

Wickenden has a knack for narrative control, keeping a tight structure throughout.

Wickenden's book is a perfectly readable and exciting account of the intersection of the abolitionist and women's rights movements, and she deserves to be praised for the fruit of her labors. As historians endeavor to uncover women's narratives, Wickenden not only breaks new ground but does so without receding into academic jargon. *The Agitators* is an intellectually flexible work covering much ground while sticking to a narrative approach that never becomes muddled. On one end, it acts as an antidote to historical chauvinism; on the other, a recounting of courageous civil disobedience. The journalistic credentials of Wickenden shine through as she lets her readers decide for themselves what to make of the legacy of these women.

Paul Meany
Cato Institute

The Tyranny of Big Tech

Josh Hawley

Washington: Regnery, 2021, 207 pp.

Many Americans first learned of Senator Joshua Hawley (R-MO) in the wake of the January 6 assault on the Capitol. Before the assault began, an E&E News photographer took a photo of Hawley with his left fist raised looking toward protestors as he headed to the Capitol. About an hour later some of those protestors would storm the Capitol in an unprecedented attack on American democracy. After law enforcement had secured the Capitol, the Senate reconvened. Senators debated an objection to Arizona's electoral votes before rejecting it in a 93–6 vote. Hawley was among the six senators to vote for the objection.

Hawley's actions on January 6th were a reminder that the junior senator from Missouri had been positioning himself as one of President Donald Trump's most dedicated supporters. But Hawley's support for Trump extends well beyond electoral campaign theatrics. Like Trump, Hawley has been rejecting the Republican Party's expressed commitment to limited government and the market economy. Perhaps nowhere else is this rejection better displayed than the ongoing Republican criticism of "Big Tech" firms such as Google,

Apple, Facebook, and Amazon. Hawley's latest book, *The Tyranny of Big Tech*, seeks to outline concerns about these companies and provide families and lawmakers with responses. The book's discussions of worries associated with "Big Tech" firms raise legitimate concerns, and its political analysis will be of value to those interested in the future of the Republican Party. However, its policy recommendations are unconvincing. Ironically, it is the market economy and limited government that Hawley, Trump, and their fans decry that offer the most robust responses to their concerns.

One of the most striking features of Hawley's book is how much of it reads much like books from the political left. Passages of the book bemoaning Big Tech's snooping, addictive products, and the effect of social media on mental health sound very much like chapters from *Surveillance Capitalism*, a best-selling tome by Harvard professor Shoshana Zuboff, who is hardly a populist conservative. Those who have watched Netflix's documentary "The Social Dilemma" will be able to see many of its criticisms mirrored in Hawley's book.

The most affecting portions of the book are those in which Hawley describes the disturbing mental health effects social media can have on many people (especially young girls). You do not have to be a conservative to be alarmed by the rise in teen suicide, loneliness, and depression associated with the rise of social media, though we should always remember that correlation is not always causation.

Unfortunately, much of the rest of the book at times suffers from a lack of precision that is unhelpful and misleads readers. The most striking imprecision is the use of the term "monopolies," which is repeatedly used to describe competitors.

The use of the word "monopolies" in the Big Tech debates should immediately give a reader pause. As the word's etymology suggests, "monopoly" refers to a sole seller of a product in a market. None of the Big Tech giants fit the bill. In fact, Big Tech companies compete in a wide range of markets, such as those for operating systems, smart speakers, cloud computing, translation services, and more.

Many concerns about Big Tech companies are grounded in a conviction that these companies are discriminating against conservatives and that they have a significant influence over public debate. Indeed, Hawley dedicates a whole chapter of his book to how prominent social media firms and Google organize and remove content. While it is true that Google is the most popular search engine and that

Facebook is the most popular social media company, these companies' popularity is not evidence of monopoly power. No one reading this review has ever received a bill from Google charging them for their use of Google search or a bill from Facebook for their use of a Facebook account. That is because Google is not selling search and Facebook is not selling social networking. Google and Facebook are competitors, not monopolies. Nonetheless, Hawley's book often describes Big Tech firms as monopolies.

Part of the appeal of portraying Big Tech firms as "monopolies" may be that it helps Hawley in drawing comparisons of the CEOs of Apple, Google, Facebook, and Amazon with the "robber barons" of the Gilded Age. Hawley is a fan of President Teddy Roosevelt and decidedly not a fan of President Woodrow Wilson. *The Tyranny of Big Tech* portrays Roosevelt as an anti-corporate crusader and Wilson as the harbinger of the "corporate liberalism" that Hawley believes has dominated American economic thinking for the past century. The book makes clear that Hawley yearns for a modern-day Roosevelt to tackle Big Tech.

But Hawley's treatment of the history is too simplistic. As Gilad Edelman noted in his review of *The Tyranny of Big Tech* in *Wired*, "It's an interesting story, and Hawley tells it well. The trouble is that it gets almost every important thing wrong." Edelman explains:

In the 1912 election, it was Roosevelt, not Wilson, who favored cooperation between government and business elites. After the 1904 showdown with Morgan, Roosevelt had decided that "good" trusts were fine, as long as he got to regulate them. This arrangement was much more palatable to the tycoons. George Perkins, a partner of Morgan's at U.S. Steel, was a leader and major funder of Roosevelt's Progressive Party during the 1912 campaign. Morgan himself donated more than \$4 million in today's dollars to Roosevelt's 1904 reelection bid. Hawley does not mention these cozy relationships. . . . Wilson, on the other hand, was the real anti-monopoly candidate of 1912.

