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What is the harm in misinformation? Shadows of COVID-19 in public discourse online

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Abstract

COVID-19 re-shaped the political landscape across the world but in particularly the United States. While partisanship has long defined US politics, the lack of trust between political protagonists was highlighted throughout 2020, and even shaped everything to do with the virus. It emerged when discussing the way President Trump was handling the crisis as well as just how seriously the threat should be taken. Despite using social media to dismiss concerns of the virus, it was not pandemic-related posts that ultimately led to Trump's removal from social media but the events at the U.S. Capitol on 6 January 2021, when throngs of people stormed the Capitol Building subsequent to a public speech by Trump earlier that day decrying perceived election injustices. The fact that Donald Trump's statements regarding COVID-19 did not draw de-platforming, yet his statements regarding election integrity did, present a new context for consideration of a perennial question of free speech versus censorship: how do we define harm sufficient to justify removing someone's right to express themselves in that way? If Trump's behaviour via social media was harmful in both the pandemic context and the context of the capitol riots, why was one harm sufficient to justify his de-platforming while the other was not?

Contextualising this question with the contemporary 'public square' of social media, we unpack the power of private organisation's ability to shape the public sphere.

De-platforming the President

In Plato's classic 'Allegory of the Cave', found in Book VII of *The Republic*, the poor souls chained to the walls of the cave have their understanding of the world around them limited to the shadows cast upon the wall by their jailors. Thus, their perceptions of the 'real world' outside the cave are skewed to such an extent they are unable to process reality when faced with it. Plato offered the allegory as a cautionary tale about the relationship between truth, censorship, and knowledge to reveal the potential harm caused by misinformation (Jowett, 2012). In contemporary society, mass media – including social media – control our perceptions of the world around us, much like the shadows cast on Plato's cave. While the 'jailors' in the allegorical cave are mute characters whose motivations are unrevealed, modern day platforms such as Facebook, Twitter, and YouTube are quite open about the objectives they seek, in terms that appear far from maniacal:

Twitter's purpose is to serve the public conversation. Violence, harassment and other similar types of behaviour discourage people from expressing themselves, and ultimately diminish the value of global public conversation. Our rules are to ensure all people can participate in the public conversation freely and safely (Twitter, n.d.).

It is from that perspective that Twitter has 'de-platformed', or removed from their forum, users they believe violate their terms of service. For examples across the social media landscape, look no further than the de-platforming of sensational conspiracy theorist Alex Jones in 2018, which was justified by Apple, Facebook, and Spotify who claimed Jones violated their policies on hate speech (Stelter, 2018).

By early 2020, misinformation regarding the COVID-19 pandemic spread across the globe apace the virus itself, precipitating calls to restrict the flow of information perceived as harmful to the global public health response (Bell & Gallagher, 2020). Notable among those criticised for spreading disinformation and sowing mistrust was none other than Donald Trump, the then president of the United States. Critiques such as this from the Union of Concerned Scientists are indicative of the trend:

[T]he Trump administration amplified insidious forms of disinformation, such as distrusting healthcare workers concerned about the lack of capacity and resources to treat COVID-19 patients; inciting confusion over available COVID-19 treatments and the vaccine development process; and pressuring states and cities to reopen without considering scientific evidence (UCC, 2020).

In light of these developments, even the official channels of social media platforms identified steps being taken to curtail the flow of misinformation in the name of promoting safety:

We're working to keep the Instagram community safe and informed on COVID-19. Here's an update on some of the changes we've made so far... (Instagram Comms @InstagramComms·Mar 6, 2020).

We're removing known harmful misinformation related to COVID-19, and when someone taps on a hashtag related to COVID-19, we show resources from @WHO, @CDC and local health authorities (Instagram Comms @InstagramComms, 2020).

This should also be understood within the context that COVID-19 re-shaped the political landscape in the United States. While partisanship has long defined politics in the USA, when the health and economic consequences of the pandemic initially become clear in early 2020, there was a brief moment of peace between the Democratic and Republican parties. The deep divisions re-emerged, however, when the first coronavirus 'stimulus package' was being debated in March 2020. While these negotiations eventually reached a bipartisan position, they highlighted just how little trust exists between the protagonists (Arvanitakis, 2020).

