

**Ignite students' interest** by sharing these resources, which demonstrate connections between the past and present. Please be sure to preview all resources.

# Free Speech in the Digital Age

A critical part of the First Amendment of the Constitution is freedom of speech. But the First Amendment and the rest of the Bill of Rights were established in 1781, long before the technology that we have today. What can you say online? And who gets to decide? The explosive growth of online content—and especially social media—in recent years has created a lot of difficult legal and ethical issues around the first amendment right to freedom of speech in the United States. Social media has been proven to be a successful tool for political and social justice, but it has also greatly contributed to the spread of fake news around the globe. How will freedom of speech continue to evolve in the digital age?



# Discussion Questions

## 1. Should schools have the right to monitor students' social media content? Should they discipline students for their online speech?

(Possible answers: Yes, schools need to be able to monitor social media activities in order to protect students from online bullying. When students use social media to harass or bully one another, schools should be able to stop them. OR: No, students have a right to freedom of speech. Schools have no business telling students what they can or cannot say when they are outside the school building.)

## 2. How much should social media companies censor what their users post? Should they remove objectionable or dishonest content?

(Possible answers: Social media companies should aggressively police what their users post in order to remove racist, sexist, or otherwise objectionable content, as well as misinformation. That is how they can best keep users safe and ensure they have access to accurate information. Social media companies should be held to the same legal standards that all book, magazine, and newspaper publishers are held to. OR: Social media platforms should be as free as possible, only removing illegal or truly dangerous content. Social media platforms are the main way people exercise their freedom of speech today, and just like how the government cannot seriously restrict speech, social media companies should refrain from doing so.)

## 3. Make a prediction: Where do you think freedom of speech online is going? Do you think people will be able to speak more freely online in ten years, or less? Explain your answer.

(Predictions will vary. Accept all well-reasoned answers.)

Share the online resources below with your class to stimulate discussion on these questions. Be sure to preview the clips before showing or sharing them in class to ensure the content is appropriate for your students.

## Links to Resources



### Video

#### Trailer for The Post

Show students the trailer for this movie, then discuss as a class. How has the situation for secrecy and journalism changed since the period shown in the movie?





### **Internet Free Speech: Do You Know Your Rights?**

Can public officials block their critics on social media? This video explores an interesting new legal issue.

### **Schools Are Watching Students' Social Media Use**

Have students watch this video, which raises legal and ethical questions about how schools police their students' social media use.

### **Should Hate Speech Be Protected as Free Speech?**

Laws about what speech is protected and in which ways can be confusing. Students may not know, for example, that hate speech is generally legal, but that private organizations—like employers—can still punish you for it. This video explains the legal status. Play it for students, then ask: If you could change anything about the legal status or free speech in America, would you? What would you change? (Watch through 4:21)

### **Do You Have the Right to Be Forgotten?**

The right to have information about you removed from search results is a hot button issue—especially in Europe. Show students this video which explores the topic, and ask if they think this right should be extended to Americans. (Watch through 8:15)

### **Know Your Rights with Freedom of Speech and Social Media**

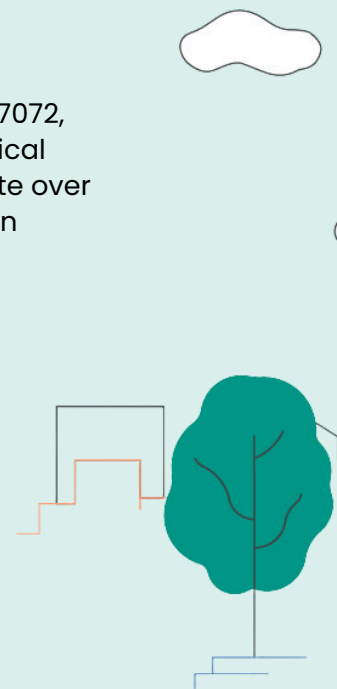
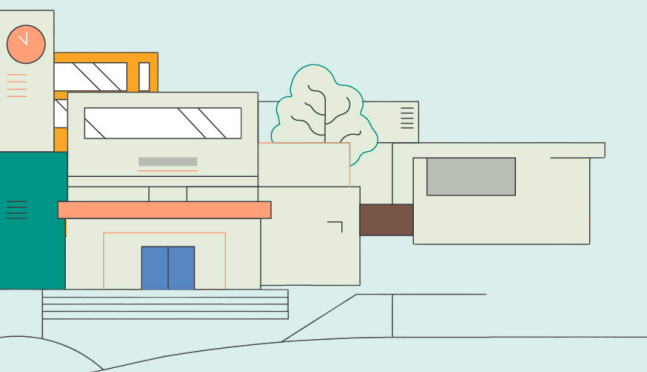
With the recent ban of several prominent social media users, use this video to discuss why freedom of speech is not guaranteed on sites like Twitter, Facebook, and Instagram.

### **Can Social Media Companies Effectively Police Hate Speech?**

This video looks into some of the challenges faced by social media companies today to regulate their online content. Use this video to discuss with students how they believe social media companies should police what is on their sites.

### **Florida Governor DeSantis Signs Bill Targeting 'Social Media Censorship'**

This newsclip provides details on Florida governor Ron DeSantis' Senate Bill 7072, which aims to punish social media platforms for censoring or banning political candidates. Students may want to consider the opposing sides in the debate over this bill: when might social media platforms be in the right, or in the wrong, in suspending social media accounts?





# Media

## **Free Expression on Social Media**

Have students explore this website which compares the speech policies of different social media companies. Of course, the policies change regularly, and so do the most popular social networks. Have students explore the policies of their current favorite sites and share what they learn.

## **Infographic: Why CDA 240 Is So Important**

Section 230 of the Communications Decency Act of 1996 protects social media companies from being sued for content posted by their users. This infographic clears up some of the confusion that surrounds it. Share it with students, then discuss the law's benefits and drawbacks.

## **Coronavirus Outrage Spurs China's Internet Police to Action**

Many authoritarian governments censor online content—including China's. When the Chinese government was criticized for its handling of the COVID-19 pandemic, it used traditional tools of oppression to go after its online critics. Have students read the article, then ask: why do authoritarian governments go to such lengths to punish their opponents?

## **Facebook: How Our Fact-checking Program Works**

The issue of freedom of speech is closely tied to the problem of online misinformation. Social media companies have struggled to fact-check content in an even-handed way. Some have refused to try. Have students read through Facebook's policy and suggest any changes they might make.



# Websites

## **ACLU: Free Speech**

The Free Speech page on the American Civil Liberties Union's website includes regularly updated articles covering free speech issues in the news. Choose some to share and discuss, or have students explore on their own and share what they learn.

## **Freedom Forum Institute: First Amendment Center**

This website includes a huge variety of resources related to free speech issues. Invite students to explore and discuss key findings with the class.

## **Human Rights Watch World Report**

Have students navigate to this website and click on the current year's World Report. They can explore the report to learn about human rights country-by-country, including freedom of speech issues. Have students research different countries in the report and compare their findings.