



# **Facebook Risks Constricting At Home What It Seeks To Expand Abroad: Free Expression**

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Last week, Facebook announced plans for a new “independent” Oversight Board. It seems Mark Zuckerberg has formed the board in the sincere hope that Facebook protect free expression, preserve user experience, and avoid accusations of tilting the scales of public discourse in one partisan direction. Unfortunately, the Board as it currently stands will only exacerbate the problems Zuckerberg hopes to solve.

While the censors may be independent of corporate control, they appear nearly uniform in their hostility to conservative views. Conservatives would more likely get a fair shake if Zuckerberg sat at a desk and censored our content himself, which while time-consuming might be a wiser course for the Facebook boss than outsourcing the curation of his platform to a group of

unaccountable, likeminded, conspicuously non-American ideologues. Beyond the board's composition, the sheer timing of this announcement just six months from a presidential election will confirm for many conservatives that Facebook intends to shut us up in 2020.

The board's most glaring problem is ideological imbalance. The very first board member listed on the website works for George Soros, the most influential and radical leftist funder in the world. Next comes Evelyn Aswad, who ran a State Department office for Hillary Clinton. Third on the list is Endy Bayuni, the Indonesian senior editor of the Jakarta Post who in 2016 lamented, "Authoritarian regimes and dictators around the world must feel vindicated by the just-concluded presidential race in the United States, the one-time champion of liberal democracy." Bayuni insists on calling himself "nonpartisan," but that claim flops when one recalls his enthusiasm for the election of Barack Obama and the nomination for president of Hillary Clinton.

Not all of the picks lean left. One notable exception is Michael McConnell, a jurist who can boast both conservative bona fides on issues such as abortion and religious liberty and liberal goodwill stemming from his criticism of the Supreme Court in *Bush v. Gore* as well as his role in launching Barack Obama's career. McConnell's legal colleagues on the board seem less fair-minded. Jamal Greene, a liberal law professor who advised Kamala Harris during the vicious Kavanaugh confirmation hearings, once described Trump's election as "a failure of American politics" and his lack of a primary challenger in 2020 as a "straightforward failure of democratic political technology." Greene will serve as co-chairman of the board, where he will be joined by fellow law professor Pamela Karlan, who testified before the House Judiciary Committee in favor of impeaching President Trump.

The board's overwhelmingly foreign composition has expressed similar antipathy to the President, which one might well accept in the spirit of free expression. Unfortunately many of those members have followed their criticism with calls for outright censorship. Pakistani non-profit leader Nighat Dad called Trump "evil" and suggested we "build a wall around him" to "#BanTrump." Australian professor Nicolas Suzor once "loved" a comparison of Trump to Hitler and suggested Twitter ban the President. Alan Rusbridger, the editor-in-chief of the UK's most prominent left-wing newspaper encouraged news networks to black out Trump's press briefings on coronavirus.

Even somewhat right-leaning board members seem shaky. John Samples, a vice president at the libertarian Cato Institute, has publicly bemoaned President Trump's "assault on American institutions" and accused him of opposing "basic ideals underpinning liberal democracy." Opposition to "basic ideals underpinning liberal democracy" sounds like prime grounds for censorship, wouldn't you say? And board member Damian Green, though technically a conservative member of the British parliament, would fall squarely on the Left by American standards.

Speaking of American standards, one can't help but notice how few Americans will oversee one of the most successful American companies in history. Just five of the twenty people who "will make final and binding decisions on whether specific content should be allowed or removed from Facebook and Instagram" hail from the United States, where freedom of speech means something rather different than it does in Denmark or Pakistan. Even relatively tolerant countries fine and jail people for expressing heterodox views. America uniquely protects speech. Perhaps Facebook has selected so disproportionately international a group because the majority of

Facebook users live outside the United States. But Facebook would not exist—it would be unthinkable—outside the particularly robust American conception and defense of free expression. Americans should constitute a far greater percentage of the next twenty Oversight Board members.

The board chairmen promise, “We are all committed to freedom of expression within the framework of international norms of human rights.” But “international norms” regarding free expression pale in comparison to our own. What a sad irony for a great American company. Facebook began as a platform that promised the expansion of free expression—that is, a uniquely American tradition of free expression—around the world. Now that platform promises to constrict at home the good it seeks to expand abroad. In attempting to please everyone, the Oversight Board as currently constituted will appease no one and heap ever more blame on its founder, to whom it can never again be held accountable. Call it mission drift, call it madness. In any case, Mark Zuckerberg should call for a new plan before it’s too late.