

## Rationally Speaking #200: Timothy Lee on “How much should tech companies moderate speech?”

Julia Galef: Welcome to Rationally Speaking, the podcast where we explore the borderlands between reason and nonsense. I'm your host, Julia Galef, and I'm here today with Timothy Lee.

Tim is a senior tech policy reporter for Ars Technica. He's also written for The Washington Post and for Vox. I reached out to Tim to talk about the thorny, but increasingly important, issue of how much tech companies should be moderating speech on their platforms -- which is something that he's been covering very thoughtfully for the last few years.

So, for example, people using Twitter for harassment or bullying; people creating subreddits on Reddit that are offensive or could be considered hate speech; people, or bots, sharing fake news on Facebook -- that kind of thing. That's what we're going to be talking about today. Tim, welcome to the show.

Timothy Lee: Hey, thanks for having me on.

Julia Galef: I guess, first off I'm curious if my impression is correct that tech companies have been moving in a direction of more actively moderating speech in the last few years. And, if yes, why do you think that is?

Timothy Lee: Yeah, I think that's absolutely something that's happened. The biggest change you've seen is that there's some companies, like Reddit and Twitter, probably the two most prominent, who used to take a pretty hard line free speech position-

Julia Galef: Right.

Timothy Lee: Of, "We're just an open platform. We just help people connect and exchange information, and basically as long as you're not breaking the law we're not going to filter or restrict your speech."

And they have increasingly backed away from that stance. I think largely because, as they become more mainstream, there are just norms in the real world that have seeped into the internet, particularly around issues like race and gender.

Also, I think the other thing that's happened is having the internet at a very large scale is different from having it when it was a side part of people's lives. The internet is now so all encompassing for people. For

example, with online harassment: 15 years ago if someone tried to harass you online, you could just turn your computer off and it didn't matter. But now if you are checking your smartphone several times an hour and somebody's harassing you it really matters more.

So, I think as the stakes have gone up, groups that previously just didn't care that much about what happened on the internet, groups like civil rights groups, for example, just have become much more concerned with these kinds of issues. And so, it's been more expensive to companies to take that hard line free speech position that some of them took in previous years.

Julia Galef: Right, and as social media, for example, has become a bigger part of our lives it's an increasing sacrifice or burden to just go offline.

Timothy Lee: Yes, exactly.

Julia Galef: Although, the flip side of that is: if your speech is moderated or censored then losing that platform is a bigger deal now than it was before. So, feels like the stakes are higher on both sides, to me.

Timothy Lee: Yes, absolutely.

Julia Galef: To me, one of the most interesting aspects of this issue is trying to define, what *are* social medial companies? What kind of entity are they most analogous to?

And I've heard three main answers to this question in the discourse. The first is: they're private companies. They're making a product, and they can set whatever rules they want about who can use that product and how, as long as they're not breaking the law, and as long as they're not discriminating against protected classes.

The second answer is: they're media companies. And the reason that becomes relevant is: as such, they should be held responsible for their content. So, this is often cited in the process of demanding that companies like Facebook should take responsibility for the truth -- like the veracity or the bias -- of the content that's shared on their platform. Even if that content was shared by users and not by the company itself, as a traditional media company would.

The third answer is: they're public utilities, and they should be regulated as such. And I mean, traditionally public utilities are ... they're defined that way because there's only one infrastructure everyone's using, like for electricity or water, and so you don't get a natural competition of different providers for that thing. That's not

true of social media -- but there are these network effects, where everyone wants to be on the same platform. So that kind of ends up working like a natural monopoly on infrastructure.

So, do you think that one of those answers to the question of “What are social media companies -- private companies, media companies, and public utilities?” ... do you think one of those answers is closest to the truth? Or would you give a different answer that I didn't list?

Timothy Lee: I think I would draw the lines a little bit differently. I think the private company thing is clearly true from a basic level. Private companies have the legal right to basically run their platforms however they want. There are very strong legal protections if a company wants to make, for example, a totally open platform where they're not moderating. They have basically absolute immunity for content that their users post.

Julia Galef: That's a *legal* answer though, right?

