

CSC 300 GW Final Paper: Freedom of Speech Related to Information

Technology

Within the past few decades, information technology has completely transformed how modern society communicates. Whether for work, school, or leisure, the internet has become our primary medium through which people connect with each other. Its most notable advantage, instant communication, has made its way into becoming an essential tool in our everyday lives. Beyond just communication, the internet is also a vast sea of information, giving people unprecedented access to knowledge never seen before. Because of this, people are also now more connected than ever before. However, while the internet offers a ton of remarkable benefits, it has also encountered its own growing pains. As the internet continues widespread adoption, new complex issues arise, especially those concerning free speech.

There was an initial optimism during the early days of the internet before it saw widespread adoption. People envisioned a new frontier in which information could flow without borders and where people could express themselves freely. It promised a platform for open communication, unrestricted by media or government censorship. However, as the internet expanded and more people adopted it, these ideals began to be challenged. One of the most important topics challenging the internet today is what it means to have free speech online. As the internet grows to encompass billions of users, the diverse views on what free speech means have also grown. Opinions differ on what should be considered free expression, what should be restricted, and who holds the power to make these decisions. Is it the government's role to regulate speech? Do private companies that control social media have the right to limit content? Or should users themselves determine what is acceptable? In this essay, we will cover various conflicting arguments surrounding what constitutes free speech on the internet, with the

goal of understanding how we can strive for both equality and protection of free speech in our digital age.

When we're discussing freedom of expression online, it is important to first understand and consider what the government would consider free speech. One piece of legislation that's often cited with free speech online is Section 230 of the Communications Decency Act of 1996. So what exactly is Section 230? It's a law that was introduced in response to a series of lawsuits in the 1990s that questioned whether internet service providers should be treated as publishers or distributors of content created by their users. At its core, Section 230(c)(1) states, "No provider or user of an interactive computer service shall be treated as the publisher or speaker of any information provided by another information content provider." This means that platforms, such as social media websites, generally cannot be held legally responsible for the content posted by their users.

In addition, Section 230(c)(2) further protects online platforms by allowing them to moderate content in good faith. Legally, online platforms are not liable for restricting access to material that they deem "obscene, lewd, lascivious, filthy, excessively violent, harassing, or otherwise objectionable, whether or not such material is constitutionally protected."

Despite these protections, online platforms still face the challenge of balancing free speech while creating a safe and inclusive environment. While Section 230 shields them from many lawsuits, it does not remove their ethical duty to ensure that their platforms do not become safe havens for harmful content or abusive behavior. Thus, the debate over free speech online continues today.

Currently, one of the relevant topics regarding the freedom of self-expression on the internet is the fight against misinformation. The internet is a large platform and often encourages collaboration and the sharing of information. Some notable examples would be Wikipedia, Khan Academy, and YouTube which allow audiences to consume a vast amount of educational

content on multiple subjects with their educational videos. The internet also makes it easy to get instant access to news and makes keeping up with real-time events easy. However, for every good trustworthy resource, there are also a ton of other poorly researched untrustworthy sources of misinformation.

The consequences of misinformation can be widespread and far-reaching. Some examples from this last decade include the resurgence of the flat earth theory, 5G health conspiracies, and most recently the COVID-19 anti-vaccine movements. COVID-19 gave rise to a vast array of misinformation, ranging from “alternative” cures (using bleach or ivermectin to kill the virus) to conspiracy theories claiming that the virus was a hoax in part of a larger global agenda. Sometimes it is not even the fault of our own citizens falling for misinformation. There’s also the issue of foreign adversaries who partake in “troll farms” to spread and disseminate misinformation and sow political division on social media. Such cases undermine our democracy as a whole.

Deleting these types of misinformation posts may seem to be the straightforward solution. However, the solution is not so black and white. For example, deleting a conspiracy theorist’s posts might only serve to embolden them even more by making them think that they’re right. Other times, deletion or censorship genuinely destroys any chance of meaningful discussion. So what gives?

One side argues that misinformation, especially regarding those related to health, democracy, and safety, can have devastating real-world consequences. Regulation and fact-checking from trusted institutions are needed to stop the spread of false information to people who are vulnerable. By letting misinformation run rampant, we undermine social trust, and public well-being, opening a future where our speech will be trampled.

