

Stop Section 230's Uncivil War destroying democracy in America.

By [Scott Cleland](#)

I. Introduction.

Wild West U.S. Internet policy and law incites Uncivil War, social media [oligarchy](#), and minority rule.

This first-of-its-kind analysis spotlights how [Section 230](#)'s self-defeating and counterproductive, U.S. Internet unaccountability policy/law has incited a protracted, U.S. **Uncivil War of lawless social media oligarchy predations vs. lawful government protections.**

In protecting technology from people by prohibiting protections of people from technology, **Section 230 instigates an Uncivil War of unfettered technology interests vs. unprotected people interests.**

This government imposed, above the law, inequality on autopilot, is destroying individual liberty, equality, and rights, and America's democracy, justice, and national security. In addition, it causes countless casualties; and makes U.S. Wild West Internet policy/law America's worst enemy.

Skeptical? The U.S. Government elevated a holistic, Internet technology with [no controlling authority](#), and empowered it with a holistic, uncivilized, and out-of-control, U.S. Wild West Internet policy/law.

Inputs drive outputs. The U.S. Government's out-of-control technology, policy and law [inputs](#) have caused exactly the holistic, out-of-control [outputs](#) that it tolerates, incentivizes, and incites. What's encouraging here is a symmetric, holistic technology, policy/law, and problem causer, naturally has a symmetric, holistic, '[We the people](#)' Constitutional solution to the problem. It is repealing Section 230.

Enough is enough. America heal thyself. Repeal Section 230's Uncivil War. For 28 years, five Administrations, thirteen Congresses, and seventeen Supreme Court Justices together have neglected to protect America, Americans, and minors from attacks, harms, and crimes online. Evidently, they have missed the forest for the trees here and failed to connect the dots here, that hide in plain sight.

Will the U.S. Government ever:

Stop neglecting to protect people/minors from out-of-control attacks, harms, & crimes online?

Defend its Constitution and democracy from its [worst enemy](#) -- Section 230?

Civilize the U.S. Wild West Internet and its out-of-control, unfettered Internet services?

Stop U.S. social media from operating above-the-law and over everyone with impunity?

Expect Internet platforms, devices, data, software, content, and companies to be safe, private, and honest, like products, food, drugs, vehicles, planes, health care, transportation, financial services, and communications are expected to be offline?

Preview. *This analysis based on reason, evidence, and a holistic perspective, has four parts. First it explains, coheres, and proves Section 230's Uncivil War. Second, it summarizes Section 230's Uncivil War; identifies the opposing sides; spotlights the main general harms and ideological causes inciting Uncivil War; sheds light on how the Uncivil War uncivilly changes America and democracy; and spotlights its main fights and battlefields. Third, it summarizes, enumerates, and documents this Uncivil War's many serious casualties. The conclusion defends and recommends Section 230's repeal.*

II. The Uncivil War Destroying America's Democracy.

A. What is it?

[Section 230](#), of the 1996 Communications Decency Act has been America's *only* broad Internet policy and law for speech and conduct for the last 28 years.

Briefly, Section 230 law makes Internet services above civil law, i.e., not civilly liable for their actions or inactions online. Its U.S. policy makes Internet services not civilly subject to U.S. Federal or State government authorities. It exempts them from civil common law and U.S. civil courts, which denies deterrence and accountability for civil illegality and wrongdoing online.

Simply, Section 230 uncivilly allows U.S. social media to operate above the law with impunity.

Section 230's Uncivil War empowers unvetted, unlicensed, and unaccountable, Social Media middleman meddlers with intermediary impunity to disintermediate democracy broadly at will as arbitrary arbiters of truth, biased brokers, partial powerbrokers, and the ultimate kingmakers.

