

Patrick Lawrence

Our fugitive virtue

The Atlantic, for many of its 166 years a fine monthly journal, went on to become a pretty good monthly journal, and then an O.K. monthly journal on the way to becoming a forgettable monthly journal that for many years barely survived. Since Jeffrey Goldberg took the editor's chair in 2016, The Atlantic has been a truly awful magazine one would like to forget but cannot: If the journalism is third-rate, it has a natural appeal among the third-rate minds who have come in recent years to lead the liberal-authoritarian charge into paranoiac "Russophobia," the censorship regime that grows more prevalent as we speak, the corruption America's institutions of government, and altogether what remains of American democracy.

Goldberg, who previously served in the Israel Defense Forces—and as an Israeli prison guard, if you please—has made The Atlantic a spear-carrier for every neoliberal orthodoxy one can think of—as well as every war the neoliberals who run Washington have started. It is no surprise at all that the magazine now voices unqualified support for Israel's daily barbarity in Gaza while finding—this seems a Goldberg preoccupation—anti-Semitism everywhere everywhere everywhere.

The creep of censorship against independent, non-corporate media has been evident in the U.S. since the days of the Russiagate hoax, 2016 to 2020. But the IDF's genocide operation in Gaza has intensified the liberal authoritarians' attacks on dissident reporting, commentary, and free speech altogether. There are two reasons for this.

One, the Israelis' racist savagery is so openly and obviously offensive to the most basic human values that it requires maximum effort to stifle objections to it. Two, the charge of anti-Semitism—dangerous, life-threatening anti-Semitism—makes excellent cover for those who think free speech is an antiquarian notion we must now dispense with. This is why those defending Israel's conduct in Gaza find it useful to discover an anti-Semite under every bed. Americans are now treated to daily assertions that anti-Semitism in the U.S. is so prevalent as to threaten the lives of American Jews. It does not matter whether one takes these assertions seriously—and I do not, to be clear. They have nonetheless added new force to the censorship regime that predates by years the Israel-Gaza crisis.

Jeffrey Goldberg's Atlantic makes a habit of going too far on this or that topic— Russia's plans to overrun Europe, Donald Trump's threat to turn the U.S. into a dictatorship if he wins a second term next year, and so on. Predictably enough, it has now gone too far in exploiting the anti-Semitism theme as it presses its case for the suppression of free speech. In [a piece datelined 28 November](#), Jonathan Katz attacks Substack, the platform for independent newsletters—including one by your columnist, [The Floutist](#)—as a hotbed of assorted far-right causes, each more objectionable than the others.

Katz's piece appears under the headline, "Substack Has a Nazi Problem." Here he is analyzing the grave malpractices that produce this problem. Readers unfamiliar with euphemisms commonly accepted among liberal authoritarians should note: "Content moderation" is the term they use to advocate censorship without embarrassing themselves:

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Substack, founded in 2017, has terms of service that formally proscribe "hate," along with pornography, spam, and anyone "restricted from making money on Substack"—a category that includes businesses banned by Stripe, the platform's default payment processor. But Substack's leaders also proudly disdain the content-moderation methods that other platforms employ, albeit with spotty results, to limit the spread of racist or bigoted speech. An informal search of the Substack website and of extremist Telegram channel channels [sic] that circulate Substack posts turns up scores of white-supremacist, neo-Confederate, and explicitly Nazi newsletters on Substack—many of them apparently started in the past year.

And, later in the piece:

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Moderating context is notoriously tricky.... When tech platforms are quick to banish posters, partisans of all stripes have an incentive to accuse their opponents of being extremists in an effort to silence them. But when platforms are too permissive, they risk being overrun by bigots, harassers, and other bad-faith actors who drive away other users....

Katz, who publishes his own newsletter via Substack, did good work as an Associated Press correspondent in his earlier years, notably during the 2010 earthquake in Haiti. This is not good work. It is the kind of bad work one typically finds in Jeffrey Goldberg's Atlantic—distorted, lacking in logic, marred by internal contradictions.

There is the question of magnitude. As Katz reports, Substack hosts more than 17,000 writers who get paid for their work, and some number of additional writers who do not charge readers for access to what they publish. O.K., 17,000—plus. Two sentences on we read, “At least 16 of the newsletters that I reviewed have overt Nazi symbols, including the swastika and the sonnenrad, in their logos or in prominent graphics.” The sonnenrad is the Black Sun symbol readers may have seen on the uniforms of countless Ukrainian soldiers as they wage the war against Russia that The Atlantic routinely cheers on.

