

Multicultural Twitter Censorship

In the six short years since its incorporation in 2007, Twitter has become an international giant among social media platforms. It has evolved numerous times over the years, but in its most basic form, Twitter is social networking platform that hosts a series of public statements, called “tweets”, made in 140 characters or less. Twitter users “follow” other users, spanning from friends to celebrities to companies. They can also see content created by those they follow on their “timeline,” a constantly updated list of recent tweets. Users may also implement “hashtags” by putting the # symbol in front of a word or phrase. This creates a link so that any user may click on the tagged subject and see all the other tweets made by any user, anywhere in the world, with the same tag. Through this system of microblogging, Twitter connects friends and strangers, the famous and the anonymous, people from all walks of life and from all over the world.

According to the “About” section on Twitter’s website, the company now supports more than 230 million monthly users who speak more than 35 different languages. Although Twitter is based out of San Francisco, 77% of its users reside outside of the United States (“About Twitter, Inc.”). Because of Twitter’s global reach, it’s mission statement, “To give everyone the power to create and share ideas and information instantly, without barriers,” no longer applies to just American law. Rather, Twitter must take into account the speech laws of all of the countries it serves.

In January of 2012, Twitter announced a breakthrough and highly controversial new policy. Called “micro-censorship,” this policy allows Twitter to remove tweets with certain content or to block users who tweet about certain themes from being shown in specific countries. The tweets or accounts would not be removed from Twitter as a whole; rather, they simply

wouldn't be viewable in the country in question. If a user attempted to view such tweets or accounts, he or she would see a grey box displaying an explanation of micro-censorship: "This tweet from @username has been withheld in: Country" (Sengupta).

Twitter defended this breach of freedom of speech in a blog post, stating, "As we continue to grow internationally, we will enter countries that have different ideas about the contours of freedom of expression... Until now, the only way we could take account of those countries' limits was to remove content globally" ("Tweets Still Must Flow"). It went on to explain that this new policy, established in early 2012, was a way to expand the availability of information, not limit it. By removing content from only the country/countries that question it, it would still be circulated throughout the rest of the world, rather than being banned entirely. In the same blog post, Twitter also emphasized that the policy had not been used in any country yet, but the company reserved the right to do so if need arose ("Tweets Still Must Flow").

Even so, this announcement incited a widespread international backlash. In America, activist groups expressed fears that Twitter was enabling oppressive governments and limiting the voices of minorities. Oliver Basille, the director of one of the most outspoken activist groups Reporters Without Borders, stated "By finally choosing to align itself with the censors, Twitter is depriving cyberdissidents in repressive countries of a crucial tool for information and organization" (Efrati). Even Americans unaffiliated with free speech organizations sounded off on the issue, using hashtags like #TwitterBlackout and #TwitterProtest to raise awareness and inspire a temporary boycott of Twitter (Choney). Although they were unsuccessful in creating an overall boycott, these hashtags raised enough of a commotion to put this issue on the public's radar.

Outside of the United States, concerned minority groups voiced their opinions as well. Prior to this decision, Twitter had been a powerful agent in international revolutionary movements such as Arab Spring, Russian election protests, and the American Occupy Wall Street movement (Liedtke). Nelson Borcaranda, a Venezuelan journalist known for speaking out against President Hugo Chavez and in favor of democracy, worried that Twitter's new policy would stifle the voices of those who share his opinions. Borcaranda explained that the broadcast media in Venezuela censors itself to avoid persecution, so Twitter and other social media platforms are necessary for the spread of ideas (Liedtke). All over the world, activists and concerned citizens watched to see what Twitter would do next.

The answer came in October of the same year. A neo-Nazi German group called Better Hannover had a Twitter account (@hannoverticker) dedicated to spreading their ideals. In Germany, hate speech is illegal, with special legal strictness placed on speech glorifying the Nazis or trivializing the Holocaust ("Germany"). In the reasoning for this censorship policy, Twitter cited the ban of Nazi speech in Germany, so it was only logical that this account would be the first targeted.

The German government faxed Twitter's San Francisco headquarters demanding that the Better Hannover account be removed from the social media platform completely (Rising). In the spirit of Twitter's free speech ideals, and drawing on their January decision, they used their system of micro-censorship instead of fully deleting the account and its tweets. Twitter blocked the account from being viewable in Germany, but its content was, and still is, available in the United States.

