

RESIST THE URGE TO GIVE UP RIGHTS

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I cringe when I read comments suggesting that the government's power to suppress speech should be expanded to stop offensive hate-mongers like Matthew Hale. A long line of 1st Amendment cases has established the following principles: The government needs a compelling interest to stop someone (or some group) from speaking. The government's interest is compelling when the speaker incites immediate lawlessness and is likely to produce such behavior. These principles have served us well. When Hale or anyone else incites violence, he should be stopped, not before.

Every so often, a group comes along that scares us into a belief that by giving away some of our freedoms, our government will be better able to protect us. History teaches that we should be as afraid of an oppressive government as we are of dangerous people or groups.

In the 1950s we were ready to give up rights of free speech and association to protect ourselves from communists and other subversives. We ended up with Joseph McCarthy and the House Un-American Activities Committee (HUAC), which ruined many lives and careers in the name of public safety. We should also recall the FBI Counter Intelligence Program (COINTELPRO) of the 1960s, which targeted "radical" groups, broke into their offices, instigated violence, and framed and entrapped activists.

Over the past two decades, we have given up other liberties so the government can protect us from the evils of dangerous drugs. Mandatory murder-length sentences for drug offenders have tripled the prison population but have not reduced any of the problems associated with drugs. Innocent men and women are now routinely stopped and searched for the crime of "driving while black."

We must learn from the past and resist the temptation to give away more of our freedoms for an illusion of safety. Laws prohibiting hate speech will just drive these groups underground. I would rather have them out in the open.

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