

## The Future of Democracy Ep. 24 - English

[00:02:56] Hi, welcome to The Future of Democracy, a show about the trends, ideas and disruptions changing the face of our democracy. Your host, Sam Gill. You've got to think of the show as the op-ed page of our contemporary democracy. It's where we hear different views, different debates about some of the really critical issues that are challenging our democracy or that are showing the way forward. And we're gonna continue to talk this week about social media and democracy. There is a growing sense that social media has at least become a friendly haven to, if not accelerate, of hate speech and other discriminating forms of expression. And this summer, the most successful ad ban in history stopped for profit, convinced major brands including Unilever, Ford and Coca-Cola to pull ads for 30 days from Facebook. Our guest today helped orchestrate the campaign. He's no stranger to pressuring corporations around social issues. Rashad Robinson, the president of Color of Change. And I'm really excited that we'll have a chance to talk to him not only about this campaign and why it was so uniquely successful, but how he sees the work continuing in seeking to change the role that social media plays in our democracy. So please join me in welcoming the show. Rashad Robinson.

[00:04:12] Hello, audio. Hey, Sam.

[00:04:14] Good to see you. Thank you for being here. Of course. So let's start with we've now got a little bit of the benefit of hindsight, which I think there's sort of some good and some bad thinking about this campaign. But let's start with the good. I mean, this really was this wasn't the first ad moratorium for one of the major platforms. It was easily the most successful in the most visible.

[00:04:37] Why? What do you think made this work this year? Well, a couple of things. I think it made it work. First of all, the timing.

[00:04:45] We were in a moment where they were unprecedented number of eyes looking at screens and major corporations and brands were asking what they could do around racial justice and racial equality. Corporations had been reaching out to us. They were making statements. And then they were watching as Facebook was allowing for hate and division to be sold on its platform. These corporations had their own challenges also with Facebook. They were dealing with a company that did not have to make changes because they didn't have competitors. And so as a result, many of these companies felt in this weird kind of catch 22 in their relationship with kind of rock and a hard place in their relationship with Facebook.

[00:05:29] And so it was the perfect sort of set of all those things. But really, for us, as the social justice organizations and particularly for us at Color of Change, which had been battling Facebook for since 2015 and had been over time working to push this company to do various things, had been on the inside pushing, had went before and pushed Congress and legislators to do things, had been constantly trying to make movement. The boycott and the ban represented sort of us as like a final straw, really recognizing that we if we didn't bring more public attention and more public awareness to the issue, we would continue to spin our wheels of the company that wasn't incentivized to change.

[00:06:13] And what do you think the campaign achieved? You had a lot of access in some key moments. Were you able to extract concessions that you and your allies see as meaningful?

[00:06:27] So, yeah, I mean, a couple of things. So first, you know, we at Color of Change had demanded that Facebook do a civil rights audit. And we had and we'd gotten them to commit to doing a civil rights audit after they had turned off the Facebook Live of black women in Baltimore who was having a police interaction. They turned it. Please access Facebook to turn it off without any proper sort of protocols. They turned it off. She ends up dead. Her name is Karrine Gaines. And what ends up happening is we demand that they do a civil rights audit. And as they're asking what they can do and then they start kind of what Facebook oftentimes, as they say, they're going to do something and then it doesn't actually happen.

