

# Institutionalizing Intolerance: Bullies Win, Freedom Suffers When We Can't Agree to Disagree

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*"Whoever would overthrow the liberty of a nation must begin by subduing the freeness of speech." — Benjamin Franklin*

*What a mess.*

As America has become ever more polarized, and those polarized factions have become more militant and less inclined to listen to—or even allow for the existence of—other viewpoints, we are fast becoming a nation of people who just can't get along.

Here's the thing: if Americans don't learn how to get along—at the very least, agreeing to disagree and respecting each other's right to subscribe to beliefs and opinions that may be offensive, hateful, intolerant or merely different—then we're going to soon find that we have no rights whatsoever (to speak, assemble, agree, disagree, protest, opt in, opt out, or forge our own paths as individuals).

In such an environment, when we can't agree to disagree, the bullies (on both sides) win and freedom suffers.

Intolerance, once the domain of the politically correct and self-righteous, has been institutionalized, normalized and politicized.

Even those who dare to defend speech that may be unpopular or hateful as a constitutional right are now accused of "[weaponizing the First Amendment](#)."

On college campuses across the country, speakers whose views are deemed "offensive" to some of the student body are having their invitations recalled or cancelled, being shouted down by hecklers, or forced to hire costly security details. As *The Washington Post* concludes, "[College students support free speech—unless it offends them](#)."

At Hofstra University, [half the students in a freshman class boycotted when the professor assigned them to read Flannery O'Connor's short story "Artificial Nigger."](#) As Professor Arthur Dobrin recounts,

"The boycotters refused to engage a writer who would use such an offensive word. They hadn't read the story; they wouldn't lower themselves to that level. Here is what they missed: The story's title refers to a lawn jockey, a once common ornament of a black man holding a lantern. The statue symbolizes the

suffering of an entire group of people and looking at it bring a moment of insight to a racist old man.”

It's not just college students who have lost their taste for diverse viewpoints and free speech.

In Charlottesville, Va., in the wake of a violent clash between the alt-right and alt-left over whether Confederate statues should remain standing in a community park, City Council meetings were routinely “[punctuated with screaming matches, confrontations, calls to order, and even arrests](#),” making it all but impossible for attendees and councilors alike to speak their minds.

In Maryland, [a 90-year-old World War I Peace Cross memorial that pays tribute to the valor, courage and sacrifice of 49 members of the Prince George community who died in battle is under fire](#) because a group of humanists believes the memorial, which evokes the rows of wooden Latin Crosses that mark the graves of WW I servicemen who fell on battlefields far away, is offensive.

On Twitter, President Trump has [repeatedly called for the NFL to penalize players who take a knee in protest of police brutality](#) during the national anthem, which clearly flies in the face of the First Amendment's assurance of the right to free speech and protest (especially in light of the [president's decision to insert himself—an agent of the government—into a private workplace dispute](#)).



On Facebook, Alex Jones, the majordomo of conspiracy theorists who spawned an empire built on alternative news, has been [banned for posting content that violates the social media site's "Community Standards,"](#) which prohibit posts that can be construed as bullying or hateful.

Jones is not alone in being censured for content that might be construed as false or offensive.

Facebook also [flagged a Canadian museum for posting abstract nude paintings by Pablo Picasso](#).

Even the American Civil Liberties Union, once a group known for taking on the most controversial cases, is contemplating [stepping back from its full-throated defense of free \(at times, hateful\) speech](#).

“What are the defenders of free speech to do?” asks [commentator William](#)

[Ruger](#) in Time magazine.

“The sad fact is that this fundamental freedom is on its heels across America,” concludes Ruger. “[Politicians of both parties want to use the power of government to silence their foes.](#) Some in the university community seek to drive it from their campuses. And an entire generation of Americans is being taught that free speech should be curtailed as soon as it makes someone else feel uncomfortable. On the current trajectory, our nation’s dynamic marketplace of ideas will soon be replaced by either disengaged intellectual silos or even a stagnant ideological conformity. Few things would be so disastrous for our nation and the well-being of our citizenry.”

Disastrous, indeed.

You see, tolerance cuts both ways.

This isn’t an easy pill to swallow, I know, but that’s the way free speech works, especially when it comes to tolerating speech that we hate.

