Aboriginal Memes & Online Hate

Caution: Aboriginal and Torres Strait Islander peoples should be aware that this publication may contain images of deceased people or images that may cause offence.

Aboriginal Memes and Online Hate

By Andre Oboler

About OHPI

The Online Hate Prevention Institute (OHPI) is a charitable institution based in Australia.[1] OHPI seeks to be a world leader in combating online hate and a critical partner who works with key stakeholders to improve the prevention, mitigation and responses to online hate. Ultimately, OHPI seeks to facilitate a change in online culture so that hate in all its forms becomes as socially unacceptable online as it is in "real life".

Supporting OHPI in the Fight Against Online Hate

OHPI's work is made possible through public donations. Donation allow us to keep operating so we can do further research, educational campaigns, and monitoring of online hate. You can also help us non-financially by liking our Facebook page and letting others know about OHPI and our work.

Donations are currently not tax deductible in Australia, although an application for admission as a Harm Prevention Charity to enable tax deductible donations is the future is currently under review. We are also examining avenues to allow tax effective donations in the United States. In the mean time any donations to ensure this important work can continue and grow to meet the urgent challenge of growing online hate are greatly appreciated.

Donations from within Australia, and internationally, can be made via PayPal through the OHPI website (www.ohpi.org.au). Within Australia donations can also be made by direct deposit to: Online Hate Prevention Institute; BSB: 633-000; Account: 146003587. Cheques can be sent to our Melbourne Office: OHPI, 306 Hawthorn Road, Caulfield South, Vic 3126, Australia.

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Acknowledgements

This work has been supported in part by the Making Multicultural Australia Project at the University of Technology Sydney (http://multiculturalaustralia.edu.au).

OHPI thanks Peter Puddiphatt for a licence in relation his photograph which has been integrated into many of the Memes shown in this report. OHPI would also like to acknowledge the support we have received since our establishment in January 2012 from our professional advisers including Logicca Chartered Accountants and Frankel Lawyers. A large number of activists, friends and supporters have helped review this report and provide information to support this research. We thank them all for their contribution.

Dr Oboler also thanks the OHPI Board of Directors for their support both for the organisation in general and in relation to this report.

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[1] http://www.abr.business.gov.au/SearchByAbn.aspx?abn=65155287657

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Executive Summary

Between June and August 2012 a number of racist images targeting Indigenous Australians began circulating on the internet. The racist content took the form of 'internet memes', multi-media messages consisting of an image that contains both a picture and a text based message. The majority of these images were created using the Meme Generator website. The images were spread through Facebook pages, created for the purpose of bringing together users interested in sharing racist content, where fans were also encouraged to create and share additional images of a similar nature. This report details and discusses the spread of Aboriginal Memes and the response by governments, NGOs and the public. Examples of other forms of hate, particular antisemitism and hate directed against those combating Aboriginal Memes (including the author) are also documented. The report also makes recommendations to key stakeholders to help reduce online hate as one significant step in the mitigation and prevention of the emotional harm such hate can cause and the physical harm to which such hate can ultimately lead.

This report highlights the following issues:

- There is a need for a better response from all stake holders to more effectively address online hate.
- Social media plays a particularly powerful role as a magnifier and distribution mechanism for hate.
- While free speech is important, it is never unlimited and reasonable limits, at different levels, need to apply through online culture, general societal norms, terms of service and ultimately through the law.
- There is currently only a limited legal framework to address online hate, this needs to be reviewed and strengthened.
- Facebook's internal policies related to online hate do not match the expectations of society and there appears to be an unwillingness to act until nations intervene. This needs to change.
- The use of Facebook to spread hate generates revenue for Facebook. Facebook is taking a benefit but largely avoiding responsibility for addressing the problem. The effect is to take the benefit of user generated content, while largely transferring the cost associated with hateful content, and potentially unlawful content, to the public purse.
- There are limited channels to enforce human rights legislation in relation to Facebook as the ultimate response from Facebook appears to be blocking the hateful content on a country by country basis.
- This report shows the propagation of hate being coordinated by small groups, dedicated to denigrating one group or another. Action could be taken to remove such groups from the system and reduce the overall level of hate.
- When challenged, hate groups can be aggressive, and retaliate by targeting individuals, groups, and cultures who confront them.
- There is an inability to effectively respond to hate speech disguised as "controversial topics", "Free speech", or in other ways. The same groups are consistent with their motivation to propagate hate, and then constantly re-frame their actions to find ways to make it social acceptable and chip away at the development of human rights norms.
- This report outlines the hate supply chain, and focuses particularly on Facebook which is serving as the means of distribution. The whole supply chain needs to be questioned for its role in the production and dissemination of hate, starting with the bigots themselves, the tools they use, and the channel they use to propagate it. This report will hopefully facilitate further discussion of both the problem and potential solutions.
- The report highlights the danger to the reputation and branding of corporations and the civil service when staff associated with them engaging in, or simply express approval of, online hate speech. The report also highlights the excellent mitigation approach used in Victoria which may serve as an example for other governments and corporations.

The report includes recommendations for key stakeholders. A dialogue is need at both the international level and at the national level between social media companies, governments and civil society. OHPI hopes this report helps to facilitate that discussion.

About the Author

Dr Andre Oboler is the CEO of the Online Hate Prevention Institute. He is a widely acknowledged expert in social media and online hate. He holds a PhD in Computer Science from Lancaster University (UK), a first class honours degree in Computer Science from Monash University and is currently studying towards a law degree at Monash University. He has also completed a Post-Doctoral Fellowship in the Political Science Department at Bar-Ilan University (Israel).

Dr Oboler has served as an expert to the Inter-parliamentary Coalition for Combating Antisemitism and provided expert testimony to the Italian Parliamentary inquiry into online Antisemitism. He is co-chair of the Online Antisemitism working group of the Global Forum to Combat Antisemitism and is the Australia and New Zealand Country Co-ordinator for the IEEE Computer Society and the immediate Past Chair of the Victorian Chapter of the IEEE Computer Society. He is a member of: the IEEE, the IEEE Computer Society, the IEEE Society on the Society Implications of Technology, the Victorian Society for Computers and the Law and a student member of the Law Institute of Victoria. He is also a technology blogger for the Jerusalem Post.

Dr Oboler was previously the Director of the Community Internet Engagement Project at the Zionist Federation of Australia and before that a Legacy Heritage Fellow at NGO Monitor. He has previously served as Chair of the Lancaster District Diversity Festival, National Secretary of the Union of Jewish Students (UK), a Deputy on the Board of Deputies of British Jews, an invited observer on the board of the Quality Assurance Agency for Higher Education, and as a charity trustee for the Lancaster University Chaplaincy Centre and the National Postgraduate Committee.

Other publications by Dr Oboler in the field of online hate include:

- Andre Oboler, Online Antisemitism 2.0. "Social Antisemitism on the Social Web", Post-Holocaust and Antisemitism Series, JCPA, (April 2008, No. 67)
- Andre Oboler, The rise and fall of a Facebook hate group, First Monday, Volume 13, Number 11 – 3 November 2008
- Andre Oboler, Facebook, Holocaust Denial, and Anti-Semitism 2.0, Post-Holocaust and Anti-Semitism Series, No. 86, The Jerusalem Center for Public Affairs, 15 September 2009.
- Andre Oboler, Time to Regulate Internet Hate with a New Approach? (2010) 13(6) Internet Law Bulletin
- Andre Oboler, A legal model for government intervention to combat online hate, *Internet Law Bulletin* 14(2), May 2011

Public responses to this report

Jeremy Jones AM, winner of the 2007 Australian Human Rights Medal: "This is a timely and significant contribution to an important debate - how we can maximise free speech and communication while protecting victims of abuses of speech. Facebook has provided wonderful opportunities for people to connect, engage and collaborate - it would be tragic if, due to failures to redress problems of hate speech, users feel it has become the platform for bullying, harassment and the promulgation of malevolent stereotyping".

Sol Bellear, Chairperson, Aboriginal Medical Service Cooperative Limited: "Dr Andre Oboler has produced a definitive response to the alarming proliferation of racist content on Facebook and other social media platforms such as Meme Generator. This is a thoroughly researched and academically robust document that should be read with urgency by elected parliamentary representatives, those charged with the carriage of public policy and all responsible public commentators. Racism has led to genocide and transgenerational grief. Social media platforms must not serve as vehicles that either endorse or connive at the worst crimes in human history. Dr Oboler argues for stringent regulatory action on the part of governments to address the failure of social media platforms to regulate themselves in relation to racism. His recommendation should be translated into action now."

Ronald Eissens, General Director Magenta Foundation - Dutch Complaints Bureau for Cyber Hate & co-founder International Network Against Cyber Hate: "OHPI's report on Aboriginal Memes & Online Hate is a landmark for those of us who engage cyber hate. For the first time, the growing problem of racist memes is addressed and analyzed, urging those who facilitate the memes to take action."

Peter Wertheim, Executive Director, Executive Council of Australian Jewry: "The promotion of racism in the public domain undermines, and can ultimately destroy, the sense of safety and security of targeted people or groups and also adversely affect social harmony. This report highlights the fact that social media platform providers lack the knowledge and insight into racism to enable them to make an informed decision about whether a particular publication has crossed the line into racist hate speech. In social media platforms, the more viewers and discussion, the more advertising revenue is created for the platform provider. This report has rendered an important public service by demonstrating conclusively that platform providers, like businesses which polluted the physical environment in an earlier era, have a clear commercial interest against any form of regulation, and in being as permissive as possible, with minimal regard for the social consequences. The final decision about whether or not to allow an allegedly racist publication to remain on the net should not rest with them."

Jessie Daniels, author of *Cyber Racism* (2009) & Professor, Public Health and Sociology, City University of New York (CUNY): "This report is an important document in the effort to stem the tide of 'Hate 2.0,' and specifically, hate speech targeting Aboriginal Australians. Through this meticulously researched report, Dr. Andre Oboler offers a detailed account of the way that technological affordances, such as 'Meme Generators' effectively reproduce racism. Perhaps most importantly, this report takes on the social media juggernaut that is Facebook and seeks to hold it to account for its role building racism into their user interface. This is a timely, pointed and much-needed critique of the way the culture of Internet humor acts as cover for the continuation of racism."

David Matas, author of *Bloody Words: Hate and Free Speech* (2000) & Co-chair Online Antisemitism Working Group of the Global Forum to Combat Antisemitism & Senior Honorary Counsel to B'nai Brith Canada: "This report is a useful, instructive guide to combating hate on the internet, not just attacks against aborigines found on Facebook but against any targeted group found on any social media."

Priscilla Brice-Weller, Managing Director, All Together Now: "Memes based on racial stereotypes undermine the hard work OHPI, All Together Now and others are doing to promote the prevention of racism in Australia. This report provides evidence-based and achievable recommendations for all sectors to respond to these hateful memes."

Dr Andrew Jakubowicz, Professor of Sociology, University of Technology Sydney & Lead Chief Investigator, CRaCR ARC Linkage Project: "Cyber racism has rapidly emerged as an issue of widespread community interest and concern. As this report demonstrates, Governments has yet to show it has the capacity to understand let alone respond to the issues raised by the phenomenon. The Cyber-Racism and Community Resilience Project draws together Australia's leading researchers and major organisations such as the Australian Human Rights Commission, to develop partnerships with groups like OHPI. Together we intend to create strategies for supporting resilience in the face of racism. This Report is a key building block in that process."

Zalman Kastel, National Director, Together for Humanity Foundation: The issue addressed in this report must not be underestimated. The perception of social acceptability of hate has a real impact on attitudes and behaviours, and in the past has been found to result in increased violence and fear on the part of those being vilified. The material in this report is confronting, demeaning, and of real concern. The compelling material, combined with meticulous research makes an important contribution to the cause of combating racism.

Introduction

Between June and August 2012 a number of racist images targeting Indigenous Australians began circulating on the internet. The racist content took the form of 'internet memes', multi-media messages consisting of an image that contains both a picture with a text based message. The majority of these images were created using the Meme Generator website.[2] The images were spread through Facebook pages, created for the purpose of bringing together users interested in sharing racist content,[3] where fans were also encouraged to create and share additional images of a similar nature.

In August online petitions, Facebook pages and groups dedicated to shutting down the offensive material were created.[4] The hate memes were at this point beginning to experience viral growth. Within hours of the petition being released the Online Hate Prevention Institute was monitoring the situation; the Australian Human Rights Commission's Race Discrimination Commissioner was speaking out against the spread of Aboriginal Memes; and journalists were reporting on it. The public condemnation was exceedingly strong and the petitions themselves went viral as people shared them with their contacts, one reaching over 17,000 signatures within 48 hours.[5]

Facebook's response came in stages. Initially the pages were removed, but it later transpired this was only for review. The removal of the pages for review led to the creation of additional replacement pages. Facebook met with the Race Discrimination Commissioner and exchanged letters with the Online Hate Prevention Institute. Facebook's position was that the content did not breach its terms of service, despite the prohibition in the terms of service on Hate Speech. The pages were restored on condition their creator rename them so the title included words highlighting they were "Controversial" content.

The second stage of the response came as a result of personal attacks made against anti-racism activists. The creator of one of the anti-hate groups received abuse via private messages on Facebook. Furthermore, pages and fake profiles were created targeting OHPI's CEO; Facebook promptly removed them, only for them to be replaced. Facebook's response escalated in reaction to the repeated violations whereby the series of fake profiles run by the same person were traced and terminated. The user was left with one account. In the case of the abusive messages, law enforcement opened an investigation regarding possible breaches of the *Crimes Act 1958* (Vic) for provisions related to cyber-stalking.

