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Elon Musk's Twitter takeover is a colossally bad idea

Elon Musk mistakes Twitter for some sort of 'digital town square'. In reality, it's a global publisher that — like any other — needs to be regulated

Elon Musk's $44 billion bid to purchase Twitter and turn it back into a private company has garnered screaming headlines and thrown the internet world into a tizzy. Reactions have ranged from people condemning Musk as a juvenile *enfant terrible* who is unfit to manage this influential platform, to others such as one New York Times columnist looking forward to how Musk might 'improve' the free speech snakepit of Twitter.

Certainly Musk's past behaviours and brand of 'cowboy capitalism' give one pause over the thought of him controlling this global publisher of the digital age. Let us briefly recount just a few of Musk's past bonehead moves.

Throughout the pandemic, Musk has been a gushing firehose of Covid-19 disinformation, tweeting to his 90 million followers dangerously erroneous health advice. Musk also ignored the Covid-19 concerns of workers in his Tesla factory in California, and defied state authorities by refusing to shut down his auto plant, calling state and local safety requirements 'fascist;' in late March 2020 he tweeted that there would probably be 'close to zero new cases in US' by the end of April. Two months later, he reopened his Tesla factory in violation of the state's lockdown order, and ordered his 10,000 employees back to work.

Just three months ago, California officials filed a lawsuit against Tesla over alleged racial discrimination at its factory, following hundreds of complaints about vile treatment of black workers. The complaint alleges that Tesla has segregated black workers into areas referred to as 'the plantation' and 'the slave ship,' and that they were given the most difficult jobs and denied equal promotion and pay opportunities.

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Before that was the highly publicised rescue of a youth soccer team from a cave in Thailand, when Musk called one of the expert rescuers a 'pedo guy' — short for 'pedophile' — because that expert rejected Musk's wacky rescue proposal, resulting in a $190 million defamation lawsuit.

Then Musk was charged with securities fraud by the US Securities and Exchange Commission for tweeting misleading info to manipulate Tesla's stock price, which resulted in him stepping down as Tesla's chairman, a $20 million fine, and oversight from an in-house lawyer over future public communications. Pre-Covid, factory workers accused his company of overwork, injuries caused by speed-up, sub-standard industry pay, and anti-union harassment. That resulted in the National Labor Relations Board ruling that Telsa had engaged in 'unfair labor practices,' which should be of particular concern in Germany, where Musk has built a Tesla assembly plant outside of Berlin with billions in subsidies from the German government.

This list of badboy tech-bro behaviours could go on and on and on. Is this really the type of personality that the world needs taking over one of the world's most important platforms for political discourse?

A weak defence of Musk's takeover

The New York Times's Farhad Manjoo defends Musk's Twitter takeover, based on two shaky lines of reasoning. First, Twitter is already a snakepit of vituperative bile and anti-democratic free speech, so what's there to ruin, writes Manjoo. 'As a longtime Twitter addict, I find the very notion of ruining Twitter amusingly redundant. Twitter's impact on the world has arguably been quite negative under its current and previous management.' During the Trump years, says Manjoo, 'the site became the cudgel with which a media-obsessed president bullied the world into paying attention to little else but him. Twitter's leaders only found the courage to shut off Trump's bullhorn after he lost re-election and incited an insurrection.'

Outside Trump, probably no other figure has abused Twitter's free-for-all platform more than Elon Musk. Musk and Trump seem to fancy themselves as 'tweetstorm populists,' each of them an anarchist Joker who delights in sowing a bit of chaos to capture the limelight.

The second rationale advanced by Manjoo is that, yes Musk is a puerile Joker, but so what, because his technological ingenuity might figure out

something useful to do with Twitter. 'Through his endeavors in solar power and electric cars, Musk might do more to combat climate change than just about any lefty environmental activist or politician you can name. Musk looks even better when judged against other globe-straddling billionaires in his orbit....He makes innovative products that work well, that delight customers and that are on balance probably good for the world. Isn't that the best one can hope for from capitalism?'