From the beginning of the micro-censorship debate, Twitter had always been adamant about maintaining transparency in its actions. This case was no exception. Twitter's general

counsel, Alex Macgillivray, explained the company's decision in a tweet reading, "We announced the ability to withhold content back in Jan. We're using it now for the first time re: a group deemed illegal in Germany" (Brumfield & Smith-Spark). He then followed up with another tweet upholding Twitter's aim to use the policy sparingly, saying, "Never want to withhold content; good to have tools to do it narrowly and transparently" (Brumfield & Smith-Spark) and including a link to the German police's request that the account be removed. These public declarations demonstrated Twitter's commitment to keeping the public informed on its decisions, while expressing an intent to not overuse the new policy.

Some see Twitter's actions in the Better Hannover case to be an American regression from the First Amendment ideal of free speech that we value so strongly both culturally and legally. However, Twitter's decision signifies the exact opposite. The ban of Better Hannover's tweets from being viewed in Germany demonstrates Twitter's first step at becoming a truly multicultural company. Free speech is a socially and culturally constructed idea that must be interpreted under the laws of a nation. It is not the responsibility of a new technology to change the values of foreign cultures; rather, it must serve as a tool to facilitate growth in a law-abiding citizenry.

Ever since the outrage over John Adam's Sedition Act in 1798, which stifled any speech against the federal government, Americans have dutifully defended the First Amendment right to freedom of expression. In 1800, the government allowed the Act to expire without renewal, and granted reparations to those affected ("The First Amendment in History"). This action against the first challenge to free speech set the tone for many other cases in American legal history, which eventually established freedom of expression as one of the most critical rights to Americans. More specifically, American courts have consistently upheld the rights of citizens to practice

hate speech. For instance, the *Snyer v. Phelps* case of 2010 protected protesters from the Westboro Baptist Church who held up hateful signs at an American soldier's funeral. In 1992, the Court upheld a young man's right to burn a cross in *R.A.V. v. City of St. Paul*. Of course, American law sets some limitations on free speech. In the 1941 case *Chaplinsky v. New Hampshire*, the Supreme Court ruled that speech may be regulated if it "inflict[s] injury or incites an immediate breach of the peace" (Chaplinsky). Overwhelmingly, though, American history and law has supported a relatively broad acceptance of free speech with few restrictions.

European history has treated the question of free speech, especially in regards to hate speech, much differently, however. Because the Holocaust and World War II happened on European soil, the atrocities of that time period manifest themselves much more strongly in European countries' laws. In 2008, the European Union passed legislation banning hate speech entirely, but Germany had already had such laws in effect for decades (Small). Germany's constitution protects "the freedom freely to express and disseminate ... opinions in speech, writing, and pictures and to inform [one]self without hindrance," but holds that laws may limit this speech (Allen & Norris). As such, German law also bans all sorts of hate speech, including using the National Socialist Party's name, denying or trivializing the Holocaust, and generally "assault[ing] the human dignity of others" (Allen & Norris). Their overarching constitution still protects free speech, but German history and culture has constructed a glaringly different legal definition of the term than is commonly accepted in the United States. Twitter had to acknowledge and respect this difference, warranting its censorship policy in Germany.

Some argue that though censoring Nazi propaganda in Germany is only a minor limitation to global free speech, it is the beginning of a greater censorship trend. True, with Twitter enabling governments to request the removal of tweets, it faces the slippery slope of

having to appease oppressive, sexist, or corrupt governments. Twitter has already addressed this question, though, saying, “Some [countries] differ so much from our ideas that we will not be able to exist there” (“Tweets Still Must Flow”). In the explanation that followed, Twitter acknowledged that it would never try to appease the entire globe. Some countries, such as China, have censorship laws so strict that Twitter is not permitted to operate there, and the company does not plan to try to counter those countries’ decisions. Rather, it aims to tweak its policies to allow the technology to legally reach as many people as possible, wherever is conceivable.

Contrary to criticism, Twitter’s policy of micro-censorship promotes the widespread flow of information the company stands for, while still respecting the technicalities of international law.

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