

Rhetoric and Ethics of Free Speech Discourse on Gab

KC Lynch

A thesis

submitted in partial fulfillment of the

requirements for the degree of

Master of Arts

University of Washington

2020

Committee:

Christine Harold

Leah Ceccarelli

LeiLani Nishime

Program Authorized to Offer Degree:

Communication

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KC Lynch

University of Washington

Abstract

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KC Lynch

Chair of the Supervisory Committee:

Christine Harold

Department of Communication

Gab is a social media platform that brands itself as a champion of free speech. Users engage in a variety of extremist speech, including arguments for free speech absolutism. I argue that if free speech arguments on Gab are allowed to play out to their logical ends, the ethical consequences will undermine not only the free speech rights Gabbers purport to love, but the foundations of liberal democracy on which those rights are based. This is a mixed methods study using contextual analysis to examine key exigencies of political correctness, trolling, Constitutional fundamentalism, and the candidacy and presidency of Donald Trump; danah boyd's ethnographic technique of "deep hanging out" to select representative textual samples; and Dana Cloud's theory of "frame-checking" to critique doxastic (belief-based) arguments presented in the samples and critique those arguments based on their ethical ends.

Introduction

In the U.S., rhetoric around free speech is always in flux. Debates about the boundaries of the First Amendment are common, but there is a distinct uptick in free speech discourse during periods of social upheaval. At the time of this writing, we are in such a period: the populist rise and election of President Donald Trump has sharply divided the country; incidents involving offensive speech and hate crimes have risen,¹ with some suggestion that Trump's rhetoric is contributing to the problem;² and the general public's overwhelming dislike of "political correctness"³ has enabled pundits to criticize "coddled" young people for being too weak for liberal society⁴—thereby creating rhetorical loopholes for truly hateful ideas to circulate.

This environment helped to create Gab, which brands itself as "a social network that champions free speech, individual liberty and the free flow of information online," and claims "all are welcome."⁵ Gab launched in 2016. Users often espouse views that are repugnant to the vast majority of the U.S. electorate, but are protected by the First Amendment. Consequently,

¹ The FBI reports that hate crimes reached a 16-year high in 2018. Adeel Hassan, "Hate-Crime Violence Hits 16-Year High, F.B.I. Reports," *The New York Times* (New York, NY) November 12, 2019, <https://www.nytimes.com/2019/11/12/us/hate-crimes-fbi-report.html>.

² Counties that hosted a Trump rally in 2016 saw a 226 percent increase in hate crimes in the same year. Ayal Feinberg and Regina Branton, "Counties That Hosted a 2016 Trump Rally Saw a 226 Percent Increase in Hate Crimes," *Washington Post* (Washington DC), March 22, 2019, <https://www.washingtonpost.com/politics/2019/03/22/trumps-rhetoric-does-inspire-more-hate-crimes/>.

³ In 2018, 52% of adults in the U.S. were not in favor of "political correctness." Domenico Montenaro, "Warning to Democrats: Most Americans Against U.S. Getting More Politically Correct," NPR, December 19, 2018, <https://www.npr.org/2018/12/19/677346260/warning-to-democrats-most-americans-against-u-s-getting-more-politically-correct>.

⁴ Jonathan R. Cole, "Why Academic Leaders Are Afraid of Free Speech," *The Atlantic*, June 9, 2016, <https://www.theatlantic.com/education/archive/2016/06/the-chilling-effect-of-fear/486338/>; Michael Bloomberg and Charles Koch, "Why Free Speech Matters on Campus," *Wall Street Journal* (New York, NY), May 13, 2016, <https://www.wsj.com/articles/why-free-speech-matters-on-campus-1463093280>; Frank Bruni, "The Dangerous Safety of College," *The New York Times* (New York, NY), March 11, 2017, <https://www.nytimes.com/2017/03/11/opinion/sunday/the-dangerous-safety-of-college.html>.

⁵ "Gab Social," Gab, <https://gab.com/>.

far right and hateful ideologies flourish on Gab. Robert Bowers, perhaps its most infamous user, posted regularly about white genocide, immigrant “invasions,” and anti-Semitism. On October 27, 2018, Bowers wrote: “I can’t sit by and watch my people get slaughtered. Screw your optics, I’m going in.” He then entered the Tree of Life Synagogue in Pittsburgh to kill 11 people and injure six others. He was not a Trump supporter; he considered the president to be too permissive of Jewish “infestation.” After the shooting, Gab took down Bowers’ account and issued a statement: “Gab unequivocally disavows and condemns all acts of terrorism and violence.”⁶ But nothing has changed. Speech that degrades and seeks to harm targeted groups still exists on the site, with more of it rolling in every day.

Bowers is an anomaly on Gab, but his rhetoric is not. There are two extremely important differences between Bowers and other Gab users. First, speaking about an act is not the same as following through with that act. Even threatening is not the same as doing. That does not mean that expression cannot or does not cause harm; only that moving from speech to action is generally considered an escalation. Second, violence renders free speech claims moot. Condemning an individual for a heinous crime allows thought leaders to opt out of difficult discussions about the kind of hateful speech the First Amendment protects. It also allows them to continue defending the presence and proliferation of hateful speech and ideologies. My concern is yet more specific: the rhetoric of free speech that so often accompanies hateful expression allows that expression to travel, and *to be defended*, by media networks and politicians with massive audiences. In other words, when a neo-Nazi or a Klansman advocates

⁶ Julie Turkewitz, and Kevin Roose, “Who Is Robert Bowers, the Suspect in the Pittsburgh Synagogue Shooting?” *The New York Times* (New York, NY), October 27, 2018, <https://www.nytimes.com/2018/10/27/us/robert-bowers-pittsburgh-synagogue-shooter.html>.

killing people of color, then claims it is their right to say such things, an elected official can publicly agree with the free speech claim, allowing the advocacy to travel among publics that would otherwise reject it outright. This is not new, but it has reached an unprecedented level. Gab is part of a media ecosystem that allows ideas and discursive logics to spread to much larger publics. While Gab has under a million users, some of its high-profile right-wing users have appeared on conservative news websites and Fox News; some have connections to senior White House officials, including the president. This increases the likelihood that extremist free speech discourse will spread virally, regardless of context or consequences.

In this paper, I argue that if free speech arguments on Gab are allowed to play out to their logical ends, the ethical consequences will undermine not only the free speech rights Gabbers purport to love, but the foundations of liberal democracy on which those rights are based. Arguments on Gab are primarily doxastic. Critical rhetorician Dana Cloud defines doxa as a belief or commonly accepted truth; it is the result of experiential knowledge shaped by rhetorical invention. If arguments are based on belief, critique based on fact-checking and evidence is insufficient. Instead, I will use what Cloud calls “frame-checking,” or the examination of how beliefs are presented as truth; this involves evaluating the ethics of doxastic arguments by following them to their logical ends. In other words, *I will critique Gab’s doxastic arguments based on the ethical consequences of presenting those beliefs as true.*

First, I will outline my theoretical approach by briefly describing scholarly conversations on critical rhetoric, paying particular attention to Cloud’s work in her 2018 book, *Reality Bites*. Second, I will provide a contextual analysis of exigencies that have contributed to the rise of Gab in our current cultural climate: political correctness, trolling, Constitutional

fundamentalism, and the candidacy and presidency of Donald Trump. Third, I will then explain the methods employed in this study, and my ethical obligations to protect the privacy of Gab users cited herein. Fourth, I will examine specific examples of free speech rhetoric on the platform and the ethical issues they expose. Finally, I will conclude with a discussion of my overall findings.

It is my intention that this study serve three stakeholder groups. This work is situated in a scholarly conversation that includes critical rhetoricians, First Amendment scholars, and those who study the viral spread of cultural logics over networked publics. I also hope this work serves as a warning to media and political gatekeepers, from pundits to elected officials, of the ethical consequences of extremist free speech arguments and their underlying logic. Finally, I hope this work assists concerned citizens in forming their own doxastic arguments about ethics and free expression.

Theoretical Approach

Gab's free speech rhetoric is primarily doxastic; it is based on beliefs and values regarding the nature of rights. In order to analyze and evaluate this rhetoric, I turn to the scholarly work of critical rhetoricians. This includes Raymie McKerrow's famous essay, "Critical Rhetoric: Theory and Practice," as well as responses from Barbara Biesecker, and Kent Ono and John Sloop. These scholars provide invaluable insight into the parameters of critical rhetorics. To activate critical rhetoric in our current moment, I turn to Dana Cloud.

McKerrow wrote "Critical Rhetoric" in consideration of Foucauldian concepts of power. Foucault sees power as permeating all relations between the state, social institutions, groups, and individuals. Power is always both restrictive and productive. For example, the exercise of

power by a state or institution creates rules and limits, while acts of resistance against these constraints enable new boundaries to be drawn. Because power is omnipresent and can lead to oppression and suffering, critical rhetoric must seek to emancipate. Because power is fluid, shifting between restriction and production, the critical rhetorician must also be self-reflexive, acknowledging that their work may reify or challenge existing structures of power. McKerrow names these twin obligations the “critique of domination” and the “critique of freedom.”⁷

The critique of domination assumes that “discourse is the tactical dimension of the operation of power in its manifold relations.”⁸ In order to critique domination, critical rhetoric must move from away from conceptions of rhetoric as epistemic. McKerrow argues that the rubric of episteme is founded on the neo-Kantian idea of what constitutes knowledge, thus it “will always be seen in terms of independent, universal standards of judgement.”⁹ A focus on epistemic knowledge thus forecloses lines of inquiry that are messy, complex, and not always based on logic or singular “truths.” Alternatively, if rhetoric is seen to constitute doxastic knowledge, rhetoricians can explore the messy, and not always logical, contingencies from which power can emerge. This seems especially pertinent in our “post-truth” cultural moment: “Rather than focusing on questions of ‘truth’ or ‘falsity,’ a view of rhetoric as doxastic allows the focus to shift to how the symbols come to possess power—what they ‘do’ in society as contrasted to what they ‘are.’”¹⁰ However, in the process of critique, there is always a danger of replacing one so-called universal truth with another. Thus the critique of freedom obliges the

⁷ Raymie E. McKerrow, “Critical Rhetoric: Theory and Praxis,” *Communication Monographs* 56, no. 2 (June 1989): 91. <https://doi.org/10.1080/03637758909390253>.

⁸ Ibid, 98.

⁹ Ibid, 104.

¹⁰ Ibid.

rhetorician to engage in permanent criticism, or at least a healthy skepticism of things “taken for granted.” For McKerrow, this is a kind of theoretical oversight: it asks the critic to take a step back and analyze their own processes as a contributing factor in constraint and production.

There have been many responses to McKerrow’s work. Barbara Biesecker argues that the kind of oversight McKerrow conceives in his critique of freedom is not possible because it requires an outside perspective to the power relations it claims to critique. Because Foucault views power as always already producing domination and resistance, the rhetorician cannot be considered an agent of change: “it becomes clear that critical rhetoricians and their discourses do not set practices of resistance into motion but, rather, are themselves set into motion by those practices.”¹¹ Instead of rhetoricians as agents of social change, Biesecker envisions a role that is more like righting a ship in a storm: “the task is to trace new lines of making sense by taking hold of the sign whose reference had been destabilized by and through those practices of resistance, lines that cut diagonally across and, thus disrupt, the social weave.”¹² Yet the act of sense-making may rely on formalized knowledge of how things are *supposed to* make sense given a specific set of values. John Sloop and Kent Ono argue that when we study rhetorics of individuals or groups who do not necessarily share our sense-making values, the results may be limited by terministic screens of academically established precedents. It is better, they argue, for rhetoricians to commit to more ethnographic research practices: first acknowledge positionality, and then attempt to learn what rhetorics mean to the groups that constitute

¹¹ Barbara Biesecker, “Michel Foucault and the Question of Rhetoric,” *Philosophy & Rhetoric* 25, no. 4 (1992): 360-1.

¹² *Ibid*, 361.

them.¹³ This allows for the critical rhetorician to “act to disrupt political forces in contemporary culture,” while maintaining the contingency of meaning.

Elements of McKerrow’s work and that of his respondents lay the groundwork for Dana Cloud’s response to the “reality crisis” in contemporary U.S. society. Cloud marks specific milestones in the development of this crisis, including Karl Rove’s famous 2004 proclamation that imperial powers make their own reality, to comedian Stephen Colbert’s 2005 introduction of the term “truthiness” (after which it became Merriam-Webster’s word of the year in 2006) to describe facts that feel true even when they are not. Add to this the election of Donald Trump, whose advisor Kellyanne Conway infamously coined the phrase “alternative facts,” and the result is an electorate that is sharply divided, in part, because they cannot agree on what constitutes reality. Even amidst an unprecedented wave of fact-checking in news media and science, it has become increasingly clear that facts are wholly insufficient for persuasion. As a result, Cloud argues

There are two wrong ways of responding to the “reality crisis.” One is to hunker down in the trenches of massive numbers of facts and hope that when these facts are brought to light, publics will engage in enlightened rational debate. The other is to give up entirely and embrace relativism, or the idea that there is no foundational reality, only the production of discourse of what “counts” as reality. There is a third and better way, and that is to conceive of truth as standpoint-based and perspectival.¹⁴

For Cloud, the first option is naively empiricist and the second is naively relativist. The third way is in favor of acknowledging positionality without succumbing to naïve relativism:

communicators have unique experiences and perspectives, but that does not mean they have

¹³ John M. Sloop and Kent A. Ono, “Out-Law Discourse: The Critical Politics of Material Judgment,” *Philosophy & Rhetoric* 30, no. 1 (1997): 66. <https://www.jstor.org/stable/40237936>.

¹⁴ Dana L. Cloud, *Reality Bites: Rhetoric and the Circulation of Truth Claims in U.S. Political Culture* (Columbus, Ohio: The Ohio State University Press, 2018), 14.

nothing to offer those whose perspectives lay outside their own. The goal, Cloud argues, is to bring our experiences “into the domain of common sense” and “evaluate truth claims in public culture on the basis of whether they exhibit fidelity to the experience and interests of the people they claim to describe and represent.”¹⁵ The goal is not to prove others wrong, or to prove beliefs to be false. The goal is to understand and critique how truth claims serve those who believe in them. Cloud calls this approach “rhetorical realism.”¹⁶ Like McKerrow, Cloud shifts focus away from episteme toward doxa, in order to examine “how rhetoric moves claims about reality and truth into the prevailing social constructs of reality and enables different groups’ knowledge to register as common sense in the public imagination.”¹⁷ Like Ono and Sloop, she says the critic must begin by acknowledging positionality; both their own and the positionality of those whose communication they study. If Cloud has anything in common with Biesecker, it may be an unwillingness to surrender to the role of mere descriptor from inside a Foucauldian system they cannot escape. But instead of taking hold of unmoored symbols, Cloud writes, “we can hold rhetoric accountable to the realities that are not universally shared but rather mutually debated.”¹⁸

To operationalize rhetorical realism, Cloud recommends “frame-checking.”¹⁹ Based on Erwin Goffman’s concept of frame analysis, the idea is to stop asking what is real and start asking about the circumstances under which things are considered real, and how the feeling of reality is generated.²⁰ Frames are “socially produced and relatively stable mechanisms of

¹⁵ Ibid, 15.

¹⁶ Ibid.

¹⁷ Ibid, 17.

¹⁸ Ibid, 22.

¹⁹ Ibid, 61.

²⁰ Ibid, 62.

organizing public interpretation of truth claims in political culture,” and “when there are competing frames, there is a struggle for control over the shaping of experience.”²¹ Frames that originate in socially or politically dominant groups have a tendency to circulate more widely, but do not ring true for those whose experience and perspectives are not reflected in the frames. For example, political elites in the U.S. circulate the frame of meritocracy, which enables perspectives on poor persons as lazy or untalented. For the economically disadvantaged, this frame does not ring true. It is for this reason, Cloud argues, that “the critique of framing is potentially a powerful antidote to unquestioned domination justified by untruths at various staseis.”²² To engage in critique in this way:

First, identify the stasis at which a controversy is playing out and notice how the selection of stasis is strategic and instrumental in framing the controversy. Second, the critic should call attention to what the frame around the discourse “contains” and directs our attention to and what it leaves out, silences, backgrounds, or omits.²³

Cloud adds that to name operating frames, “it helps to understand them tropologically: They work through metaphor and metonymy.”²⁴ The example she uses is about reproductive justice. Frames circulated by anti-choice advocates ask us to see a fetus as something more complex, like a person.²⁵

To study free speech discourse on Gab, I will use Cloud’s approach of rhetorical realism. My strategy is to focus on belief rather than knowledge, to frame-check rather than fact-check, and to name the frames operating on Gab. I acknowledge that my perspectives come from my research as a rhetorical scholar; my experience as a U.S. citizen and as a privileged, anglophone

²¹ Ibid.

²² Ibid, 63.

²³ Ibid.

²⁴ Ibid, 62.

²⁵ Ibid.

white woman; and as an advocate for ethical behavior and distributive justice in a liberal democracy. I will bring these experiences and perspectives to my critique. The controversies regarding free speech on Gab are playing out at three staseis: question of definition, question of quality, and question of jurisdiction. More specifically, the controversies I will examine are about how free speech is defined; how characteristics of free speech make it good or bad; and who has authority over protecting free speech and ensuring its purported purposes are brought to fruition. Free speech frames on Gab routinely silence dissenting voices, but more importantly, they direct attention away from ethical concerns on small and grand scales. For example, framing free speech as *solely* an individual right backgrounds the ways offensive speech may cause harm, and outright omits the idea that shared values are a necessary condition for liberal democracies.

In short, my interest is not merely to describe free speech on Gab. Nor is it to fact-check users' assertions. My goal is to critique the frames containing free speech on Gab, with a special emphasis on ethical judgment. Without such critique, these frames will circulate unchecked among dominant social and political groups—with no regard to potentially significant consequences. To understand the free speech controversies framed in Gab discourse, it is essential to understand some of the exigencies that gave rise to Gab as both a platform and a community, to which I now turn.

Exigencies

In complex rhetorical ecosystems, it is unlikely that all exigencies will be apparent or clear. However, in the case of Gab, there are four cultural themes and events I will explore: political correctness, trolling culture, Constitutional fundamentalism, and the Trump

presidency. Some argumentation strategies, attitudes, and positional viewpoints resonate across categories. These include frustration over expectations of language use; dominant social forces claiming victimization; and valuing the interests and speech of white cis males over those of others. Selection of cultural themes and events, as well as cross-category resonances, is based on my time spent on Gab.com, and reading thousands of comments (I will explain this process in the Methods section).

Political Correctness

“Political correctness” is a devil term in U.S. culture, due to its role in the so-called “culture wars” between liberals and conservatives. Language has always had a powerful role to play in politics and human rights, but words that specifically refer to a person’s identity carry significant rhetorical weight. Op-ed writer Thomas B. Edsall frames contemporary understanding of identifiers as an extension of efforts for social change that began in the 1960s.²⁶ Advocates for civil rights, women’s rights, international human rights, LGBTQ rights, rights of the poor, prisoners’ rights, and reproductive justice have all challenged the language of the status quo: “each of these revolutions has changed the moral order and norms of permissible language.”²⁷

Typical examples include the sanitation workers’ strike in Memphis, 1968, when protesters carried signs reading “I AM A MAN” to assert their personhood in the face of a bureaucracy that considered them disposable; the women’s movement insisting on the use of

²⁶ Thomas B. Edsall, “Trump, Obama and the Assault on Political Correctness,” *The New York Times* (New York, NY), December 23, 2015, <https://www.nytimes.com/2015/12/23/opinion/trump-obama-and-the-assault-on-political-correctness.html>.

²⁷ Ibid.

“Ms.” to avoid reducing a woman’s identity to her private relationship status; and more recently, referring to all genders by their self-identified pronouns. For those on the left, these changes are necessary for equality, equity, and progress. As Sally Kohn points out, political correctness only acquired a name when “the idea of treating others respectfully was finally extended to include how white people treat black people, how men treat women, and so on.”²⁸ For those who are more politically and socially conservative, linguistic changes that reflect diverse identities divide the public into niche categories, thereby undermining group identifiers that seek to unify, like “Americans.”

