Facebook, Fake News, and the Ethics of Censorship

Ethics, Data, and Technology

David Gray Grant

**Questions for today**

*Big picture question for this week*

1. Should social media companies (Facebook, YouTube, Instagram, TikTok) suppress the transmission of so-called “fake news” over their services? If so, how?

*Related questions:*

1. What is fake news?
2. What is morally problematic about fake news?
3. How might social media companies suppress fake news?
4. Are there good reasons *not* to suppress fake news?

Today: questions 3, 4, & 5

From Section 230 of the Communications Decency Act (1996):

“No provider or user of an interactive computer service shall be treated as the publisher or speaker of any information provided by another information content provider.”

**Q:** Why does this matter?

**How could Facebook suppress fake news on its platform?**

Suppose you are an employee at Facebook. A story has been spreading on Facebook, and you have determined that that story is fake news. (Suppose it’s the Pizzagate story, for instance.)

* You’re studying the spread of the story, and based on your analysis have determined that the story is likely to cascade through the network if you don’t do something.
* Your boss wants you suggest some general strategies for suppressing the spread of the story.

**Q:** How could Facebook suppress the spread of fake news stories?

Make sure we cover:

* *Delete it.*
  + Proposed by the German government.
* *Show it to fewer users.* Making it appear less frequently in users’ newsfeeds.
  + Facebook is considering this one.
* *Warn sharers.* Warning users that it might be fake.
  + Facebook has already implemented this solution in a trial run in the US and Europe.

**Censorship**

One important question to ask right away. Are these interventions kinds of censorship?

**Q:** Are these kinds of censorship?

Wikipedia: “Censorship is the suppression of free speech, public communication or other information which may be considered objectionable, harmful, sensitive, politically incorrect or inconvenient as determined by governments, media outlets, authorities or other groups or institutions.”

Different kinds of censorship:

* Direct censorship – outright bans on particular kinds of speech
* Soft censorship – attempts to suppress or influence speech that fall short of outright bans

Reasons for thinking the above are kinds of censorship:

* Sharing a story is a kind of speech: it’s an attempt to share information with other people, your Facebook friends.
* Deleting all instances of a story: analogous to banning a book from national libraries.
* Making a story appear less frequently: analogous to removing a book you want to suppress from some libraries but not others. Making it more difficult for a person to share a particular view.
* Warnings: a kind of soft censorship, discouraging people from sharing a particular story by applying social pressure.

So the larger moral question we’ll be talking about is when it is morally permissible to censor speech.

* Write on board: When is it morally permissible to censor speech? (Write under other questions).

**JS Mill on censorship**

John Stuart Mill (1806-1873)

* On Liberty (1859)
* His arguments continue to shape debates about how we should decide what goals governments should pursue, as well as the extent to which governments should interfere with the voluntary activities of individuals.

We’ll start by considering a very influential principle that Mill proposes in chapter 1 of *On Liberty*, which I didn’t have you read.

*The harm principle.* Mill’s argues that the following principle should govern all proposed attempts to interfere with the activities of others:

“The object of this Essay is to assert one very simple principle, as entitled to govern absolutely the dealings of society with the individual in the way of compulsion and control, whether the means used be physical force in the form of legal penalties, or the moral coercion of public opinion. That principle is, that the sole end for which mankind are warranted, individually or collectively, in interfering with the liberty of action of any of their number, is self-protection. That the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others” (*On Liberty*, ch. 1).

Different kinds of control Mill is talking about here:

* “Legal penalties.”
* “The moral coercion of public opinion.”

**Q:** Based on the reading, what does Mill say about when we should interfere with the expression of opinions?

*Mill on free speech.* He takes a very strong stance on when we may attempt to suppress the expression of opinions:

“If all mankind minus one, were of one opinion, and only one person were of the contrary opinion, mankind would be no more justified in silencing that one person, than he, if he had the power, would be justified in silencing mankind” (*On Liberty*, ch. 2).

