

# Ethics of Publishing

GCS II/III

What responsibilities, rights, and restrictions do you have when you take-on the task of publishing—as in creating a web site on the Internet?

- Free Speech
- Fact vs. Fiction
- Slander and Libel
- Publisher vs. Author
- Content: Quality of Content and License Agreements
- Recreation vs. Workplace

Define the following words using an Internet Search Engine such as Google to find relevant sites:

- Defamation
- Slander
- Libel
- Fact
- Opinion
- Communications Decency Act (CDA) of 1997

Your first amendment rights allow you to publish (now in print or online) your opinions and beliefs. However, other guidelines by organizations (work, school, license agreements) may curb your rights. In essence, they forfeit your rights in exchange for some benefit or service.

## Case #1: Ms. Jones and her Web Log

Ms. Jones worked for a company that develops software for small hand-held devices, everything from Palm-Pilots, to cell phones, to the little computers behind seats in an airplane. She had worked there a year, and enjoyed the company of some of her coworkers.

All of her coworkers, however, were not to her liking. She had recently began publishing a new type of web page, an online diary called a web log, or “blog.” In her daily posts to her webpage, she occasionally would write about work, and some of the people at work.

Soon, some coworkers began visiting her site. In fact, as the popularity grew, she felt the desire to write more about work, and how much she disliked her boss, whom she referred to as the “Overweight, smelly Asian Systems Administrator.” With the simplicity of weblogging, she could make her posts from work, in fact. She thought it was fun to spread around gossip this way using her website. Many who read the site found it humorous.

Many, however, is not “all.” Upper management learned about the site, and called her in their offices. “Is this stuff true? Does your manager know about the site? Can we urge you to change it?”

Several points her managers made, she thought, were valid. She could limit her posting to after-work, at-home hours. And she might lighten-up on the comments made about her boss. But, she told them, “He reads it too, and thinks it’s funny. We have fun making up little stories, for the sake of entertainment.” Ms. Jones thought she was on good footing, then became ill.

When she returned to work 8 days later, she was summoned to the office of the CEO. She was told very quickly that “You’re being fired. We have a zero-tolerance policy on negativity, and your website is negative.”

Was it fair? Was it legal?

## Case #2: Leroy’s Solid Gold Hits

Leroy was a high school junior. Over the past 2 years, he’d surfed the net enough to learn about making a webpage. He found an online service provider that would give him 10 megs of free space. All he had to do was create some pages using a word processor, and find an FTP program. This was going to be cool.

Leroy’s passion was dance music from the 70s and 80s. While silly to some, he collected videos of the popular 1970s TV show, “Solid Gold.” After a semester in a video production class at school, he got an idea! Why not post some of his favorite Solid Gold video clips on his web page? Surely, other fans on the ‘net would flock to his site, bringing in hits. With the help from some of his friends, he signed up for 5 different free accounts—some using different names. With 60 MB of online space, he had enough to store small MPEG-encoded clips of his videos.

When he was done, Leroy had a pretty cool site. He offered viewers 10 different video clips—about 2 songs each—every week. He’d delete old clips, then replace them with some new ones. He even found some free Internet services that allowed readers of his site to “vote” on their favorite clips.

Later that month, when he went to visit his site, he got a different screen. The free webpage company had posted a message where his site used to be: “This site is unavailable. The user who created this site did not comply with our user license agreement. This account is locked.”

Did the service provider have the right to shut the site down? Would the copyright owners of the Solid Gold videos have the right to shut the site down? What could Leroy do to get his site back?