

Opinion

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THERE HAS NEVER been a bright line between word and deed. Yet for years, the founders of Facebook and Twitter and 4chan and Reddit — along with the consumers obsessed with these products, and the investors who stood to profit from them — tried to pretend that the noxious speech prevalent on those platforms wouldn't metastasize into physical violence. In the early years of this decade, back when people associated social media with Barack Obama or the Arab Spring, Twitter executives referred to their company as "the free-speech wing of the free-speech party." Sticks and stones and assault rifles could hurt us, but the internet was surely only a force for progress.

No one believes that anymore. Not after the social-media-fueled campaigns of Narendra Modi and Rodrigo Duterte and Donald Trump; not after the murder of Heather Heyer in Charlottesville, Va.; not after the massacres in a synagogue in Pittsburgh, two mosques in Christchurch, New Zealand, and a Walmart in a majority-Hispanic part of El Paso. The Christchurch shooter, like so many of his ilk, had spent years on social media trying to advance the cause of white power. But these posts, he eventually decided, were not enough; now it was "time to make a real life effort post." He murdered 52 people.

Noxious speech is causing tangible harm. Yet this fact implies a question so uncomfortable that many of us go to great lengths to avoid asking it. Namely, what should we — the government, private companies or individual citizens — be doing about it? Nothing. Or at least that's the answer one often hears from liberals and conservatives alike. Some speech might be bad, this line of thinking goes, but censorship is always worse. The First Amendment is first for a reason.

After one of the Schan-inspired massacres — I can't even remember which one, if I'm being honest — I struck up a conversation with a stranger at a coffee shop. We talked about how bewildering it was to be alive at a time when viral ideas can slide so precipitously into terror. Then I wondered what steps should be taken. Immediately, our conversation ran aground. "No steps," he said. "What exactly do you have in mind? Thought police?" He told me that he was a leftist, but he considered his opinion about free speech to be a matter of settled bipartisan consensus. I imagined the same conversation, remixed slightly. What if, instead of talking about memes, we'd been talking about guns? What if I'd invoked the ubiquity of combat weapons in civilian life and the absence of background checks, and he'd responded with a shrug? Nothing to be done. Ever heard of the Second Amendment?

Using "free speech" as a cop-out is just as intellectually dishonest and just as morally bankrupt. For one thing, the First Amendment doesn't apply to private companies. Even the most creative reader of the Constitution will not find a provision guaranteeing Richard Spencer a Twitter account. But even if you see social media platforms as something more akin to a public utility, not all speech is protected under the First Amendment anyway. Libel, incitement of violence and child pornography are all forms of speech. Yet we censor all of

Free speech is killing us today

Speech should be protected, all things being equal. Noxious language online is causing real-world violence. What can we do about it?



Post Christchurch violence, tech companies have scrambled to ban inflammatory accounts, take down graphic videos, rewrite their terms of service

them, and no one calls it the death knell of the Enlightenment.

Free speech is a bedrock value in this country. But it isn't the only one. Like all values, it must be held in tension with others, such as equality, safety and robust democratic participation. Speech should be protected, all things being equal. But what about speech that's designed to drive a woman out of her workplace or to bully a teenager into suicide or to drive a democracy toward totalitarianism? Navigating these trade-offs is thorny, as trade-offs among core principles always are. But that doesn't mean we can avoid navigating them at all.

In 1993 and 1994, talk-radio hosts in Rwanda calling for bloodshed helped create the atmosphere that led to genocide. The Clinton administration could have jammed the radio signals and taken those broadcasts off the air, but Pentagon lawyers decided against it, citing free speech. It's true that the propagandists' speech would have been curtailed. It's also possible that a genocide would have been averted. I am not calling for repealing the First Amendment, or even for banning speech I find offensive on private platforms. What I'm arguing against is paralysis. We can protect unpopular speech from government interference

while also admitting that unchecked speech can expose us to real risks. And we can take steps to mitigate those risks. The Constitution prevents the government from using sticks, but it says nothing about carrots.

