# This Is Not a Dialogue

**Not Just Free Speech, but Freedom Itself**

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Maybe you missed this, but you're not in a dialogue. Your views are beside the point. Argue all you want—your adversaries are glad to see you waste your breath. Better yet if you protest: they'd rather you carry a sign than *do* anything. They'll keep you talking as long as they can, just to tire you out—to buy time.

They intend to force their agenda on you. That's what all the guns are for, what the police and drones and surveillance cameras are for, what the FBI and CIA and NSA are for, what all those laws and courts and executive orders are for. It's what their church is for, what those racist memes are for, what online harassment and bullying are for. It's what gay bashings and church burnings are for.

This is not a dialogue. How could you be so naïve? A dialogue—from which some of the participants can be deported at any time? A dialogue—in which one side keeps shooting and incarcerating the other side? A dialogue—in which a few people own all the networks and radio stations and printing presses, while the rest have to make do with markers and cardboard signs? A dialogue, really?

You're not in a dialogue. You're in a power struggle. All that matters is how much force you can bring to bear on your adversaries to defend yourself from them. You can bet that if you succeed, they will accuse *you* of breaking off the dialogue, of violating their free speech. They will try to lure you back into conversation, playing for time until they need no more stratagems to keep you passive while they put the pieces in place for tyranny.

This isn't a dialogue—it's a war. They're gambling that you won't realize this until it's too late. If freedom is important to you, if you care about all the people marked for death and deportation, start taking action.

## Not Just Free Speech, but Freedom Itself

Anarchists have defended freedom of speech for centuries now. This is important in principle: in an anarchist vision of society, neither the state nor any other entity should be able to determine what we can and cannot say. It's also important in practice: as a revolutionary minority frequently targeted for repression, we've consistently had our speeches, newspapers, websites, and marches attacked.

But we aren't the only ones who have taken up the banner of free speech. More recently, the right wing in the US has begun to allege that a supposed failure to give conservative views an equal hearing alongside liberal views constitutes a suppression of their free speech. By accusing "liberal" universities and media of suppressing conservative views—a laughable assertion, given the massive structures of power and funding advancing those views—they use First Amendment discourse to promote reactionary agendas. Supposedly progressive campuses reveal their true colors as they mobilize institutional power to defend right-wing territory in the marketplace of ideas, going so far as to censor and intimidate opposition.

Extreme right and fascist organizations have jumped onto the free speech bandwagon as well. Fascists rely on the state to protect them, claiming that racist, anti-immigrant, and anti-gay organizing constitutes a form of legally protected speech. Fascist groups that are

prevented from publishing their material in most other industrialized democracies by laws restricting hate speech frequently publish it in the United States, where no such laws exist, and distribute it worldwide from here. In practice, state protection of the right to free expression aids fascist organizing.

If defending free speech has come to mean sponsoring wealthy right-wing politicians and enabling fascist recruiting, it's time to scrutinize what is hidden behind this principle.

> Despite the radical roots of organizations such as the American Civil Liberties Union that advocate for state protection of free expression, this *form* of civil liberties empties the defense of free speech of any radical *content,* implying that only the state can properly guarantee our ability to express ourselves freely and thus reinforcing the power of the state above the right to free speech itself.

## The Rhetoric of Free Expression

There appears to be a broad consensus in the US political spectrum in favor of the right to free speech. While opponents may quibble over the limits, such as what constitutes obscenity, pundits from left to right agree that free speech is essential to American democracy.

Appeals to this tradition of unrestricted expression confer legitimacy on groups with views outside the mainstream, and both fascists and radicals capitalize on this. Lawyers often defend anarchist activity by referencing the First Amendment's provision preventing legislation restricting the press or peaceable assembly. We can find allies who will support us in free speech cases who would never support us out of a shared vision of taking direct action to create a world free of hierarchy. The rhetoric of free speech and First Amendment rights give us a common language with which to broaden our range of support and make our resistance more comprehensible to potential allies, with whom we may build deeper connections over time.