The most controversial issues of our day—gay rights, abortion, race, religion, sexuality, political correctness, police brutality, et al.—have become battlegrounds for those who claim to believe in freedom of speech but only when it favors the views and positions they support.

“[Free speech for me but not for thee](#)” is how my good friend and free speech purist Nat Hentoff used to sum up this double standard.

This haphazard approach to the First Amendment has so muddied the waters that even First Amendment scholars are finding it hard to navigate at times.

It’s really not that hard.

The First Amendment affirms the right of the people to speak freely, worship freely, peaceably assemble, petition the government for a redress of grievances, and have a free press.

Nowhere in the First Amendment does it permit the government to limit speech in order to avoid causing offense, hurting someone’s feelings, safeguarding government secrets, protecting government officials, insulating judges from undue influence, discouraging bullying, penalizing hateful ideas and actions, eliminating terrorism, combatting prejudice and intolerance, and the like.

Unfortunately, in the war being waged between free speech purists who believe that free speech is an inalienable right and those who believe that free speech is a mere privilege to be granted only under certain conditions, the censors are winning.

We have entered into an egotistical, insulated, narcissistic era in which free speech has become regulated speech: to be celebrated when it reflects the values of the majority and tolerated otherwise, unless it moves so far beyond our political, religious and socio-economic comfort zones as to be rendered dangerous and unacceptable.

[Protest laws](#), free speech zones, bubble zones, trespass zones, anti-bullying legislation, zero tolerance policies, hate crime laws and a host of other legalistic maladies dreamed up by

politicians and prosecutors (and championed by those who want to suppress speech with which they might disagree) have conspired to corrode our core freedoms, purportedly for our own good.

On paper—at least according to the U.S. Constitution—we are technically free to speak.

In reality, however, we are only as free to speak as a government official—or corporate entities such as Facebook, Google or YouTube—may allow.

Emboldened by phrases such as “hate crimes,” “bullying,” “extremism” and “microaggressions,” the nation has been whittling away at free speech, confining it to carefully constructed “free speech zones,” criminalizing it when it skates too close to challenging the status quo, shaming it when it butts up against politically correct ideals, and muzzling it when it appears dangerous.

Free speech is no longer free.

The U.S. Supreme Court has long been the referee in the tug-of-war over the nation’s tolerance for free speech and other expressive activities protected by the First Amendment. Yet the Supreme Court’s role as arbiter of justice in these disputes is undergoing a sea change. Except in cases where it has no vested interest, the Court has begun to advocate for the government’s outsized interests, ruling in favor of the government in matters of war, national security, commerce and speech.

When asked to choose between the rule of law and government supremacy, the Supreme Court tends to side with the government.

If we no longer have the right to tell a Census Worker to get off our property, if we no longer have the right to tell a police officer to get a search warrant before they dare to walk through our door, if we no longer have the right to stand in front of the Supreme Court wearing a protest sign or approach an elected representative to share our views, if we no longer have the right to voice our opinions in public—no matter how misogynistic, hateful, prejudiced, intolerant, misguided or politically incorrect they might be—then we do not have free speech.

What we have instead is regulated, controlled speech, and that’s a whole other ballgame.

Just as surveillance has been shown to [“stifle and smother dissent, keeping a populace cowed by fear,”](#) government censorship gives rise to self-censorship, breeds compliance, makes independent thought all but impossible, and ultimately foments a seething discontent that has no outlet but violence.

The First Amendment is a steam valve. It allows people to speak their minds, air their grievances and contribute to a larger dialogue that hopefully results in a more just world.

When there is no steam valve—when there is no one to hear what the people have to say—frustration builds, anger grows and people become more volatile and desperate to force a conversation. By bottling up dissent, we have created a pressure cooker of stifled misery and discontent that is now bubbling over and fomenting even more hate, distrust and paranoia among portions of the populace.

Silencing unpopular viewpoints with which the majority might disagree—whether it’s by

shouting them down, censoring them, muzzling them, or criminalizing them—only empowers the controllers of the Deep State.

Even when the motives behind this rigidly calibrated reorientation of societal language appear well-intentioned—discouraging racism, condemning violence, denouncing discrimination and hatred—inevitably, the end result is the same: intolerance, indoctrination and infantilism.

