

The Law(s) of the Internet

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**GSLEDD Conference
Law Without Borders
University of Ottawa
10 May 2019**



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law without borders

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*A
DECLARATION
OF THE
INDEPENDENCE
OF
CYBERSPACE
BY JOHN PERRY-BARLOW*





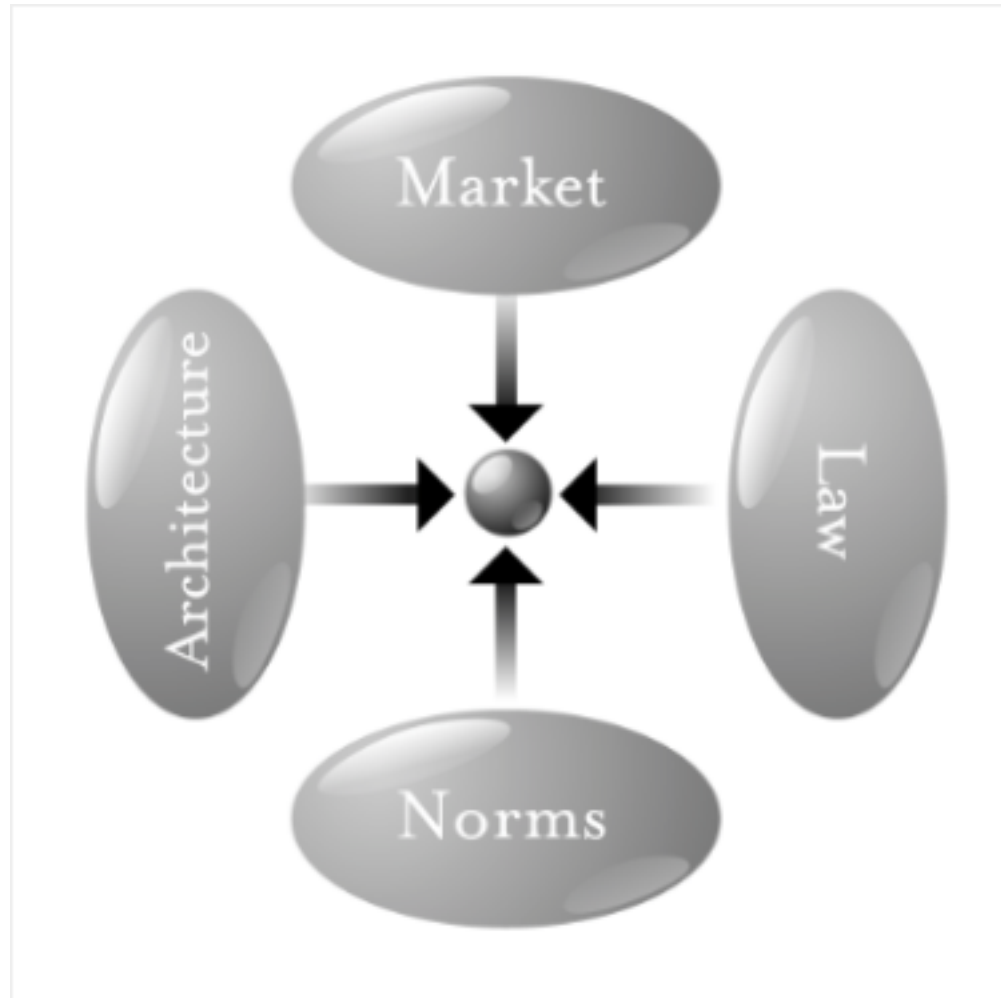




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the “is” ism

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little-to-no public accountability

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“The importance of our commitment to fundamental values, through a self-consciously enacted constitution, will fade. We will miss the threat that this age presents to the liberties and values that we have inherited. The law of cyberspace will be how cyberspace codes it, but we will have lost our role in setting that law.”