Timothy Lee: That's a legal answer, but-

Julia Galef: I mean, you can answer both legally and also, sort of ...

Timothy Lee: Yeah, but I guess you're saying... They *can* do whatever they want, and they clearly can, but the question is: what *should* they do?

The answer to that, I think, two of the categories you said are useful categories. One is a utility or, I would say, a platform provider. Comcast, for example, is clearly just providing a platform. Nobody expects them to moderate or censor content that flows across their network.

A media company is kind of the opposite extreme, where they are exerting ... like The New York Times is a platform where it's primarily distributing content that they have chosen, to their audience.

I kinda think there is a third category, which is “community.” Which is where the function of the company is to help a group of people communicate with each other. But rather than simply being a passive conduit for information they are trying to cultivate a certain kind of ... a certain set of social norms, a certain kind of community, so that people are nice to each other and the topic is kinda steered in a particular direction. But they're not necessarily choosing individual pieces of content or individual people to elevate above everybody else.

And, I think that in general social media companies are some mix of media companies and community builders, but I think the specific mix kind of depends on the specifics of the platform. I think different platforms you can kind of make different arguments about how much they are one or the other.

Julia Galef:

Yeah, and on the legal side: do you think that the case for them being public utilities of some sort has any legal merit?

I've seen a couple examples of potential legal precedents for this. There was one case, I don't remember when, probably at least ten years ago, in which some people wanted to do some political protest or pass around some political petition at a mall. And the mall didn't want them to.

But the court ruled that the mall can't prohibit people from doing that, because even though the mall is privately owned it has become increasingly the case that malls are like the "public squares" of our country.

Which is kind of depressing, but nevertheless -- it was true, I guess, more ten years ago than now. And so it's unfairly restrictive of our free speech for malls to regulate what people can and can't say within them.

So, that kind of thing could be a precedent for -- and that's not directly about public utilities, but it's a precedent for putting restrictions on private companies in terms of how much they can, in turn, restrict speech.

Timothy Lee:

Yeah, I don't know of any significant legal momentum in that direction or any efforts to establish those kinds of precedents. And it doesn't really seem like a good idea to me. Because, although it's certainly true that, say, Facebook is a very large company that has a lot of influence, it is still true that you can use Twitter, you can use other kinds of platforms.

And so, I don't think we are, at least yet, at the point where ... I don't think very many people would really want the government pushing companies in that direction of, you have to carry certain kinds of speech. I think most all the pressure is in the other direction -- certain groups of people would like companies to crack down on certain kinds of speech, as a matter of discretion; those companies are under a certain amount of pressure from people that would like to see more heavily moderated platforms.

Julia Galef: How is this issue breaking down along political lines? Is it just liberals are calling for moderation of hate speech, and conservatives are pushing back and calling for no moderation? Or is the political breakdown more complicated than that?

Timothy Lee: I think that's the broad outline. One of the interesting things you see on the left is that I really do think you've seen a schism on the left where different parts of the traditional liberal movement have been brought into conflict over this.

So, in the early days of the internet you had the civil libertarian wing of the left -- the ACLU, and the Electronic Frontier Foundation, early internet cyber libertarian or cyber liberal people and companies. That was kind of the dominant view of left-of-center thought on the internet.

And, at the same time, in the offline world you had groups like the Southern Poverty Law Center, other kinds of civil rights groups that were more used to seeing certain kinds of speech as problematic. And as those groups and the constituencies they represent have become more active and visible online, I think you see some inter-left disagreement. Where you have some parts of the left pressuring technology companies to more aggressively censor certain kinds of speech, and then you have other parts of the left that are a little less comfortable with that kind of thing.

Among the right, I think it's mostly reactive. Because most of the recent momentum for restricting kinds of speech as "hate speech" is probably the largest category, conservatives who believe that some of that "hate speech" is not actually hate speech, it's actually garden variety conservative speech, they are worried about it going overboard and going after more generic conservative speech. So, I think on the right, the people who are mostly interested in this issue are more on what we call the free speech side.