[00:07:07] And when Mark goes before Congress the first time we work with Senator Booker to have him ask specifically about the civil rights audit and civil rights issues. At that point, Mark does commit to doing a civil rights audit now publicly in a more public forum before the United States Senate. But what ends up happening is, once again, more slow walking, more pushing. And then The New York Times reveals that Facebook, while this was happening, had hired a PR firm to attack us. We found out because The New York Times called us after they had published a story to get comment. And so we're now trying to sort of navigate this. This ends up with us moving from meetings at the policy and staff level to meeting, moving to meetings at the C Suite level. And in our first sort of face to face, sit down with Sheryl Sandberg, the CEO, where Mark stopped in for a little while. We get Sheryl to commit to releasing the civil rights audit publicly. And later that month, they released the first phase of the civil rights audit, which really showed the company, to no surprise, hadn't done much. They hadn't actually done much on that audit. They were slow walking. So was a bunch of things that they would do, not things that they had done, even though the audit had been apparently taking place for about a year. And then over the course of the next six months, I will be honest and say that Facebook really did lean in. I mean, pun intended in some ways. Sheryl took over the took over the audit. And she was in deep contact. I was in regular contact with her in her office. We brought her to Atlanta to meet with black activists and activists from the Muslim and Jewish and other communities to hear firsthand about the impacts of this platform. We got them. They started making announcements around banning white nationalist groups around sort of political ads. And right before that sort of forum in Atlanta, their policy director announces almost what seemed like a surprise to Cheryl and her team that they were going to have an exemption to some of these policies, particularly on political. Teach and hate, you know. And so we started to call it the Donald Trump exemption. We were surprised we put all this time and having this form and then we were sort of blindsided the day before and this but we kept we stayed at the table once again. So this now we've been publicly attacked. Then we like through this forum, we've been sort of kind of publicly surprised. But at each time we're continuing to push because we don't have the government levers to actually get the type of oversight and enforcement necessary. So we know that we actually need to do some things so we don't end up in the same position as we were in 2016 around the election and how the platform was used to weaponize all sorts of attempts to suppress the vote against black communities. So we continue to work and we continue to get policies in place and we continue in these back and forth meetings. And then Donald Trump starts testing these policies, whether it was the voter suppression policy, whether it's a process policy about inciting violence. So whether it was lying about voting and vote by mail, whether it was that looters and shooters post at the height of the George Floyd uprisings, we watch as Facebook doesn't enforce the policies that they had put in place, that at every turn they find a reason why they can't enforce it. And the policies go through that. The decision to enforce it goes through their policy department, which is charged with maintaining a relationship in D.C., which is very different than the way that those decisions are made at Twitter and Google and other places around these decisions. And so we have been in a lot

of back and forth. And in June 1st, along with Sherl and Eifel from the Legal Defense NAACP Legal Defense Fund and Vanita Gupta from the Leadership Conference on Civil Rights, I met with Mark Shaw, Joe Kaplan, who is kind of Brett Kavanaugh's best friend and was the policy director we met over zoom around these post. And at the end of the meeting, I knew that the work that my team had been doing around building out what could look like an add boycott was the only way to go, because once again, we're on this call and we're being sort of explained civil rights by Mark Zuckerberg about why these things don't violate the policies, about why they shouldn't be enforced, about why it wasn't a mistake. And I realized that we were in the right conversation, that we were asking for someone to do something that wasn't incentivized to do it. And we needed to make this conversation much more public. We needed to move it out of the behind the scenes conversations and move it into a much more public space. And that's how we got here. And I think what we achieved and I think what we always knew that we wanted to achieve was putting this conversation on the map in a new way. Right. I did ask a set of black radio this morning specifically on the debate. And each of those conversations they asked me about Facebook and our work around Facebook. That did not happen six months ago. This is on the radar of people in a new way as a result of over a thousand brands joining us, social justice warriors and big corporations who no one would call social justice warriors, coming together to say this platform has to do something different than not doing something different than continuing to lead, like to like kind of defend their positions even while they made some modest changes at the edges. I think also sends a powerful message in a new conversation. Just yesterday, the report came out or this week the report came out from Congress on anti-trust. And I did a press conference with Congressman Issa Lini that the chair of the subcommittee. And in each of these places, those. This kind of campaign stop paid for profit campaign is actually being used as an example, another talking point, another sort of line to show why real reform and real change is necessary.

