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Thinking Clearly About Speaking Freely – Part 17: Free Markets Are a Crucial Antidote to Cancel Culture

by

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When I began this "Thinking Clearly and Speaking Freely" series in April 2021, my aim was to address the proliferating Cancel Culture, and especially its manifestation in the online environment. On that score, I've contended that social media platforms like Facebook, Twitter, and YouTube have been overly censorious regarding consequential matters of public importance.

My aim was not only to bemoan the extent of the Cancel Culture, and its stifling of legitimate public debate – that's the easy part – but to explore ideas that might help relax its grip. With that goal in mind, I've examined different options. For example, I've discussed, as Justice Clarence Thomas has intimated, whether social media platforms should be mandated to operate as common carriers so they would be required to carry all lawful speech indiscriminately without regard to viewpoint. Or whether, as President Biden has suggested, Section 230 of the Communications Decency Act, which as presently interpreted provides virtually unlimited immunity to Internet platforms for the content they host created by others, should be repealed or modified.

The Free State Foundation P.O. Box 60680, Potomac, MD 20859 info@freestatefoundation.org www.freestatefoundation.org You can find discussions of those possible remedies and others throughout the series. But here, in Part 17, I want to pick up where I ended last year in "Combatting Cancel Culture With a Reinvigorated Constitutional Culture." There I stated: "Regardless of whether the First Amendment jurisprudence requires allowing particular speech under a particular set of facts, a greater appreciation of the value of robust debate that impelled the Founders to include the Free Speech Clause in the Constitution should serve to induce greater tolerance for diversity of thought and speech than currently exists."

So, I said that, in 2023, I want to offer some ideas about ways "to combat the Cancel Culture by reinvigorating our Constitutional Culture."

I begin by putting on the table what I consider to be a foundational yet neglected premise: Free markets help combat Cancel Culture. Conversely, greater government control and intervention that diminishes the space for free markets to operate encourages speech suppression. Recall that here I'm exploring the creation and nurturing of a constitutional *culture* that encourages more free speech in spaces – like social media – where our Constitution or laws may not require it.

Let me explain.

Free markets, undergirded by a system of property rights, depend upon the existence of *cooperation* and *trust* to facilitate the *voluntary* exchange of goods and services. Conversely, absent space free from government control that allows for cooperation and voluntary exchange, there can be no free market order. And here's the key: A free market order is instrumental in nurturing a culture conducive to speaking freely.

Why? Because the same cooperation that leads to the voluntary exchange of goods and services gives rise, naturally, to sentiments of sympathy and friendship for those with whom we wish to trade for our mutual benefit.

It is true that in his landmark work, <u>The Wealth of Nations</u>, Adam Smith famously said: "It is not from the benevolence of the butcher, the brewer or the baker that we expect to eat our dinner, but from their regard to their own interest." But in his earlier famous work, <u>The Theory of Moral Sentiments</u>, Smith recognized that this natural drive for humans to be self-interested is mitigated – and may even be turned to the common good – by their ability to reason and by their capacity for sympathy.

As David Boaz puts it nicely in an essay in the Atlas Network's monograph, <u>The Morality of Capitalism</u>: "Markets channel their self-interest in socially beneficent directions. In a free market, people achieve their own purposes by finding out what others want and trying to offer it." Sympathy for our fellow man or woman, in the sense that Smith considered it, is integral to "finding out what others want and trying to offer it."

In other words, a free market order is not only conducive to social cooperation, but to function effectively, it requires such cooperation. The cooperation that is a prerequisite for facilitating voluntary exchange depends upon habits of tolerance, including showing respect for views and

speech with which you may disagree. If you refuse to do business with those who espouse views with which you disagree, then the likelihood you'll succeed in the marketplace is diminished.

Now, it's easy to understand that to the extent government exercises greater control – and the space for free markets to operate shrinks concomitantly – the incentive to tolerate speech of others with whom we disagree necessarily shrinks too. This is because, in this scenario, our efforts, naturally, are directed to getting the government to apportion its favors in ways that benefit us. These efforts to influence government may take the form of lobbying, political contributions, public relations campaigns, and so forth. They are by no means illegitimate. But by no means do they depend upon the notions of cooperation and voluntary exchange that underpin a free market order.

Most importantly, unlike a free market order, where the incentives necessarily run in the direction of toleration for speech with which you disagree, in a regime characterized by greater government control of benefits and sanctions, the incentives necessarily run in the direction of silencing the speech of those who hold different views. That way you diminish their power to oppose.

In sum, that's why promotion of free markets – as opposed to more government control that shrinks the space for enterprise – serves to combat the proliferation of Cancel Culture that, in turn, weakens our Constitutional Culture.

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