

# IS53038A Written Assessment

Kevin Lewis klewi014 33467916

## The role of tech companies in censoring alt-right views

---

In this piece of writing, I will argue that large tech companies should not intervene and restrict those with an alt-right agenda from their platforms. I will be specifically looking at Cloudflare's termination of the account owned by neo-Nazi publication The Daily Stormer, as well as providing mentions of similar cases from other companies. I must stress before starting that this doesn't reflect my personal views, but I thought it'd make for a more engaging piece of personal research to argue this viewpoint.

Cloudflare provides DNS hosting, Distributed Denial of Service (DDoS) protection and a CDN though it's 165 data centres around the world. Nearly 10% of all internet requests pass through their servers<sup>1</sup>, making them a fundamental backbone for the internet.

On August 16th 2017, Cloudflare terminated the account of alt-right website The Daily Stormer. This meant that DNS requests would fail, and they would no longer be protected against DDoS attacks (a common cyber-attack on websites to take them offline). In their blog post detailing this action, Cloudflare stated "Our terms of service reserve the right for us to terminate users of our network at our sole discretion."<sup>2</sup>, and later CEO Matthew Prince provided the reason for this action – "Literally, I woke up in a bad mood and decided someone shouldn't be allowed on the Internet. No one should have that power."<sup>3</sup>

Matthew is right. While Cloudflare has no obligation to provide their service to neo-Nazis, there is a big concern that with a small number of increasingly-powerful tech companies shaping society with information distribution and legislators unable to keep

---

<sup>1</sup> <https://www.cloudflare.com/learning/what-is-cloudflare/>

<sup>2</sup> <https://blog.cloudflare.com/why-we-terminated-daily-stormer/>

<sup>3</sup> <https://www.eff.org/deeplinks/2017/08/fighting-neo-nazis-future-free-expression>

up with the demands of a fast-evolving world, we should be weary of the decisions these companies make to decide what content citizens can and cannot see.

Since 2013, Cloudflare have published a list of four things they would not do as a company in their Transparency Report. One of the items states “Cloudflare has never terminated a customer or taken down content due to political pressure.” – a key component of Net Neutrality. Yet in their report of terminating The Daily Stormer’s account, they also note that they’ll have to take this item and debate it internally following the termination. Even though there are no legislative reasons preventing it, Cloudflare are aware that their move could further erode the notion of a neutral, fair and open web – a web which isn’t controlled by governments or large corporations.

What is also interesting about this case, perhaps more than publishing platforms like Facebook, Twitter or Tumblr, is that Cloudflare offer a service at a more fundamental layer of the web – not a publishing platform of which there are many. This means they are now evaluating the content of one of its clients. While this writing is about freedom of expression on the web, a parallel situation could be drawn around limiting access to basic utilities to the homes of people who don’t share your ideologies.

Do tech companies have the right or responsibility to stop illegal activity on their platforms, and is The Daily Stormer in breach of any laws? The Daily Stormer itself hosts Holocaust denial commentary throughout its site, and there are laws prohibiting this in several countries around the world, yet not in the United States where Cloudflare is based (although genocide denial or trivialisation can carry a three-year jail sentence in the EU).

This question around legality also poses one of morality. By providing a service to extremists, some would argue that you provide a case that there even is two argument points around these views. Many would agree that Nazism simply isn’t compatible with most societies today from a humanitarian and ideological standpoint. While I respect this argument, the reality is that people do hold these views and should have a platform to voice them, however gross they may be.

While Cloudflare provides quite an important backbone for the internet, they are not the only ones who provide the critical functionality required to host online content – domain purchases and DNS hosting. This said, when many of these large tech

companies all take similar action, it makes operating on the public web much more difficult...

Following Cloudflare's termination of The Daily Stormer's account, they moved their domain to Google's DNS hosting. Google not only responded with a refusal to allow them access to this Google service, but put their domain on "Client Hold", which means that Daily Stormer's owner cannot activate, use or move the domain to another service. It's unclear whether this is for a limited amount of time, or whether Google has decided to effectively take ownership of the dailystormer.com domain permanently.<sup>4</sup>

This is hugely dangerous – not only are few large and reliable providers of mission-critical web services refusing access to The Daily Stormer, but Google effectively held the domain ransom. As individuals or organisations can never 'own' domains, but instead rent them from registrars, if enough of these organisations disagree with your political standpoints and decide to act as Cloudflare and Google have, you could effectively be wiped off the internet.

The Electronic Frontier Foundation (EFF) shares many of my concerns. They also see that every time a tech company makes access to publishing thoughts and views harder, the more likely that these communities will be pushed underground and less of the decisions and actions are visible. This results in less transparency, accountability and public safety.

There is no pleasing everyone in this debate, and no middle ground which is universally suitable. Right Wing Watch detail the decisions made by payment processor Stripe, with the argument that they are 'helping hate groups to operate online'. While Stripe's user agreement states that they won't service any users who encourages or promotes discrimination, they haven't taken action against alt-right groups. While I do believe that organisations should enforce their user agreements and code of conducts, the number of payment processors available to individuals and small businesses is tiny, and if action was taken it could effectively cease their operations.