Some clarifications:

* Mill is talking not just about direct censorship but also soft censorship in the form of public criticism, shaming, etc.
* Mill thinks we *shouldn’t* shame people if they hold views that we believe are harmful or even immoral.
* So if you think that the opinion that gay people should be allowed to marry is immoral, or if you’re on the other side and you think that that opinion is a form of bigotry, then Mill thinks that you nonetheless shouldn’t shame people who disagree with you as a way to get them to stop sharing their views.
* Ditto for opinions on empirical matters like climate change – you shouldn’t try to shame climate skeptics into keeping quiet.

**Q:** Is what Mill is saying here plausible? Is it wrong for us to try to silence the opinions of others, even if we think they are harmful and completely without merit?

*Exceptions?* The only exceptions he allows for are cases where the expression of an opinion is likely to harm others (*On Liberty*, ch. 3).

* “Acts of whatever kind, which, without justifiable cause, do harm to others, may be, and in the more important cases absolutely require to be, controlled by the unfavourable sentiments, and, when needful, by the active interference of mankind.”

*Classical liberalism.* Mill’s views about the appropriate scope of individual liberty are associated with a political philosophy called “classical liberalism.”

* Classical liberals believe in very limited government and very limited interference with how individuals choose to live their lives. We will be freest and happiest, they think, if we leave individuals free to pursue their own goals, both individually and through voluntary cooperation with others.
* According to classical liberals, we should only use coercion to solve social problems if we can demonstrate that purely voluntary solutions will not work.
* Note that this is a very different sense of “liberal” from the one we’re used to from American politics. Classical liberals are “conservatives” in the American sense.

**Q:** Any questions so far?

**Is fake news harmful?**

**Q:** Why might someone think that fake news is harmful enough that we should censor it?

An argument that fake news interferes with good governance:

1. If voters base their policy and candidate preferences on misinformation (false or highly misleading information), then they are less likely to favor good policies and candidates – policies that are beneficial, fair, and just, and candidates that are likely to implement such policies.
2. If voters favor worse policies and candidates, the government will be less likely to implement good policies.
3. The viral spread of fake news causes voters to base their policy and candidate preferences on misinformation.
4. The viral spread of fake news makes it less likely that the government will implement good policies.

**Q:** Is this argument persuasive?

Examples to discuss:

* Clinton story (Pizzagate).
* Bill Gates / COVID vaccines conspiracy theory

**Mill’s arguments against interference with speech**

Now will consider Mill’s counterargument.

As we’ve seen, Mill thinks that we should only interfere with others’ speech (written or otherwise) if it is likely to harm others. What should we do, then, if we think that a particular opinion is (a) false, (b) poorly supported, and (c) likely to cause harm? Should we intervene to prevent the opinion from being shared?

* You might expect Mill’s answer here to be a clear “yes.” But instead he argues that we should only censor an opinion if it is likely to lead to a specific kind of harm – immediate physical harm. So the answer to “should we censor this false, harmful opinion” is almost always “no.”
* The kinds of harm we’ve just described, on Mill’s view, are not enough to justify interference. We should only censor when there is an immediate risk of physical harm.
* His example: we should not interfere when someone expresses the opinion that “corn-dealers are starvers of the poor” via the press, but we may justly punish a person who expresses this opinion to an angry mob massed in front of a corn-dealer’s house.

Argument 1: the argument for false orthodoxy.

