



Written by [James Murphy](#) on October 29, 2020

Big Tech CEOs Grilled by Senate on Free Speech and Censorship Issues

The leaders of the three highest profile technology companies in the world faced questions on their suppression of free speech in front of the Senate Commerce Committee. While the committee did vote last week to approve subpoenas for Mark Zuckerberg of Facebook, Jack Dorsey of Twitter, and Sundar Pichai of Alphabet Inc. — the parent company of Google — all three appeared voluntarily and remotely before the committee on Wednesday.

The Commerce Committee is one of the congressional bodies currently reviewing [Section 230](#) of the Communications Decency Act of 1996. Many in Congress believe that that section of the law should be abolished or heavily revised as it gives social-media companies protections against libel suits and other lawsuits if third parties post illegal things on their electronic platforms. The idea behind the protection is that the web companies are said not to be responsible for the content on their sites because they simply provide a platform for others to use. They are not publishers. However, since the sites clearly determine the content that is allowed or not allowed on their sites — and are biased against certain ideas and groups — they *are* responsible for the content on their sites and so should be allowed to be sued when there is an issue with content.

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Those platforms are actively engaged in censorship against certain parties — most notably conservatives — claiming conservative views violate the companies' very subjective terms of service.

The most notable recent example of this behavior was when Twitter suspended the *New York Post's* Twitter account when the newspaper published e-mails and text messages found on Hunter Biden's abandoned laptop that were criminal in nature and implicated Joe Biden in the crimes. Twitter claimed that the story violated its policy against the sharing of hacked information on its site, though Hunter Biden abandoned the computer at a computer-repair company, and the terms of the company clearly said that abandoned computers became the property of the computer shop. Hunter Biden is the son of

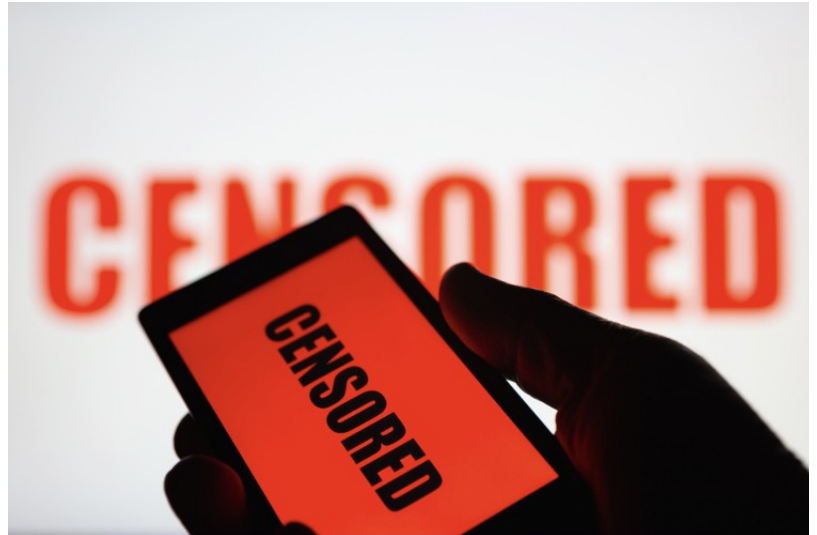


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Democrat nominee Joe Biden, and some of the e-mails and texts purportedly implicate the elder Biden in illegal influence peddling dating back to the time that Joe Biden served as vice-president under Barack Obama and show that he had knowledge of possible sex crimes by his son with a minor girl.

Dorsey, in particular, was vociferous in his defense of Section 230. "Section 230 is the most important law protecting Internet speech," Dorsey said. "Removing Section 230 will remove speech from the internet. Section 230 gave the internet services two important tools. The first provides immunity from liability for users' content. The second provides Good Samaritan protections for content moderation and removal; even for constitutionally protected speech, as long as it's done in good faith."

Zuckerberg, on the other hand, endorsed some reform of the law, saying that Congress should, "update the law to make sure it's working as intended."

The hearing featured some fireworks with [Senator Ted Cruz](#) (R-Texas) slamming the witnesses for their speech-quelling policies. "The three witnesses we have before this committee today, collectively pose, I believe the single greatest threat to free speech in America, and the greatest threat we have to free and fair elections," Cruz said.

Although Cruz gave Facebook a small pat on the back for at least attempting to be fair at times, he slammed Google for abusing its power and its "willingness to manipulate search outcomes to influence and change election results."

But Cruz's main attack centered on Twitter and its obviously left-leaning bias based on the company's recent history. "But today, I want to focus my questioning on Mr. Dorsey and on Twitter. Because of the three players before us I think Twitter's conduct has by far been the most egregious."

Cruz asked Dorsey directly whether he thought Twitter had the ability to influence elections to which Dorsey answered, "No."

An incredulous Cruz then accused Dorsey and his company of silencing people, censoring people, and blocking political speech, to which Dorsey responded: "We have policies that are focused on making sure that more voices on the platform are possible. We see a lot of abuse and harassment which ends up silencing people and having them leave from the platform."

Cruz lambasted Dorsey's remarks as "absurd on their face," and moved on to discuss Twitter's censorship of the *New York Post* story on Hunter Biden.

"Two weeks ago, Twitter and to a lesser extent Facebook crossed a threshold that is fundamental in our country. Two weeks ago Twitter made the unilateral decision to censor the *New York Post* in a series of two blockbuster articles, both alleging of corruption against Joe Biden," Cruz said angrily. "You went even further and blocked the *New York Post* from sharing on Twitter its own reporting."

Dorsey lamely answered, "We didn't want Twitter a distributor for hacked materials. We felt that the *New York Post*, because it showed the direct materials, screen shots of the direct materials, it was unclear how those were obtained."

As of this writing, the *New York Post* is still blocked from its account, although Dorsey claims that after a policy change, it can now go in, delete the original tweet sharing the blockbuster story, and then retweet it (two weeks late), and it will go through without being stopped.

Cruz ended the uncomfortable exchange by asking, "Who the hell elected you and put you in charge of what the media are allowed to report and what the American people are allowed to hear and why do you persist in behaving as a Democratic super-pac, silencing views to the contrary of your political



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beliefs?”

The three tech executives also faced stiff questioning from Senators Ron Johnson (R-Wis.); Mike Lee (R-Utah) and Tim Scott (R-Fla.).

Democrats on the committee generally chose to ignore the censorship issue in favor of more broad questioning on privacy issues. One exception to that was Senator Jacky Rosen (D-Nev.), who instead argued that the social media were actually not doing enough to remove so-called “hate speech” and “conspiracy theories” from their platforms.

“My colleagues of the majority called this hearing to argue that you’re doing too much to stop the spread of disinformation, conspiracy theories and hate speech on your platforms. I’m here to tell you that you’re not doing enough,” Rosen claimed.

Senator Tammy Baldwin (D-Wis.) agreed, and claimed that the hearing was a GOP plan to “support a false narrative fabricated by the president to help his re-election prospects.”

“The tech companies here today need to take more action, not less,” Baldwin added.

On Tuesday, the Justice Department urged Congress to “move swiftly” in reforming Section 230 because of concerns over the platforms’ decision to restrict the *New York Post* articles about Hunter Biden’s laptop.



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