Tomorrow, by fiat, Mark Zuckerberg could make Facebook slightly less profitable and enormously less immoral: He could hire thousands more content moderators and pay them fairly. Or he could replace Sheryl Sandberg with Susan Benesch, a human rights lawyer and an expert on how speech can lead to violence. Social media companies have shown how quickly they can act when under pressure. After every high-profile eruption of violence — Charlottesville, Christchurch and the like — tech companies have scrambled to ban inflammatory accounts, take down graphic videos, even rewrite their terms of service. Some of the most egregious actors, such as Alex Jones and Milo Yiannopoulos, have been permanently banned from all major platforms. "We need to protect the rights of speakers," John A Powell, a law professor at the University of California, Berkeley, told me, "but what about protecting everyone else?" Powell is a free-speech absolutist. Shortly before his tenure as legal

director, he said, "when women complained about sexual harassment in the workplace, the A.C.L.U.'s response would be, 'Sorry, nothing we can do. Harassment is speech.' That looks ridiculous to us now, as it should." He thinks that some aspects of our current First Amendment jurisprudence — blanket protections of hate speech, for example — will also seem ridiculous in retrospect. "It's simpler to think only about the First Amendment and to ignore, say, the 14th Amendment, which guarantees full citizenship and equal protection to all Americans, including those who are harmed by hate speech," he said. "It's simpler, but it's also wrong."

In one of our conversations, Powell compared harmful speech to carbon pollution: People are allowed to drive cars. But the government can regulate greenhouse emissions, the private sector can transition to renewable energy sources, civic groups can promote public transportation and cities can build sea walls to prepare for rising ocean levels. We could choose to reduce all of that to a simple dictate: Everyone should be allowed to drive a car, and that's that. But doing so wouldn't stop the waters from rising around us.

—NYT



FIFTH COLUMN

TAVLEEN SINGH

Hatred harms India

THERE ARE PEOPLE on Narendra Modi's team who are doing their best to prove Imran Khan right when he says that India is being led by a 'Hindu fascist' who hates Muslims. These people make it clear every time they speak or tweet or participate in a TV debate that they despise Muslims as 'heirs' of Jinnah and despise Islam for being an 'intolerant' religion. And, because they are in the BJP or proud supporters of Modi, they confirm the charges being made from the Islamic Republic next door that India is no longer a country in which Muslims have the same rights as Hindus.

Since the abrogation of Article 370, Imran Khan has hardly made a speech in which he has not charged Modi with 'hating' Muslims. He has said more than once that Kashmir's special status was removed only because its population is mostly Muslim. In his speech at the United Nations General Assembly, he made the 'fascist' India charge and repeated it in every interview he gave (and he gave many) to international TV channels and newspapers. On returning home he told a huge, volatile gathering at Islamabad airport that he was now fighting a jihad in the name of Allah. Then, after declaring that India was preparing for a 'massacre in Kashmir' he said that the RSS 'believes in killing Muslims' and that he would never talk peace with Modi because he was an RSS man.

Modi has not responded, which is good. It is also good that he never fails to remind us that the spectacular welcome he was given in Houston by Indians of the diaspora was because he represents '130 crore Indians'. Of these, roughly 25 crore are Muslims. So he needs to do more to reassure them that the bile spewed against them by some of his ministers and Twitter supporters does not reflect what he feels. I am not repeating the things that have been said because they are unrepeatable and also because I refuse to give hate-filled bigots the oxygen of publicity. But, it could be time for the Prime Minister to speak up. He took too long in his first term to condemn the lynchings, so by then it was not just Muslims who were being targeted but Dalits as well.

The lynchings have continued in his second term. But, now a menacing new ugliness hangs in the air that is alienating the Muslim community. Those causing the ugliness seem not to have noticed

that they could not have chosen a worse moment to start spewing venom against Muslims and Islam. There is still no sign of peace or normality in the Kashmir Valley and bringing this about is going to take a lot more effort than it took to remove Article 370. With a large number of Muslims in the Kashmir Valley already alienated because of the removal of Article 370, and this endless lockdown, is it wise to alienate them further by abusing Muslims in the rest of India?

It is true that a huge majority of people who constitute Modi's base have a visceral hatred of Muslims. I have in my dealings with far too many of them heard them speak of how Muslims breed in such large numbers that it will not be long before they take over India just through demographic might. I have also heard many, many times the grievances about Partition. My father's family were refugees so I spent my childhood in half-built houses amid people with broken lives. Many had left for the first time the villages where their lands and their homes were. Many of them had come without anything. The compensation they were given by the Indian government was so meagre that it was a mockery of what they left behind. But, they did not have time for bitterness or grievance because they had to save all their energy for putting back together the pieces of their shattered lives.

It was only after I became a journalist and attended a few RSS 'shakhas', by way of research, that I came across real bitterness and hatred against all Muslims. These emotions run deep and have now been compounded by the legitimate anger against the ethnic cleansing of the Pandits from the Kashmir Valley. Jihadist terrorism from Pakistan has made things worse. So I can understand why Modi hesitates to say openly anything that would alienate his base. But, may I humbly offer some advice. I happened to witness a conversation between Shimon Peres (former president of Israel) and Yasser Arafat (former chairman of the Palestine Liberation Organisation) some years ago. It was a particularly fraught moment and Arafat railed against Israel and what it was doing to his people. Peres listened quietly for a while before finally saying, "For leaders there is a time to follow and there is a time to lead". Mr Modi, it is your time to lead.