The third stage of Facebook's response was to block access to the page within Australia. This occurred amid concerns about the page being raised with the Commission and public statements by the Race Discrimination Commissioner and the Australian Communications and Media Authority. The contents had also been referred to the Classification Board, and an adverse rating from them would empower the Australian Communications and Media Authority to order it to be taken down.

The pages continue to be available from outside Australia and the racist content contained on those pages continues to be spread through new Facebook pages. 24 hours bans issued to some Facebook users have had little if any deterrent effect. However, the pages and groups initially created on Facebook to counter the "Aboriginal Memes" pages continue to operate and have expanded their focus to also tackling other forms of racism and discrimination on Facebook. They remain a target for racists.

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[2] http://memegenerator.net
[3] http://www.facebook.com/pages/Controversial-Humor-Aboriginal-memes/228939573876474 [Deleted]; http://www.facebook.com/pages/Aboriginal-memes/159797174156990 [available outside Australia as at 20/9/2012]; http://www.facebook.com/pages/Aboriginal-memes/Abo-memes/460998877251042 [available outside Australia as at 20/9/2012]; http://www.facebook.com/Aboriginal-memes3dTheImaxExperience/ [gone]; http://www.facebook.com/aboriginalmemes14/ [available outside Australia as at 20/9/2012] etc.
[4] http://www.change.org/petitions/facebook-immediately-remove-the-racist-page-called-aboriginal-memes; http://www.communityrun.org/petitions/take-down-racist-facebook-page-controversial-humor-aboriginal-memes; http://www.facebook.com/groups/333438993413349/; http://www.facebook.com/shutdownaboriginalmemes
[5] http://www.bbc.co.uk/news/world-asia-19191595

New pages included a "Jewish Memes" page, followed a similar response trajectory, with Facebook ultimately blocking Australian access to the content. The block in this case followed a complaint made to the Australian Human Rights Commission by the Executive Council of Australian Jewry (ECAJ) and later announced in a press release.[6] The Australian Human Rights Commission's strict non-disclosure provisions mean they cannot confirm the existence of complaints. Information provided to OHPI by numerous complainants, and in some cases posted publically to Facebook, suggests a strong link between complaints being lodged with the Australian Human Rights Commission and pages having their access to Australia blocked. The content, however, remains online, as does similar content that appears not to have been through a government based complaints system. Other research by OHPI shows specific examples of clearly racist memes from various pages that have been reviewed by Facebook staff who have then rejected the complaints with the content remaining active and visible from Australia.[7]

Facebook continues to confuse protected speech in the US, that is speech which the US government is constitutionally prohibited from restricting, with the concept of hate speech. It is possible for something to be both protected speech (meaning protected from US Government prohibition) and hate speech. Facebook is under no obligation to provide a platform for all speech that is not unlawful in the United States and Facebook can prohibit hate speech on its platform. Facebook's terms of service state that they have prohibited hate speech. Outside of the US, and the peculiarities that have resulted from the first amendment to the US Constitution, hate speech is usually prohibited by law.

The position of prohibiting "hate speech" is already a retreat from Facebook's old policy that had a far wider prohibition on "hateful content", a statement that went further than the law required in most countries. The policy, if applied, would allow Facebook to ensure it complies with local law in most countries without the need for many country specific prohibitions. This would be more cost effective than developing specific approaches for each jurisdiction. It also reduces the need for governments to engage in law reform that may lead to greater sanctions against Facebook and certainly to higher compliance costs.

The Online Hate Prevention Institute notes that the Aboriginal Memes incident coincides with what appears to be the adoption of a much more permissive approach to moderation right across the Facebook platform. The incident suggests self-regulation has failed and Australian governments need to investigate the possibility of stronger regulatory regimes, at least for major social media platforms. Such platforms sell significant advertising into the Australian market and should be held accountable under Australian law or be held subject to trade sanctions for failing to voluntarily comply with a reasonable human rights regime based on international treaties of which Australia is a signatory.

 Andre Oboler
Melbourne
16 September 2012

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[6] ECAJ, *Facebook under fire for 'making money out of racism'*, Press release, September 25th 2012
http://www.ecaj.org.au/news_files/120925_facebook.pdf
[7] http://ohpi.org.au/?p=286

Memes and Internet Memes

A meme is a term coined by Richard Dawkins in his 1976 the book "The Selfish Gene". It is a cultural idea that can move through a society, morphing and changing along the way.

Dawkins explained, "[w]e need a name for the new replicator, a noun that conveys the idea of a unit of cultural transmission, or a unit of imitation. `Mimeme' comes from a suitable Greek root... I abbreviate mimeme to meme." He gives as examples: "tunes, ideas, catch-phrases, clothes fashions, ways of making pots or of building arches". Dawkins explains that, "memes propagate themselves in the meme pool by leaping from brain to brain via a process which, in the broad sense, can be called imitation".[8]

Antisemitism has been described as a meme.[9] This can be seen through the propagation of the classic antisemitic text "the Protocols of the Elders of Zion". Each new edition includes an updated preface explaining how recent events in the world can be explained by a supposed Jewish plot that the book purportedly documents. The book which is said to document a meeting of a secret Jewish cabal, but was in reality proven to be forgery made by Tsarist Secret Police in Russia around 1897. Still the meme continues to spread, cross mediums and alter over time. Other forms of persistent hate speech can similarly be regarded as memes, as these are ideas that exist in a culture and which spread and mutate.

Most online memes are not racist and some engage in significant political speech, for example the "Casually Pepper Spray Everything Cop" meme,[10] which highlighted an excessive response by campus police to a student protest. The image of the spraying officer has been edited into various settings including spraying over the US Constitution.

While memes can appear on the internet in many forms, the classic "Internet Meme" comes in two forms. The first form is that of the "Casually Pepper Spray Everything Cop", which requires significant photo-editing to create. A recent example of this is the "Mckayla is not impressed" meme. The look of 16 year old Olympian McKayla Maroney when she accepted "only" a silver medal saw her edited into various key moments in history, with nothing at all impressing her.[11]

The second form of classic Internet Meme involves an almost square image with a picture of a person or animal in the middle and text above and below that picture. The process can be automated with various online tools such as the Meme generator,[12] Meme Maker,[13] and Quick Meme.[14] The sample background image is re-applied with differing text-based messages and some platforms allow voting for the best resulting meme.

Some examples:

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[8] Richard Dawkins (2006), *The Selfish Gene,* Oxford University Press, 192.

[9] James Gleick, 'What Defines a Meme?', Smithsonian magazine, May 2011. Online at http://www.smithsonianmag.com/arts-culture/What-Defines-a-Meme.html?c=y&page=4

[10] http://knowyourmeme.com/memes/casually-pepper-spray-everything-cop
[11] http://whatstrending.com/2012/08/disappointed-mckayla-maroney-meme/; http://memegenerator.net/Unimpressed-Mckayla-Maroney-2; http://mckaylaisnotimpressed.tumblr.com/
[12] http://memegenerator.net
[13] http://www.mememaker.net
[14] http://www.quickmeme.com

The Aboriginal Memes

The Aboriginal Memes considered in this report are Internet Memes based on negative stereo-types of Indigenous Australians. Some of the memes require an understanding of local context to be fully appreciated, for example those conveying negative stereotypes surrounding substance abuse, particularly of petrol. The serious health consequences (including brain damage, disability and death) that can result from substance abuse, such as petrol sniffing, are a significant public health issue in Australia.[15] Others memes make use of classic racism, "the doctrine that one group of men is morally or mentally superior to another and that this superiority arises out of inherited biological differences",[16] for example by suggesting that indigenous Australians have lower intelligence. An example of each form of racism is presented in Figure 1. There were also examples of dehumanisation, as shown in Figure 4.

The majority of Aboriginal Memes are based on the photograph on the right of Figure 1. This is an edited version of a Photograph, shown in Figure 2, which was taken by Mr Peter Puddiphatt and which is available for purchase online.[17] Mr Puddiphatt is aware of the copyright violation, he told OHPI: "I am very sad and

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[15] SCRGSP (Steering Committee for the Review of Government Services Provision) 2007a. Overcoming Indigenous Disadvantage: Key Indicators 2007. Canberra: Productivity Commission; Australian Institute of Health and Welfare 2011. Substance use among Aboriginal and Torres Strait Islander people. Cat. no. IHW 40.Canberra: AIHW.

[16] Philip W. Cummings, 'Racism' in Donald M. Borchert (ed), *Encyclopedia of Philosophy* (Macmillan Reference USA , 2nd ed, 2006) vol 8, p223-227.

[17] http://www.peterpuddiphattphotography.co.uk/_photo_31992.html

incensed that one of my copyrighted photographs had been used, without my permission, in such a racially abusive manner."[18]

| Substance Abuse (Australian specific stereotype) | Lower intelligence (Classic & universal racism) |

Figure 1 Local and Universal Racism

Figure 2 The Original Image, copyright by Mr Peter Puddiphatt, which was used in most Aboriginal Memes

Appendix B of this report includes a collection of the memes that were available on the specific Aboriginal Memes page (ID# 228939573876474) that was the subject of the initial petitions and the reaction from Australian governments, the media and the Australian Community. This was not the first page to be created on the topic, but it was one of the largest.

One of the images used for the memes (see Figure 3) is a promotional image for the 1984 film "Where the Green Ants Dream" directed by Werner Herzog.[19] The original promotional image, prior to the text being added, is available on various film sites.[20]

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[18] Statement from Peter Puddiphatt to OHPI via e-mail, 8 October 2012.
[19] http://www.crikey.com.au/2012/08/08/facebook-page-vilifying-aborigines-breaks-australian-law/

Figure 3 Meme created from 'Where the Green Ants Dream'

Figure 4 Meme dehumanising Indigenous people

Meme Generators and Aboriginal Memes

The websites that are generally used to generate internet means have a number of templates depicting Indigenous Australians. Most of the memes generated with these templates promote a racist stereotype of Australian Aboriginal people. Two of the most popular meme creation sites are Meme Generator and QuickMeme.[21] Their popularity, in terms of the percentage of internet users that visit these sites in a given day, can be seen at Alexa.com. Meme Generator, the older of the two sites, is seen by about 0.04% of internet users. QuickMeme is seen by 0.13% of internet users.

The Meme Generator templates for "Aboriginal" is shown in Figure 5 and the one for "Abo" is shown in Figure 6.[22] QuickMeme separates the template from the generated memes. Figure 7 shows the 'Aboriginal Meme' template at QuickMeme,[23] and Figure 8 shows how the template is used to generate multiple different Internet Memes by varying the text that appears on the template.[24] Figure 9 shows how the Aboriginal meme also migrated to DIYLOL.[25]

On QuickMeme only 25 memes were created from the main Aboriginal template and these weren't shared via social media. On Meme Generator there appears to be greater success in spreading the racist memes, but ultimately this too can be regarded as a "failure". To appreciate this, a little more analysis of Meme Generator is presented.

Meme Generator has an eight point scale to class the quality of memes, the ratings from highest to lowest are: God tier (2000+), Demigod tier (1500+), Legendary tier (800+), Top tier (400+), Fascinating tier (200+), Meh tier (50+), Lame tier (around zero), Fail tier (less than zero). The tier a meme is rated depends on the community, ratings are adjusted by users voting up or down the memes and specific instances of each meme.

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[20] http://getfilm.co.uk/film.php?id=27221;
http://www.moviecus.com/movie/where_the_green_ants_dream_1984;
http://mastersofmedia.hum.uva.nl/2009/09/14/the-multilingual-internet-or-where-the-green-ants-dream/;
http://www.newvideo.com/new-video-digital/where-the-green-ants-dream/
[21] http://memegenerator.net; http://www.quickmeme.com
[22] http://memegenerator.net/Aboriginal; http://memegenerator.net/Abo
[23] http://www.quickmeme.com/search/?q=aboriginal
[24] http://www.quickmeme.com/Aboriginal/?upcoming
[25] http://diylol.com/meme-generator/aboriginal/memes

On August 29th there were 404 memes based on the "Aboriginal Meme" template at Meme Generator (see Figure 84). The collection had an overall rating of -17 (meaning 17 more people clicked the down arrow to 'disapprove' it, than clicked the up arrow to approve it). The collection had been liked on Facebook just 373 times. The most popular Aboriginal Meme in this collection, "Been here 40 thousand years invented a stick – Aboriginal" #849, only has a positive feedback rating of 40, placing it in the lame tier with the collection itself clearly being a "fail". The Aboriginal Meme template was clearly not very popular within the context of Meme Generator.

When reviewed on September 22nd, the total number of memes using the Aboriginal Meme template had dropped to 368 (see Figure 85).[26] As users cannot delete content from Meme Generator, this must be the result of intervention by the company. The intervention likely relates to the removal of duplicates rather than to objectionable content. The removal process may be part of a fully automated process run on a regular schedule. The data shows that the popularity of this template rapidly dropped once the issue was out of the news cycle. Only 10 memes using this template were created or interacted with over the period of August 25th to September 22nd. A comparison of Figure 84 and Figure 85 shows that only 12 additional people clicked the button to share the Aboriginal meme template via Facebook in the period August 29th to September 22nd.

