

Free Speech and Privacy Are American Values

Free speech and the freedom to associate with others who share your beliefs have been a cornerstone of public discourse in the United States since the founding of our country.

Americans have also traditionally had the right to speak anonymously and privately support causes. That has often been some of the most important and impactful speech as our country has debated ideas that speak truth to power.

February has been nationally designated as ‘Black History Month’ and there are some valuable lessons for us to remember. During the fight for civil rights for African Americans, the state of Alabama tried to force The National Association for the Advancement of Colored People to report the names and addresses of their supporters to the government. The NAACP knew that if their membership list was made public, those people would be targeted for harassment, intimidation, and even violence. So, they fought all the way to the U.S. Supreme Court and won. The Supreme Court said that donations to organizations like the NAACP—even if they take a position on political issues—can remain private so that people’s safety was protected.

While the consequences that people experience these days when speaking out against those in power, may not be as severe as what activists experienced during the civil rights era, a lot of Americans are feeling the heat when speaking publicly about their beliefs. Some Americans are choosing to stay quiet because of the threat of social media harassment, doxing, cancel culture, and being fired from a job. This is not good for public debate about the issues facing our country and it does nothing to work toward the “unity” that some politicians claim they want.

Bills currently before the South Dakota state legislature, HB1079 and SB103, would prevent nonprofit organizations from being required to report more information than they currently need to submit to the government about their supporters. With the passage of this legislation the privacy of South Dakota citizens would be protected, and information about the causes we support – whether it’s a church, local food bank, or social issue organization such as South Dakota Right to Life. This legislation would assure that our protected private information – would be kept away from the prying eyes of government officials, the media, and activists who want to target us for our beliefs.

Eliminating voices from public debate through intimidation and harassment because you disagree with someone is not the American way. We must act now to protect the privacy and First Amendment rights of all South Dakotans.

Dale Bartscher
Executive Director
South Dakota Right to Life