The term “political correctness,” according to Amanda Hess, was “born as a lefty in-joke” to poke fun at “holier-than-thou” liberals: “As Gloria Steinem put it: “politically correct” was invented by people in social-justice movements to make fun of ourselves.”²⁹ This is an admission that some identifiers are necessary for social justice, like using “women” instead of “girls”—but others are superfluous and silly, like using “vertically challenged” instead of “short.” There are no widely accepted definitions of these categories; knowing the difference requires learning, active listening, and willingness to change. It is therefore unsurprising that education and income are the strongest predictors for support of what they would call accurate identifiers, and what objectors would call “political correctness.”³⁰ Combined with a rise in anti-intellectualism and resentment toward “elites,” the right has viewed political correctness as

²⁸ Sally Kohn, “‘Political Correctness’ Is a Demand For Equal Treatment,” *The Atlantic*, November 13, 2015, <https://www.theatlantic.com/politics/archive/2015/11/the-revealing-roots-of-political-correctness/415812/>.

²⁹ Amanda Hess, “How ‘Political Correctness’ Went From Punch Line to Panic,” *The New York Times* (New York, NY), July 19, 2016, <https://www.nytimes.com/2016/07/24/magazine/how-political-correctness-went-from-punch-line-to-panic.html>.

³⁰ Yascha Mounk, “Americans Strongly Dislike PC Culture,” *The Atlantic*, October 10, 2018, <https://www.theatlantic.com/ideas/archive/2018/10/large-majorities-dislike-political-correctness/572581/>.

“hopelessly insular and divided from the rest of the country by its narrow concerns,” thereby casting liberals as other, speaking “its own esoteric language.”³¹ This has been borne out in interviews and focus groups. Writing for *The Atlantic*, Yascha Mounk reported in 2018 that 80% of Americans believe that “political correctness has become a problem in our country.”³² Participants “made clear that they were concerned about their day-to-day ability to express themselves.”³³ Mounk quotes a frustrated 57-year-old woman from Mississippi:

The way you have to term everything just right. And if you don't term it right you discriminate them. It's like everybody is going to be in the know of what people call themselves now and some of us just don't know. But if you don't know then there is something seriously wrong with you.³⁴

Her view is understandable, and likely stems from a collective failure of our society to talk about issues of identity open and often, and to listen to the experiences of others. “Political Correctness” now describes feelings of being trapped by fear of making a mistake. This is one reason the left has abandoned the phrase.

The right, however, holds on ever tighter. The right now views political correctness, paradoxically, as both a harbinger of fascism and a sign of weakness. Hess writes that “right-wing rhetoric around ‘P.C.’ has always made use of martial metaphors,” like “P.C. police” and “feminazis.”³⁵ Yet recent rhetoric has gone much further, casting political correctness as a threat to democracy and ordered society. This requires shifting political correctness from “tone policing” to “thought policing.” For example, Jim Geraghty of the *National Review* wrote in 2016: “At the core of modern leftist-driven political correctness is the idea that the social

³¹ Hess.

³² Mounk.

³³ Ibid.

³⁴ Ibid.

³⁵ Hess.

transgression of holding an unpopular opinion must be met with economic repercussions or legal prosecution.”³⁶ We are no longer talking about tone or word choice; instead we are concerned with “holding an unpopular opinion.” Those who dare object to the majority or the mainstream are being punished by society through economic means and by the state through legal means—all for a “social transgression.” Jillian K. Melchior of the *Wall Street Journal* is more explicit: “these ‘inclusive’ language campaigns seek to exclude opposing political or cultural viewpoints. It’s an attempt to ban not only words but also thoughts.”³⁷ This is fear-mongering, but it also taps into a deep American ethos that fights for freedom from tyranny and censorship. As patriotic as this might seem, it also harkens to the past (revolutionaries fighting the British; U.S. soldiers fighting Nazis)—dominated by white men. In 2016, conservative writer Conor Friedersdorf interviewed a 22-year-old Trump supporter about his political reasoning. The young man couched his vote as “resistance against what San Francisco has been, and what I see the country becoming, in the form of ultra-PC culture,” and as taking sides in a “war over how dialogue in America will be shaped.” He also lamented that in PC culture, “my identity as a white man is shamed.”³⁸ It is a potent mix: fear of political correctness as a threat to democracy, a forceful escalation of anti-PC rhetoric from “resistance” to “war,” and the acknowledgment of an existential threat to white male supremacy.

³⁶ Jim Geraghty, “There Is No Right-Wing Equivalent to Political Correctness,” *National Review*, December 12, 2016, <https://www.nationalreview.com/2016/12/conservatives-political-correctness-alex-nowrasteh-wrong/>.

³⁷ Jillian Kay Melchior, “Censorship Is Free Speech? It Must Be the Class of 1984,” *Wall Street Journal* (New York, NY), January 27, 2017, <https://www.wsj.com/articles/censorship-is-free-speech-it-must-be-the-class-of-1984-1485478244>.

³⁸ Conor Friedersdorf, “A 22-Year-Old Explains Why He’s Voting for the Republican Nominee,” *The Atlantic*, May 27, 2016, <https://www.theatlantic.com/politics/archive/2016/05/a-dialogue-with-a-22-year-old-donald-trump-supporter/484232/>.

Even while the right complains that political correctness is a weapon of fascists and tyrants, pundits from across the political spectrum suggest that advocates for politically correct language are weak and fragile. Friedersdorf wrote in 2015 about speaking to a roomful of students at Cal State Long Beach. He told them “you’re all capable of the strength it takes to hear a wrongheaded idea” and “that sort of resilience will serve you well in your career, where no one is going to tiptoe around your feelings.”³⁹ David Frum notes that “liberals are painted as uncertain, weak, and easily bullied.”⁴⁰ Melchior complains of college programs that “condition students to wince away from words and phrases deemed offensive.”⁴¹ Even Barack Obama has criticized liberal college students as “coddled and protected from different points of view.”⁴² In a piece on how established comedians like Chris Rock and Jerry Seinfeld won’t play college campuses because “they’re so PC,” Caitlin Flanagan writes with condescending flare about college students who want comedy that is “100 percent risk-free, comedy that could not trigger or upset or mildly trouble a single student.” She goes on:

They wanted comedy so thoroughly scrubbed of barb and aggression that if the most hypersensitive weirdo on campus mistakenly wandered into a performance, the words he would hear would fall on him like a soft rain, producing a gentle chuckle and encouraging him to toddle back to his dorm, tuck himself in, and commence a dreamless sleep—not text Mom and Dad that some monster had upset him with a joke.⁴³

In other words, PC culture has turned liberals into weak, hypersensitive weirdos who run to their parents because they can’t take a joke. Yet political correctness is also a dangerous threat,

³⁹ Conor Friedersdorf, “Free Speech Is Indispensable to Fighting Racism,” *The Atlantic*, November 12, 2015, <https://www.theatlantic.com/politics/archive/2015/11/race-and-the-anti-free-speech-diversion/415254/>.

⁴⁰ David Frum, “Liberals and the Illiberal Left,” *The Atlantic*, January 29, 2015, <https://www.theatlantic.com/politics/archive/2015/01/liberals-and-the-illiberal-left/384988/>.

⁴¹ Melchior.

⁴² Edsall.

⁴³ Caitlin Flanagan, “That’s Not Funny!” *The Atlantic*, September 2015, <https://www.theatlantic.com/magazine/archive/2015/09/thats-not-funny/399335/>.

one that turns liberals into fascists and tyrants. This contradiction is echoed in the next exigency I will examine.

Trolling

The definition of “troll” has been progressively diluted since trolling behaviors began seeping from Internet and gaming cultures into the public sphere. As far back as 2012, Farhad Manjoo claimed that the term was no more than “a name given to someone who disagrees with you on the Internet.”⁴⁴ The common understanding of trolling also includes a strong negative valence around troll settings, as in “Don’t read the comments;” and troll interaction, as in “Don’t feed the trolls.” This advice is meant to help users avoid everything from time-wasting to grotesque harassment. It also shifts all responsibility onto targets of trolling, rather than trolls themselves; like blaming victims for their own abuse. That the proscriptions are still widely circulated demonstrates an abdication of the general public and a win for the trolls—a win that mimics the act of trolling itself.

Some trolls are harmless; some are not. Whitney Phillips writes that trolling contains a range of behaviors, and are motivated by “lulz, a particular kind of unsympathetic, ambiguous laughter” that she likens to Schadenfreude “but has much sharper teeth.”⁴⁵ Phillips argues that if there is a single thread that runs through all trolling activity, it is exploitability:

Trolls believe that nothing should be taken seriously, and therefore regard public displays of sentimentality, political conviction, and/or ideological rigidity as a call to trolling arms. In this way, lulz functions as a pushback against any and all forms of attachment.⁴⁶

⁴⁴ Manjoo quoted in Megan Condis, *Gaming Masculinity: Trolls, Fake Geeks, and the Gendered Battle for Online Culture* (Iowa City: University of Iowa Press, 2018), 18.

⁴⁵ Whitney Phillips, *This Is Why We Can’t Have Nice Things: Mapping the Relationship between Online Trolling and Mainstream Culture* (Cambridge, Massachusetts: The MIT Press, 2015), 24.

⁴⁶ *Ibid*, 25.

This is why the range of behaviors is wide. The mantra “nothing should be taken seriously” can result in anything from making fun of personal appearance to mocking Holocaust survivors. It is impossible to know a troll’s true intentions. Trolling is strategically ambiguous because it speaks to two audiences at once: the troll appears sincere to the target, while flaunting their abilities to other trolls.⁴⁷ Put another way, for the target there may be serious consequences; for the troll audience, it is a game. This is what trolling has in common with the broader social phenomenon of being against “politically correct” inclusive language. Trolls see someone who insists on saying “African American” instead of “negro” (or worse) as an object of scorn and mockery, because “language, much like everything virtual” should never be taken seriously.⁴⁸

Because trolls can expose hypocrisy, some see their role as one of a socially transgressive trickster. Journalist Angela Nagle argues that trolls are part of a U.S. tradition of romanticizing transgression and counterculture. The idea is echoed by *Infowars* writer and Internet troll Mike Cernovich, who observed in 2017, “Whether the liberals agree with us or not, we view the left as being the establishment now. The counterculture, the dissident thinking is now coming from the right.”⁴⁹ This is similar logic to that used by the anti-PC crowd: “dissident thinking” is aimed at the culturally dominant left, rather than the institutionally powerful right. Milo Yiannopolous, one of the most famous trolls leading up to the 2016 election, also routinely described trolling as “transgressive,” and likened the alt-right to punk.⁵⁰

⁴⁷ The work of Claire Hardaker cited in Condis, 18.

⁴⁸ E. Gabriella Coleman, “Phreaks, Hackers, and Trolls: The Politics of Transgression and Spectacle,” in *New Media, Old Media: A History and Theory Reader*, eds. Wendy Hui Kyong Chun and Anna Watkins Fisher (New York and London: Routledge, 2016), 560.

⁴⁹ Quoted in Josh Harkinson, “Cashing in on the Rise of the Alt-Right,” *Mother Jones*, June 16, 2017, <https://www.motherjones.com/politics/2017/06/kyle-chapman-based-stickman-alt-right/>.

⁵⁰ Angela Nagle, *Kill All Normies: Online Culture Wars From 4chan and Tumblr to Trump and the Alt-Right* (Winchester, UK: Zero Books, 2017), 29.

This, Yiannopolous believes, justifies trolling Jewish right-winger Ben Shapiro after his second child was born by saying he wished “all 4 of you will go to the ovens.”⁵¹ Nagle argues that the attraction to transgression and dehumanization are linked:

Just as Nietzsche appealed to the Nazis as a way to formulate a right-wing anti-moralism, it is precisely the transgressive sensibility that is used to excuse and rationalize the utter dehumanization of women and ethnic minorities in the alt-right sphere now. The culture of transgression they have produced liberates their conscience from having to take seriously the potential human cost of breaking the taboo against racial politics that has held since WWII.⁵²

In this case, “dissident thinking” includes questioning whether individuals and entire groups of people are worthy of human rights.

The reason trolling is so entangled with alt-right ideology becomes obvious when demographics are taken into account. Trolls are predominantly white and male, or perform as such.⁵³ Phillips argues that this is on full display in the way trolls argue. Trolls embrace an adversary style in which “truth is nice, but victory is better.”⁵⁴ This is influenced by Arthur Schopenhauer’s *The Art of Controversy*, which includes 38 axioms “essentially designed to hack the Dialectic.”⁵⁵ This includes advice on how to deliberately anger one’s opponent by what Schopenhauer calls “doing him repeated injustice, or practicing some kind of chicanery, and being generally insolent.”⁵⁶ When a troll pushes an opponent to anger, exasperation, or despair, the troll then characterizes them as weak, soft, feminine, and incapable of arguing with logic (thus reifying the gendered binaries of Enlightenment-era thought). In fact, trolls see this as a kind of obligation. Phillips explains:

⁵¹ Ibid, 48.

⁵² Ibid, 38-39.

⁵³ Condis, 16.

⁵⁴ Phillips, 125.

⁵⁵ Ibid.

⁵⁶ Schopenhauer quoted in Phillips, 125.

Not only does “knowing how to rhetoric” (as I’ve heard many trolls describe their discursive methods) serves as a point of pride for trolls, it provides built-in justification for their antagonistic behaviors. After all, if cool rationality is in fact superior to “softer” modes of thinking, then denigrating and attempting to silence the feminized other isn’t just warranted, it is the troll’s cultural duty.⁵⁷

The reference to rhetoric here is an ethos move in that it gives trolls an anciently respected authority. Weev, one of the most notorious Internet trolls, has argued that “Socrates would be a troll,” in that “He was confrontational. He was specifically trying to provoke a reaction and was trying to undermine the existing establishment.”⁵⁸ Setting aside the fact that Socrates would most likely not enjoy being characterized as someone who “knows how to rhetoric,” weev, like Cernovich, casts trolls as anti-establishment. More importantly, citing Socrates also calls to mind that he was supposedly executed by the state for teaching others how to think freely. Translation: the establishment left is a threat to the truth, and trolls must incessantly pick them apart like a gadfly.

Phillips argues that the idea that trolls are *obligated* to troll can be traced to a problem that is decidedly U.S. in nature. I wish to make two points here. First, trolling grew out of the early days of the Internet, practiced by tech-savvy users. Many were employed in the U.S. tech industry, marked by a “cultural logic that normalizes the drive for discovery and progress,” and a relentless push to go further and faster.⁵⁹ This has made trolls susceptible to the is-ought fallacy, or the idea that if you *can* do something, then you *should*.⁶⁰ When this framework overlays other U.S. dogma, like Constitutionally afforded rights, it leads to free speech

⁵⁷ Phillips, 126.

⁵⁸ Ibid, 127.

⁵⁹ Ibid, 128.

⁶⁰ Ibid, 132.

absolutism. The idea that “tormenting strangers” is “fighting for free speech” is so absurd that it might, as Phillips points out, be an act of trolling itself.⁶¹ It is also possible that a free speech defense of trolling is merely a cover for trolls not liking being told what to do. Regardless, the connection between trolling and free speech has only grown stronger. When trolls are banned from social media platforms for racist or misogynist speech, they often cry censorship. This has the effect of making victims appear as if they object to free expression, rather than injury and hate.⁶² Trolling, like railing against political correctness, has become an absolute defense of white male supremacy wrapped in stars and stripes.

By connecting offensive content to the First Amendment, trolls have created an opening for media outlets to amplify their trollish messages. While overtly promoting white supremacy is not justifiable for news outlets, attacking censorship is. Not just that, but it is profitable. Media outlets, like Facebook algorithms, know that outrage gets more clicks than civility. By entering the public sphere, trolling has effectively shifted the Overton window on what is acceptable in speech and debate.⁶³ As a white supremacist told Olivia Nuzzi in 2016, “People have adopted our rhetoric, sometimes without even realizing it. We’re setting up for a massive cultural shift.”⁶⁴

Constitutional Fundamentalism

⁶¹ Ibid, 133.

⁶² Joseph M. Reagle, Jr., *Reading the Comments: Likers, Haters, and Manipulators at the Bottom of the Web* (Cambridge, MA: MIT Press, 2015), 102.

⁶³ Emma Green, “Make Trolling Great Again,” *The Atlantic*, September 14, 2016, <https://www.theatlantic.com/politics/archive/2016/09/make-trolling-great-again/499523/>.

⁶⁴ Quoted in Condis, 103.

One reason trolls are able to use free speech arguments as justification for creating and spreading offensive content is that Constitutional fundamentalism has been on the rise in the U.S. Examples abound. When Andrew Anglin infamously trolled a Jewish realtor by sending her threats, anti-Semitic slurs, and images of her face on the gates of Auschwitz, his lawyer argued in court that “Every word uttered by Mr. Anglin in this public dispute is protected by the First Amendment, no matter how many people find those views intolerable.”⁶⁵ In 2017, a white supremacist boarded a train in Portland, Oregon, started yelling at a young woman wearing a hijab and her friend, and then stabbed three men who attempted to intercede. When the attacker was arraigned, he shouted, “Free speech or die, Portland. You got no safe space. This is America—get out if you don’t like free speech.”⁶⁶ After the 2017 Unite the Right rally in Charlottesville, AltRight.com published the following statement:

Anyone who still thinks free speech and freedom to assembly [sic] still exists anywhere in the White world can clearly see for themselves what happens when White people try to peacefully assemble and advocate for their interests. The state disregards our rights, we are physically assaulted in the streets by non-Whites and political opponents, and the lying media runs propaganda campaigns to smear us. As of now, they are blaming the three deaths in Charlottesville on us.⁶⁷

These are examples of trolls and members of the alt-right casting themselves as free speech martyrs, just as they do when they claim they are being censored when banned from social media. “The assertion that such silencing violates the First Amendment has no merit at all,” John E. Finn writes, “but it has considerable cultural cache.”⁶⁸ There are two reasons for this.

⁶⁵ Quoted in John E. Finn, *Fracturing the Founding: How the Alt-Right Corrupts the Constitution* (Lanham, Maryland: Rowman & Littlefield, 2019), 77.

⁶⁶ Quoted in Mary Anne Franks, *The Cult of the Constitution* (Stanford, California: Stanford University Press, 2019), 106.

⁶⁷ Quoted in Finn, 75-76.

⁶⁸ Finn, 78.

First, any appeal to the First Amendment taps into what Lee Bollinger calls “part of the national identity.”⁶⁹ Thus, the perceived stakes are quite high. Second, many U.S. citizens are unaware that the First Amendment protects speech only from government interference, thereby allowing “free speech martyrs” to cloud the issue, and assert that “it is not primarily government that threatens freedom of speech, notwithstanding its power to fine or even jail you, but rather civil society by using the weapons of shame, ridicule, and condemnation.”⁷⁰ Once again, it is the liberal cultural establishment that acts maliciously, rather than those on the right with institutional power. Left-leaning academics, actors, artists, and icons use expertise and reputation to popularize certain kinds of speech (e.g. gender-neutral pronouns); CEOs of privately-owned businesses like Twitter and Facebook then “police” speech that refuses to conform. Right-leaning Mayors, Governors, Representatives, Senators, Supreme Court Justices, judges, and presidents apparently have little to no legislative power to change this state of affairs.

In her book *Cult of the Constitution*, law professor Mary Anne Franks writes that this “combination of reverence and ignorance is at the heart of all fundamentalism.”⁷¹ U.S. publics may “worship” the Constitution, but few have read it, and fewer understand it. Franks compares Constitutional fundamentalists to religious fundamentalists:

Common characteristics of religious fundamentalism include the idealization of authority figures, selective and self-serving interpretations of sacred texts, an unfounded sense of persecution, and a belief in natural hierarchies. [...] Constitutional fundamentalists exhibit these same tendencies. They idealize the founding fathers, read passages from the Constitution in

⁶⁹ Lee C. Bollinger and Geoffrey R. Stone, “Dialogue,” in *The Free Speech Century*, eds. Lee C. Bollinger and Geoffrey R. Stone (New York, NY: Oxford University Press, 2019), 6.

⁷⁰ Finn, 93.

⁷¹ Franks, 7.

isolation and out of context, believe themselves and their values to be constantly under attack, and rationalize extreme inequality as the product of natural competition.⁷²

I will take each of these characteristics in turn.

