



Written by [Selwyn Duke](#) on March 11, 2021

Rocky Mountain Lie, Colorado: State Bill Would Establish “Ministry of Truth”

If you think there’s nothing more comical than having politicians control expression based on their grasp of what’s *true*, get ready to laugh — or cry. Because a new Colorado Senate bill would establish what critics are [calling](#) a “Ministry of Truth” to regulate online speech.

As the *Colorado Herald* [reports](#), “SB21-132, otherwise known as ‘Digital Communications Regulation,’ is nothing more than state-sponsored censorship. The bill makes it mandatory for any communications platform ‘with customers in Colorado’ to register with the state, pay a fee, and then be subjected to the state commission’s opinions about what constitutes hate speech, disinformation, fake news, election undermining, or anything the state of Colorado determines ... [adverse].”



Maria Vonotna/iStock/Getty Images Plus

The bill creates a “digital communications division.” The [legislation’s summary](#) states that this entity “shall” investigate and the commission may hold hearings on claims filed with the division alleging that a digital communications platform has allowed a person to engage in one or more unfair or discriminatory digital communications practices on the platform.” These practices, the strangely written summary then continues:

- Include practices that promote hate speech; undermine election integrity; disseminate intentional disinformation, conspiracy theories, or fake news; or authorize, encourage, or carry out violations of users’ privacy; and
- May include business, political, or social practices that are conducted in a manner that a person aggrieved by the practices can demonstrate are unfair or discriminatory to the aggrieved person. Such practices, if done in an unfair or discriminatory manner, might include:
- Practices that target users for purposes of collecting and disseminating users’ personal data, including users’ sensitive data;
- Profiling users based on their personal data collected;
- Selling or authorizing others to use users’ personal data to provide location-based advertising or targeted advertising; or
- Using facial recognition software and other tracking technology.

As the above makes apparent, the bill lumps consumer-protection measures in with Orwellian censorship in what may be an effort to sanitize the latter and give the legislation broader appeal.

Yet the idea isn’t original. While the bill was proposed by Democrat state senator Kerry Donovan, it reflects legislation Representative Alexandria Ocasio-Cortez (D-N.Y.) has recommended enacting on the federal level.



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The commission SB21-132 would create “is headed by a director, and it has five ‘experts’ appointed by Governor Polis and the Colorado Senate (Democrat-controlled), and two members of the public,” the *Herald* also tells us. “The commissioners will serve two to four year terms and will be solely responsible for determining what constitutes” illegal online speech.

Additionally, a “digital communications platform that fails to register with the division commits a class 2 misdemeanor, punishable by a fine of up to \$5,000 for each day that the violation continues,” the bill summary further states.

What’s more, the commission director “SHALL APPOINT INVESTIGATORS AND OTHER PERSONNEL AS MAY BE NECESSARY TO CARRY OUT THE FUNCTIONS AND DUTIES OF THE DIVISION. THE DIRECTOR AND STAFF OF THE DIVISION SHALL RECEIVE, INVESTIGATE, AND MAKE DETERMINATIONS ON CHARGES ALLEGING UNFAIR AND DISCRIMINATORY DIGITAL COMMUNICATIONS PRACTICES IN VIOLATION OF THIS PART 10,” the bill’s [actual text](#) states (capitalized font in original).

Among the many problems with this bill is that, even if the censors *were* well-intentioned, its standards would be impossible to apply equally, [points out](#) the Federalist.

“The contrast between the four-year conspiracy alleging President Donald Trump was a Russian agent and the [online suppression](#) of [blockbuster revelations](#) published by the New York Post last fall, which implicated then-Democratic presidential nominee Joe Biden in his son’s potentially criminal overseas business ventures, illustrates how rules governing online content are arbitrarily enforced for political purposes,” the site then explains. “There is [no shortage of examples](#) highlighting Silicon Valley’s double-standards.”

Yet realistically, “we all know what the intent here is,” Joshua Sharf, a senior fellow in fiscal policy at the Denver libertarian think tank Independence Institute, told the Federalist. “The intent here is to limit what Sen. Donovan considers conservative speech.”

Of course, some may sincerely believe that “hate speech,” online disinformation, and fake news constitute a problem (the latter two do) that should be tackled. Yet they should consider a simple point:

There probably isn’t a profession whose members are held in lower esteem than are politicians. And as late author Michael Crichton [illustrated in 2003](#) with numerous examples of researchers persecuted by their fellows for being “wrong” but later proven right, even scientists often mistake the false for the true.

So how could we possibly expect even well-meaning politicians to properly assess what’s true not just regarding science (i.e., the climate change debate) — that is, not just matters relating to the physical — but those involving the metaphysical? (Note: Politicians tackle moral issues as well, and, of course, every law has a moral component.)

Add to this that most politicians aren’t exactly defined by pure intentions, and, well, let’s just say: Would you want the world’s Adam Schiffs, Nancy Pelosis, Andrew Cuomos, and Mitch McConnells being our “arbiters of Truth”?

SB21-132 could, of course, be used to eliminate political dissent in Colorado. Consider that under it, any website sincerely arguing that the 2020 election was stolen, so-called transgenderism is harmful, the man-caused climate-change thesis is flawed and politically driven, and so many other things could be charged with “hate speech”; undermining election integrity; or disseminating intentional



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disinformation, conspiracy theories, or fake news.

Thus would the site either have to abandon its mission and mouth the “approved” narrative — which could put it out of business (who needs Mainstream Media Lite?) — or “leave” Colorado. It could do the latter by blocking all Centennial State IP (Internet Protocol) addresses. Either way, dissent is quashed.

The only good news about SB21-132 is that, at least, Senator Kerry Donovan isn’t trying to mandate a [rat cage on the face](#) for offenders. Hers is still a soft Orwellianism. [Winston Smith](#), however, was not available for comment.

Selwyn Duke (@SelwynDuke) has written for The New American for more than a decade. He has also written for The Hill, Observer, The American Conservative, WorldNetDaily, American Thinker, and many other print and online publications. In addition, he has contributed to college textbooks published by Gale-Cengage Learning, has appeared on television, and is a frequent guest on radio.



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