Julia Galef: Right. I did see Tucker Carlson call for the kind of regulation I was describing a few minutes ago -- regulation to protect free speech. Which, I have no idea how representative that is. But, it's interesting if conservatives are in favor of "free speech," that puts conservatives in the awkward position of supporting regulation of private companies, which is not a typically conservative position. To protect that free speech.

Timothy Lee: Yeah, that's been a little bit strange.

Dennis Prager is a Youtuber, a fairly prominent conservative who sued Youtube arguing that certain Youtube policies restricting ... I think it was largely over the monetization of Youtube content -- where sometimes if content is controversial Youtube won't take it down, but it will stop placing ads against it. Which obviously, if your business model is you are an ad-supported Youtube channel, that is a significant burden. He has sued Youtube arguing that there is a problem with this.

I don't think that has gotten a lot of traction. I think that it's been a little bit opportunistic. Tucker Carlson is not exactly the most intellectually rigorous, I think, commentator, and can be a little bit opportunistic on these kinds of issues...

Julia Galef: In the sense that, "I support whatever principle happens to serve my side's interests right now" ?

Timothy Lee: Yeah. And I think what you're seeing happen is that certain tech companies, especially Google and Facebook, have become whipping boys for the right. And so, there's a certain populist opportunity for anything that bashes what are seen as left wing tech companies. There's a constituency for that. And the fact that some of the things that you might do to bash tech companies are inconsistent with other principles that a conservative has, doesn't necessarily stop everybody from taking those opportunities.

Julia Galef: It's interesting that you say they're whipping boys for conservatives, because it also feels to me like they are whipping boys for liberals a lot of the time. Or at least some significant sections of the liberal side. You know, they're now these powerful elites, and liberals are traditionally suspicious of powerful elites. Do you think that the backlash to the tech titans is lopsided, politically?

Timothy Lee: Well, I think there's different kinds of backlashes. Part of the problem that these tech companies have is that they have their hands in so many different pies that they've been able to alienate almost every corner of the political spectrum on some issues.

So, you've seen a totally different part of the left from the two categories I was talking about before. You have certain antitrust scholars, and thinkers about economic policy, and economic power, have identified Google, Facebook, and particularly Amazon in this context as an increasing threat to innovation and internet openness and so forth. They just don't like the idea of a few companies controlling so much of the content we watch and read and so forth.

But they are much more focused on structural changes. They would like to, you know, force Facebook to give up control of Instagram. And it's not clear what effect that would have in any particular direction on, say, moderation of hate speech.

Maybe if you had smaller, more independent companies, maybe they would be more subject to kind of grassroots pressure to restrict things. Or maybe they wouldn't. It's hard to say. But I think that's in a different direction than the question of, "Should we have more restriction of hate speech, versus more free speech?" position.

Julia Galef: On the legal issue: if companies are publicly traded they then have a responsibility to try to maximize their value for their shareholders. Couldn't that, at least in theory, trade against the idea that they can just moderate speech however they want, or in response to public pressure?

Timothy Lee: I think that the courts are pretty deferential at that level of granularity. I mean, you're certainly supposed to act in the interests of shareholders, but you can easily make arguments on both sides, right? The case for restricted speech is if you have a very open platform, you have a lot of problems of harassment, you have certain minority groups feeling like they aren't welcome, and so actually you end up with a smaller platform.

And I think there's some evidence for this. The largest, most successful platform is Facebook, which is more aggressive about this kind of thing than Reddit and Twitter, and I think that there's an argument that they've actually created a more kind of wholesome, family friendly environment where a larger number of people feel comfortable.

On the flip side, obviously if you are censoring speech, the people who made that speech are not going to be welcome, so overdoing it in the censorship direction could also limit your audience.

And so, I don't think the courts will want to get involved in second guessing. The management can say, "We feel that the policy we have chosen is in the interest of shareholders." And I don't think the courts would want to get involved in trying to second guess that.

Julia Galef: On the political issue: I have been a little surprised that people who have been pushing for more active censorship – like, pushing for Facebook to block fake news, or pushing for more active restrictions on hate speech, or more broad conceptions of what hate speech is... I've been a little surprised that they don't seem to be, on the whole,

worried about having set these precedents and then that coming back to bite them.

