



STATE OF INDIANA

OFFICE OF THE ATTORNEY GENERAL

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March 18, 2021

Mr. Jeffrey P. Bezos
Chief Executive Officer
Amazon.com, Inc.
410 Terry Ave. North
Seattle, WA 98109-5210

Dear Mr. Bezos:

I write to you regarding a recent incident in which Amazon has abused its market power to skew the marketplace of ideas. As the chief legal officer of the State of Indiana charged with protecting Hoosier consumers, my Office will be watching closely how Amazon continues its censorship crusade.

News reports indicate that Ryan T. Anderson's book *When Harry Became Sally: Responding to the Transgender Moment* has been pulled from the Amazon marketplace. Mr. Anderson's book, published in 2018, calmly and carefully addresses the scientific, medical, philosophical, and legal issues raised by transgender ideology. It has earned praise from experts and scholars.

Three years after the book's publication, and early in the same week that the U.S. House of Representatives scheduled a vote on the so-called Equality Act, Amazon abruptly stopped selling Mr. Anderson's book. Amazon took this action without providing any notice or explanation to Mr. Anderson or his publisher.

As the National Coalition Against Censorship has explained in its statement expressing its deep concern over Amazon's action:

Amazon has a First Amendment right to sell whatever books it wants. However, from its earliest days, it has committed itself to selling an unprecedentedly wide range of books. Its website states, "As a bookseller, we believe that providing access to the written word is important, including content that may be considered objectionable." Though Amazon's content policy reserves the right to exclude "hate speech...or other material we deem inappropriate or offensive," the company has not defined what it considers hateful or offensive content.

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Amazon is not like other booksellers. It sells more than half of all print books and a significant share of e-books and audio books in the United States. This gives the company an outsized role in shaping opinion and discourse. When Amazon decides to remove a book, it matters not only to the author and their publisher, but to the entire public sphere.

Amazon's actions with respect to Mr. Anderson's book are deeply troubling. The effects of the world's largest bookstore, as well as its streaming service, canceling books it does not like will undermine future projects and limit books that will be published or made in the future. Also, I could not help but notice that books such as *Mein Kempf*, *The Communist Manifesto*, and the *Peaceful Pill Handbook* (an assisted suicide book), remain available on Amazon. Certainly, those books have contributed to more death, pain, suffering, and destruction than Mr. Anderson's ever could.

I will be watching closely and with interest how Amazon continues down this path of censorship and the impact it has on Hoosier consumers. My Office will not hesitate to take action if and when Amazon's practices harm consumers and violate Indiana law. I ask you to inform me promptly who made Amazon's decision regarding Mr. Anderson's book and why. While Amazon issued a statement providing that it will not allow books that call LGBTQ+ issues mental disorders, Mr. Anderson has since indicated that his book does no such thing. I also ask that you inform me of any statements by Amazon that inform consumers that Amazon makes decisions whether to offer certain products based on considerations of ideology.

The pernicious effect of Amazon's actions will be to severely limit consumers' options because of a desire to crush opposing viewpoints. Amazon has decided to put its thumb on the scale to determine what can and cannot be published and therefore what people can and cannot read. If people disagree with Mr. Anderson, they should be free to rebut his arguments or not purchase his book. Censorship by one of the world's largest corporations is the stuff of would-be despots and tyrannical regimes and is wholly inconsistent with the foundation of our Republic.

I look forward to your response, and I hope that Amazon reconsiders the decision and instead encourages liberty for all consumers.

Sincerely,

A handwritten signature in black ink that reads "Todd Rokita". The signature is fluid and cursive, with the first name "Todd" being larger and more prominent than the last name "Rokita".

Todd Rokita
Indiana Attorney General