

Facebook, YouTube and Twitter will fight Texas crackdown on 'censorship' of Trump, conservative speech

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Facebook, Google's YouTube and Twitter will fight a new Texas law cracking down on social media companies for allegedly censoring conservative speech and former President Donald Trump.

Gov. Greg Abbott, a Republican who publicly backed the legislation, signed the bill Thursday, making Texas the second state to target companies for restricting or removing content or accounts for violating their rules.

"There is a dangerous movement by some social [media](#) companies to silence conservative ideas and values," Abbott said during a news conference. "This is wrong and we will not allow it in Texas."

The Texas law, passed in the final days of the second special session called by Abbott, would allow any state resident banned from a social media platform for their political views to sue the platform.

The state attorney general also would be able to sue on behalf of a user or a group of users.

It is similar to a Florida law that was blocked in June by a federal judge one day before it could take effect.

Trade groups representing the technology industry pledged to challenge the law on the same basis they challenged the Florida law which, they say, has the same First Amendment flaws and is unconstitutional.

"The same outcome will almost certainly occur in Texas," Steve DelBianco, NetChoice's president, said.

"Moderation of user posts is crucial to keeping the internet safe for Texas families, but this bill would put the Texas government in charge of content policies," he said.

Proponents of the new law hailed its passage.

"Texas' new law, House Bill 20, is a paramount move taken by Lone Star

legislators to protect the free speech rights of their constituents," said Samantha Fillmore, state government relations manager for conservative think tank The Heartland Institute.

"There is no question that big tech is integral to free speech in today's day and age," she said. "Because of this, Big Tech can no longer unilaterally decide who can say what without being held accountable."

Dozens of states are considering legislation to restrict how social media platforms regulate people's speech, though few have gotten this far.

These bills resonate with conservatives who believe their First Amendment rights are violated when social media posts are labeled or removed or when their accounts are banned for violating the policies of social media platforms. Trump's suspensions from the major platforms inspired the new bills.

"This move by Texas, a heavy hitter in national politics, is likely to inspire other states to take such measures to show their citizens that America is, and will continue to be, a place for free thought, speech, and expression," Fillmore said.

Texas law spurs First Amendment debate

The First Amendment protects people from censorship by the federal government, not from content moderation decisions by private companies.

Social media companies say they don't target conservatives, only harmful speech that violates their rules.

Texas House Democrats warned during a recent hearing that the new law would stop social media companies from taking down harmful content.

They offered amendments that would have allowed the removal of posts promoting Holocaust denial, terrorism and vaccine disinformation but were defeated.

"Forcing social media platforms to stop moderating content, whether it's misinformation or hate speech, is going to have real world consequences," said Adam Kovacevich, CEO of Chamber of Progress, a tech industry coalition that includes Facebook and Google.

"What's said online doesn't just stay online, it spills over into people's lives and impacts our health, our democracy, and our communities," he said in a statement to U.S. TODAY.

New laws punish social media for 'censoring' conservatives, Trump

Florida was the first state to push through legislation when Gov. Ron DeSantis, a Trump ally, signed a bill in May that penalizes social media companies for removing or barring the speech of politicians.

However, a federal judge temporarily blocked the new law after NetChoice and the Computer & Communications Industry Association—trade groups that represent Facebook, Google and other tech companies—sued. DeSantis is appealing.

The Texas law goes further than Florida's because it applies to all users and prevents social media platforms from making decisions based on the "viewpoint" expressed in the post.

The Republican claim that powerful tech companies are biased against conservatives is emerging as a top issue to rally the base in the 2022 midterm elections.

Both Abbott and DeSantis are widely seen as possible GOP 2024 presidential contenders coming from big states with large electoral votes. Abbott is facing his first challenging Republican primary to be reelected governor.

"Big Tech's efforts to silence conservative viewpoints is un-American, un-Texan and unacceptable and pretty soon it's going to be against the law in the state of Texas," Abbott said at a news conference announcing similar legislation in March.

The Heartland Institute recently estimated that 70 bills in 30 states are challenging "[big tech](#) censorship."

The Republican claim that powerful tech companies are biased against and "cancel" conservatives is emerging as a top issue to rally the base in the 2022 midterm elections.

The GOP is betting it will boost voter registration, turnout and fundraising as it tries to retake the U.S. House and Senate, political observers say. It also could help Republicans at the state level.

Trump, who was banned from the major social media platforms after the Jan. 6 insurrection, escalated his war with Big Tech in July when he filed suit against Facebook, Google and Twitter and their CEOs, claiming the companies violated his First Amendment rights.

Trump and Republicans fundraised off the lawsuit, though legal experts say it has virtually no chance of success.

Is mainstream social media biased against conservatives?

The perception that tech companies and the billionaire CEOs who run

them are biased against conservatives has been around for a long time, but intensified as Trump made "social media abuses" a major plank of his administration and reelection campaign.

After he lost the presidency, Trump attacked tech companies for labeling or removing posts that spread falsehoods about the outcome of the presidential election.

Complaints of ideological bias come from across the political spectrum, but it's difficult to prove social media platforms are targeting any one group. Tech companies disclose little about how they decide what content is allowed and what is not.

Researchers from New York University, the University of Virginia and elsewhere say they've found no evidence to support GOP grievances that [social media companies](#) stifle conservative voices. If anything, they say, social media platforms amplify the voices of conservatives, shaping the worldviews of millions of voters.

But for some conservatives, the 2020 election proved Big Tech's ideological bias. They point to tech companies throttling the spread of a New York Post article which made uncorroborated claims about Hunter Biden's business dealings, the Trump social media bans and the takedown of Parler, a social media platform popular with the political right.

Nine in 10 Republicans and independents who lean toward the Republican Party say it's at least somewhat likely that social media platforms censor political viewpoints they find objectionable, up slightly from 85% in 2018, according to an August report from the Pew Research Center.

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