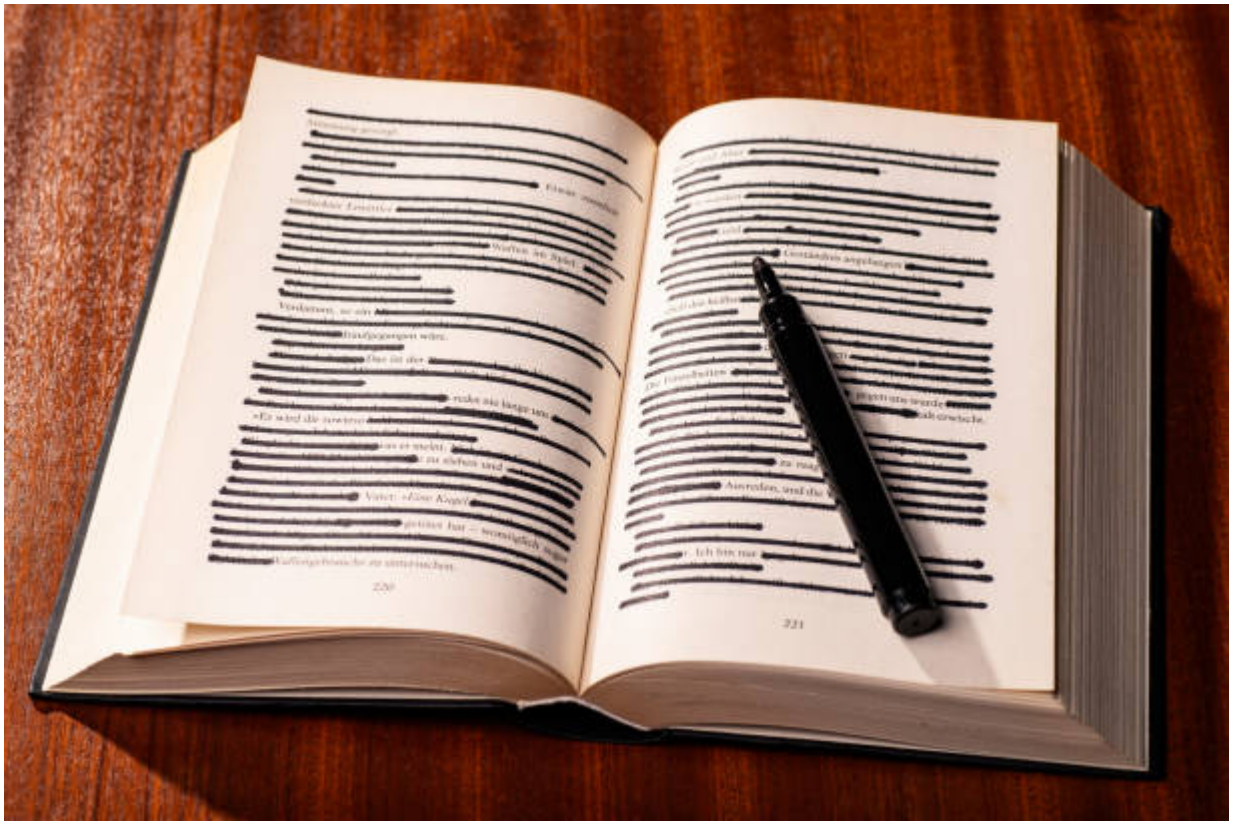
NY Times opposes censorship. So why does it practice it?



by Lev Tsitrin

Practicing what one preaches is, while seemingly natural, not always easy. If following ones' own precepts came as naturally as breathing, words like "hypocrisy" would be meaningless. Yet that phenomenon is wide-spread, the latest manifestation being a jeremiad by Pamela Paul of the *New York Times* lamenting censorship and self-censorship in the book industry, "*There's More Than One Way to Ban a Book.*"

For me, that was an interesting read – my expertise in that subject is, I dare say, unequaled. As plaintiff in *Overview Books v US*, I know all there is to know about the locks that keep the gates to our presumably-open "marketplace of ideas" tightly shut to the non-establishment.

While bemoaning the current climate of censorship in its many

varieties (like shutting down books whose subject is "transphoba" for "harmful speech," or showing hypersensitivity on all matters that can be remotely linked to race – "Last year, a bunny in a children's picture book got soot on his face by sticking his head into an oven to clean it – and the book was deemed racially insensitive by a single blogger. It was reprinted with the illustration redrawn"), Ms. Paul does not treat censorship in the fullness its concept – as a block on direct speech, as a prohibition on putting into the "marketplace of ideas" what has not been first filtered through the others, and approved by the corporate editor-publisher. Non-censorship as speaking out of one's own mouth, no matter what others think of it is not how Ms. Paul defines the term. While she laments censorship, she makes it clear that uncensored speech is an obvious no-no. "It is certainly true that not every book deserves to be published. But those decisions should be based on the quality of a book as judged by editors and publishers." Non-censorship to her is unhindered censorship by corporate gatekeepers.

It is the decline in power of the corporate gatekeepers to declare what's legit, is that frightens Ms. Paul. What she bemoans is the fact that corporate editor-publishers, those traditional censors of the contents of the "marketplace of ideas" who used to wield absolute power to determine which book "deserves to be published," as she put it, are getting pushed back. That insubordination is at the heart of her lament.

Why there should be *any* gatekeepers to the "marketplace of ideas" that is supposedly free, is not a question that Ms. Paul asks. Yet that *is* the question if one is to talk of book censorship. And that was the question posed by the *Overview Books v US*. Why can't an author bypass corporate censor-editor-publisher, and speak right out of his own mouth, rather than go the torturous route of first whispering into the ear of a corporation, his words reaching the wider public only if

that corporation agrees to repeat them aloud by publishing the book? Why can't an author publish that book himself?

In what can only be described as a brazen act of crony capitalism, and utter violation of the First amendment's free speech clause, the government – the Library of Congress – makes it impossible by explicitly denying its critical services to authors who want to act as their own publishers, speaking out of their own mouths and avoiding corporate censorship. Author-published books are dead of arrival because Library of Congress-assigned keywords that make a book visible in the "marketplace of ideas" – the nation's bookstores and libraries – are given only only to the corporate publishers. First amendment be damned; only the corporations are allowed by the government to have their wares in the "marketplace of ideas." Authors need not apply.

I learned in my lawsuit that it is well-nigh impossible to "beat the system" in court – instead of weighing my lawyer's argument against that of the government's, the judges simply concocted in their decisions the argument of their own, which they adjudicated to their full satisfaction (and that of the corporate publishers). When I sued judges for fraud, they defended themselves with a self-given, in *Pierson v Ray* right to act from the bench "maliciously and corruptly." It is that simple. (I'm trying to get a book published that describes the whole travesty in full detail).

But circling back to the censorship-hating *New York Times.* I contacted the paper multiple times, thinking that the fact that "free speech" in America is really corporate, censored speech, and that the full third of US government – federal judiciary – is officially "corrupt and malicious" are immense outrages that should be investigated and covered – only to discover that the paper prefers to turn to them a blind eye. If Trump said he had the right to act "maliciously and corruptly," that would have been sensational and would have taken the entire front page. But federal judges? Who cares?

Censorship and self-censorship so lamented by the *New York Times'* Pamela Paul are rampant at the *New York Times* itself. "Practice what you preach" is clearly not the *New York Times*' motto. "*All the News That's Fit to Print*" is – and it is an outright slogan of censorship. When it comes to self-censorship, the paper is for what it is against – and is against what it is for. Please explain that to us, Ms. Paul.

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