Meanwhile, the other side argues that people should have the right to share their views, even if those views are based on false or controversial information. If we want to be a truly free

society, we must trust individuals to discern truth from lies, and to fight information with more speech, instead of restricting it.

Fortunately, social media platforms today have taken initiative to fight against misinformation. For example, in response to the COVID-19 pandemic, platforms such as YouTube and TikTok introduced misinformation warnings on related videos, providing the user with direct links to relevant verified informational content. This approach helps users access reliable information without needing to search for it themselves, reducing the risk of falling for false claims or engaging in misinformed discussions with others. X (Formerly Twitter) introduced an even better solution with its own feature called Community Notes. This tool allows users to collaborate together to actively fight against misinformation and propaganda on the site. It requires using verified sources and explanations, and even has a voting system. It's a great addition because, unlike the former two examples, Community Notes puts its power in the hands of its users instead of a single or automated entity. This distinction is crucial because individuals who are most susceptible to misinformation (such as conspiracy theorists and polarized individuals) often harbor deep distrust towards those in power. Large authoritative entities such as governments, corporations, or ideologically opposed interest groups are frequently viewed with skepticism by these individuals. In contrast, information shared by fellow citizens tends to be perceived as more trustworthy as it feels more personal.

Social media platforms have become deeply integrated into our daily lives, serving as our primary source of information about the world and society for most individuals. At its core, these platforms take pride in their recommendation algorithms, which are not only key to enhancing the user experience, but are also a large part of their business model. These algorithms are meticulously designed to cater to individual preferences, keeping users engaged and active on the platform. However, this personalization inevitably introduces algorithmic bias. What are the potential implications? Such biases can influence how we perceive the world and

each other, shaping public opinions, reinforcing stereotypes, and potentially deepening societal divisions.

One of the most well known effects of algorithmic bias is the creation of echo chambers. While personalization aims to enhance the user experience, users tend to gravitate towards content that conforms to their existing beliefs and preferences. While this isn't necessarily a bad thing, this tendency is rooted in human psychology, as people often find it uncomfortable to have their ideas challenged, which requires mental effort and emotional vulnerability. As a result it is common for users to tend to engage with politically aligned content and disengage from perspectives they disagree with. Recommendation algorithms (whose sole purpose is to keep users engaged) amplify this behavior, and systematically push users into filter bubbles and echo chambers, which limit their exposure to different viewpoints and alternative political beliefs.

How does this type of algorithmic bias relate to the freedom of speech online? Well for one thing, by narrowing the range of perspectives that users are exposed to, it effectively creates a form of soft censorship through algorithmic filtering. When users are exposed only to information that conforms to their beliefs, it can stifle the potential for healthy dialogue and perpetuate ongoing stereotypes and prejudice since there is no one there to challenge it.

Social media platforms have a duty to carefully balance their delicate recommendation systems. Each platform's algorithm has unique behavioral patterns which can profoundly impact the way its user base interacts with each other. Twitter for instance, is infamously known for having an algorithm that promotes negativity and controversy as an incentive to drive up user engagement. By amplifying negative content, these systems create echo chambers where ideologically opposed groups are pushed into increasingly antagonistic positions, replacing nuanced discourse with performative conflict. Experts even say that this issue has gotten significantly worse since Elon Musk's acquisition of the site, where hateful conduct has seen an uptick since then.

Another example of a social media with an echochamber problem is Reddit. While its subreddit system promotes niche, diverse, and specialized communities to thrive, its biggest feature, the upvote/downvote system has also introduced some unintended consequences. The upvote/downvote system, originally designed to filter content irrelevant to the discussion, is often misused as a way to express disagreement with others rather than relevance. This creates an environment where certain viewpoints are less visible than others.

Reddit's offhand approach to moderation also presents additional challenges. Individual subreddit moderators have significant control over the subreddits they inherit which can lead to varied approaches in maintaining community standards. Subreddits have a chance to go through a "purity spiral" where moderators of a subreddit can censor and even downright ban users who they disagree with morally and politically. This problem can cause discourse to be narrowed down and may limit the exchange of diverse perspectives.