This partisan split in the USA shaped everything to do with the virus. It emerged when discussing the way President Trump was handling the crisis as well as just how seriously the threat should be taken. In March 2020, for example, an *NBC News/Wall Street Journal* poll revealed that 68 percent of Democrats were worried someone in their family could catch the virus compared to just 40 percent of Republicans (Aleem, 2020). This also played out in what events should proceed: a poll by the University of Chicago Divinity School and the Associated Press-NORC Centre for Public Affairs Research found Republicans are more likely than Democrats to say prohibiting in-person services during the coronavirus outbreak violates religious freedom, 49 percent to 21 percent (Schor & Swanson, 2020). In fact, 58 percent of Democrats say in-person religious services should not be allowed at all during the pandemic, compared with 34 percent of Republicans who say the same.

Yet, it was not pandemic-related posts that ultimately led to Trump's removal from social media. In fact, he was not de-platformed until after the events at the U.S. Capitol on January 6, 2021, when throngs of people stormed the Capitol Building subsequent to a public speech by Trump earlier that day decrying perceived election injustices.

The fact that Donald Trump's statements regarding COVID-19 did not draw de-platforming, yet his statements regarding election integrity did, present a new context for consideration of a perennial question of free speech versus censorship: how do we define 'harm' sufficient to justify removing someone's right to express themselves in that way? Framing the same question differently,

if Trump's behaviour via social media was harmful in both the pandemic context and the context of the Capitol riots, why was one harm sufficient to justify his de-platforming while the other was not?

The 'harm test' and free speech

The idea of de-platforming is very much based on an extension of John Stuart Mill's (1978) 'harm principle' of speech acts. This was one of the first and most foundational liberal defence of free speech. In the footnote at the beginning of Chapter II of *On Liberty*, Mill states:

If the arguments of the present chapter are of any validity, there ought to exist the fullest liberty of professing and discussing, as a matter of ethical conviction, any doctrine, however immoral it may be considered (1978, p. 15).

For Mill, this form of liberty should exist with every subject matter so that we have

... absolute freedom of opinion and sentiment on all subjects, practical or speculative, scientific, moral or theological (1978, p. 11).

If liberty of expression is limited, Mill argues that the price is, 'a sort of intellectual pacification ...' that forgoes '... the entire moral courage of the human mind' (1978, p. 31).

Despite these powerful claims for freedom of speech, Mill also suggests that there is a need for some rules of conduct to regulate the actions of members of a political community. The limitation he places on free expression is, in his words, the 'very simple principle' (1978, p. 9) which has come to be referred to the 'harm principle':

... the only purpose for which power can be rightfully exercised over any member of a civilised community, against his will, is to prevent harm to others (1978, p. 9).

The application of the harm principle is much more complex, however. Many hours of academic research and reflection have been dedicated to understanding just how narrow limits on free speech should be applied because it is difficult to support the claim that the act of speech causes harm to the rights of others (Saunders, 2016; Holtug, 2002). Even if one is willing to accept contemplating limiting speech once it can be demonstrated that it does invade the rights of others, the position outlined by Mill in the first two chapters of *On Liberty* is one that indicates a narrow application of his principle. The challenge for us is to ask, 'what types of speech, if any, cause harm?' Once this question is answered, appropriate limits to free expression can be implemented.

From this perspective, Mill reflected on the concept of 'mob violence'. In his discussion, Mill used the example of 'corn dealers'. His argument was as follows: it is acceptable to claim that corn dealers starve the poor if expressed in print but not acceptable to make such statements to an angry mob gathered outside the house of a corn dealer. The difference between the two is that when the mob gathers, such a statement can, '... constitute ... a positive instigation to some mischievous act' (1978, p. 53) by placing the life of the corn dealer in danger. Daniel Jacobson (2000) argues, however, that Mill would not sanction limits to free speech simply because someone is potentially harmed. For example, the corn dealer may suffer severe financial hardship if he is accused of starving the poor. This is distinctly different to the mob meeting in front of the corn dealer's property and then through speech acts, be incited to violence. As such, Mill works to distinguish between legitimate and illegitimate harm. Jacobson feels that only when speech causes a direct and clear violation of rights that it can be limited. This is because Mill intended the application of the harm principle cautiously and sparingly: that is, only when harm can be caused, *and* rights can be violated.