[00:13:10] Well, I would agree. I mean, I think I think that if to the extent that success is about I think one bringing to the surface in corporate speak concerns about brand safety and making that part of the political discussion, I would agree that the campaign did that. And I certainly agree with you that something that's definitely shifted over the past six months is that the discussion about content the lawyers like to call kind of lawful but awful is now a lot more specific. We're talking in part about content that is lawful, but race lawful but hateful. And that's different. That awful in a generalized way. It's different then. I just don't like the tone of the discourse online. I think the recognition that there are some communities who are victimized in a much more fundamental and pervasive way by this speech that the Internet's being instrumentalize for that purpose has made a difference. And of course, you know, Colbert has made a difference, too. I think I think I think a sort of corporate liturgy around unbridled free expression just feels a lot emptier in a world where it's at. Difficult to find accurate information about coalbed on social media platforms. I guess the question, though, is, so you've changed the discourse. We're still sort of careening toward the abyss. You know, like where do we where do we go from here?

[00:14:25] Well, you know, this is the trick that we're in. Right. We've got to win the right level levers of power to be able to put infrastructure in place, to set new rules and to then enforce those rules.

[00:14:39] You know, one thing, Facebook kept saying things that they couldn't do around enforcement, around content, moderation. And I remember sort of in the early days when we're all going into quarantine. I mean, there was a lot of misinformation and disinformation about Kobe. You know, some people may not remember this because it

feels like we've lived a couple of years over these last couple of months. But in the early days of Kobe, there was a lot of disinformation online that black people couldn't get. Kobe, like black people like were somehow immune to Kobe in some way.

[00:15:11] And a lot of that was all related to lagging indicators around how, like people had actually access to health care and had access to doctors. And so a lot of the ways in which this conversation was being driven was online. And a lot of misinformation and then disinformation, like you could use lupus drugs to cure Cobbett. And black women are disproportionately more likely to have lupus. So we watch lupus drugs flying off the shelves and then people not getting access. I talk to Sheryl and Sheryl Sandberg and I want one thing I was like just encouraged by and also like they're a little outraged by what all of the great work that Facebook was doing to deal with misinformation and disinformation about Kobe, how they had moved all of these forces, how they had coordinated. It was almost sort of like military style in terms of their ability to be able to coordinate resources and deploy resources because they saw this was a problem. They coordinated with the World Health Organization. They did all of this work to like make sure they were dealing with this information as she walked me through it. And it was deeply encouraging. And all I could think was this was the same stuff that she told me they couldn't do, like technically just a couple of months before, which is just a recognition of power. Right. Aware of how incentive structures work inside of corporations, what people tell you they can do is oftentimes not actually what they can do, but what they will do, what they are willing to sacrifice, what they're willing to put on the line. And even, you know, two hours before the debate, I was in communication with, you know, senior level people at Facebook about the Donald Trump junior post on Facebook that calls for an enlistment of an army of Trump supporters to deal with voter fraud. That is happening. I tried to help them the same way that I did around that looters and shooters post also appoint this back to the history of vigilante sort of attacks on black communities. This oppression of black people's political voice, the violence that we have faced, that if you read history books or seen documentaries is as clear as day. And I got to email back a couple of hours before Donald Trump was on a national stage telling the proud boys to stand by. Defending and passing enlist an army and what he really meant and knowing full well that if we had the right level of power, I wouldn't be in that conversation.

[00:17:55] They are more afraid right now of regulation and attacks from the administration than they are of the impacts of their platforms on the safety of our communities and intel. We build the right level of power, whether it's through government or whether it's through commerce or whatever else. And commerce is deeply hard when you have a monopoly. We are going to continue to be in this situation where we're making demands on a system that are moral, righteous demands, where we don't have the right incentive structure because moral and righteousness doesn't outweigh profit and growth.

[00:18:33] What do you. So I imagine that there is regime change in November and a pretty profound way if Democrats retake the Senate and the White House, this will not be low on the list of issues, technology. What what what are some of the rules that you think are need to be the top priorities to ultimately begin to produce a more just social media, in your view?