---

<sup>4</sup> <https://www.eff.org/deeplinks/2017/08/fighting-neo-nazis-future-free-expression>

Alex Jones, well known alt-right 'activist' and host of Info Wars also underwent a flurry of censorship from well-known tech companies who arguably operate monopolies in their given fields.

Apple and Spotify both removed indexing for his podcast in their respective apps<sup>5</sup> for inciting hate speech (while I can see the argument for this, he really does ramble some weird stuff and I am still convinced it is satire, though with the current political climate you can never be sure).

Facebook removed Alex's pages citing their Community Standards.<sup>6</sup>

Google (through YouTube) took down Alex Jones' channels<sup>7</sup> – which adds more fuel on the fire of Google employees internally protesting the increasing amount of censorship that Google is participating in, specifically in relation to Google China.<sup>8</sup>

Twitter, interestingly, did not ban Alex Jones, and have come under intense scrutiny for their decision. Jack Dorsey, Twitter's CEO states "If we succumb and simply react to outside pressure, rather than straightforward principles we enforce (and evolve) impartially regardless of political viewpoints, we become a service that's constructed by our personal views that can swing in any direction. That's not us."<sup>9</sup>

And it's Dorsey's standpoint which perhaps highlights the solution in approach for the other companies and limit the almost tyrannical power that big tech CEOs hold (such as Cloudflare's CEO Matthew Prince). Through my research it has come up again and again – rather than caving to outside pressure or leaving decisions to subjectivity through ambiguity – these companies should have a clear and fair process.

The Manila Principles on Intermediary Liability<sup>10</sup> is a document written by the EFF and other partners detailing a fair process for these intermediaries (such as Cloudflare and Facebook) to follow. It does not dictate what their policies should be, but rather how they should be devised, published and enforced. They include:

- Publishing content restriction policies online in clear language.

---

<sup>5</sup> <https://www.theverge.com/2018/8/6/17655168/alex-jones-infowars-apple-itunes-podcasts-removed>

<sup>6</sup> <https://newsroom.fb.com/news/2018/08/enforcing-our-community-standards/>

<sup>7</sup> <https://www.cnn.com/2018/08/06/youtube-removes-alex-jones-account-following-earlier-bans.html>

<sup>8</sup> <https://www.theguardian.com/technology/2018/nov/27/google-employees-letter-censored-search-engine-china-project-dragonfly>

<sup>9</sup> <https://www.gizmodo.com.au/2018/08/twitter-ceo-defends-giving-alex-jones-a-platform-to-spread-lies/>

<sup>10</sup> <https://www.manilaprinciples.org/>

- Practices must comply with the tests of necessity and proportionality.
- Publishing, in an unambiguous way, the due process for reviewing content.
- Ensuring that personal influence cannot alter a content review.
- Providing user content providers with an understanding of how they can alter their content to not break a content restriction policy.

In this way, free speech can be upheld, and arbitrary takedowns can be minimised. The principles also state that intermediaries should publish a Transparency Report detailing what content has been restricted and why. It's clear that in the case of Cloudflare, no due process was followed, and adopting these principles (or similar) could avoid the erosion of free expression online.

Some would argue that people demanding unfavourable content is removed from the internet – at a platform or more fundamental level – might have had a recent increase because of the algorithmic bias which powers the 'filter bubbles' online. For example, I am more likely to see content that compliments my political leaning. As a result, willingness to see anything which contradicts personal views has plummeted. Unfortunately, there are few ways to remedy this at our given point in time – if you reduce this bias people will see less favourable content and might abandon your platform, if you keep it you perpetuate the problem.

There is a potentially unintended consequence of the choice to heavily curate what users do and don't see – and that's people's suggestibility to lavish claims (what we might call 'fake news' today). This is likely why the actions of state actors tampering with the US election and EU Referendum vote through Cambridge Analytica was so effective. No one should have this power over people, and yet the tooling is there with content platforms being complicit in their manipulation. This is how misinformation spreads, and this is as impactful as direct censorship of unfavourable content.

My final point is about narrative control. By giving these huge, largely unchecked companies the ability to control access to content, they also get the control around the narrative of what is happening in today's world. It might allow users to sleep a little happier, but at the risk of sterilising the facts. The fact is neo-Nazis are around today, and intentional tragedies are plentiful. If these companies remove that content from your feeds (often from their entire platforms), you are less informed, potentially misinformed and less likely to act. Instead of deleting or restricting this content, locking and archiving them is more sensible – we should acknowledge and understand

all the worst parts of humanity, instead of pretending they didn't exist. After all, we don't like Holocaust deniers, do we?

In summary, this is not a new dilemma. We, the 'good guys', want to do the right thing and keep people safe, while making it clear that bad actors have no place in society. However, if the mechanisms we use to make this happen are inherently subject to abuse, it could quickly be 'us' who are censored. In a Western world with a bleak political landscape, setting precedents around online content restriction could backfire and empower extremists to silence those who disagree with them.