

# TRUTH AND CONSEQUENCES

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In the 18th century, Voltaire purportedly responded to Rousseau, “I detest what you write, but I would give my life to make it possible for you to continue to write.”

Contrast that bold sentiment — which until recently lived in the heart of every American — with life in the United States today. Here are five recent vignettes.

In August 2021, National Public Radio hosted a program bashing freedom of speech. The four commentators all spoke against free speech “absolutism,” as they called it, the kind of absolutism that the American Civil Liberties Union has defended since its inception. The NPR commentators argued that free speech should at times be curtailed for the common good.

In December 2020, Twitter altered its terms of service to ban “alarmist rhetoric unfounded in research” on Covid-19. For example, Twitter censored a link by the American Heart Association to an abstract of a study indicating that the Covid vaccines dramatically raise the possibility of heart inflammation. (As an aside, many physicians have come to the same conclusion.)

In February of this year, the Department of Homeland Security issued a Summary of the Terrorism Threat to the United States. One of the factors cited that was particularly ominous was “the proliferation of false or misleading narratives, which sow discord or undermine public trust in U.S. government institutions.” By that standard, standing up at a school board meeting and questioning the curriculum being taught to your child could be considered seditious.

In 2021, Twitter banned Donald Trump on the grounds — you guessed it — that he was spreading misinformation. CNN heralded the move and

wished only, it said, that the ban had been imposed sooner. Ah, but Twitter and Facebook got their own comeuppance in March of this year when Russia banned both of them on the grounds that they themselves were spreading misinformation. In other words, two of the chief purveyors of the cancel culture in the United States got canceled.

The irony of the final incident that I will describe cannot be overstated. In March of this year — one month ago — the Federalist Society hosted a panel discussion at Yale Law School on free speech. The panel was meant to highlight agreement by a woman on the right and a woman on the left about freedom of speech issues. About 120 Yale law students attended and, instead of listening to both sides, shouted down the conservative speaker. One student yelled at the conservative speaker that she would “literally fight you, bitch.” Two members of the Federalist Society were grabbed as they attempted to leave, and police had to escort the two speakers out of the building. Later the law school dean, who had attended the event, stated that the disruption that terminated it did not violate Yale’s free speech policy.

The law students and the Dean were blithely unaware of the 1927 words of Supreme Court Justice Louis Brandeis: “The remedy to be applied is more speech, not enforced silence.” Or as Nancy Pelosi wrote in 2009, “Drowning out opposing views is simply un-American.” She is right. It is.

Those Yale students, on the contrary, seem to epitomize the mindset that Eric Hoffer described so well in his book The True Believer: “The true believer is apt to see himself as one of the chosen, the salt of the earth, the light of the world, a prince disguised in meekness, who is destined to inherit the earth and the kingdom of heaven, too. He who is not of his faith is evil; he who will not listen shall perish.”

Our society seems to have abandoned its reverence for freedom of speech and of the press in favor of Orwell’s 1984. How did this happen? And why?

Let’s start by noting some peculiarities of our time. Books, newspapers, and pamphlets — three of the main vehicles for conveying information and points of view in the past — have less influence today than at any other point in our nation’s history. What has replaced them? Social media, televised talk shows, and the Internet. There is almost no television

network that can be counted on to deliver straight news. I used to watch CNN assiduously for this purpose but no more. It is possible today to get information and hear opinions without encountering another viewpoint and with being oblivious that another point of view exists.

Do you remember the singing duo Simon and Garfunkel? Their last album contained a song titled "The Boxer." Paul Simon sang, "A man hears what he wants to hear and disregards the rest." That is all too easy to do today.

The result is that many people believe they are fully informed when they know only part of the relevant information at best. This hubristic attitude is characterized by the prevalent and dismissive slur "misinformation" that is used to denigrate an adverse point of view. As Joseph Schumpeter observed in his famous book Capitalism, Socialism and Democracy, "to call for a guffaw is no doubt an excellent method of disposing of an uncomfortable truth, as every politician knows to his profit.... [A] sneer ... often covers the impossibility of denial."

