



Written by [William P. Hoar](#) on March 21, 2023

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The Review

Blasting Big Tech Monopolies

Crushed: Big Tech's War on Free

Speech, by Ken Buck, West Palm Beach, Florida: Humanix Books, 2023, 224 pages, hardcover.

Engaging in shady business practices is one thing. Suppressing free speech in the digital public square is another. What happens when monopolies are hip-deep into these and other predatory activities that are plainly detrimental to the nation?



The author of *Crushed*, who describes himself as a hard-core conservative, relates how he found himself torn over how to react toward the application of antitrust laws against Big Tech companies. Readers who believe deeply in free markets may also be of two minds as they crack open this book.

It's worth waiting for the evidence. Weigh it.

What is charged? Well, as Senator Ted Cruz (R-Texas) summarizes the allegations in the volume's foreword, the author demonstrates that Big Tech has been involved in "egregious abuses of power — from censorship, discrimination, and political favoritism to self-preferencing, self-dealing and predatory, anticompetitive efforts."

The targets of the book include some of the largest, richest, most influential companies, both domestically and internationally: Apple, Facebook, Google, and Amazon. Activities by Twitter (pre-Elon Musk) are also covered.

You undoubtedly know some of the background, but probably will be startled at specifics that reveal just how much these firms do control — and how much more they want.

When Markets Aren't Free and Open

Representative Ken Buck, the author of *Crushed: Big Tech's War on Free Speech*, is a Republican who has served Colorado's 4th District since 2015. A graduate of Princeton and the University of Wyoming Law School, he is also a former federal prosecutor. Indicative of his ideology, Buck serves on the House Freedom Caucus in Congress.

More to the immediate point, it was what he learned as ranking member of the House Antitrust Subcommittee beginning with a field hearing in 2020 that dramatically changed many of his views. Hence his crusade and this book. A hearing in Boulder in particular (we get some of the lowlights) left him outraged and even frightened. What was happening in the country, including the "examples of monopoly power and abuse," was, in his words, "challenging my hardwired assumptions about free and open markets intrinsically fixing themselves."



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Following the hearing, “I still believed that,” recounts Buck. However, what

I no longer believed was that the market was free and open when Big Tech was concerned: Where monopolies tread, censorship and the threat to liberty is sure to follow. And this was doubly worrying because Big Tech is laser-focused on the software and devices that allow us to communicate and share bold thinking in the marketplace of ideas.

Buck comes back to this theme repeatedly, from different vantage points. Many chapters in, after he has laid out a litany of examples, Buck again emphasizes that he is not anti-profit; not anti-business; and, in particular, still pro-competition. Yet, he also maintains that when the companies “controlling the platforms for free speech and political speech use their power to become arbiters of permissible speech, it is a threat to American liberty guaranteed in the Constitution.”

The arguments made, and remade, are strong and well-defined. The language is clear. These corporate giants are monopolies, in the author’s view, asserting that their “concentrated power and foundational technologies make them the gatekeepers to the marketplace of ideas.”

The dangers he describes are real. It is up to readers to decide whether Buck’s appeal for government remedies is conclusive.

Big Tech in Action

It used to be said that business is made good by yearning, learning, and earning. These days, when it comes to companies leaning on algorithms and artificial intelligence, what seems more important is which messages get spurned and which get affirmed — especially when it comes to advertising and politics.

A few of the examples found in the book underscore these points. Consider how Apple pulled an app called HKmap.live that was being used by protesters in Hong Kong to duck being arrested or beaten by authorities. The Chinese Communist Party didn’t like that, so the company removed the app.

Can’t happen here? How about when the conservative social-media app Parler was pulled following the January 6 rioting in the Capitol? It was only permitted back after Parler changed its content-moderation policy.

Here’s another, even more consequential, example related by the author, depicting Big Tech’s influence in action. During the runup to the “2020 presidential election, both Facebook and Twitter actively prevented potentially damaging *New York Post* reports about Joe Biden’s son Hunter from reaching the press.” A year later, “after the election was over and Biden was in the Oval Office,” the CEO of Twitter, Jack Dorsey, “admitted the so-called hacking offense was nonexistent and silencing the *Post* was a ‘mistake.’”



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Controlled speech: Once considered free-speech platforms, Big Tech sites such as Facebook (now owned by Meta) have actively engaged in censorship of “unapproved” speech, even going so far as suppressing speech in order to influence U.S. elections. (AP Images)

We are also reminded that, at various times, former President Donald Trump was suspended by Facebook (owned by Meta), Instagram (an acquisition of Facebook/Meta), YouTube (owned by Google, whose parent is Alphabet), and Twitter.

Opinions get suppressed regularly by these corporations. Can private companies get away with this? One might argue that, but what happens when what amounts to a cartel works hand-in-hand with the government to ban and censor those said to be distributing “misinformation.” Many of the targets of Big Tech and the government are conservatives, of course. (And keep in mind that many of the impolitic opinions and contentions rejected by the powers-that-be at one point have since been found to be accurate.)

As we read in *Crushed*, Republican Senator Rand Paul of Kentucky has

found himself locked out of his Facebook page for “repeatedly going against our community standards,” suspended from Twitter for questioning the effectiveness of masks, and had videos removed from YouTube.... [In 2021, Republican Senator] Ron Johnson from Wisconsin ... was temporarily blocked from YouTube for comments about COVID treatments. And U.S. Representative Jim Banks of Indiana was suspended for two weeks after mocking Time magazine for giving the Woman of the Year award to a “biological male.”

