

Absurd New York Times Hit Piece: First Amendment case in the Supreme Court. Matt Taibbi

Correcting the record after a desperate slam job on the Twitter Files, published just before oral arguments in a historic First Amendment case in the Supreme Court

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In advance of oral arguments tomorrow in the Supreme Court for [Murthy v. Missouri](#), formerly [Missouri v. Biden](#), the New York Times and authors Jim Rutenberg and Steven Lee Myers wrote a craven and dishonest piece called, "[How Trump's Allies Are Winning the War Over Disinformation](#)."

The *Times* implies both the Twitter Files reports and my congressional [testimony](#) with Michael Shellenberger were strongly influenced by former Trump administration official Mike Benz, whose profile occupies much of the text. Benz is described as a purveyor of "conspiracy theories, like the one about the Pentagon's use of Taylor Swift," that are "talking points for many Republicans." They quote Shellenberger as saying meeting Benz was the "Aha moment," in our coverage, and the entire premise of the piece is that Benz and other "Trump allies" pushed Michael, me, and the rest of the Twitter Files reporters into aiding a "counteroffensive" in the war against disinformation, helping keep social media a home for "antidemocratic tactics."

This all has a strong whiff of setup. I have nothing to say against Mike Benz, but let's set some things straight. As Rutenberg and Lee Myers themselves note, I first talked to Benz in March, 2023. The Twitter Files reports were virtually all done by then. I would publish just two more, one on the day of my testimony, March 9, 2023 ("[The Censorship-Industrial Complex](#)") and one on March 17 ("[Stanford, the Virality Project, and the Censorship of 'True Stories'](#)").

Mike was the source for exactly [one piece of information](#) in those two stories: a video his

[Foundation for Freedom Online](#) posted of Stanford Internet Observatory director Alex Stamos, in which Stamos said Stanford's Election Integrity Partnership was created to "fill the gap of things the government couldn't do" legally:

This was true, public, and newsworthy, not a "conspiracy theory" about Taylor Swift or anyone else. Did "Trump Allies" force Stamos to put that video on YouTube?

Rutenberg and Lee Myers imply Benz influenced a change in my personal reporting, since I didn't discover "evidence of direct government involvement" in the first installment of the Twitter Files about the Hunter Biden laptop story:

The author of that dispatch, Mr. Taibbi, concluded that Twitter had limited the coverage amid general warnings from the F.B.I. that Russia could leak hacked materials to try to influence the 2020 election. Though he was critical of previous leadership at Twitter, he reported that he saw no evidence of direct government involvement.

In March 2023, Mr. Benz joined the fray. Both Mr. Taibbi and Mr. Benz participated in a live discussion on Twitter, which was co-hosted by Jennifer Lynn Lawrence, [an organizer](#) of the Trump rally that preceded the riot on Jan. 6... As Mr. Taibbi described his work, Mr. Benz jumped in: "I believe I have all of the missing pieces of the puzzle." There was a far broader "scale of censorship the world has never experienced before," he told Mr. Taibbi, who made plans to follow up.

Nice try. Though I didn't find "direct evidence" of government involvement in censorship programs in the first Twitter Files piece, we did discover it, on a grand scale, almost immediately after. Subsequent Twitter Files reports reflected this, including "[Twitter, the FBI Subsidiary](#)" from December 16th, 2022, and the "[Twitter and Other Government Agencies](#)" story published on Christmas Eve of 2022, the day the [IRS opened a case on me](#).

Shellenberger, Bari Weiss, Lee Fang, and other Twitter Files reporters discovered the key elements of the Twitter Files reports, from the "[industry calls](#)" held between the FBI and Internet platforms like Twitter, to the [role of Stanford's Election Integrity Partnership](#), to the [role of the State Department's Global Engagement Center](#) in sponsoring "anti-disinformation" work, in the first two weeks of research. Our central thesis about state-sponsored censorship was online months before we met Benz. By mid-December 2022, I knew we were looking at a sweeping federal content-control program, and repeated the idea many times. As I wrote on Christmas Eve, 2022:

The files show the FBI acting as doorman to a vast program of social media surveillance and censorship, encompassing agencies across the federal government —from the State Department to the Pentagon to the CIA... The operation is far bigger than the reported 80 members of the Foreign Influence Task Force (FITF)... Twitter had so much contact with so many agencies that executives lost track.

Nonetheless, the gist of today's *Times* piece is that Shellenberger and I got this thesis *from* Benz. They literally wrote it that way, that when I testified to Congress, I was presenting *his* thesis:

Later, Mr. Shellenberger said that connecting with Mr. Benz had led to "a big aha moment..."

A week after that online meeting, Mr. Taibbi and Mr. Shellenberger appeared on Capitol Hill as star witnesses for the Select Subcommittee on the Weaponization of the Federal Government. Mr. Benz sat behind them, listening as they detailed parts of his central thesis: This was not an imperfect attempt to balance free speech with democratic rights but a [state-sponsored](#) thought-policing system.

Michael, Bari, Lee, David Zweig and others involved with the Twitter Files project have been subject to a lot of silly smear jobs in the last year-plus, but this piece of deep state fan fiction in the *Times* is low even by their standards. It's clearly intended to re-cast the outing of federal censorship initiatives as Trumpian conspiracy theory before oral arguments begin in *Murthy v. Missouri* tomorrow.

As the *Times* notes, this is one of "the most important First Amendment cases of the internet age," and "could curtail the government's latitude in monitoring content online." Originally filed by the Attorneys General of Louisiana and Missouri, the lawsuit "accuses federal officials of colluding with or coercing the platforms to censor content critical of the government."

The reason the government faces such danger is because two lower courts have already affirmed the core accusation that multiple Executive Branch agencies, including the White House and the FBI, violated the First Amendment when they engaged in mass-flagging programs of the type identified in both the Twitter Files and the original *Missouri v. Biden* complaint. After these lower court decisions, the *Times* notes with sadness, "the Biden administration has largely abandoned moves that might be construed as stifling political speech," facing as it now does the specter of "legal and political blowback."

The administration faces this blowback because the story about the censorship programs is true. The *Times* didn't bother trying to argue we got anything wrong. It just said we knew Benz, showed a picture of him sitting behind Shellenberger as he testified, then said things like "More recently, Mr. Benz originated the false assertion that Taylor Swift was a 'psychological operation' asset for the Pentagon," as if that had something to do with us. It's *Six Degrees of Misinformation*.

Rutenberg two election cycles ago authored the seminal article on "oppositional" journalism in the Trump age. "[Trump is Testing the Norms of Objectivity in Journalism](#)" came out in summer of 2016, and was hugely influential. It said Trump was such a threat that the job going forward could no longer just be about reporting facts, but reporting facts that will "stand up to history's judgment."

Now he's arguing the exposure of censorship programs is "paralyzing" official efforts to police social media, the medium that was "central to [Trump's] political success." Apparently misleading the public about my reporting is the new version of staying on the right side of "history's judgment." Let's hope the Supreme Court doesn't get distracted by these hysterics. Is there any doubt that's what this story is designed to accomplish?

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