Hawley's discussion of monopoly is especially confusing because believing that Google and Facebook have a worrying influence over contemporary politics and online speech does not compel you to a view that they are monopolies. Likewise, highlighting that Google and Facebook are not monopolies does not imply satisfaction with

every decision those companies have made. As already mentioned, there are well-grounded concerns associated with the most prominent social media platforms.

Yet Hawley's policy recommendations to his wide range of complaints about Big Tech are either based on flawed understanding of relevant law and history or risk entrenching market incumbents.

At the heart of current debates surrounding online speech and Big Tech is Section 230 of the Communications Decency Act. The law, passed in 1996, states that interactive computer services such as Facebook and Twitter are not the publisher of most third-party content and cannot be held civilly liable for content moderation decisions. It was a solution to a dilemma that emerged in the early 1990s as courts ruled on cases associated with third-party online content. These cases presented interactive computer services with an uncomfortable choice: remove content but risk being considered the publisher of third-party content, or do not engage in content moderation and be considered a distributor similar to a bookstore or news vendor. Neither option is attractive. There is plenty of legal but awful speech that online services want to remove, but being treated as a publisher of third-party content would significantly limit the function of online bulletins, forums, comments sections, and other venues of online third-party speech.

When Congress passed Section 230 there was no Google, Facebook, Amazon, or Twitter. Yet Hawley claims that Big Tech "loved" Section 230 when it was passed in 1996. Hawley goes on to describe Section 230 as a "subsidy" for Big Tech, neglecting to mention that Section 230 applies to all interactive computer services big and small, including those belonging to companies not ostensibly linked to tech sectors. For example, the *Wall Street Journal* is a newspaper in the journalism industry, but it benefits from Section 230 because the comments section on its website is an interactive computer service covered by the law.

Hawley quotes Senator J. James Exon (D-NE), who noted in the Senate that "the fundamental purpose of the Communications Decency Act is to provide much-needed protection for children." However, Hawley failed to note any comments from the two authors of Section 230, Rep. Chris Cox (R-CA) and Rep. Ron Wyden (D-OR). Both Cox and Wyden have recently stated that "Section 230 is agnostic about what point of view, if any, a website chooses to adopt." It is fair to say that shielding children from

pornography was a concern for lawmakers at the time, but the drafters of the law were thinking about a range of content broader than pornography.

Section 230 features in Hawley's policy proposals, but the changes Hawley seeks would not prompt his desired outcomes. Hawley would like to strip Section 230 protections from any interactive computer service that engages in "behavioral advertising," by which he means ads based on individual user data. Such an approach would affect Big Tech firms, but it would have a greater effect on smaller firms seeking to compete with Google and Facebook. Big Tech giants can hire the lawyers and engineers necessary to navigate dramatic legislative and regulatory changes. Their competitors cannot. It is one thing to be critical of behavioral advertising, but addressing such advertising via amending Section 230 would most likely make Big Tech bigger.

Other policy proposals are conceptually confused. Hawley would like every American to be able to demand that online services delete "the personal data they have on file." This might sound initially appealing, but what "personal data" are and to whom they apply is hardly obvious. If John is married to Jill is that information about John, Jill, or both? What if John wants that personal information removed but Jill does not? It is not hard to think of more complex examples that raise harder questions.

Hawley does not shy away from the fact that his policy recommendations are designed to attack the business model at the foundation of Facebook and Google. But the approach threatens to throw the baby out with the bath water. Plenty of services rely on Section 230 and behavioral ads. They are not reserved to a handful of companies headquartered on America's west coast.

One of the most interesting sections of the book appears toward the end, where Hawley discusses how he and his wife have developed rules for their children governing when they can and cannot access electronic devices. Those concerned about Big Tech surveillance and manipulation are free to restrict their children's access to particular devices, and there are a range of services and products that seek to provide users with alternatives to the snooping users across the political spectrum find creepy. But those services and products have the best chance of competing with Big Tech in a market economy where incumbents cannot entrench themselves via regulatory capture.

Although *The Tyranny of Big Tech* offers few practicable policy solutions it remains valuable, at least to those interested in political anthropology. The book provides an overview of the kind of politics we should come to expect from the Republican Party if Trump and his allies continue to dominate it. Hawley's book explicitly rejects the Republican Party of the last generation and puts "corporate liberalism" in the crosshairs. According to Hawley, "corporate liberalism" has dominated the political left and right for a century. As *The Tyranny of Big Tech* makes clear, Hawley is willing to abandon the Republican Party's one-time commitment to free markets and limited government in order to bring about the end of "corporate liberalism." It remains to be seen if the Republican Party will ever loosen its embrace of Trump and his style of populism. If Trump-style populism is a feature rather than a bug in the current Republican software, Hawley's book is a good place to look for what kind of politics we should expect after America's next political realignment.

Matthew Feeney
Cato Institute

Schoolhouse Burning: Public Education and the Assault on American Democracy

Derek W. Black

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Tension between liberty and democracy is ancient, dating back at least to the time of Socrates, Aristotle, and Plato. More recently on the timeline of humanity—the 1830s—Alexis de Tocqueville wrote about the "tyranny of the majority," the distinct possibility that more numerous groups would use democracy to impose their will on minorities. A major theme of the *Federalist Papers* is constraining "government by the people" so it does not oppress "the people." And the Declaration of Independence says that the role of government is "to secure" rights, especially "life, liberty, and the pursuit of happiness."

Government is the means, liberty the end. But you would not know that from *Schoolhouse Burning: Public Education and the Assault on American Democracy* by University of South Carolina law professor Derek W. Black. The book frames democracy, or maybe even public schooling itself, as the ultimate good.