Idealizing the founding fathers is a symptom of a broader truth: “the Constitution is first and foremost for white men.”⁷³ It was not only written by white men, but white men have “maintained a near-absolute monopoly on the interpretation and enforcement of the Constitution for the entire history of the United States.”⁷⁴ Appeals to the history of the Constitution therefore harken back to a time of white male supremacy. This privileging of white masculinity also resonates with contemporary, absolutist defenses of the First Amendment. When white men attack others, the cost is almost always the loss of a diversity of voices. Hate speech, though Constitutionally protected, is a silencer. And yet, from across the political divide, *any* regulation of the speech of white men is seen as a slippery slope to fascism, and to be avoided at all costs. This creates a great injustice: “The mere *possibility* that white men’s speech might be slightly curtailed is regarded as unimaginable horror while the systematic silencing of women and minorities is dismissed as mere inconvenience.”⁷⁵ This is reflected in the popular press in two ways. First, the same logic is used to make paternalistic arguments in defense of free speech. Writing for *The Atlantic* in 2017, Musa Al-Gharbi and Jonathan Haidt argue that liberals should rally in support of (predominantly white male) conservative speakers, because any limit on speech will inevitably backfire. “Disadvantaged groups are [...] among the

⁷² Franks, 7

⁷³ Franks, 6

⁷⁴ Franks, 10

⁷⁵ Franks, 108

primary beneficiaries of vigorous speech protection,”⁷⁶ they write, ignoring recent jurisprudence in the U.S. that has made the First Amendment a tool for the rich and powerful.⁷⁷ Second, discourse around free speech is highly gendered. If an audience does not listen patiently while a white man speaks—even if that speech is bigoted or misogynistic—they are characterized as weak. This frequently appears in articles about challenges to free speech on college campuses, like when Charles Murray, an academic who has written about the intellectual inferiority of African Americans, was invited to speak at Middlebury college. During Murray’s speech, protesters in the audience shouted over him and held up signs of protest. Afterwards, as Murray and a Middlebury faculty member tried to reach their car, students mobbed them and caused at least one injury. What happened outside the auditorium is inexcusable, and got a lot of press coverage. But what happened *inside* was just as roundly condemned, even though it was an example of both nonviolent protest and “bad speech countered with more speech.” While pundits on the left were quick to add the caveat that they disagree with Murray’s racist views, the categorical defense of the white male speaker came from sources across the political spectrum. The idea that today’s college students are too “coddled” has been voiced by Michael Bloomberg and Charles Koch in the *Wall Street Journal*,⁷⁸ Frank Bruni of *The New York Times*,⁷⁹ Jonathan R. Cole of *The Atlantic*,⁸⁰ and even President

⁷⁶ Musa Al-Gharbi and Jonathan Haidt, “It’s Disadvantaged Groups That Suffer Most When Free Speech Is Curtailed on Campus,” *The Atlantic*, July 8, 2017, <https://www.theatlantic.com/politics/archive/2017/07/free-speech-campus/532965/>.

⁷⁷ Catherine A. MacKinnon, “The First Amendment: An Equality Reading,” in *The Free Speech Century*, eds. Lee C. Bollinger and Geoffrey R. Stone (New York, NY: Oxford University Press, 2019), 140.

⁷⁸ Bloomberg and Koch.

⁷⁹ Bruni.

⁸⁰ Cole.

Barack Obama.⁸¹ David French of *National Review* has pondered, “Why do [college] administrators believe that snowflake progressive students are too weak to live with freedom?”⁸² Accusations of coddling and weakness are accompanied by a plea to “(white) man up.” Bruni quotes Van Jones delivering an address to University of Chicago students: “I don’t want you to be safe, emotionally. I want you to be strong. That’s different. I’m not going to pave the jungle for you. Put on some boots, and learn how to deal with adversity.”⁸³ In essence, *any* objection to the exercise of free speech makes you infantile and coddled; and being “safe emotionally” is for weaklings—you need to “put on some boots” and “deal” with it.

Another characteristic of Constitutional fundamentalism is selective reading of the original text to privilege some rights over others. On the subject of students protesting conservative speech on campus, Daniel Henninger of the *Wall Street Journal* writes:

These students think, or have been taught to think, that free speech is just a dog whistle for the alt-right. They think suppression of what they identify as hate speech—by now meaning anything they don’t want to hear—is a more compelling legal right. They reject foggy founder James Madison’s belief that free speech is the “only effectual guardian of every other right.”⁸⁴

This example includes idealization of the founding fathers (Madison knows best) and a characterization of students as unthinking followers who throw a tantrum (when presented with “anything they don’t want to hear”). But it also insists on the primacy of free speech over all other rights enumerated in the Constitutional amendments, including the Fourteenth Amendment, which states that all citizens of the U.S. have equal protection under the law. If a

⁸¹ Edsall.

⁸² David French, “Courage Is the Cure for Political Correctness,” *National Review*, August 20, 2019, <https://www.nationalreview.com/2019/08/courage-is-the-cure-for-political-correctness/>.

⁸³ Bruni.

⁸⁴ Daniel Henninger, “The Free-Speech Wars,” *Wall Street Journal* (New York, NY) October 12, 2017, <https://www.wsj.com/articles/the-free-speech-wars-1507763446>.

situation requires, for example, respectful language be used to identify people of color, the Constitutional fundamentalist will see this as a content-specific regulation on free expression.

Finn explains:

Alt-right complaints about liberal censorship in favor of racial equality begin with the claim that anti-bias laws and speech prohibitions have made freedom of speech constitutionally inferior to racial equality and equal protection; the First Amendment is emasculated by the Fourteenth, an obvious (to the far right) inversion of the correct relationship between these two constitutional provisions.⁸⁵

This is the kind of maneuver that allows for a purported First Amendment defense of bigoted speech. Garrett Epps of *The Atlantic* uses the example of Masterpiece Cakeshop, in which the owner refused to make a cake for a gay couple. In Masterpiece, the plaintiff and the Department of Justice asked the court “to find an exemption from civil-rights status as a matter of freedom of speech, not ‘the free exercise of religion.’”⁸⁶ In other words, they argued that free speech outranks civil liberties, or that the First Amendment is more important than the Fourteenth. Such an argument not only allows for bigoted speech, it implies that equality can be overruled by free speech. This is why, Franks explains, “The Fourteenth Amendment’s equal protection clause is, in short, the test of constitutional fidelity and the antidote to constitutional fundamentalism.”⁸⁷

Constitutional fundamentalists also believe that the First Amendment is constantly under attack. In 2017, *National Review* writer Logan Beirne claimed “the freedom of expression

⁸⁵ Finn, 91.

⁸⁶ Garrett Epps, “Using ‘Free Speech’ to Trump Civil Rights,” *The Atlantic*, November 30, 2017, <https://www.theatlantic.com/politics/archive/2017/11/whats-new-about-sessions-defense-of-discrimination/547043/>.

⁸⁷ Franks, 19.

on which our nation was founded is more endangered than ever.”⁸⁸ Conor Friedersdorf of *The Atlantic* has written voluminously about free speech being threatened,⁸⁹ attacked,⁹⁰ perennially under attack,⁹¹ or imperiled.⁹² But the history of Constitutional jurisprudence simply does not bear this out. The U.S. has the most consistently robust free speech protections in the world—at least for the powerful. Catherine MacKinnon writes that where the First Amendment once protected political dissenters from dominant power, “a shield for radicals, artists and activists, socialists and pacifists, the excluded and the dispossessed,” in the past hundred years it “has become a sword for authoritarians, racists and misogynists, Nazis and Klansmen, pornographers and corporations buying elections.”⁹³ This is partly explainable by the way First Amendment cases have been argued. While the ACLU has a reputation for defending the rights of the vulnerable and marginalized, like the Civil Rights leaders of the 1960s, it also defends the speech of those who *target* the vulnerable and marginalized, like Neo-Nazis and the KKK. This

⁸⁸ Logan Beirne, “Free Speech Under Siege,” *National Review*, August 29, 2017,

<https://www.nationalreview.com/2017/08/free-speech-endangered-new-school-year-begins/>.

⁸⁹ Conor Friedersdorf, “Free-Speech Advocates Aren’t Trying to Silence Students,” *The Atlantic*, March 8, 2016, <https://www.theatlantic.com/politics/archive/2016/03/free-speech-advocates-are-not-trying-to-silence-students/472464/>; Conor Friedersdorf, “Free Speech on Campus Is Under Attack,” *The Atlantic*, March 4, 2016, <https://www.theatlantic.com/politics/archive/2016/03/the-glarig-evidence-that-free-speech-is-threatened-on-campus/471825/>; Conor Friedersdorf, “UC Berkeley Gives Ann Coulter Exactly What She Wants,” *The Atlantic*, April 20, 2017, <https://www.theatlantic.com/politics/archive/2017/04/uc-berkeley-declares-itself-unsafe-for-ann-coulter/523668/>.

⁹⁰ Conor Friedersdorf, “The Anti-Free-Speech Movement at UCLA,” *The Atlantic*, October 15, 2015, <https://www.theatlantic.com/politics/archive/2015/10/the-anti-free-speech-movement-at-ucla/410638/>; Conor Friedersdorf, “‘That’s When the Hatred Turned on Me,’” *The Atlantic*, March 6, 2017, <https://www.theatlantic.com/politics/archive/2017/03/middleburys-liberals-respond-to-an-protest-gone-wrong/518652/>; Conor Friedersdorf, “The Value of Fighting Attacks on Free Speech Early and Often,” *The Atlantic*, January 6, 2017, <https://www.theatlantic.com/politics/archive/2017/01/free-speech-infringements-should-be-fought-early-and-often/512120/>.

⁹¹ Conor Friedersdorf, “Why I Cover Campus Controversies,” *The Atlantic*, September 21, 2019, <https://www.theatlantic.com/ideas/archive/2019/09/free-speech-campus/598549/>.

⁹² Conor Friedersdorf, “Evidence That Conservative Students Really Do Self-Censor,” *The Atlantic*, February 16, 2020, <https://www.theatlantic.com/ideas/archive/2020/02/evidence-conservative-students-really-do-self-censor/606559/>.

⁹³ MacKinnon, 140.

stance appears equitable, but it is not. Recall that the First Amendment does not protect speech *full stop*, it protects speech *from government interference*. Vulnerability is about speech and speakers *as much as it is* about the ideology and make-up of the government that would seek to interfere with that speech. Advocates for Civil Rights criticize a government that is majority white and majority white supremacist in ideology; the speech of Civil Rights advocates is therefore vulnerable to government interference because it constitutes an existential threat to that government. Neo-Nazis who advocate for white power do not constitute a similar threat because they represent an ugly extreme of what is already status quo in government. In the context of government interference, Civil Rights advocates are *vulnerable*; Neo-Nazis are *unpopular*. I am not arguing here that the ACLU is necessarily wrong in their defense of bigoted speech; I am arguing that the framing of such defenses is misleading. When the prevailing attitude is that “the right of free speech must be defended absolutely, even when—or especially when—the speech or the speaker is hateful,” it plays directly into the hands of those who argue that white men are the new victim class.⁹⁴ At the time of this writing, one could argue that over half the electorate finds the U.S. president hateful; that does not mean he is vulnerable, or that his speech is vulnerable to government interference. Misconstruing the unpopular as vulnerable to protect the speech of white men is common across the political spectrum. Franks argues that “Constitutional veneration provides a socially acceptable way to disguise the prioritization of white men’s interests and to relieve liberal cognitive dissonance.”⁹⁵ This may be why many liberal pundits are susceptible to paternalistic defenses of the First

⁹⁴ Franks, 111.

⁹⁵ Ibid, 46.

Amendment, an iteration of which is *white men aren't protecting free speech for themselves, they're protecting it for Black Lives Matter, or the next Martin Luther King Jr.*

The final characteristic of Constitutional fundamentalism is “rationaliz[ing] extreme inequality as the product of natural competition.”⁹⁶ This stems in part from the “marketplace of ideas” theory of free speech that asserts that all ideas should be allowed to circulate and compete for uptake. The problem with this “sunlight is the best disinfectant” approach is that it encourages *everything* to be up for debate, including whether people in marginalized groups should have the right to vote, to have citizenship, or even to exist. It also enables troll-like methods of engagement: if a person of color refuses to argue why they should have human rights, they must not have a strong argument. Though content of this kind is never made explicit in the popular press, the argumentative logics that make it possible certainly are. Citing the Unite the Right rally in Charlottesville, Beirne of *National Review* makes a distinction between “words morph[ing] into criminal action” which are prosecutable, while “harming someone’s feelings is not.”⁹⁷ What goes unsaid is that killing and beating counter-protesters is a problem, but chanting “Jews will not replace us,” is not. Beirne concludes by saying “The answer to bad speech is more speech, not less. Let the best ideas win.”⁹⁸ In other words, anti-Semitism is up for debate; let the best idea win. David French is defter at arguing the same:

But how do we know when an argument “fails” unless it is engaged, interrogated, evaluated, and—yes—debated. An argument doesn’t “fail” when it is simply declared false. It truly fails when it is tested and found wanting. [...] The woke progressive monocultures in quarters of academia and Silicon Valley have advanced and protected both the idea that speech is violence and the idea that disagreement is dehumanizing—especially when disagreement touches on

⁹⁶ Ibid, 7.

⁹⁷ Beirne.

⁹⁸ Beirne.

matters of race, gender, and sexuality. [...] Every American should be able to handle a challenge to his or her most foundational values. Healthy pluralism requires nothing less.⁹⁹

I categorically do not think French is suggesting that Americans should be able to argue against unhinged claims that everyone who identifies as LGBTQ is a pedophile who should burn in hell. Infinitely more likely, he would like a cogent and civil argument about why the federal government should fund non-abortion related health care at Planned Parenthood. But for Constitutional fundamentalists, there are no rules delineating between the two; the allowance for the latter must also be made for the former.

All characteristics of Constitutional fundamentalism—idealizing the founding fathers, reading passages selectively, imagining constant attacks on values, and rationalizing inequality by focusing on competition—allow for a robust institutional and cultural defense of the free speech of powerful white men. Constitutional fundamentalists and free speech absolutists like to claim that free speech comes at a cost, and that cost is often painful. They fail to mention that the cost falls disproportionately on everyone who is not powerful, white, or male.

Trump

All other exigencies converge in the candidacy and presidency of Donald Trump. He has given a megaphone to the rhetoric of anti-PC frustrations and fears, the values and argumentative strategies of trolls, and to a Constitutional fundamentalist approach to the First Amendment that justifies espousing hateful ideas.

⁹⁹ David French, “‘Dehumanizing’ Speech Is Still Free Speech,” *National Review*, April 24, 2019, <https://www.nationalreview.com/2019/04/dehumanizing-speech-is-still-free-speech/>.

In September of 2015, then candidate Trump told a South Carolina crowd, “I’m so tired of this politically correct crap.”¹⁰⁰ This attitude became politically useful; Trump supporters reported being tired of political correctness.¹⁰¹ Given that various strains of right-wing outrage insist that political correctness is a form of oppression thrust upon them by a culturally dominant left, Kirsten Theye and Steven Melling write that Trump’s “willingness to tear down people and institutions using aggressive and insulting language, rather than the typical equivocating style of traditional politicians, affirms his outsider status to voters who also feel like outsiders.”¹⁰² When Trump spoke at the Republican National Convention of 2016, he “claimed to speak for ‘the forgotten men and women of our country. People who work hard but no longer have a voice,’ adding ‘I am your voice.’”¹⁰³ He refers to those who were economically left behind by government policy, but the anti-PC audience also hears *I will say what you can’t say without fear of admonishment*. The common refrain among Trump supporters of “I like him because he says what’s on his mind” is also the result of cultural associations with political correctness as formal constraint. When Trump casually and outrageously says Mexicans are rapists, he adds to his ethos of being a renegade who tells the truth no matter who it offends. If being politically incorrect is a sign of telling the truth, being politically correct is a form of *lying*. This is an escalation, a way for candidate Trump to take PC “from annoyance to the major

¹⁰⁰ Edsall.

¹⁰¹ Conor Friedersdorf, “Donald Trump: America’s Most Politically Correct President,” *The Atlantic*, February 8, 2017, <https://www.theatlantic.com/politics/archive/2017/02/the-alt-political-correctness-of-donald-j-trump/515856/>.

¹⁰² Kirsten Theye and Steven Melling, “Total Losers and Bad Hombres: The Political Incorrectness and Perceived Authenticity of Donald J. Trump,” *Southern Communication Journal* 83, no. 5 (December 11, 2018): 329, <https://doi.org/10.1080/1041794X.2018.1511747>.

¹⁰³ Robert C. Rowland, “The Populist and Nationalist Roots of Trump’s Rhetoric,” *Rhetoric & Public Affairs* 22, no. 3 (October 11, 2019): 362, <https://muse.jhu.edu/article/735469>.

exigence facing the country,”¹⁰⁴ or as Hess describes it, “framing political correctness as a kind of fifth-column tendency, an actual danger to America.”¹⁰⁵ In 2016, after Omar Mateen attacked a gay nightclub in Orlando, killing 49 and wounding 53, Trump branded the mass shooting the result of “radical Islamic terrorism,” a characterization President Obama did not make to avoid vilifying an entire religion. Trump responded with inflammatory fear appeals: “They have put political correctness above common sense, above your safety and above all else.”¹⁰⁶ Translation: insults and degradation are a vital part of national security. If this seems like trolling logic, it is.

Madelaine Albright wrote for *The New York Times*, “Mr. Trump appears to like bullies, and they are delighted to have him represent the American brand.”¹⁰⁷ Indeed, Andrew Anglin, troll and publisher of the neo-Nazi website *Daily Stormer*, wrote in 2016 “I urge all readers of this site to do whatever they can to make Donald Trump President.”¹⁰⁸ Josh Harkinson of *Mother Jones* elaborates on the significance of this endorsement and others like it:

Normally a candidate for the U.S. presidency would denounce such figures. Instead, Trump retweeted bigoted accounts and memes, including an image of himself as Pepe the Frog, a cartoon character the alt-right commandeered as its mascot. These “gaffes” by Trump, as they were often characterized in media coverage—including his retweets of user @WhiteGenocideTM, phony statistics on black crime, and an Anti-Semitic image featuring a Star of David and a pile of cash used to smear Hillary Clinton—were seen by the fringe right as an invitation to push deeper into the mainstream. With the exception of Ku Klux Klan figurehead and a white nationalist super-PAC, Trump did not personally disavow any among the horde of extremists who thrilled to him.¹⁰⁹

¹⁰⁴ Theye and Melling, 333.

¹⁰⁵ Hess.

¹⁰⁶ Ibid.

¹⁰⁷ Madeleine Albright, “Will We Stop Trump Before It’s Too Late?” *The New York Times* (New York, NY), April 6, 2018, <https://www.nytimes.com/2018/04/06/opinion/sunday/trump-fascism-madeleine-albright.html>.

¹⁰⁸ Josh Harkinson, “White Nationalists See Trump as Their Troll in Chief. Is He with Them?” *Mother Jones*, January/February 2017, <https://www.motherjones.com/politics/2016/11/trump-white-nationalists-hate-racism-power/>.

¹⁰⁹ Ibid.

Harkinson puts “gaffes” in quotes because it is improbable that these were honest mistakes, but it is impossible to know for sure. Trolling culture insists on detachment from sincerity, thereby ensuring plausible deniability. Trolls not only loved Trump’s style, but learned that their beliefs and communication style had political currency; despite his offensive language and connections, Trump was elected president.¹¹⁰ “Trump has been declared a deplorable racist, and [yet] he won,” said Richard Spencer, one of the de-facto leaders of the alt-right, “so the whole PC game of ‘we can call you the R-word [Racist] and you will vaporize,’ that game has been shattered.”¹¹¹ Characterizing accusations of racism as a game speaks to trolls; as does the social transgression of shattering that game. Consequently, there was a “massive increase in hate speech on Twitter during the presidential election.”¹¹² Even conservative authors critical of Trump were targets. David French wrote in 2016: “I can’t count the number of times I’ve seen images of my youngest daughter in a gas chamber—with Donald Trump pushing the button—simply because I have publicly opposed Trump.”¹¹³

The amplification of trolling culture also has ramifications for free speech absolutists. The paternalistic defense of free speech—that allowing the offensive speech of white male supremacy to roam freely also allows for the speech of marginalized groups to do the same—seems to dissolve. Franks argues that

The Trump era has exposed the hollowness of liberal free speech platitudes: the belief that truth will eventually prevail, that the best answer to bad speech is more speech, and that protecting the free speech rights of the worst people in society is necessary to protect the free speech of all.¹¹⁴

¹¹⁰ Ibid.