This analysis suggests that on Meme Generator the Aboriginal Meme was never very popular, was not thought to be insightful or funny, and was not about to go viral. A petition for removal of the template from Meme Generator has 462 signatures, but it too has slowed down with only 10 new signatures in the last 27 days.[27]

Peter Puddiphatt, the photographer who owns the copyright in the picture used in the Aboriginal Meme template, told OHPI he had "written to the webmaster at memegenerator.net to remove it immediately to no effect." [28]
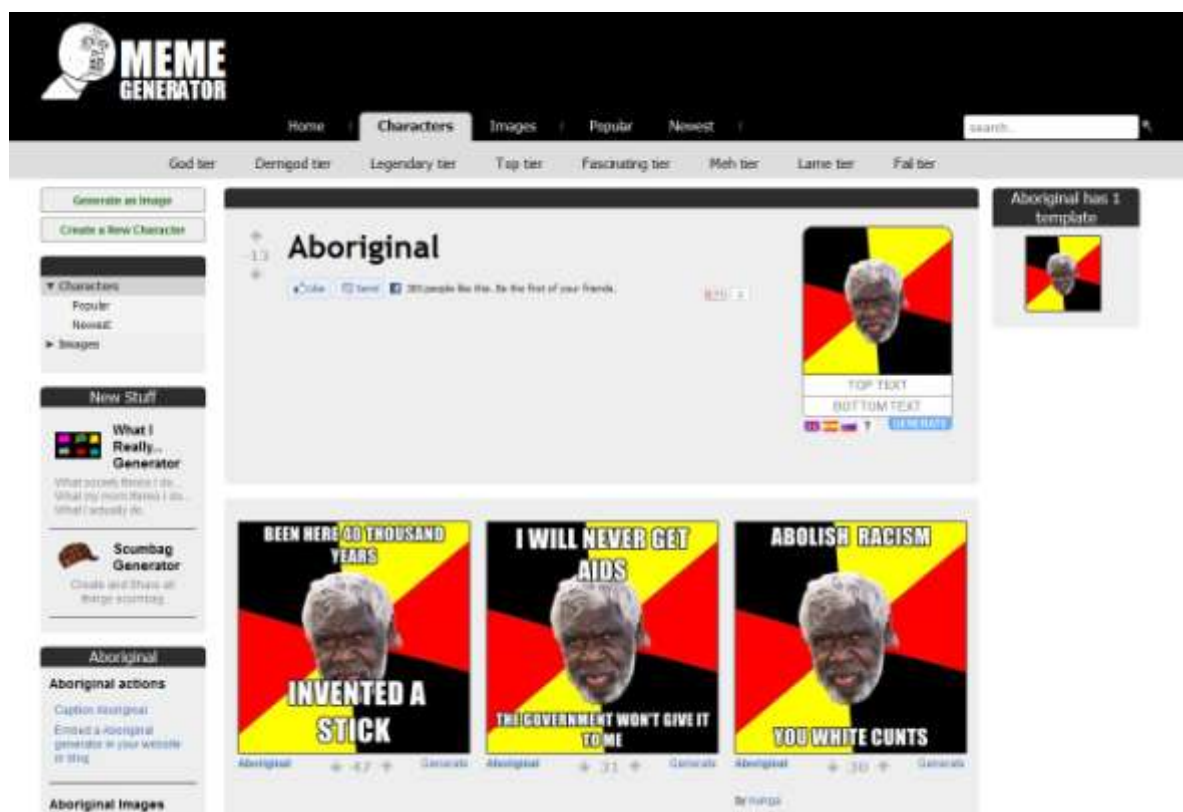

Figure 5 Meme Generator's Aboriginal Template

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[26] http://memegenerator.net/Aboriginal

[27] http://www.change.org/petitions/memegenerator-net-take-down-the-aboriginal-meme-generator as seen 22 September 2012

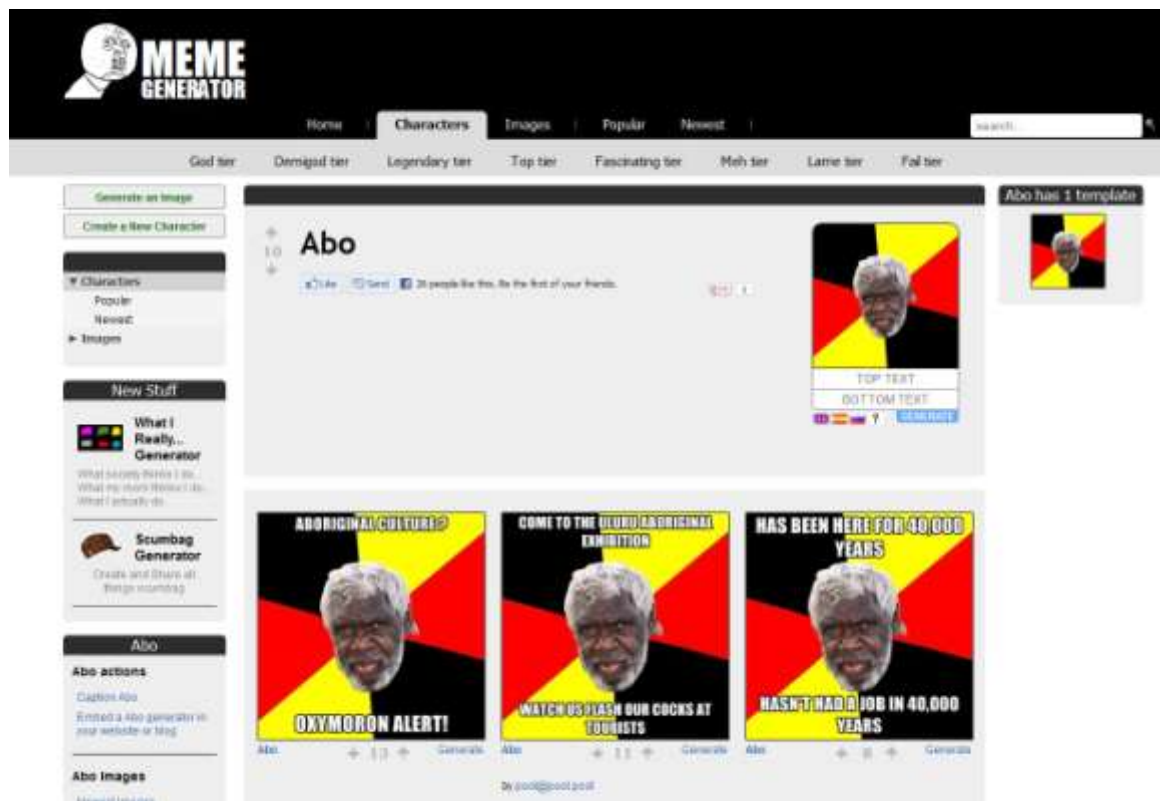[28] Statement from Peter Puddiphatt to OHPI via e-mail, 8 October 2012.
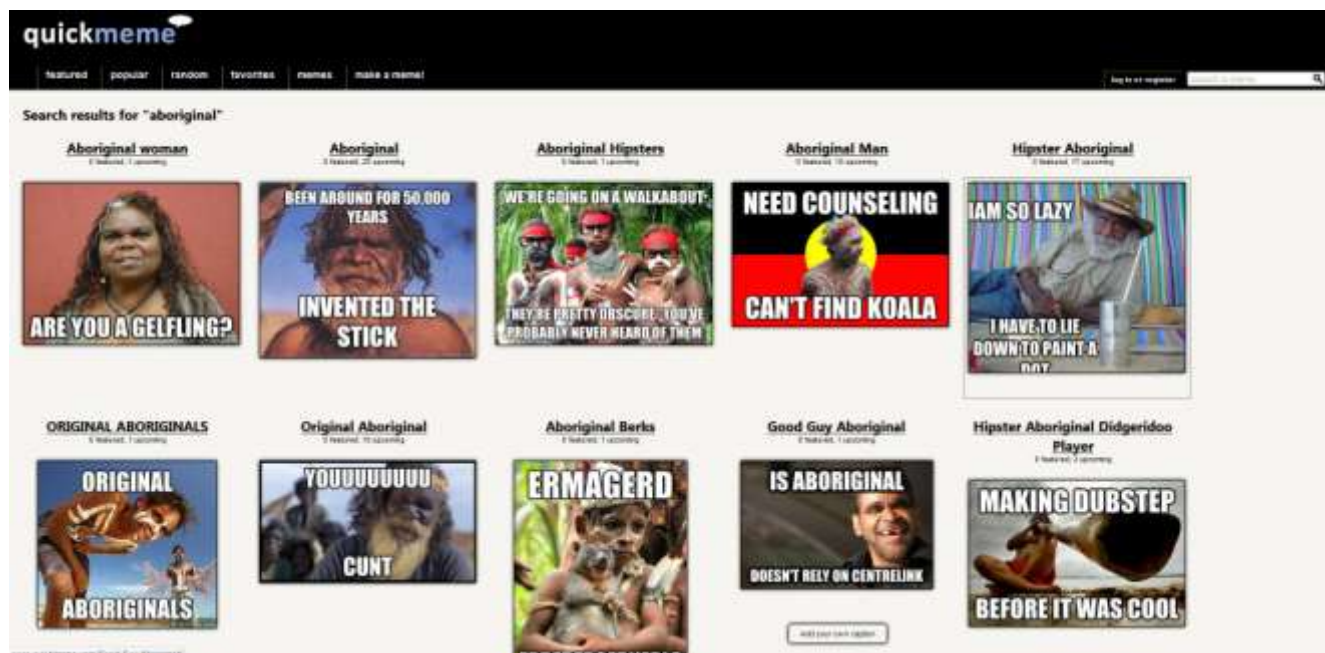
Figure 6 Meme Generator's Abo Template

Figure 7 Aboriginal Meme templates at QuickMeme
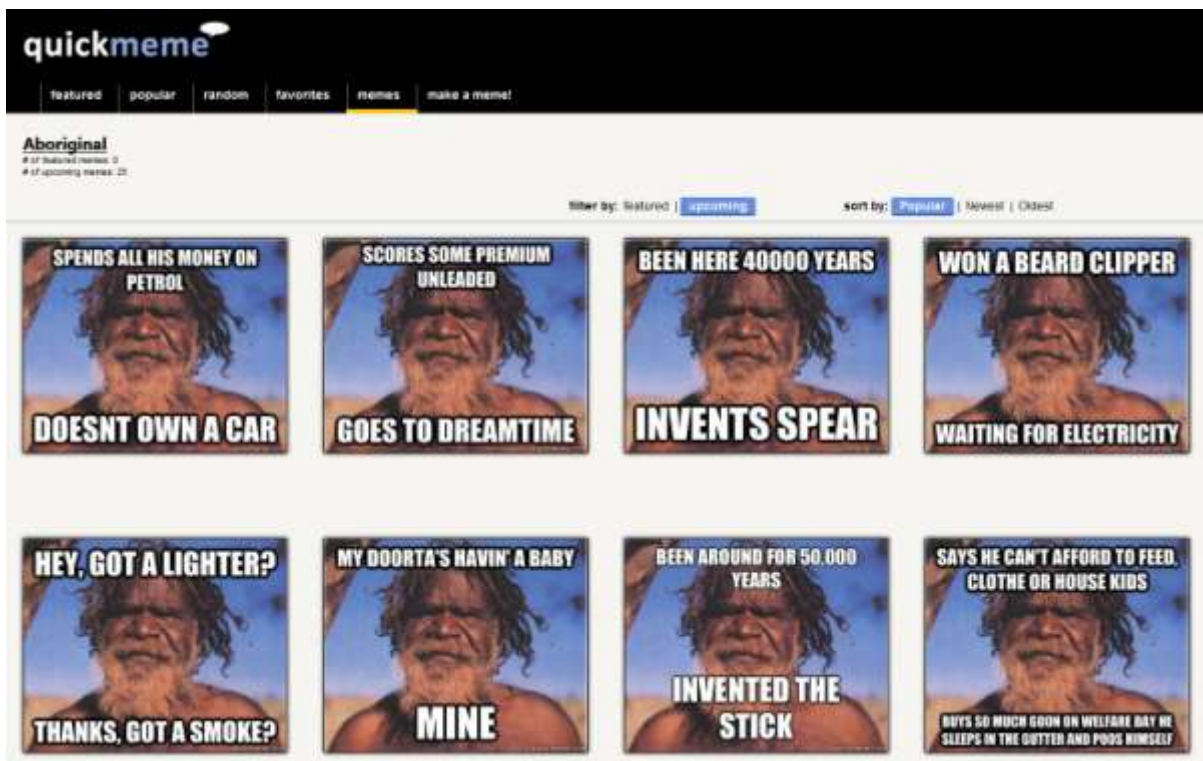
Figure 8 Memes using one of the templates at QuickMeme
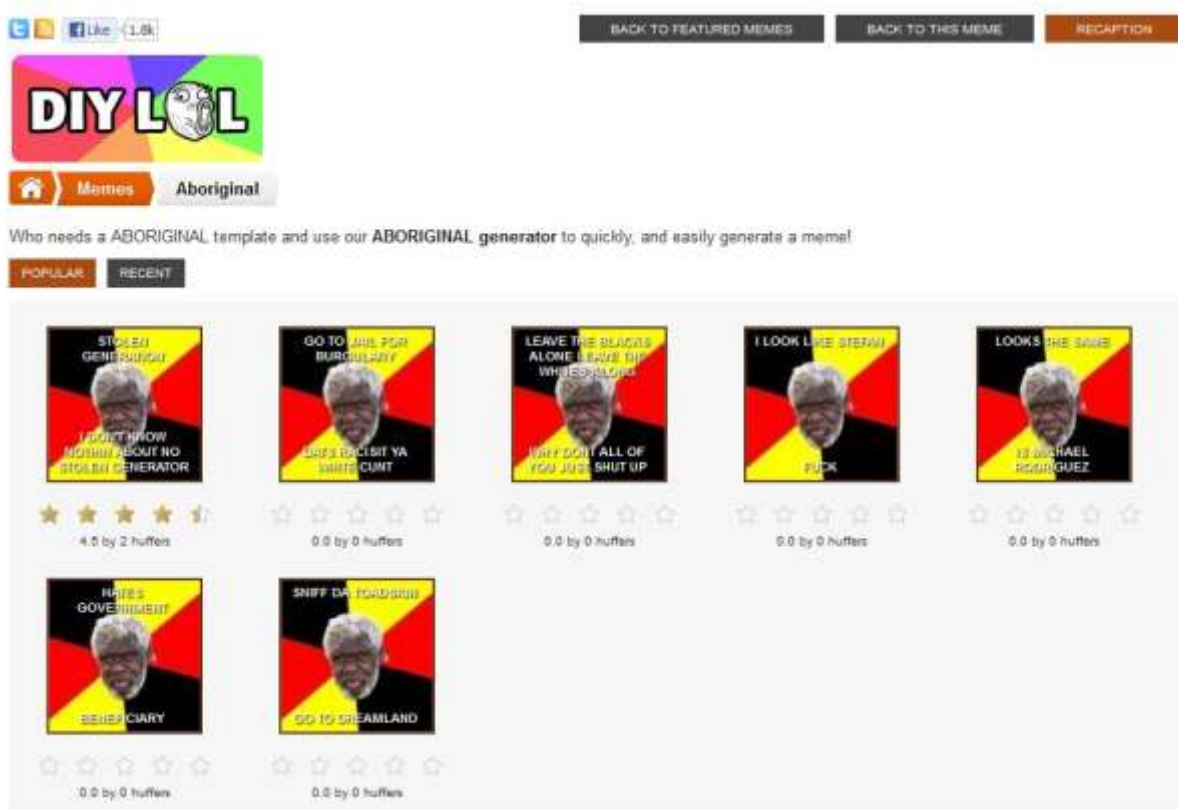