But never mind that. Sixteen newsletters of far-right persuasions out of something more than 17,000, and Substack has a Nazi problem? How can people write this kind of stuff and expect to be taken seriously? From here on out we are on notice that Katz is conjuring a case to take down a digital publishing platform that admirably supports free speech principles and leaves its writers alone but in the most extreme cases. The man who signs Katz’s checks, if not Katz himself, wants more censorship at Substack. This is what we are reading about, this the subtext.

It is on the question of free speech and the First Amendment to the Constitution that Katz’s piece collapses like a failed soufflé. “Ultimately, the First Amendment gives publications and platforms in the United States the right to publish almost anything they want” Katz writes. “But the same First Amendment also gives them the right to refuse to allow their platform to be used for anything they don’t want to publish or host.” We read this kind of thing, shameful apologies, ever more often these days. What Katz writes is true in both respects. But the spectacle of a journalist implicitly defending a publication’s legal right to suppress speech is to me too much to take.

A bit further on:

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In the past few years, Substack has sought to appeal to more contrarian and conservative authors... and to readers disenchanted with mainstream publications. The company also began positioning itself more overtly as a fervent supporter of free speech—a laudable goal. But in practice, Substack’s definition of that concept goes beyond welcoming arguments from across a wide ideological spectrum and broadly defending anyone’s right to spread even bigotry and conspiracy theories; implicitly, it also includes hosting and profiting from bigoted and conspiratorial content.

Do you see the argument Katz is surreptitiously foisting upon his readers? Free speech is “a laudable goal”? Preposterous. It is a principle enshrined in the document by which this nation is supposed to live—an established reality. As such the First Amendment has no politics: It applies universally, as it must. But somehow it is fine to advocate free speech but not fine to run a digital publishing enterprise on this principle. What on earth does Katz mean in this passage? It is flimsy times ten, in my read.

Substack does not have a Nazi problem. Katz and the journal for which he writes have a First Amendment problem. I single them out because they are so plainly indicative of the purposely cultivated confusion abroad among us.

I have another question for Jonathan Katz and for any reader who takes his argument seriously. Of what bloody use is the principle of free speech if it applies only to speech deemed acceptable by one or another constituency that happens to be in power? Corollary question: Don't people such as Katz understand? If you propose to enforce free speech selectively—which is at bottom the thought—is it not obvious that when an opposing political faction comes to power you will be victimized by those you may have victimized?

My reply to these questions: The First Amendment is most pressingly to be upheld when the speech at issue is objectionable. Who would need the amendment if all speech were acceptable to all? Why, to think this through, did the drafters of the Bill of Rights write the amendment and why was it the first?

Here I refer to what I call the Skokie Principle, marking an occasion most of us seem unfortunately to have forgotten. I refer to the 1978 case involving the American Civil Liberties Union—a serious organization at the time—and a group of neo-Nazis who marched in full regalia through the town of Skokie, Illinois, where dwelt many Jews, some Holocaust survivors. The ACLU defended them, strictly on the basis of their First Amendment rights. We were all the better for it.

How long gone are those days. Attacks on free speech are part of the daily diet now, and those waging them have plainly pushed defenders of free speech on the defensive. Universities, public gatherings, street demonstrations against the Israeli campaign in Gaza, media—I put the Substack case in this context—are all sites of aggression by advocates of the censorship regime. Earlier this week Congress passed a resolution that, in the supercharged language of our moment, “clearly and firmly

states that anti-Zionism is antisemitism.” Votes of this kind, known as “sense of Congress” resolutions, are not binding as law. But this one will surely have a profound and profoundly detrimental effect on American public discourse.

My mind goes back nearly 400 years as I think of The Atlantic and Jonathan Katz and Substack and the collective obsession, in truth a frenzy, of anti-anti-Semitism. It lands in 1644, when Milton gave a speech in Parliament that comes down to us as *Areopagitica: A speech of Mr. John Milton for the Liberty of Unlicenc'd Printing*. Speaking as the English Civil War raged, Milton argued against a parliamentary act, passed the previous year, that required writers to be licensed before their work was published.

I have loved this magnificent oration since I first read it decades ago. Here I will quote without comment—what more is there to say?—its most famous passage:

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I cannot praise a fugitive and cloistered virtue, unexercised and unbreathed, that never sallies out and sees her adversary, but slinks out of the race where that immortal garland is to be run for, not without dust and heat.

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