¹¹¹ Ibid.

¹¹² Brian L. Ott, “The Age of Twitter: Donald J. Trump and the Politics of Debasement,” *Critical Studies in Media Communication* 34, no. 1 (March 2017):66, <https://doi.org/10.1080/15295036.2016.1266686>.

¹¹³ David French, “‘Dehumanizing’ Speech Is Still Free Speech.”

¹¹⁴ Franks, 16.

Trump both exhibits and amplifies the characteristics of Constitutional fundamentalism, enabled by his “extraordinary lack of even rudimentary knowledge about the Constitution.”¹¹⁵ He has a history of referencing the founding fathers: “‘The Constitution is the guide which I never will abandon’-George Washington”¹¹⁶; “‘If the freedom of speech is taken away then dumb and silent we may be led, like sheep to the slaughter.’-George Washington”¹¹⁷; “‘One man with courage is a majority.’-Thomas Jefferson”¹¹⁸; “‘Diligence is the mother of good luck.’-Benjamin Franklin”¹¹⁹; “The most important truth our FOUNDERS understood was: FREEDOM is NOT a gift from Govt. FREEDOM is a GIFT from GOD.”¹²⁰ Referencing the founding fathers is not unusual or inappropriate for those with political aspirations. However, combined with Trump’s 2016 campaign slogan, “Make America Great Again,” these historic references harken back to a time when the U.S. was appeared to be unified in values—if one had the values of powerful white men. In an example provided by Theye and Melling, Trump demonstrates the fundamentalist idea that any attack on the speech of a white man is an attack on the First Amendment:

In April 2016, Trump accused Hillary Clinton of playing the “women’s card.” [...] She responded by stating that she has “a lot of experience dealing with men who sometimes get off the reservation in the way they behave or how they speak.” [...] When Trump commented on her

¹¹⁵ Ibid, 38.

¹¹⁶ Donald Trump (@realDonaldTrump), “‘The Constitution Is the Guide Which I Never Will Abandon’ - George Washington,” Twitter, June 1, 2015, <https://twitter.com/realdonaldtrump/status/605432217876197376>.

¹¹⁷ Donald Trump (@realDonaldTrump), “‘If the Freedom of Speech Is Taken Away Then Dumb and Silent We May Be Led, like Sheep to the Slaughter.’ - George Washington.” Twitter, February 15, 2013, <https://twitter.com/realdonaldtrump/status/302530722453921793>.

¹¹⁸ Donald Trump (@realDonaldTrump), “‘One Man with Courage Is a Majority.’ - Thomas Jefferson,” Twitter, September 20, 2013, <https://twitter.com/realdonaldtrump/status/381106640784588800>.

¹¹⁹ Donald Trump (@realDonaldTrump), “Diligence Is the Mother of Good Luck. -- Benjamin Franklin,” Twitter, August 4, 2015, <https://twitter.com/realdonaldtrump/status/628575827790315520>.

¹²⁰ Donald Trump (@realDonaldTrump), “The Most Important Truth Our FOUNDERS Understood Was: FREEDOM Is NOT a Gift from Govt. FREEDOM Is a GIFT from GOD. 🇺🇸 https://T.Co/RmAzGt8SuG https://T.Co/SrPavwrt2R,” Twitter, October 17, 2017, <https://twitter.com/realdonaldtrump/status/920474831749025795>.

reaction in an interview on Fox News, he stated: “It was a very derogatory statement to men. It was almost as though she’s going to tell us what to do, tell men what to do.” [...] Though Trump qualifies his statement with “almost as though,” he suggests that political correctness will evolve from discourse to policies that limit freedom of expression.¹²¹

In other words, Trump casts men as the victims of political correctness and implies that challenging men on their speech is tantamount to threatening free expression. This exemplifies not only that “Trump is the very embodiment of the domination/victimization paradox of white male supremacy,”¹²² but also the idea that any threat to speech, however slight, is a threat to democracy. The same is true of Trump’s July 2019 tweets in response to public condemnation of his remarks that four Congresswomen—all of whom are minorities and U.S. citizens—should “go back” to countries they “came from.”¹²³ Facing an official rebuke from Congress, Trump tweeted:

Those Tweets were NOT Racist. I don’t have a Racist bone in my body! The so-called vote to be taken is a Democrat con game. Republicans should not show “weakness” and fall into their trap. This should be a vote on the filthy language, statements and lies told by the Democrat.....Congresswomen, who I truly believe, based on their actions, hate our Country. Get a list of the HORRIBLE things they have said.¹²⁴

Again, Trump claims his speech is attacked; draws attention to his identity as a white male by vilifying his opponents who are women of color; feminizes the “weakness” of admitting

¹²¹ Theye and Melling, 324.

¹²² Franks, 15.

¹²³ “I Am Not a Racist, Insists Trump.” *BBC News*, July 16, 2019, sec. US & Canada. <https://www.bbc.com/news/world-us-canada-49008454>.

¹²⁴ Donald Trump (@realDonaldTrump), “Those Tweets Were NOT Racist. I Don’t Have a Racist Bone in My Body! The so-Called Vote to Be Taken Is a Democrat Con Game. Republicans Should Not Show ‘Weakness’ and Fall into Their Trap. This Should Be a Vote on the Filthy Language, Statements and Lies Told by the Democrat.....” Twitter, July 16, 2019, <https://twitter.com/realdonaldtrump/status/1151129281134768128>; Donald Trump (@realDonaldTrump), “.....Congresswomen, Who I Truly Believe, Based on Their Actions, Hate Our Country. Get a List of the HORRIBLE Things They Have Said. Omar Is Polling at 8%, Cortez at 21%. Nancy Pelosi Tried to Push Them Away, but Now They Are Forever Wedded to the Democrat Party. See You in 2020!” Twitter, July 16, 2019, <https://twitter.com/realdonaldtrump/status/1151129281919102976>.

wrongdoing; and claims that the actions and speech of women of color demonstrate hatred of the U.S.

Trump also selectively reads the text of the Constitution by ignoring the fact that the First Amendment protects speech only from government interference. He has repeatedly insinuated that Twitter’s removal of offensive speakers violates the law: “Twitter “SHADOW BANNING” prominent Republicans. Not good. We will look into this discriminatory and illegal practice at once!”¹²⁵; “Twitter should let the banned Conservative Voices back onto their platforms, without restriction. It’s called Freedom of Speech, remember. You are making a Giant Mistake!”¹²⁶; “I am continuing to monitor the censorship of AMERICAN CITIZENS on social media platforms. This is the United States of America—and we have what’s known as FREEDOM OF SPEECH! We are monitoring and watching, closely!!”¹²⁷

Like many conservatives, Trump sees free speech as constantly under attack. In 2018, Trump signed an executive order that purportedly protects free speech on campus. However, as Bollinger writes in *The Atlantic*, “The president’s claim that the campus free-speech order was needed to defend ‘American values that have been under siege’ ignored two essential facts.” Namely, that these threats have been greatly exaggerated, and that discussions around the boundaries of acceptable speech is a healthy part of democracy and jurisprudence which

¹²⁵ Donald Trump (@realDonaldTrump), “Twitter ‘SHADOW BANNING’ Prominent Republicans. Not Good. We Will Look into This Discriminatory and Illegal Practice at Once! Many Complaints,” Twitter, July 26, 2018, <https://twitter.com/realdonaldtrump/status/1022447980408983552>.

¹²⁶ Donald Trump (@realDonaldTrump), “Twitter Should Let the Banned Conservative Voices Back onto Their Platform, without Restriction. It’s Called Freedom of Speech, Remember. You Are Making a Giant Mistake!” Twitter, June 9, 2019, <https://twitter.com/realdonaldtrump/status/1137702218835136517>.

¹²⁷ Donald Trump (@realDonaldTrump), “I Am Continuing to Monitor the Censorship of AMERICAN CITIZENS on Social Media Platforms. This Is the United States of America — and We Have What’s Known as FREEDOM OF SPEECH! We Are Monitoring and Watching, Closely!!” Twitter, May 3, 2019, <https://twitter.com/realdonaldtrump/status/1124447302544965634>.

should “therefore be welcomed rather than reviled.”¹²⁸ Denial of open discourse around the First Amendment contributes to Constitutional fundamentalism. It also fits with right-wing assertions about political correctness being a constraint foisted on the public by academics speaking an esoteric language. At the signing ceremony, Trump “called universities ‘anti-First Amendment institutions’; he denounced ‘ideological intolerance’; and he stated that the \$35 billion per year that schools receive in research funding ‘is now at stake.’”¹²⁹

Demonstrating the final characteristic of Constitutional fundamentalism, Trump rationalizes inequality by focusing on competition. If the “marketplace of ideas” model of free speech maintains that truth will win out, and trolling opponents with offensive speech is revealing the “truth” masked by political correctness, then every derogatory remark is justified as a victory. One example of this is from the impeachment inquiry in 2019:

Corrupt politician Adam Schiff’s lies are growing by the day. Keep fighting tough, Republicans, you are dealing with human scum who have taken Due Process and all of the Republican Party’s rights away from us during the most unfair hearings in American History...¹³⁰

The U.S. justice system uses an adversarial model to weight evidence and make decisions; referring to these legal processes highlights competition of ideas. Given that the President was being investigated for impeachable offenses, his narrative is competing with that of his accusers. By pointing out their “lies” and accusing them of violating the Constitution (or at least

¹²⁸ Lee C. Bollinger, “Free Speech on Campus Is Doing Just Fine, Thank You,” *The Atlantic*, June 12, 2019, <https://www.theatlantic.com/ideas/archive/2019/06/free-speech-crisis-campus-isnt-real/591394/>.

¹²⁹ Mark Bauerlein, “Why Colleges Like Trump’s Campus Speech Order,” *The New York Times* (New York, NY), March 25, 2019, <https://www.nytimes.com/2019/03/25/opinion/trump-free-speech-colleges.html>.

¹³⁰ Trump, Donald (@realDonaldTrump), “Corrupt Politician Adam Schiff’s Lies Are Growing by the Day. Keep Fighting Tough, Republicans, You Are Dealing with Human Scum Who Have Taken Due Process and All of the Republican Party’s Rights Away from Us during the Most Unfair Hearings in American History.....,” Twitter, November 21, 2019, <https://twitter.com/realdonaldtrump/status/1197503790729121794>.

acting in a way that violates the spirit of the Constitution), he justifies calling Representative Adam Schiff “corrupt” and the Democrats “human scum.”

Trump represents a convergence of the exigencies I have outlined, including antagonism to political correctness, trolling behaviors, and Constitutional fundamentalism. In this, Trump is not an outlier; he is an amplifier. It is indisputable that the president’s speech enables citizens to speak in similar ways. The same exigencies that fueled the rise of Trump likewise led to the rise of Gab, and free speech discourse on Gab often reflects this.

The Rise of Gab

The exigencies I examined above—political correctness, trolling culture, Constitutional fundamentalism, and Donald Trump—have fueled the rise of Gab. To tell Gab’s story, I will begin with a brief look at how these exigencies have influenced online platforms; then I will discuss Gab’s founder Andrew Torba and how Gab is perceived by the popular press; and finally, I will give a brief timeline of Gab’s rocky history.

In 1996, one of the founders of the Electronic Frontier Foundation (EFF), John Perry Barlow, wrote the “Declaration of Independence in Cyberspace.” It touches on the technological ideology that remains a dominant force shaping online discourse today. First, it declares that the online world is the realm of mind, not body:

Governments of the Industrial World, you weary giants of flesh and steel, I come from Cyberspace, the new home of the Mind. On behalf of the future, I ask you of the past to leave us alone. You are not welcome among us. You have no sovereignty where we gather.¹³¹

¹³¹ John Perry Barlow, “A Declaration of the Independence of Cyberspace,” Electronic Frontier Foundation, January 20, 2016, <https://www.eff.org/cyberspace-independence>.

Minds are logical and pristine, unlike messy bodies. This universalization perpetuates the “god’s eye view” associated with whiteness and maleness. Second, it declares that real-world governments have no jurisdiction over the online world:

We have no elected government, nor are we likely to have one, so I address you with no greater authority than that which liberty itself always speaks. I declare the global social space we are building to be naturally independent of the tyrannies you seek to impose on us. [...] Governments derive their just powers from the consent of the governed. You have neither solicited nor received ours. We did not invite you.¹³²

And third, it declares that the online world is a place of absolute free speech:

We are creating a world where anyone, anywhere may express his or her beliefs, no matter how singular, without fear of being coerced into silence or conformity. [...] We will spread ourselves across the Planet so that no one can arrest our thoughts.¹³³

These three principles have been reinforced by judicial and legislative bodies in the U.S. The Communications Decency Act was passed into law in 1996, but almost all of it has since been repealed. The section that remains, Section 230, makes it impossible to sue or prosecute websites and media platforms for any content provided by users. In other words, Twitter cannot be held legally responsible for an individual’s tweets. An injured party may try to sue an individual user, but the use of pseudonyms usually makes such actions impossible. Additionally, traffic on platforms like Facebook and YouTube is driven by algorithms that promote content that is more likely to generate ad revenue. Because outrageous, negative content gets more clicks, the platforms financially benefit from promoting them.

Because there is an incentive to promote the most morally objectionable content, and there is no legal way to stop it (in the U.S.) a perfect storm is the result. As Franks writes,

A system that allows interactive service providers, especially giant corporations, to generate both revenue and First Amendment protection through every click or engagement—while

¹³² Ibid.

¹³³ Ibid.

leaving users to absorb the negative consequences—produces an entirely predictable result: an Internet rife with abuse, threats, revenge porn, conspiracy theories, sex trafficking, and live-streamed crimes.¹³⁴

Like Barlow, techno-libertarians frame the Internet “as a realm of pure speech,”¹³⁵ “refuse to acknowledge that there is not now nor has there ever been any such thing as a neutral platform or free market,”¹³⁶ and use language that obfuscates and elides responsibility. The word “platform,” embraced by the tech industry, “evokes neutrality, objectify, and passivity” and presents itself as a space that allows individuals to act as they choose. Franks likens this to the 2nd Amendment lobbyist strategy of insisting that “guns don’t kill people, people kill people.”¹³⁷ These values are consistent with EFF’s actions, which include defending (legally or rhetorically) users who have been de-platformed for offensive speech, arguing that platforms have no right to regulate speech. To be clear, techno-libertarians believe no one—not government, not private individuals, and not platforms—have the right to regulate speech on the Internet.

Such a mindset allows individuals who have been banned to refer to themselves as “free speech warriors,” regardless of what they have been banned *for*.¹³⁸ After neo-Nazi blogger Mike Enoch was outed in 2017, he told *Mother Jones*’ Harkinson that “many techies secretly identify with the alt-right, which he attributed to a backlash against the ‘corporate feminist and diversity agenda’ of tech companies.”¹³⁹ Harkinson interviewed three more “alt-techies” that identified themselves as white nationalists who strongly rejected “identity politics, affirmative

¹³⁴ Franks, 181.

¹³⁵ *Ibid*, 164.

¹³⁶ *Ibid*, 162.

¹³⁷ *Ibid*, 183.

¹³⁸ Nellie Bowles, “Patreon Bars Anti-Feminist for Racist Speech, Inciting Revolt,” *The New York Times* (New York, NY), December 24, 2018, <https://www.nytimes.com/2018/12/24/technology/patreon-hate-speech-bans.html>.

¹³⁹ Josh Harkinson, “Meet Silicon Valley’s Secretive Alt-Right Followers,” *Mother Jones*, March 10, 2017, <https://www.motherjones.com/politics/2017/03/silicon-valley-tech-alt-right-racism-misogyny/>.

action, and what they see as toxic political correctness.”¹⁴⁰ He adds, “White supremacists see the historical dominance of Silicon Valley by white males as a reflection of the world’s natural order.”¹⁴¹ This is the technological foundation out of which Gab grew.

Andrew Torba, founder of Gab, started his own advertising technology company in Scranton, Pennsylvania. In 2014, his startup was selected by the Silicon Valley incubator Y-Combinator, so Torba moved to California. Caitlin Dickson and Christopher Wilson of *The Huffington Post* write that “as a political conservative, he felt out of place in Silicon Valley.”¹⁴² When a Latino founder of a startup wrote on Facebook, the night of Trump’s presidential election in 2016, that “Tomorrow, being a Hispanic, Black, Muslim or woman in the USA is going to be very scary,” Torba tweeted a screenshot of the Facebook post and captioned it “Build the wall.”¹⁴³ Torba was criticized online by Y-Combinator associates, and responded:

“All of you: Fuck off,” he wrote. “Take your morally superior, elitist, virtue signaling bullshit and shove it.” Using an alt-right term meant to demean mainstream conservatives, he added, “I call it like I see it, and I helped meme a president into office, cucks.”¹⁴⁴

He was subsequently banned from Y-Combinator, an action he called “a quintessential example of Silicon Valley censorship,” and promptly devoted himself to working on Gab.¹⁴⁵ He told the *Washington Post* in November 2016, “I felt that it was time for a conservative leader to step up and to provide a forum where anybody can come and speak without fear of censorship.”¹⁴⁶ He was 25.

¹⁴⁰ Ibid.

¹⁴¹ Ibid.

¹⁴² Caitlin Dickson and Christopher Wilson, “Who Is Gab Founder Andrew Torba?” *HuffPost*, October 30, 2018, https://www.huffpost.com/entry/gab-founder-andrew-torba_n_5bd89d70e4b0dee6eececb5.

¹⁴³ Harkinson, “Meet Silicon Valley’s Secretive Alt-Right Followers.”

¹⁴⁴ Ibid.

¹⁴⁵ Ibid.

¹⁴⁶ Dickson and Wilson.

Gab markets itself as a free-speech focused social media platform. April Glaser from *Slate* calls Gab “Facebook with more racism” and “a digital playpen for Nazis, white supremacist, men’s rights activists, anti-PC crusaders, Gamergaters, anti-feminists, free speech absolutists, and anyone who loves a solidly offensive joke.”¹⁴⁷ When directly asked why so many users express right-wing views, Torba told *VICE News* that “Any online community that is explicitly pro-free speech will inevitably become right-leaning.”¹⁴⁸ His reason:

In the free market of ideas right-leaning ideas win. Which is why we see these left-wing tech companies censoring. No one is buying their progressive, globalist bullshit anymore, so it must be force-fed down the throats of users and dissent must be stamped out with the iron fist of censorship.¹⁴⁹

With this violent rhetoric, Torba casts himself and Gab users as dissenters against a fascist regime of Internet censors. Writing for *Wired*, Emma Grey Ellis views the site differently: “by sequestering itself, Gab has managed to sideline its members further into an echo chamber so far removed from the rest of the conversation that its message has no chance of reaching unfamiliar ears.” The result, Ellis argues, is “less a censorship-free utopia than an alt-right safe space.”¹⁵⁰

The first few years Gab has been online have been rocky. Most of the organizers of the deadly August 2017 Unite the Right rally in Charlottesville had accounts on Gab.¹⁵¹ A member of the Gab group Right Wing Dev Squad described his plans following the protests as “living la

¹⁴⁷ April Glaser, “Nazis and White Supremacists Are No Longer Welcome on the Internet. So They’re Building Their Own,” *Slate*, August 30, 2017, <https://slate.com/technology/2017/08/the-alt-right-wants-to-build-its-own-internet.html>.

¹⁴⁸ Torba quoted in David Gilbert, “Here’s How Big Far Right Social Network Gab Has Actually Gotten,” *Vice*, August 16, 2019, https://www.vice.com/en_us/article/pa7dwg/heres-how-big-far-right-social-network-gab-has-actually-gotten.

¹⁴⁹ Torba quoted in Gilbert.

¹⁵⁰ Emma Grey Ellis, “Gab, the Alt-Right’s Very Own Twitter, Is The Ultimate Filter Bubble,” *Wired*, September 14, 2016, <https://www.wired.com/2016/09/gab-alt-rights-twitter-ultimate-filter-bubble/>.

