Dangerous Speech Project

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Electoral periods require the most vigorous protection of public peace and freedom of expression since without both, elections cannot be properly conducted, and democracy may be undermined. Meta must act accordingly, under the Board’s guidance.

Election denialism, [defined by the ACLU](https://www.aclu.org/news/voting-rights/election-denialism-lost-in-key-midterm-races-but-the-fight-is-far-from-over) as “baselessly casting doubt on or refusing to accept the outcome of free, fair, and secure elections,” undermines public confidence not only in a particular election or electoral process, but in public institutions. Election denialism is also routinely and directly linked to political violence since – as in this case – it is a powerful justification.[[1]](#footnote-2) It turns the tables, making political violence seem virtuous: if elections have been stolen, those who protest, even violently, can see themselves as brave, honorable guardians of democracy, a nation, and/or an identity group.

Meta must be alert to the fact that election denialism usually begins long before votes are cast, with assertions that the relevant institutions and technology aren’t adequate to conduct fair elections, and that the people involved are corrupt. This prepares followers to believe a subsequent assertion that an election was rigged, and may discourage voting. Denialism is a way of obstructing a fair election, for example when candidates baselessly predict fraud to try and secure victory whether they win legitimately or not, telling their followers something like: “if they tell you I lost, you will know the election was fraudulent.”[[2]](#footnote-3)

Many elections are not free, fair, and secure, however, and it is vital to allow criticism and inquiry into possible flaws and irregularities.

To make many key judgments and decisions regarding elections, Meta needs advice from external experts with specialized knowledge about elections, and electoral processes in specific countries. Well in advance of an election like the Brazilian one, when there are warning signs for election denialism and coordinated violence, Meta should convene a body of external experts to advise on country conditions and answer questions relevant to content moderation, review key moderation decisions, and flag content they consider harmful. Such bodies would work in conjunction with internal Elections Operations Centers like the one Meta assembled for the 2022 Brazilian election. They would also build on the sort of collaboration that Meta enjoyed from Brazil’s Superior Electoral Court (TSE), since collaboration would be more extensive and would include a wider variety of participants.

Experts might be drawn from local or national NGOs and civil society organizations, human rights defenders, scholars, journalists, an electoral administrative council and/or court like the TSE (where such an institution is highly regarded and independent), and international monitors from organizations like the Carter Center, the International Foundation for Electoral Systems, or the United Nations. The identity of experts may be kept confidential to protect them from possible repercussions, but the expert body’s membership should be disclosed to a trusted external organization (possibly even the Oversight Board) to verify that Meta has constituted a diverse, nonpartisan body.

Meta should consult such experts on the sort of vital questions posed here, e.g. when it is reasonable to cast doubt on an electoral process and when it is denialism, and which moderation tools are likely to be most beneficial in reducing the risk of violence. Similarly, the experts will be invaluable for distinguishing legitimate political organizing and harmful coordinated action – often the same activities and even similar language can be used for both. As an example, poll monitoring can be harmless and constructive, or intimidating to voters and poll workers.

As for the timing of Meta’s election integrity efforts, including building an external body of independent observers and civil society as described above, efforts should be launched as soon as campaigning begins in a country or region, and should continue until a peaceful transition of power has been completed and (if applicable) denialism subsides so that the transfer of power is not in doubt, nor are the relevant institutions or office holders in evident danger. Meta’s external expert bodies should advise on when these concerns have passed, and election integrity efforts can be stopped.

If the Board plans to issue a policy advisory opinion on Meta’s approach to addressing election-related disinformation and violence generally, we would also encourage review of Meta’s handling of political advertising[[3]](#footnote-4) and disparate handling of election-related disinformation and misinformation in different languages (e.g. fact-checking identical claims in English but not in Spanish)[[4]](#footnote-5).

Finally, we offer guidance regarding the Board’s last two questions. For distinguishing between legitimate political organizing and harmful coordinated action it will be invaluable to consider, with the help of external experts, what the goals and especially the likely outcomes are. Political organizing may lead to violence in fraught conditions, but it should neither be meant – nor be likely – to galvanize such violence.

The Board’s final question is arguably the most difficult, since the right to criticize government and its institutions and policies is at the core of freedom of speech. Such speech must therefore be protected by default. However as the German notion (and constitutional regime) of “militant democracy” holds, extremists must not be permitted to use democratic tools to destroy democratic institutions and processes. Meta should make use of its own existing tools to respond to content that is manifestly false and/or that has a significant chance of inciting violence. To gauge these risks regarding specific content, it should study responses to it[[5]](#footnote-6), rely on high-quality research on the links between speech and violence,[[6]](#footnote-7) and consult experts as described above.

1. For details on identifying speech that increases the risk that its audience will commit or condone violence, see[*Dangerous Speech: A Practical Guide*](https://dangerousspeech.org/guide)*.* [↑](#footnote-ref-2)
2. This is unfortunately increasingly common. See e.g. [Kenyan presidential candidate Raila Odinga](https://www.aljazeera.com/news/2017/8/6/raila-odinga-warns-of-rigging-before-kenya-election) in 2017 (“The only way Jubilee [his opponent’s party] can win this election is by rigging…They have no other way.”), and U.S. presidential candidate [Donald Trump in August 2020](https://thehill.com/homenews/administration/512424-trump-the-only-way-we-are-going-to-lose-this-election-is-if-the/) (“The only way we’re going to lose this election is if the election is rigged”). [↑](#footnote-ref-3)
3. See e.g. the [KU Leuven–NYU audit](https://cybersecurityfordemocracy.org/audit-facebook-political-ad-policy-enforcement) that found 83% of ads in their sample that were not declared as political by the advertiser were misclassified by Meta, including both false positives and false negatives, and that Meta allowed more than 70,000 political ads to run in the U.S. during its advertising moratorium around the 2020 election [↑](#footnote-ref-4)
4. See e.g. Aliya Bhatia’s [summary of this issue](https://cdt.org/insights/election-disinformation-in-different-languages-is-a-big-problem-in-the-u-s/) for the Center for Democracy & Technology and [Equis Labs’](https://www.washingtonpost.com/outlook/2021/10/28/misinformation-spanish-facebook-social-media/) research on Spanish-language misinformation. [↑](#footnote-ref-5)
5. For a more detailed description of this idea, see [“The Insidious Creep of Violent Rhetoric” in Noēma.](https://www.noemamag.com/the-insidious-creep-of-violent-rhetoric/) [↑](#footnote-ref-6)
6. For an extensive review of such research, see Cathy Buerger’s [*Speech as a Driver of Intergroup Violence: A Literature Review*](https://dangerousspeech.org/speech-as-a-driver-of-intergroup-violence-a-literature-review/). [↑](#footnote-ref-7)