B. What de facto divides the opposing sides in this Uncivil War?

In 1996, The Internet and its Section 230 U.S. Internet policy/law de facto divided America into:

1. **Opposite worlds:** offline/online, physical/virtual, real/artificial, analog/digital, lawful/lawless, civilized/Wild West, civil/uncivil, and reciprocal/nonreciprocal.
2. **Opposite authorities:** Sovereign/non-sovereign, Constitution-based government/no central authority; majority rule/minority rule, rule of law/no rules or laws, The [Golden Rule](#) "*Treat others as you want to be treated.*" / Rotten Rule "*Do whatever you want to others.*"
3. **Opposite classes:** humanity/technology, noncoders/coders, Americans/aristocracy elites, unprivileged/privileged, fettered/unfettered, protected/unprotected, losers/winner-take-all.
4. **Opposite duties:** Freedom with/without responsibility, power with/without accountability, harm with/without liability, crime with/without culpability, and profit with/without honesty.

C. What general harms to America's democracy incite Section 230's Uncivil War?

Section 230's one-sided empowerment of commercial technology interests above and before everyone else's government protections, rights, and interests, has de facto instigated and incited an Uncivil War on America's democracy in at least four big ways.

1. Empowering no government for Internet technology over [government by the people](#).
2. Enthroning oligarchic Internet elite minority rule over democracy's [majority rule](#).
3. [Arbitrarily privileging](#) an oligarchic Internet class as **more equal & free than everyone**.
4. [Denying direct](#) democracy via **social media bias impunity to disintermediate democracy**.

D. What Anti-America ideological causes incite Section 230's Uncivil War against democracy?

1. [Anarchism](#): i.e., governmental authority is unnecessary and undesirable. It subverts U.S. officials' [sworn oath](#) to "*support or defend the Constitution from enemies foreign and domestic.*" It surrenders sovereignty; cancels constitution; disrupts democracy; empowers extremism; pushes polarization; incites incivility; rejects reciprocity; ruins rule of law; denies duty of care; abdicates access to justice; implements impunity; sabotages security; prohibits police, public safety, and privacy; and tolerates terrorism and tyranny.

2. **Amoralism**: i.e., does not care about right/wrong. It abdicates government’s adjudication and determination of truth/lies, right/wrong, innocent/guilty, legal/illegal, fair/unfair, just/unjust, civil/uncivil; and denies a duty of care, due process, personhood, dignity, access to justice, and a trial by a jury of one’s peers. Democracy depends on right over wrong.

Section 230’s de facto amoral Rotten Rule of ‘*Do whatever you want to others;*’ empowers freedom without responsibility, power without accountability, harm without liability, crime without culpability, profit without honesty, and democracy without integrity.

This anarchic amoralism corrupts conduct, contracts, and commerce; causes conflict, chaos, crime, and corruption; enables evil over good; raises wrong over right; puts profit over people; licenses lying; trashes truth; stokes stealing; charters cheating; furthers fraud and fakery; and masses mad mobs who rob.

3. **Commercialism**: Changes U.S. communications law’s purpose from “*national defense and promoting safety of life and property*” to preserve a “*free market... unfettered by Federal and State regulation.*” This anti-constitution, subversion breeds a greed creed of profit over people, predation over protection, and corruption over the Constitution.
4. **Selfism**: Internet P2P technologies are [nonreciprocal](#), [permissionless](#), autonomous, one-sided, and self-executing, which asymmetrically advantages attackers, predators, enemies, terrorists, criminals, thieves, liars, fraudsters, and some selfish Representatives & a Senator.

P2P empowered selfism guts the Golden Rule and imposes P2P’s Rotten Rule: “*Do whatever you want to others.*” P2P nonreciprocity can subvert and corrupt everything reciprocal in the offline world, e.g., authority, government, democracy, elections, law, rights, duty, responsibility, liability, accountability, culpability, security, safety, stability, privacy, property, secrecy, civility, society, culture, capitalism, commerce, legal tender, economy, investing, markets, etc.

Section 230’s inherent Internet imbuing of selfism in America, endangers everyone online. It sabotages security; bans borders; prohibits police, public safety, and privacy; tolerates terrorism; codifies cowardice; rises Russia; champions China; furthers fentanyl-fatalities; attracts attackers; protects predators; mistreats minors’ mental health; incents injustice; injures inevitably; victimizes vastly; and miscreates meddler middleman monopolies.