¹⁵¹ Dickson and Wilson.

doce vita: a beer in my hand, code on my screen, and a jew in my oven.”¹⁵² A week after the rally, Google removed Gab from its app store for violating its policy on hate speech. Robert Bowers, the Pittsburgh synagogue shooter, posted anti-Semitic messages on Gab a few hours before he killed 11 people and wounded six on October 27, 2018. In the days following the shooting, the web hosting provider Joyent stopped hosting Gab; GoDaddy, Gab’s domain name provider, forced Gab to go to find another domain service; and the payment processing platforms Stripe and PayPal canceled Gab’s accounts.¹⁵³ Gab came back online in November 2018 on the domain registrar Epik.com. In July 2019, Gab changed its infrastructure to run on Mastadon, an open-source decentralized platform. Mastadon made public statements denouncing Gab and blocked other apps from interacting with Gab.

Despite its logistical turmoil and criticism from the popular press, Gab persists “as a haven for far-right figures and trolls that have been kicked off other social media platforms.”¹⁵⁴ In their 2019 Annual Report to investors, Gab states that as of April 24, 2019, Gab had over 900,000 registered users. On March 2, 2020, Gab’s Twitter account boasts “3,000,000 visitors, users, and customers from around the world.” This is a relatively small portion of the U.S. electorate, and many users are not U.S. citizens. But the potential for rhetoric on Gab spreading to powerful members of U.S. society and institutions should not be underestimated.

¹⁵² Quoted in Glaser.

¹⁵³ Kevin Roose, “On Gab, an Extremist-Friendly Site, Pittsburgh Shooting Suspect Aired His Hatred in Full,” *The New York Times* (New York, NY), October 28, 2018, <https://www.nytimes.com/2018/10/28/us/gab-robert-bowers-pittsburgh-synagogue-shootings.html>.

¹⁵⁴ Daniel Moritz-Rabson, “Founder of Social Media Site Gab, Used by Alleged Pittsburgh Shooter, Blames ‘Deep State’ for Struggles,” *Newsweek*, January 31, 2019, <https://www.newsweek.com/gab-founder-blames-deep-state-struggles-bots-1313355>.

Here is what we know: From August 2019 to January 2020, Gab.com had over 2.8 million visits. Gab's users include *InfoWars* conspiracy theorist Alex Jones, former *Breitbart* writer Milo Yiannopoulos, and conservative author and commentator Ann Coulter. Each of these individuals and their respective media outlets have had primary or secondary contact with President Trump, *and those contacts have been made public to millions*. Candidate Trump gave a telephone interview on Alex Jones' radio show, in which he told Jones, "Your reputation is amazing. I will not let you down."¹⁵⁵ From August 2019 to January 2020, InfoWars.com had over 9 million visits. Yiannopoulos had significant contact with Steve Bannon,¹⁵⁶ who ran Trump's campaign and served as White House Chief Strategist for the first seven months of Trump's presidency. There is also evidence of regular contact between a *Breitbart* author and Stephen Miller,¹⁵⁷ who still serves in the White House. From August 2019 to January 2020, Breitbart.com had over 75 million visits. At the beginning of his presidency, Trump followed Ann Coulter on Twitter. After she criticized him for being too weak on immigration, the president unfollowed her and called her a "wacky nut job;" and the story was picked up by Fox News.¹⁵⁸ The President has 73 million Twitter followers. FoxNews.com, from August 2019 to January 2020, had over 381 million visits.¹⁵⁹

¹⁵⁵ William Finnegan, "Donald Trump and the 'Amazing' Alex Jones," *The New Yorker*, June 23, 2016, <https://www.newyorker.com/news/daily-comment/donald-trump-and-the-amazing-alex-jones>.

¹⁵⁶ Joseph Bernstein, "Here's How Breitbart And Milo Smuggled Nazi and White Nationalist Ideas Into The Mainstream," *BuzzFeed News*, October 5, 2017, <https://www.buzzfeednews.com/article/josephbernstein/heres-how-breitbart-and-milo-smuggled-white-nationalism>.

¹⁵⁷ Katie Rogers, "Emails Outline Anti-Immigration Group's Connection to Stephen Miller," *The New York Times*, November 14, 2019, <https://www.nytimes.com/2019/11/14/us/politics/immigration-trump.html>.

¹⁵⁸ Louis Casiano, "Ann Coulter Says If Trump Knew English, He Would Understand Meaning of 'WALL,'" *Fox News*, May 16, 2019, <https://www.foxnews.com/politics/ann-coulter-says-if-trump-knew-english-he-would-understand-meaning-of-wall>.

¹⁵⁹ Views from Google analytics. It is important to note that site visits are not necessarily made by unique individual users.

Given the potential for spread of Gab’s discourse—specifically on free speech, which the site claims is its mission—it is important to look at the arguments presented therein. The current study looks at free speech rhetoric on Gab not to correct them, but *to follow them to their ends* and analyze outcomes from an ethical perspective.

Methods

This is a mixed methods study. As aforementioned, my theoretical approach is based largely on Dana Cloud’s critical rhetoric. I also use danah boyd’s approach to understanding the “cultural logic” of communities. In an effort to engage in what boyd calls “deep hanging out,”¹⁶⁰ I was a lurker on Gab for over 18 months over the course of 2018-2019, learning culturally specific references. For boyd, this process includes facing her “biases, interpretive limitations, and judgmental tendencies.”¹⁶¹ To the best of my ability, I have acknowledged and limited my personal biases throughout the course of this research. While Gab is host to a number of ideologies that I do not share, I have focused my research on content about free speech and the arguments and discursive strategies therein. Regardless of this focus, some Gab content was disturbing in nature. I practiced self-care in the form of taking breaks, talking with others, refraining from reading posts before bed, and stepping away from the project on occasions when I felt my judgment was compromised.

Data collection for this project posed several challenges. I began reading the live site in late 2017, when Gab did not require an account and the public could browse at will. I began

¹⁶⁰ danah boyd, “Making Sense of Teen Life: Strategies for Capturing Ethnographic Data in a Networked Era,” in *Digital Research Confidential: The Secrets of Studying Behavior Online*, eds. Ester Hargittai and Christian Sandvig (Cambridge, Mass.: MIT Press, 2015), 85.

¹⁶¹ Ibid, 93.

data collection in the summer of 2018. In October 2018, after a Gab user posted anti-Semitic content before perpetrating a mass shooting at the Tree of Life Synagogue in Pittsburgh, the site was temporarily shut down, and I pulled away from the project. In November 2018, when Gab was up and running again, I began collecting data once again. During this phase, I was using the bookmark function of my web browser in order to save discussion threads. However, in July 2019 the Gab infrastructure was shifted to Mastodon in an effort to decentralize (and therefore be less reliant on the political leanings of hosting services and domain registrars), and the move resulted in the loss of most of the site's search function. I could search for individual users, but I could not do a keyword search. In the fall of 2019, there was still no timeline for the search to be fixed. I therefore sought an alternative method for accessing content on Gab. In 2018, the authors of "What is Gab? A Bastion of Free Speech or an Alt-Right Echo Chamber?" made their data set publicly available.¹⁶² The data set contains 22,112,812 posts from 336,752 users, between August 2016 and January 2018.

After downloading the dataset, my associate Salt Hale, from the University of Washington's Communication Department, wrote code to sort the data. I provided him with the search terms: "free speech," "freedom of speech," "free expression," "freedom of expression," "hate speech," "First Amendment," "1st Amendment," "First A," "1st A," "1A," "censor," "censored," and "censorship."¹⁶³ Running the script resulted in approximately

¹⁶² Savvas Zannettou, Barry Bradlyn, Emiliano De Cristofaro, Haewoon Kwak, Michael Sirivianos, Gianluca Stringhini, and Jeremy Blackburn, "Dataset for 'What Is Gab? A Bastion of Free Speech or an Alt-Right Echo Chamber?'" *Zenodo*, September 13, 2018. <https://doi.org/10.5281/zenodo.1418347>.

¹⁶³ In order to account for accidental misspellings, I also included "First Ammendment" and "1st Ammendment."

260,000 posts, many of which were duplicates because they contained more than one search term. Of these I read about 8,000. Finally, I engaged in close reading of more than 850 posts.

Following Cloud's critical approach, I examined individual posts for the free speech values they espoused; how those values fit into the greater Gab community; and, through analysis of ethical claims involved in those values, whether or not they would serve the interests of the community and its members if followed to their logical ends. The point of such criticism is not to persuade Gab users of the consequences of their speech, it is to alert other speakers—public intellectuals, elected officials, and those with influence—to the possible repercussions of repeating or elevating the kind of free speech discourse found on Gab. I acknowledge that this process is interpretive and, as Cloud would say, that I am bringing my lived experience into the critical process. Therefore a positionality statement is appropriate. I am a white, female, cis, anglophone U.S. citizen; my socioeconomic status is upper middle class. I believe in political liberalism and distributive justice; social justice; and that emotion is, and has been, an integral part of ethics and law.

My research ethics for this study combine the latest recommendations from the Association of Internet Research with a feminist ethics of care. Given that content on Gab can be controversial and inflammatory, and that many users have cited concerns about expressing what they call "unpopular opinions" and/or "truths," protecting user identity was critical as well as personally important to me. The raw material from the publicly available data set includes user names which could be connected to individual authors' wallet IDs. Consequently, after selecting about 75 posts for final analysis, I converted the authors' user names into numerical

identifiers. I maintain one hard copy of the key and one copy on a USB drive, both of which will be destroyed 24 months after the study is published.

Findings: Free Speech Discourse on Gab

I have identified seven major themes in the data, each of which I frame as statements on values related to freedom of expression: 1) Free speech is my (individual) right; 2) If you don't like it, leave; 3) My freedom of speech doesn't end where your emotions begin; 4) There's no such thing as hate speech; 5) Free speech makes you tough; 6) This is how we keep democracy and the First Amendment strong; and 7) This is how we get to the truth. Each thematic category includes a carefully chosen selection of Gab posts, a discussion of their meanings and communicative strategies, and an ethical analysis of the values they espouse.

Free speech is my (individual) right.

1. I will no longer allow my rights and safety to be infringed upon by the radical left.
(id 2, February 2, 2017)
2. "our" freedom? No my freedom is being revived. I have been freedom-less since the day BHO took office and allowed liberals, terrorists (kinda the same), and PC police take MY right to freedom of speech & religion away. NOT ANY LONGER!
(id 17, December 20, 2016)
3. I don't care if this bitch thinks she can say anything she wants, people who pontificate like this should be declared clear and present dangers, lose their First Amendment rights and be sent to GITMO...
(id 18, November 8, 2017)

The concept that free speech is an exclusively individual right is prevalent on Gab. This is not surprising, given that many users have turned to Gab because they have been banned by other social media platforms for using violating terms of service regarding offensive speech. As individuals, they believe they are being persecuted by systems of power that seek to curtail

their freedom of expression (common culprits are Twitter, Facebook, “Silicon Valley,” “coastal elites,” and “liberals”). The posts above are responses to the exigencies of political correctness, trolling, Constitutional fundamentalism, and Donald Trump. They also represent two variations on the theme of free speech as an individual right. The first (seen in posts 1 and 2) *implies* that the individual right to free expression is more important than the society’s collective right. The second (seen in post 3) *prohibits* both individual and collective rights of certain individuals.

Let me clarify some terminology. Free speech is correctly understood as an individual right because the First Amendment protects an individual’s speech from government interference at local, state, and federal levels. It is *also* a *collective* right, and this is reflected in its purpose. There are three reasons free expression is important in a liberal democracy. Free speech is necessary for self-governance because it allows individuals and groups to engage in deliberation so that they can make choices for themselves. Free expression is also integral to the development of character, including credibility and reputation, thereby allowing public relations. Lastly, free speech is necessary for a functioning marketplace of ideas, in which adversarial competition (ostensibly) leads to the discovery and acceptance of truth. Note that each of these reasons has an individual component *and* a collective component. Without the relational components of free speech, it is an empty right. The founding fathers would agree, given that they wrote the First Amendment to protect citizens against the kinds of censorship and punishment that came with being unhappy subjects of the British crown. As the republic has evolved, new challenges to free speech have emerged. Chief among them is the development of new and diverse publics. If the status quo successfully silences new publics, all citizens will suffer the loss of new voices. A contemporary example of this is the BDS

movement, which aims to pressure Israel into ending oppression against Palestinians through boycott, divestment, and sanctions. In 2019, President Trump signed an executive order that threatens to withhold funding from universities that support or tolerate BDS. If this move succeeds in stifling speech about BDS, the resulting harm is not only to individuals trying to speak out against Israeli policy, but to *society as a whole*, because they cannot listen, debate, and deliberate for themselves. On Gab, free speech as an individual right is clearly demonstrated in language use, including overemphasis on personal pronouns, and context. Free speech as a collective right, however, is broadly and continuously undermined. This is accomplished by calling forth “enemies” of free speech (e.g. the “Radical Left”) and by arguing that opposing groups should have their free speech rights removed.

In post 1, the personal pronoun “my” emphasizes individuality through juxtaposition with a social group, “the radical left.” The idea that the political left has created an oppressive cultural establishment is oblique, but the use of the word “safety” resonates with the tendency of President Trump and contemporary right-wing pundits to use fear appeals connected with free speech. Specifically, Trump has suggested that the left’s obsession with political correctness and speech policing is a threat to the security of the nation (Obama not using the phrase “radical Islamic terrorism”) and of U.S. citizens (Trump made the same complaint after the mass shooting in Orlando). In post 2, the emphasis on the individual is more explicit, in both the phrase “‘our’ freedom? No my freedom” and putting “MY” in all caps. The author again references the political left, complaining that their freedoms have been taken away by “BHO” (Barack Hussein Obama); “liberals” and “terrorists,” which the author equates; and the “PC police,” a phrase that vilifies political correctness by using martial language. The all-caps shout

at the end of the post, “NOT ANY LONGER” refers to the recent electoral win of President Trump, who the author perceives as the ultimate figure of political incorrectness.

Post 3 is more extreme. The author uses derogatory language and suggests stripping an opponent of free speech rights. This is a direct threat to free speech as a collective right because it threatens to silence speakers, which would result in impoverished deliberation in the public sphere. Ironically, the author refers to “clear and present danger,” which is the legal test to balance speech and potential harm to the public. Developed by the Supreme Court in *Brandenburg v. Ohio*, the test specifies that speech advocating for the use of force or breaking laws can be legally restricted if the intent of the speech is to incite imminent lawless action. “Pontificating,” of which the author of post 3 accuses their target, is not intended to incite imminent lawless action. More importantly, the clear and present danger test was specifically created to adjudicate matters where speech poses a threat to the safety of *others*, the mere possibility of which is routinely denied by Gab’s free speech absolutists (see upcoming discussion of the themes “if you don’t like it, leave” and “my freedom of speech doesn’t end where your feelings begin”). In post 3, the author invokes the clear and present danger test, but makes no mention of potential dangers and harms to others—only that the speaker should “lose their First Amendment rights and be sent to GITMO.” The focus is thus shifted from collective rights to individual rights.

Phillips might read these posts as partially exemplifying trolling behavior, which “reveals the destructive implications of freedom of liberty, which, when taken to their selfish extreme, can best be understood as ‘freedom for me,’ ‘liberty for me,’ with little to no concern about

how these actions might infringe on others' freedom."¹⁶⁴ But the idea that free expression is exclusively an individual right is also based on another cultural development. Franks argues that the ascendancy of civil libertarianism results in an emphasis on individual right (as opposed to a civil rights approach, which emphasizes group rights).¹⁶⁵ If this view is carried to its logical end, the outcome may have implications that Gab users would not want, a threat to political liberalism.

Conceptualizing free speech requires engaging a number of interconnected ethical concepts important in liberal society, including respect, equality, autonomy, and liberty. Martha Nussbaum gives an account of how these concepts provide a basis for the "political liberalism" defined by Charles Larmore and John Rawls. The basis for liberal society is a respect for persons and a belief in their equal worth. Acknowledging that persons will hold a variety of beliefs and goals, and that differences will lead to disagreements, liberal society puts in place a range of political, religious, and civil liberties to ensure, as Rawls would say, "the most extensive liberty that is compatible with a like liberty for all."¹⁶⁶ In other words, freedom to choose—the most basic element of autonomy—will be maximized insofar as it applies to everyone, equally. In terms of an individual's right to free expression, so far so good. But these tacit agreements of liberal society depend, for their own stability, on a strong endorsement of shared values. In *Political Liberalism*, Rawls describes the idealized "well-ordered society" as having three attributes: 1) a shared, publicly recognized acceptance of justice as fairness principles, 2)

¹⁶⁴ Philips, 134.

¹⁶⁵ Franks, 12.

¹⁶⁶ Marth C. Nussbaum, *Hiding from Humanity: Disgust, Shame, and the Law* (Princeton and Oxford: Princeton University Press, 2004), 60.

political and social institutions work cooperatively to satisfy these principles; and 3) the people “have a normally effective sense of justice” and therefore comply with basic institutions.¹⁶⁷

Rawls continues to develop these points at length, but Nussbaum hones in on the pertinent issue:

What should concern us is the idea that all citizens will be asked to endorse society’s arrangements, both with regard to liberty and with regard to other basic goods, and to endorse them *as good*, not just as a mere *modus vivendi*, something that they have to put up with in order to have peaceful coexistence. Thus citizens are asked to share a partial conception of what is good and valuable.¹⁶⁸

In other words, an argument for free speech as an *exclusively* individual right negates the good it does in the social sphere; if citizens do not share a belief in freedom of expression, society cannot properly and cooperatively uphold that freedom, and a normally effective sense of liberty may be compromised.¹⁶⁹

Going a step further, Jeremy Waldron makes an argument against hate speech that is predicated upon the nominally effective aspect of Rawls’ well-ordered society. He asks: what does it look and feel like to live in such a society? The “assurance of a general commitment to the fundamentals of justice and dignity,”¹⁷⁰ is required to prevent the doubt and harm that comes from hate speech that specifically targets shared conceptions of good. For example: “In its published, posted, or pasted-up form, hate speech can become a world-defining activity, and those who promulgate it know very well—this is part of their intention—that the visible

¹⁶⁷ John Rawls, *Political Liberalism* (New York: Columbia University Press, 2005), 35.

¹⁶⁸ Nussbaum, *Hiding from Humanity*, 61.

¹⁶⁹ Note that the Gab community does not constitute a society by Rawls’ definition because it shares a common purpose. In this way, Gab is more like an association.

¹⁷⁰ Jeremy Waldron, *The Harm in Hate Speech* (Cambridge, Mass and London, England: Harvard University Press, 2012), 69.

world they create is a much harder world for the targets of their hatred to live in.”¹⁷¹ Whether or not one believes that hate speech should be regulated, Waldron’s view underlines the possible consequences of conceptualizing free speech as an individual right exclusively: if care is not taken to maintain the shared aspects of basic liberties, we may find ourselves in the midst of the kind of world-making Waldron describes.

Because Gab attracts “free speech absolutists,” trolls, conspiracy theorists, hate dabblers, and genocide propagandists, there is a common variation of “free speech is *my* right” that presents as “Free speech for me and not for thee.” This is obviously problematic beyond simple contradictory logic for several reasons, many of which strike at heart of what speech is and what it is for. In his own discussion of hate speech, Jonathan Seglow turns away from Waldron’s idea that hate speech indirectly harms dignity (a claim Seglow points to as too “environmental”) towards a conception of hate speech as inflicting direct harm on self-respect.¹⁷² There are two kinds of self-respect. Agency self-respect is developed and honed through autonomy practices such as authoring our own lives, practicing critical judgment, and engaging in deliberation.¹⁷³ Entitlement self-respect is based on institutional recognition of rights and liberties, and is therefore vulnerable to others.¹⁷⁴ As defined by Seglow, free speech is *necessarily* a social practice: agency self-respect flourishes in deliberate and considered interaction with others, and entitlement self-respect is supported by “collective enterprise.”¹⁷⁵ If free speech helps make the world (Waldron), makes self-respect through collective enterprise

¹⁷¹ Waldron, 74.

