

Why are Americans losing liberties and rights?

By Scott Cleland

In 2013, Americans considered individual freedoms America's top virtue, per [Gallup](#). Today, most Americans are concerned they are losing, and will continue to lose, their individual freedoms and rights, per surveys by [APM](#) and [PBS](#).

A leading cause of Americans losing their liberties and rights is U.S. Internet unaccountability [policy](#) of [minimal government](#) online in [Section 230](#) of the 1996 Communications Decency [Act](#).

This 'Wild West' Internet policy approves [anarchism](#) in abandoning rule-of-law, rights, and a duty-of-care online. It also approves [amoralism](#) in not legislating or adjudicating right vs. wrong, or legal vs. illegal, online.

This abdication of government authority unwittingly subverts the virtuous essence of American freedom -- the righteous [reciprocity](#) of the Golden Rule of 'treat others as one wants to be treated,' that every major religion and ethical tradition believes in some form and that [92%](#) of Americans support per [Marist](#).

Government reversing its purpose from promoting accountability to unaccountability in [1996](#) has ultimately [proved](#) a [radical](#), reckless policy [experiment](#) on autopilot. The existential threat to Americans' freedoms and rights here is the U.S. government embraced an untested, Internet Experiment of anarchism and amoralism over the exceptionally successful American Experiment of [constitutionalism](#), [religious liberty](#), and [virtue](#).

Philosopher Isaiah Berlin's [Two Concepts of Liberty](#) is instructive here; they are negative liberty (freedom *from* harm) versus positive liberty (freedom *to* harm).

The American Experiment constitutionally governs based on accountable liberty's freedom *from* harm, i.e., individual freedom *with* responsibility (rule-of-law, duty of care), and government power *with* accountability (separation of powers, checks and balances, rule-of-law, and rights.)

The Internet [Experiment](#) de-governs via anarchism and amoralism, so it subverts Americans' equal and inalienable rights. It is based on unaccountable liberty's perverse freedom *to* harm others, i.e., individual freedom *without* responsibility and government power *without* accountability.

Reason and the evidence show 1996, U.S. Internet unaccountability policy, has resulted in Americans losing liberties and rights. They are Americans' God-given inalienable rights of being "created equal" and "life, liberty, and the pursuit of happiness," per our founders' in the 1776 [Declaration of Independence](#).

Lost Equal Rights. U.S. Internet unaccountability [policy](#) took away your equal rights in protecting Internet technology by prohibiting protection of people from technology. This unequally values protecting technology over humanity and profit over people. It unsafely grants technology

impunity over people. And it unjustly empowers technology to govern people without their consent, rights, recourse, or access to justice.

Lost Life Security. Prior to 1996, Americans had a well-established, offline right to privacy based on the Fourth Amendment and federal privacy statutes passed in [1974](#), [1974](#), [1978](#), [1984](#), [1986](#), [1988](#), [1994](#), and [1996](#).

Now most know they have lost all their privacy online and want it back per [Pew Research](#). Lose your privacy, lose your inalienable right to security to stay alive. Why? Privacy is integral to the natural human need for self-preservation. Privacy is akin to being able to hide from potential predatory harm. Without privacy, one can't protect one's security, identity, reputation, or dignity.

Lost Liberty. Humans enjoy liberty and rights, things do not. Offline a person is a living being: human, individual, citizen, voter, customer, or adult/minor with liberty. However, online a person tellingly is not a living thing: they are data, a user, a product, or an avatar without liberty.

Tragically, people have lost their humanity online. Online we're dehumanized inanimate data products, commercial chattel that's bought and sold with impunity by [data brokers](#), without meaningful consent, rights, or recourse. We're indentured servants online, disenfranchised commercial captives of unfair, [one-sided](#), legal terms, indentures, and market power. Minors are prey for predators of all kinds, neglected and devalued with minimal age-appropriate protections.

Lost Personal Sovereignty. Lose your [privacy](#). Lose your personal sovereignty to choose and [control](#) how you live your life. Online we no longer control our own destinies because [others](#) can largely control our virtual value, private data, and identity. And unfettered Big Tech [monopolies](#) largely control what we find, believe, see, say, and share online. U.S. Internet unaccountability policy also unnecessarily preempts citizens' State rights making Americans second-class citizens online via unnecessary Federal preemption of States' authority to protect their citizens from harm.

The [Restore Us Institute](#)'s solutions to losing liberties and rights online, and to most other Internet unaccountability problems, is either to restore Constitutional authority over the U.S. Internet in U.S. policy, or repeal Section 230 to restore constitutional authority online. Both deliver same rules and rights offline and online. Illegal offline illegal online. And they both enable Internet good (legal conduct) while disabling Internet bad (illegal conduct.)

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