So, currently it is the case that tech companies are basically liberal. In the sense that they are run by people who are left or center left, and the restrictions, for the most part, have been on things that the left dislikes.

But, it totally seems plausible to me that that could change. Maybe a tech titan ten years from now is run by a conservative, and he decides that it's hate speech to criticize the President, or something like that. And then having this precedent of, "Well, companies can just regulate speech however they see fit as long as it's technically in keeping with the law"...

To me, that seems worrying. From my perspective, we should be pushing for some policy that we think will be best overall, in the long run, and not just best for our current situation. In addition to wanting to do what is fair, of course -- but even if you were just self-interested, and you just want to promote your own side, it seems like you should be worried about this precedent backfiring.

What do you think?

Timothy Lee:

Yeah, I think that that general worry is important. I think the things you were talking about earlier between platform providers, editorial decisions, and community building is important. And, I see a company like Facebook a little bit more in the editorial judgment business and the community building business, in the sense that you're never going to have a Facebook that's really completely open. Where there's just like the American Nazi Party page where there's racial slurs and stuff. At some point Facebook is, just because of the kind of platform they've built, the kind of experience that people expect from it, Facebook is going to be moderating certain kinds of content. The question is just how far they're going to go. And you can criticize them in either direction for that, but I don't think it's really realistic to say they should never get involved in limiting that kind of content.

I think that when you go a level lower on the internet to ... so I would mention, obviously, for ISPs there is this net neutrality debate where it's kind of the opposite. Where most people want to legally prohibit companies that run the internet's infrastructure.

But one particularly interesting example here is this website called The Daily Stormer that's a literal Neo Nazi website, that had a stand-alone website, it wasn't on anybody else's platform. But activists

started pressuring the companies that provide them with basic internet service -- there is a service called DNS that controls the domain name that people type in to go to the site, and also there's companies that provide protection against denial of service attacks to make sure that you could stay online even if they try to force you off the internet... Activists pressured those companies to drop that website as a customer. And for several weeks they were unable to be on the internet because they kept switching to new providers and having them dropped.

I think that is more problematic. Because that's a case where... if you're kicked off Facebook, but you can create your own website and create an online forum, and people can kind of congregate there, then whatever kind of "out of the mainstream" ideas you might want to promote in the future, you're still going to be able to organize and reach people who are interested in hearing the message. Whereas if we have a world where certain kinds of messages are considered totally out of bounds that it is literally impossible to have content that's reachable on the normal internet, then... obviously you can spin out worst case scenarios where maybe ideas you think are important become seen as out of fashion. So, I'm definitely worried about that.

Julia Galef:

Yeah, that reminds me a little bit of the debate over, Should bakers be required to bake cakes for gay weddings, that kind of thing. Where one distinction that some people made, that I thought was a pretty good distinction, is: could you easily go to another baker and get another cake made? Or is there, like, one baker per city, or something, so you're at the mercy of that person's political leanings?

And, of course, you could argue that even if the market is full of lots of different bakers there should still be a requirement to not discriminate against gay weddings -- but that distinction still seems relevant to me.

And, it's tricky with, you know, you have Cloudflare and Google-

Timothy Lee:

Cloudflare's one of the companies, yeah.

Julia Galef:

And, I guess, Go Daddy... and it seems kind of wrong to force any one of them to host white supremacist websites -- yet it also seems wrong if these websites, as long as they're technically not breaking the law, can't have a site on the internet, because no one will host them. Both of those situations seem wrong, and I'm not sure how to resolve that tension.

Timothy Lee:

Yeah, well I think the details of what happened here were important, and one of the things that was happening was these denial of service attacks, which is people would ... you can go to the internet underworld and contact people that just have lots and lots of server capacity. In some cases it's server capacity, they've hacked into other people's computers and are using stolen bandwidth. But anyway, they would just flood targets with traffic. And so, that is a little bit like mob rule.

Think about it in a physical context: if a controversial group is trying to hold a rally, and a bunch of other thugs try to physically shut it down, you do generally expect the police to protect the physical safety of people. That's a case where it's clear. It's not exactly just a matter of company discretion.