So-called "misinformation" is actually often well founded and based on facts. And such "misinformation" has frequently been proven true.

Three current examples will suffice. First, the story of Trump-Russia collusion was dreamed up by Hillary Clinton's campaign and had no basis in fact. We know that from the Mueller report and from what we have learned from the filings of Special Counsel John Durham. Moreover, just three weeks ago the Federal Election Commission fined the Clinton campaign and the Democratic National Committee for concealing the campaign's funding for the so-called Steele dossier from the FBI. The dossier has been debunked and yet served as the primary basis for the Trump-Russia collusion story. For years, however, allegations that the Clinton campaign had concocted the Trump-Russia collusion story were dismissed as misinformation.

Second, in October 2020, a few weeks before the national election, the New York Post published a bombshell story about Hunter Biden's laptop. Former members of the intelligence community immediately claimed that the story sounded like Russian disinformation. The press reported that the laptop story was Russian disinformation in fact. In February of this year, however, the New York Times, which had dismissed the laptop story when it first appeared, admitted that the laptop was real and had damaging

information. In March of this year, the Washington Post said the same thing.

Third, when the Covid crisis hit, Dr. Fauci assured us that the virus could not have come from the Wuhan lab. Anyone who speculated otherwise was denounced as conveying misinformation. Now there is significant evidence that the origin of Covid was in fact the lab in Wuhan, China. An extensive article by a medical journalist appeared in Vanity Fair on March 31, 2022, which presents abundant evidence suggesting that the lab-leak theory is correct while also admitting that that conclusion is not definitive.

In these three cases, assertions were made, contrary assertions were mocked as misinformation, and yet the misinformation turned out to be true or at the very least likely true.

How did we get to the point of stigmatizing dissent to such an extent that it is routinely shut down, especially when recent history illustrates that sometimes dissenters turn out to be correct? It is one thing to disagree. Disagreements happen all the time and are to be welcomed because they mean that people are thinking independently. It is another thing entirely, however, to try to quash an opposing viewpoint and deny its voice. Winston Churchill warned us, "We must beware of a tyranny of opinion which tries to make only one side of a question the one which may be heard." That is where we are now. The great principle of freedom of speech — in which the United States took such pride — is often viewed as an archaic relic of an earlier time.

Freedom of speech, as enshrined in the United States Constitution, is a bedrock principle of our society precisely because it protects the minority. The majority needs no protection. The minority does. The ACLU's white paper titled "Freedom of Expression," puts the matter succinctly: "We should not give the government the power to decide which opinions are hateful, for history has taught us that government is more apt to use this power to prosecute minorities than to protect them."

We often hear that Google, Facebook, et. al, are private companies and should be free to suppress speech on their platforms that they dislike. True enough. But the fundamental principle at stake is not the first amendment. It is the principle behind the first amendment — that people should hear each other out, that robust public debate and diversity of

opinion are the lifeblood of civil discourse, and that the only way of approaching the truth is to have opinions challenged in the light of day.

This attitude is sorely missing in our country today. Because people are often sheltered from opposing opinion, they naturally believe that their own view is right. And this certainty of having reached the Truth has consequences. Harvard professor Steven Pinker, in his 2021 book Rationality: What It Is, Why It Seems Scarce, Why It Matters, provided insight into this issue:

Instead of feeling any need to persuade, people who are certain they are correct can impose their beliefs by force. In theocracies and autocracies, authorities censor, imprison, exile, or burn those with the wrong opinions. In democracies the force is less brutish, but people still find means to impose a belief rather than argue for it. Modern universities — oddly enough, given that their mission is to evaluate ideas — have been at the forefront of finding ways to suppress opinions, including disinviting and drowning out speakers, removing controversial speakers from the classroom, revoking offers of jobs and support, expunging contentious articles from archives, and classifying differences of opinion as punishable harassment and discrimination.

