



CS121: Our Digital World

Safety, Censorship, and Free Speech Online

+ Discussion Questions

- As a teen, did you face monitoring or censorship by your parents? Did they let you watch R-rated movies? Listen to music with explicit lyrics? Did they let you have a cell phone? A car? Did you have your own computer, or use a shared family computer? Did they monitor your internet usage, and/or run a site blocker to stop you or siblings from viewing inappropriate materials online?

+ Discussion Questions

- Should sites like MySpace, Facebook, etc. be totally uncensored, or should they allow any content whatsoever to be posted and transmitted? What content (if any) should be forbidden? (hate speech, defamation, profanity, pornography, child pornography, drug trafficking?)
- What, if anything, should sites like MySpace, Facebook, Twitter, etc. do about the problem of sexual predators and other crime that may be facilitated by their services? Are they at all liable for such events if they occur? (Are they more like a distributor/truck, a newspaper/publisher, or a library?)



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DOPA

+ Deleting Online Predators Act

- Bill brought before the House of Representatives in 2006
- It would amend the Communications Act of 1934 to:
 - Require schools and libraries to protect minors from online predators when using social networking sites and chat rooms
- Why is this bill controversial?

+ Children's Internet Protection Act (CIPA)

- Signed into law in 2000
- Requires that K-12 schools and libraries in the US use Internet filters and implement other measures to protect children from harmful online content as a condition to receive federal funding.

+ Other Bills

- Communications Decency Act (CDA)
 - Passed in 1996
 - The indecency on the Internet portions of the act were deemed unconstitutional in 1997
- Child Online Protection Act (COPA)
 - Passed in 1998
 - Deemed unconstitutional in 2007



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Metaphors

+ Metaphors

- Society has struggled to find metaphors for electronic communication:
 - Is publishing online like publishing a book?
 - Is sending an email like making a phone call?
 - Is writing on a forum like making a phone call?
 - Is browsing the web like channel surfing on the tv?
- When information is transmitted, there is a source, destination, and intermediaries.

+ Metaphors

- Parents sue MySpace for \$30 after their daughter is sexually assaulted.
 - MySpace was neither the source, nor the destination, but was the intermediary
 - Was MySpace the publisher?
 - Was MySpace the distributor?

+ Cubby v. CompuServe

- Settled in CompuServe's favor
- Court ruled it was more like the distributor or library and couldn't be held responsible for the content on its site

+ Stratton Oakment v. Prodigy

- Stratton Oakment sued Prodigy for libel
- It asked for \$200 million in damages
- The courts ruled in Stratton Oakment's favor
- Was Prodigy a distributor?
- Was Prodigy a publisher?
- What are the implications of this case?

+ Miller v. California (1973)

- Defines what counts as obscene
- A court must consider:
 1. Whether the average person, applying contemporary community standards, would find that the work, taken as a whole, appeals to the prurient interest.
 2. Whether the work depicts or describes, in a patently offensive way, sexual conduct specifically defined by the applicable state law.
 3. Whether the work, taken as a whole, lacks serious literary, artistic, political, or scientific value.
- What is the *community* in cyberspace?

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Time Magazine in 1995

+ Time Article

- Led to a moral panic over contemporary technology (technopanic)
- This directly led to Internet content legislation
- President Clinton signed Communications Decency Act (CDA) into law in 1996
- A “Good Samaritan” provision was added to CDA
- Remains in law today and ISPs can do as much as they want to filter or censor their content, without any risk that they will assume publishers’ liabilities in the process.

+ Zeran v. American Online, Inc.

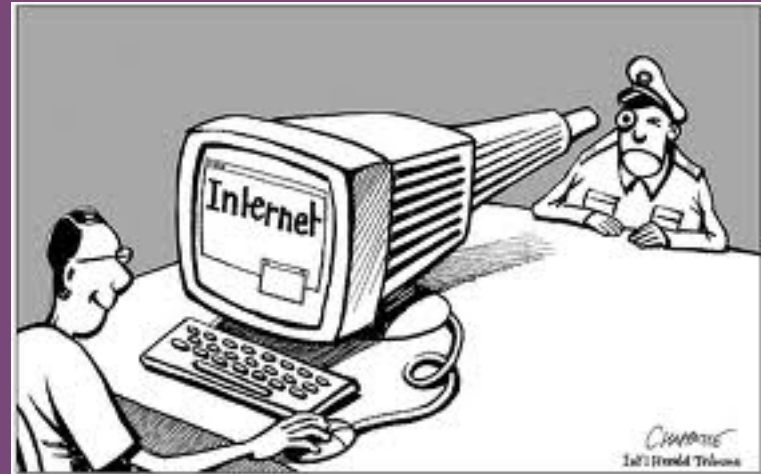


+ Good Samaritan Clause

- Jane and John Doe sued AOL for harm inflicted on the son
- The Doe's lost citing the Good Samaritan clause



- What are the implications of GPS availability on services such as Foursquare and Gowalla?



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Censorship

+ Censorship

- Dow Jones & Co. Inc. v. Gutnick
- Yahoo, Inc. v. LICRA

+ Saudi Arabia

Dear user, عزيزي المستخدم

Sorry, the requested page is unavailable. عفوًا، الموقع المطلوب غير متاح.

If you believe the requested page should not be blocked please [click here](#). إن كنت ترى أن هذه الصفحة ينبغي أن لا تُحجب نفضل [بالتصديق هنا](#).

For more information about internet service in Saudi Arabia, please click here: www.internet.gov.sa لمزيد من المعلومات عن خدمة الإنترنت في المملكة العربية السعودية، يمكنك زيارة الموقع التالية: www.internet.gov.sa

+ Activity: Censorship

- Go to:
http://en.wikipedia.org/wiki/Internet_censorship_by_country
- Discuss the censorship in each of these countries.

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+ References

- <http://techliberation.com/2008/07/10/technopanics-and-the-great-social-networking-scare/>
- <http://www.uic.edu/htbin/cgiwrap/bin/ojs/index.php/fm/article/view/2152/1966>