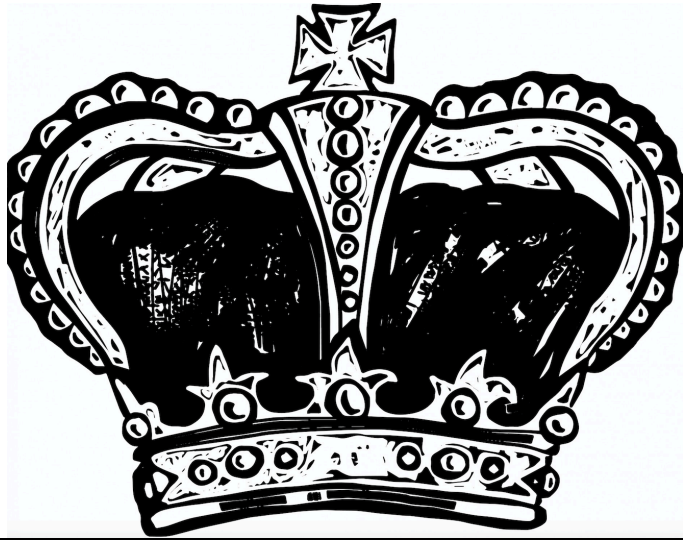
Lawrence Lessig



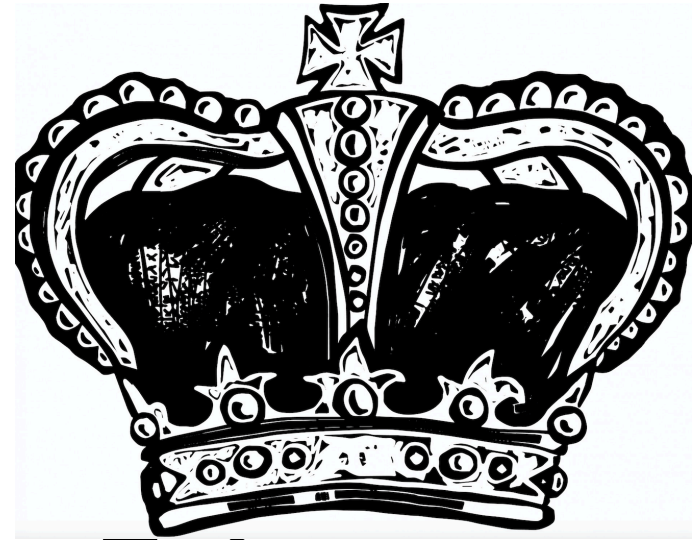
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HMQEElizabethII



Twitter
PinterestApple
Instagram Google
Facebook
Yahoo

acceptable use policies
terms of service

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adult nudity & sexual activity
hate speech
terrorist propaganda
fake accounts
spam
violence & graphic content
bullying & harassment
child nudity & child sexual exploitation

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over 85 million pieces of “adult nudity/sexual
activity” content

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“The consequences for breaching our Community Standards vary depending on the severity of the breach and a person's history on the platform. For instance, we **may** warn someone for a first violation, but if they continue to violate our policies, we **may** restrict their ability to post on Facebook or disable their profile. We **may** also notify law enforcement when we believe that there is a genuine risk of physical harm or a direct threat to public safety.”
[Emphasis added.]

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algorithmic sorting

“a de facto constitution of sorts, the constitution
of a sociotechnical order”

Langdon Winner



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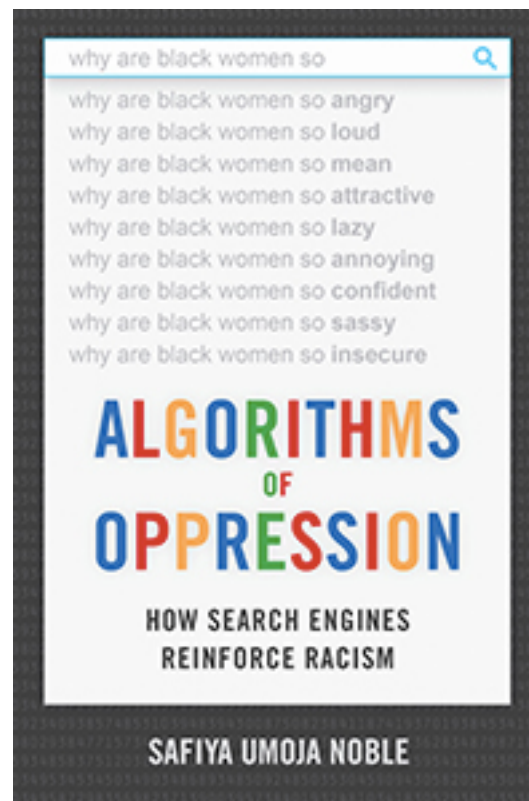
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Black girls

About 140,000,000 results (0.07 seconds)

Advanced search

Everything

Images

Videos

News

Shopping

More

Urbana, IL

Change location

Any time

Past hour

Past 24 hours

Past week

Past month

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All results

Sites with images

More search tools

[Sugary Black Pussy .com-Black girls in a hardcore action galleries](#)

[sugaryblackpussy.com/](#) - Cached

(black pussy and hairy black pussy,black sex,black booty,black ass,black teen pussy,big black ass,black porn star,hot black girl) ...

[Black Girls -- \(\(100% Free Black Girls Chat\)\)](#)

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[www.woome.com/people/girls/crowds/black/](#) - Cached

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BlackGirls.com is the top spots for black porn online. Hottest big Booty **black girls** sucking black cocks, in black ebony porn movies.

[HOME | THE OFFICIAL HOME OF BLACK GIRLS ROCK!](#)

[www.blackgirlsrockinc.com/](#) - Cached

Jun 24, 2011 - **BLACK GIRLS ROCK!** Inc. is 501(c)3 non-profit youth empowerment and mentoring organization established to promote the arts for young ...

[Two black girls love cock | Redtube Free Big Tits Porn Videos, Anal ...](#)

[www.redtube.com/7310](#) - Cached

Watch Two **black girls** love cock on Redtube Home of free big tits porn videos, anal movies & group clips.

[Black Girls | Free Music, Tour Dates, Photos, Videos](#)

[www.myspace.com/blackgirlsband](#) - Cached

Black Girls's official profile including the latest music, albums, songs, music videos and more updates.

