

# Instructions for Regulating Social Media

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## **Instructions**

After reviewing the introduction and material below, please write a response of at least 200 words. I also have embedded hyperlinks to some materials that you may find helpful. The questions at the end are intended as writing prompts, but feel free to respond as you wish. Email your written responses to [lewesseminar@gmail.com](mailto:lewesseminar@gmail.com) by Monday, May 12. All responses will be posted on this website. Please review others' responses in advance of our session on Wednesday, May 14.

## **Introduction**

Our goal is to find, if possible, a fair and practical means of allowing free exchange of ideas via the internet and social media, while restricting negative influences on privacy, personal safety, and informed choice.

We want to avoid impractical solutions, even if they might be helpful, such as "First, let's kill all the lawyers," as Dick the Butcher suggested in Henry VI, Part 2. Incarcerating all males from age 12 to 21 (in a Kubutz, for example), probably wouldn't fly. A worldwide governing body, gently swaying to its anthem "Kumbaya," has been envisioned, and even approached, without success.

Still, we must do something. Possible discussion points are at the end of the document.

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My son-in-law, Chris, teaches High School Math near New Haven, Connecticut. Recently he took a student's phone, in accordance with school policy. The student put out a petition on Change.org, calling for the school to fire Dr. McCarthy. The administration knew about the petition for two weeks before Chris found out about it. They did not tell him, have the post taken down, transfer the student out of his class or discipline the student in any way.

When Chris found out and complained, both the administration and the Union lawyer tried to laugh it off. Finally, they did transfer the student. The petition is no longer on the website, the student was transferred out of the class and told he had failed due to his grades and general non-participation in class. So far as I know, no parents or anyone else took the petition seriously.

No harm, no foul, right? This is not the world I know. Or want.

All human activity is either:

- Private, and concerns the individual only. These can be unregulated, self-regulated, and unwritten, or have regulation imposed on them by government, religion, or authority figures, often “to protect them.” Whether the imposition is justified is a topic for another discussion.
- Small Private Group activity: These can be as small as two people, and the rules are often unwritten and unspoken. They are generally joined through invitation or by birth. The members are individually subject to regulation by society, but the groups themselves are not, although various authorities often attempt to do so, often successfully. Still, these are not part of our discussion.
- Public Group activity: These include activities within social media groups. Many times, groups in this category try to classify themselves as private, to avoid outside regulation. Sometimes, they are allowed self-regulation in many or most things under the aegis of another body. Examples might be U.S. States in matters solely within their borders, some commercial subsidiaries, or some children in a family. Still, these are all ultimately regulated by some outside authority.

### **Some reference Suggestions**

This Chart, from the Carnegie Endowment’s “Partnership for Countering Influence Operations” shows what the major outlets claimed to try to regulate as of April 1, 2021.

<https://carnegie-production-assets.s3.amazonaws.com/static/media/images/20210330-PCIOBaseline-Figure2.png>

The same study notes:

“The community standards of some platforms are far more comprehensive and detailed than others...Of the five shortest community standards, two belong to platforms that espouse laissez-faire speech values (Gab and Telegram) and three belong to encrypted messaging services with a limited ability to moderate content...**Generalized policies** can resemble what legal scholars call “standards”: loose guides that may require significant judgment to apply, depend heavily on context, or involve weighing multiple factors that could conflict...**particularized policies**, in contrast, are closer to legal “rules”—specified sets of necessary and sufficient conditions that lead to well-defined outcomes.”

Generalized policies are harder to game, since they lend themselves to an editor’s judgment, while users find particularized policies more transparent and predictable.

<https://carnegieendowment.org/research/2021/04/how-social-media-platforms-community-standards-address-influence-operations?lang=en#platform-policies/?lang=en> **Toward the bottom of the page**

This is from an advertising agency, but it seems balanced and fair, and the title seems appropriate:

<https://azadvertising.co/pros-and-cons-of-regulating-social-media/>

Aimed at educators, and very comprehensive:

<https://hub.educationalwave.com/pros-and-cons-of-social-media-regulation/>

The NY Times has a paywall, but the sub-head makes a point:

***‘Will I Lose My Job?’ Federal Workers Flock to Reddit for Answers.***

**The online forum’s pseudonymity lets them vent**, share information and find solace. Unpaid moderators, like David Carson, are working overtime to keep up.