Keep a lid on it

Spare a thought for Korean pro, Bio Kim, next time you lose your cool on the course

OVER THE TOP

Meraj Shah



FOR SOMEONE WHO grew up playing on military golf courses, the sight of a golfer cussing on a golf course, or for that matter throwing a club, is a difficult thing to be non-judgmental about. Call it conditioning if you will, but golf, as it was taught to youngsters in the armed forces, was as much about code of conduct, as it was about skill. You tucked in your polo, polished your shoes and doffed your cap to fellow players. If you were partnered with a less-skilled player then the onus of making him or her comfortable, lay on you. A unique game, which expects players to honestly call penalties upon themselves, golf, was expected to bring out the best in you. When you speak of tradition in golf, then it is precisely these values that are the ones that ought to be preserved (as opposed to, say denim attire being not acceptable). You don't squabble over strokes, and you certainly don't

hit a ball without yelling 'fore' to warn the group ahead. Sadly, this culture is on the wane; golf is no longer the 'gentle' game that Jack Nicklaus referred to in his heyday.

There's a reason that most equipment companies pay top dollar to get the top professionals to play branded clubs: the elite layer of pro golfers are emulated in no small measure by the likes of millions of fans across the world. Right from swing technique to attire, from playing strategy to mannerisms, the shots they hit, or the demeanour they exhibit on the course during televised events, these guys set the benchmark for the golfing world to emulate.

Now I'll be the first to admit, that it's a heavy cross to bear, but—given that the top pros make a fantastic living playing golf—it's a small price to pay. Golf beats us down like no other game on the planet, and the pros have to deal with the kind of angst that most of us would probably not be able to recover from. And that's really what separates the pros from the amateurs: the ability to recover after getting your teeth knocked in, and keep going without losing your sanity. Some do it better than



Korean pro Bio Kim apologised on television for making an obscene gesture during an event

others: think about Tiger Woods' 'game face,' at the height of his career.

Others are chronic offenders: Sergio Garcia must rank amongst the worst of the lot. The talented Spaniard, by his own standards and obvious promise,

has had an underwhelming career. Ask any avid fan and he'll tell you that Garcia's volatile temperament and inability to keep a lid on his emotions has been his undoing. Whether it's taking off and throwing his shoe into the

gallery, to throwing his clubs—to his caddy, or into water bodies, Garcia's tantrums have inspired more memes on the internet than any of his peers. But even by his deplorable standards, the disqualification at the 2019 Saudi Arabia International plucked a new depth: Garcia was thrown out of the tournament after damaging no less than five greens in one round. Even more remarkably, Garcia was not suspended by the European Tour after issuing yet another apology in which he vowed that "nothing like that will ever happen again". Keith Pelley, the European Tour chief executive, declared the matter closed.

Contrast that with the fate of Korean pro Bio Kim, who was handed a three-year ban last week by the Korean Tour for a much lesser offense. Kim who played on the PGA Tour in 2011 is the leading money winner on the KPGA and immensely popular amongst his countrymen. In the final round of the DGB Financial Group Volvik Daegu Gyeongbuk Open, just as Kim—leading the event by a stroke—teed off on the 16th hole, a spectator's cellphone camera went off. Thrown, Kim hit a bad shot, then swung around and made an obscene gesture to show the gallery what he thought of that infringement.

Even though he won the event, Kim found himself at the receiving end a few hours later when the KPGA issued a statement that it was suspending the

golfer because Kim had "...damaged the dignity of a golfer with etiquette violation and inappropriate behaviour."

There's consensus in the golfing world, at least outside Korea, that the quantum of punishment meted out to Kim is excessive. Not even a televised apology by the hapless pro in which Kim expressed contrition by getting down on his knees and asking for forgiveness made a difference. What I found especially interesting in this unfortunate affair is the verbiage of the statement by the KPGA. It implies that Kim's actions did not just affect the player's stock, but damaged 'the dignity of a golfer,' implying that Kim had desecrated the spirit of the game. That view, which to us seems a bit extreme in this case, has to do with Korea's culture where obedience and deference to a model code of social conduct are unassailable values. Kim is not challenging his suspension, and one hopes that he will be let out of the doghouse before the end of his stipulated alienation. It's hard not to draw parallels between the contrasting fortunes of Garcia and Kim. Had Garcia been born in Korea, he probably wouldn't have been allowed anywhere near a golf course after his junior days while Kim would have gotten away lightly in Europe. Something to think about the next time golf decides to give us a hard time.

A golfer, Meraj Shah also writes about the game