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Inconsistent methodology

1 message

Bryan White <zebrafactcheck@gmail.com>
To: truthometer@politifact.com

Fri, Jul 7, 2023 at 12:52 PM

Dear Truth-O-Meter,

Your June 16, 2023 story on President Biden's claim that a gay couple could be married in the morning and legally kicked out of a restaurant for being gay lacks coherence in no less than three significant ways.

"PolitiFact found several news reports of LGBTQ+ people saying they were kicked out of restaurants over the past decade, in states with and without anti-discrimination laws."

The above line from the fact check article works against Mr. Biden's claim by suggesting that the absent legislation he laments essentially makes no difference. That might be different if PolitiFact had tracked the legal repercussions faced by those who violated state protections based on the relevant anti-discrimination laws. But the article doesn't delve into that. The article ends up informing readers of *one* instance of supposed discrimination in a state lacking the protections Biden desires.

"over one-third of LGBTQI+ respondents said they faced some kind of discrimination in the past year"

So what? Will Biden's proposed law protect people from all "some kind of discrimination"? The statistic doesn't fit the fact check. It serves to prey on readers' [anchoring bias](#), if anything, exaggerating the need for a federal law. That wasn't PolitiFact's plan, was it?

"his remarks need clarification." ("Mostly True")

This is the big one.

Any number of times PolitiFact has taken a literally true statement like Biden's and given it a rating corresponding to "contains a grain of truth" or the like. Yes, of course I have an example, and it's one PolitiFact has repeated [multiple times](#).



Mariannette Miller-Meeks

stated on July 17, 2022 in a newsletter:

The Democrats' Women's Health Protection Act of 2022 "would permit abortion up until delivery."



ABORTION

IOWA

MARIANNETTE MILLER-MEEKS

As with Biden's claim, Miller-Meeks' statement is literally true. And PolitiFact acknowledges as much in the fact check, albeit characterizing the literal truth as "[an element of truth](#)" via the "Mostly False" rating.

Both claimants left out information. Biden supposedly left out "additional information." Miller-Meeks supposedly left out "critical facts that would give a different impression."

What did they leave out, specifically?

Biden left out that there aren't many clear examples showing the need for his proposed law. The examples were so rare that PolitiFact used examples from states that already have the protections Biden proposes to implement in federal law. As pointed out above, that only undercuts the rationale for the law. Could that leave a different impression as to whether we need the proposed federal law Biden looked to support with his claim?

Miller-Meeks left out that abortion up through the moment of delivery would only be available in limited cases. Did PolitiFact explain how the ambiguity of the "health of the mother" creates a legal loophole of considerable note? No, PolitiFact's fact check notes no such thing.

[Sarah Kliff](#) (Newsweek, Nov. 2008):

McCain is correct when he suggests that the law does not specify which conditions or complications should be included in the legal definition of what constitutes a threat to the mother's health. That decision is left up to the doctor. Pro-life groups have long complained that the Supreme Court's definition is too vague and includes too many provisions. "It allows abortion under any circumstance because the Supreme Court has defined 'health' to mean a general feeling of well being or age or familial conditions or psychological factors," says David O'Steen, president of the National Right to Life (NRLC). "Health means anything." The NRLC has attacked Obama's own characterization of his abortion position in the debate as disingenuous.

So, PolitiFact avers that the law would only permit abortion up through the moment of birth in "limited cases" but stops short of informing readers there is no solid line of demarcation for risk to the health of the mother. Let PolitiFact look for a woman who was denied a late abortion because the threat to her health was not sufficient for the presiding physician. That would go a long way toward showing that the supposed limits on late abortions that PolitiFact touts actually exist.

Lacking an example of the effectiveness of the touted limits, PolitiFact itself leaves out information that might create a different impression.

The IFCN code of principles PolitiFact claims to follow stipulates that [fact checks of equivalent claims shall adopt the same standard of judgment](#).

In Biden's case, PolitiFact ignored as though immaterial apparent limits on the application of his proposed federal law. Getting legally kicked out of a restaurant for being LGBTQ+ could be more rare than a third-trimester abortion, but that's just a needed clarification ("Mostly True!").

In Miller-Meeks' case, omitting the vague and unproven limits on abortion (that PolitiFact omitted) counts as critical information that might leave a different impression ("Mostly False!").

The cases are equivalent, but treated very differently by PolitiFact. The differences likely stem from the ideological preferences of PolitiFact writers and editors.

If PolitiFact has some defense for this disparate treatment, I'd love to hear about it. Thanks for reading.

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Sincerely,

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