

Supreme Court Takes Case That Could End Internet Censorship, Expand First Amendment

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After the recent purge of over 800 independent media outlets on Facebook, the Supreme Court is now hearing a case that could have ramifications for any future attempts at similar purges.

The United States Supreme Court has agreed to take a case that could change free speech on the Internet forever.

Manhattan Community Access Corp. v. Halleck, No. 17-702, the case that it has agreed to take, will decide if the private operator of a public access network is considered a state actor, [CNBC reported](#).

The case could affect how companies like Facebook, Twitter, Instagram, Google and YouTube are governed. If the Court were to issue a far-reaching ruling it could subject such companies to First Amendment lawsuits and force them to allow a much broader scope of free speech from its users.

The Court decided to take the case on Friday and it is the first case that was taken after Justice Brett Kavanaugh joined the Court.

DeeDee Halleck and Jesus Melendez claimed that they were fired from Manhattan Neighborhood Network for speaking critically of the network. And, though the case does not involve the Internet giants, it could create a ruling that expands the First Amendment beyond the government.

“We stand at a moment when the very issue at the heart of this case — the interplay between private entities, nontraditional media, and the First Amendment — has been playing out in the courts, in other branches of government, and in the media itself,” the attorneys from MNN wrote in their letter to the Court asking it to take the case.

The Court could either rule in MNN’s favor, rule against it in a narrow scope that does not affect other companies, or it could rule in a broad manner that would prevent the abilities of private networks and Internet companies to limit or censor speech on their platforms.

Censorship, Free Speech or Enforcing Company Policy

It comes at a time when Facebook has purged around 800 independent media pages in one day. The media outlets ranged the spectrum from far left to far right and many that either

had no political affiliation or were not extreme in their politics. Facebook claimed that the pages were engaged in “inauthentic behavior” and as a private company it does not have to answer to anyone regarding how it enforces its terms of service.

ACLU attorney Vera Eidelman said Facebook, as a private company, can enforce their terms however it sees fit, but that could result in serious free speech consequences.

“Drawing the line between ‘real’ and ‘inauthentic’ views is a difficult enterprise that could put everything from important political parody to genuine but outlandish views on the chopping block,” [Eidelman said](#). “It could also chill individuals who only feel safe speaking out anonymously or pseudonymously.”

The MNN case could change that and force Facebook, and other companies, to protect users First Amendment rights.

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