[https://www.nytimes.com/2025/03/19/technology/reddit-va-federal-workers.html?campaign\\_id=2&emc=edit\\_th\\_20250320&instance\\_id=150475&nl=today%27s-headlines&regi\\_id=6390114&segment\\_id=193927&user\\_id=c93e871ef7d15f605805ac7ce29b3bde](https://www.nytimes.com/2025/03/19/technology/reddit-va-federal-workers.html?campaign_id=2&emc=edit_th_20250320&instance_id=150475&nl=today%27s-headlines&regi_id=6390114&segment_id=193927&user_id=c93e871ef7d15f605805ac7ce29b3bde)

This Forbes article focuses on the internet in general, and the U.K. in particular, and its over 6 years old, but it has good ideas and is short:

<https://www.forbes.com/sites/nikitamalik/2018/09/07/the-internet-to-regulate-or-not-to-regulate/>

This article from Australia has some new perspectives from kids and parents:

<https://theconversation.com/age-verification-for-social-media-would-impact-all-of-us-we-asked-parents-and-kids-if-they-actually-want-it-230539>

A sort of “Law for Laymen” view of the difficulties of regulation:

[https://wikijuris.net/cyberlaw/private\\_power/](https://wikijuris.net/cyberlaw/private_power/)

From the U.S. Courts, a layman’s guide to Free Speech:

<https://www.uscourts.gov/about-federal-courts/educational-resources/about-educational-outreach/activity-resources/what-does-free-speech-mean>

Since regulation means cooperation between countries, it’s good to know how they feel:

<https://worldpopulationreview.com/country-rankings/countries-with-freedom-of-speech>

When all else fails, have a laugh:

<https://bloximages.chicago2.vip.townnews.com/greenevillesun.com/content/tncms/assets/v3/editorial/5/88/5885ba88-3ffe-5da8-bf17-2ab814ba6d40/5ca232b3ee377.image.jpg?resize=750%2C605> SELF-REGULATION

[https://s3.amazonaws.com/lowres.cartoonstock.com/business-commerce-government\\_regulations-red\\_tape-bureaucrats-paperwork-failure-dbcn888\\_low.jpg](https://s3.amazonaws.com/lowres.cartoonstock.com/business-commerce-government_regulations-red_tape-bureaucrats-paperwork-failure-dbcn888_low.jpg) GOVERNMENT REGULATION

<https://www.columbian.com/wp-content/uploads/2023/07/07-08-Ax-EditToon-Social-Media-Risks-scaled.jpg> PARENTAL REG.

<https://image2.slideserve.com/4402447/regulation-of-social-media-l.jpg> FROM A 2014 TEXTBOOK

<https://images.seattletimes.com/wp-content/uploads/2023/01/Seattle-Sues-FIXED-ONLINE-COLOR.jpg?d=2040x1360> SOCIAL MEDIA AND KIDS

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Being a Social Media Luddite, I asked Chat GPT for some definitions. It answered:

"Social media platform" and "social media network" are often used interchangeably, but they can have slightly different connotations.

- **Social Media Platform:** This term typically refers to the technology or service that enables users to create, share, and interact with content. Examples include Facebook, Twitter, Instagram, and TikTok. It emphasizes the infrastructure and tools provided for social interaction.
- **Social Media Network:** This term usually refers to the community of users and the connections between them. It emphasizes the relationships and interactions among users within the platform.

**SOME Prompts for Discussion** (Just suggestions. Go anywhere you wish)

1. Is a Freedom to **NOT Hear** Speech, a/k/a Freedom to Privacy, or Freedom of Quiet Enjoyment, as important as Freedom of Speech? If not, should it be?

2. One of the often-successful challenges to Free Speech is that a particular idea imperils the public (Open Immigration, Banning Immoral Books), but while both examples would undoubtedly prove harmful in the intermediate to long run, neither meets the test of a “Clear and Present Danger.” So should pro-Israel, pro-Palestine and pro-Nazi speech be treated equally?
3. Do we have a right to know **WHO is speaking to us**:
  - Is it a robot?
  - Is it a paid posting?
  - Is it the person it says it is, or a stand-in or team (i.e., RealDonaldTrump)?
  - Is it fact or opinion?
  - What is the posters age and location (I have a right to comment on dating culture among today’s youth, but not the knowledge, and I can chime in on a zoning question in Yorba Linda, CA, but have no skin in the game)
4. Should Social Media platforms be required to vet certified posters, by photo ID, for example, and have that license to post expire periodically? Uncertified persons could read (if the platform allowed it), but not follow links (including links to, or in, ads) or make comments.
5. Should we limit accounts to one per individual or entity (Donald Trump; Trump team; John Doe, Trump Team member) would each post separately?
6. Should all free posts be labeled as “Fact-Checked” or “Opinion?” Fact checking means the platform has verified the facts and accepts legal liability. They can charge the poster for this service
7. Should paid posts state “**PAID POST**” in type as large and prominent as any content in the post?
8. Should each post require the registered poster’s city, country, age range (e.g. under 25, 25-75, 75+), verification date, and verification number (for uniqueness)? They become inactive after the expiration date if not renewed.

Thank you all for the opportunity to moderate this seminar. I hope you enjoyed it.

Pete Stoehr

April 10, 2025