One is reminded of Orwell’s dystopian *1984* in which Oceania, where the story takes place, had “always been at war against Eastasia” — even though Oceania had been at war with Eurasia for years and allied with Eastasia before the propaganda line switched abruptly. The corresponding Orwellian point is, “Who controls the past controls the future. Who controls the present controls the past.”

There is, as Buck notes, a “fine line between ‘content moderation’ and ‘censorship.’” If this reminds you of the work of a Ministry of Truth, you are not alone in the sentiment.



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Collusion Leads to DoJ Reaction

Battle lines do blur and move. Not all issues are black and white. There are, in the view of this reviewer, a few insubstantial spots in *Crushed*. It seems to be overkill, for instance, to claim that “the destruction of the newspaper industry is tied to the ubiquity of Google search and the power of its ad platform.” Sure, there may be correlation, but is that utter, calculated causation?

One can sympathize, but it’s an overstatement to blame all this on “Big Tech” because it “has stripped local newspapers and magazines of the advertising dollars these community institutions rely on to survive.” Presumably the radio industry could — and no doubt did — say the same about the rise of television.

When Buck (and Senator Cruz in the foreword) compares “Big Tech monopolies” with the “robber barons of yesterday,” it may be a good line for a prosecutor (Buck’s former role), but it appears hyperbolic when it comes to at least some of the widely reproached historic “robber barons” and certain antitrust activities.

Meanwhile, in the case of *Crushed*, there are still instances where the government and Big Tech are pulling in different directions — as is Buck in his congressional antitrust endeavors.

Indeed, Buck salutes the Department of Justice in that it “finally decided enough was enough” in 2020, when (along with 11 state attorneys general) it filed a civil antitrust lawsuit “to stop Google from unlawfully maintaining monopolies through anticompetitive and exclusionary practices in search and search advertising markets and to remedy the competitive harms.”

In the Buck’s view, there seemed to be one relationship in particular that infuriated the DoJ. Buck recounts that Google

struck “long-term agreements with Apple [requiring] Google to be the default — and de facto exclusive — general search engine on Apple’s popular Safari browser and other Apple search tools.” In other words, Google, which owns the most popular mobile operating system, did a deal with the owner of the second most popular operating system to become the default search engine on Apple’s phones.

This collusion also helps to consolidate power, contends Buck. He does note that both companies “insist that this was business as usual. But that’s the point: America has lost the plot when unfair becomes usual.”

What Comes Next?

Chapters in *Crushed* concentrate on, among others, free markets and free speech; how Big Tech’s patent battles have hurt innovation; Apple, its self-referencing, and the App Store’s restrictive policies; Facebook’s mergers and acquisitions; Google’s advertising policies and collusion; Amazon’s monopolistic abuses; and the optics in the nation’s capital (“The Swamp” being one chapter title), including its denizens’ personal connections to these huge businesses.

Buck suggests some actions not only for citizens (including seeking alternative products), but also for Congress. Among the latter: Clarify rules against predatory pricing by monopolies; require Big Tech



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monopolies to prove mergers and acquisitions are pro-competitive; and prohibit self-preferencing from hindering free speech.

There was limited progress against illegal antitrust activities during the last Congress when the Democrats held top key positions. Buck also points to a referral sent to the attorney general in 2022, alerting him to possible criminal conduct by Amazon and its executives. The letter is lengthy, linked in its entirety with a key extract reprinted in the book. It was co-signed by Buck, as then-ranking member of the Antitrust Subcommittee. As he recounts, the 24-page referral letter pointed to

Amazon's disturbing business practices and equally disturbing evasions. From our point of view, as legislators charged with writing and upholding the law to serve the nation, Amazon deserved to be penalized for lying to Congress.

Drawing these lines in the sand, he stresses, was "not a line I took lightly." As Buck writes, "I've been clear: I like when government steers clear of the marketplace. But when companies conspire to control the marketplace, to squash innovation and avoid competition, then markets are no longer free. And when markets are no longer free, society is no longer free."

Whether the work that got through the subcommittee eventually receives a vote in the next Congress remains to be seen. Though Buck was previously ranking member, under the new Republican-led House he did not become chairman of the Judiciary Subcommittee on the Administrative State, Regulatory Reform, and Antitrust. (These actions took place after the book's completion.)

Rather, he and Representative David Cicilline (D-R.I.), the chairman of the subcommittee in the last Congress, have since announced the formation of the Congressional Antitrust Caucus. According to Buck, the caucus "will give members of Congress who care about holding monopolies accountable and encouraging competition in the Big Tech marketplace an opportunity to bring competition policy to the Congress and to the minds of the American people."

Ken Buck believes that the case against Big Tech is "open and shut." *Crushed* could well help provide a key. Yet, as he puts it at the book's end, the effort "needs to get to the floor of the House and Senate: the marketplace of legislative ideas."



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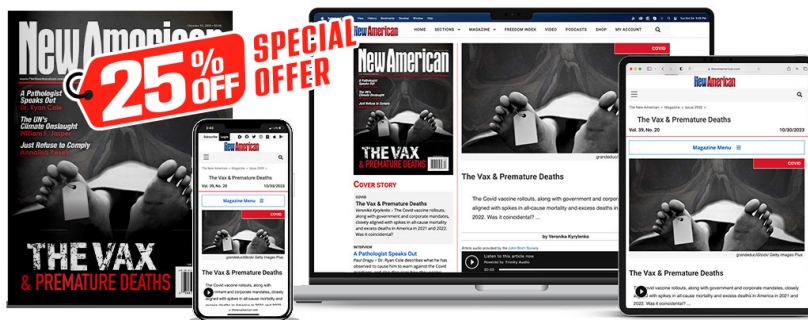
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