5. **Extremism**: Section 230’s [fraudulent precedent](#) of “*unfettered speech on the Internet must supersede conflicting common law causes of action*” destroys democracy, embroils elections, pushes polarization, corrupts candidates, empowers extremism, incites incivility, licenses lying, trashes truth, tramples trust, masses mobs, and makes militant minority rule.
6. **Nihilism**: Section 230’s Internet unaccountability policy/law for 28 years has surrendered America’s sovereignty, constitution authority, democracy, limited government, rights, rule-of-law, duty of care, citizenship, and Golden Rule reciprocity online. That abject abdication of legitimate government online is apparently anti-America, and quintessentially [nihilistic](#), i.e., “*a viewpoint that traditional values and beliefs are unfounded and that existence is senseless and useless; a condition in which all ultimate values lose their value; a doctrine that denies any objective ground of truth and especially of moral truths; and a doctrine or belief that conditions in the social organization are so bad as to make destruction desirable for its own sake independent of any constructive program or possibility.*”



E. How has Section 230’s Uncivil War uncivilly changed America and disrupted democracy?

1. **It uncivilly ended civil court liability online**, encouraging reckless endangerment conduct and subverting access to justice and the constitutional right to a jury trial. Section 230’s single Internet law made only *interactive computer services* not subject to civil liability for what others publish. That created a broad legal double standard favoring Internet interests (a few percent of Americans) over everyone else’s interests. It also unfairly exempted them from any duty-of-care responsibility to which everyone other citizen/voter is subject.

In sidelining the civil court system and centuries of common law recourse, Section 230 has de facto legalized civil illegality online, and subverted the U.S. civil court system’s purposes to – determine truth, settle civil disputes peacefully, and provide equal justice under law – all policy and legal goals that are necessary to democracy.

2. **It uncivilly ended accountability for online activities, creating a massive moral hazard.** Section 230 subverted U.S. policy norms in making it U.S. policy that the Internet and *interactive computer services* be “*unfettered by Federal and State regulation.*” That created a policy double standard where only Internet interests have impunity and are de facto above the law because online they are not subject to U.S. governing authorities, the Constitution, civil court authorities, rule of law, and a duty of care.
3. **U.S. Internet policy uncivilly put profit over people in commercializing the Internet**, not as a republic and democracy, but as a marketplace, i.e., “*...to preserve the vibrant and competitive free market that presently exists for the Internet and other interactive computer services, unfettered by Federal or State regulation.*”
4. **U.S. policy is uncivilly partial in favoring technology interests over people’s interests** in protecting technology from people by prohibiting protection of people from technology.
5. **It uncivilly creates a legal double standard that undermines equality and liberty**, in privileging a special class with impunity to exploit everyone else and take away their rights and recourse with impunity.
6. **It uncivilly chose a lawless over a lawful Internet** for the American people, minors, and culture, needlessly subjecting people to continuous out-of-control conflict, chaos, crime, and corruption.

F. What are the fights and battlefields in Section 230’s Uncivil War?

1. **Democracy:** Government by people vs. no government for tech; majority vs. minority rule; authority vs. anarchy; liberty vs. tyranny; equality vs. partiality; unity vs. polarization; civility vs. incivility; limits vs. extremes; compromise vs. fighting; respect vs. ravaging.
2. **People:** Humanity vs. technology; people vs. profit; love vs. hate; comity vs. conflict; mercy vs. vengeance; compassion vs. cancel culture.
3. **Duty:** responsibility vs. irresponsibility; accountability vs. unaccountability; liability vs. harm; and culpability vs. crime; courage vs. cowardice; leadership vs. subordination.
4. **Ethics:** truth vs. lies; trust vs. fraud; conscience vs. corruption; liability vs. impunity.
5. **Justice:** good vs. evil, right vs. wrong, legal vs. illegal, justice vs. injustice, fair vs. unfair.
6. **Safety:** Peace vs. violence; protection vs. predation; law and order vs. lawless disorder.
7. **Asymmetry:** rejects reciprocity; sabotages security; prohibits police, public safety, privacy.

