

Freedom of Expression

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Freedom of expression is a founding principle of the United States, and encompasses the desire for true freedom. The phrase itself is not very specific however, and generates a lot of debate over just what should be allowed. Between free speech, protests, and governmental leaks there are plenty of legitimate forms of freedom of expression. Each of these is protected by the First Amendment, which states “Congress shall make no law [...] abridging the freedom of speech, or of the press” (U.S. Const. amend. I). The internet complicates these matters a bit; since most large public forums on the internet are owned by private corporations, they generally have the right to censor speech as they please. This is somewhat at odds with concept of being unbiased service providers; many believe that large social networks are the de-facto street corners of today, and as such should be treated like public utilities under the law. Aside from that, freedom of expression takes many other forms, such as media and art. In art we can see representations of political or otherwise controversial views or ideas; many consider this to be covered under free speech. We also see the claim that certain obscenities such as pornography are covered under the freedom of expression; this is a perversion of the original terms and concepts the framers of the constitution were trying to protect. There is a clear distinction between things that one may disagree with and be offended by, and things that are entirely damaging to society and individuals without any redeeming value at all. My goal is to draw the line between these things.

In modern times there is a lot of debate over how much speech should be free or regulated online. The debate seems to be nearing its peak as the President of the United States is now being censored on twitter for posting controversial tweets. An article titled *Twitter Censors the President* by Sunbeam covers a few instances of this. In one tweet, he mentioned the risk of mail-in ballots; twitter responded by editorializing the tweet with “facts” about mail-in ballots from sources that have been historically biased against the President (Sunbeam, 2020). Right now Twitter is protected in doing this because they are a private corporation, and not a public platform. This should change, the social media giants of today are the De Facto street corners of yesteryear. In another instance, mentioned by a Post Millennial article, The President tweeted about not tolerating an “Autonomous Zone” in Washing, D.C. Twitter Safety targeted the tweet for “the presence of a threat of harm against an identifiable group” (Emmons, 2020). Never minding the fact that said group was only ‘threatened’ with retaliation if it should occur that they tried to ignore local and federal government ordinances and secede into their own sovereign entity, which has been illegal since the 1869 Supreme court found it illegal due to the word “perpetual” in the Articles of confederation (McClanahan, 2012). An existing sovereign entity’s right to secede is another matter, but that topic is beyond the scope of this essay. What is clearly certain is that a random group of violent anarchists do not have the right to declare their own authority over a patch of land that falls in the jurisdiction of the United States’ government. In response to this, the President simply tweeted that they would be met with “force,” not violence, if they tried to. Twitter’s response is fully political, an attempt

to appease De Facto revolutionaries, who are meanwhile on Twitter calling for the death of all cops, and being ignored by Twitter Safety (Emmons, 2020). The irony of Twitter's censorship in this case, is that they are not removing the President's tweet, just locking it so no one can comment; effectively silencing any potential critics as unable to reply to his tweet (Emmons, 2020).

Twitter's trouble maintaining the Freedom of Expression does not end with the President. Stefan Molyneux is a philosopher based in Canada, but relevant as the websites he used to reach people are based in the U.S. and fall under U.S. law. He would regularly talk about many different topics involving philosophy and sociology, and his opinion is that nothing should be taboo to consider in the realm of ideas. As Tom Parker wrote on Reclaim The Net:

Less than two weeks after being banned from YouTube, a platform where he'd spent 14 years building a following of more than 928,000 subscribers, philosophy show host Stefan Molyneux has been banned from Twitter.

Like YouTube, Twitter was a major platform for Molyneux and he'd spent nine years building a base of more than 483,000 subscribers before his account was suspended. (2020)

This trend of people being removed from multiple websites at nearly the same time is not new, though it is becoming more common. It has been referred to as "deplatforming," and a few noticed the canary in the coalmine when the infamous Alex Jones was simultaneous deplatformed from Apple, Facebook, Spotify, and Youtube at precisely the same time (Streiff, 2018). Streiff explains very succinctly why this sets a bad precedent for the freedom of expression, and how we could stop this:

What is under attack here is not Alex Jones's nutbaggery. The objective is to move any dissenting media or even nutty media off of widely available platforms and force it into internet ghettos where it can be slowly starved to death. InfoWars is simply a test run. We'll see the same strategy aimed at other right-leaning media in the very near future.

I think we've reached a point where these major media platforms need to be told by Congress and by the FCC that they are expected to either behave like public utilities or they will be treated like rapacious monopolies and broken up. (2018)

He specifically mentions right-leaning media, but of course it is a very slippery slope to be targeting anything you do not like for censorship. Stefan Molyneux was not very deep into politics, but rather he pondered about abstract ideas. He naturally covered politics on a few occasions, but he generally focused on larger philosophical or sociological ideas and the data behind them. This was somehow too much for Twitter and Youtube, and they had to silence him.

