



# First Amendment Victory: Judge Enjoins Government From Pressuring Social Media As Censors 'Fret'

July 6, 2023 — U.S. District Court Judge Terry Doughty, from the Western District of Louisiana, issued an injunction preventing government agencies and officials from communicating with social media companies "for the purpose of urging, encouraging, pressuring, or inducing in any manner the removal, deletion, suppression, or reduction of content containing protected free speech posted on social-media platforms." The injunction was granted based on the plaintiffs' claims that they would have "a substantial threat of irreparable injury" during the litigation itself.

The background is that Missouri, Louisiana, and five individuals are suing a list of dozens of officials and agencies. "The Plaintiffs have presented substantial evidence in support of their claims that they were the victims of a far-reaching and widespread censorship campaign," wrote the judge.

"The Plaintiffs are likely to succeed on the merits in establishing that the Government has used its power to silence the opposition," he writes in his conclusion. Covid-19 viewpoints, the 2020 election, the Hunter Biden laptop were all mentioned. "All were suppressed. It is quite telling that each example or category of suppressed speech was conservative in nature. This targeted suppression of conservative ideas is a perfect example of viewpoint discrimination of political speech. American citizens have the right to engage in free debate about the significant issues affecting

the country."

Thus, the judge has acknowledged the existence of a censorship program, applied the First Amendment to conclude that the government cannot pressure private actors to do something that it could not legally do, and demanded that it stop immediately.

Already the effects are being felt. As one example, the Washington Post reports that the State Department has canceled its weekly meetings with Facebook.

Plaintiffs were excited:

Missouri's attorney general heralded it as the "most important First Amendment lawsuit in a generation." Louisiana's attorney general stated, "The evidence in our case is shocking and offensive, with senior officials deciding that they could dictate what Americans can and cannot say..." Representative Eric Schmitt, who was the Missouri attorney general when the case was filed, hailed the injunction as "a huge win for the First Amendment and a blow to censorship."

Not everyone was happy. The New York Times headlines its coverage "Disinformation Researchers Fret About Fallout from Judge's Order." Heaven forbid that anything might cause "disinformation researchers" (serious thinkers all) to "fret"!

The otherwise unappealing Biden administration is appealing the injunction.

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