III. Section 230's Uncivil War Casualties.

Section 230's Uncivil War on America hides in plain sight. Connect the casualty dots to see it better.

A. High-Level Summary of Section 230's Uncivil War Casualties.

1. **Insecurity.** America, Americans, and minors are now much less secure, safe, and protected. Nothing is safe/secure online with no government duty or market incentive to be safe/secure.
2. **Insanity.** Unilateral surrender of U.S. sovereignty bans borders, sabotages America's security.
3. **Irrationality.** Enables enemies to attack, hack, steal, ransom, poison, and disorder Americans.
4. **Instability.** America's economy is now much less healthy, fair, honest, stable, and competitive.
5. **Iniquity.** America's society is now much less healthy and more dysfunctional and dystopian.
6. **Incivility.** Commercializing everything democracy corrupts public discourse and elections.
7. **Infighting.** January 6 insurrection and House Speaker minority-rule puts selfism over country.
8. **Inhumanity.** Americans live dehumanized with no rights, and less freedom, equality & morals.
9. **Injustice.** Online Americans have less access to justice & suffer out-of-control victimizations.
10. **Insolence.** Cancel culture trashes truth, bullies with impunity and no mercy, and masses mobs.

B. Large loss of American lives.

1. Tens of thousands of Americans/minors are dying annually from social media enabled fentanyl poisoning per [NIH](#). This death rate growth tracks usage growth of Section 230-unfettered mobile social media apps. Specifically, about [70,000](#) Americans died from illicit Fentanyl poisoning in 2021 alone as a result of rampant [illegal](#) online pharmacies and/or Section 230 impunity for social media aiding and abetting illegal conduct online.
2. Suicide by young Americans 10-24 is their second leading cause of death, as suicidal thoughts increased 40% from 2010-2020 coincident with mobile social media's rapid growth, per [CDC](#).

C. Mass injurious victimizations of Americans from Section 230's moral hazard endangerment.

1. The crimes Americans most [worry](#) about are cybercrimes. Cybercrime victimization is [out-of-control](#) and [prosecuted](#) <1% of the time. [23%](#) of Americans have suffered from cybercrime, [33%](#) from identity theft, and [64%](#) from theft of their data.
2. Cyberattack and cyber-harassment victimization is out-of-control. [53%](#) of US adults have been cyberbullied or harassed. [90%](#) of U.S. organizations have been compromised by a cyberattack. [78%](#) of U.S. organizations have suffered from [ransomware](#).

D. Unilateral cyber-surrender of America's sovereign borders is an epic national security failure.

1. America, Americans, and minors are less secure, safe, and protected. Now many Americans are [victimized](#) by **foreign-based and sponsored**, cyberattacks, cyberbullying, or cybercrime.
2. In 1996, Section 230 surrendered America's [sovereignty](#) and [government authority](#) online. Since then, this reckless policy of absolutist free flow of data into the U.S. has de facto aided and abetted the attacks of our top adversaries [China](#), [Russia](#), and [cybercriminals](#), with [impunity](#). At will, [China](#) has [stolen](#) countless U.S. national [security](#) and trade [secrets](#). And Russia has [disrupted](#) America at will via rampant [ransomware](#), [cybercrime](#), and election [interference](#).
3. Online, no one and nothing in America is safe or secure because there are minimal market forces or government requirements to be safe and secure. That's why the [NSA](#), [CIA](#), [DOD](#), [DOJ](#), [DHS](#), [OPM](#), [White House](#), [Google](#), [Facebook](#), [Amazon](#), [Apple](#), [Microsoft](#), [et al](#) have all been hacked; and hackers can hack [planes](#) in flight, [vehicles](#) on the road, and [ships](#) at sea.

