

case 8-890-047
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Andrew Hoffman

Facebook: Fake News, Free Speech and an Internet Platform's Responsibility

Mark Zuckerberg, the chief executive officer of Facebook, sat in silence as he contemplated what he would say to the Facebook Board of Directors in light of the public backlash the company was receiving. Facebook had been thrust to the center of a national conversation about freedom of speech, fake news, and data privacy following exploitation of the platform by Russians attempting to interfere in the 2016 United States presidential election.

Since revelations after the election about Russian involvement, user mistrust of the platform had spread rampantly. Compounding the public backlash, Facebook had received harsh criticisms from both sides of the political aisle. In an effort to put the intrusions behind, Facebook executives systematically attempted to downplay the extent of the problem and cover up its impacts. These efforts to deflect and skirt responsibility had recently been brought to the public's attention, further exacerbating the challenges facing the company.

Since its founding in 2004, Facebook had rapidly grown from an online network of college students to a global gathering place for billions of users to connect with friends and share information. Now a multibillion-dollar tech giant, and the number one source of news for many people, the platform had become a key player in the debate about fake news, free speech, and privacy in the internet era. While the company had begun to take tangible steps addressing many of the free speech and privacy issues it faced, it was unclear if these efforts were enough. Facebook could no longer escape the limelight.

As Zuckerberg pondered the appropriate next response, he couldn't help but question how Facebook got to this point in the first place. He built Facebook with the mission to help people connect and share. He did not anticipate the company becoming an arbiter of free speech. He kept grappling with the same questions over and over again. As a platform, and not a publisher, what was Facebook's level of liability for

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