It is here that many divergent positions occur. In their analysis of the First Amendment, Matsuda et al., (1993) argue that just as no one should be able to engage in physical behaviour that harms others (such as physical violence to the person), so should bans prevent language that harms others. These legal scholars from the tradition of critical race theory develop a theory of the 'first amendment orthodoxy'. They argue that only a history of racism can explain why defamation, invasion of privacy and fraud are exempt from free speech guarantees but racist verbal assault is not.

This connection between speech and harm have taken many shapes (see for example, Barendt, 2019). In the Australian context, debates over Section 18(c) of the Racial Discrimination Act have played out in court cases, political debates and even became an election issue (McNamara, 2016). The Section states that 'it is unlawful for a person to do an act, otherwise than in private, if the act is likely to offend and insult another person and the act is done because of race, colour or ethnic origin.' An act is viewed not to be done in private if it 'causes words or writing to be communicated to the public.' Gelber and McNamara (2016) furthermore demonstrate the link between hate speech uttered and its impact upon groups of Australians most likely to be targeted, with notable harms including exclusion, negative stereotyping, and threatening behaviour, among others.

Others, however, question whether there is harm done by offensive speech (see for example: Jay, 2009). In his analysis, Jay challenges the evidence provided that links harm to acts of speech and 'taboo words'. As such, he warns against attempts to restrict speech in media and instructional or educational settings. Furthermore, while contemporary narrative surrounding free speech contends that we have witnessed a switching of roles by the political left and political right, from advocacy for free speech and censorship, respectively. None other than notable scholar Cass Sunstein (2018), observed this mainstream reductionism obfuscates the fact that present-day battles over speech and

censorship have simply shifted to different fields from those fought decades ago over political dissent, libel, and prior restraint – the new skirmish lines are over corporate speech, and speech that gives offense to others.

Much of the discussion around Trump's speech on January 6, 2021 focuses on the assumption his purpose was to incite violence at the Capitol later. In fact, this has been the focus of a number of researchers who have forensically analysed his speech (Kruez & Windsor, 2021). That is, understanding the 'purpose' of the speaker may assist us in understanding whether or not speech should be protected. Volokh (2016, p. 81) specifically focuses on this point by asking whether, 'otherwise constitutionally protected speech can lose its protection because of the speaker's supposedly improper purpose?' In his analysis, Volokh notes a lack of consistency in the USA Supreme Court with respect to the 'purpose test': sometimes indicating 'no' and at other times, it has endorsed tests (such as the incitement test) that do turn on a speaker's 'purpose'. Volokh's analysis of the purpose tests with respect to the First Amendment law of the USA Constitution concludes that such tests are on balance 'unsound'. This is because the protection of speech should not turn on what a factfinder concludes about the speaker's purposes. As such, three points are made by Volokh (2016, pp. 1385-1417):

- Purpose of the speech is largely irrelevant to the value of speech: degrees of protection actually turn on what is outlined in the speech;
- Purpose tests tend to chill speech uttered with appropriate purpose too; and,
- Purpose of a speech is largely irrelevant to the harm caused.

Classical liberalism's Fundamental Liberal Principle (Gaus, 1996) posits that liberty is norm and thus any restriction upon liberty must be strenuously justified by any who would restrict it. In that context, freedom of speech can be understood as the general rule that speech is protected from censorship, with certain notable exceptions – each with its own specific justification. From this vantage point, any abandonment of liberal values which privilege individuality and freedom for more collectivist value systems and government control will result in foreseeable tensions between competing ideas. Furthermore, this becomes further problematic if these collectivist values are established by private organisations that position themselves in such a way to gain favour with politicians and decision makers.

