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CSCI 330 – Computer Architecture

4/2/2023

Morality of Memes:

The Ethical Enforcement of Consent

When Ghyslain Raza recorded himself twirling a golf ball retriever to imitate Darth Maul, he intended it to be a private affair. After some classmates uploaded it to the internet against his will, however, his life was forever changed for the worse. Raza was bullied out of his high school, told on several occasions that he was “a pox on humanity,” and that he should commit suicide (Taylor). Unlike Raza, however, Kyle Craven’s brush with memedom was far more to his liking. Craven had purposefully taken a silly yearbook photo during his junior year of high school with the intent of making fellow students laugh. Several years later, his longtime friend Ian Davies uploaded the image to Reddit to share the joke. Craven went on to take creative control of his image as “Bad Luck Brian,” turning it into a then-successful brand of internet content and merchandise. The question of how these two people had disproportionately different outcomes comes down to a simple question of consent: Raza never consented to his content being shared, as it was supposed to be an intimate video by himself, for himself, and seeing it mocked was commensurately scarring; Craven did consent to his content being shared, and as such was more than willing to monetize his status. It makes sense that Raza and those like him have disproportionately bad outcomes; nonconsensually sharing private content is a form of cyber-bullying, as is the online harassment these victims can face. Yet if these are forms of cyber-bullying, then what laws, if any, do they run afoul of? What laws

should be implemented to protect victims? I argue that these crimes have sufficient laws in effect, and that this is another example where free access to medical care, specifically psychiatric care, would be an efficient bridge between bad outcomes and the laws as they exist.

Unfortunately there is not much the government can do for cyberbullying victims without treading on the idea of a free and fair internet. The EU has seen success with their “right to be forgotten” regulations, allowing victims to request their content be removed. This has been gutted by the CJEU, however, who ruled that such material only must be removed within Europe (Kelion). But given the merits of a free and fair internet, I believe that instead of focusing on penalizing distributors of this stolen content we should be focused on the health and safety of the victims with an eye for enabling them to pursue restitution against distributors, which are laws that already exist. Note that Raza was able to come to an out-of-court settlement with his bullies several years after his fame. Philippians 2:4 calls us to look out for the interests of others, while Galatians 6:2 says to carry each other’s burdens. By all means, think of a higher call to not care for the sick and poor of society. This means making healthcare, including psychological care, free for all, or at least affordable for all. Through this we can help victims find care and counselling to deal with the circumstances they are subjected to, to enable them to push through and achieve justice on their own accord. The goal should be to support victims first and foremost.

It is unfortunate that people are subjected to having their own personal content shared and mocked by others. Often times this fame has negative consequences for the victims, given the nonconsensual circumstances of their fame. We cannot let this dictate policy towards the concept of the internet as a free and fair place, however. What we can do is offer systematic care for the victims, as we should for all people.

Works Cited

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