



Written by [Ilana Mercer](#) on September 28, 2021

## Centralize Liberty: The Solution To Wicked, Woke Tech (Part 3)

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This column is Part 3 of a 3-part series. Read Part 1, "[Big Tech's Financial Terrorism And Social Excommunication](#)" and Part 2, "[Justice Thomas' Solution to Big Tech's Social And Financial Excommunication.](#)"



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It is inarguable that by financially crippling and socially segregating, and banishing politically irksome people and enterprises — the Big Tech cartel is flouting the spirit, if not the strict letter, of the Civil Rights Act.

For how do you make a living if your banking options are increasingly curtailed and constantly threatened, and your ability to electronically communicate with clients is likewise circumscribed?

Do you go back to a barter economy (a book for some bread)? Do you go underground? Cultivate home-based industries? Do you keep afloat by word of mouth? Go door-to-door? Return to stamping envelopes? How can you, when your client base is purely electronic?

Telling an individual he can't open a bank account on account of the beliefs and opinions swirling in his head teeters on informing your innocent victim he might not be able to make a living, as do other, politically more polite Americans, and despite his innocence: Our only "offenses" as dissidents are [thought crimes](#), namely, speaking, or typing or wafting into the air unpopular, impolite words.

"In assessing whether a company exercises substantial market power," Justice Clarence Thomas has [argued](#), "what matters is whether *the alternatives are comparable*. For many of today's digital platforms, nothing is."

To paraphrase this Supreme Court jurist: Sure, there are alternatives to The Big Tech, but these make a mockery of the outcast. It would hardly be hyperbole, in driving home Justice Thomas's point about comparability, to put it thus:

With respect to financial de-platforming, barring someone from PayPal is like prohibiting a passenger from crossing the English Channel by high-speed train, via ferry and by means of 90 percent of airplanes. "Have at it sucker."

*By Deep Tech decree, some Americans are worth more than others, based not on their actions, but on the voiced thoughts in their heads. This cannot stand.*

The letter of the law needs changing. Do it.

### Civil Rights Act

Thus, the preferred remedy to Deep Tech depredations would build upon existing [Civil Rights Act](#) jurisprudence.



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As a reality-oriented conservative libertarian, I inhabit and theorize in the real world. From the conservative-libertarian's perspective, Barry Goldwater got it right. Civil Rights law is an ass, for it infringes on property rights. But the onus is on Republican lawmakers to ensure that that ass can be ridden by all equally (with apologies to adorable, much-abused donkeys for the cruel metaphor).

These are existing laws that are already enforced. I see no reason to reject the application of civil rights solutions to wicked, woke bullies because existing laws that'll never be repealed go against my core beliefs. What is libertarianism? The art of losing in life because of a slavish devotion to theoretical purity?

In this vein, why is it legal for PayPal to prevent law-abiding individuals from transacting financially, but the Civil Rights Commission prohibits a small business owner from refusing to bake a cake for gay nuptials?

Yes, [state anti-discrimination Acts](#) variously decree that people of different persuasions cannot be denied "equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of a place of public accommodation."

Civil Rights law must be applied evenly. In the cause of neutralizing [Deep Tech](#), it is but a small thing to extend the prohibition against such discrimination to innocent thought criminals.

Develop a powerful civil-rights based argument in defense of the rights of law-abiding individuals to expressed their worldviews without being excommunicated socially and financially. Then take it to the Supreme Court of the United States.

## **Imposing the Negative Duty of Tolerance**

Another proposal (made cryptically on Twitter by [Richard Spencer](#)) is to proclaim social-media platforms as free speech, censorship-free zones. Both Republicans and Democrats would have to contend with speech they abhor.

A federal proclamation of social-media platforms as censorship-free zones, as I see it, could be a kind of codified declaration of shared public values.

I like the idea, as it concerns a [negative duty](#), which requires *only* that we refrain from injuring others in the *real* sense (as opposed to the *bogus*, snowflake sense, which encompasses hurt feelings). I have no qualms about imposing the harmless negative duty of tolerance on intolerant tyrannical entities — business or bureaucracy — when in violation of individual, natural rights.

Differently put, natural rights antedate the state apparatus. It matters not who restores or upholds authentic negative rights violated — state or federal authority — just so long as someone does.

Alas, Spencer's idea of unfettered free speech would have worked for the old liberal Left; but not with the new, [illiberal Left](#), which relishes its power to crush conservatives culturally and economically.

## **Homesteading**

Of theoretical importance is the fact that value created on Twitter and Facebook is derived in large part from the users of these platforms, who have homesteaded and titivated their pages, in a manner.

Some will claim that by privileging platform *users* as opposed to platform *proprietors* with creating value on the [cyberspace domain](#), through acts of homesteading, I am echoing Marx's [Labor Theory of Value](#). Again, I reject the defeatist argument from theoretical purity.



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All the more so considering that the commodities the Tech overlords are enjoined to tolerate are harmless, ethereal pixels, words wafting into the ether.

Big Tech bullies don't have to entertain Nick Fuentes or Richard Spencer in person in their kitschy McMansions. Mark Zuckerberg (Facebook), Sundar Pichai (Google), Tim Cook (Apple), and Jeff Bezos (Amazon) only have to tolerate the pixelated, written or spoken words of their ideological enemies.

Make them!

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