But at what cost? This discourse of rights seems to imply that the state is necessary to protect us against itself, as if it is a sort of Jekyll and Hyde split personality that simultaneously attacks us with laws and police and prosecutors while defending us with laws and attorneys and judges. If we accept this metaphor, it should not be surprising to find that the more we attempt to strengthen the arm that defends us, the stronger the arm that attacks us will become.

Once freedom is defined as an assortment of rights granted by the state, it is easy to lose sight of the actual freedom those rights are meant to protect and focus instead on the rights themselves—implicitly accepting the legitimacy of the state. Thus, when we build visibility and support by using the rhetoric of rights, we undercut the possibility that we will be able to stand up to the state itself. We also open the door for the state to *impose* others' "rights" upon us.

## The Civil Liberties Defense

In the US, many take it for granted that it is easier for the state to silence and isolate radicals in countries in which free speech is not legally protected. If this is true, who *wouldn't* want to strengthen legal protections on free speech?

In fact, in nations in which free speech is not legally protected, radicals are not always more isolated—on the contrary, the average person is sometimes *more* sympathetic to those in conflict with the state, as it is more difficult for the state to legitimize itself as the defender of liberty. Laws do not tie the hands of the state nearly so much as public opposition can; given the choice between legal rights and popular support, we are much better off with the latter.

One dictionary defines *civil liberty* as "the state of being subject only to laws established for the good of the community." This sounds ideal to those who believe that laws enforced by hierarchical power can serve the "good of the community"—but who defines "the community" and what is good for it, if not those in power? In practice, the discourse of civil liberties enables the state to marginalize its foes: if there is a legitimate channel for every kind of expression, then those who refuse to play by the rules are clearly illegitimate. Thus we may read this definition the other way around: under "civil liberty," all laws are *for the good of the community,* and any who challenge them must be *against it.*

Focusing on the right to free speech, we see only two protagonists, the individual and the state. Rather than letting ourselves be drawn into the debate about what the state should allow, anarchists should focus on a third protagonist—the general public. We win or lose *our* struggle according to how much sovereignty the populace at large is willing to take back from the state, how much intrusion it is willing to put up with. If we must speak of rights at all, rather than argue that we have the right to free speech let us simply assert that the state has *no* right to suppress us. Better yet, let's develop another language entirely.

## Free Speech and Democracy…

The discourse of free speech in democracy presumes that no significant imbalances of power exist, and that the primary mechanism of change is rational discussion. In fact, a capitalist elite controls most resources, and power crystallizes upward along multiple axes of oppression. Against this configuration, it takes a lot more than speech alone to open the possibility of social change.

There can be no truly free speech except among equals—among parties who are not just equal before the law, but who have comparable access to resources and equal say in the world they share. Can an employee really be said to be as free to express herself as her boss, if the latter can take away her livelihood? Are two people equally free to express their views when one owns a news network and the other cannot even afford to photocopy fliers? In the US, where donations to political candidates legally constitute speech, the more money you have, the more "free speech" you can exercise. As the slogan goes, freedom isn't free—and nowhere is that clearer than with speech.

Contrary to the propaganda of democracy, ideas alone have no intrinsic force. Our capacity to *act* on our beliefs, not just to express them, determines how much power we have. In this sense, the "marketplace of ideas" metaphor is strikingly apt: you need capital to participate, and the more you have, the greater your ability to enact the ideas you buy into. Just as the success of a few entrepreneurs and superstars is held up as proof that the free market rewards hard work and ingenuity, the myth of the marketplace of ideas suggests that the capitalist system persists because everyone—billionaire and bellboy alike—agrees it is the best *idea.*

## …So Long as You Don't Do Anything

But what if, despite the skewed playing field, someone manages to say something that threatens to destabilize the power structure? If history is any indication, it swiftly turns out that freedom of expression is not such a sacrosanct right after all. In practice, we are permitted free speech only insofar as expressing our views *changes nothing.* The premise that *speech alone* cannot be harmful implies that speech is precisely that which is ineffectual: therefore anything *effectual* is not included among one's rights.

