

# CPSC 2910

## Lesson 4

**Connie Taylor**  
**Professor of Practice**



*School of*  
**COMPUTING**

# Today's Topics

- ❖ Free Speech Principles and the US First Amendment
- ❖ Free Speech on College Campuses
- ❖ Limiting and Censoring Free Speech
- ❖ Other Topics:
  - ❖ Leaking Sensitive Material
  - ❖ Anonymity
  - ❖ The Global Net
  - ❖ Net Neutrality
- ❖ Breakout Discussions

# The First Amendment:

*Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.*

# The First Amendment

- ❖ Written for offensive and/or controversial speech and ideas
- ❖ Covers spoken and written words, pictures, art, and other forms of expression of ideas and opinions
- ❖ Restriction on the power of government, not individuals or private businesses

# First Amendment

## Principles and Guidelines

- ❖ Advocating illegal acts is (usually) legal.
- ❖ Anonymous speech is protected.
- ❖ Some restrictions are allowed on advertising.
- ❖ Libel and direct, specific threats are not protected.
- ❖ Inciting violence is illegal.
- ❖ Distinguish speech from action. Advocating illegal acts is (usually) legal.
- ❖ Laws must not chill expression of legal speech.
- ❖ Do not reduce adults to reading only what is fit for children.
- ❖ Solve speech problems by least restrictive means.

# Free Speech on Campus

<https://www.pbs.org/video/free-speech-vs-hate-speech-on-college-campuses-gkjvrl/>

# Limiting Freedom of Speech

- ❖ Most attempts to limit freedom of speech have been found to be unconstitutional because:
  - ❖ Too vague and broad and/or
  - ❖ Cause a chilling effect
- ❖ Exception: Children's Internet Protection Act of 2000 (CIPA)
  - ❖ Requires schools and libraries that participate in certain federal programs to install filtering software
  - ❖ Upheld in court
  - ❖ Does not violate First Amendment since it does not require the use of filters, impose jail or fines
  - ❖ It sets a condition for receipt of certain federal funds

# Censorship Alternatives

*What are some options that can be used outside of legal measures to censor offensive content?*



# Censorship Alternatives

- Filters:
  - Block sites, phrases, images
  - Parental control for sex and violence
  - Could screen out too much or too little?
  - What should be blocked?
- Policies
  - Online communities and social networking sites develop policies to protect members
  - Video game industry rating system

# Posting, Selling, and Leaking Sensitive Material

- Considerations:
  - Type of material
  - Value to Society
  - Risks to society and individuals
- Examples:
  - Wikileaks
  - Climategate
  - E. Snowden

# Anonymity

- *Common Sense* and the Federalist Papers
- Positive uses of anonymity
  - Protect political speech
  - Protect against retaliation and embarrassment
- Negative uses of anonymity
  - Protects criminal and antisocial activities
  - Aids fraud, harassment, extortion, distribution of child pornography, theft, and copyright infringement
  - Masks illegal surveillance by government agencies

# The Global Net

- Authoritarian governments have impeded flow of information and opinion throughout history.
- The vibrant communication of the Internet threatens governments in countries that lack political and cultural freedom.
  - Some countries own the Internet backbone within their countries and block specific sites and content at the border
  - Some countries ban all or certain types of access to the Internet
- Aiding foreign censors and repressive regimes
  - Companies who do business in countries that control Internet access must comply with the local laws
  - Google argued that some access is better than no access

# Net Neutrality

- Refers to a variety of proposals for restrictions on how telephone and cable companies interact with their broadband customers and set fees for services.
- Net Neutrality - Argue for equal treatment of all customers
- Market - Flexibility and market incentives will benefit customers

# Freedom of Speech - Breakout

- **Leaking information** – Does the value of informing the public of controversial and sensitive information outweigh the dangers and risks? Discuss some examples/types of information you would want to be leaked.
- **Anonymity** - Where (if anywhere) is anonymity appropriate on the Internet? What are some kinds of Web sites that should prohibit anonymity? Where (if anywhere) should laws prohibit anonymity on the Internet?
- **The Global Net**- When U.S. or other non-Chinese companies set up branches in China and comply with restrictive laws, should we view them as providing more access to information in China than would otherwise exist, albeit not as much as is technically possible? Should we view them as appropriately respecting the culture and laws of the host country or as supporting restrictions on debate and access?
- **Net Neutrality:** Should companies be permitted to exclude or give special treatment to content transmitted based on the content itself or on the company that provides it? Should companies be permitted to provide different levels of speed at different prices?

## Next Class

***Resume & Cover Letter:*** Based on guidelines provide in class, you will need to create and/or edit your own resume and write a cover letter – **submit current versions of each by next class (not graded but must be submitted to earn points)**

***Career Fair Preparedness:*** The virtual career fair is Sept 29 and 30<sup>th</sup>. Review the companies attending the career fair and **pick the top five companies you are interested in talking to and why you picked them.** You will also provide an **assessment of your online presence and specify pros and cons of your online presence and a plan to improve.**

***Career Fair info on the Clemson website:***

[https://career.sites.clemson.edu/career\\_fairs/student\\_info/](https://career.sites.clemson.edu/career_fairs/student_info/)