There are various ways that third parties can put a ton of pressure on these individual providers. And I think that if you're providing a kind of basic infrastructure -- if you tried to get the electric company or the water company to shut down somebody's service because they have controversial views -- I think there is a certain layer of the internet where it's kind of like that. Where that's just really not the right layer for these kinds of battles to be fought on.

And I would rather have a completely open base layer of the internet, and then have the arguments on sites like Reddit and Facebook where people understand what's going on, and they know how to go to a different one if they don't like the way the one they are using right now is doing the moderation.

Julia Galef:

Got it. Would your view change at all if basically everyone was just using Facebook? Like, Twitter and other competitors died out, and everyone on the world was on Facebook, so there wasn't really a viable alternative? Although in theory, people could of course just run a message board themselves or have a comment section on their own personal website... It would just never get nearly the exposure as Facebook. So they would be at a huge disadvantage, but they could still technically host the discussions that they wanted?

Timothy Lee:

Yeah, I think that to some extent we are in that world, right? Facebook is way, way bigger than anything ... maybe there's a couple other sites, but there's two or three sites that are a huge fraction of the internet. But, I think that it's important. You know, if the American Nazi people ... if there's 100 of them and they want to start a website, they can do that. And so I'm not really bothered by the fact that unpopular ideas have trouble getting people to voluntarily go to their website and sign up. I think Facebook has this traffic fire hose, and if they choose not to

point it in a particular direction, that seems totally fine to me, as long as there is a relatively straightforward way for anyone that does want a particular kind of information to be able to go ...

You know, before the internet if you wanted to hear ideas, you had to stand on a street corner and hand out pamphlets. And setting up a website is way easier than that. So, it's never going to be the case that, assuming you have a kind of basic infrastructure of the internet working, is never going to be the case that it's going to be that hard for unpopular ideas to get their word out.

I wanted to go back, you were mentioning before about Facebook fighting fake news, and I actually want to stand up a little bit for the idea of fighting fake news, because I think this is something that people misunderstand a little bit.

The thing that I think is important to understand about Facebook is that Facebook is not behaving like a neutral platform.

Like, Twitter primarily shows you a reverse chronological list of the people you follow, what they're posting, and so you see a sort of representative sample of what the people you follow are posting. And twitter isn't really deciding very much what you see.

On Facebook it's very different. On Facebook, the newsfeed is sorted based on a proprietary algorithm that Facebook controls, and they use various variables that, in their judgment, makes for a better newsfeed. And in practice I think they use variables that are bad for the world. Engagement is a big one -- how many times do people click and share? I think that pushes people in directions that lead them towards content that would not be considered good criteria if you were, say, running a newspaper.

And so, when I at least suggested they ought to be fighting fake news, the main thing I would like them to be doing is: I would like them to use the power they are *already exercising* in a more responsible way, and say, "We are, in fact, making editorial decisions here, and we should not be doing the equivalent of, like, putting candy bars in front of every customers because that's the thing that sells the best. We should be thinking about what, in the long run, what will make our platform most useful and valuable for our users and for the larger society."

Julia Galef:

That is a really important distinction.

Although... earlier we were talking about how there is a lot of room for interpretation when you're talking about what actions maximize shareholder value. And in that case we were talking about harassment or bullying, and there's a very strong case to make that you are maximizing shareholder value by coming down hard on harassers or bullies, even if that reduces the total number of people using your site.

But in the case of Facebook sort of willingly stepping away from their engagement-maximizing metrics, that seems a little tougher to just throw up our hands and say, "Well, who's to say what actually maximizes shareholder value?" There is a pretty strong case for increasing engagement maximizing shareholder value. And the case against that is pretty clearly just about benefit to society, which is not about shareholder value.

Like, it's a very important thing that I care a lot about -- but if we're just talking about what maximizes shareholder value, it's a little hard to make a case against that.

Timothy Lee:

I'm not sure that's true. I think it's certainly possible ... certainly when you are a small site on your way up, maximizing engagement is going to grow your audience and so forth. But at this point I think Facebook might have a sticky enough audience that if they dialed that knob back a little bit, people might feel a little less dirty seeing their news feed every day, but they still feel enough of a pull that they're coming regularly, and over the long run.

