



Because Politicians Are for Sale, They Think Everyone Else Is Too

Sen. Josh Hawley (R–Mo.) has proposed a dreadful bill that would give the government control of internet content. He thinks the only reason anyone could be opposed is because they've been bought off.

Nick Gillespie

July 3, 2019

About two weeks ago, freshman Sen. Josh Hawley (R–Mo.) introduced legislation that would effectively give the federal government control over large swaths of internet content. Hawley claims to be a limited-government type, but he believes that Facebook, Google, Twitter, and other social media platforms are suppressing conservative points of view and thus need to be regulated. Though that charge has become a truism among conservatives (including the president), there is little-to-no solid evidence for it and in fact, there are reasons to believe that right-leaning sources such as Fox News, *The Daily Mail*, and Donald Trump dominate Google and Facebook in terms of engagement and reach.

Hawley waves away such suggestions in his misleadingly titled Ending Support for Internet Censorship Act, which would strip larger websites and services of the legal immunity they have under Section 230 of the Communications Decency Act "unless they submit to an external audit that proves by clear and convincing evidence that their algorithms and content-removal practices are politically neutral."

Section 230 grants people running websites and services immunity from being charged with defamation and libel for things commenters say; it also lets administrators moderate comments any way they see fit without losing protections. Also known as "the 26 words that created the internet," Section 230 is widely understood to be the rule

that has enabled the internet to become driven by user-generated content, from YouTube videos to Yelp reviews to basically all of Twitter. You get rid of Section 230 and all that—and much more—is toast. In its first decade, Section 230 was mostly celebrated for allowing free expression and new economic models, but these days it is under attack from conservative Republicans such as Sens. Ted Cruz and Josh Hawley and from liberal Democrats such as Speaker Nancy Pelosi and Sen. Elizabeth Warren, all of whom have expressed interest in ripping up Section 230 and regulating social media.

Hawley's bill was mostly panned by libertarians who fear giving a panel put together by the Federal Trade Commission the ability to fine private actors based on nebulous criteria. Perhaps because politicians can be so easily bought, the senator is having trouble understanding why

free-speech advocates are troubled by his plan. The only possible reason he can believe is that they've been paid off.

The senator thus compounds his disdain for free speech with accusations that his opponents are unscrupulous. The NBC News article his tweet points to goes further still, explicitly linking opposition from the Cato Institute, the Competitive Enterprise Institute, and R Street Institute to funding from "big tech companies."

Every one of those think tanks and advocacy groups is backed by Google, Facebook or both. The companies are not only two of the main targets of Hawley's bill, but they're also the focus of broader political scrutiny that now spans both parties and has spilled over into the Democratic presidential race.

"I've never seen pushback in such a fashion before," Terry Schilling, executive director of the American Principles Project, a conservative think tank, told NBC News. "Even with net neutrality, these groups were all over the place—even though Facebook and Google supported it. It's safe to say that it's largely due to pressure from the social media giants that hasn't been seen before."

What he misses is that libertarian outfits were against so-called net neutrality for exactly the same reasons they are against Hawley's latest proposal: It would have given the government broad ability to regulate internet content. That Google, Facebook, and others were in favor of net neutrality actually shows that the think tanks currently being attacked are operating out of principle rather than mercenary greed.

It's probably too much to ask that a politician understand that some people don't act out of partisan motives simply because some money has been waved in their faces. Hopefully, it's not too much to expect Hawley's bill to ever make it into law.