Please also consider this elegant statement from one of the greatest classical liberal books, The Limits of State Action by Wilhelm von Humboldt:

Doubt is torture only to the believer, and not to the man who follows the results of his own inquiries; for, to him results are generally far less important. During the inquiry, he is conscious of his soul's activity and strength; he feels that his perfection, his happiness, depend upon this power; and instead of being oppressed by his doubts about the propositions he formerly took to be true, he congratulates himself that his increasing mental powers enable him to see clearly through errors that he had not till now perceived. The believer, on the contrary, is only interested in the result itself, for, the truth once perceived, there is nothing further to be sought for. The doubts which reason arouses afflict and depress him, for they are not, as in the case of one who thinks for himself, new means for arriving at truth; they deprive him of certainty without revealing any other method of recovering it.

The true believer, in other words, is more driven by the cause he believes in than by embracing an honest search for the truth. For this reason, the true believer is often willing to suppress disfavored opinions, especially when in the midst of other true believers. Charles MacKay, in his influential 1841 book Extraordinary Popular Delusions and the Madness of Crowds, declared: “Men, it has been well said, think in herds; it will be seen that they go mad in herds, while they only recover their senses slowly, one by one.” The contest between the true believer and the dissenter is perennial, just like the contest between those who would censor free speech and those who advocate for it.

Let’s review some history. In the 16th and 17th centuries in Great Britain, printers had to be licensed and relatively few were approved. By the Order of the Lords and Commons in 1643, diligent search was to be made for unlicensed printers. The Order’s preamble decried “the late great abuses and frequent disorders in printing many false, forged, scandalous, seditious, libellous, and unlicensed Papers, Pamphlets, and Books, to the great defamation of Religion and Government.” (Does such an allegation sound vaguely familiar?)

Responding to that Order, John Milton a year later wrote perhaps the most famous defense ever written of a free press. In a pamphlet titled Areopagitica, Milton called “for the liberty of unlicensed printing.” Milton’s argument was more generally for freedom of speech, whether in verbal or written form. He wrote: “Give me the liberty to know, to utter, and to argue freely according to conscience, above all liberties.... Let [Truth] and Falsehood grapple; who ever knew Truth put to the worse, in a free and open encounter?” Milton pressed his argument by noting that licensors of the press were likely to be “either ignorant, imperious, and remiss, or basely pecuniary.” And “if it come to prohibiting, there is not aught more likely to be prohibited than truth itself; whose first appearance to our eyes, bleared and dimmed with prejudice and custom, is more unsightly and unplausible [*sic*] than many errors....”

Incidentally, last June the Canadian government set up a category under its Income Tax Act for a “qualified Canadian journalism organization.” While organizations are not officially licensed under this provision, journalism organizations that are “qualified” get special favors under the tax law and organizations that do not qualify are at a corresponding disadvantage. Milton would not be pleased.

Milton's pamphlet came out in 1644. Nearly a century and a half later, the authors of the Federalist Papers wrote a long series of brilliant articles to convince the doubting public to support the new Constitution. One of the top concerns at the outset of the Federalist Papers was not freedom of speech because in the American colonies that was a settled issue. Rather the drafters of the Federalist Papers wanted above all to be heard by a fair-minded audience. Alexander Hamilton warned his fellow countrymen in the very first of the Federalist Papers that they should have an open mind in assessing the arguments put forth because if they were to dismiss such arguments out of hand or without hearing them, the Union would probably be dismembered. Hamilton wrote:

So numerous indeed and so powerful are the causes which serve to give a false bias to the judgment, that we, upon many occasions, see wise and good men on the wrong as well as on the right side of questions of the first magnitude to society. This circumstance, if duly attended to, would furnish a lesson of moderation to those who are ever so much persuaded of their being in the right in any controversy.

In that same year (1787) Thomas Jefferson similarly wrote to his nephew urging him to use dispassionate judgment when examining the claims of religion:

Fix reason firmly in her seat, and call to her tribunal every fact, every opinion. Question with boldness even the existence of a God; because, if there be one, he must more approve of the homage of reason, than that of blindfolded fear.... Your own reason is the only oracle given you by heaven, and you are answerable for, not the rightness, but the uprightness of the decision.