In attempting to balance these various positions, our argument is that any analysis of harm from offensive speech must be contextually determined. As such, attempts to restrict speech on a universal basis, without careful consideration and definition of exceptions from protection, will be misguided and misdirected. If we return to the example of corn dealers and mobs, one thing that Mill could not have anticipated was Twitter. What would Mill have made of the former president's use of Twitter? What of the decision of the social media platforms to oust Trump from their 'marketplaces'? These questions take on particular relevance at a time of intense partisanship and transition of governmental power amidst a global pandemic.

What of Trump's myriad tweets on the topic of COVID-19 and the public health response to it? Ranging from tweets claiming those who have had COVID-19 develop an immunity to it, akin to other infections (Hoffman & Valinsky, 2020), to

stating flatly 'Don't be afraid of Covid' (Pesce, 2020), many of the 45th president's social media comments drew the ire from those committed to addressing the pandemic's severity. Twitter, for its part, began flagging Trump tweets such as these in this manner:

This Tweet violated the Twitter Rules about spreading misleading and potentially harmful information related to COVID-19 (Singh & Acharya, 2020).

Subsequent research conducted on the impact of Trump's social media posts upon public perceptions of COVID-19 revealed a significant temporal relationship between perceptions of the virus (hoax, serious, etc.) and Trump's tweets on the matter, although results are only generalisable to Twitter users and not the general population (Ugarte, Cumberland, Flores, & Young, 2021). Nevertheless, it was not pandemic-related tweets that triggered Trump's de-platforming but, as we have noted, the Capitol riots. Was the harm perceived by Twitter sufficient to justify flagging as misinformation within their platform but not sufficient to the greater public to justify total de-platforming?

Big Tech and controlling the Public Sphere

Historically, much political communication took place via traditional hard copy direct mail efforts by politicians, campaigns, and parties to reach constituents and prospective supporters. However, regulatory changes through the 1990s and early 2000s in both Australia and the United States made direct mail an undeniable advantage enjoyed by incumbents, as a tool to cement their grip on power. With the advent of the internet, there was hope that a 'democratisation' of political communication might occur as the masses were suddenly able to use decentralised communication channels to overcome the funding advantage of incumbents as well as break free from the paternalistic agenda-setting narrative of professional newsrooms (Young, 2003).

Similarly, over two decades ago, Blumler and Kavanagh (1999) described what they perceived as the 'mediatisation' of society, whereby media become central to the social process, going so far as actually defining for society the parameters of the public sphere. The authors' work was exceptionally prescient in predicting the rise of anti-elitist populism and its effects on public discourse. What they likely could not have foreseen at the time was the advent of social media and its uncanny ability to empower the layperson to choose which news items of the day to spread among their own social network – or which items to simply ignore – nor the emergence of algorithms that use these preferences to further define what we prioritise. In this sense, platforms such as Facebook or Twitter would offer the ultimate opportunity for unrestrained popular discourse. However, even a scant two years later, scholars were already aware of the need for government intervention through policy, to provide a solution to common fear at the time was that digital media platforms would create information ecosystems that excluded some producers and consumers while including others. Calls were made for a government sponsored authority to structure and operate a "civic commons in cyberspace," where civic-minded forums could be maintained, free from the influence of private actors (Blumler & Gurevitch, 2001,

p. 9). These hopeful calls championed an 'engaged political culture' (Blumler & Gurevitch, 2001, p. 9) with little normative consideration of what such popular activity would produce or entail.

Fast forward to contemporary social media culture and modern political communication campaigns. Today, 'democracy' online spurs ever-growing concerns of hate speech, misinformation, disinformation, conspiracy theories, trolling and other generally unwanted behaviour. It is this reality in which the tech giants respond to both calls for more restrictions and calls for freer channels of expression. Instead of the digital ecosystem of a populace directly engaged in political discourse on substantive topics facing society, social media users commonly commandeer seemingly political nomenclature to comment on the media itself as well as politicians (Burgess & Bruns, 2012).

Nevertheless, the new and growing phenomenon of global tech giants, their increasing civic power, and what this means for democracies is now becoming a growing area of research (see Anderson & Rainie, 2020; Fukuyama et al., 2021). While much has been written about Google, Facebook, Apple and other corporations' impact on privacy and security, or their economic and financial status, their impact on democracy and civic life is only recently becoming clear.