Figure 9 DIYLOL Aboriginal Template

The Facebook Pages

The 'initial' page

The initial public outcry over Aboriginal Memes related to the Facebook page with ID# 228939573876474, created on June 4th 2012 by a 16 year old boy from Western Australia.[29] Originally called "Aboriginal Memes", the page was suspended for a period on August 8th while Facebook reviewed it. The result of the review by Facebook was a renaming of the page to '[Controversial Humor] Aboriginal Memes'. Following this change, the page was unsuspended and again became publically available.

The petition at Change.org provides the link to this page and the petition at CommunityRun includes an image of this page.[30] It was the Facebook page, rather than the existence of the Meme itself, that sparked the public outcry. While people said they had seen the individual images before, it was the gathering together of these racist memes that served as a trigger. Indeed, the page itself had the description "send us your memes cuzzins" (see Figure 10). OHPI believes the Memes constitute racial hatred, and as such, their promotion and the solicitation of additional Aboriginal Memes would we believe be an incitement to racial hatred and as such may breach the *Racial Discrimination Act 1975* (Cth). This encouragement for others to produce further hate speech is what takes this incident to a new level. This is the "Hate 2.0" element, the use of social media technology as an enabler to the spread of hate. This aspect of the incident will be further discussed below.

Figure 10 The Aboriginal Memes page

The content of the 'initial page' (ID# 228939573876474) was removed at about 5pm on August 8th 2012 as the page was about to reach 4700 fans (see Figure 11). In the final hour and a half before the content was taken down the page had been growing its fan base by about 3.4% an hour. A few hours later, by 7pm on August 9th, the page itself had been deleted by its creator.[31]

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[29] http://www.bbc.co.uk/news/world-asia-19191595

[30] http://www.change.org/petitions/facebook-immediately-remove-the-racist-page-called-aboriginal-memes; http://www.communityrun.org/petitions/take-down-racist-facebook-page-controversial-humor-aboriginal-memes

[31] http://ohpi.org.au/?p=174

Figure 11: Second Aboriginal Meme page with content removed

The Original Page

The second page to receive a high level of attention was the "Abo Memes" page (ID# 460998877251042).[32] This page was created on the 21st of May 2012, two weeks prior to the creation of the 'initial page' which sparked such a strong response from the Australian public. As with the first page, the administrator here was soliciting hate speech, they went further providing instructions so that content could be submitted and then posted anonymously (Figure 13).

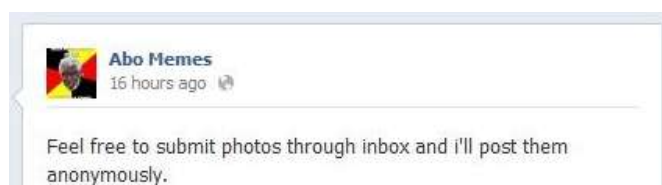Figure 12 The original page (ID# 460998877251042)

Figure 13 Offer to post anonymously for others

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[32] www.facebook.com/pages/Controverial-Humour-Abo-Memes/460998877251042 (no longer active)

At around 7pm on August 9th this page went offline. This was not a permanent deletion but rather a suspension while Facebook reviewed complaints against the page. By August 12th the page was again online (but may have been blocked in Australia). The administrator had been told by Facebook's reviewers that they could keep the page provided it was renamed to include the prefix "Controversial Humour" (see Figure 14; see Figure 12 post renaming compared to Figure 86 prior to the renaming). This did nothing to discourage the spread of hate speech; the hate speech was instead given official sanction.
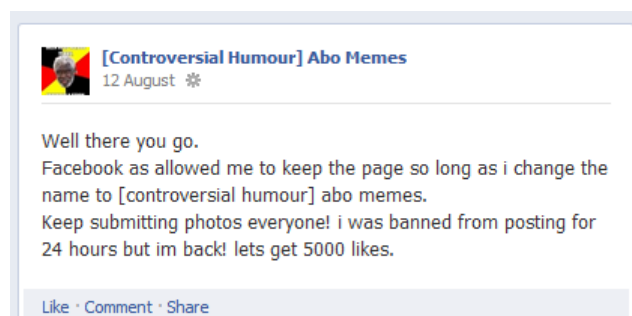

Figure 14 Admin reporting Facebook's decision

On August 9th at 2pm this page had 2,539 fans making it the largest Aboriginal Memes page available on Facebook once the 'initial page' was removed. OHPI can confirm that from August 18th the page was blocked so Australian users could no longer access it, this may however have occurred as early as August 12th. The page remains accessible to people in other countries and to Australian users who access Facebook via an overseas proxy. The page had 2,952 fans on August 21st and a month later on September 20th it had only gained 18 new fans. The Australian block, while not totally effective, clearly does have a significant impact in containing the hate expressed against Indigenous Australians.

The Precursor

Before both the original page and the initial page there was the "Petrol Sniffers Are Us" page (ID# 174504889316623) created back in January 14th 2012 (Figure 15).[33] As recent as June content on this page had been removed by Facebook and the Administrator posted the message gives us a rare view of the receiving end of a complaint about an image (Figure 16). Facebook managed to review the image of petrol sniffing and determine it breached the terms of service without taking action against the page hosting it - itself dedicated to the same topic. Successful complaints regarding page content need to trigger at least a cursory inspection of the nature of the page that hosted them.

Figure 15 Back in January the "Petrol Sniffers Are Us" page (ID# 174504889316623) was created

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[33] https://www.facebook.com/pages/Petrol-sniffers-are-us/174504889316623 (still available in Australia)

Figure 16 Facebook notification of image removal

The "Petrol Sniffers Are Us" page remains active and available in Australia, however, it has not seen a major increase in traffic as a result of the Aboriginal Memes media coverage. It currently has less than 60 members.

The Copycat pages

The suspension and eventual blocking of the "Initial Page", combined with the media attention given to the issue, led directly to the creation of a series of new pages.

Imitation pages

The first of these, "Aboriginal Memes" (ID# 159797174156990) was created on the 11th of August, while the Initial Page was still suspended (see Figure 88).[34] The re-use of the name previously used by the initial page (i.e. ID# 228939573876474) led to confusion and for a time it was thought the initial page had been restored.

Similarly, on September 18th there appeared a recreation of the renamed version of the initial page (i.e. ID# 228939573876474). The new "[Controversial Humour] Aboriginal Memes" page has #ID 155785404560999 and access has been blocked from Australia.[35]

It is unclear whether the re-appearance of similar content at the same address (i.e. with the same username) would put Facebook in violation of removal orders that may have been issued regarding the previous incarnation of a page. Removal orders could theoretically occur either as a result of court order, as occurred in *Jones v Toben* although this was directed against the publisher,[36] or as a result of an ACMA take-down order.[37] While the ACMA website states take-down orders only apply to content hosted in Australia, provisions related to content classification have been used against overseas online retails and Apple's iTunes Store is one example of this.[38] The Classification Board, which ultimately makes the decision about the appropriateness of content, has a wide discretion. Racist content could fall within the classification of "Adult Themes" and could, at least in theory, result in a Refused Classification rating making it an offense to publish it. The liability of a company like Facebook needs to be considered both in light of the current law and in light of potential law reform. While they may not be the publisher, they may receive advertising revenue as a result of the contents

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[34] https://www.facebook.com/pages/Aboriginal-memes/159797174156990 (still active, but blocked in Australia)

[35] Originally http://www.facebook.com/pages/Controversial-Humour-Aboriginal-Memes/155785404560999, now at http://www.facebook.com/ControversialHumourAboriginalMemes (still active, but blocked in Australia)

[36] Jones v Toben [2002] FCA 1150. Online at http://www.austlii.edu.au/au/cases/cth/federal_ct/2002/1150.html

[37] http://www.acma.gov.au/WEB/STANDARD/pc=PC_90169

[38] http://www.theregister.co.uk/2009/09/15/ozzie_censorship_mess/

continuing to be available, and once notified of the situation it should not be permitted to continue. Whether or not the re-appearance of similar content at the same address creates legal difficulties for Facebook, it clearly creates the impression that past action by Facebook and regulators has been either undone or never occurred.

This problem could be avoided if pages that were renamed under direction from Facebook had their initial username "quarantined" for a period of 3 months. The same should apply to pages that have been deleted.

The original page (i.e. ID #460998877251042) has also been imitated. Its original name (prior to re-naming to include the "Controversial Humour" designation) was re-used when a new "Abo Memes" page (ID # 284547141646790) was created on September 26th (see Figure 92). In this case, the page has not yet attempted to claim the username, so while the name is the same the address is different. Similarly, the page "Aboriginal Meme's" (Page ID# 180468708753932), created on August 25th uses a misplaced apostrophe (see Figure 25) to avoid a name clash with other Aboriginal Memes pages.[39] This page has claimed a username but appending the number 14 to "aboriginalmemes" to make it new and unique. This highlights that even if exact matches can be stopped, similar page names (the descriptive name) and page usernames (the address) can still cause confusion.

Those monitoring online hate need to be vigilant in capturing the page IDs and not just the names or usernames of pages.

Taking Aboriginal Memes International then realising they're racist

"Aboriginal Memes 2: Electric Boogaloo" (ID # 270526909724446) was created on August 8th or 9th by a Facebook user from the United States (Figure 17). The term "Electric Boogaloo" appended to a title is itself a meme that designates something a sequel; it is taken from the 1984 film "Breakin' 2: Electric Boogaloo".[40]

The Admin of the "Aboriginal Memes 2: Electric Boogaloo" explain their motivation as a desire to be in the limelight after seeing media coverage about the Aboriginal Memes issue (Figure 18). This particular page Admin appears not to have realised the depth of offense that Aboriginal Memes were causing in Australia. An online conversation highlighting how funny it would be to satirise the September 11 terrorist attacks appears to have hit home (Figure 19). The page was shut down by its creator sometime between the 13th and the 19th of August.

Figure 17 Admin of Page (ID # 270526909724446) is from the United States

Figure 18 Admin states they jumped on the bandwagon in response to media coverage

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[39] http://www.facebook.com/aboriginalmemes14/ (still active, but blocked in Australia)
[40] http://www.urbandictionary.com/define.php?term=electric%20boogaloo (the Urban Dictionary is often unreliable, but in this case the definition has overwhelming support)

Figure 19 Conversation about 9/11

Another Admin realising the racism of their actions

Another page called "Aboriginal Memes" (ID# unknown, username Aboriginal.Memes.1) was created on the 23rd of August (see Figure 94).[41] This page claimed to be the "Official page of Aboriginal Memes". In addition to the memes themselves, this page included additional racist comments from the page Administrator (e.g. Figure 20). Within two days the Administrator issued an apology and said they would shut down the page (Figure 21). Later in the same thread, the Administrator express some regret over closing the page and seems pleased by the number of people that had liked it – indicating that despite shutting it down they still hadn't fully understood why they were apologising or closing it (Figure 22). This indicates a need for greater education, it is not enough to get people to do the right thing – they also need to understand why they are doing it.

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[41] http://www.facebook.com/Aboriginal.Memes.1 (shutdown by the page Admin)

Figure 20 Racist comments from page Administrator

Figure 21 Apology and notification page will be closed

Figure 22 Regret over decision to close the page

Widening the scope

"Aboriginal and Australian Memes" (ID #353892144688340) was created on August 12.[42] The page includes general memes about Australia as well as reproducing the Aboriginal Memes (see Figure 23). Put side-by-side, the level of hate in Aboriginal Memes is clearly stronger than that in the other Australian Memes. As the memes have been added from the other Aboriginal Meme pages or directly from the Meme Generator the level of hate is likely not a result of the Administrator, but rather a result of what has become available.