¹⁷² Jonathan Seglow, “Hate Speech, Dignity and Self-Respect,” *Ethical Theory and Moral Practice* 19 (2016): 1108.

¹⁷³ *Ibid*, 1109.

¹⁷⁴ *Ibid*, 1110.

¹⁷⁵ *Ibid*, 1106.

(Seglow), perhaps the apex of this particular constitutive through-line is Alexander Carnera's work, which takes a Spinozan approach to "the body as a model for knowledge."¹⁷⁶ Speech is an embodied practice: "when we express something we organize an encounter of forces that is intensively sensed in matter and bodies in their affects."¹⁷⁷ Carnera's point is what speech *is* inseparable from what it *does*: expression is not only representative, it is also causal¹⁷⁸— it makes and changes embodied selves. Following these lines of argument, "free speech for me but not for thee" denies *all parties* the opportunity to develop self-respect, engage in collective enterprise with regards to self-respect, and to make (or remake) our embodied selves.

If you don't like it, leave.

4. If you can't handle the free speech heat, get out of the Gab kitchen boys and girls.
(id 5, March 25, 2017)
5. free expression is more important than your gay feelings, if you can't handle free expression you should leave the internet to those who can
(id 8, September 12, 2016)
6. Burning the flag is hate speech for the hateful antiwhite, anti-American, "multiculturalism" set. However, it's Constitutionally protected, so suggesting jail is not helpful. The solution is #ImmigrationControl and encouraging cancerous left-wingers to leave the country and form their own dictatorship
(id 9, November 29, 2016)

If trolling culture were to have an unspoken motto, it might be "if you don't like it, leave." This stems from their understanding of the Internet as a place built by the tech-savvy, and hapless "normies" should be chased out of online spaces. Recall that in his "Declaration," EFF co-founder Barlow presents the Internet as having created as a kind of Lockean state of

¹⁷⁶ Alexander Carnera, "Freedom of Speech as an Expressive Mode of Existence," *International Journal for the Semiotics of Law* 25, no. 1 (2012): 60.

¹⁷⁷ *Ibid*, 62.

¹⁷⁸ *Ibid*, 59.

nature. For most trolls, it has since become overrun by feminists, “social justice warriors” (SJWs), and critics of technological systems as too white and too male. As such, it is not only within the ability of trolls to run these people out of digital spaces, it is seen as their obligation. In free speech discourse on Gab, trolling behaviors mix bratty territorial defense strategies with the seemingly moral high ground of the First Amendment. This is evident in post 4, in which the author uses free speech as an endurance test with a little infantilization thrown in. The adaptation of the colloquialism, “if you can’t stand the heat, get out of the kitchen” characterizes free speech as hot and dangerous; when directed at “boys and girls,” it implies that only adults who can handle being burned should be allowed on Gab. Post 5 represents an escalation in trolling tactics in two ways. First, the author uses offensive language in a form recognizable to trolls online and off. “Gay” no longer refers to homosexuality, but to weakness or any overt display of emotion. Second, the territory being patrolled for errant SJWs is no longer limited to Gab, but encompasses the whole Internet.

Post 6 is yet another escalation, this time with more white ethnonationalism and vitriol. It is also a response to a tweet by then President-elect Trump, who wrote on the same day: “Nobody should be allowed to burn the American flag—if they do, there must be consequences – perhaps loss of citizenship or year in jail!”¹⁷⁹ In response and presumably in agreement, the Gab poster frames flag-burning as a form of hate speech against positions sometimes held by the political right. (Though the phrasing is ambiguous— “flag burning is hate speech for the

¹⁷⁹ Trump, Donald (@realDonaldTrump), “Nobody Should Be Allowed to Burn the American Flag - If They Do, There Must Be Consequences - Perhaps Loss of Citizenship or Year in Jail!” Twitter, November 29, 2016, <https://twitter.com/realdonaldtrump/status/803567993036754944>.

hateful antiwhite, anti-American, ‘multiculturalism’ set”—contextual clues support a reading that claims flag burning is hate speech *directed at* white Americans who dislike multiculturalism.)

The words “hateful antiwhite, anti-American, ‘multiculturalism’ set” assumes that the culture of political correctness is a hypocritical and dangerous position of the left. Quotation marks around “multiculturalism” signals distrust of a term many believe to have originated in academia; associating multiculturalism with being “hateful antiwhite” is a way to accuse people of using arguments for diversity to cover for racism against whites. By suggesting that these views are “anti-American,” the author tacitly argues for a white ethnostate. The author then rightly points out that flag burning is a Constitutionally protected form of free expression, therefore “suggesting jail is not helpful.” This gentlest rebuke of Trump gives way to a more extreme suggestion: “#ImmigrationControl” and “encouraging cancerous left-wingers to leave the country and form their own dictatorship.” To say that immigration control is a way to prevent anti-American speech suggests that immigrants cannot become American, and that any protests they might have against the U.S. government would be de facto invalid. The left-wing descriptor “cancerous,” in addition to being offensive, may be a reference to alt-right troll Milo Yiannopolous, who has railed against SJWs and left-leaning sensibilities by holding protest signs that read “feminism is cancer.” Finally, the argument that the left should exit the U.S. to form a dictatorship is a reference to an extreme antagonism to political correctness as “thought policing,” a tendency of fascist dictators.

Various iterations of “if you don’t like it, leave” constitute a threat to not only political liberalism, but the very freedom of expression Gab posters purport to believe in. Nussbaum and Rawls might say this undermines liberal society because it directly attacks the mechanism by

which a shared belief in political liberalism is made possible. Alan Haworth also makes this argument: “the institutionalization, and consequent legitimization, of the freedom to speak is not itself sufficient to create a right to free speech.”¹⁸⁰ The *audience* is a necessary condition. Otherwise, Haworth speculates, you could have a totalitarian dictator put up soundproof “free speech booths” and say that these actions are in accordance with free speech, despite no one having heard the message.¹⁸¹ Waldron, Seglow, and Carnera might argue that speech without social practice would stunt the development of the speaker as an agent that makes themselves, helps make others, and shapes the world around them. But there are also other, more traditional arguments that tie a speaker’s right to an audience to commonly held beliefs about how ideas circulate in liberal society.

The notion of a marketplace of ideas, which appears first in Milton’s *Areopagitica* and later in John Stuart Mill’s *On Liberty*, is completely sidestepped if potential listeners and audiences are turned away—there is no ability to test one’s ideas against others for the betterment of society at large. Other Millian ideas suffer as well: freedom of expression protects even offensive speech because arguing against such speech prevents the citizen population from becoming lazy or complacent in their defense of deeply held beliefs and values. If there is no connection between speaker and audience, there is no such productive exchange (and no growth in fortitude for either position). Furthermore, the lack of an audience forecloses certain consequences, thereby lessening the impact of the speaker’s expression.

Jonathan Riley writes:

¹⁸⁰ Alan Haworth, *Free Speech* (London and New York: Routledge, 1998), 12.

¹⁸¹ *Ibid*, 10.

Mill means it when he says that expression belongs to the ‘social’ part rather than the ‘self-regarding’ part of the conduct of an individual. The act of speaking—of expressing an opinion—to an audience always directly and immediately affects others, since (if nothing else) it reinforces or discredits others’ opinions, independently of their wishes in the matter, in the minds of the audience.”¹⁸²

In other words, expression affects the listener, but also *how the rest of the audience regards that listener*. The lack of listener and audience is a *double loss* of force for the speaker’s expression. Loss of force seems as if it would be particularly galling for Gab users, given one of their most common rejoinders...

My freedom of speech doesn’t end where your emotions begin.

7. I feel like most liberals are having trouble understanding that my freedom of speech is not contingent on the thickness of their skin...
(id 10, December 22, 2016)
8. Oh for the love of...How come every time we /criticize/ someone for what they say, some genius has to come along and remind us that they have First Amendment rights too? Yeah, no shit, Sherlock. First Amendment doesn’t protect your feelings or reputation though.
(id 11, October 12, 2017)
9. Why does supposed hate speech centre around a small minority of people being offended by their ‘feelz’? Suck it up and live life, as most of the world’s population have a reality much more challenging than your ridonkulous [sic] life.
(id 12, January 28, 2017)

Gab posters echo a common talking point of right-wing ideologues: that “my freedom of speech doesn’t end where your emotions begin.” In post 7, this appears as a simple expression of free speech absolutism. Free speech cannot be regulated or “contingent” upon the affect it has on the audience. The author pits freedom of speech against liberals’ supposedly thin skin. This is based on three assumptions: that liberals care more about the social impact of free speech more than free speech itself, that liberals are too weak to handle free speech, and that

¹⁸² Jonathan Riley, “J.S. Mill’s Doctrine of Freedom of Expression,” *Utilitas* 17, no. 2 (July 2005): 149.

liberal politics is disproportionately reflective of those who are not white males (which makes them more vulnerable to verbal attacks). The use of “I” and “my” reinforces the notion that freedom of speech is an exclusively individual right, and that the effect of such speech on vulnerable groups cannot justify any regulation of the speech of (white male) individuals. Recall that one need not be a member of this demographic to assert such opinions; yet making such assertions reifies the views of white male supremacy.

Gab is a social network, so many posts are made in response to conversational threads. Because the values of trolling culture are present in the community, pointing out hypocrisy is common. In post 8, the author responds to criticism that reprimanding or shutting down the speech of others on the platform constitutes censorship in and of itself. The author acknowledges this apparent paradox as if it is obvious: “No shit, Sherlock.” But the last sentence of the post insists on distinguishing between free speech and “feelings” or “reputation.” Again, disparaging of feelings is common in right-leaning free speech discourse. The additional concern around “reputation” is more uncommon, given that it allows for the possibility that speakers and audiences exist in the same discursive sphere. Given that the post refers to the Gab community through use of the personal pronoun “we,” the sentiment emerges as a nod to egalitarianism: everyone is equal in their disparagement of feelings, even if those feelings are held by a well-respected member of the community.

If reputation cannot shield a speaker from being trolled for having feelings, neither can perceived privilege. The author of post 9 emphasizes this point. Here the idea is that “supposed” hate speech affects only “a small minority of people being offended by their ‘feelz.’” The directive to “suck it up and live life” because “most of the world’s population have

a reality much more challenging than your ridonkulous life” is an indictment of the so-called privilege of liberal elites. Separated from “most of the world’s population,” liberal elites have not experienced real suffering, and must concoct ways to claim victimization. In short, having “feelz” is not only pathetic, it is not a real form of suffering.

All three posts use dissociation to separate legal issues of free speech from its emotional effects: that free speech is not “contingent” upon feelings, that “First Amendment rights” run counter to emotions, and that “hate speech” is an invention of people who should just “suck it up.” Counter to this thinking, scholar of ethics and philosophy Martha Nussbaum argues not only that emotions have always been part of law, but they contribute significantly to judgment.

Nussbaum notes that while stoics may believe emotions are irrational, contemporary law is not stoic.¹⁸³ In fact, appeals to emotion are common in the law, from determining what is reasonable in “reasonable provocation” to getting a feel for a suspect’s state of mind to establish intent.¹⁸⁴ One would think this line of argument would be particularly useful to Gab users who deny that hate speech causes harm (on which I’ll elaborate in the next section), given that several exceptions to First Amendment protection of free speech turn on intent, such as the Brandenburg/clear-and-present danger test and true threats. Emotions have cognitive content, they are based on beliefs (in the Aristotelean view), and they unite human understanding. Therefore, “if emotions are suffused with intelligence and discernment, and if they contain in themselves an awareness of value or importance, they cannot, for example, be

¹⁸³ Nussbaum, *Hiding from Humanity*, 8.

¹⁸⁴ *Ibid*, 21-25.

easily sidelined in accounts of ethical judgment.”¹⁸⁵ In law, emotions are relevant because of what Nussbaum calls eudaimonistic judgment, or the idea that a person who inspires emotion in another is important to that other. Phrased another way, we mourn/rejoice/fear for those who are important to us, and not for those who aren’t.

Take compassion, for example. Compassion is possible through what Nussbaum calls eudaimonistic judgement, or the idea that a person who inspires emotion in another is important to that other. Phrased another way, we mourn/rejoice/fear for those who are important to us, and not for those who aren’t. However:

In a eudaimonistic theory, the actions, relations, and persons that are included in the conception are not all valued simply on account of some instrumental relation they bear to the agent’s satisfaction. [...] Not only virtuous actions but also mutual relations of civic or personal love and friendship, in which the object is loved and benefited for his or her own sake, can qualify as constituent parts of a person’s *eudaimonia*.¹⁸⁶

Eudaimonistic judgement concerns not only those in our inner circle, but those with whom we share civic identities. In this way, eudaimonia helps us extend compassion to groups like protestors, patriots, volunteers, and “fellow Americans.” If instead we seek to rid the legal system of emotion, we foreclose the possibility of eudaimonia and its ability to unite members of the public in their support of what is good for society at large, and to protect it through systems of justice.

There’s no such thing as hate speech.

10. Hate speech isn’t real. Nothing I say can force-offend someone. One must decide to take offense and can be offended by literally anything. I could say, “I love puppies”, and some Giga-PETA-Mecha-Islamist could be offended by “touch rape” of pets, their hatred of dogs and existence of organic life.

¹⁸⁵ Martha C. Nussbaum, *Upheavals of Thought: The Intelligence of Emotions* (Cambridge, UK: Cambridge University Press, 2001), 1.

¹⁸⁶ *Ibid*, 31.

(id 14, September 16, 2017)

11. Anything the Left doesn't agree with is "hate speech" and they consider this "violence". Words are only violence to cowards and intellectual midgets, so at this point we know the Left is totally defeated on the battlefield of intelligent debate and their arguments all fall flat.

(id 15, February 2, 2017)

12. Lol "hate speech" fuck em

(id 19, March 25, 2017)

The phrase "there's no such thing as hate speech" is a common occurrence on Gab. This can be read in two ways. The first is a reference to the difference between free speech protections in the U.S. and those in other countries. While Germany and Israel have laws prohibiting speech that glorifies Nazis, for example, the U.S. remains committed to protecting offensive speech in its multitudinous forms because restrictions on free speech must be content-neutral to be considered in accordance with the Constitution. In essence, there is no such thing as a hate speech *exception to the First Amendment*. A second, probable reading is a flat denial that speech can cause hate or the feeling that one is hated. Or, there's no such thing as hate speech *because speech can't cause hate, or for hate to be felt*.

In post 10, the claim "hate speech isn't real" is followed by the striking claim that "Nothing I say can force-offend someone." This is a variation of a more common adage, "offense is taken, not given." In other words, the listener controls their response, and the speaker is in no way accountable for that response. The idea that "one must decide to take offense" implies that an individual listener weighs the pros and cons of taking offense and comes to a decision that is entirely within their control. This perspective resonates with the political right, which commonly argues that individual actors are solely responsible for their actions, as opposed to acting out of any sort of social inculcation or conditioning. If an African American is offended by a white person using racial slurs, that is on them; the fact that the U.S.

has a violent history of chattel slavery, Jim Crow laws, and institutionalized racism is no excuse. Moreover, if a person “decides” to be offended, they open themselves up to deserved ridicule. The author’s example of saying “I love puppies” and having a listener complain of “‘touch rape’ of pets” is meant as a warning: complain about speech and you will be made to look foolish and overreacting. It is perhaps unsurprising that the author of post 10 claims that the targets of hate speech are *willingly engaging in their own victimization* while making a rape joke—and that the rape victim in this case is a dog who has few deliberative abilities, if any.

Post 11 is similarly paradoxical. The author claims that “anything the Left doesn’t agree with is ‘hate speech,’” and they “consider this ‘violence.’” The latter has been a source of common complaint for conservative intellectuals for decades. As David French writes, “If you’re going to ask a conservative which predominantly leftist idea is the greatest threat to our nation’s culture of free speech, I’d expect that they’d immediately answer with ‘speech is violence.’”¹⁸⁷ Claims that speech can harm are indeed prevalent on the left, and those on the right consider this a rhetorical opening for arguments that could lead to censorship. But it is an exaggeration to assert that harmful speech is “anything the Left doesn’t agree with.” Even arguments in favor of hate speech legislation are focused on speech that targets vulnerable groups, not speech that advocates changes in policy. Of those who argue that hate speech causes harm, most would agree that the speech in question might include “Jews are evil,” or “homosexuals are pedophiles”—but few would say the same about speech advocating for climate change.

¹⁸⁷ David French, “Free Speech Is Killing Free Speech.” *National Review*, September 15, 2016. <https://www.nationalreview.com/2016/09/free-speech-intimidation-tool-internet-trolling-boycotts/>.

Despite their initial claim that words are not violence, author of post 11 then immediately argues “Words are only violence to cowards and intellectual midgets.” This echoes a common complaint about political correctness, that those who complain about language are weak. More specifically, they are weak because “the Left is totally defeated on the battlefield of intelligent debate and their arguments all fall flat.” This is a cross between anti-PC concerns and the quintessential argument of trolls: whining about language is the last resort of those who cannot debate logically. The paradox here is that while the author of post 11 is clearly against understanding speech as violence, they use the language of war rhetoric. Opponents are “cowards” on the “battlefield” of debate.

In post 12, brevity yields clarity. “Lol ‘hate speech’ fuck em” is a succinct shorthand for the arguments and attitudes on display in posts 10 and 11. The concept of hate speech is in quotation marks because it is a specious concept, made fun of by free speech trolls who “lol” at the prospect of offending others. “Fuck em” shows disdain, detachment, and a refusal to accept responsibility for any consequences of speech. An ethical analysis of these ideas reveals that, if followed to their logical ends, they may result in threats to dignity, equality, respect, self-trust, and autonomy.

Waldron argues that hate speech harms groups and individuals who share that group identity by attacking their dignity. An attack on the dignity of a targeted group is an attack on how society views that group.¹⁸⁸ Waldron therefore describes dignity as reputational. Robert Simpson makes an adjustment to this view:

while the concept of dignity does indeed connote some sense of conferring status-based honour and respect, via adherence to customary modes of interaction, the contemporary understanding

¹⁸⁸ Waldron, 107.

of dignity demands that honour and esteem be proportioned out to all in equal measure, insofar as we all occupy an equivalent rank, as members of a shared moral community.¹⁸⁹

What we now think of dignity is intrinsically connected to the concept of equality: we are all equal in dignity. If, then, hateful speech attacks dignity it also attacks equality of persons. If a group's dignity is attacked in an attempt to make individuals in that group less than equals, it may change the way the rest of society sees those individuals. In agreement with Simpson, Seglow says that "Waldron's argument pushes dignity outwards, then, from the little nugget of worth that rests inside each person to the social recognition of one's equal civic status," thereby effectively raising the stakes.¹⁹⁰

Nussbaum agrees that attacks on dignity can be profoundly damaging; they can initiate or exacerbate existing stigmatization, the ultimate goal of which is dehumanization.¹⁹¹ The disgust that so often accompanies stigmatization functions to divide peoples: "Disgust is all about putting the object at a distance and drawing boundaries. It imputes to the object properties that make it no longer a member of the subject's own community or world, a kind of alien species of a thing."¹⁹² In doing so, disgust cleaves liberal society. However, it is important to acknowledge that the dehumanization and casting-out Nussbaum warns against could be an effect of *believing or acting in accordance with* hateful speech about targeted groups. Even if the majority of persons in society do not believe, agree with, or act upon hateful speech, those in the minority will use the presence of this speech as a tool for identifying one another and organizing. Waldron writes that this speech

¹⁸⁹ Robert Simpson, "Dignity, Harm, and Hate Speech," *Law and Philosophy* 32, no. 6 (November 2013): 708-9.

¹⁹⁰ Seglow, 1106.

¹⁹¹ Nussbaum, *Upheavals of Thought*, 220.

¹⁹² Nussbaum, *Hiding from Humanity*, 144.

seeks to establish a rival public good as the wolves call to one another across the peace of a decent society. The publication of hate speech, the appearance of these symbols and scrawls in place for all to see, is a way of providing a focal point for the proliferation and coordination of the attitudes that these actions express, a public manifestation of hatred by some people to indicate to others that they are not alone in their racism or bigotry.¹⁹³

What is troubling is not the opposition to established goods; it is the *kind* of rival good that is opposed. To say that a targeted group is less than is a threat to justice and liberalism. If the institutions meant to support these values fails to admonish hateful speech, the harm experienced by members of the targeted groups doubles, and the threat to liberal order deepens.

