

Judge dismisses ‘vapid’ Elon Musk lawsuit against group that cataloged racist content on X

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A judge in California on Monday dismissed the tech billionaire Elon Musk’s lawsuit against the Center for Countering Digital Hate, a non-profit that has published reports chronicling the rise of racist, antisemitic and extremist content on X, formerly Twitter, since Musk’s acquisition. The case was dismissed in accordance with the state’s anti-Slapp law, which forbids nuisance lawsuits intended to punish the exercise of free speech. “Sometimes it is unclear what is driving a litigation, and only by reading between the lines of a complaint can one attempt to surmise a plaintiff’s true purpose,” wrote Charles Breyer, the US district judge, in the ruling. “Other times, a complaint is so unabashedly and vociferously about one thing that there can be no mistaking that purpose. This case represents the latter circumstance. This case is about punishing the defendants for their speech.” The dismissal was not unexpected. During a hearing last month, Breyer described parts of Musk’s case as one of the “most vapid extensions of law that I’ve ever heard”. Breyer also grilled Musk’s lawyers on why the company did not file a defamation lawsuit if it felt that CCDH was making false and damaging claims in its reports. “You didn’t bring a defamation claim,” Breyer said. “Now you tell me that, actually, this is even better than a defamation claim. But of course, it’s not.” Musk, who has claimed himself a “free speech absolutist”, did not immediately comment publicly on the ruling. Musk tweeted last week that the “CCDH is a truly evil organization that just wants to destroy the first amendment under the guise of doing good!” The CCDH celebrated the ruling, with its CEO, Imran Ahmed, stating that he hoped it would embolden other researchers to hold social media companies accountable. CCDH’s lawyer in the case, Roberta Kaplan, praised the decision as a vindication of the organization’s mission. “Today’s decision proves that even the world’s wealthiest man cannot bend the rule of law to his will,” said Kaplan. “We are grateful for the district court’s careful and comprehensive opinion, which refuses to allow Elon Musk and X Corp to weaponize the courts to censor good-faith research and reporting.” Musk’s X filed suit against CCDH last year, alleging that the organization “intentionally and unlawfully accessed data” through scraping the platform’s posts to make its reports. CCDH defended its practices as public data gathering and called the allegations “riddled with legal deficiencies”, arguing that the true purpose of the lawsuit was to censor speech that criticized Musk. “Musk’s & X Corp’s strategy is to keep this case in court for as long as possible to burden us with spiraling legal costs,” CCDH posted on X before the hearing. “This is a clear case of Strategic Litigation Against Public Participation (Slapp) aimed to scare us away from doing research on X.” Since Musk bought Twitter in 2022, later renaming it X, a slew of major advertisers have left the platform amid a documented rise in hate speech on the platform and a shift away from established news outlets to low-quality viral content. Musk has lashed out over the loss of advertisers with a series of lawsuits against groups that monitor hate speech, including suing CCDH in California and a separate suit in Texas against the

progressive non-profit Media Matters. During an onstage event with the New York Times in November, Musk additionally told advertisers who had left the platform to “go fuck yourself”. The lawsuits have concerned rights groups and researchers who see Musk as one of the world’s richest people attempting to leverage his immense wealth to silence critics. Musk’s efforts also coincide with a Republican campaign targeting anti-disinformation researchers, including lawsuits against organizations such as the Stanford Internet Observatory and University of Washington’s Center for an Informed Public. Musk is meanwhile facing a class-action lawsuit from former X employees, which alleges that the company failed to pay \$500m in severance following his takeover of the platform and subsequent mass layoffs.