[00:18:59] So a couple of things. First, there are agencies already that sort of have lacked the sort of teeth and to enforce what they should be enforcing to oversee what they already should be doing. And so the FTC is one place that's dealing both with the fact that, you know, Facebook has 60 percent and it's that that Facebook has 75 percent of the messaging market. They are controlled by one person. They have a chairperson and CEO

who makes all the decisions with over two point six million users and has more followers than Christianity. So the fact that we're using rules that largely were created before Facebook existed to sort of keep it accountable doesn't mean that we have the type of muscular rules that hold it accountable. So FTC, which has been weak and even when it has put sort of rulings down, hasn't either been able to enforce it or has fined Facebook at the level of, you know what, at the equivalent of what, you know, a piece of candy might cost my needs and has not actually in any way cost Facebook or prevented Facebook for wanting to do it again. And so, you know, what we're now dealing with is that those agencies. But to be clear, right. We have been here before in this country where new industries had grown and consolidated and we needed infrastructure to keep us safe. You know, we don't rely on the auto industry to be this so sort of ambassadors about whether or not the seatbelts work. But we have regulations and we have rules and we have oversight enforcement. We don't rely on our meat, on the meat industry alone to determine whether or not the meat that comes into our homes are safe. And so I do think, you know, similar to what's been done, you know, at the consumer level with the CFTC, we need an agency that is robust and has sort of the ability to both enforce rules, have a real civil rights perspective as it relates to new tools that come down the road. You know, we've watched as these platforms have argued that they are not accountable to civil rights law. Right. So not only do they make their products without black and brown people in the run, then they also then go around saying that they're not accountable to civil rights. I remember at the height of the pandemic, all of the I shouldn't say to hide the pandemic. That's that's not really there. But in the early days of the pandemic hitting our shores here in the United States, I would say we were dealing with a whole host of Zoome bonding that was happening, attacking black and Jewish and other sort of gatherings.

[00:21:47] And when I got on the phone with and I guess I got on Zun with the leadership at Zoo and they said to me, well, we would never imagine that people would want to interrupt someone's gathering. And I'm like, of course, you never imagine because you don't have people around the table, weather history and experience with their gatherings being interrupted. And so, you know, to the extent that we need enforcement of rules to oversee new tools, we need accountability on it. And then we need the like, right level of certification for who gets to build these tools. Right. I live in New York City. There's a lot of buildings. There's a lot of people who work who have an architect or engineer in their title who built these things. And if they fail, those engineers are held accountable for the failures of what they built or how they hurt people. People go out to Silicon Valley and have the ability to. Bill, all sorts of things that impact our lives but don't have to be accountable to any set of rules. And they don't have to be responsible if the tools that they built or the sort of infrastructure that they built hurts us. The technology that has the potential to bring us into the future shouldn't drag us into the past.

[00:22:57] What what might a certification? That's an interesting idea. What made a certification regime for this kind of engineering class look like?

[00:23:07] So, I mean, I think that, you know, we started by lawyers, we certified doctors. I think that they are sort of. It would probably include some some some tested evaluation. It would include a set of ethics that people have to sort of abide by.

[00:23:21] And if they don't, there's like a regulatory body that sort of can, you know, take their sort of license or their bar certification or whatever else, the fact that we have certifications for so many different jobs. And right now, the future, our literal future is built by people who don't have to be certified, should make all of us worry, because what we know will happen is that the capitalist forces of making money at all expense will outweigh

some of the questions about safety, civil rights that can sometimes slow things down, but actually allow for all of us to fully participate, allow for those tools not to hurt, harm and target people. And so I do think that those are the case. I also want to say that there's a lot of smart people sort of talking about this and thinking about this in a range of different ways.

[00:24:16] And one thing that I'm always struck by is that with the tech companies and tech both go before Congress, how much how in an act are members of Congress can sometimes look when they're asked the question?

[00:24:30] You know, they are you a guy who's got a legislative body of ever being inept?

[00:24:34] Exactly. And they'll say things about, you know, an Android product when it's really an Apple product. You know, maybe ask. And I've I've sometimes been in rooms where I've had, like, talking about sharing platform than I've been, you know, having to just educate the lawmaker how to get on the platform and find their password.