During World War I, the Espionage Act criminalized any attempt to "cause insubordination, disloyalty, mutiny, [or] refusal of duty" or to obstruct recruiting for the armed forces. President Woodrow Wilson urged the bill's passage because he believed antiwar activity could undermine the US war effort. Alexander Berkman and Emma Goldman were arrested under this law for printing anarchist literature that opposed the war. Likewise, the Anarchist Exclusion Act and the subsequent Immigration Act were used to deport or deny entry to any immigrant "who disbelieves in or who is opposed to all organized government." Berkman, Goldman, and hundreds of other anarchists were deported under these acts. There are countless other examples showing that when speech can threaten the foundation of state power, even the most democratic government doesn't hesitate to suppress it.

Thus, when the state presents itself as the defender of free speech, we can be sure that this is because our rulers believe that allowing criticism will strengthen their position more than suppressing it could. Liberal philosopher and ACLU member Thomas Emerson saw that freedom of speech "can act as a kind of 'safety valve' to let off steam when people might otherwise be bent on revolution." Therein lies the true purpose of the right to free speech in the US.

## Not Free Speech, but Freedom Itself

Obviously, anarchists should not organize *against* free speech. But the stranglehold of the state on the discourse of free speech seems to set the terms of the debate: either we condone censorship, or we condone state protection of our enemies and their right to organize against us and others. This results in paradoxes, such as radicals being accused of opposing freedom for shutting down a fascist speaker.

In contrast to state protection of KKK rallies and the like, there are models of free expression that neither depend upon the enforcement of rights from above nor sanction oppressive behavior. Anarchists might judge speech not as something fundamentally different from action, but as a *form* of action: when it harms others, when it reinforces hierarchies and injustices, we confront it the same way we would confront any other kind of abuse or oppression. This is simply self-defense.

When a xenophobic politician comes to speak at a public university, his honorarium is paid with tax money extorted from workers and given to universities so it will continue to circulate among the rich and powerful. Regardless of right-wing whining about the marginalization of conservative opinions, the fact that he is powerful enough to secure lucrative speaking engagements indicates that his views are hardly suppressed. As a wealthy white citizen and public figure, his opportunity to express himself can't reasonably be compared to the opportunity of, say, the immigrants he scapegoats. If their voices and agency actually held equal weight, the politician could say whatever he wanted, but would be powerless to subject others to his schemes.

When we confront him directly rather than politely disagreeing, we're not attacking his right to express his opinions. We're confronting the special advantages he is accorded: taxpayer money, police protection, an exclusive soapbox. We're confronting the power he wields over our lives through institutions built on violence, a power he means to extend by using speaking events to gain wealth, legitimacy, and recruits to his racist endeavors. Confronting him is a political practice that does not reduce freedom to rights, but challenges the privileges of the state—that makes no false dichotomy between speech and action, but judges both by the same standards—that does not enable the state to frame itself as the defender of free speech, but asserts that we are the only ones who can defend and extend our own *freedom.*

Less civil, more liberties!

## Appendix: Free Speech FAQ

### Stopping fascists from speaking makes you just as bad as them.

You could just as easily say that *not* stopping fascists from speaking makes you as bad as them, because it gives them the opportunity to organize to impose their agenda on the rest of us. If you care about freedom, don't stand idly by while people mobilize to take it away.

### Shouldn't we just ignore them? They want attention, and if we give it to them we're letting them win.

Actually, fascists usually don't want to draw attention to their organizing; they do most of it in secret for fear that an outraged public will shut them down. They only organize public

events to show potential recruits that they have power, and to try to legitimize their views as part of the political spectrum. By publicly opposing fascists, we make it clear to them—and more importantly, to anyone else interested in joining them—that they will not be able to consolidate power without a fight. Ignoring fascists only allows them to organize unhindered, and history shows that this can be very dangerous. Better we shut them down once and for all.

### The best way to defeat fascism is to let them express their views so that everyone can see how ignorant they are. We can refute them more effectively with ideas than force.

