



Social Media Code of Ethics

#Draft#

Preamble

Social media is a product of post-industrial information technology that builds on two fundamental human “rights” – freedom of the press and freedom of speech, association and assembly. Social media has created a new “public square” for modern civilization.

Social media may generally be thought of as a public good, but its ownership is structured on a sliding scale – from genuinely public social media to private media providing public benefits and then private media providing private benefits.

Purely “public” social media should be structured and designed for the benefit of the general public. Such uses might include emergency alerts (e.g. impending disasters, kidnappings, etc.), public health advisories, notifications of holidays and so on. These are not subject to editorialization and are restrained to commonly accepted public goods.

Alternatively, private social media communications providing private goods can be easily defined – these may include both privately formulated and editorialized information and opinion to share with private, but not necessarily or exclusive audiences. Private rules regarding such voluntary dissemination of personal comment should be layered on top of generally accepted public principles of public safety, libel, slander, malicious gossip, copyright, property rights and other principles undergirding traditional discovery and disclosure.

The most difficult context for social media concerns private ownership of communications platforms that may affect the common good. As a matter of law, distinctions have been made between “platform providers” and “content providers.” Platform providers provide technologies and market aggregation tools that enable private creators to present their work to many audiences. Like a mall, platform providers provide space for a broad array of people to sample private goods and they are given significant leeway because they do not claim to editorialize. Content providers, on the other hand, can provide a broad range of information, but they may or may not have an editorial point of view. They are subject to different types of regulations than platform providers.

In recent years, platform providers have come under a great deal of scrutiny from multiple directions. In some cases, they are criticized because their platforms have been used to spread hate speech, factually incorrect information, propaganda and information that could provoke violence. In other cases, they have been accused of functioning as editors – deliberately biasing the flow of information based on the algorithms they use to prioritize messaging and messengers. They have been accused of invasion of privacy, manipulation of facts, arbitrary de-platforming of opinions contrary to theirs, collaboration with sovereign governments at the expense of personal freedoms and/or censorship. In all cases, there is a tension between the business decisions of these private platform providers and human rights of free thought, speech, association and assembly.

In thinking through a social media code of ethics, several questions need to be weighed:

- At what level of curation do platform providers bear responsibility for their editorial decisions?
- What are the rights and responsibilities of content providers?
- What are the rights and responsibilities of social media audiences?
- What are the rights and responsibilities of cultural and ideological minorities vis-à-vis platform providers?
- What are the rights and responsibilities of platform providers in regimes that infringe on personal rights?

General Principle: Serve the Common Good by Promoting the Moral Sense of Each and All

The business of social media is to attract users who in using the service provided by the business, provide personal data for the business to commodify and sell to commercial firms, along with advertising. The users of social media stand in a stakeholder relationship of supplier to the business. But the principal stakeholder of social media companies should be the community with a focus on its moral integrity.

Social media thrives at the intersection of private interest with the common good. Social media companies contribute to the formation of foundational social capital, a pivotal public good supporting civilized living. Individuals who use social media similarly contribute to such a public good through their personal use of communications, the consumption of a private good.

Social media can enhance the moral sense of individuals or entice them to ignore or even repudiate the moral sense, which is the foundation for human felicity and living in community.

Social media contributes to the enhancement of trust, a social virtue, but also to the destruction of trust, which degradation injures the community by eroding goodwill and good relationships.

Social media can educate and bridge divides of race, religion, ethnicity and perspective, all to the good of improving social capital, but it can, as well, aggravate ignorance, suspicions, hatreds and contempt for others and in so doing, destroy society's capacity for promoting human flourishing.

All providers and users of social media have a stewardship responsibility to care for the common good, in addition to advancing their own private interests. Self-aggrandizement and exploitation of others must yield in principles to faithful concern for the common good and for taking due care in minimizing harm to that common good.

There are, across religions and cultures, three ethical standards for providers and users of social media to uphold: 1) do unto others as you would have them do unto you, so do not presume to judge them, as you would want them not to judge you; 2) seek understanding and trust; and 3) be humble and seek no harm.

The contribution ethics makes to civilized living is to draw forth the “better angels” of our natures. Power, of any kind, when administered by human hearts and minds can be abused. Ethics guides the power we have towards mercy and justice.

Principle No. 1: Mutuality

Interpersonal communications is a social process. It is the engagement of self with others. Ethics, therefore, applies to communications, as it does to all human self-expressions and other uses of personal power in social settings. The ethical quality of interpersonal communication rises or falls according to its degree of subjugation to narcissisms, ego-manifestations and other expressions of one’s will to power. Interpersonal communications – oral, written, on-line or face to face – to be ethical, require habitual or alert restraint of the will to power.

Personal rights, exercised without responsibility, can be troublesome. One person’s rights do not negate those of others, just as the rights of others do not negate the rights belonging to oneself. There is in the moral course of justice a reciprocity of rights between self and other. When taken to selfish extremes, rights can lose their legitimacy and become oppression of others whose rights and personal dignity are not then honored. Rights are more noble when they are tethered to stewardship ideals.