[00:24:54] But I say that to say that I don't expect my the people in Congress to be necessarily experts on nuclear power. I expect us to build the infrastructure so that we do have folks that are experts. And I expect the lawmakers to recognize how do we evaluate their effectiveness, how do we evaluate their safety.

[00:25:14] But, you know, we don't elect our elected officials to be expert on every single thing that the government has to oversee or that the things that impact our lives. What we want them to be able to do is recognize at scale the infrastructure that we need to ensure safety and to assure our democracy in an economy that we can all participate in.

[00:25:35] So just keep pushing on this a little bit. I mean, one of the things that strikes me about the examples that you gave, which I think are great examples of places where we have, you know, both regulatory infrastructure and professional ethics in the examples of like a developer, a lawyer, a doctor. Absolutely. There are incentives to cut corners. And so you do need professional codes that make clear what the ultimate interest is. But there's also kind of broad consensus between the practitioner and the consumer about what success looks like, like the building standing is a success for both. The building falling is a failure for both the patient, you know, healing, the success for both the patient getting sick or dying is a problem for both. And when I listen to say like Mark Zuckerberg, when he's interviewed and ask questions about harm that might be obtaining on the platform. You know, there's still kind of a discourse that it's net beneficial, that there's sort of more good happening because we can personalize the content, because we can connect you to more people, because the connection is there all the time. And and I can't tell, you know, whether this or an engineering class that you want to target with the certification system actually fully embraces the idea of of a good social media, of a functioning social media, that you're necessarily a spouse.

[00:26:54] Yeah, I mean, this is all the more reason why we have to do it. Right. If the industry was all on board, then we may not actually need it the same way. You know, police don't actually want new rules either, but we need systems and structures. And even if there is a net benefit. Right. That also can't be the sort of like the kind of ground in which we stop.

[00:27:21] We have to think about sort of all the ways in which those net benefits can slowly be chipped away if we don't actually deal with the challenges in an increasingly

diverse and increasingly divided society. The fact of the matter is. A lot of folks in Silicon Valley want you to believe that they've designed tools that are not biased, that these tools have been designed in ways that are just sort of like, you know, building on data and data is not biased. And what I know. Right, from living uptown in New York. Right. Let's just talk about it at the sort of micro level of like policing, for instance. Right. So I live uptown in New York, a stone's throw away from Columbia University, a stone's throw away from Central Harlem. No one can tell me that there's not just as much drugs being done on Columbia University's campus as there is in central Harlem. But we know if we just looked at arrest records on drugs, we would have a whole theory about what was happening in terms of people's drug use. Right on Columbia's campus versus in Harlem. That actually then could be extrapolated into all sorts of models that tech companies use and could hand off to law enforcement that could then do predictive policing, could then use those things to deny people access to housing through air BMB that could deny people access to credit. Could these models were then used to determine whether or not someone was getting marketed certain jobs or certain housing on Facebook? Until we worked through the Fair Housing Coalition, ACLU and others to sort of push back on that. And so I say all of that to say that we will have to build some consensus and that will be the hard work. I wish this was gonna be easier than it will be, but part of the reason why we're here, right. Is because we've gotten so far down the line building tools and systems without a civil rights perspective in mind, without a sort of perspective about the harms and damages. And now we've got huge platforms which perhaps dictate so much of our day to day lives. And these platforms are continuing to grow.

[00:29:41] And and as a result, you know, so many of us are continuing to face the sort of damage, the consequences of their growth without walls.

[00:29:53] Do you see this social movement that you've started to tap into broadening?