People don't become fascists because they find their *ideas* persuasive; they become fascists for the same reason others become police officers or politicians: to wield *power* over other people. It's up to us to show that fascist organizing will not enable them to obtain this power, but will only result in public humiliation. That is the only way to cut off their source of potential recruits.

History has shown over and over that fascism is not defeated by ideas alone, but by popular self-defense. We're told that if all ideas are debated openly, the best one will win out, but this fails to account for the reality of unequal power. Fascists can be very useful to those with power and privilege, who often supply them with copious resources; if they can secure more airtime and visibility for their ideas than we can, we would be fools to limit ourselves to that playing field. We can debate their ideas all day long, but if we don't prevent them from building the capacity to make them reality, it won't matter.

### Neo-Nazis are irrelevant; institutionalized racism poses the real threat today, not the extremists at the fringe.

The bulk of racism takes place in subtle, everyday forms. But fascist visibility enables other right-wing groups to frame themselves as moderates, helping to legitimize the racist and xenophobic assumptions underlying their positions and the systems of power and privilege they defend. Taking a stand against fascists is an essential step toward discrediting the structures and values at the root of institutionalized racism.

Here and worldwide, fascists still terrorize and murder people because of racial, religious, and sexual difference. It's both naïve and disrespectful to their victims to gloss over the past and present realities of fascist violence. Because fascists believe in acting directly to carry out their agenda rather than limiting themselves to the Rube Goldberg machine of representative democracy, they can be more dangerous proportionate to their numbers than other bigots. This makes it an especially high priority to deal with them swiftly.

### Free speech means protecting everyone's right to speak, including people you don't agree with. How would you like it if you had an unpopular opinion and other people were trying to silence you?

We oppose fascists because of *what they do,* not what they say. We're not opposed to free speech; we're opposed to the fact that they advance an agenda of hate and terror. We have no power to censor them; thanks to the "neutrality" of the capitalist market, they continue to publish hate literature in print and the internet. But we will not let them come into our communities to build the power they need to enact their hatred.

The government and the police have never protected everyone's free speech equally, and never will. It is in their self-interest to repress views and actions that challenge existing power inequalities. They will spend hundreds of thousands of taxpayers' dollars on riot police, helicopters, and sharpshooters to defend a KKK rally, but if there's an anarchist rally the same police will be there to *stop* it, not to protect it.

Anarchists don't like being silenced by the state—but we don't want the state to define and manage our freedom, either. Unlike the ACLU, whose supposed defense of "freedom" leads them to support the KKK and others like them, we support self-defense and self-determination above all. What's the purpose of free speech, if not to foster a world free from oppression? Fascists oppose this vision; thus we oppose fascism by any means necessary.

### If fascists don't have a platform to express their views peacefully, it will drive them to increasingly violent means of expression.

Fascists are only attempting to express their views "peacefully" in order to lay the groundwork for violent activity. Because fascists require a veneer of social legitimacy to be able to carry out their program, giving them a platform to speak opens the door to their being able to do physical harm to people. Public speech promoting ideologies of hate, whether or not you consider it violent on its own, always complements and correlates with violent actions. By affiliating themselves with movements and ideologies based on oppression and genocide, fascists show their intention to carry on these legacies of violence—but only if they can develop a base of support.

### Trying to suppress their voices will backfire by generating interest in them.

Resistance to fascism doesn't increase interest in fascist views. If anything, liberals mobilizing to defend fascists on free speech grounds increases interest in their views by conferring legitimacy on them. This plays directly into their organizing goals, allowing them to drive a wedge between their opponents using free speech as a smokescreen. By tolerating racism, homophobia, anti-Semitism, and xenophobia, so-called free speech advocates are complicit in the acts of terror fascist organizing makes possible.

### They have rights like everybody else.

No one has the right to organize violence against our community. Likewise, we reject the "right" of the government and police—who have more in common with fascists than they do with us—to decide for us when fascists have crossed the line from expressing themselves into posing an immediate threat. We will not abdicate our freedom to judge when and how to defend ourselves.

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