But also, I guess... thinking about this more: I think this idea about maximizing shareholder value, it's really important not to overstate it.

If you think about The New York Times, which is a publicly traded company, they do not decide what goes on any one of The New York Times by deciding what's going to maximize shareholder value. They put investigative pieces and in-the-weeds policy pieces that they think are important, but are not necessarily going to sell the most papers on the front page all the time.

And The New York Times is structured in such a way ... the Sulzberger family has these supermajority voting rights that allow them to exercise editorial control over the paper, even though they are not the majority shareholders. And, if you don't like that, you can buy different stock. But I don't think anybody would say that The New York Times has any obligation to do what would maximize the returns of the shareholders. There are other objectives. And, I don't think there's anything in corporate law that requires that.

Facebook is in a similar situation, in that Mark Zuckerberg has effectively dictator for life status at Facebook. He has a majority of the voting rights for Facebook and basically can't be fired, and so if he decided he wants to take a short-term financial hit and put a lot of high quality content, however you want to define that, in front of Facebook users, there is certainly nothing legally that shareholders could do about that. And I don't think there would be any kind of ethical or moral problems with him doing that.

Julia Galef:

Yeah -- and actually, just to push back on my own argument for a minute, it occurs to me that when I talk to people running tech companies, one thing that comes up a lot is that one of the hardest things for them is attracting really high quality employees. They are competing hard on that axis.

And a large percentage -- I don't know if technically a majority, but at least a large minority of tech employees, care about the ethics of the company they work for. And they are also susceptible to social pressure. You know, people working at Uber have been embarrassed in the last year or two to tell people they work at Uber. And that deals your company a major blow in terms of your company's ability to attract the top employees.

So, you could really argue that it's in the best interest of the value of the company to do the ethical thing, and that could become increasingly true the more social pressure is applied.

Timothy Lee:

Yeah, absolutely. People make fun of Google's slogan, I don't know if they still officially have it: Don't be evil.

Julia Galef:

Don't be evil, yeah.

Timothy Lee:

But it's absolutely the case, I've known people, engineers that work at Google -- and people like working at a company that has a reputation for not being evil. And I think that that slogan had a kind of specific meaning at the time they started using it.

And I think one of the things you're seeing, I was saying before that there's kind of these two halves of the left that have come into conflict, but I also think it's even the kind of moral universe of Google employees, who are mostly left of center ... I mean, you have kind of the same thing where you have some of the people at a company like Google who really feel that the priority should be making Google a more inclusive, sensitive kind of company, and that those values should also include how they run their products. So, if there's a lot of harassment or racist or sexist or other kinds of offensive speech, that

cracking down on that is actually following the moral values of the Google employee community.

On the other hand, you have more libertarian employees who really feel the important thing about the internet is its openness and sense of freedom, so if you do too much cracking down on that kind of speech that that is actually running afoul of Google values or Facebook values, or whatever.

And so, like you said, it's not just tht the CEO has a particular value or that external groups are pressuring them. I think a lot of people in these companies wrestle with those two values, and different employees prioritize them differently. And how these companies behave is ultimately the result of those kinds of internal debates.

Julia Galef:

We've talked about some examples so far in which your take is: moderation is totally justified and good. And, we've also talked about, in the case of The Daily Stormer, your take being that moderation -- moderation in the sense of refusing to host -- is not appropriate, because in that case the service being provided isn't really a platform, it's just infrastructure. The infrastructure of the internet.

I'd be curious to hear any other examples you would put in either the clearly appropriate censorship, clearly inappropriate censorship, or the third category being really tricky gray areas, where you're not sure if censorship/moderation is appropriate.

Timothy Lee:

I guess I would pretty much lean on the kind of infrastructure versus community distinction. I think that, at the basic level of internet service providers, DNS providers, web hosts, those kind of companies, I think it mostly makes sense for them to take a hard, strict line of: we're just a business that provides infrastructure, and we don't get into content.