* Censorship entrenches orthodox opinions that are actually false.
* Censors can make mistakes even when they are justifiably confident that a view is false.
* History teaches us that much of what we firmly believe today is likely to be disproved in the future.
  + Inductive argument here. In every period so far, much of what we were confident was true has turned out to be false. So we should think that the same is true today.
* Historical examples.
  + Geocentrism/heliocentrism. Galileo.
* More recent example: salt intake
  + For many years, the medical community firmly believed that high levels of salt consumption caused high blood pressure, and as a result pushed aggressively for government efforts to reduce the amount of salt in Americans’ diets
  + When researchers would suggest that the evidence that salt causes high blood pressure was equivocal, they would be excoriated
  + But more recent studies have painted a much more nuanced picture of the relationship between salt intake and blood pressure.
  + In some people, reducing salt intake lowers blood pressure, but that’s not true for everyone.
  + Plausibly, we would have figured this out sooner if there hadn’t been so much soft censorship of heterodox opinions.
  + https://www.scientificamerican.com/article/its-time-to-end-the-war-on-salt/
* If we censor views we think are almost certainly false, then we will make it less likely that false orthodox views will be corrected by silencing people who challenge them.

Argument 2: the argument from partially true falsehoods.

* Censorship prevents us from benefiting from the truth in opinions that are only partially false.
* If we censor opinions we think are false, some of the views we will censor will be only partly false. Some of those views will include important elements of truth that could help us make our overall picture of the world more accurate.
* Irish slavery example (see handout)
  + This story consistently gains traction in part because people don’t know the true part.
  + The true part is an important part of American history that is often overlooked, in part because it helps explain important aspects of the history of race relations in the United States.

Argument 3: the argument from the value of being challenged.

* Censorship prevents us from the benefits of having our true beliefs challenged.
* **Q:** Why does Mill think this is beneficial? How could we benefit from hearing falsehoods?
* Dead dogma argument.
  + Unstably held, vulnerable.
  + Poorly supported, held without understanding.
* Encountering beliefs that we disagree with is important even when we happen to be right. Why? Because examining why people disagree with us, and defending our true beliefs against the best arguments that can be marshalled, helps us to better understand *why* our true beliefs are true.
* When we understand why something is true, our belief in it is more secure, and less likely to give way in the face of misleading evidence that it is false.
* Better understanding why our beliefs are true will also make our true beliefs more useful to us, since our understanding of the relevant issues will be more nuanced and so more useful in guiding behavior.
* Climate change example
  + Claim that burning fossil fuels cools the earth!
  + Global Cooling. Louder With Crowder: “The latest talking point to march to its death? Fossil fuels cause global warming. Because they don’t. In fact, NASA says they’re actually causing temporary global cooling.” (December 2015).
  + The claim was actually made, not by NASA, but by the “science and paranormal correspondent” for U.K. tabloid *Express*, Jon Austin.
  + Austin previously claimed that moon is hollow, and serves as a base for aliens.
* Vaccines example
  + Vaccinated Twins. Health Nut News: “Infant Twins Die Simultaneously After Vaccines, Medical Board Rules ‘Just a Coincidence’” (February 2017)
  + Claim: “The simultaneous death of infant twins in Turkey in 2002 was connected to their having recently received vaccinations.”
  + What’s true: “In June 2002, twin infants in Turkey passed away within 24 hours of each other two days after receiving vaccinations.”
  + What’s false: “The infants were diagnosed as having died of SIDS, and reports framing this event as evidence of the harm caused by vaccinations do so by misleadingly omitting any mention of contrary evidence.”
  + Looking into this – it’s just a hoax. More secure and better informed rejection of the claim that vaccines caused autism.

Argument 4: the argument from the motives of censors.

* Censors are not only fallible, they can also be driven by goals other than truth.
* Specifically, they might be politically motivated, or driven by greed, or under the influence of an oppressive or corrupt political regime.
* Mill mentions government censorship – corruption and tyranny.
* But similar concerns can be raised about non-governmental censors.
  + The national review editorial.
  + Fact checking organizations tend to be staffed by liberals (in the American sense, not in the sense of “classical liberal”).
* Do you really want *Facebook* deciding what news you are exposed to?

**Discussion of our main question: What should social media companies do?**

Let’s focus on misinformation about COVID-19 and the COVID vaccines. Should social media companies:

* Attach warning labels?
* Make it appear less often?
* Delete it?