[BOOTY ON THE BEACH. BLACK GIRLS GONE WILD.GOONCITY ...](#)

[www.youtube.com/watch?v=h7iqV7z8Wrs](#) - Cached

Mar 11, 2010 - DJ NOLAN AND FANS HIT THE BEACH ,GOONCITYDANCE.COM , I JUST SHOW LOVE TO MY FRIENDS, GET THE DVD IT HAS MORE ...

[Black Girl Problems.](#)

[black-girl-problems.tumblr.com/](#) - Cached

The problems black girls have. Some of its funny some of

Ads

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essential public infrastructure



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privacy & electoral democracy



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News release

Facebook refuses to address serious privacy deficiencies despite public apologies for “breach of trust”

Joint investigation finds major shortcomings in the social media giant’s privacy practices, highlighting pressing need for legislative reform to adequately protect the rights of Canadians

OTTAWA, April 25, 2019 – Facebook committed serious contraventions of Canadian privacy laws and failed to take responsibility for protecting the personal information of Canadians, an investigation has found.

Despite its public acknowledgement of a “major breach of trust” in the Cambridge Analytica scandal, Facebook disputes the investigation findings of the Privacy Commissioner of Canada and the Information and Privacy Commissioner for British Columbia. The company also refuses to implement recommendations to address deficiencies.

“Facebook’s refusal to act responsibly is deeply troubling given the vast amount of sensitive personal information users have entrusted to this company,” says Privacy Commissioner of Canada Daniel Therrien. “Their privacy framework was empty, and their vague terms were so elastic that they were not meaningful for privacy protection.

“The stark contradiction between Facebook’s public promises to mend its ways on privacy and its refusal to address the serious problems we’ve identified – or even acknowledge that it broke the law – is extremely concerning.”



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misinformation/fake news



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user “trustworthiness” scores



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Progressive Front

...



45

Free Scotland 2014 added a new photo.

...



The British Left

...

New BREXIT stamps due out tomorrow.



The British Left

...



what kind of world we're creating



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what do young people think?



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DEFAMATION LAW IN THE AGE OF THE INTERNET: YOUNG PEOPLE'S PERSPECTIVES

Defamation Law in the Internet Age

June 2017

Commissioned by the Law Commission of Ontario

Prepared by
Jane Bailey
Valerie Steeves



The LCO commissioned this paper to provide background research for its Defamation Law in the Internet Age project. The views expressed in this paper do not necessarily reflect the views of the LCO.

responses



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20 participants aged 15-21:
10 self-identified as female/10 self-identified as male
12 urban/8 rural



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“there’s not many facts anymore”
Jeff, age 17



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complaints to social media platforms



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an Instagram page making fun of people with mental illnesses (Kim)

“a really, really, really embarrassing picture of [me]” (Katherine)

a racist comment on Instagram that suggested that the Obama children “look like gorillas” (Stéphanie)

“sort of like a sex scene with the teddy bear” from the movie Ted that had been posted on Facebook (Nicole)



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“I feel like people should be able to state their own opinions, because we live in a democratic area, ... but at the same time, if it’s biased, really, against a certain group, then no. If it’s really offensive ... like racism or those types of issues, I feel like you can have an opinion but not be too opinionated on it.”

Ameera (age 20)



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platforms aren't good arbiters of truth or falsity
&
free expression & privacy at risk



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“I feel like if you complain to a social media site it doesn’t go anywhere”

Aaron (age 21)



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“have no reason to care”

Lina (age 16)



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“they are the law on their own platform”

Lina (age 16)



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“offending people with the whole like
encroaching on free speech”
“it’d be really expensive and YouTube
already operates at a loss”

Aaron (age 21)



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“the more popular Facebook makes it”
because that’s how “their algorithm works”

Aaron (age 21)



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“They need to have people to investigate this instead of machines for filing complaints. You need to talk to a person obviously. ... Because when you have someone who’s detached from the situation whose job it is to resolve things, things get worked through a lot faster.”

Jeff (age 17)



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“That’s ... the thing YouTube needs to work on is they don’t have proper moderation techniques. Ah, it’s all automated. But, um, yeah, having a moderator is definitely something that is useful and should be pretty much the norm in like, like large group servers.”

Michael (age 16)



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last resort



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“involving the police or the law might
be worse than actually what’s
happening because then it can be blown
out of proportion”

Kim (age 18)



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“It might make them feel good at first, because oh it’s just cash, but at the same time, does it really resolve anything? They’re always going to be like, Oh that person. They’re always going to be mad at that person for telling lies about them, so I don’t think it resolves anything in any way.”

Ameera (age 20)



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“how do you assign a dollar value to that?”

Aaron (age 21)



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“it’ll make it more publicly known that that person lied. But people will always have it in the back of their head ... it’s like ripping open a pillow case. All the feathers will be gone. Like, you can’t get them all back... Like, someone will always think something like that about you.”

Morgan (age 15)



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“unregulable” internet



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myth



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Are we with happy with who is in charge?



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jbailey@uottawa.ca



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