In other words, be intellectually honest but don't be intellectually afraid. Certainly a key aspect of being intellectually honest is fairly evaluating differing opinions.

No one made that contention more strongly than did John Stuart Mill. In 1859, he published On Liberty, a paean to freedom of expression, of speech, and of the press. His target was not government censorship; it was the onerousness of mass orthodoxy.

Protection ... against the tyranny of the magistrate is not enough: there needs protection also against the tyranny of the prevailing opinion and feeling; against the tendency of society to impose, by other means than civil penalties, its own ideas and practices as rules of conduct on those who dissent from them; to fetter the development, and, if possible, prevent the formation, of any individuality not in harmony with its ways ....

Mill's warning has a strange and unsettling modern resonance.

In the 1970s and 1980s, you undoubtedly saw many bumper stickers proclaiming, "Question Authority." Where is that attitude now? Leonardo da Vinci quipped, "Nothing strengthens authority so much as silence." The great Frederick Douglass saw, "The limits of tyrants are prescribed by the endurance of those whom they oppress." He further noted, "Find out just what any people will quietly submit to and you have the exact measure of the injustice and wrong which will be imposed on them."

Instead of questioning authority, however, today's mantra appears to be, Obey authority. Obey authority — meaning, follow the whims of public opinion — or you will be canceled. Obey authority or whatever you have to say will be painted with the brush of "misinformation." Obey authority or you will be ostracized. Obey authority or those who run the tech companies will ruin your reputation and make your life a living hell.

Much of the insanity taking place in our country today is aided and abetted by self-censorship. Many people are afraid to speak up in public because they don't want to be targets of the media, the tech elite, and the increasingly volatile public. The result is that we are engulfed in madness. Journalist Bari Weiss expressed the exasperation of many of us when she declared,

... when you have the chief reporter on the beat of COVID for the New York Times talking about how questioning or pursuing the question of the lab leak is racist, the world has gone mad. When you're not able to say out loud and in public there are differences between men and women, the world has gone mad. When we're not allowed to acknowledge that rioting is rioting and it is bad and that silence is not violence, but violence is violence, the world has gone mad. When you're not able to say the Hunter Biden laptop is a story

worth pursuing, the world has gone mad. When ... school children, as young as kindergarten, are being separated in public schools because of their race, and that is called progress instead of segregation, the world has gone mad.

One might add to this list the response to Elon Musk's current attempt to take control of Twitter. Musk has decried Twitter's self-admitted censorship of disfavored views. The Washington Post had the temerity to describe Musk's desire to convert Twitter into a free speech platform as an assault on free speech. That, I submit, is mad. 19th century French statesman and economist Frederic Bastiat said it well: "On a false path there is always inconsistency; if this were not so, mankind would be destroyed. We have never seen and never shall see a false principle carried out completely. I have said elsewhere: Absurdity is the limit of inconsistency. I should like to add: It is also its proof."

Nothing more thoroughly foments the closing of the American mind (to use the title of Allan Bloom's famous book by that title) than a perceived crisis. In a fervor, the public becomes so anxious to reclaim normalcy that it is willing to accede to the judgment of supposed experts whose superior knowledge and insight can be trusted.

The latest crisis is Covid. Covid is not at an end and may never be at an end, but probably the danger has peaked. Since Covid arrived, our lives, as you all know, have been turned upside down. On the advice of experts, we have sheltered in place, kept social distance, worn face masks for the first time for most of us, closed down businesses, schooled from home, and, above all, been vaccinated. These measures all seem reasonable in retrospect. But were they?

