

THE HIGH COST OF SPEECH - OFFICIALS DEBATE RESTRICTIONS ON IDEAS; SO MUCH FOR 'WORDS CAN NEVER HURT ME'

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Most of us routinely think the unsayable. Mary Beth Fisher, however, says the unthinkable.

Night after night, during the Goodman Theatre's production of "Spinning Into Butter," which runs through Sunday, Fisher's character delivers a speech so blunt in its racism, so wanton in its political incorrectness, that it causes audiences to lean forward in their seats, spellbound.

"When I first read the play and I got to that speech, I thought, Whoa," said Fisher, who plays Sara Daniels, a college dean forced to confront the virulent racism simmering just beneath her poised, slick, liberal surface.

"We get a lot of gasps" from the audience, Fisher said.

Be the venue a theater or a streetcorner, gasps usually are reserved for acts: uppercuts, swordfights, train wrecks, slammed doors. But words? Mere words?

Mere words, indeed. What "Spinning Into Butter" demonstrates -- and what is being reinforced by an increasing number of news stories, business developments and legislation -- is the incendiary power of words. Not just words that are said, but words that remain unsaid, either because of self-censorship or outside forces.

For the last few years, we've been told that new technologies have made free speech even freer, even more pervasive, since anybody with a computer can be a desktop publisher and anybody with a modem can concoct a Web site.

Behind the fancy facade of shiny new machines, however, lies a low-tech truth: Free speech is one of the most complex, challenging ideas ever formulated by a self-governing society.

Moreover, in two important ways, the freedom to say what you want when you want to say it is being steadily undermined, the victim of caution, fear, intolerance, political correctness and real or anticipated corporate muscle.

The first way is subtle: In an increasing number of incidents, the idea of speech as a constitutional right has been supplanted by the idea of speech as a favor granted by somebody in charge -- one which can be withheld just as easily as it was bestowed. We'll get to some specifics shortly.

The second way is blunter and more nefarious. As Bill Moyers points out in his documentary, "Free Speech for Sale," airing at 8 p.m. June 22 on WTTW-Ch. 11, free speech isn't free at all. Priced a TV ad lately? Anyone can speak her or his mind, of course, but making sure others hear can cost big bucks.

Moyers presents cases wherein free speech depended on dollars, such as the tobacco companies' masterful (and misleading) ad blitz to derail the financial settlement worked out by the U.S. Senate. Another was the Telecommunications Act of 1996, which reopened the debate on whether broadcasters should have to pay to use the public airwaves. The bill was rarely the subject of news accounts because, as consumer advocates tell Moyers, the news purveyors themselves stood to benefit; indeed, the digital spectrum, allowing hundreds of channels, was given away rather than auctioned off.

The Founding Fathers, Moyers notes, probably never anticipated the cost or clout of a 30-second TV spot when they dreamed up the 1st Amendment.

"We have given corporations massive 1st Amendment rights as if they were individuals," Gene Kimmelman, co-director of the Consumers Union, says in the documentary.

Curiously, while corporations are flexing their 1st Amendment rights with pride, individuals -- those lowly, hapless souls on whose behalf the Constitution presumably was written -- are being shushed. Most of these gaggings may have been undertaken with the best of intentions; indeed, much of the squelched speech is loathsome and odious. Silencing it, however, seems more odious still:

- Earlier this year, Matthew Hale , a Southern Illinois Law School graduate who had passed the bar exam, was denied admission to the state bar because of his white separatist views. Harvard Law School Professor Alan Dershowitz called Hale's views repugnant but added, "It's hard to imagine a clearer case of free speech."

- Citing the rash of school shootings by students, some administrators have cracked down as never before on student expression. A high school student in Wilmington, N.C., served three days in jail for writing "The End Is Near" on his computer.

- In Standish, Mich., a man stood trial for cursing when his canoe overturned; his words were heard by young children (whom he didn't know were present), violating a century-old state law against swearing in front of minors.

- Thirteen states have passed food libel laws, stilling the pens of nutritional and environmental writers who fear expensive lawsuits. Such laws, which Illinois legislators considered but rejected, make writers and broadcasters liable for negative statements about agricultural products that end up harming the food industry. A food libel law was the basis for the cattle industry's lawsuit against Oprah Winfrey. She won -- but spent more than \$1 million in legal bills.

The words that Fisher speaks in "Spinning Into Butter," written by Rebecca Gilman, are jarring, even sickening, in their naked racism. Yet sometimes we need to hear the worst -- in this case, the hateful stereotyping in which we've probably all indulged, in our darkest thoughts -- to realize just how powerful and precious speech really is, how it gets under our skin like nothing else.

Caption: PHOTO

PHOTO: Mary Beth Fisher and Jim Leaming in a scene from "Spinning Into Butter" at the Goodman Theatre. Photo by Liz Lauren.

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