



**Federal Trade Commission
Request for Public Comments Regarding Technology Platform Censorship
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Comments from Paul Steidler, Senior Fellow, Lexington Institute**

Conservatives Must Not Squander Free-Speech Victories

American democracy is alive and well. This century has seen two Republican and two Democratic Presidents elected in knock down, drag out brawls. Congressional turnover is brisk.

Pivotal to this has been the work of conservatives to vigorously advocate for free speech and find creative, new avenues for asserting this precious, God-given right. And fighting ferociously for it.

It is a given that there were many outrageous actions and attempts to suppress conservative speech on tech platforms starting even before Joe Biden was elected president. Leaders of tech platforms have even acknowledged this.

Perhaps in cataloguing and clearly reporting on the “platform censorship” information, the Federal Trade Commission (FTC) will perform a public service by assiduously documenting for the public the harm that was done. This may also help establish an early warning system against such conduct being repeated.

The best way to preserve free speech is to speak freely and to demand the platforms facilitate this, or invent new ones. That is what has been done so successfully in the past five years by conservatives who not only have consistently produced good policy ideas but new and creative media avenues to spread these ideas. Conservatives showed they are not beholden to anyone for getting their message out.

Conservatives, though, should be wary, if not terrified, of government regulations or new laws to address free speech issues. It opens a Pandora’s box that could take America back 40 years, when government laws and practices put conservatives at a far greater free speech disadvantage than anything faced today or in recent years.

The Fairness Doctrine adopted by the Federal Communications Commission (FCC) in 1949 mandated broadcast networks devote equal time to contrasting views, a wonderful sounding idea in theory which had disastrous consequences. For one, it prevented the rise of conservative talk radio for decades as stations would not put such shows on the air fearing the federal government would prosecute them for not having a liberal show as well.

In 1985 the FCC, then chaired by Mark Fowler who had served on President Reagan's 1976 and 1980 campaigns, released a report stating that the doctrine hurt the public interest and violated First Amendment rights.

By getting the government out of the speech regulation business, conservative media was launched, on radio, television, and the Internet. Indeed, conservatives now dominate many forms of media, including podcasts.

As a conservative who cut my teeth on working with the media in the 1980's, I am in amazement and wonder at what has been achieved since then and President Reagan's profound vision to end the so-called "Fairness Doctrine."

"Back in my day" it was a given that nearly all, I repeat nearly all, the media was biased against conservatives, including many being outrightly derisive to Ronald Reagan. There was no Fox, no social media influencers, no ability to quickly communicate with large numbers of people by e-mail or any type of social media. We basically had nowhere to go and had to work within the confines of the mainstream media to speak over built-in biases.

A handful of conservative publications, like the *National Review*, offered great content. But sharing this and other information was a laborious task that involved photocopying, mailing, and more. The nattering nabobs of negativism, as Vice President Spiro Agnew described the press, were entrenched, and held that dominance for decades because of these dynamics.

Fast forward to today's time of unprecedented opportunity for conservatives with the media.

The push by some conservatives to demand changes at Big Tech often sounds like it is rooted in just tearing them down and exacting vengeance, an understandable but ill-advised approach. There are demands to somehow prescribe that nearly any and all content should be posted, and even to just break up our largest and most innovative tech companies.

The better approach has been to confront the companies and to get them to change, which President Trump has been masterful at doing, and leading others to do. Continued vigilance is important.

Attempts though to regulate speech risk disaster and, by the law of unintended consequence, may even throw a lifeline to many mainstream companies, whose audiences and influence is shrinking fast.