Responsibilities embedded in the exercise of rights provide the reciprocity necessary for living with social justice.

Interpersonal communication is a common space among persons. Ethical interpersonal communication requires finding that which can be in common, that which is not unilateral or expresses only a personal narrative or perception. Such commonalities are often found in facts and in the search for truth. Ignorance and avoidance of facts and a refusal to seek a higher truth than what our individual minds may, from time to time, reveal to us, may not be injected into interpersonal communication seeking to be ethical.

Taking offense at the thoughts and words of others and punishing them for having such thoughts or for sharing such speech, even just by holding them up for shame and ridicule, promote distrust and antipathy.

Principle No. 2: No Anonymity in the Exercise of Freedom of Speech and Thought

Social media may not limit freedoms of speech, opinion and thought, but can deny access to social media to anonymous users. Anonymity draws forth egregious unkindness. Users must identify themselves to providers of social media communications and to the public by name and email address.

Questions about and objections to the accuracy of social media communications shall be directed to the authors of such communications and made publicly available.

Identification of creators imposes on them accountability, encouraging their acceptance of ethical responsibility and respect for others.

Principle No 3: Respect

Providers of social media communications must respect those who receive such communications. Authors on social media must respect those who receive their communications. Readers on social media must respect those who express themselves.

Those who might object to what they read or see on social media have an obligation to respect those whose beliefs, feelings, ideas, opinions and facts differ from their own ideas, opinions and facts. Rushing to take offense at another's words is unwise and childish. "A kind word turneth away wrath." Users of social media who gain access to the words, beliefs, feelings, ideas, opinions and facts of others also voluntarily participate in a social process which protects others in having freedom to use such words, beliefs, feelings, ideas, opinions and facts.

Showing such respect requires humility in deciding who is right and who is wrong. Such respect should cause one to think twice before seeking to resent, censor or punish another for their thoughts and words. Consider, first, before replying with anger and disrespect that you might be mistaken. Before concluding that someone else is hateful or malicious, seek dialogue to understand their narrative.

When reading, have courage and no fear of others; seek to understand. Remember your strengths and dignity. Don't let words "trigger" you; you are your own "safe space;" "sticks and stones can break your bones, but words can never hurt you." If anxious or angry, center yourself.

Whether or not a personal expression on social media can be said to threaten others or have the potential to intimidate, exclude or silence them depends on the perceptions of whoever is making the judgment. Perceptions are not the truth, as they reflect many idiosyncratic cognitive biases. Perceptions can be false and misleading, not at all correctly understanding the intention of the person making the communication. The ethic of respect demands humility when judging others, giving to them a benefit of the doubt and for a moment, putting aside one's own prejudices before drawing harsh conclusions.

When you point a finger at another in blame and accusation, remember that three of your fingers are pointing back at you. Clean your own house first.

When composing, use words ethically and accurately. You are not at war with the world or anyone in it.

Before posting anything on social media, ask yourself, “How does this help?”

Ridicule is a particularly judgmental, condescending and autocratic way to express your feelings and opinions.

Ad hominem disparagements, slanders and other demeaning descriptions of persons and undeserved or misleading ad hominem praise for another are of no probative value by themselves and only the objective of creating a cognitive bias in favor of or against another’s character and veracity, so have no place in ethical communications.

Don’t be an instrument of dissemination of misinformation and deception of people. Avoid harming people unknowingly by verifying the information you get before you share with others.

Avoid posting anything on your own or someone else’s account that you would not be willing to say to his or her face. Do not troll. Deliberately attempting to anger or enrage someone at a remove is cowardly and childish.

Post items which elevate, challenge and encourage people to think. If you haven’t anything worth texting, text nothing at all. There are lots of people who will be more than happy to take up the slack.

A good argument online is no different from a good argument in person. State your position. Read what others write. Be polite at all times. The world is more than well-supplied with small, belligerent people who use the internet to punish strangers for their own experiences of humiliation or scorn.

Anything posted online can and will be remembered for a very long time, possibly forever, so ask yourself, “Is this how I wish to be remembered?”

Principle No. 4: Fairness in Access to Social Media

Providers of social media platforms stand in the relationship of common carrier to users of their platforms for having market power controlling a gateway for transactions under the rule of *Munn v. Illinois* (U.S. Supreme Court 1876). Providers of social media, as equitable trustees for the users of their service, may not arbitrarily infringe on the contract rights of their users. Providers, as common carriers, may not use contracts of adhesion to inequitably limit the rights of their users.

Access to a platform may not be curtailed or denied a user without the provider finding that the user committed a knowing malfeasance or acted with grossly negligent nonfeasance, states of

mind more culpable than ignorance. The platform has the burden of establishing that the user acted from such a culpable state of mind before curtailing or denying access to a user.