Free speech and social media

It is difficult to comprehend the rise and impact of social media on public discourse. Facebook, which started as an exclusively Harvard-student platform in 2004, became widely available to anyone over the age of 13 in 2006 (Barr, 2018). By 2020, it was estimated that the organisation had 2.9 billion active users (Tankovska, 2021).

Though exact figures on social media usage are difficult to come by, Datareportal update their global compendium of statistics biannually which provide insights into the world of social media (Chaffey, 2020). The *July 2020 Global Snapshot* highlighted that while access to the internet varies considerable across nations, now more than half of the world uses social media with 4.57 billion people accessing the internet – which includes an additional 346 million new users online in the previous 12 months (Chaffey, 2020). There were also 5.15 billion unique mobile users.

Despite the growing research and policy focus in this area, one important challenge is that innovation and accessibility have outpaced the ability for researchers and policy makers to reflect on the consequences or develop appropriate policy responses. The issues that are the focus of much research and further policy development include but are not limited to debates on social media and self-worth of young people (Swist et al., 2015), online bullying and trolling (Lilley et al., 2014), personal and national security (Salik & Iqbal, 2019), and the 'weaponisation' of social media by both state and non-state actors (Dash, 2019).

In fact, the weaponisation of social media has drawn increasing scrutiny by both the U.S. Government and its different military arms. Debasis Dash (2019) for example, has been writing for the United States Army War College and targeted scrutiny at the fact that both state actors (such as Pakistan, Russia and China)

as well as non-state actors (such as ISIS) have proven the effectiveness of social media to distribute both desired messaging and counter-messaging. It is within this context that governments around the world may well view the de-platforming of Trump as further evidence of the notion that social media is in fact a weapon to be controlled and voices, they disagree with, removed.

While many of us may disagree with Trump's politics, it is also important to remember that research has confirmed personal notions of what 'free speech' should be protected is often linked to our own political biases. For example, Epstein et al., (2018) found that we are often like siblings who fight each other until someone outside the family challenges us. Specifically, Epstein et al. (2018) identified that 'liberals' and 'conservatives' among the U.S. judiciary tend to support the speech rights of those they tend to politically support. Epstein et al.. (2018, p. 237) note:

In contrast to the traditional political science view, which holds that justices on the left are more supportive of free speech claims than justices on the right, and in contrast to a newer view among legal academics that justices on the right are more supportive of free speech claims than justices on the left, we use in-group bias theory to argue that Supreme Court justices are opportunistic supporters of free speech. That is, liberal (conservative) justices are supportive of free speech when the speaker is liberal (conservative).

The platforms of 'free speech' are also open to political attack. Today we talk of social media, but other forms of media have often been the site of intense conflict and scrutiny. Long before Trump effectively used social media to communicate with his supporters and attack opponents, this precedent of using media to consolidate power and respond to critics was set. Franklin D. Roosevelt for example, revised the media rules in equally profound ways (Beito, 2017). Similar to Trump, Roosevelt feuded with the mainstream media and used his preferred medium, radio, to speak directly to his supporters. Roosevelt also used the government's machinery to suppress media coverage he felt was unfavourable. Leading up to the 1936 election, Roosevelt argued that more than 80 percent of the newspapers were against him – something that historian Graham J. White (1979) analysed. In his analysis, White presented figures confirming that the print press generally gave FDR balanced news coverage, though many editorialists and columnists were indeed opposed to the Roosevelt Administration's agenda – though much less than Roosevelt claimed.

Importantly though, just as Trump moved to spread his message directly through Twitter and working closely with partisan channels like *Fox News* (Illing, 2021), Roosevelt also used his own means to manipulate news sources. For example, Roosevelt appointed Herbert L. Pettey as secretary of the Federal Communications Commission (and its predecessor, the Federal Radio Commission). Pettey had overseen radio for Roosevelt in the 1932 campaign. After his appointment, he worked in tandem with the Democratic National Committee to handle 'radio matters' with both the networks and local stations. As such, the owners of the licences would have been aware that Pettey was

looking carefully at how they were treating Roosevelt – who would have felt restrained particularly as federal rules meant radio license renewal period for stations was only six months.