Naturally, politics are a very divisive topic by themselves, but how are we to maintain freedom of expression when a college researcher is compelled to resign because of his scientific findings? Stephen Hsu was VP of Research and Innovation at Michigan State University (Rankovic, 2020). This case is a little different from the previous ones, rather than Twitter censoring his findings, Twitter was utilized to put pressure on MSU to fire him for having the wrong conclusions. This is a form of censorship, it sends a clear message, as Didi Rankovic writes:

GEU Vice President Acacia Ackles now says that Hsu's work was an example of discordance with the university's values, and meant that he was no longer fit to deal with issues like coordinating undergraduate studies and recruiting scholars.

Moreover, Ackles spelled it out: opposition is not allowed. "It is the union's position that an administrator sharing such views is in opposition to MSU's statements released supporting the protests and their root cause and aim," she wrote in an open letter. (2020)

Despite this, the petition against him had only 800 signatures, where as another petition supporting him was backed by over 2,000 (Rankovic, 2020). What could all the fuss be over? The trouble was that Hsu wanted to study the race bias linked with police shootings, and "interview Joe Cesario an MSU professor and psychologist" (Rankovic, 2020). Rankovic goes on to write:

Cesario in 2019 conducted a study that found there was no widespread racial bias in incidents that involved the police using firearms against suspects – and, perhaps crucially here, the study dismissed activists and media as, essentially, not knowing what they were talking about.

"Contrary to activist claims and media reports, there is no widespread racial bias in police shootings," Cesario wrote. (2020)

In short, Stephen Hsu was forced to resign because he disagreed with the mainstream media's interpretation of current events and political issues. With the proper safeguards in place for freedom of expression, one would not be able to be punished for simply saying something someone else disagreed with, especially when it can be backed up by scientific data. This is according to a study by the aforementioned Cesario, Taylor, Burkel, Tress, and Johnson, "We did not find evidence for anti-Black or anti-Hispanic disparity in police use of force across all shootings, and, if anything, found anti-White disparities when controlling for race-specific crime." (Johnson et al., 2019). Now there are some parties who would like to retract the study, because it does not fit their narrative. However, Hans Bader points out:

Professor Bernstein observes that "It's absurd to ask that a valid study be retracted [because] you think others are 'misusing' it. A study says what it says, and so long as it wasn't actually flawed it

shouldn't be retracted for political reasons except perhaps under truly extreme circumstances, which this isn't."

[...]

Many of the people on Twitter angry over this study seem convinced that the police kill only unarmed black people, not unarmed white people, and that police killings of people like George Floyd must be racist as a result.

But that's wrong. Most unarmed people killed by the police are white. In 2019, [15 unarmed](#) black people were [shot and killed](#) by on-duty police officers, compared with 25 whites. Victims remain [mostly white](#) if you expand the tally to include off-duty police officers and deaths from causes [other than](#) gun shots.

[...]

The media [leave](#) the false [impression](#) that most people killed by the police are black. That's because it spends weeks talking about the killing of black people like George Floyd, but it only briefly mentions the police killings of unarmed whites, like [Tony Timpa](#) or [Daniel Shaver](#). Timpa died after 14 minutes of being restrained and struggling [to breathe](#). Shaver was shot despite [pleading](#) not to be killed. (2020)

Where is the freedom of expression in retracting a scientific study that points out the inherent bias of the mainstream media? This sounds more like an attempt to create an Orwellian society where only the state gets to decide what information is available, and freely chooses its own version of facts as reality.

As seen so far, there are many instances where the freedom of expression should be properly seen but is instead restricted and smothered instead. There is at least one egregious example however, where the opposite occurs. The mainstream media has regularly taken advantage of its De Facto monopoly of information to control the public. One can purport that it is freedom of expression, but it becomes difficult to call it freedom of press when they are effectively running a psychological operation to control the masses. A few years ago we see a great example of this. After the President disavowed white supremacists in no uncertain terms, the media turned around and said he was giving them a boost (Adam, 2017). In his article about this topic, Adam writes:

As she goes on to say, "to gas light is to psychologically manipulate a person to the point where they question their own sanity", and that's precisely what the mainstream media is doing to the country. (2017)

The various members of the media continuously purports themselves as the only honest source of information available, but they constantly get facts wrong, lie, or contradict themselves; and this without any consistency (Adam, 2017). This helps their cause, they seek to confuse the truth so much that one cannot help but wonder what really is true, and in doing so they make everyone question their own sanity.

At a certain point, it becomes easier to just go along with it all. The mainstream media like to throw around ‘fact-checking’ despite having very little fact-checking done to them (Adam, 2017). The biggest problem in all of this is that the media consistently resists any attempt at free thought contrary to their narrative, and insists that it is due to the opposition’s own delusions; claiming to be the hero and victim by insisting that all who stray too far from the farm are insane (Adam, 2017). The media’s first priority is profits, and the best way to get them is through controversy. Knowing this, they deliberately take any angle they can on hard news to push opposite sides against each other and sow division in the United States (Adam, 2017). One way we can start remedying this is to start fact-checking everything for ourselves, every piece of news; and using primary sources to do so (Adam, 2017). I would go a step further and suggest checking into older stories to verify them, and even commonly accepted “truths” that are considered as common knowledge in our culture; check and verify everything you can. A lot of fact-checking sites are designed to distract or misdirect, use other sources to check up on information.

