websites unsupportive of the president’s ruling, thereby interfering with people’s rights to freedom of thought and speech when they do not side with them. (pas suffisamment dans la continuité des autres docs pour garder l’idée, au risque de dépasser le nombre de mots imposés)</p>
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