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The Influence of Memes

In the evolving digital landscape, the ethical and legal considerations surrounding meme creation, particularly regarding the use of individuals' images, necessitate a balanced approach that respects both freedom of expression and individual rights to privacy and dignity. Drawing upon ethical principles from professional codes of conduct, legal frameworks, and timeless moral precepts like the Golden Rule, this essay argues for the establishment of guidelines that promote responsible meme creation, emphasizing transparency, consent, and respect for all individuals involved.

From an ethical standpoint, the Association for Computing Machinery (ACM) provides a foundation for discussing the creation and dissemination of memes using someone's image. Principle 1.2, "Avoid harm," is particularly relevant. It suggests that computing professionals should avoid actions that harm others, including actions that infringe on privacy or damage reputation (ACM, 2018). Applying this principle to meme creation, ethical considerations would favor seeking consent from individuals before their images are used, respecting their privacy and dignity.

Furthermore, the Institute of Electrical and Electronics Engineers (IEEE) emphasizes "to avoid real or perceived conflicts of interest whenever possible, and to disclose them to affected parties when they do exist." This principle can be extended to the context of memes, where the use of someone's image could lead to conflicts between the right to privacy and the creator's

freedom of expression. The ethical approach would involve transparency and respect for the individual's wishes, possibly even compensating them if their image contributes to the meme's value or reach.

In considering the ethical implications of meme creation and the respect for individuals' rights, we can draw upon the biblical principle of treating others with love and dignity. One relevant verse is Matthew 7:12 (The Holy Bible: New International Version), where Jesus says, "So in everything, do to others what you would have them do to you, for this sums up the Law and the Prophets." This verse, often referred to as the Golden Rule, emphasizes the importance of empathy and reciprocity in our interactions with others. Applying this principle to meme creation would entail considering how we would feel if our own image were used without consent or in a derogatory manner. It encourages meme creators to approach their work with sensitivity and respect for the dignity of those depicted, aligning with the ethical principles outlined in the ACM and IEEE codes of conduct.

Legally, the question of whether laws should exist to protect individuals' images from being used in memes is complex. Currently, the right to freedom of expression, as protected under the First Amendment in the United States, often conflicts with individual rights to privacy and copyright laws. Copyright law, under fair use provisions, allows for the transformation of copyrighted works for purposes such as critique, commentary, or humor, which can include meme creation. However, when the image of a person is used without their consent, it raises concerns under the right of publicity and privacy laws, which vary significantly across jurisdictions. In cases where memes are used for slander or defamation, existing laws already provide a legal recourse for individuals to protect their reputation. However, the transient and viral nature of memes makes enforcement challenging.

The moral obligations of a computer professional in the context of meme creation include respecting individuals' rights and dignity. Creating guidelines for meme creators could help balance the creative freedom essential for cultural expression with respect for individual rights. Such guidelines could include seeking consent whenever possible, avoiding harm, and being transparent and accountable for the use of images.

Work Cited

Association for Computing Machinery (ACM). "ACM Code of Ethics and Professional Conduct." 2018. <https://www.acm.org/code-of-ethics>.

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The Holy Bible: New International Version. Grand Rapids, MI: Zondervan, 1984.