For companies, I think it's more a pragmatic question of, companies need to be consistent and need to be seen as reasonable by their customers. And one of the things Matthew Prince, who is the CEO of Cloudflare, which is one of the companies that faced this dilemma, one of the things that he has emphasized is that it would be useful to think a little less about free speech and a little bit more about due process.

Because, these companies, especially companies that need to operate internationally, if you were in a country like Germany you were just going to have to moderate certain kind of hate speech. Because it's straight up illegal to have a Nazi website.

But what everyone around the world agrees to is that you ought to have *consistent* processes, where if you have content that is not consistent with whatever the norms of your community are, that people should be able to find out what the rules are, to find out how their content was judged inappropriate, have an appeal process, etc.

I think part of the problem you're seeing with a lot of these large, mainstream tech companies like Facebook, like Google, like Youtube, and etc. is that they are just starting to establish these policies. And because there is a lot of internal disagreement about what the policy should be, there is just a lot of stuff that happens, and there is no way to figure out why it happened, or what the rules are.

Julia Galef: Or seemingly inconsistent applications of the rules.

Timothy Lee: Yeah, absolutely. And to some extent it's inherently difficult because there is such a volume of material coming in that a person can't spend very much time.

But I think one of the challenges that they're going to have to figure out is to find ways to make the process more transparent and more predictable. So that you know that, "Oh, if I go to Facebook this kind of content is not allowed, and so I should set up this kind of account on Twitter instead, or I should post it on Reddit, or this one is just going to have to be on some forum."

I mean, one good example, I think, of this is with Youtube and the demonetization situation. Where a lot of conservatives have been complaining about how their content gets demonetized, and it seems to just be mysterious why that happens. And, my sense from my talking to various people involved with this, is often it's just the advertisers specifically don't want to be attached to controversies. So it may not be Youtube in particular.

Julia Galef: Can they not even tell if it's coming from Youtube versus the advertisers?

Timothy Lee: I think it's not clear. Yeah. I've not actually looked into details of how the interface works. But, yeah, I think it's not ... and the advertisers probably don't want it known which particular advertiser, or whatever.

I'm not sure how it all works, but anyway, the point is that Youtube should be more clear about like, "Here are the circumstances in which your video gets demonetized." And maybe if it is the case that there's a video that's available for advertising in general but no advertiser has

agreed to pick up the slot, or whatever, that maybe there should be ways to show that.

But I think that if companies could clearly explain, "Here are our policies and here's how that policy applied in that particular case," that I think some of the outrage would diminish. Because even if people don't agree with the decision they would say, "Okay, they're applying it consistently. I can go somewhere else if I'm not satisfied with what they're doing."

Julia Galef:

Right. What seems especially important to me from the angle of preserving free speech is that if you're unsure what is going to get you shut down or banned -- and if you are at all risk averse, as most of us are -- that creates this pressure to err on the safe side. So if there's something that could be controversial or could get you banned then maybe you just shouldn't say it.

And, maybe you end up being more cautious than you technically needed to be to get banned, but you don't know that. That seems like an especially bad chilling effect to happen.

Timothy Lee:

Yeah. The other thing I would say about these platforms is: I think they might be underestimating how much they are creating potential bad blood down the road with conservatives... I think tech companies are generally steeped in the political left, in terms of who their employees are, and the culture of the Bay area.

And so I think there is a danger that conservatives will end up seeing individual decisions about types of hate speech as overly aggressive, and come to see tech companies increasingly as just hostile to conservative ideas in general. As opposed to, hostile to fairly narrow types of hostility towards protected groups of people.

And I'm not sure how you... I think they're just in a really difficult position. Because you have an increasingly polarized country, where each side kind of sees fairly common types of speech on the other side as a threat to them. And one of the virtues of a stronger free speech position is they can clearly say, "Look, we're just a platform -- we're not endorsing any of that speech, but here's some tools."

Twitter has tried to do this to some extent, right -- if you don't like somebody's content you can block them, or you can mute them. But they have a relatively high bar for actually banning people.

I think the more you start to actually actively moderate certain kinds of speech, then there is more of an implicit endorsement of speech you've chosen not to moderate.