The removal of like/dislike ratios is also a big contributor against free speech. While platforms such as YouTube originally removed public dislike counts to protect creators from harassment and review bombing of specific videos, this change fundamentally changed how users evaluate the information they receive online. The dislike count served as a mechanism for quickly identifying misleading, low-quality, or controversial content. When it came to educational, political, or scientific content, having the ability to see collective user feedback was a crucial tool for assessing the quality of information you were given. With dislike counts now hidden, the voices of those who disagree with a video or comment are now hidden, making it difficult for users to encounter and evaluate diverse or challenging perspectives.

Promoting transparency in how their algorithms work among social media companies is essential in solving free speech problems. Greater openness about how data is collected, analyzed, and used to recommend content can empower users to make informed decisions about what they consume online. Providing users with more control over their content

preferences not only enhances their online experience but also encourages more equitable and personalized outcomes which is key in fighting against online echo chambers. Some platforms have already introduced features that allow users to manage their interests by adding or removing topics from their “content preferences” through their settings. This is a positive step towards free speech online.

Another topic regarding free speech online includes piracy and copyright on the internet. The intersection of free speech, copyright, and piracy on the internet is a nuanced and evolving topic. On one hand, supporters of piracy argue that it democratizes knowledge and culture, with proponents often saying "information should be free." They assert that sharing software, media, and other content can be a form of self-expression, fostering creativity and access, particularly for those who cannot afford high costs. For some, piracy serves as a rebellion against monopolistic practices of large corporations.

However, this perspective is far from being universally accepted. Critics of this stance highlight that piracy takes away the rights of creators to their hard-earned money. When you commit piracy, you deprive authors, filmmakers, developers, and artists of their revenue critical to their livelihood and potential future projects. Free speech does not cover the unauthorized use or distribution of intellectual property.

Nowadays though, the debate around piracy has lost its relevance due to the rise of online digital platforms that provide a legal, affordable, and user-friendly experience. Platforms like Steam, Spotify, and Netflix have risen to address previous consumer frustrations by providing a convenient and accessible alternative to piracy. Today, people would rather pay for the convenience of owning something legally than to jump through hoops of attaining something illegally through piracy, which can carry risks such as viruses and scams.

Perhaps it is more relevant to shift the discussion towards digital archiving which raises similar questions about free speech and the ethicality of doing so. Archiving involves preserving

books, websites, videos, and other digital materials that often challenge copyright laws.

Recently, entities such as the Internet Archive have come under fire for breaking fair use as they rented out books archived under them (Hachette v. Internet Archive). Much worse was the recent Nintendo lawsuit against the emulator platform Yuzu, a \$2.4 million lawsuit that caused Yuzu, along with its 8,500 games to be taken down. Many of these were retro games, not currently available through legal means by Nintendo.

Proponents of digital archiving argue that archiving is essential for preserving cultural heritage, ensuring public access to knowledge, and is a means of fighting against censorship. In this case, the Internet Archive's CDL (Controlled Digital Lending) has been viewed as a necessary tool for democratizing information.

However, critics say that archiving materials without permission still infringes intellectual property rights. While preservation is important, it must still respect the creative rights of content creators. Overall, this opens up new discussion about reforming copyright laws that balance out protecting creators while allowing fair use for archiving purposes.

In any case, copyright should be reformed or reinterpreted to protect important entities such as the Internet Archive for the sake of preserving our own history and culture. The Internet Archive's method of lending (CDL) is a way to draw itself a line between digital archiving versus copyright infringement. We can ensure cultural preservation without undermining current markets. We have much more to lose if we were to make digital archiving illegal than we have to gain from it.

The internet, with its immense scale and vast benefits, still continues to grow and evolve today. With it comes fresh interpretations of free speech and new debates on how content should be regulated. As digital platforms shape the way we communicate and share ideas, ensuring a balance between protecting free expression and moderating harmful content becomes more crucial than ever before. While online platforms today are not legally bound to

protect free speech, they still bear an ethical responsibility to encourage open dialogue while maintaining a safe and equal environment that does not allow the spread of misinformation, harassment, and violence. Ultimately the future of free speech regarding information technology rests on the actions of our government, tech companies, and users as they confront emerging challenges related to our right to freedom of expression.

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