Figure 23 Aboriginal and Australian Memes (ID# 353892144688340)

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[42] www.facebook.com/AboriginalAndAustralianMemes (still active, but blocked in Australia)

Trademark Infringing Page

'Aboriginal Memes 3D – The IMAX Experience' (ID # unrecorded) was created on August 15th (see Figure 89).[43] Following an e-mail to IMAX by an anti-racism activist, which IMAX responded to almost immediately, the page was swiftly and permanently deleted. The description of the IMAX page, 'The third instalment in the epic saga' (see Figure 24), suggest that some of these initial copycat pages were created by the same person. They clearly saw this as a battle against censorship on Facebook.

Figure 24 The third instalment

Figure 25 "Aboriginal Meme's" (ID# 180468708753932)

And they keep coming

The latest "Aboriginal memes" page (ID# 520880767925474) at the time of writing was created on September 26th (see Figure 93)[44] It uses the username "Aboriginal.Memez", yet another variant, and aims to grow rapidly

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[43] http://www.facebook.com/Aboriginal-memes3dTheImaxExperience/ (no longer active)
[44] http://www.facebook.com/Aboriginal.Memez

by making many people administrators. Interestingly it also contains a sticky post saying: "Are you aboriginal? Do you feel offended by our photo's or content? INBOX us prior to reporting this group. Thanks." (See Figure 26).

Figure 26 Internal Complaints within Page

Given the very nature of the group is racist, as are the images (the same as in other groups) which it is using, this either shows serious ignorance, or more likely, it is simply an attempt to avoid being shut down. One feature of Antisemitism 2.0 was the mixture of hate speech with claims to be against hate. This combination will most likely confuse reviewers of page who may be inclined to give the page owners the "benefit of the doubt" in return for their efforts to address online hate. Given the nature of the page, the effort is clearly not sincere.

Facebook reviewers need to be trained to look out for such tactics and how to differentiate a legitimate effort to manage a controversial topic from an effort to white wash racism.

From Racism to Online War

This section details organised efforts to attack anti-hate activists. It includes details of attacks on individuals and abuses of the Facebook system designed to circumvent efforts at moderation. This section is in a different class to the previous sections of this report. It involved organised and persistent efforts to maliciously target individuals as well as groups within society. It demonstrates a wilful disregard to societal norms, the law, law enforcement, and Facebook itself.

The section also differs from other examples as the attacks often focus on individuals and while Facebook may be reluctant to act against hate targeting minority groups, they are much more responsive when an individual reports that they are personally being targeted. They also respond more seriously to abuses of the platform, such as impersonation. On the issues discussed in this section, Facebook's action was what OHPI would like see across all categories of hate speech. Despite Facebook, activists and law enforcement all being on the same page, it still took significant effort to stop the hate.

The examples provided here represent the extreme edge of online hate and relate to an internet subculture that has led to numerous suicides. There is also a connection back to Anonymous.[45] One user claims to have been trolling Anonymous, another claims they are invincible because they are an Admin in the Anonymous Facebook group. One of the early slogans of Anonymous was "Because none of us is as cruel as all of us", but to a large extent anonymous has now matured and many strands of Anonymous are involved in more meaningful political activism. The idea that members of anonymous would jump to defend the right of Facebook users to abuse the Facebook system appears incredibly naive. The entire concept of serious Anonymous members collecting on Facebook, given the depth of tracking that would enable,[46] is itself amusing.

The correct designation for the class of hate promoters on Facebook discussed in this section is "griefer". As Julian Dibbell explained in Wired Magazine in 2008, "A griefer is an online version of the spoilsport — someone who takes pleasure in shattering the world of play itself".[47] The history of organised griefers taking down servers and crippling online platforms may give Facebook serious cause for alarm. At the same time, the Internet has changed since 2008. Anyone arguing "the internet is serious business",[48] meaning ironically that it isn't, is not living in the modern world.

In addition to the hassle of account suspension (see Figure 65), on Facebook in particular, the reliance of individuals on the system may be high enough that a serious threat of account termination, that is of all their accounts, may be a real deterrent. Users invest significant time building up online communities, pages and networks. The loss of this effort may be a significant hit, as see in Figure 66 and Figure 67. Taking things further, most griefers will have a real profile used to connect with friends and family. The loss of this account is a serious threat.

Griefing only works when the user is not invested in the platform. Users who play "the game" and invest real time and effort in Facebook risk serious damage to their own interests. Those wanting to "shatter the world of play" can't afford to be invested in that world. The use of Fake profiles, which are in turn used to create page that can post in the name of the page, creates multiple layers of anonymity when it comes to other users. These steps pose little challenge to Facebook if it decides to investigate and take action against the individual behind the attacks.

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[45] http://culturedigitally.org/2012/07/anonymous-because-none-of-us-are-as-cruel-as-all-of-us/

[46] Andre Oboler, Kristopher Welsh, Lito Cruz, The danger of big data: Social media as computational social science, First Monday, Volume 17, Number 7 – 2 July 2012. Online at: http://www.firstmonday.org/htbin/cgiwrap/bin/ojs/index.php/fm/article/view/3993/3269

[47] *Mutilated Furries, Flying Phalluses: Put the Blame on Griefers, the Sociopaths of the Virtual World.* Wired Magazine. Issue 16.02, 2008. Online at http://www.wired.com/gaming/virtualworlds/magazine/16-02/mf_goons?currentPage=all

[48] http://knowyourmeme.com/memes/the-internet-is-serious-business

Profile of an Aboriginal Memes advocate: A Cyber Racism Case Study

Militia Charlie's account was created on August 7th. Over the next few days both the username and profile picture were changed a number of times. As a result this user is also known as Charlie Militia (a name reversal) and Wooblah Militia. They also stated that they had multiple other accounts, a separate violation of Facebook's terms of service (see Figure 30).

In the late afternoon of August 8th this user posted to one of the anti-racism pages and claimed responsibility for an Aboriginal Meme page saying it was no more than a joke (Figure 27). It is unclear which page was being referred to but we suspect it was the "Abo Memes" page (ID# 460998877251042).

In the same discussion thread the user went on to make additional racist posts including a claim that they aren't racist because they don't care who kills Indigenous people (Figure 28).

An administrator of the anti-racism page tried to report Militia Charlie and ended up sending their complaint to Charlie Militia (rather than Facebook). This was a result of poor design in the complain system, which tries to get people to resolve their complaint between themselves rather than lodge a complaint (see Appendix C). Dispute resolution should not be integrated into the complaint system as it invites further conflict and cyberbullying.

The start of the resulting conversation between Militia Charlie and the anti-hate page's admin is shown in

 Figure 29. This conversation deteriorated further and was eventually shared with law enforcement in relation to possible breaches of the cyber-stalking provisions of the *Crimes Act 1958* (Vic).

Militia Charlie's view, shown in Figure 29 and Figure 30, that online activity could not result in a real world response, underscores the feeling of invulnerability and freedom from consequences that fosters online bullying. Public policy requires a response from both Facebook and governments to push back against this attitude and demonstrate that people will be held to account.

Figure 27 Militia Charlie's claim it was all for fun

Figure 28 Militia Charlie doesn't care who killing Indigenous Australians

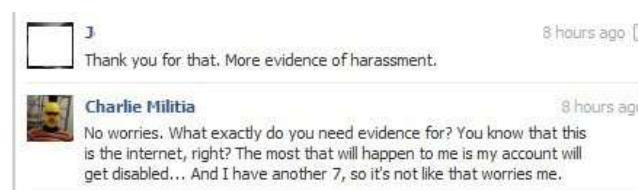Figure 29 Initial conversation between Charlie Militia and Admin

Figure 30 Claim to multiple accounts and invulnerability

Militia's Charlie's view of invulnerability relies on:

(a) Having disposable accounts that are easy to create and which can be discarded with little loss (Figure 30)

(b) A view that the loss of the account is the most serious consequence that can result (Figure 29, Figure 30)

(c) A view that they are insulated from real world response through the use of a fake name and profile picture plus the use of a proxy to mask their internet access point (Figure 33, Figure 34, Figure 36)

(d) A belief that authorities would not be sufficiently interested in cyberbullying or racism to pay them any attention (Figure 31, Figure 33, Figure 34)

(e) Believe authorities are not sufficiently skilled (Figure 34)

(f) A view that Facebook would in any case resist giving their details to authorities

These beliefs, though wrong, do contain a kernel of truth. As one example, Militia Charlie's post in Figure 27 was clearly not done through a proxy. Other posts indicate they were made through a mobile device. The misconceptions on these issues do create a feeling of impunity and an environment that fosters further hate. Militia Charlie not only mocks law enforcement (Figure 31), they mock Facebook as well (Figure 32).

Figure 31 Mock-fear of "cyber-police"

Figure 32 I am the real Mark Zuckerberg

Resources need to be invested, and while recognising that monitoring will not be complete, the occasional prosecution does need to take place as a deterrent. Facebook itself needs to take both online hate and cyberbullying more seriously and needs to cooperate better with authorities to facilitate real world response. It must become possible to peer behind the curtain when abuse occurs. Safeguards are needed, but governments and social media platforms, like Facebook, need to work together to establish what those safeguards are and how they can be readily navigated by appropriate authorities in order to achieve the maximum level of cooperation between platform providers and law enforcement. Repeated incidents, as are occurring with Aboriginal memes on Facebook, should result in faster turnaround times and greater cooperation to put a stop the repeated abuse.

The conversation with Militia Charlie also exposes a deep-seated racism. Contrary to the public explanation that this is just harmless fun (Figure 34 and Figure 35) Militia Charlie rationalises their hate. Their explanation includes promotion of a stereo-type that Indigenous Australians do not contribute to society, promotion of collective treatment and collective punishment, elements of dehumanisation and ultimately support for genocide.

When a group is allowed to form that normalises racial hatred, it reinforces the underlying anti-social attitude and can increase the likelihood of anti-social behaviour, not only online but off-line as well. It can lead people to believe that their racist attitudes are normal and accepted by society and erroneously position those who oppose racism and support multiculturalism as outside society's norms. This is the reinforcing problem of Hate 2.0.

In 2011, two men in their early 20s were charged by Victorian police over posting objectionable material on Facebook. That material related to ratings posted on Facebook after sexual encounters between young people. At the time, a police spokesman said: "People can feel they are anonymous ... in the digital sphere and

may act in a manner they would not consider appropriate in the 'real world'. They need to remember (this) can have real consequences, including criminal charges." That message from police needs to be sent again, this time in relation to online racism.[49] Similar charges could be laid in relation to Aboriginal Memes, particularly after the Classification Board had reviewed the content.
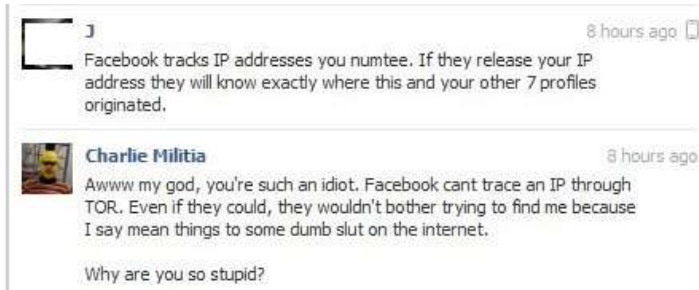

Figure 33 Discussion of IPs being logged

Figure 34 Desire to murder and believe in anonymity

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[49]Amelia Harris, "Two Bendigo brothers face charges over Facebook filth", *The Herald Sun*, October 21, 2011. Online at: http://www.heraldsun.com.au/news/victoria/two-bendigo-brothers-face-charges-over-facebook-filth/story-fn7x8me2-1226172254323

J   8 hours ago
Why are you so hateful?

Charlie Militia   7 hours ago
Because I have grown up my entire life with coons. You live in melbourne
where there are very few of them. If you experienced the real ones,
you would hate them too.

J   7 hours ago
Honey, I lived in an indigenous community for a year. I have a VERY
different experience. If you're so smart, surely you can see that judging
an entire group on the actions of SOME members of that group is
completely flawed?

And again, I'd you're so smart…surely you can see that putting more
hate out into the world is only going to make things worse, for them, for
you, for everyone.
*if

Charlie Militia   7 hours ago
Your message if flawed. I'm not judging an entire race because od SOME
members. I'm judging an entire race because of MOST members.

I hope it makes things worse for them. If they cant contribute to society
like normal humans, they have no place here. Cpt Cook should have
killed them all.

Figure 35 Rationalising Hate

Charlie Militia Oh, sorry, Bart.   ✕

I use anonymoX because I was trolling anonymous a few months
ago. They had all the same threats as you spastics.
14 minutes ago · Like

Figure 36 Use of AnonymoX proxy

Militia Charlie was also responsible for sharing Aboriginal Memes from the page "Aboriginal and Australian
Memes" (ID #353892144688340) as shown in Figure 37.

Figure 37 Militia Charlie sharing Aboriginal Memes

As mentioned, the changes to the Militia Charlie profile involved both name and profile image changes. The
username was first reversed, Charlie Militia becoming Militia Charlie, and then changed to "Wooblah Militia".