Dr. Fauci said early on that masks were ineffective in prohibiting the transmission of Covid. We were told that Covid was spread through touching unclean surfaces. Purifying alcohol then became so over-bought that 97 percent alcohol was unavailable in stores for months. (I know because I tried to buy some for my wife.) Later we were told that that Covid was spread through the air and that cleaning surfaces for preventing the spread of Covid was unnecessary. Then we were told that social distancing in store lines should be six feet. Last summer one of the individuals key to making that suggestion admitted that he had no basis for

the six feet mandate. We were told that the vaccines would prevent you from getting Covid. That was not true. We were told that the vaccines would prevent you from transmitting Covid to others. That is not true. We were told that the lockdowns were vital to preventing deaths from Covid. According to “A Literature Review and Meta-Analysis of the Effects of Lockdowns on Covid-19 Mortality,” a study that Johns Hopkins released in January of this year, “lockdowns have had little to no effect on COVID-19 mortality.” On the contrary, “they have imposed enormous economic and social costs.” The authors conclude: “In consequence, lockdown policies are ill-founded and should be rejected as a pandemic policy instrument.”

I am not casting aspersions on any of the advice that was given because it was all well intended. Along with that advice, however, went the tendency to stifle opposing views or even views that were simply different, not contradictory. Why were vaccines virtually the only preventative option officially trumpeted? There were other preventative regimes including Ivermectin, which was apparently highly successful in India, that were ignored or treated with outright hostility. Where was the scientific and public debate? If, for instance, Hydroxychloroquine did not work or posed adverse side effects, why was nothing other than the vaccines suggested in its place? Why did the U.S. Department of Defense study the effectiveness of Ivermectin on troops and bury the extremely positive results? Likewise, why did the Department of Defense cover up the manifold harmful effects of the vaccines on many military personnel? Why were children — whose chances of getting seriously ill from Covid was small — subjected to the same lockdowns and restrictions that the most vulnerable populations (chiefly the elderly) were?

These are all valid questions, but raising them is likely to be met with scorn by suggesting that they are animated by conspiracy theories based on “misinformation.” Skepticism of received opinion used to be the hallmark of science. Is that no longer true? Is it no longer appropriate to consider alternate approaches without fear of reproach by the powers that be? Esteemed physicians who doubted the conventional wisdom of how to address the Covid pandemic were routinely silenced. J.J. Thompson, the Nobel Laureate in physics, reminds us, “A scientific theory is a tool and not a creed.”

Many in this audience will find these questions disconcerting. That is all

the more reason why they need to be asked. As John Stuart Mill declared, “[I]t is not the feeling sure of a doctrine ... which I call an assumption of infallibility. It is the undertaking to decide that question *for others*, without allowing them to hear what can be said on the contrary side.”

We would also be wise to listen again to the sage counsel of John Milton. Milton noted that accepting so-called authorized views without understanding or questioning them was impious: “A man may be a heretic in the truth; and if he believe things only because his pastor says so, or the assembly so determines, without knowing other reason, though his belief be true, yet the very truth he holds becomes his heresy.”

In the final analysis, if we dispense with absolute free speech except in cases of imminent danger or some other extraordinary circumstance, we are left with three questions: Who decides what is “misinformation” and what ideas are fit and unfit for public consumption? On what basis will such a determination be made? And won’t anyone with such power invariably use it for his or her own benefit to the detriment of others? A fourth question also lurks in the background: How can anyone know that the awesome power to stifle free speech will not eventually be turned against him? In Federalist Paper No. 78, Alexander Hamilton counseled, “no man can be sure that he will not tomorrow be the victim of a spirit of injustice, by which he may be a gainer to-day.”

Freedom of speech and freedom of inquiry go hand in hand. The assumption, however, that we have arrived at the unvarnished Truth with a capital T undermines free inquiry and free speech because true believers have no need for them. The issue is not Truth or Consequences. The issue is Truth and Consequences — that is, the consequences that flow from believing that you have arrived at the Truth and feel it incumbent to close the book on the subject and castigate naysayers as public enemies. I believe the consequences of doing so are dangerous. I also believe that the growing tendency to deplatform, to cancel, to dismiss persons and non-mainstream views is ominous to a society that considers itself free.

Voltaire was quoted at the beginning of this essay. It is fitting that he also be quoted at the conclusion. Here are three closing thoughts from that master of wit:

“If you want to know who controls you, look at who you are not allowed to criticize.”

“Think for yourself and let others enjoy the privilege of doing so too.”

“Cherish those who seek the truth but beware of those who find it.”

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