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IT'S NOT ABOUT SATIRE!

By Steve Bakke  April 5, 2019



On March 24th a San Diego Union-Tribune editorial was quoted in which, among other comments, GOP Rep Devin Nunes was mocked for his \$250 million lawsuit against Twitter and several Twitter users. According to the editorial, Nunes' lawsuit was described as "absurd" and "preposterous." The editorial bemoaned the lawsuit by stating: "So much for the unanimous 1988 Supreme Court ruling saying public figures could be satirized."

That Supreme Court ruling is legitimate and capably stands on its own merits. But the Union-Tribune is trying to cast the ruling's shadow of influence far too wide. Nunes filed the suit in his legitimate fight against Twitter allowing "shadow-banning conservatives" and promoting defamation.

The contention is that Twitter is banning conservative content rather than just hosting it. Shadow-banning, in this instance, means that conservative posts are hidden from public observation. Nunes claims Twitter is also promoting defamation by some users, not just permitting permissible satire. It's obviously much more complex than that, but that should give you some idea.

This type of shadow-banning is not protected behavior, and the lawsuit is legitimate. Or what am I missing?