- E. Forfeited United States of America unity** to Section 230’s Divided States of America disunity.
1. [Section 230](#) imposes a divisive double standard for legal/illegal conduct, i.e., government authority and accountability offline, but ~none online. This is a self-defeating and counter-productive, chaotic policy of constant rule-of-law vs. rule-of-code disputes and disunion.
 2. Section 230’s unaccountability policy has facilitated an Internet extreme machine that wrongfully and needlessly [incites polarization, division, hate, rage, and violence](#).
 3. Consider the results of this disunion law and policy. Social media [polarizes](#) Americans. From 2000 to 2020, republican and democrat partisanship skyrocketed 160% [per](#) Pew Research.
- F. Denies direct democracy** so Section 230 can empower oligarchic social media minority rule.
1. **Unreasonable empowerment.** Congress has [unreasonably empowered](#) random unvetted private actors with unfettered intermediary impunity to mediate and meddle with all of Americans’ online interactions and interrelationships arbitrarily and self-servingly for profit, politics, power, surveillance, influence, and dominance, with no responsibility, accountability, or liability.
 2. **Commercial disintermediation.** Section 230’s commercial disintermediation of democracy, empowers social media to dominate, commercialize, corrupt, and control most voter outreach, public discourse, advertising, fundraising, campaigns, primaries, and elections.
 3. **Indirection impunity.** Section 230’s de facto indirection impunity empowers a social media oligarchy to operate above the law, as black-box biased brokers, meddling middlemen, extreme eavesdroppers, gatekeeper grifters, and tollkeeper troublemakers.
 4. **Interception, interference, interjection, and interruption Impunity.** Unreasonable, commercial disintermediation, and indirection impunity, allow a black box, oligarchic social media minority rule and deny direct democracy and its many interrelationships, interrelations, interactions, and intercessions. With Section 230 inter-impunity social media could:
 - Intercept personal info and campaign secrets, lists, itineraries, intelligence, proprietary data.
 - Interfere with direct campaign organizing, messaging, and candidate-voter relations.
 - Interject their partial influence over fake news/deepfakes, negative ads & viral vilifications.
 - Interrupt what they disagree with, and rallies, debates, candidates, parties, and positions.
 - Intercede with interest groups, influencers, government, congress, officials, and courts.
- G. Subverts defense of U.S. Constitution from all enemies**, an existential threat to U.S. democracy.
1. Section 230’s main [precedent, Zeran v. AOL](#), is a fraudulent precedent that has [defrauded](#) and weakened much of the U.S. Constitutional system online. It has de facto [unconstitutionally](#) legislated: a bogus absolutist problem that common law justice threatens free speech online; a bogus purpose of ensuring absolutist “*unfettered speech*” online;” the bogus absolutist “*immediate comprehensive effect*” and scope of Section 230 online, and the bogus task of imposing absolutist [tech-tort reform](#).
 2. Section 230 has also [subverted](#) the Constitution preamble’s six purposes: “*to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty...*”
- H. America has forfeited Truth in America** to Section 230’s liars license of “unfettered speech.”
1. Section 230’s main [precedent, Zeran v. AOL](#), has [proved a fraudulent precedent](#) and a ‘liars license’ that has severely damages any ‘truth’ online. It is grossly misrepresenting Congress’ intent and purpose as promoting “*unfettered speech*” when the Telecommunications Act of

1996 that made Section 230 law never used these words: “speech,” “freedom,” “freedom of speech,” “freedom of expression,” “First Amendment,” “Internet speech,” “immunity,” “immunize,” or “intermediary.”

2. Today, Congress’ Section 230 [precedents](#) disenfranchise the civil judiciary’s adjudication of Internet illegal conduct cases to legitimately determine truth vs. lies, fake vs. authentic, fair vs. unfair, and legal vs. illegal. That’s because it preempts normal testimony under oath at risk of perjury, “*to tell the truth, the whole truth and nothing but the truth.*”
3. U.S. Internet unaccountability policy is a liars license of no truth, facts, trust, belief, faith, values, mores, or standards, which corrupts trust, honesty, integrity, sworn oaths, morals, and ethics.