And so, I think that's a ... I don't think there's any rule categorically that all tech companies should or shouldn't do this, but it's something you need to think about really hard. Because people pay attention and people notice when there are inconsistencies in the way things are applied. So, if you start censoring one kind of speech, you have to think about, "Are there similar kinds of speech that people are going to expect us to censor? And, if not, are we going to seem like hypocrites?"

Julia Galef: What do you think happens when conservatives get fed up and stop trusting tech companies? Do they try to create a competitive conserva-Facebook?

Timothy Lee: The best example here is Gab.ai, which is a Twitter competitor. When The Daily Stormer was shut down -- and I forget if the leaders had Twitter accounts, but anyway they certainly didn't after it got shut down -- they all went to Gab.ai.

And Gab.ai has had a pretty testy relationship with the rest of the Bay area. They had an Android app that was kicked off the Android app store, and they have sued Google over this. And so, I think they have gotten a little bit of populist grassroots outrage from conservatives kind of rallying with them against the big evil little tech companies.

But it also is just not... it is a much, much smaller product than Twitter. I do not think it's gotten the kind of momentum that would allow it to become kind of the conservative Twitter with tens of millions of users. And I think the network effects of these companies are pretty large.

So I the threat is more that they will end up in kind of the political category that Hollywood is, where it's just, if there's Republican politicians ... at least until the Trump era, the tech companies were pretty good at influencing the George W. Bush administration, getting on good terms with Republicans in congress. I think certain tech companies, like Google for example, has always been seen as leaning a little bit to the left. But they've been pretty effective at having good relationships with people on all sides of the political spectrum.

And if tech companies become seen as identified too strongly with liberals and Democrats, then when Republicans are in power it's just going to be bad for them on other issues that they care about.

But, it's not clear that there's an alternative. Because they're also facing some pressure, as I mentioned before, from people on the far left. And so, if they're too careful about not alienating conservatives, they might end up with a kind of Bernie Sanders type administration in the future that does things they don't like on that side. So, they're really in a tough position, either way.

Julia Galef: That is really tough.

Well, Tim, before I let you go I wanted to ask you for a book, or blog, or just a thinker in general who has influenced you in some way over the course of your career.

Timothy Lee: Yes, I was thinking about this recently. There is a writer named Clay Shirky who I think is still a professor at NYU, and he wrote a book in 2008 called *Here Comes Everybody* that was really the first book that I found that explained how the internet was changing organizational structures in society.

The basic idea was that in the pre-internet era, if you wanted to have any kind of large-scale organization, you needed a little organization, like a nonprofit, or a company, or something, or the Catholic Church that would organize people's activity, and that gave authority figures in those institutions a lot of influence over what happened. For example, he talked about the Catholic pedophilia scandal, where in earlier decades that would have probably been swept under the rug, but thanks to the internet, survivors of child abuse were able to find each other and build grassroots pressure that helped push that. He has a bunch of examples like that in the book.

When I read it in 2008 it seemed like just a pretty optimistic take about here's how the internet is enabling grassroots activism and allowing new kinds of organization that couldn't exist before.

Well, what I didn't appreciate then -- which is more obvious to me now -- is that obviously large institutions also do some positive things. And the erosion of the power of institutions also means that a lot of the kind of quality control functions that large institutions perform also go out the window, and you also get things like Donald Trump getting nominated as the Republican nominee for President, which I think is hard to imagine in a pre-internet era.

I actually would like to go back and read it again and see if the whole thing reads differently now. It's clearly... his thesis was even more true than I appreciated at the time. But I think people notice the positive effects of empowering new groups before they notice the

negative effects of eroding the power of groups that obviously have some flaws, but also were doing some good things that people never appreciated, because they had just been doing them for as long as anybody could remember.

Julia Galef: Yeah, well said. Great, well we'll link to Clay Shirky's book as well as to your work -- and, Tim, thank you so much for joining us. It has been a pleasure having you.

Timothy Lee: Thank you, it was fun.

Julia Galef: This concludes another episode of Rationally Speaking. Join us next time for more explorations on the borderlands between reason and nonsense.