NATIONAL CATHOLIC REPORTER
Published on *National Catholic Reporter* (http://ncronline.org)

The public good vs. Ann Coulter

Morna Murray | Nov. 21, 2012 NCR Today

There were certain words not allowed in our house growing up, my mother being the ultimate (and frankly very effective) authority on these issues. And I owe her much for that. There were the usual curse words, but I still literally cringe when I hear the word "retard," recently used by media militant Ann Coulter when she tweeted [1] , "I highly approve of Romney's decision to be kind and gentle to the retard." The "retard" to whom she was referring was President Barack Obama.

I'm a lawyer. I like the Bill of Rights. I believe in all kinds of freedoms, including freedom of speech. One of my favorite movie scenes of all times is from "The American President" when Michael Douglas (as President Andrew Shepherd, finally fighting back against nasty Sen. Bob Rumson) says the following [2]:

> America isn't easy. America is advanced citizenship. You've gotta want it bad, 'cause it's gonna put up a fight. It's gonna say, "You want free speech? Let's see you acknowledge a man whose words make your blood boil, who's standing center stage and advocating at the top of his lungs that which you would spend a lifetime opposing at the top of yours." You want to claim this land as the land of the free? Then the symbol of your country cannot just be a flag. The symbol also has to be one of its citizens exercising his right to burn that flag in protest. Now show me that, defend that, celebrate that in your classrooms.
>
> Then you can stand up and sing about the land of the free. ...
>
> We have serious problems to solve, and we need serious people to solve them. And whatever your particular problem is, I promise you Bob Rumson is not the least bit interested in solving it. He is interested in two things, and two things only: making you afraid of it, and telling you who's to blame for it. That, ladies and gentlemen, is how you win elections.

Yes, it is a movie. But some movies reflect the best we can be. This scene raises two provocative issues. One is the oft-debated "I hate what you're saying but I'll defend your right to say it." The other is the use of fear and blame in winning elections. I would add hatred in the current climate. And the fact that, in my opinion, people who use these tactics are not really interested in solving problems -- they are more interested in their own power and in using conflict for their own personal gain. It's often said that politics is a dirty business. But in recent years, it seems beyond dirty, almost obscene. Isn't there a line somewhere?

So many of us have read Special Olympian John Franklin Stephens' moving response [3] to Coulter. In it, he explores several options he considered for her language, finally deciding upon: "You just wanted to belittle the President by linking him to people like me. You assumed that people would understand and accept that being linked to someone like me is an insult and you assumed you could get away with it and still appear on TV."

Wow. I'd like to hear more from Mr. Stephens. He clearly has a lot to say worth hearing -- unlike many pundits who are not disabled, at least not cognitively.

This has all raised the long-standing war of hate speech vs. free speech. It seems in America, the idea of limiting

hate speech is tantamount to some to crusading against the U.S. Constitution. Yet the public discomfort and discontent with hate speech is growing.

In June, retired U.S. Supreme Court Justice John Paul Stevens wrote a fascinating review of Jeremy Waldron's book, *The Harm in Hate Speech [4]*. Stevens writes [5]: "Waldron believes that we have overprotected speech that not only causes significant harm to the dignity of minority groups but also, more importantly, diminishes the public good of inclusiveness that is an essential attribute of our society." While Stevens does not indicate he is persuaded that hate speech should be outlawed, he takes a clear stand that it should be condemned, particularly by public figures.

Stanley Fish, a well-known legal scholar, academic and author of 12 books, comments on Waldron's book in his aptly titled column, "The Harm in Free Speech [6]": "Waldron is especially concerned with the harm done by hate speech to the dignity of those who are its object. He is careful to distinguish "dignity harms" from the hurt feelings one might experience in the face of speech that offends."

Fish goes on to say:

> But harms to dignity, [Waldron] contends, involve more than the giving of offense. They involve undermining a public good, which he identifies as the "implicit assurance" extended to every citizen that while his beliefs and allegiance may be criticized and rejected by some of his fellow citizens, he will nevertheless be viewed, even by his polemical opponents, as someone who has an equal right to membership in the society. It is the assurance -- not given explicitly at the beginning of each day but built into the community's mode of self-presentation -- that he belongs, that he is the undoubted bearer of a dignity he doesn't have to struggle for. Waldron's thesis is that hate speech assaults that dignity by taking away that assurance.

As the mother of a child with mild special needs (who has taught me more than anyone I know), I've given this topic a lot of thought. I almost hate to give someone like Ann Coulter any more attention than she already has. But I believe, very strongly, that her brand -- and others' -- of sensational and media-grabbing hate speech is dehumanizing and detrimental to the public good. I believe it is harmful, not just to individuals with disabilities, but to all of us. Again, Fish:

> Waldron's thesis is that hate speech assaults that dignity by taking away that assurance [of belonging]. The very point of hate speech, he says, "is to negate the implicit assurance that a society offers to the members of vulnerable groups -- that they are accepted ... as a matter of course, along with everyone else." Purveyors of hate "aim to undermine this assurance, call it in question, and taint it with visible expressions of hatred, exclusion and contempt.

We are talking about vulnerable individuals who used to be hidden away in institutions as recently as 40 years ago, children and individuals whose potential is still being recognized, researched and understood. Our society has come a long way. Driving my son's high school carpool and hearing his classmates' everyday conversations, concerns and insights, I learned that those our society labels as "different" may well be the truly normal ones. But that is a longer discussion for another time. For now, I ask the question: Has Ann Coulter gone too far for a civilized society concerned with the common good and inclusiveness for the vulnerable? Even if enough people (and advertisers) agreed she had, the question of enforcement is difficult, no question. But I know it's a question well worth asking. And I sincerely hope we continue to ask it and demand answers. Given the choice between listening to John Franklin Stephens and Ann Coulter, I'd pick Mr. Stephens every time. I look forward to the day when we all would.

Source URL (retrieved on *12/08/2013 - 04:40*): http://ncronline.org/blogs/ncr-today/public-good-vs-ann-coulter

Links:
[1] http://politicker.com/2012/10/ann-coulter-calls-obama-the-retard
[2] http://www.americanrhetoric.com/MovieSpeeches/moviespeechtheamericanpresident.html
[3] http://specialolympicsblog.wordpress.com/2012/10/23/an-open-letter-to-ann-coulter/
[4] http://www.hup.harvard.edu/catalog.php?isbn=9780674065895
[5] http://www.nybooks.com/articles/archives/2012/jun/07/should-hate-speech-be-outlawed/?pagination=false
[6] http://opinionator.blogs.nytimes.com/2012/06/04/the-harm-in-free-speech/