Now, some eight decades later, the medium has changed but the tensions between the political leaders and media giants have not. As such, present-day tech oligarchs will continue to play an important role in shaping our perceptions of any government or administration (McKay, 2020).

De-platforming Trump

In mid-January 2021, the United States of America surpassed 400,000 deaths attributed to COVID-19. While this remarkable number was shocking to health professionals and the informed public, it was only one of the lead stories across America's national newspapers where the focus was also on the final hours of the Trump presidency, new impeachment proceedings, the intense security being instigated for the inauguration of the President-elect Joe Biden following the violent protests in the nation's capital, and exactly what Donald Trump would do next.

As the COVID-19 pandemic approached its anniversary, major social media organisations, including Facebook and Twitter, decided to address the viral nature of Trump's presence on their platforms by removing or 'de-platforming' him from their virtual ecosystems. No other contemporary political figure has been able to utilise social media in such an effective way to directly communicate with supporters or attack and undermine critics. Just how powerful Trump's attacks on social media have been was highlighted by *The New York Times* which listed 'The Complete List of Trump's Twitter Insults (2015-2021)' interactively organised by topic including the 'the mainstream media', 'the Democrats', former Republican Secretary of State, 'Collin Powell' and the Director of National Institute of Allergy and Infectious Diseases, 'Dr. Anthony Fauci' (Quealy, 2021).

Trump's reliance on social media leading to and during his presidency was a focus of social commentary (Pew Research Center, 2017) and academic research alike (Lewandowsky, Jetter & Ecker, 2020). Partially driven by his own unique 'unfiltered' approach that was seen as a response to the overbearing nature of 'political correctness', and partly driven by the general hostility of the more serious mainstream media, Trump utilised social media tools to praise supporters, attack critics and garner support for his political movement. Just how successful the Trump's team utilisation of social media was is evidenced by the fact that his 'stop the steal' post-election campaign raised US\$207 million (Goldmacher, 2020). As former advisor to the Trump, Steve Bannon, was noted as saying, 'Trumpism' movement overtook 'Donald Trump' the individual and would likely live on without him (Allen & Parners, 2018). Yet the question remains: if both Trump's posts regarding the pandemic and his posts related to the protests and subsequent riot at the U.S. Capitol on January 6 were harmful to society in some way, why was it the latter that triggered his removal from social media and not the former?

While debates continue whether Trump did 'incite' the protestors (Turley, 2021), our focus in this article is to consider the apparent harm which led to his ejection from the digital commons. One obvious conclusion to be drawn by this dichotomy could be that Trump's tweet offenses were additive and ultimately grew to sufficient harmful magnitude to justify de-platforming him. While that may be true, we posit that the timing of Big Tech's decisions reveals the game: the social media platforms perceived greater harm done by Trump's actions on January 6 than by his previous posts, tweets, etc., regarding COVID-19 and the public health response to it.

As noted, the discussion around de-platforming Trump took many turns with many praising the decision, and others denouncing. In one article for *The New York Times*, editor Spencer Bokart-Lindell (2021) reflected on both the positives and negatives, stating the following:

Silicon Valley's sidelining of the most powerful person in the world has struck many – and not just his allies – as an alarming development. "World leaders have vocally condemned the power Silicon Valley has amassed to police political discourse, and were particularly indignant over the banning of the U.S. President," the journalist Glenn Greenwald notes. "German Chancellor Angela Merkel, various French ministers, and especially Mexican President Andrés Manuel López Obrador all denounced the banning of Trump and other acts of censorship by tech monopolies on the ground that they were anointing themselves 'a world media power."

Despite these concerns, the author concludes that:

... can de-platforming be an effective tactic for depriving far-right extremists of attention? Ms. Goldberg thinks so: "You can see it with villains as diverse as ISIS, Milo Yiannopoulos and Alex Jones," she writes. Peter W. Singer, a co-author of "Like War: The Weaponization of Social Media," told her, "Their ability to drive the conversation, reach wider audiences for recruitment, and, perhaps most importantly to a lot of these conflict entrepreneurs, to monetize it, is irreparably harmed."

