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Free speech, fake speech

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Should free speech have limits? Is it acceptable to post fake news on social media? Should liberal democratic societies tighten regulation on communication articulated on social media platforms like Facebook, Twitter, YouTube and Instagram?

Such a question may not have a straightforward answer. Countries which try to limit free speech on social media also tend to be characterised by government intervention to limit expression and open iation elsewhere, for example in the political and civic spheres. Such countries include g

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Liberal democratic societies which prize individual liberties face their own challenges, though. Freedom is always within a context and it would be foolish to detach it from other principles such as responsibility. Hence the existence of regulations which try to balance these two poles.

In the USA, which has faced its own fake news challenges even at Presidential level courtesy of Donald Trump, politicians are currently grilling social media bosses such as those of Facebook, YouTube and Twitter over the proliferation of disinformation.

Congress representatives highlighted controversies such as the recent storming of Washington and anti-vaccine disinformation, and legal amendments such as liability for disinformation are being considered.

Social media platforms have a tough challenge in drawing a line between free speech and fake speech. News about the Covid-19 pandemic is a case in point. If an individual, organisation or profile posts unverified news on a social media platform and this is shared by thousands of people, should there be any liability for the harm caused by such news? And who should be responsible for it? Who should regulate it? Is this technically possible?

In the meantime, social media platforms are introducing measures to tackle the proliferation of disinformation. These range from flagging misleading posts to banning users who breach protocol – Trump himself experienced the latter. Some argue that such practices are not enough to tackle fake news, whilst others lament that this is causing a ‘big brother’ effect on what should be a free internet.

open [mend recent efforts made by platforms such as Twitter and Facebook, wherein they infr](#)

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Apart from fake news, this challenge also concerns hate speech and abusive language. For example, in Malta it is obvious that there are trolls, fake profiles and keyboard warriors of different stripes and colours who seem to have no problem using abusive language on Facebook. Among the reasons why such language is so pervasive, I would assume that as a small island state, many are engaged in hyperpersonal politics based on loyalty towards one's tribe, thus considering the 'other' as being wrong merely because of his or her affiliation or non-affiliation.

Yet we also witness hate speech on the basis of race, gender, and other social factors, including personal issues. The Malta Independent (March 23, 2021) recently discussed this through an interview with fellow University colleagues JosAnn Cutajar, Brenda Murphy and myself.

An example of hate speech is the white supremacist propaganda that surged in the USA last year, according to AP News. In France, NGO Reporters Without Borders (RSF) recently filed a complaint against Facebook over what it dubbed as 'deceptive marketing practices' and the 'massive proliferation' of hate messages.

Perhaps this can be linked to the rise of snackable media, the speed of which may impact the quality of deliberation negatively; the strong presence of politics and activism which refuses to engage with the 'other'; and the challenges faced by policy projects which focus on responsibility and ethics. Is it just to have a race between who publishes news first, even if double checking and fairness are sidelined?

In this regard, I argue that whilst free speech is an essential characteristic of democracy, we still need a stronger framework for responsible communication.

An example of this can be found in the scholarly sphere: Academics are bound by ethical standards when they present findings or quote other studies, and this is only fair.

Similarly, ethical standards or norms could bind journalists, politicians, candidates, activists, influencers, bloggers and even the general public. We need to invest more in education through which social media users can be equipped with reflexive and critical thinking skills that allow one to distinguish between a reliable source and a fake one, a proper journalist and a self-appointed one, and between a scientist and a quack.

Ethical standards can be set up amongst political and journalistic communities, for example to double-check sources before splashing slogans. Let us have deep and constructive deliberation on such matters.

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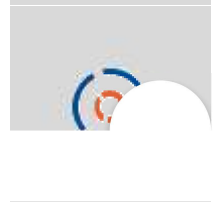
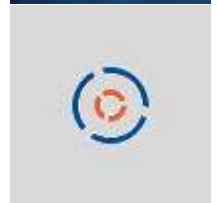
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