It's political correctness disguised as tolerance, civility and love, but what it really amounts to is the chilling of free speech and the demonizing of viewpoints that run counter to the cultural elite.

We've allowed ourselves to be persuaded that we need someone else to think and speak for us. And we've allowed ourselves to become so timid in the face of offensive words and ideas that we've bought into the idea that we need the government to shield us from that which is ugly or upsetting or mean.

The result is a society in which we've stopped debating among ourselves, stopped thinking for ourselves, and stopped believing that we can fix our own problems and resolve our own differences.

In short, we have reduced ourselves to a largely silent, passive, polarized populace incapable of working through our own problems with each other and reliant on the government to protect us from our fears of each other.

So where does that leave us?

We've got to do the hard work of figuring out how to get along again.

Charlottesville, Va., is a good example of this.

It's been a year since my hometown of Charlottesville, Va., became the poster child in a heated war of words—and actions—over racism, "[sanitizing history](#)," extremism (both right and left), political correctness, hate speech, partisan politics, and a [growing fear](#) that violent words would end in violent actions.

Those fears were realized when what should have been an exercise in free speech [quickly became a brawl](#) that left one activist dead.



Yet lawful, peaceful, nonviolent First Amendment activity did not kill Heather Heyer. She was killed by a 20-year-old Neo-Nazi who [drove his car into a crowd of pedestrians](#) in Charlottesville, Va.

Words, no matter how distasteful or disagreeable, did not turn what should have been an exercise in free speech into a brawl. That was accomplished by [militant protesters on both sides of the debate](#) who arrived at what should have been a nonviolent protest armed with sticks and guns, bleach bottles, balloons filled with feces and urine and improvised flamethrowers, and by the [law enforcement agencies who stood by and allowed it](#).

This is what happens when we turn our disagreements, even about critically and morally important issues, into lines in the sand.

If we can't agree to disagree—and learn to live with each other in peace and speak with civility in order to change hearts and minds—then we've reached an impasse.

That way lies death, destruction and tyranny.

Now, there's a big difference between civility (treating others with consideration and respect) and civil disobedience (refusing to comply with certain laws as a means of peaceful protest), both of which Martin Luther King Jr. employed brilliantly, and I'm a champion of both tactics when used wisely.

Frankly, I agree with journalist Bret Stephens when he says that we're failing at the art of disagreement.

As Stephens explains in a [2017 lecture](#), which should be required reading for every American:

"To say the words, 'I agree'—whether it's agreeing to join an organization, or submit to a political authority, or subscribe to a religious faith—may be the basis of every community. But to say, I disagree; I refuse; you're wrong; etiam si omnes—ego non—[these are the words that define our individuality, give us our freedom, enjoin our tolerance, enlarge our perspectives, seize our attention, energize our progress, make our democracies real, and give hope and courage to oppressed people everywhere](#). Galileo and Darwin; Mandela, Havel, and Liu Xiaobo; Rosa Parks and Natan Sharansky — such are the ranks of those who disagree."

What does it mean to not merely disagree but rather to disagree *well*?

According to Stephens,

["to disagree well you must first understand well"](#). You have to read deeply, listen carefully, watch closely. You need to grant your adversary moral respect; give him the intellectual benefit of doubt; have sympathy for his motives and participate empathically with his line of reasoning. And you need to allow for the possibility that you might yet be persuaded of what he has to say."

Instead of intelligent discourse, we've been saddled with identity politics, "a safe space *from* thought, rather than a safe space *for* thought."

Safe spaces.

That's what we've been reduced to on college campuses, in government-run forums, and now on public property and on previously open forums such as the internet.



The problem, as I make clear in my book [A Government of Wolves: The Emerging American Police State](#), is that the creation of so-called safe spaces—where offensive ideas and speech are prohibited—is just censorship by another name, and censorship breeds resentment, and resentment breeds conflict, and unresolved, festering conflict gives rise to violence.

Charlottesville is a prime example of this.

Anticipating the one-year anniversary of the riots in Charlottesville on August 12, the local city government, which bungled its response the first time around, is now attempting to ostensibly create a “safe space” by shutting the city down for the days surrounding the anniversary, all the while ramping up the presence of militarized police, in the hopes that no one else (meaning activists or protesters) will show up and nothing (meaning riots and brawls among activists) will happen.

What a mess.

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