Attacks on dignity and equality also compromise self-respect for members of the targeted group. It is important to be careful here. Waldron rightfully points out that aspects of contemporary callout culture sometimes misconstrue attacks on individuals as attacks on groups.¹⁹⁴ If A belongs to group B, insulting A does not, in and of itself, constitute an attack on the dignity or equality of group B. That is not my focus here. I am instead exploring the harm done to person A when their group is attacked. As Simpson explains,

A person's dignity is not just a matter of her being treated well or poorly; it is a matter of how she is treated in light of the attitudes that prevail in her community, including her own attitudes, about her worth, standing, or esteem, relative to others, and relative to the community as a whole.¹⁹⁵

If hateful speech attacks the dignity of a member of a targeted group, and societal institutions do nothing, that person's sense of self-worth and self-respect will suffer. As Mari Matsuda explains in *Words That Wound*, members of targeted groups will experience alarm and rightful indignation, while non-members will rhetorically isolate the incident by claiming that

¹⁹³ Waldron, 94-95.

¹⁹⁴ Ibid, 120-21.

¹⁹⁵ Simpson, 708-9.

wrongdoing has been committed by an outlier or “sick individual.” This allows the non-members to claim that institutional admonishment or correction is not warranted.¹⁹⁶ The result is twofold: the members of the targeted group experience gaslighting, in which they are encouraged to second-guess their interpretation of events; and they are forced to “either identify with a community that promotes racist speech or admit that the community does not include them.”¹⁹⁷ The latter may threaten self-respect, but the former threatens self-trust, which is a necessary condition of autonomy.

Govier’s work on self-trust is particularly salient here. Self-trust is characterized as faith in one’s competence, and preservation of one’s “motivation and character.” This requires the ability of an individual to reflect on their own actions, beliefs, and values; and to determine appropriate responses to challenges. This reflection, according to Govier, depends on the ability “to trust one’s own memory, judgment, and conscience.”¹⁹⁸ If an individual is made to feel as if they are acting inappropriately when they are alarmed at hate directed toward their group membership, or told that they are imagining it entirely—and if this occurs over and over again—it may affect memory, judgment, and conscience. This, in turn, puts procedural autonomy at some risk of damage: “Procedural autonomy has as its necessary condition a reliance on one’s own critical reflection and judgment, and that reliance is possible only if one has, and can maintain against criticism, a sense of one’s own basic competence and worth.”¹⁹⁹ It may be a bridge too far to suggest that hate speech interferes with autonomy, but it is

¹⁹⁶ Mari J. Matsuda, “Public Response to Racist Speech: Considering the Victim’s Speech,” in *Words That Wound: Critical Race Theory, Assaultive Speech, and the First Amendment*, ed. Mari J. Matsuda, Charles R. Lawrence III, Richard Delgado, and Kimberle Williams Crenshaw (Boulder, San Francisco, Oxford: Westview Press, 1993), 20.

¹⁹⁷ *Ibid.*, 25.

¹⁹⁸ Trudy Govier, “Self-Trust, Autonomy, and Self-Esteem,” *Hypatia* 8, no. 1 (Winter 1993): 111.

¹⁹⁹ *Ibid.*, 103-104.

important to recognize the extent and manner of harms resulting from hateful speech. One imagines the logic behind Gab users arguing that “Speech can’t hurt you;” it is most likely along the lines of “sticks and stones may break your bones, but words will never hurt you.” But nursery rhymes cannot capture the ways in which the psychological and material burdens of hate speech disproportionately affects targeted groups and their members. As Matsuda writes, “Tolerance of hate speech is not tolerance borne by the community at large. Rather, it is a psychic tax imposed on those least able to pay.”²⁰⁰

Free speech makes you tough.

13. See, here’s the thing. The more @Google, et. al. hinders my free speech, the more provocative I will become, as will many like me. People NEED to hear words that make them uncomfortable. It toughens them up.
(id 27, March 16, 2017)
14. hate speech wasn’t ‘invented’ or even thought about when the Constitution was written. Early Americans weren’t pussies.
(id 30, April 21, 2017)
15. I really thought we had reached Peak Estrogen during the Cuck Menstruation of 2015/16 when Trump ran for President, but these past few days of cucks tearing up the 1st Amendment in their race to condemn self-aware White people has been like free basing soy and birth control pills. Pure faggotry.
(id 31, August 16, 2017)

Somewhere between the colloquialisms “the truth hurts” and “what doesn’t kill you make you stronger” comes the belief that “free speech makes you tough.” Here, free speech is read as something that one should be able to *withstand*, as if speech were some kind of nonlethal projectile, like a cream pie to the face. The speaker in this scenario is active, while the listener or audience are passive. On Gab, this distinction presents as highly gendered.

²⁰⁰ Matsuda, 18.

The most banal instance of this can be seen in post 13. The author states “the more @Google, et. al. hinders my free speech, the more provocative I will become, as will many like me.” This is a typical complaint of how corporations that dominate the Internet are blocking, de-prioritizing, hiding, or censoring free speech. The fact that the author is posting on Gab may be the result of being banned by another platform for what they call “provocative” speech. The idea that hindering speech will only make the speaker more provocative is a troll’s argument, akin to saying, “if you don’t like what I’m saying now, just wait.” It can be used as an excuse to escalate harmful or offensive speech. Additionally, the author provides justification for such actions: “People NEED to hear words that make them uncomfortable” because “It toughens them up.” This argument runs parallel to objections to political correctness by accusing people who are sensitive to language of being weak or “coddled.” Countless op-eds by writers across the political spectrum have complained that university students and/or young people are too “coddled” to survive in the “real world.” The author of post 13 does not say this explicitly but implies it by emphasizing “NEED” in all caps. It is the same logic used to defend corporal punishment for children: it toughens them up.

Toughness is not necessarily gendered. But contextual cues in the Gab community suggest otherwise. For example, post 14 claims that hate speech is not part of the Constitution because “Early Americans weren’t pussies.” Idealizing “early Americans” is not unlike idealizing the founding fathers, which is a sign of Constitutional fundamentalism. Specifically, it harkens back to an age when most speakers were white men and others had to control their speech and opinions in order to survive. Hate speech regulation outside the U.S., much like the rise of political correctness inside the U.S., rose to prominence near the end of the 20th century,

largely as a result of civil rights movements and the backlash they inspired. In other words, early Americans did not consider hate speech because they were a largely homogenous demographic. The phrase “Early Americans weren’t pussies” also makes a claim that concerns about the effects of speech are highly gendered. Those who care about these effects are “pussies,” i.e., coded as weak and feminine; the assertion that “early Americans” are not part of this group codes them as strong and masculine.

The author of post 15 takes gendering free speech discourse to an absurdist extreme by using the derogatory stylings of right-wing and misogynist trolls. Post 15 opens with a reflection on how the left responded to the election of Donald Trump: “I really thought we had reached Peak Estrogen during the Cuck Menstruation of 2015/16 when Trump ran for President.” Again, the focus on female biology is graphic and derogatory, and emphasized for theatrical effect through capitalization. The phrase “Cuck Menstruation,” uses “cuck,” derived from the word “cuckold,” to describe a man who is weak and effeminate. When used in political discourse, “cuck” refers to liberals and the conservatives who dare agree with them. The author makes use of common misconceptions about menstruation to argue that President Trump’s campaign and election was, for “cucks,” a chaotic time ruled by unpredictable emotions and irrational behavior.

In addition to the election of Donald Trump, a more specific exigency is at play here. Post 15 was written in August 16, 2017, four days after the Unite the Right rally in Charlottesville. When the author writes about “cucks tearing up the 1st Amendment in their race to condemn self-aware White people,” they are ridiculing the weak for objecting to the protests and rhetoric of white supremacists and ethnonationalists (“self-aware White people”).

The post also features language used by misogynists in discussion forums popular with Mens' Rights Activists and Incels (involuntary celibates): "like free basing soy and birth control pills. Pure faggotry." Mentioning soy is a reference to "soy boy," a term embraced by the far right to describe men who are lacking masculinity, due to "over-indulgence of emasculating products and/or ideologies," like feminism.²⁰¹ Altogether, the post uses an extreme version of gender binaries that existed long before the Internet: males are strong and detached, while females are weak and emotional. Mapped onto free speech discourse, the assumption is that men are tough enough to handle insults, hate, and degradation without letting them interfere with the First Amendment; women are too weak to do the same. These are old patterns.

The traditions of Cartesian and Western philosophy constitute and reinforce gendered binaries by constructing subjects as (white cis) male and objects as other, working with culturally inculcated stereotypes to maintain hierarchies of power in everything from ways of knowing to ways of being. Building on Sandra Harding's work on traditional epistemology, Trudy Govier writes of the

insistence that the Ideal Observer must be, in effect, viewpointless, a self that is detached, dispassionate, uninvolved, individualistic, self-interested, and fundamentally isolated from other people and from nature. Such an observer is impossible. But if he were possible, he would be male: as a supposed embodiment of pure reason, his is not easily referred to as female. A radical feminist perspective, says Harding, denies the feasibility or desirability of this sort of social transcendence.²⁰²

In other words, best practice for observing complex phenomenon is to adopt attributes society commonly attributes to men. The observer is cast as male; the observed is female (or really, any sex outside the carefully guarded boundaries of "maleness"). Govier sees similar patterns in

²⁰¹ Sandman_Aktual, "Soy Boy," Urban Dictionary, June 22, 2017, <https://www.urbandictionary.com/define.php?term=Soy%20Boy>.

²⁰² Govier, 102.

Kantian ethics around the concept of autonomy. Citing Lorrain Code's work, Govier describes the autonomous subject as "radically independent, as able to free himself or herself from all previously accumulated beliefs and habits so as to be detached, impartial, neutral, and self-reliant."²⁰³ These attributes have a positive valence in Western philosophy; affect of any kind has a negative valence because it undermines autonomy. Govier explains:

Autonomy so construed denies epistemic value to affectivity in all its forms, denies worth to cognitive interdependence, and ignores particularities of experience, bodily existence, and practical life. The Autonomous Reasoner is utterly alone and can trust no one to check the veracity of perceptions. Everything is up to him or her; the Autonomous Reasoner will have to rely on himself or herself to the exclusion of everyone—and everything—else.²⁰⁴

It is not *indifference* at work here, it is a *strong support* of autonomy through the *denial* of affectivity. (Such is the work of binaries, in which the degradation of one side means the empowerment of the other.) Additionally, Govier connects absolute individualism with paranoia: if you cannot connect with others, you cannot trust others. Given that most Gab users issue multiple warnings about the dangers of "group think" and an aversion to any facts that do not arise in their own research, paranoia seems fitting.²⁰⁵

From the work of Govier, Harding, and Code, a list of gendered binaries takes shape:

Male	Female
Subject	Object
Mind	Body
Ideal	Real
Knower	Knowable
Reason	Emotion
Individual	Communal

²⁰³ Ibid.

²⁰⁴ Ibid.

²⁰⁵ Jason David Myers makes a similar argument about masculine paranoia in the post-truth era in "Post-Truth as Symptom: The Emergence of Masculine Hysteria," *Philosophy & Rhetoric* 51, no. 4 (2018): 394.

The subject of free speech rights is associated with maleness and its attributes, and therefore prized; while feelings are entangled with femaleness, and therefore to be eschewed or degraded. Or to put it another way, the speaker is constituted as a (male) subject; the listener as a (female) object to be dominated. Nussbaum writes that we should not accept this dissociation that enables

all dignity being placed in our agency, and passivity being seen as always shameful. After all, it is precisely the refusal to accept passivity (and the emotions that are the marks of our need for the world of objects, toward which we are in some respects passive) that we have criticized as pathological narcissism, noting that such narcissism can be extremely common in societies that excessively prize manly strength and invulnerability.²⁰⁶

Withstanding speech becomes a test of manhood—in which all other characteristics are devalued in favor of strength. Gab users’ variations on the theme “free speech makes you tough” thus tell us that speech is active, listening is passive, and if the truth hurts, the pain will make you stronger.

This is how we keep democracy and the First Amendment strong.

16. free speech is the first right enunciated in the bill of rights for a reason. without it, all other rights are effectively voided. given its importance to a republic, the default defense of free speech should always err on the side of absolutism.
(id 14, September 18, 2017)
17. Ok, free speech test. Ahem, NIGGER FAGGOT KIKE!
(id 40, August 19, 2017)
18. From time to time the tree of free speech must be watered with the juice of dank memes, and the lulz of shitposts.
(id 35, August 19, 2017)
19. We’re living in a land where saying the wrong thing will get you metaphorically lynched by masked goons, while politicians, after swearing an oath to uphold a document that enshrines freedom of speech, cheer them on. Bring on the fucking civil war. Let’s settle this once and for all.

²⁰⁶ Nussbaum, *Upheavals of Thought*, 409.

(id 15, August 20, 2017)

On Gab, the claim that the First Amendment is “first for a reason” is never far away. The historical inaccuracy of this claim is negligible compared to its rhetorical impact. Even for those who are not Constitutional fundamentalists, the First Amendment is an integral part of the American character and imagination. Put simply, we would not be the U.S. without it. What is more unusual, and specific to Gab, is the idea that “without it, all other rights are effectively voided.” It is possible that the author of post 16 means that the right to speak freely and protest *protect* all other rights, but contextual cues make another reading more plausible. In the majority of free speech discourse on Gab, speakers are coded as rational male subjects. To be silenced is therefore to be reduced to a female object, subject to irrational emotions and drives. So, while the absence of the First Amendment would not invalidate, say, the Fourteenth—which intended to grant equal rights to previously enslaved persons, who had been perceived as brutish animals and traded like chattel—the white male supremacist *fears that it would*, effectively turning him into what he fears most: an equal to those he has objectified, humiliated, and silenced. Since the white male supremacist on Gab sees free speech absolutism as necessary to maintain his identity, it is unsurprising that his feelings are projected onto the national character. This produces language that appears not only banal but seemingly reasonable, as in post 16: “given its importance to a republic, the default defense of free speech should always err on the side of absolutism.”

Posts 17, 18, and 19 were all published in the aftermath of Charlottesville. Posts 17 and 18 are both examples of trolling logic at work, driven by susceptibility to the is-ought fallacy. Trolling grew out of early Internet culture, in which tech-savvy users applied the “bigger, faster,

stronger” drive they acquired working in the tech industry to provoking opponents on discussion forums. According to Phillips, this produced and enforced two core troll values: if you can manipulate, then you should; and the bigger the provocation, the bigger the “lulz.” Post 17 demonstrates the first of these values. The author writes, “Ok, free speech test. Ahem, NIGGER FAGGOT KIKE!” The idea that this is a “free speech test” is an example of the is-ought fallacy. The history of First Amendment jurisprudence in the U.S. clearly shows a near-uniform rejection of hate speech, or speech that degrades or attacks groups. In other words, the First Amendment *allows* speakers to utter hateful things; it does not *suggest* that they do so. Nor does it imply that speakers ought to speak hatefully in order to protect the First Amendment. Yet, because Gab self-identifies as a free speech platform, it is reasonable to read post 17 as assuming the opposite. The author is running a “free speech test” to make sure Gab is working as advertised. And to make sure the test is up to desired standards, i.e., the absolute protection of speech the white male supremacist is used to, the hateful speech is extreme. Because the author precedes shouting the slurs (volume is indicated by the use of all caps), with “ahem,” as if they are clearing their voice, it may be that the entire post is meant as a joke. As with most displays of trolling, sincerity is impossible to verify. But intent does not blunt the offense of the language itself.

Post 18 is a more explicit example of the same trolling behavior: “From time to time the tree of free speech must be watered with the juice of dank memes, and the lulz of shitposts.” Again, the logic here has been affected by the is-ought fallacy. The laws and norms of free speech protect offensive content; but this author assumes that those same laws and norms must be tested in order to be upheld. Unlike post 17, the suggested utterances here are meant

to provoke agitation, not necessarily offense. Here the troll takes on the personality of a crude little boy. “Dank memes” refers to memes with annoying or crude aesthetics, which may include uncomfortable soundtracks or references to defecation. “Lulz,” recall, represents the glee the troll takes in provoking their opponent. And “shitposting” is the act of continuously interrupting discussions with unrelated, annoying points or memes. Strung together, the implication is that the more playful, aggravating actions of trolls also keep First Amendment protections strong by pushing at their boundaries. That the authors of posts 17 and 18 make the same arguments about racial slurs and “shitposting” also demonstrates an accepted moral equivalence between the two actions. That both posts were published immediately after Charlottesville show that Gab members, with varying levels of commitment to offensive expression, felt the need to “test” free speech to keep it strong.

Post 19 was not only published immediately following events in Charlottesville, it refers to those events directly. The author is angry that “We’re living in a land where saying the wrong thing will get you metaphorically lynched by masked goons.” On August 11, white supremacists had marched through the University of Virginia campus, carrying lit tiki torches and shouting slogans that included “Jews will not replace us.” On August 12, counter protesters met them on the streets of Charlottesville. Some counter protesters, identified as “Antifa” (anti-fascist), wore black masks to hide their identities, and directly engaged the protesters using heated language and physical violence. Given the circumstances, a generous reading of post 19 interprets the “saying the wrong thing” as anything from non-mainstream views to hateful anti-Semitism. Getting “metaphorically lynched” by “masked goons” may be a reference to attacks by Antifa members; it also establishes a false equivalence. Lynchings are racially motivated murders that

have historically been committed with implicit or explicit permission of law enforcement. In Charlottesville, members of the alt-right were attacked with arguments and fists at a public event that was protected by police. By suggesting a moral equivalence, the author claims the alt-right as a new victim class, one that is vulnerable rather than just unpopular, and therefore deserving of social, cultural, and legal defense. The author's call to "Bring on the fucking civil war" in order to "settle this once and for all" engages the same kind of inflammatory inversion. The U.S. has already lived through the Civil War, and it was fought over slavery. In the context of Gab, calling for a rematch reflects both a white supremacist desire to re-subjugate persons who are not white *and* a desire for white supremacists to fight off their perceived oppressors, those who object to white supremacist speech. Overall, post 19 argues that the Unite the Right rally did the country a service by revealing threats to the free speech rights of whites—threats that otherwise would not have been revealed if Unite the Right-ers had not engaged in such offensive speech in the first place.

Gab users routinely argue that they *must* say reprehensible things—like "Nazis knew what to do fags: put them in the ovens with the Jews!"—in order to defend and strengthen the First Amendment. The same reasoning would justify inviting someone to punch you and then shooting them, in order to strengthen self-defense laws. I argue that this is an example of using people as means to an end.

Gab users choose to "keep 1A strong" is by using insults, racial epithets, and genocidal propaganda—no matter the consequences to other individuals or groups. Whether or not this is justifiable depends on application of moral theory. If one is an utilitarian, Arthur Applbaum writes, "there are no serious objections to adversary practices and institutions that permit

serious harm, as long as these institutions in the end succeed in delivery goods that outweigh the human wreckage left along the way.”²⁰⁷ This fits with Mill’s endorsement for adversarial debates, the primary justification of which is a search for the truth. The debate is the thing, and the human condition of the “losers” is not a concern, no matter that the losses will be perpetual because defense of the First Amendment must be maintained. However, if we prioritize participants over the debate itself, moral calculations necessarily change. Nussbaum writes:

If one starts from the idea that each human being has dignity and deserves respect, and that politics must be grounded in respect for the dignity of all citizens as equals, one will find that Mill has put things just the wrong way round. Instead of thinking truth good because of what it does for the self-respect and flourishing of individuals, he subordinates individual flourishing and dignity to truth, conceived as an abstraction.²⁰⁸

Subordinating individuals to the search for truth enables absolutists to treat “victims of assaultive speech as means to societal ends.”²⁰⁹ For those concerned with moral status and Kantian ethics, this puts Gab users in a double bind. If they are *truly insincere* in their belief that others are not deserving of moral status, they are using the individuals they dehumanize as means to the end of strengthening the First Amendment. If they are *truly sincere* in their beliefs that others are of lesser status, they are using free speech advocates as means to the end of publicizing and broadening their dangerous views.