In the end, de-platforming the president "does make it significantly harder for disinformation to enter the mainstream," Emerson Brooking, a senior fellow at the Atlantic Council's Digital Forensic Research Lab, told *The Times*. But, he added, "removing Trump from Twitter does not fix our politics or bring millions of Americans back to reality."

While for Trump's critics the decision to de-platform by Twitter would clear the air for more accurate reporting regarding the pandemic and less inflammatory speech (Romano, 2021), others caution against such sweeping solutions to a

problem that is framed as personal to Trump (Fontevicchia, 2021). As researchers, we are neither interested in supporting or criticising Trump's actions but understanding the complexity when the 'public sphere' is now global and controlled by large private tech companies. We ask how the removal of an individual whose political position you may or may not agree with, impacts our democratic institutions?

Furthermore, given the decision by Facebook to retaliate against the Australian government's new regulations of social media-based news by blocking all Australian users (of Facebook) from sharing news on their platform as well as government information including about COVID vaccines, the contemporary nature of the public sphere must be problematised (Dodds, 2021). Even though Facebook seems to have given ground, what such events have highlighted is the fragility of relying on such private organisations with their own priorities and agendas.

For some, the decision to de-platform Trump was long overdue because of Trump's tendency to give credence to conspiracy theories, support white supremacist movements and create confusion over the responses to the global pandemic (Brooks, 2020) – not to mention the irresponsible attitudes towards the global pandemic we touched up at the beginning of this paper. For many of his supporters, be they local Republican activists or a number of conservative Australian politicians, the decision by the social media organisations is a direct assault on free speech via corporate partisanship (McClain & Anderson, 2021). This concern for free speech has not been limited to Trump's supporters, however, with Russian pro-democracy advocate, Alexei Navalny (Bodner, 2021), also raising concerns as have more right-wing leaning politicians such as Andres Manuel Obrador of Mexico and Mateusz Morawiecki of Poland (Taylor, 2021). Yet each of these views may be missing the greater import of Trump's de-platforming. Viewed in the broader context of other de-platforming decisions – such as Facebook's 'unfriending' of the nation of Australia for a time – Donald Trump's removal from Twitter, Facebook, YouTube, and the like can be seen as part of a broader effort by Big Tech to shape the public sphere as they see fit, with competing interests notwithstanding.

Today we have private media corporations whose power and reach across the globe are growing exponentially, making decisions on access, content, viewpoint, distribution and the like – all without any semblance of democratic oversight. In a recent concurring opinion, U.S. Supreme Court Justice Clarence Thomas observed that social media companies were akin to a common carrier, such as a public utility, and went further to suggest that social media platforms should be federally regulated as such (Allyn, 2021). While some have dismissed Thomas' remarks as reflecting nothing more than the opinion of a fringe of American conservatives, those quick to discard his views seem to discount the fact that many among America's progressives similarly seek to further regulate Big Tech. In this regard, the public debates prior to the recent presidential election are illustrative. In that setting, none other than Elizabeth Warren, Massachusetts senator and at the time Democratic presidential candidate, declared: 'We need to enforce our antitrust laws, break up these giant companies that are dominating Big Tech, Big Pharma, Big Oil, all of them' (Feiner, 2019). While Warren shied away from pointed questions regarding the

potential at the time for de-platforming Trump from Twitter, nevertheless her position that further regulation of the tech industry was made clear. In light of these powerful calls by persons in positions to actually influence future regulation of social media platforms, recent activity by Facebook to create an internal oversight board seems akin to the film industry's decades old decision to create its own ratings system, to stave off regulation from government.

Conclusion

In our analysis, we actually feel that in this case, while we may personally rejoice at seeing the vulgarity of Trump removed, this move neither meets the 'harm test' nor will lead to a more civil society. On that note we draw three conclusions.

The first is that for many years now, America's political right has been increasingly discussing what they perceive as a two-pronged attack on their way of life by both Democrat politicians and the tech oligarchs of Apple, Google, Facebook, Twitter and the like (James, 2020). While previously acceptable speech has been redefined as unacceptable under what is perceived as the new orthodoxy of 'political correctness', there have been attempts by government (albeit largely ineffective outside of education and the military) and the tech companies (vastly more effective) to operationalise.