The profile image was also changed twice (see Figure 38). The images reference the "Bert is Evil" meme which was popular in 2001 and involved the Bert Muppet from Sesame Street.[50]

Charlie Militia	Wooblah Militia
	"Bert Stare" Original Edited Version
The image appears to have been created in 2009 and appear in quite a few web pages as well as a number of other (probably unrelated) Facebook profiles.[51]	This image is adapted from the "Bert Stare" meme which has a website,[52] YouTube video,[53] Meme Generator template,[54] and appears on various forums over the last few years. The edited version was not made by Militia Charlie, it has been online since at least June 2011 and is mostly found on web based forums.[55]

Figure 38 Militia Charlie's Bert Profile Images

The Andre Oinksalot Profile

On August 18th a fake profile was created attacking Dr Andre Oboler, OHPI's CEO. The fake profile, shown in Figure 39, can be compared to the real profile in Figure 40. An image of Dr Oboler has been appropriated and

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[50] http://knowyourmeme.com/memes/bert-is-evil
[51] http://weird-newsblog.blogspot.com.au/2009/03/bert-costume.html;
http://funny.funnyoldplanet.com/funny/sesamie-street-bert/;
http://i698.photobucket.com/albums/vv346/sophomoriccontent/Bert.jpg
[52] http://www.bertstare.com/
[53] http://www.youtube.com/watch?v=zQy5cIT_Stk
[54] http://memegenerator.net/Bertstare
[55] http://steamcommunity.com/id/4ourD; http://forums.studentdoctor.net/showthread.php?p=11223013;
http://www.gifsforum.com/images/26530

a pig's head superimposed on it. The profile name, Andre Oinks a lot, is an attack on OHPI's efforts to highlight instances of online hate, it may also reference the pig mascot of Springfield A&M in the *Simpsons*.[56]

One of the first status updates by this fake profile is shown in Figure 41; it mocks Dr Oboler's concern over Holocaust denial, and seeks to produce a caricature of a Jewish position in relation to Israel. Beyond its offence, the comment shows a stunning ignorance about the Middle East conflict. The list of friends on this profile has intentionally not been removed as these people are discussed below.

Figure 39 Andre Oinksalot - a fake profile (version 1)

Figure 40 Andre Oboler's real profile

Figure 41 Andre Oinksalot's Holocaust & Israel Comment

The removal of this profile by Facebook let to the creation of a new profile, this one has the username "andre.oinksalot.7" and was created around 9pm on August 20th (Figure 42).

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[56] http://en.wikipedia.org/wiki/List_of_fictional_pigs

Figure 42 "Andre Oinksalot" version 2

This version too was removed, and it was recreated on August 23rd (Figure 43). This time the creator didn't register a username for the new profile (ID #100004235822461). After a few days this profile too was removed.

Figure 43 Andre Oinksalot version 3

The "You Jews You Lose" pages

The profile was not a standalone incident, but was part of a wider effort that also included the "You Jews You Lose" page (ID # 132591643551155) created at 7pm on August 17th (see Figure 44). The page shows a clear link between the Aboriginal Memes, the attack on Andre Oboler, and efforts to create antisemitic hate pages on Facebook. The page, which mocks the Holocaust with its cover image of a mass grave with the caption

"Group Hug", also includes Aboriginal memes (see Figure 44 and Figure 45). It includes links to both Andre Oboler's real Facebook profile and to OHPI.

Figure 44 You Jews You Lose (ID # 132591643551155)

The page is also the first time we see a "Jewish Memes" page, but it should be noted that this was not the "Jewish Memes" page (ID # 389407607793765) discussed elsewhere in this report – that page was only created on August 30th and Figure 45 is from August 18th. Note we also see a post being made in this page by "Charlie Choochoo" aka Militia Charlie (Figure 45).

Figure 45 Aboriginal Memes and first appearance of Jewish Memes

The "You Jews You Lose" page (ID # 132591643551155) also actively attacked other anti-racism activists. Jacinta O'Keefe who started the Change.org petition became a target, and one the comments was liked by the Andre Oinksalot profile (Figure 46). Another anti-hate activist, Erik Jerome Finkel, who reported a number of the hate promoters was also targeted (Figure 47). Also shown in Figure 47 is that the hate has widened to now also attack people of colour. This is likely a result of American hate activists becoming involved along with Australian friends they have met though Facebook based hate groups. This highlights the problem of Facebook becoming a breeding ground for hate and facilitating networks of hate.

Figure 46 "You Jews You Lose" page also attacks Jacinta O'Keefe

Figure 47 Erik Jerome Finkel targeted

Figure 48 highlights further attacks on the Online Hate Prevention Institute and on Andre Oboler. The post in the top right is advocating activity that may breach anti-stalking criminal provisions in at least some Australian states. While Andre Oboler's setting prevented this, a number of anti-racism activists were sent (and accepted) friend requests from the griefers. This in turn appears to have led to targeted Phishing and some accounts being compromised. OHPI published guides on securing Facebook accounts and Google accounts in response to this.[57]

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[57] http://ohpi.org.au/?page_id=261; http://ohpi.org.au/?page_id=224

Figure 48 "You Jew You Lose" attacking OHPI and Andre Oboler

Crying for attention

Not happy with their hate, the people behind this page sought to draw attention to themselves and their profiles and pages by posting on OHPI's own page.

Figure 50 shows the return of Militia Charlie, the reference to making them famous relates to publishing their comment "I'm not even racist, I don't care who kills the coons" (shown in Figure 28) at the OHPI website. Figure 51 shows personal attacks on Andre Oboler being made by the fake profile Andre Oinksalot. Figure 52 shows "Peter Knight" and "John Armstrong",[58] the same two users who were the initial friends of Andre Oinksalot posting the link to the "You Jews You Lose" page and asserting that they are to be feared. The comment by John Armstrong relates to deicide, suggesting he may be a classical antisemite and the source of similar comments by Andre Oinksalot (see Figure 49).

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[58] To the best of our knowledge these identities are fake and not the real names of these users

Figure 50 Militian Charlie returns as Charlie Choochoo

Figure 51 personal attacks by the Andre Oinksalot profile

Figure 52 advertising the You Jews You Lose page to OHPI

Recreating the page

The initial "You Jews You Lose" page was taken down by Facebook but was soon replaced by "You Jews, You Lose" (note the comma) created at 8pm on August 18th (Figure 53).[59] We also see a reappearance of Militia Charlie including a restatement of the previous statement directed against Indigenous Australians, only this time it reads "I'm not racist, I don't care who kills the Jews"(Figure 54 and Figure 55). There is also an effort at glorification of Nazism (Figure 56). Most interestingly, there is a serious effort to give the impression this new group is really the old group. The old content has been reposted and only careful inspection highlights the difference, the new version in Figure 57, for example, repeats content from Figure 46. The content is however in a slightly different order and in the case of the "Orly? We'll see about that", the old version included a full stop which the new version left out. This is another example of an effort being made (quite an elaborate one in this case) to "fake" the data so a claim can be made that the page was never shut down. This in turn feeds into an argument of "invincibility" of the griefers and the supposed futility of opposing them. They also tried to spread the myth on the OHPI page itself (Figure 58).

Figure 53 "You Jews, You Lose" Page (version 2)

Figure 54 Militia Charlie reappears on You Jews You Lose (1)

Figure 55 Militia Charlie reappears on You Jews You Lose (2)

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[59] www.facebook.com/YouJewsYouLose

You JEWS, You LOSE shared a link.
about an hour ago

Brings a tear to my eye, and makes me SOOO glad Im not a dirty jew like that Andre faggot.

NAZI GERMAN ANTHEM
www.youtube.com

Nazi german anthem

Figure 56 Glorification of Nazism and Antisemitism

Figure 57 Remaking posts from the deleted group

Figure 58 spreading the myth of the page not being removed

Recreating the page again

The page was reincarnated as the "You JEWS You LOSE" page (ID# 454330701264649) on August 20th at 9pm (Figure 59).[60] The post of the right in Figure 59 is the mass grave with the additional text to personalise it. The text referred to "X's father", where the full name of X, a Jewish person who had reported the group was included. The image also had face shots of X at odd angles added to the grave. A segment of one facial picture has been left in at the far right of the image to give an idea of what filled the areas where the white circles are.

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[60] www.facebook.com/pages/You-JEWS-You-LOSE/454330701264649

Captured 21 August 2012 at 12:48am

Figure 59 You JEWS You LOSE" (ID# 454330701264649) (Version 3)

The victim was further attacked through a privacy leak. Facebook helpfully provided a copy of the message that had been deleted, allowing the user to take a picture of it and repost it in the context of Facebook's warning (Figure 60). The blacked out details were added by OHPI not by Facebook. OHPI strongly recommends that Facebook avoid recirculating information that involves a breach of privacy when responding to complaints. The meaning is conveyed sufficiently clearly in the version we have produced below. Facebook could replace text with asterisks to achieve the same effect.
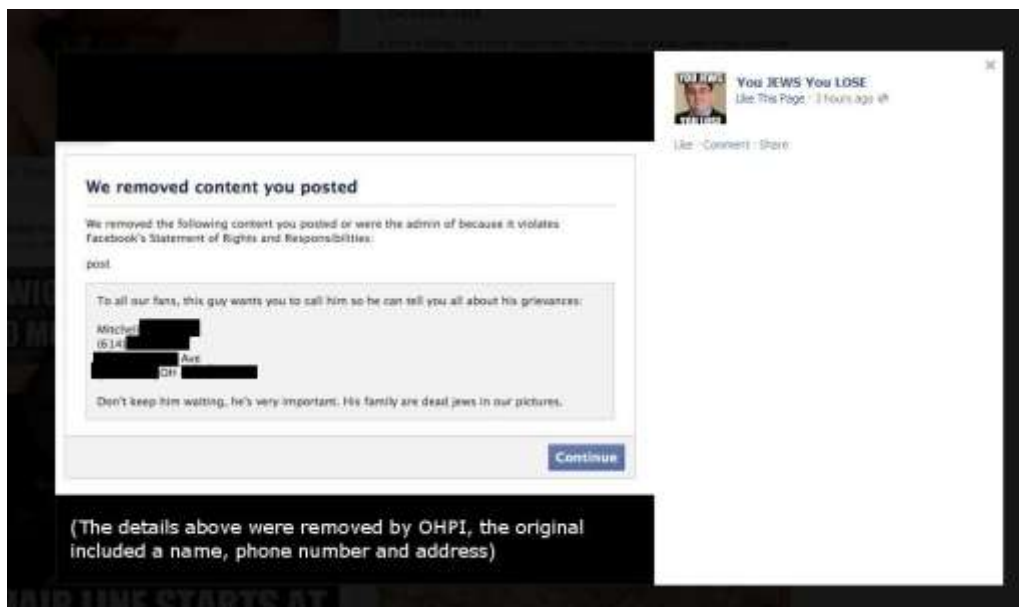
Figure 60 Privacy leak on You JEWS You LOSE (ID# 454330701264649) (Version 3)

The third incarnation continues the trend of attacking multiple groups in addition to Jews, including through Aboriginal memes and Memes about African Americans (Figure 61).

Figure 61 Hate against multiple groups at You JEWS You LOSE (ID# 454330701264649) (Version 3)

A new trend is the inclusion of an image attacking the memory of 9/11 (Figure 62). Classic antisemitism also starts to make an appearance with the charge of deicide and the assertion of the futility of trying to shut this group down is again repeated (Figure 63). This may suggest Andre Oinksalot is at this point being run by "John Armstrong" (see Figure 52).

Figure 62 Mocking 9/11 at You JEWS You LOSE (ID# 454330701264649) (Version 3)

Figure 63 Deicide, Nazi cookies, and a new claim of invincibility at You JEWS You LOSE (ID# 454330701264649) (Version 3)

Profile of a Griefer: A Cyber Racism Case Study

While the "You Jews You Lose" page may have started in response to OHPI's opposition to Aboriginal Memes, the page had multiple administrators and at least one of these was determined to go to war with Facebook in order to keep the page online. The Jaya Lady is one of many administrators of the Anonymous group on Facebook and also administers and promotes numerous pages on Facebook that are at best controversial and at worst havens for hate speech (Figure 64).

In responding to the multiple efforts to revive the "You Jews You Lose" page, Facebook suspended and ultimately deactivated multiple accounts belonging to this user. The point of griefing is to make users leave the game out of frustration. Understood in those terms, the frustration Facebook causes Jaya Lady, and her response (eg Figure 68 and Figure 69), show the process being turned on its head.

This case study highlights the need for Facebook to take stronger action against those promoting hate speech through pages (which mask the users identity) and through fake profiles. Facebook has a policy against fake profiles, so a combination of a fake profile and hate speech should trigger a deeper review of the user's accounts and a clean out of their online assets, as occurred in this case. Figure 68 highlights how many suspended accounts are administrators in the same group. When a page has an unusually high number of its administrators suspended or deleted, Facebook should review the page to see if it is serving as a base camp for online hate. Reports against others administrators of the page should be given greater priority and should be reviewed in a more holistic context. Figure 70 highlights the apparent ease of verifying a fake account through pre-paid mobile numbers in Australia for use by griefers overseas. Cooperation between Facebook, telecommunication companies and the Australian government may need to address this.

Recent Posts By Others

John Davidsen
Is this page run by Jaya lady from "What the hell?" page
Like · Comment · Yesterday at 3:42pm

> **Timelords of the lulz** I'm helping out here. I help out on a lot of pages and yes I'm that same crazy jaya lady. ♥
> Yesterday at 3:43pm · Like

> **Timelords of the lulz** Wait...are you stalking me? O.o
> Yesterday at 3:45pm · Like

> **John Davidsen** dang ol u are 1 busy chick....your all over fb
> Yesterday at 3:45pm via mobile · Like

> **John Davidsen** no i saw your name
> Yesterday at 3:46pm via mobile · Like

> **John Davidsen** i was looking for more funny pages to like n i saw this page
> Yesterday at 3:46pm via mobile · Like

> **Timelords of the lulz** I'm glad to help out here. I've loved this page since it only had a few likes.
> Liberate teh lulz is mine. I made it. It's my baby.
> What the hell was gifted to me. As you know.
> I'm one of over 9000 admins at Anonymous, I'm running Epic Fail Guy while the guy who fails epicly is on a facebook forced vacation, One of several at You JEWS, You LOSE, and Suicide is something you should commit to.
> I think I listed them all. Now you can stalk me properly. ;) ~Jaya
> Yesterday at 3:51pm · Like

Figure 64 Jaya Lady's admin positions

Liberate teh lulz
August 21

The crazy Jaya lady is in a FB forced time out because of reportfags on the 'You Jew you Loose' Page.

