

Facebook 'like' in court over free speech

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A 'like' sign stands at the entrance of Facebook headquarters in May 2012 in Menlo Park, California. Freedom of speech on Facebook is at the heart of an appeals court case in Virginia involving an elected sheriff who fired staff members who "liked" his rival on the social networking site.

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The [American Civil Liberties Union](#) (ACLU) this week associated itself with the case in Newport News city, contending that the "like" button on [Facebook](#) is a form of free speech protected by the First Amendment of the Constitution.

A US [District Court judge](#) ruled earlier this year that liking someone on Facebook was "insufficient speech to merit constitutional protection," and that Sheriff B.J. Hampton was thus not breaking the law when he

fired six staffers in his office who had "liked" his opponent in a 2009 election.

Hampton went on to win the election, but the six staff members he had dismissed -- ostensibly for "unsatisfactory work" -- proceeded to challenge his decision in court on free-speech grounds.

In its submission, the ACLU said clicking the "like" button on a Facebook page is akin to waving a placard at a political event.

"'Liking' a [political candidate](#) on Facebook -- just like holding a campaign sign -- is constitutionally protected speech," it argued.

"It is verbal expression, as well as symbolic expression. Clicking the 'like' button announces to others that the user supports, approves or enjoys the content being 'liked.'"

Facebook itself joined the debate this week as well, saying its "like" feature was "the 21st century equivalent of a front-yard campaign sign" and intended to stir conversation and discussion.

"It's critical that the law keeps pace as new technologies emerge," ACLU lawyer Kate Wood told AFP on Thursday.

"We believe that the First Amendment protects everyone," regardless of how an individual expresses his or her thoughts, she said.

Facebook has become "a means of communication for so many Americans and people across the world," she noted, and the appeal in Virginia -- to be heard in September -- therefore represents "such an important case."

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