A big part of how the media drives the narrative and tries to divide us and sow resentment among fellow Americans, is by obscuring facts. In a particularly polarizing election year, 2016, Wikileaks leaked large batches of emails from the DNC and Hilary Clinton Campaign. Rather than reporting about the contents of the emails, the media largely ignore them or focused on calling the leaks illegal. Freedom of Expression would not cover hacking to steal private emails, but there is forensic evidence to suggest that the contrary occurred. Due to an earlier leak by whistleblower Edward Snowden, we know about some of the NSA’s digital forensics technology; it would be able to trace if the emails were stolen through the internet (Hoft, 2019). NSA’s statement says they had “moderate confidence,” which means no real evidence was found of Russian meddling, if there was any hard evidence it would have been said as “full confidence. (Hoft, 2019). Due to this, the only reasonable assumption left is that someone inside the DNC copied the emails and leaked them themselves. This form of whistle-blowing and leaking dirty secrets may not be technically legal under current law, but it should be. In the interest of freedom of expression, and especially to safeguard the freedom of the press, leaks like this are vital to ensure that the public has as much information as possible when making important choices. Snowden’s earlier NSA leak helped many laypeople realize the importance of good internet privacy habits, because what is legal today may not be tomorrow. With a massive portfolio of data about each citizen in the U.S., the NSA could potentially use that information to charge individuals for crimes retroactively, after new laws are passed. Whistleblowing is an essential part of the freedom of expression to keep people safe and as aware as possible about the world they are living in. This makes it all the more concerning that the U.S. government has indicted Wikileaks founder, Julian Assange, on 18 separate counts. Many of these charges are under the Espionage Act of 1917 and one is a charge of violating the Computer Fraud and Abuse Act; a dangerous precedent as these acts have never before been used to charge a journalist for

sharing true information for the good of the public (PEN International, 2020). This is a concerning path to go down, not many steps short of Soviet Russia's methods of outright silencing any public opposition by sending people to the Gulag. The key point of concern is not simply that the whistleblower themselves is in trouble, which is bad enough as an affront on the freedom of expression. Rather, the *publisher* of the information is being targeted for legal discipline. Going back a few paragraphs you may remember that companies such as Facebook and Twitter are exempt from liability due to being considered as a publisher; so this contradictory move by the Department of Justice should raise concern for any who consider the freedom of expression to be vital, it should be challenged, legally, as much as possible.

Obscenities are often defended under the guise of the freedom of expression. To see whether or not this is a fair point we only need to use the common knowledge that many of the founding fathers of the U.S. used the Bible as a guide for writing many of our laws, and their view of freedom was not absolute destructive freedom, but rather liberty from tyrants. So when someone claims that any form of pornography is simply artistic expression, the historical answer to this is a resounding "No." To see the mindset that the framers of our country had, we can see what Jesus said as found in the Bible, "**But whoso shall offend one of these little ones which believe in me, it were better for him that a millstone were hanged about his neck, and that he were drowned in the depth of the sea.**" (Matthew 18:6, KJV). There have never yet proven to be any porn sites which actually prevent child pornography to exist on them successfully. Regardless, endless studies and common knowledge know it is common for minors to view these sites, much to the detriment of their own mental and physical health. Pornography is not freedom of expression; it is freedom of exploitation and should be against the law in every case.

There are many concerning issues on the topic of freedom of expression, I have barely scratched the surface. There is rampant censorship on social media, going so far as to restrict the President. On the other side we have social media mobs, pressuring the resignation of a researcher due to his scientific findings. The mainstream media is free to gaslight the world and any who dissent from the official narrative is called fake news and made to believe they are losing their mind. Whistle blowers doing their best to help out everyday people are treated like terrorists or traitors by the government. Things seem bad, but we are a creative people and the need for true and proper freedom runs deep in our blood. To combat the censorships of social media, Andrew Torba created Gab, a social media site that allows truly free speech. Since its creation, Gab has gone through many trials to stay online, but is currently standing strong as a bastion for free expression for all, now all more secure for dealing with those past difficulties. Gab has even taken a hard stance against porn, knowing that dehumanization and obscenities have nothing to do with the freedom of expression. Due to the tenacity of the internet, one can find all sorts of information outside of the media's narrative. It may take some effort, but with proper researching and vetting, one can find out many hidden truths; helping to secure the freedom of expression. Unfortunately,

there is still no protection for whistle blowers or those targeted by internet mobs, but with enough social and political pressure we can change that. For now at least there are other countries in the world friendly to the concepts of free speech where these people can take asylum. Grass roots campaigns in local communities can grow into large nationwide movements; there are always steps you can take to peacefully and legally fight for your freedoms. Additionally, you can contact your representative and try to pressure them into putting pressure on the right people; they are there to serve you and all of us. In an ironic twist, the best way to secure the freedom of expression is by using it to the extent that we still can; never stop expressing your ideas.

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