Report: Government Spying Causing Self-Censorship, Privacy Fears Among US Writers

Benjamin Fearnow

WASHINGTON (CBS DC) – In the wake of revelations about intrusive government surveillance, many American authors are worrying about the freedom of the press and some simply are avoiding controversial topics.

A new report from the PEN Center (PDF) and the FDR Group entitled "Chilling Effects: NSA Surveillance Drives U.S. Writers to Self-Censor" finds that 85 percent of surveyed writers are worried about government surveillance of Americans, and nearly three-quarters (73 percent) "have never been as worried about privacy rights and freedom of the press as they are today."

Sixteen percent of writers have avoided writing or speaking about certain topics due to threatening privacy concerns, and an additional 11 percent have seriously considered such avoidance.

Writer comments included statements such as, "I assume everything I do electronically is subject to monitoring."

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My thoughts

I note the humor that the author of this CBS article is Benjamin *Fearnow*. Seems an appropriate name for the author to write a piece about people self-censoring their work based on the fear of NSA and DHS monitoring of the web.

I also note that the PEN American Center is part of "The FDR Group." I presume (because we never assume) that means The Franklin Delano Roosevelt Group. The introduction to the paper states:

> *"We know—historically, from writers and intellectuals in the Soviet Bloc, and contemporaneously from writers, thinkers, and artists in China, Iran, and elsewhere—that aggressive surveillance regimes limit discourse and distort the flow of information and ideas. But what about the new democratic surveillance states?"*

They, of course, use the term "democracy" throughout the paper as if the United States is a "Democracy." This is a common misconception, of course. We are a Republic (Refer to Article IV, Section 4 of the Constitution). The tyrannical governments listed in their introduction *are* democratic societies. They are based on the democracy of the Manifesto of the Communist Party.

I could go on about the administrations of Wilson, FDR, and democrats thereafter. But you would not like it. I except John F. Kennedy from the list of communist democrats after studying some of the things he did. Though he believed in some socialist-democratic principles—such as the failed Medicare system—he also seemed to have a firm grasp of the Constitution. His vibrant support of the Second Amendment and the militia concept, desire to limit taxes all around and his belief in limited welfare made him more Republican in nature than a Democrat.

Though this group and I may differ in politics, we certainly

agree on the frightening prospect of monitoring on the freedom of expression. After all, the First Amendment was never meant to protect speech I agree with.

How bad is the monitoring actually? Add to the monitoring other tyrannical principles of our "government"—some even praised by the Supreme Court. I use government in quotes because that is how most people refer to our employees.

The "Clear and Present Danger" doctrine of the Supreme Court was the first attack on the First Amendment. This doctrine is based on a decision written by Oliver Wendell Holmes in the 1919 case *Schenck v. United States*. After all, who determines a *Clear and Present danger*? The DHS did with it's Right-Wing Extremism memo.

There are laws forbidding teaching that citizens are allowed take over their government. Yet the founders very clearly specified that in the government-approved Federalist Papers.

In a letter to Judge John Tyler in 1804, Thomas Jefferson noted:

> *"No experiment can be more interesting than that we are trying, and which we trust will end in establishing the fact, that man may be governed by reason and truth. Our first objective should therefore be, to leave open to him all the avenues of truth. The most effectual hitherto found, is the freedom of the press. It is, therefore, the first shut up by those who fear the investigation of their actions."*

I am the first to admit that not everything on the Internet is true. Much is opinion. I have posted information that I thought was a researched article only to find that it was an e-mail someone received and had false information. I admit those mistakes when I find them or when they are brought to my attention. In the letter, Jefferson goes on to suggests that discretion should be used in any source of information.

The point is that Jefferson may not even been able to conceptualize the Internet, but very much would have been in support of keeping it free and open. Of course, in his day they used pseudonyms in the Federalist and Anti-Federalist papers to fool the NSA.

The NSA “collecting of evidence” may very well be intimidating authors and this is sad. The very thing the founders wanted to avoid.