



Written by [James Murphy](#) on December 11, 2021

Facebook Attorneys Appear to Admit That Its “Fact Checks” Are a Matter of Opinion

In an interesting twist in American journalist John Stossel’s defamation suit against tech giant Facebook, the social media company’s attorneys appear to admit that the platform’s so-called “fact checks” are nothing more than “protected opinion.”

Stossel is [suing Facebook](#), now known as Meta Platforms, Inc. and its associated “fact checker” Climate Feedback over their censorship of two of Stossel’s videos on the social media platform. Specifically, Stossel is [suing](#) over the fact that Facebook censored two of his videos — [Are We Doomed?](#) and [Government Fueled Fires](#) — on the advice of Climate Feedback.



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In a brief in that case, Facebook’s attorneys assert that the “fact check” labels the company uses are not fact — but opinion.

From the brief: “Stossel’s claims focus on the fact check articles written by Climate Feedback, not the labels affixed through the Facebook platform. The labels themselves are neither false nor defamatory; to the contrary, they constitute protected opinion.”

So, Facebook’s own attorneys are saying that its client’s omnipresent “fact checks” have nothing to do with actual facts but, instead, are opinions.

Since opinions are not subject to defamation claims but false claims of “fact” are, Facebook’s attorneys appear to be trying to blur definitions. Facebook appears to be perfectly comfortable using the term “fact check” to imply that certain stories are false but then wants to hide behind the caveat that their “fact checks” are simply their opinion.

A dictionary definition of the word “fact” is: “a thing that is known or proved to be true.” There’s nothing in there about opinion.

As Anthony Watts of the climate-reality site “Watts Up With That?” points out: “Such ‘fact checks’ are now shown to be simply an agenda to [suppress] free speech and the open discussion of science by disguising liberal media activism as something supposedly factual, noble, neutral, trustworthy, and based on science.”

Watts is correct. Facebook is hiding behind politically biased “fact checkers” in order to censor the type of thought that they don’t agree with. The tech giant can only claim protection under Section 230 of the Communications Decency Act if they are acting as a platform and not a publisher. If their “fact checks” are only opinions, isn’t that the definition of an editorial (a publishing) decision?

The videos that Stossel shared do not deny that climate change exists, nor do they deny that man has something to do with it. They simply point out that other “facts” exist also and should be entertained



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along with the doomsday pronouncements of the climate change hysterics.

Implying that the videos posted by John Stossel were anything less than factual would seem to be textbook defamation by Facebook and its politically aligned “fact checkers.”



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