I. Americans have lost trust in America and institutions.

1. Americans’ [trust](#) in honesty, truth, and elections has declined [per](#) Pew Research. Americans’ average confidence in major U.S. institutions has fallen 33% from 2000-2021, [per](#) Gallup.
2. Americans’ trust in the branches of Government has fallen during the smartphone/social media era 2009-2022. Trust in the judiciary is down 40% from 76% to 47%; the executive branch is down 30% from 61% to 43%; and Congress is down 15% from 45% to 38% [per](#) Gallup 2022.

J. Americans have lost their inalienable rights to liberty/equality to anti-democracy usurpations.

1. [Less free](#) with [no rights](#), no freedom from harm, no recourse or access to justice online.
2. [Less equal](#) as some Internet elites have the privilege/power of impunity over everyone else.

K. Americans lost all their privacy to Section 230 enabling consentless advertising surveillances.

1. 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 their privacy online and want it back [per Pew Research](#).
2. 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. No privacy makes people vulnerable prey to predators.

L. Americans lost ‘we the people’ humanity to Section 230’s demeaning intermediary impunity.

1. 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.
2. 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.
3. Americans are consentless indentured servants online, disenfranchised commercial captives of unfair, [one-sided](#), legal terms, indentures, and market power. And minors are prey for predators of all kinds, neglected and devalued with shamefully minimal age-appropriate protections.

M. Americans have lost control of their destinies to Section 230’s special interest impunity destiny.

Lose your liberty, equality, [privacy](#), and humanity you 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 social media [monopolies](#) largely control what we find, believe, see, say, and share online.

IV. Forewarned is forearmed, conclusion and recommendation.

A. U.S. democracy can't survive if U.S. Internet policy/law can subvert it with impunity.

1. **Causation:** The Uncivil War problem isn't caused by the Internet. It's caused by out-of-control Section 230, U.S. Internet policy/law. Public policy's purpose is promoting outcomes. No other causal factor is as similar in purpose, time, technology, ubiquity, scale, scope, and reach.
2. **Repeal is not regulation.** It is restoration of Constitution-limited government. Repeal of Section 230 removes the U.S. Internet as a space free from U.S. Constitutional sovereignty, Bill of Rights, rule of law, and a duty of care. It allows the laws of the nation to apply to the U.S. Internet, thus subjecting all players to the appropriate governing and civil authorities.
3. **Repeal ends special partial treatment online.** Repeal will pave the way for the same rules and rights everyone holds offline to be upheld online. Those acting illegally online are held accountable just as those acting illegally offline are. Unprotected speech offline is unprotected speech online. Repeal is the only way to restore offline online "[*Equal justice under law.*](#)"
4. **Repeal restores government** "*of the people, by the people, for the people,*" and majority rule.

B. Repeal promotes purposeful and intentional consequences.

1. **No one or nothing is above the law.** Repeal ends any notion that the U.S. Internet is separate from America. It will intentionally restore the ideal that no one or nothing is above the law or outside governing authorities and a civil duty of care in America.

Only repeal is symmetric and holistic. [Repeal](#) is the only holistic solution that ends the harms promoted and incited by Section 230's unaccountabilities and impunity. Only [repeal](#) can symmetrically resolve all Section 230-caused problems. Without repeal, no one gets any relief from [all the problems](#) that Section 230 causes.

Restores what's been taken away. Only repeal can restore what Congress unwittingly took away in [1996](#) Internet policy and law -- sovereignty, constitutional authority, rule-of-law, duty of care, and access to justice over the U.S. Internet.

Goes from not having to having rights. Only repeal enables Americans to go from not having, to having, rights, recourse, and access to justice online. U.S. policy would flip from protecting technology from people, to protecting people from technology; and social media and Internet technology would go from not being subject, to being subject, to rule-of-law and a duty-of-care like everyone else.

Keeps good fixes bad. Only repeal keeps the Internet good (legal conduct) and fixes the Internet bad (illegal conduct.)

Practically repeal would mean: Same rules and rights offline/online. Illegal offline is illegal online. Equal justice under law.

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