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It's not that Manjoo's points don't have a ring of truth, but he and other apologists reveal their own cynicism and a lack of vision over a positive role for digital media publishers. But even more fundamentally, both the US and EU are struggling to figure out the correct guardrails for this new digital communications infrastructure, which many people have ridiculously idealised as some kind of global free speech Agora. Indeed, Musk called Twitter a 'digital town square' in his statement announcing the acquisition.

But Twitter and its counterparts Facebook and YouTube are much more than that – they also are media publishers, the largest publishers and broadcasters in the history of the world, with audiences that range from the hundreds of millions to billions. They have a lot more in common with the *New York Times, Bild,* and Rupert Murdoch than with an online wikiboard or free speech corner in London's Hyde Park.

These digital publishing machines regularly engage in the types of speech constraints that only giant monopoly publishers can get away with. Following the Capitol ransacking, they decided to discontinue 'publishing' the President of the United States; recently they have curbed Putin and Russia's online influence campaigns. Before that, as the platforms tried to deal with their toxic pipeline of disinformation regarding the Covid-19 pandemic, racial tensions, and the US presidential election, they slapped on warning labels and removed inflammatory content of certain users.

In response to Australia's media advertising law, which required digital platforms to share the huge ad revenues earned by brazenly swiping traditional media outlets' proprietary news content, Facebook pulled the plug on the entire country. In 2014, when Spain enacted legislation requiring Google to pay Spanish news outlets for the article snippets in its search results, Google bullied the government and closed its new service there.

These digital publishing machines are not accountable for their scandalous behaviours, including the dodgy content they publish and amplify. Indeed, they have suffered virtually no consequences for their many scandals; the fines that have been levied have been too small to incentivise changes to their business models.

From 'digital town square' to global publishers

Twitter, Facebook, and Google act as publishers in a number of ways. According to their business model, they have turned over crucial decisions to their 'engagement' algorithms about which content is featured at the top of users' news feeds, and what is promoted and amplified. Their sophisticated 'long tail' publishing machines use precise content-targeting to billions of niche users, showing different content (including political ads) to different people. This is publishing by auto-pilot, in which algorithms perform the essential duties of an editor. From a legal or accountability standpoint, it should matter little that there is a supercomputer behind the curtain instead of a human.

So it's pretty difficult at this point to argue credibly that these platforms are simply passive online chat boards. They are publishers, yet existing law does not treat these companies like a publisher or broadcaster, especially when it comes to liability or accountability. The digital media platforms like to hide behind the fact that they have billions of users generating content, which resembles an AT&T-like 'common carrier' or public square role. But that should not obscure the centrality of their publisher role. This is a new, never-before-seen animal that requires new rules.

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From that perspective, Twitter, Facebook, and Google are completely within their publisher's rights to decide they do not want to publish Donald Trump anymore, or Joe Biden, just as the New York Times would be. Indeed, the responsibility of being a global publisher, and the constant onslaught of crazy disinformation gushing from their platforms, requires them to exercise editorial control.

So the real challenge here is to recognise and regulate the very real publisher role of digital platform infrastructure, while also allowing Twitter, Facebook, and others to remain a 'public square' and a 'common

carrier pipeline' for smaller assemblies of networked friends, family, and associates. But can Elon Musk be trusted with such a delicate balancing act?

Despite Musk's entrepreneurial inventions, the takeover by the Joker of one of the three most important digital media platforms in the world seems like a colossally bad idea. More crucially, it doesn't grapple with the real challenges presented by these publishing machines, which have enabled unlimited 'reach' to billions of users, as well as frictionless disinformation amplification overseen by algorithmic curators. It turns out that human editors and curators, despite their obvious flaws, have some real advantages over algorithmic curation.

Yet Musk has indicated that he would prefer even fewer guardrails and controls over Twitter. No wonder I have a sinking feeling that this adventure in cowboy capitalism will not end well.



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