In the first instance, where speakers are insincere in their belief that individuals or members of targeted groups have lesser moral status, they are using victims of assaultive

²⁰⁷ Arthur Applbaum, *Ethics for Adversaries: The Morality of Roles in Public and Professional Life*, (Princeton, New Jersey: Princeton University Press, 1999), 137.

²⁰⁸ Nussbaum, *Hiding from Humanity*, 327-8.

²⁰⁹ Donald Alexander Downs, *Nazis in Skokie: Freedom, Community, and the First Amendment* (Notre Dame, Indiana: University of Notre Dame Press, 1985), 13.

speech to further their free speech goals. Moral status, according to Mary Anne Warren, comes with obligations. If Gab users believe that (any) human being is an entity with moral status, they are obliged to treat them in certain ways. We must be careful here to keep these obligations in perspective:

Trouble can be expected [...] when pragmatically unattainable moral ideals are propounded as minimum standards of acceptable behavior. People who are told that they must conform to moral standards which very few actually can meet are likely to conclude that morality is a set of hypocritical platitudes that only a fool would take seriously. [...] The opposite mistake can also have unfortunate consequences. When respect for minimum moral standards is treated as a moral ceiling—a cap above which we ought never to rise in aiding our fellow beings—the result is a mean-spirited morality.²¹⁰

By this, it is easy to see Gab users' talk of free speech as an overcorrection to what they perceive as the impossible standards of "political correctness," e.g., *there are too many genders and I get called a bad person for getting the terms wrong*. They have instead turned the same moral standards into a ceiling, e.g., *it's my right to call those degenerate fucks whatever I want*. So, to clarify what moral obligations entail in this instance: obligations *do not* include accepting their opinions as gospel, agreeing with them, or speaking in ways they consider to be "politically correct;" they *do* include treating persons as ends in themselves. This is important because "to violate an obligation arising from A's moral status is to wrong A, and not merely some third party."²¹¹ Treating a person as means to an end is morally harming that person—not a third party, and not an abstraction. In other words, when Gab users treat their audience as a means of strengthening the First Amendment, they are wronging *that audience*, not people who agree with that audience, or what that audience believes.

²¹⁰ Mary Anne Warren, *Moral Status: Obligations to Persons and Other Living Things* (Oxford: Clarendon Press, 1997), 14.

²¹¹ *Ibid*, 10.

In the second instance, where speakers sincerely believe that individuals or members of targeted groups deserve lesser or no moral status, attempts to recruit others to their cause under the guise of “free speech” could be considered morally wrong. An historical corollary would be the case of the Nazi march planned for Skokie, Illinois in 1977. Frank Collin, the march organizer and founder of the American Nazi Party, specifically chose Skokie for its high percentage of Jews and Holocaust survivors. Citizens attempted to stop the march from happening, and the ACLU stepped in to defend Collin’s free speech rights. Downs, citing Schattschneider, says the ACLU allowed Collin to “socialize” the conflict, expanding the scope of his cause to a shared social value—that of free speech—and therefore attract powerful allies.

²¹² If the Nazis sincerely believe in white power, they are using the ACLU and free speech advocates as a means to promote their hateful cause. Could they support both white power and free expression? Not if they are to argue as absolutists in either cause; one value challenges the other.

This is how we get to the truth.

20. A quick mental breakdown of the liberal mind:

- Facts bother me
- I hate facts
- Hate facts
- Facts are hate
- Facts are HATE SPEECH
- REEEEEEEEEEEEEEEEEEE
- (id 56, January 4, 2017)

21. In a society or community that believes in free speech, the right to express opinions should be given to everyone. Free speech is only free when people with bad ideas are allowed to speak. Bad ideas like communism need to be heard, challenged & beaten with good ideas. Free speech is very important.

²¹² Downs, 33.

screeching sound that communicates anger or disgust, commonly used by trolls to describe targets reacting to their Schopenhauer-like argumentative style.

While some Gab users are happy to troll the left's inability to accept "facts," others frame their arguments in ways more recognizable to the general public. In post 21, the author recites a near textbook explanation of why free speech is important to the marketplace of ideas. There is no mention of facts or truth; instead the focus is on "ideas" and "opinions." There is no claim that one side is denying reality. In fact, there is no mention of sides at all: "In a society or community that believes in free speech, the right to express opinions should be given to everyone. Free speech is only free when people with bad ideas are allowed to speak." The author continues, "Bad ideas like communism need to be heard, challenged & beaten with good ideas." Support for the marketplace of ideas theory is a necessary condition for Constitutional fundamentalism, but not a sufficient one. The only trace of toxic rhetoric in post 21 is use of the word "beaten." In the marketplace theory, it is common to say that the best idea "wins;" this focuses the goal of argumentation at an apex. To say that an idea must be "beaten" focuses the goal on debasing the opposition.

In post 21, the marketplace of ideas theory is approached pluralistically; in post 22 the same theory is presented in the antagonistic argumentative style of the troll. There are two opponents in competition, "us" and "the left," and the goal is to "win." But the broader meaning of the post is demonstrated in the author's characterization of each side's claims. The first sentence, "All it takes for us to win is lack of censorship," implies that the left "rigs" debates by disallowing what the right sees as fact. If someone on the right claims that men are genetically superior at problem solving, and someone on the left characterizes this remark as

sexist—this is seen as leftist “censorship” of biological fact. The second sentence reads, “The left is incapable of rationally defending it’s [sic] position, for the simple reason that it is not rationally defensible.” The trollish emphasis on rationality is used to degrade “the left.” The language choice is also calculated to demonstrate the very characteristic “the left” is accused of lacking: argumentative capability. The left is only “incapable” of defending a position “for the simple reason” that the position itself is indefensible. The third sentence of the post, “in an open debate of the facts we always win,” echoes the first sentence in meaning, mirroring “lack of censorship” with “open debate.” In sum, post 22 aligns the left with “censorship” and positions that are “rationally indefensible;” while the right is associated with “open debate” and “facts.”

Finally, post 23 is remarkable in that it appears so simple as to be void of any meaning whatsoever, yet communicates a dangerous position with regards to free speech. The author writes, “The truth is hate speech for those who hate truth.” The use of antimetabole makes it seem like Seussian wordplay that pokes fun at concepts others take seriously, like “hate speech” and “truth.” Playing games, especially in ways that make it difficult to distinguish sincerity from insincerity, is typical trolling behavior. The text also acts as a simple equation for arguing almost any right-wing position; one merely has to plug in values and use the contextually determined decoder ring. For example, “‘Biology’ is hate speech for those who hate biology” is transphobic for *Arguing using biology is hate speech for people who think there are 300 genders*. Such arguments mock what the right considers to be political correctness gone crazy, where words that describe what they see as objective reality are labeled “hate speech.” Both trolling and anti-PC culture thrive on mocking, revealing hypocrisy, and baiting

their targets into taking things too seriously. But post 23 could also be read as sincere, in one of two troubling ways. One is that the author believes the *content* of hate speech to be true (e.g., fat women *actually* deserve to die). The other is that the author believes *use of the phrase* “hate speech” is a sign of denial of a metaphysical truth (e.g., women exist only to serve men). None of these interpretations of post 23 are particularly comforting; all are products of mixing trolls, political correctness, and “the truth” into free speech discourse on Gab.

As aforementioned, the connection Gab users make between speech and truth is connected to Milton’s concept of a marketplace of ideas, later made famous by Mill. Mill argues that even the most offensive ideas should be free to circulate—and not restricted by government—because citizens will be able to expose and debate them. Even ideas that appear to undermine basic decency should be given a chance to circulate, prodding the public to question their values, avoid complacency, and not be held hostage by dead dogma. Greater debate leads to greater understanding, and therefore gets us closer to the truth. There are three immediate challenges to this idea. First, adversarial debate may not be the best way to “truth.” Second, history suggests that the Millian model has been corrupted. Third, *faith* in a single truth can create situations that are morally problematic.

To begin with, truth may not be discovered so much as it is co-created. As a feminist scholar, Williams writes that “knowledge making is an activity that takes place only within, and is deeply shaped by, a cultural context.”²¹³ Haworth calls this epistemic relativism,²¹⁴ but Williams argues that we are prevented from lapsing into relativism because we have “active

²¹³ Susan Williams, *Truth, Autonomy, and Speech: Feminist Theory and the First Amendment* (New York and London: New York University Press, 2004), 51.

²¹⁴ Haworth, 93-94.

and creative agency in building contexts that allow for shared reality and deep critique.”²¹⁵ That agency is exercised through speech, but instead of an adversarial debate format, Williams sees a shared creative activity in which “we recognize our interdependence and the moral necessity for us to treat each other as joint participants in the project of building our collective life.”²¹⁶ Williams’ view is entirely compatible with Rawls’ well-ordered society; it supports a system based on shared belief, and reaffirms a commitment to “go forward together on the basis of trust and understanding.”²¹⁷ This may be preferred to a system in which debates are won or lost, and whoever dominates gets to say what the truth is.

A further problem with Millian principles is that they rely on citizens ability to: a) recognize the difference between truth and falsity, b) to recognize truth as “serving their interests,” and c) to “act on that recognition.”²¹⁸ The history of the 20th century does not reflect kindly on the population’s ability to do so. Delgado and Stefancic maintain that the U.S. hasn’t even demonstrated a consistent interest in protecting political speech from government; see the examples of the hounding and harassment of civil rights leaders including Paul Robeson, Josephine Baker, and W.E.B. Dubois, and the interrogation and firing of Hollywood communists.²¹⁹ Add to this that truth has not always won out. Lawrence writes that too many demagogues and racists have been elected to office while good people remain silent: “The American marketplace of ideas was founded with the idea of the racial inferiority of nonwhites

²¹⁵ Williams, 177.

²¹⁶ Ibid.

²¹⁷ Ibid.

²¹⁸ Charles R. Lawrence III, “If He Hollers Let Him Go: Regulating Racist Speech on Campus,” in *Words That Wound: Critical Race Theory, Assaultive Speech, and the First Amendment*, ed. Mari J. Matsuda, Charles R. Lawrence III, Richard Delgado, and Kimberle Williams Crenshaw (Boulder, San Francisco, Oxford: Westview Press, 1993), 78.

²¹⁹ Richard Delgado and Jean Stefancic, *Must We Defend Nazis? Hate Speech, Pornography, and the New First Amendment* (New York and London: New York University Press, 1997), 104.

as one of its chief commodities, and ever since the market opened, racism has remained its most active item in trade.”²²⁰ Obviously, the lasting effect of these painful histories is a lessened willingness to speak out on issues that do not have majority support, making counterspeech all too rare.

Lastly, Gab users’ style of “debate” can lead to dangerous faith in a metaphysical truth—one that allows them to move casually and easily between petty accusations and genocidal impulses. According to Vivian, in the post-truth era one can “leverage one’s indifference to truth—by citing partial and contradictory evidence without pretense to epistemic rigor—in order to paradoxically claim authority over truth itself.”²²¹ For example, when Gab users “debate” climate change, threaded conversations work to chip away at facts by supplying cherry-picked statistics, DIY experiments, and conspiracy theories. Despite coming from untrustworthy sources, the data insists that “we don’t really know” or “we don’t know yet” what the truth is. For Vivian, this is “brazen nonchalance with miscellaneous sources of empirical evidence in order to communicate a form of fundamental truth protected from deliberative inspection.”²²² This entirely un-Millian approach to truth-seeking is enmeshed with near constant accusations that truth is being suppressed by opponents (Democrats, liberals, coastal elites, scientists, antifa, etc.), and the rest of the population are being continually lied to and manipulated (“read 1984!”). Ironically, this paves the way for single-mindedness, as Vivian explains:

these continually sown seeds of doubt in a “knowable truth” serve, with each iteration, to reinforce a central truth nonetheless: that a particular faction is existentially under siege,

²²⁰ Lawrence, 77.

²²¹ Bradford Vivian, “On the Erosion of Democracy by Truth,” *Philosophy & Rhetoric* 51, no. 4 (2018): 428.

²²² Vivian, 430.

thereby justifying the need for dramatic and potentially nondemocratic measures to protect itself (not coincidentally, in ways that threaten to subvert the normal functioning of democratic institutions).²²³

In other words, as Gab users engage in what they believe to be adversarial debate to “get to the truth,” and that truth is that they are under an attack so severe that they begin to see drastically undemocratic measures as their last and only resort. Some examples: you can’t trust those liars in the DOJ, so the president should just replace them with loyalists; the elections are rigged, so he should just ignore them and stay in power; you can’t trust anything the globalists say, so we should round them all up and start executing them. All of these notions are well represented on Gab.

Conclusion

Gab is famous for hosting ideological extremists, from alt-right leaders to the Pittsburgh shooter, but it is also a social media platform that markets itself as dedicated to the exercise of free speech. Gab therefore presents a unique opportunity to examine the underlying moral logic of a free speech defense for offensive, aggressive, and degrading content. It is not the *content*, but the *logic* that has virality. The logic of free speech on Gab is decidedly white male; individualistic at the expense of the collective good; ready to sacrifice equality for an absolute approach to the First Amendment; and, most dangerously, able to recruit people from across the political spectrum to defend the idea that no regulation on speech is ever permissible (a position which the judiciary does not now, nor ever has, supported). Further, the logic of free speech on Gab poses unique threats to political liberalism by playing up resentment of political

²²³ Ibid.

correctness, adopting the nihilistic argumentative strategies of trolls, and bolstering the worst of Constitutional fundamentalism—all of which have been adopted and practiced by President Trump. Gab may have fewer than a million users, but it is part of a media ecosystem that amplifies Gab’s logic to the increasingly expansive audiences of right-wing pundits, Fox News, and the White House. Consequently, the stakes are very high: people with mass influence are using Gab logic—without contextualization or thought to ethical consequences—to promote or excuse the kind of content that tears at civil debate, turns entire demographics into political scapegoats, and may lead to violence against perceived enemies.

It is critical to situate Gab within the ongoing epistemic crisis taking place in the U.S. The public is sharply divided by political ideology to the extent that large swathes of the electorate can no longer agree on facts, truths, or narratives. Arguments are based on *doxa* (belief) instead of *episteme* (knowing). Critical rhetorician Dana Cloud writes that fact-checking is woefully inadequate as critique of *doxastic* arguments, and we should base critique on *frame-checking* instead. This method examines how communities or groups frame *doxastic* arguments as true, thereby exposing cultural logics and ethics. The critic’s role is to follow the logic of the community’s arguments to their logical ends, and evaluate the ethical consequences of those ends in light of the community’s values. This requires the critic to acknowledge their positionality and bring their experiential knowledge into the process. To study free speech discourse on Gab, I bring not only my identity as a white cis female U.S. citizen, but also my experience as a scholar of rhetoric, ethics, and political liberalism. My positionality and experiential knowledge affect my evaluation of Gab free speech logic; I assume that Gab users who value free speech also value a well-ordered liberal society, because each is dependent on

the other. Cloud's theory and method are meant to provide a critique of doxastic arguments for the community that advances those arguments. I do not expect the current study to be of use to members of the Gab community, who may see themselves as forming their own exclusive, absolutist community. Yet free speech rhetoric on Gab is always referencing the outside: it responds to various contexts or exigencies within the broader systems of U.S. government and culture. Gabbers talk about how the U.S. public ought to behave, therefore I argue that their doxastic arguments must be critiqued as leading to ethical consequences that would impact us all. That Gab's free speech logic has already virally spread to propagandists and politicians who have the attention of millions only supports this argument. Gab logic is not confined to Gab.

The exigencies that allowed for the rise of Gab provide context that is essential to reading free speech discourse on the platform. The temperature of debate around political correctness has ebbed and flowed in the U.S. for decades, but political polarization has given it added heat in the past few years. A majority of the population has expressed irritation with linguistic changes to personal identifiers that represent shifts in cultural power. Some are simply frustrated by the pace of change and the seemingly high stakes of being conversationally appropriate; others see political correctness as dangerous "thought policing" and a sign of growing fascistic tendencies. Arising from white male domination of online spaces, trolling culture has responded to linguistic and ideological pressure to respect others with a range of behaviors, from trickster-like reveals of hypocrisy to abusive harassment campaigns using every hateful concoction of words and images imaginable. With a Schopenhauer-like argumentative style of escalating attacks meant to shame emotion in favor of logic, trolls fall prey to the is-ought fallacy, believing that because they are *able* to frustrate and degrade others, they are

obligated to do so. When the is-ought fallacy meets free speech absolutism, the argument twists even further: the First Amendment is integral to our democracy, and it allows us to say hateful things; therefore we are obligated to say hateful things to maintain a strong First Amendment and defend democracy. Constitutional fundamentalism prioritizes devotion to the Constitution over questioning, interpreting, and understanding. This allows devotees to frame the First Amendment in a way that focuses almost exclusively on its original beneficiaries: white men. This is evidenced by an idealization of the founding fathers and selectively focusing on some Amendments over others, e.g., believing the First Amendment is more important than the Fourteenth, which gives equal Constitutional rights to all U.S. citizens. The result is the ability to argue, without cognitive dissonance, that protecting the free speech of white men—even when that speech chills or silences the speech of others—must be protected at all costs. In part, these views have widespread support because of: a) the theoretical shift away from theories of free-expression that value self-governance and the development of individual character towards the marketplace of ideas theory that emphasizes competition and universal truth; and b) twentieth century history of First Amendment jurisprudence, which has shifted away from defending the speech of *vulnerable* groups like Civil Rights advocates towards defending the speech of *unpopular* groups like white supremacists. The exigencies of political correctness, trolling, and Constitutional fundamentalism intersect in the campaign and presidency of Donald Trump. He turns anti-PC frustration into fear appeals to argue against the “Radical Left;” uses trolling tendencies to insult and aggravate opponents; and claims an absolutist right to free speech as a defense against accusations of bullying, bigotry, misogyny, and xenophobia.

Performing a contextual analysis of the exigencies listed above, along with boyd's practice of "deep hanging out," allow me to interpret free speech discourse on Gab with confidence. I have identified seven themes in the discourse and followed their underlying logic to ethical ends: 1) "Free speech is my (individual) right" undermines respect for persons and their equal worth, which is the foundation of liberal society; 2) "If you don't like it, leave" fails to recognize that audience is a necessary condition for free speech; 3) "My freedom of speech doesn't end where your emotions begin" obscures the fact that emotions are an important part of both law and judgment; 4) "There's no such thing as hate speech" allows for attacks on dignity that can exacerbate stigmatization and dehumanization, and damages the self-trust of individuals which is essential for exercising judgment; 5) "Free speech makes you tough" casts free expression as something one must withstand and reifies gendered binaries that promote stereotypes; 6) "This is how we keep democracy and the First Amendment strong" justifies using people as means to an end; and 7) "This is how we get to the truth" justifies drastically undemocratic measures, contributes to the erosion of public trust, and elevates even the most dangerous beliefs to metaphysical truths that must be defended at all costs. Overall, findings show that when these arguments are played out to their logical ends the result is a society that at best cannot support the free speech rights Gabbers claim to love, and at worst, justifies the silencing, punishment, and removal of those who question white male supremacy and free speech absolutism.

It is my hope that this study will be helpful for a number of stakeholders. Critical rhetoricians will no doubt develop a robust scholarly conversation around the application of Cloud's method of frame-checking, and whether or not it is appropriately applied to publics

within publics, as I have described Gab within broader U.S. contexts. First Amendment scholars may find this study useful as a starting point to talk about extremist free speech online. Because Gab is part of a complex media ecosystem, scholars who investigate virality may be interested in tracing some of the underlying logics of Gab as they play out across networked publics. I also hope that this study serves as a warning to the amplifiers of free speech logics like those found on Gab. It is the gatekeepers—journalists, propagandists, public intellectuals, and elected officials—who contribute to the spread and legitimization of doxastic arguments. They should take care. Finally, this work is for concerned citizens who seek a greater understanding of the free speech logics presented here, and what they can lead to if left to grow. We live in a time in which trust and respect are on the decline; and tribalism, fear, and nationalism are on the rise. Political narratives are not fueled not by knowledge, but beliefs. “What if,” Cloud writes, “we realize that we live in a society of contending, perspectival truths all vying for power? Truth is then not the opposite of or counter to power. Rather, we need to put some power behind our truths.”²²⁴ I hope that my work here can be fuel for those efforts.

²²⁴ Cloud, 35.

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