



Foreword to SAVING FREE SPEECH ... *from ITSELF*

by Bret Stephens, columnist for The New York Times

It's fair to say that I am a strong believer in free speech—not in an absolutist sense (life always must make room for exceptions), but pretty close to it. I want there to be no governmental intrusions on speech. How could I be otherwise? I have been an opinion columnist for most of my professional life. I am paid to speak my mind freely. An anticipated outcome of my line of work is that I might render opinions that offend even my most devoted readers. So be it. Living in a liberal democracy with a free-standing press, I, thankfully, possess the freedom to do just that. Hopefully all readers understand that.

For the past eleven years, in fact, I have directed some of my most withering criticism to the occupants of the White House. One a Democrat, Barack Obama, for the entire eight years of his presidency. At the time I was a registered Republican. With the election of Donald Trump, I forfeited my party membership and joined the ranks of the NeverTrumpers. I have played no party

favorites when it came to criticizing two very different leaders of the free world—and for different reasons.

Neither of these presidents have accused me of sedition, (blasphemy, maybe), or have tried to silence me by fiat or edict. I have never been arrested for expressing an opinion. Apart from divulging state secrets, in the United States there is no such crime. Presidents Obama and Trump may have privately fumed. In the case of the latter, orange hair might have looked even more inflamed; an angry tweet could easily have been composed late at night, directed at me but mostly for the amusement of Fox & Friends in the morning.

All on account of the First Amendment, and the rampart of powerful news organizations, I have been safe to say whatever I pleased. Yet, I take nothing for granted. I know that in many countries around the world—illiberal, undemocratic, oppressive, authoritarian—I would have long ago been tossed in jail merely for making an unflattering aside.

So why am I writing a Foreword for a book that is asking its readers to take a critical look at freedom of speech?

Well, for one thing, nothing in this book would prevent me or others from criticizing the government. In fact, SAVING FERE

SPEECH ... *from ITSELF* reaffirms most of what we believe to be true about the First Amendment.

I have known Thane Rosenbaum for many years. He is, if nothing else, an original thinker. And a provocative one. And a principled and compassionate writer and friend. If he has a problem with the First Amendment, perhaps we should give it another look.

In reading this book, I am reminded that I, too, have undergone some revised feelings about free speech. And I may probably rethink my position again. Isn't that, after all, exactly what the First Amendment protects?

Years ago, I wrote a column criticizing Columbia University for inviting then Iranian President Mahmoud Ahmadinejad to speak on campus. I compared the incident to whether the university would have extended the same invitation to Adolf Hitler in the 1930s. My objections to granting either of these tyrants an Ivy League platform mirrored some of the points Rosenbaum makes in this book: that if the ideas you espouse are limited to the genocide of a people or wiping nations from a map, then you are disqualified from entering the marketplace of ideas, that what you are offering are not ideas at all, but acts of violence, thuggery, indignity, incitement and intimidation.

Years later I wrote a column criticizing the *New Yorker* for disinviting Steve Bannon from appearing at its annual Festival. Apparently, his inclusion on the roster of speakers was so infuriating to the Twitter universe, and even some staff members of the magazine, that the invitation was rescinded. I wondered what that said about the *New Yorker*'s commitment not just to freedom of speech, but to journalism itself. Regardless of how one felt about Bannon, was he not a person of public interest given the outsized role he played in the election of Donald Trump? And how did Twitter come to influence the editorial policies of a storied magazine?

I was aware of the contradiction between those two columns. A number of years separated their writing, and when I was asked how I could deny free speech to Ahmadinejad while at the same time insist that it be granted to Bannon, I said, among other things, that my thinking had evolved on the subject, and that I had changed my mind.

More recently, I gave up my Twitter account. I have finally decided that the digital discourse that exists on that platform is clearly not the kind of free speech I want to engage in. I would hesitate denying anyone the right to tweet their hearts out, but as Rosenbaum reminds us, the Founding Fathers held out great hope that the First Amendment would lead to a more informed

citizenry, and a better decision-making government, influenced by the best the marketplace of ideas had to offer.

I can't say whether Twitter is the modern-day answer to the public square, but I do know that speech, in so many forms and forums, has been less collegial, coarser, angrier and more mob-like. The heckler's veto is now a full-fledged tsunami of rage. Many are now afraid to speak because the practice of shouting down and drowning out disfavored speakers have replaced common courtesy and true deliberation.

After reading SAVING FREE SPEECH ... *from ITSELF*, I am listening carefully and thinking a little more deeply when Rosenbaum argues that human dignity should be given the same weight as free speech, that mutual respect is the cornerstone for how ideas can be embraced, and that the marketplace of ideas should be reserved for ideas worthy of entry. This book sharpens your view of the First Amendment. That alone makes it an outstanding contribution to our thinking about free speech.