[00:29:58] Well, yeah. I mean, look, it's it's incredible. Me a couple of weeks ago, we did a brief pause with on Instagram. Just another thing. As we keep building, you know, I am not confused that, you know, around what we can actually do to damage Facebook. Sort of like bottom line right now, they are insulated in a lot of ways that they're set up. But what we have done is we are creating broad consensus among the public. We are we have given Mark Zuckerberg and these companies many of opportunities that come to the table and actually be good players and moving things forward. And I bet you if they had taken more of an opportunity to fix some of the things, it would be a lot harder for us to get so many people on board. So many companies are in these campaigns, so many celebrities, so many folks on board, so many elected officials. But because of their unwillingness, because they have been so focused on growth, like, you know, like the like the railroads of of of of, you know, days before, like so many of the other companies that had to be dealt with. I don't believe that we can simply take old sort of models of just breaking things up or just doing this. I do think we need new rules for a new day. But I do fundamentally believe that we need rules. And I believe that we are changing public perception. And now we have to channel that presence and that visibility and that awareness into actually changing the rules. And so that's where it gets tough. That's where we're going to lose some people here and there. That's where we're going to be in deep fights. But, you know, I actually believe that the sort of a multiracial democracy like ours is an experiment. And if we're not willing to put rules in the road that allow for our voices to be heard and for us to participate and engage, then we're not going to know. We're not serious about making this experiment work.

[00:32:00] So just a last question before I let you go. And it's a version of we've got a question on the chat about whether you're continuing to have dialog with advertisers. And I guess the question would need to me along the lines of what you just said is will brand advertisers be a force in this campaign for change or new rules and a threshold that will matter, like you alluded to this, getting to thresholds that matter for these companies is really hard. You know, once the NCAA has said we're not gonna have a championship in a state with a Confederate flag, that was one state that had to worry about at that point that you could reach a threshold of advertiser anxiety. That. North Carolina. Around the you know, the bathroom bill, quote unquote, underage, an advertiser threshold that had an impact. Do you see advertisers linking arms with you in this in this effort going forward?

[00:32:53] You know, I think that this is going to be but this remains to be seen. We're going to invite as many of the advertisers in, you know, as someone who's got some successes and a lot of wounds from doing corporate accountability work.

[00:33:07] I never sort of I never count on a whole set of companies being in the long term game of regulation and accountability. They are all incentivized to having rules that allow them to operate without accountability at the same time. You know, the business to business nature of Facebook and the ways and the arrogance of this company, which has grown so large and doesn't feel like they have to listen to feedback. The fact that we could continually show big brands their ads right next to organizations that were calling for a second civil war, you know, I think did spark their energy. How far they go down the road of setting new rules remains to be seen. But I do think that we are in a place where we where Facebook becomes the biggest champion for our efforts because continually day in and day out, they have an infrastructure that's not incentivized to set rules. And they their business model comes directly up against the things that corporations and the users want. And now we've got to sort of make the next step. And I think your point about making the sort of regulations and rules matter is so important. The last thing we would want is to have a victory lap around a set of rules that don't change the context and experience that people are having on the platform.

[00:34:37] We could follow a shot on Twitter at Rashard Robinson. You can fall color change on Twitter at color of change or at color change dot org. As always, we'll send this out to you after the show. Rashad, thank you so much for joining us today. Appreciate you. Thanks. All right, folks, we've got some some good shows coming up in the coming weeks on October 22nd. We'll be hearing from Zaide up to VECCI, a professor at University of North Carolina and kind of modern Nostradamus on questions technology. ENCODE it in October. Twenty ninth. We'll be hearing from Kristen Clark, president and executive director of the Lawyers Committee for Civil Rights under law. As reminder, this episode will be up on the website later. You can see this episode in any episode on demand at Camp Dot org slash after your show. You can also subscribe to the Future of Democracy podcast on Apple, Google, Spotify or wherever you get your podcasts. Same show. One day later, audio only you can email us at F.T. Showed camp at all. Or you can reach me on Twitter at the Sam Guille. Please stay for 30 seconds to take a two questions survey. We always appreciate your views and we will end the show to the sounds of Miami singer songwriter Nick County. You can check out his music on Spotify till next week. Thanks for joining us, Doucett.