Like · Comment · Share   👍 1 💬 4

Figure 65 Facebook response to "You Jews You Lose" leads to a time out

Figure 66 Facebook's response to "You Jews You Lose" resulted in multiple accounts being disabled

Figure 67 Loss of accounts caused griefer to leave Facebook for the weekend

Figure 68 Multiple admin accounts suspended

Figure 69 Anti-Mark Zuckerberg meme

Figure 70 False verification of Fake accounts

The Jewish Memes Page: A Comparative Example

The "Jewish Memes" page (ID# 389407607793765) was created on August 30th (Figure 71).[61] It followed the same trajectory as Aboriginal Memes, first being suspended while it was reviewed, then being reactivated after being renamed on September 3rd to include the "Controversial Humor" prefix (Figure 72). Finally following complaints to the Australian Human Rights Commission (in this case by a peak community body, the Executive Council of Australian Jewry),[62] the page was blocked in Australia but like various Aboriginal Memes pages it remains online.

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[61] https://www.facebook.com/pages/Controversial-Humor-Jewish-Memes/389407607793765 (Blocked in Australia, but still online)

[62] ECAJ, *Facebook under fire for 'making money out of racism'*, Press release, September 25th 2012
http://www.ecaj.org.au/news_files/120925_facebook.pdf

While the Australian Human Rights Commission's strict non-disclosure provisions mean they cannot confirm the existence of complaints, the information released publically by ECAJ highlights how complaints to the Australian Human Rights Commission seem to be followed by the pages being complained about being blocked in Australia. Information provided to OHPI on Aboriginal Memes, by numerous complainants, and in some cases posted publically to Facebook, also suggests a strong link between complaints being lodged with the Australian Human Rights Commission and the offending pages having their access to Australia blocked.

As with Aboriginal Memes, the Jewish Memes pages reused content that was already present on Meme Generator, such as the Advice Jew meme, and used Facebook to add capacity for viral spread and the creation of a dedicated hate community.[63] This page was, however, unrelated to the "You Jews You Lose" pages or the Aboriginal Memes, but still serves as an example of the racist meme Facebook page concept. On October 3rd 2012 the page had 1,513 users and was most popular in Limerick (Ireland) and with people aged 13-17 years old i.e. with children.

Figure 71 Jewish Memes page (ID# 389407607793765) - page creation

The page displays the same disregard for the other as seen with Aboriginal Memes (Figure 73). At the same time the Administrator states they aren't actually racist, they are just doing it for fun, and they appeal to people not to post hate (Figure 75). This is followed by a joke about people dying in the gas chambers and then a joke aimed at the Church to show they aren't singling out Jews they are just trying to be funny at other peoples expense (Figure 76). This Administrator shows a fundamental lack of understanding of the harm they are causing. Rather than learning from the feedback they are receiving, once they have had enough they simply stop the criticism: in Figure 74 the Administrator of this group declares that they don't want to hear any objections to their hate and will ban anyone who complains.

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[63] http://memegenerator.net/Advicejew

This situation shows why hate speech must be banned at the platform level. Given the Administrator has been empowered by Facebook to do this, counter speech within this page is effectively shut down. While another group could be setup opposing this page and its ideas, that is not an effective response as there is no dialogue and no competition of ideas. For those who accept the idea proposed by U.S. Supreme Court Justice Louis Brandeis that "Sunlight is the best disinfectant", this is like arguing sunlight in China is the cure to an infection in America. If Facebook allows moderation by Administrators, it must also impose community standards.

Figure 72 Jewish Memes page (ID# 389407607793765) - page renamed

Figure 73 Jewish Memes page (ID# 389407607793765) - Anti-social behaviour

Figure 74 Jewish Memes page (ID# 389407607793765) - Counter Speech is Banned

Figure 75 Jewish Memes page (ID# 389407607793765) – Administrator's appeal against hate

Figure 76 Jewish Memes page (ID# 389407607793765) – Administrator doesn't get it

Figure 77 Jewish Memes page (ID# 389407607793765) - Facebook pages, a way to post racist content without being judged

The view of Facebook pages as a place to anonymously post racist material and avoid any sanction from society is highlighted in Figure 77. The link between anti-social extremist behaviour and anonymity caused the State of New York to pass a law against demonstrators hiding their faces back in 1845. [64] The law which prevents anonymous protest has been held to be constitutional by a US Federal Appeals Court as recently as 2004.[65] Allowing users to hide their identity by posting hate speech as a page undermine the "sunlight" argument and render the idea of counter speech as a deterrent entirely ineffective.

Facebook could significantly reduce online hate by removing the Anonymity provided by pages when those pages host what Facebook considers "controversial content". This could be done by requiring pages with Controversial Content to have their administrators publically listed. A technical fix could ensure that the account of the posting administrator is publically listed when content is posted in the name of the page. Alternatively pages could be deemed an in appropriate mechanism for controversial content, and such content could instead be directed to Facebook groups. If not done voluntarily, laws could be introduced in the US to prevent the anonymous posting of hate speech. This would make the use of a Facebook page to post hate an illegal act, while still respecting the current understanding of first amendment rights (which protect some forms of hate speech from being outlawed) by not interfering with peoples free speech under their own name.

Pages, as currently implemented, fundamentally undermine the core Facebook concept of real accounts for real people. They produce a level of anonymity that was a key ingredient to the spread of hate in the original anonymous forums like the 4chan image board. Unless the trend is stopped, Facebook based "griefing" may grow into a serious threat to the Facebook enterprise.

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[64] John Sullivan, *Ku Klux Klan Says It Will Seek Permission for a Masked Rally in City*, May 02, 2000. Online at http://www.nytimes.com/2000/05/02/nyregion/ku-klux-klan-says-it-will-seek-permission-for-a-masked-rally-in-city.html
[65] *Appeals court allows N.Y. anti-mask law*, CNN, January 21 2004. Online at: http://edition.cnn.com/2004/LAW/01/20/rights.klan.reut/
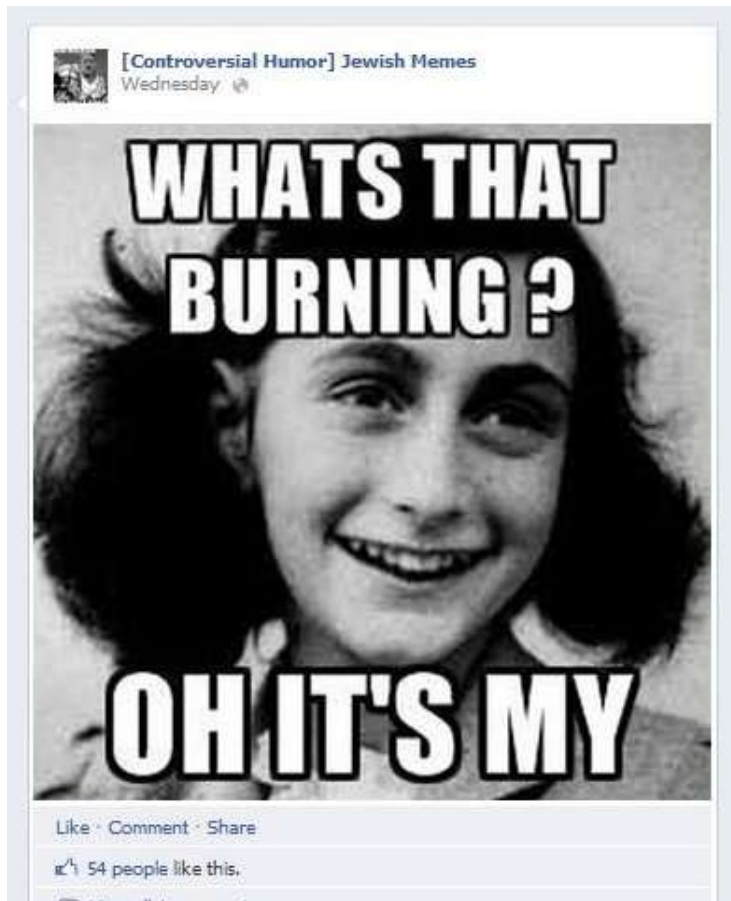
Figure 78 shows one of the images that was posted by the Jewish Memes page. The full image was not properly displayed unless the item was clicked, so a copy is shown in Figure 79. Like the Aboriginal Memes this image originates on Meme Generator.[66] It is one of many version of the "Anne Frank Meme".[67] The image was reported by OHPI to Facebook using their online reporting mechanism.

The Anne Frank Meme clearly mocks the death of Anne Frank's family in particular and six million Jews killed at the hands of the Nazis more generally. OHPI was shocked at Facebook's response which indicated this image was not considered a violation of their community standards and would not be removed (Figure 80). OHPI received a similar response to a range of complaints relating to hate speech from across a range of pages.

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[66] http://memegenerator.net/instance/9150969
[67] http://memegenerator.net/Anne-Frank
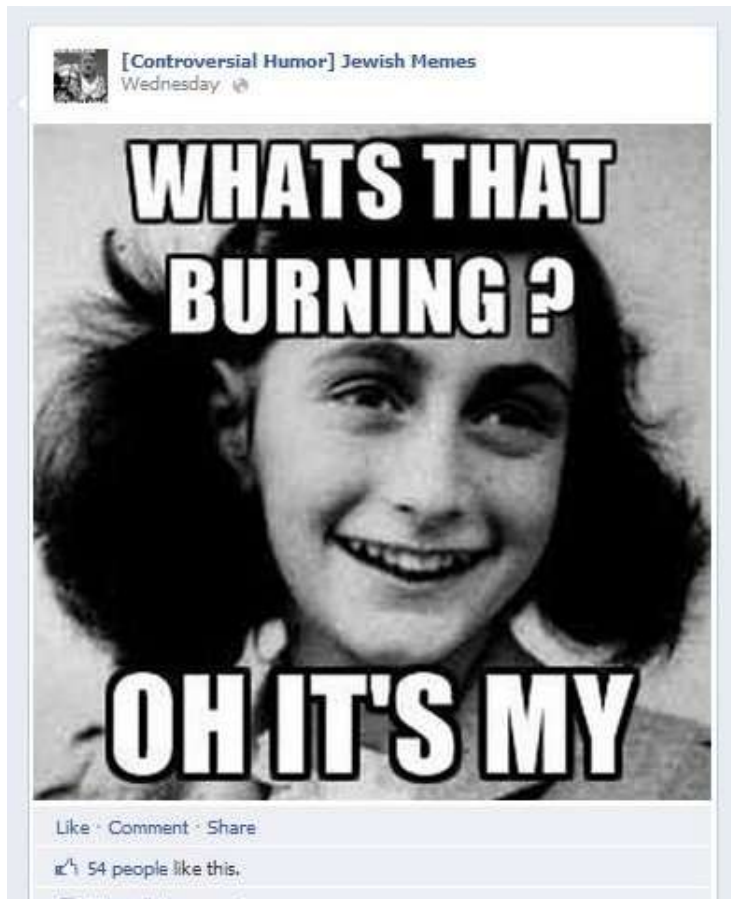
Figure 78 Jewish Memes page (ID# 389407607793765) – Anne Frank

Figure 79 The full Anne Frank Image

Figure 80 Anne Frank Meme was reviewed and considered acceptable content by Facebook

In response to the clear failure of the review process, OHPI initiated a petition calling on Facebook to Shutdown the pages "Controversial-Humor-Jewish-Memes" (ID# 389407607793765) and "Holocaust"(ID #307998715931777), ban the users who created these pages in response to their promotion of hate speech, and competently review all complaints about racist pages that have been rejected.

The petition also asks that Facebook: change the way reports regarding pages are managed so that pages use the same "Support Dashboard" as complaints for photos, timelines and profiles; investigate how the complaints about the images shown at http://ohpi.org.au/?p=286 were rejected (this page contains a selection of images OHPI reported and which Facebook rejected); implement better training processes for

staff managing complaints; and implement ongoing regular systematic audits of complaints processed by front line staff.[68] The petition has at the time of writing received over 540 responses.

The Attitude Facebook is Creating

Facebook is creating an attitude where people feel racism is acceptable. The consequence is simply having a designating "controversial humour" flag added (Figure 81). This is a message completely at odds with the Australian Human Rights Commission's new "Racism. It Stops With Me" campaign.[69] The attitude promotes the social acceptability of online hate. Facebook with this attitude can supports a cultural shift that undoes decades of civil rights gains around the world. Facebook is not a neutral player, but is actively promoting this shift based on their "Facebook Principles".[70]

Principle one states: "[A] People should have the freedom to share whatever information they want, in any medium and any format, [B] and have the right to connect online with anyone - any person, organization or service - as long as they both consent to the connection." The first part relates to public content, and the second to direction communication. While direct communication is qualified, public communication is not. This principle is written from an absolute free speech position. In keeping with this principle Facebook would seek to only limit communication when absolutely forced. This would require legal mechanisms in a jurisdiction where Facebook had sufficient assets to be concerned. Governments outside the United States may find other ways to negotiate or pressure Facebook into deviating from this position but it would take active engagement, Facebook is not seeking to fit in with local culture and the local community, but rather to impose its own global principles.