Our second point is that the move to 'de-platform' Trump has in fact proven all their suspicions correct – existing cultural norms will not prevent attempts to un-person, devalue, demoralise, delegitimise, stigmatise, un-employ anyone who does not align with the values of the Democratic Party (of which the leading tech companies are often seen to support). By taking the action they have, the tech giants and legacy media companies have truly become the very intolerant zealots the 'deplorables' among America's political right have been decrying. Once a group's beliefs about their foe become validated, they are less likely to abandon those beliefs – not more so (Feldman, 2017).

The third point to note is that the all too frequent myopic focus on Trump wholly ignores the intensifying conflict between 'Big Tech' and regulators in other nations – which has been ongoing for decades at this point – with Australia being a case in point. While much of that legal fight has been over whether or not entities such as Google are monopolies, there have been plenty of other skirmishes in Europe (Ovide, 2020), Africa (Eleanya, 2019), and Asia (Dhaka Tribune, 2021) between 'Big Tech' and governments who believe their control over information is not only monopolistic – but also a threat to the health of their nation(s). Again, the rush to 'de-platform' Trump has only proven those critics to be right. In that sense, the tech giants' 'victory' over Trumpism may have exposed them to vastly more regulation around the world, yet the outcome of those regulatory initiatives is far from certain. In the recently leaked audio, Twitter's CEO Jack Dorsey, describes how de-platforming of Trump is only the beginning and that many other people – and many other ideas – would similarly be banned from the platform in the near future, permanently (Gesualdi-Gilmore, 2021).

Work by the Pew Research Centre just after the 2020 election has revealed much about the current political divide in America. Only four percent of respondents believed that their political opposition understand them 'very well' (Dunn, Kiley, Scheller, Baronavski, & Doherty, 2020). Asking what respondents wanted their political opponents to know about them, small numbers of both Biden and Trump supporters made calls for national unity (13 percent and 5 percent, respectively), yet larger shares of both camps offered biting critique of their opponents (21 percent of Biden supporters, 23 percent of Trump's). Much of American politics remains debatable on the merits, yet it is hard to conceive of a way in which de-platforming a significant portion of the population will foster understanding among the whole.

Yet de-platforming is not unique to either Donald Trump, his supporters, or even to the Americas. While many have raised concerns (Bergström & Belfrage, 2018) the effect free news content via social media has had upon the business model of legacy news outlets, such as newspapers or television, the Australian government recently took steps to support its local news outlets as a matter of law (Van Boom & Wong, 2021). The News Media and Digital Platforms Mandatory Bargaining Code requires platforms such as Google and Facebook to compensate news organisations for any content made available on their platforms. Acrimony from the corporations during the legislative hearings on the matter was quickly eclipsed by actions taken shortly thereafter. On February 17, Facebook removed from its platform pages tied to Australian state governments, charities, and news organisations (Kaye, 2021). This escalation of the conflict between tech titans and government regulators left many Australians cut off from their trusted news sources, as roughly 39 percent of Australians use the Facebook social media platform as their primary source for news and information (Van Boom & Wong, 2021). Facebook only agreed to lift these content bans after negotiations resulted in amendments to the legislation that would afford the tech companies the opportunity to negotiate licensing agreements with each content producer (McGuirk, 2021). Those who believed Trump's removal from social media was deserved, due to his bombastic behaviour, were taken aback when organisations perceived to be on the 'right side of history' were summarily de-platformed as part of a regulatory spat.

As we increasingly turn to social media as a source for information about the world around us, news of de-platforming should be taken as a cautionary tale, much like the ancient Greek philosopher's warning. While many may cheer when a provocateur they disagree with is silenced, the example of Facebook's 'unfriending' of Australia – in the midst of COVID-19 vaccine roll-out nonetheless – should serve as a stark reminder that those who control not only the content of information but also who has the ability to share and who has ability to access have agendas that may differ significantly from our own – and may differ significantly from our perceptions of the greater good.

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