

Op-Ed APR 24 - Is the TikTok ban Constitutional?

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In 2018, Chinese tech giant *ByteDance* bought the American social media platform Musical.ly. The rebranding of the app as TikTok brought global domination and infatuation to the world's youth. On TikTok, users can create videos using snippets of famous songs, personal audio recordings, photo collages, and more. The opportunities to create are endless on this app. Most users spend the majority of their time on the app on their *For You Page*; here, the algorithm contrives content that fits perfectly with the users' likes, based on content they have already engaged in. TikTok's growth over the past six years has been rapid, and there are over two billion downloads of the app.

However, such massive growth and success leave leaders concerned about its effect. TikTok is a spreader of mass media. Social media platforms serve as vital avenues for self-expression and community engagement. Congress's proposal to ban TikTok sends a chilling message about the fragility of free speech in the digital realm. While it is imperative to address concerns surrounding hate speech and misinformation on these platforms, an outright ban is not the solution.

At its core, TikTok represents more than just a platform for sharing dances and comedy sketches; it serves as a medium for millions of users to express themselves and connect with others globally. By stifling this platform, Congress is effectively limiting the methods by which young people can exercise their free speech.

It is crucial to acknowledge the legitimate concerns regarding hate speech and harmful content on TikTok. For example, cyberbullying, harassment, and the dissemination of harmful ideologies have rightfully raised the concerns of leaders. Yet, an all-out ban fails to address these issues effectively. Instead, it merely pushes them underground to other platforms where they may be ignored.

Rather than resorting to blanket bans, Congress should work in collaboration with social media companies to develop stronger mechanisms for content moderation and user protection. This approach acknowledges the importance of free speech while also recognizing the need to safeguard against harmful content.

Banning TikTok sets a dangerous precedent for government overreach into the digital sphere. If Congress can arbitrarily ban one platform, what's to stop them from censoring others in the future? This slippery slope undermines the very foundation of free speech and poses a threat to democratic values.

Instead of silencing dissenting voices, we should empower users to engage critically with the content they encounter online. By promoting digital literacy and media literacy initiatives in

schools, we can equip young people with the skills to navigate the complex landscape of social media responsibly.

Congress's decision to ban TikTok is a misguided attempt to address legitimate concerns about hate speech and misinformation. While these issues must be tackled, stifling free speech is not the answer. Instead, we must advocate for solutions that balance the protection of users with the preservation of their fundamental rights. Only through thoughtful dialogue and collaboration can we create a digital environment that fosters creativity, inclusivity, and responsible discourse.

<https://www.nytimes.com/live/2024/03/18/us/supreme-court-social-media>

<https://fox59.com/news/national-world/5-things-to-know-about-the-potential-tiktok-ban/#:~:text=Even%20if%20the%20bill%20is,stores%20and%20web%20hosting%20services.>