This global approach is made clear in principle 4 where Facebook declares "There should be a single set of principles, rights, and responsibilities that should apply to all People using the Facebook Service". This denies any desire to adapt to local laws and conditions unless forced. In short, Facebook denies the right of either the Australian Government or people to set their own community standards. As Facebook itself is bound by US law, this effectively means the imposition on Australia of a US culture of acceptable content. This is both more permissive when it comes to hate speech, and has been accused of being more puritan when it comes to nudity.[71]

Figure 81 the consequences of Racism

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[68] http://www.change.org/petitions/facebook-must-stop-allowing-hate-speech
[69] http://itstopswithme.humanrights.gov.au/
[70] http://www.facebook.com/principles.php
[71] Abigail R. Esman, "Facebook's Censors Strike Again - Is America To Blame?", *Forbes*, 6 August 2012. Online at: http://www.forbes.com/sites/abigailesman/2012/08/06/facebooks-censors-strike-again-is-america-to-blame/

The Response

Grassroots

On August 8th two petitions were created to facilitate grassroots protest against the racist Facebook pages. One, created by David Black, was at CommunityRun and called "Take down racist Facebook page – [Controversial Humor] Aboriginal Memes", it quickly reached 1,500 signatures during the first day and had 12,374 signatures by August 29th.[72] While signatures are still being added, the rate has now significantly slowed with only 50 additional signatures added during September. The other petition was created at Change.org by Jacinta O'Keefe was called 'Facebook: Immediately remove the racist page called "Aboriginal Memes"'.[73] It has 20,650 signatures by August 29th. It too slowed with only 17 new signatures in September, this may in part be because the campaign was declared a success indicating completion, although some are still adding their name to it. Jacinta O'Keefe's petition led to her being targeted by racists (see Figure 46).

On Facebook itself a page "Shut Down Aboriginal Memes" was created (ID# 191774504285798),[74] on August 8th and 1,797 people had joined by 4:30pm that day. The page has 6,963 members on August 29th and grew to 7,970 by October 3rd.[75] The continued growth of the page, compared to the slow growth on the petition, is a result of a repurposing of the page into a general anti-hate group, but one that retains a particular focus on Aboriginal Memes. The demographics indicate the majority of the members are from Melbourne and are between the ages of 25 and 34. There is also a group, "Make Facebook shutdown Aboriginal Memes" which had 2,044 members as at October 3rd.[76]

Figure 82 Shut Down Aboriginal Memes

On August 15th an administrator of one of the anti-hate pages sent an e-mail to IMAX in Canada (see Figure 83). A reply was received within the hour: "Thank you for contacting IMAX Corporation and for bringing this to our attention. We have forwarded your message to our Social Media group for them to look into. Best regards, IMAX Corporation." The offending Facebook page promptly vanished.

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[72] http://www.communityrun.org/petitions/take-down-racist-facebook-page-controversial-humor-aboriginal-memes
[73] http://www.change.org/en-AU/petitions/facebook-immediately-remove-the-racist-page-called-aboriginal-memes
[74] http://www.facebook.com/shutdownaboriginalmemes
[75] http://www.facebook.com/shutdownaboriginalmemes last seen 29 August 2012.
[76] http://www.facebook.com/groups/33343893413349/
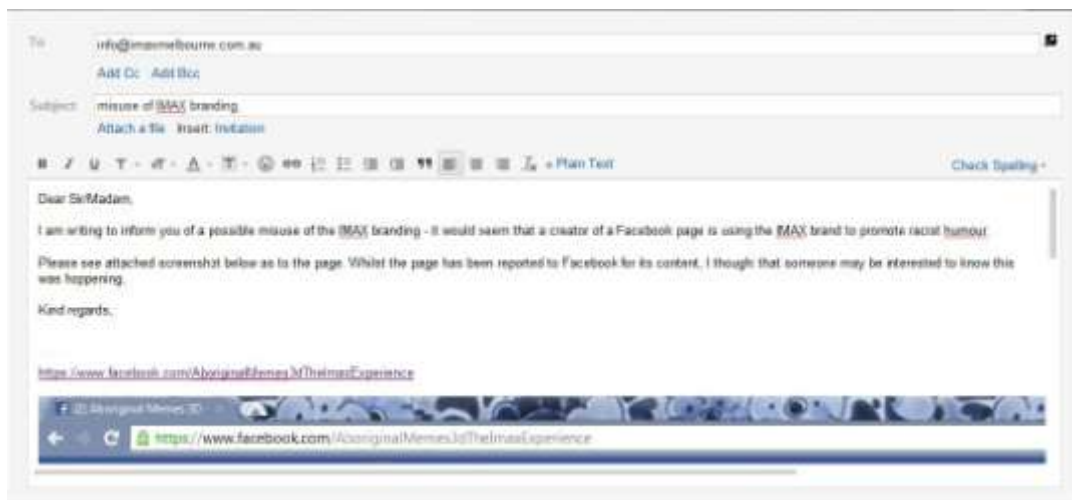
Figure 83 E-mail sent to IMAX

An Administrator of both the Page and the Group was interviewed on SBS news, the segment aired on Friday August 17th. Another administrator was invited as a guest of OHPI to attend an anti-racism symposium organised by the Immigration Museum in Victoria on August 23rd and briefly addressed that gathering.

A counter page calling for it to be removed has 2,228 fans.[77] A counter group has 1089 members.[78] A petition was started at about 1pm on 8 August 2012 to remove the group after Facebook reviewed it and decide it was "controversial humour" and not a form of online hate.[79]

Governments and Government Agencies

The response from the Australian Government was led by Dr Helen Szoke the Race Discrimination Commissioner at the Australian Human Rights Commission. Dr Szoke spent a significant amount of time in the media raising awareness of the issue. She also met with Facebook a number of times of the issue.

Dr Szoke said the Aboriginal Memes were not only insulting and offensive but also racially vilifying. She told SBS News, "[The page] potentially does insult and offend, but it probably does more than that. I think the depiction of these images on Facebook actually moves more in to vilifying".[80] In an article on September 16 Dr Szoke also commented on the Jewish Memes pages. At this point she declared the situation was not under control that "[t]his has now reached a point where we really have to look seriously at what the full options of management of this issue might be and I think it's a multiple approach".[81]

On August 8th the ACMA referred the matter to the classification board.

Australia's Communication Minister, the Hon. Senator Stephen Conroy, said the content 'denigrates our Indigenous community extensively' and pretending it is humour doesn't change that.[82] He spoke out against Facebook's action which reclassified the page (as 'controversial humour') and then made it publically available again.[83]

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[77] http://www.facebook.com/shutdownaboriginalmemes
[78] http://www.facebook.com/groups/33343893413349/
[79] http://www.change.org/en-AU/petitions/facebook-immediately-remove-the-racist-page-called-aboriginal-memes
[80] Andy Park, "Facebook racial hate page 'taken down'", *SBS News*, 9 August 2012. Available online at: http://www.sbs.com.au/news/article/1679266/Facebook-refuses-to-remove-Indigenous-hate-page/
[81] Kay Dibben, "Social media on trial over racism", *The Courier Mail (Qld)*, September 16. Online at http://www.couriermail.com.au/news/queensland/social-media-on-trial-over-racism/story-e6freoof-1226474830131
[82] Andy Park, Facebook racial hate page 'taken down', *SBS News*, 9 August 2012. See video at 1:43. Available online at: http://www.sbs.com.au/news/article/1679266/Facebook-refuses-to-remove-Indigenous-hate-page/
[83] Ibid.

Non-Governmental Organisations

On the 13th of August OHPI wrote to Facebook, at the time a number of Aboriginal Meme pages appeared to have been taken down, although it later transpired that these pages were simply being reviewed and they were later restored by the social media platform. In its letter OHPI urged Facebook to "to make it clear that hate speech in the form of Memes is a breach of the Facebook Community Standards and unacceptable". OHPI also encouraged Facebook to use the Australian Human Rights Commission's Race Discrimination Commissioner as a source of knowledge about racism against Indigenous Australians. Examples of hate targeting individuals was also shared with Facebook in the letter and a request was made for information about Facebook's cooperation with law enforcement over these matters.

OHPI's CEO, Dr Andre Oboler, was interviewed on SBS news in a segment aired on Friday August 17th. He also presented on the Aboriginal Memes incident in a special presentation at the "Owning Racism" symposium organised by the Immigration Museum in Victoria on August 23rd. The presentation was very well received by attendees, many of them experts in the field. A longer presentation was presented as a guest lecture to a law class at Monash University on September 14th.

OHPI organised a dinner on August 23rd to thank the volunteer administrators of the page and group opposing Aboriginal Memes. The dinner acknowledged the work of these activists and introduced them to other guests including members of OHPIs Board of Directors, staff from the Immigration Museum and key note speakers from the "Owning Racism" Symposium. Certificates were also presented to the volunteers by OHPI. This encouragement aimed to re-energize the activists who were dealing with hate attacks against their pages and groups and in some cases against themselves personally.

On the 25th of September the Executive Council of Australian Jewry (ECAJ) and the Aboriginal Medical Service (AMS), Redfern, released a joint statement declaring "Facebook under fire for 'making money out of racism'". The press release notes that the two NGOs had filed formal complaints to the Australian Human Rights Commission against Facebook itself over Aboriginal Memes pages and the Jewish Memes page.[84]

On October 2nd OHPI exchanged correspondence with the Victorian Attorney General, the Hon. Robert Clark, and highlighted issued related to the evolving hate friendly culture on Facebook and that this appeared to be a result of corporate policy that was intentionally becoming more permissive. OHPI highlighted the need to focus on Facebook itself and not just the problematic users.

Facebook's Response

Facebook's response to Aboriginal Meme pages appears to typically involves the following steps:

1. Complaints trigger a review and the page become unavailable for a few days while under review
2. The review requires that the name of the page be changed to include the pre-fix "[Controversial Humour]", once this is done the group again becomes public
3. If notified the page would fall under the "RC" rating (refused classification) and its publication would be illegal in Australia, Facebook restricts the pages access so it cannot be viewed in Australia.

In all cases the page remains online, but visibility in Australia may be prevented.

When individuals are attacked Facebook may suspend a user's account for 24 hours. In the case of a fake profile, Facebook may request the user verify this identity. This process can be subverted by those who feel immune from consequences (see Figure 70). In June 2012 Facebook published a post along with a diagram providing more details on the reporting system.[85] One thing that becomes clear that credible threats of violence against other people and suicide risks are areas where Facebook has focused its attention, there is far less attention in the area of hate speech, this appears to be a far lower priority for Facebook. While OHPI welcomes the effort that goes into suicide prevention and the prevention of violent crimes, we believe

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[84] ECAJ, *Facebook under fire for 'making money out of racism'*, Press release, September 25th 2012
http://www.ecaj.org.au/news_files/120925_facebook.pdf
[85] https://www.facebook.com/notes/facebook-safety/what-happens-after-you-click-report/432670926753695

Facebook is large enough to dedicate greater resources to the fight against hate without putting this other important work at risk. There also appears to be a basic problem with Facebook's interpretation of hate speech, and prior to the 2012 amendments to the terms of service, of "hateful content".

On August 15th Facebook replied to a letter from OHPI stating:

> *"We recognise the public concern that controversial meme pages that Australians have created on Facebook have caused. Facebook does not share these views, but while incredibly distasteful, this content currently does not violate our terms."*

It appears that Facebook has consulted its lawyers and asked the wrong question. The question is not whether the content might be illegal in the United States, the question is whether it breaches Facebook's terms of service. Those terms prohibit "Hate Speech".

The confusion arises because Facebook appears not to recognise that some forms of Hate Speech can also be protected speech in the United States. Protected speech means that the US Government can't pass a law prohibiting that forms of speech. This does not stop Facebook itself prohibit it. Earlier this year Facebook replaced a long standing prohibition on "hateful content" with a narrower prohibition on "Hate Speech". Aboriginal Memes are both "hateful" and meet the technical requirements of "hate speech", that is hateful speech directed against a protected minority group. This prohibition is perfectly legal and has nothing to do with protected speech provisions that apply to government.

Facebook appears to now be giving an unnatural meaning to the term "hate speech" by interpreting it as "hate speech that could be legally prohibited under US law without violating the first amendment". This is an even narrow restriction than the term "hate speech" and it is not a meaning that "hate speech" has, even in the United States. This is why organisations like the Anti-Defamation League regular declare content to be both hate speech and protected.[86] If this is Facebook's definition, then it is something new.

As recently as October 7th 2011 the BBC report a Facebook spokesperson as saying that, "the vital distinction was still between controversial discussion and genuine attempts at humour on one hand, and obvious hate speech on the other but that content targeting a particular minority would always be removed."[87] Either Facebook has applies a special rule to Australia, or "always" was a very short time indeed. Facebook must class hate against particular minorities as hate speech.

In its reply to OHPI Facebook also stated:

> *"While we do not remove this type of content from the site entirely unless it violates our Statement of Rights and Responsibilities, out of respect for local laws, we have restricted access to this content in Australia via Facebook. I note that this content is still available in Australia via other services including via a Google search and also via Memegenerator."*

As this report demonstrates, Facebook was right to assert that it was not the only platform from which the memes were available. This point, however, is relatively meaningless when Facebook's role as a catalyst for bringing haters together and supplying them with the tools to propagate their hate is taken into account. It is Facebook, not Google or MemeGenerator, that allows the hate to go viral. The approach of Facebook to now permit hate against "a particular minority" and only require that the group state in its name that it is "controversial" actually encourage people to spread hate and feel they can do so with Facebook's blessing and under a shield of immunity. After all, once Facebook has sanctioned their hate, it stands to reason that it will not hand over their details to law enforcement, so the users anonymity is protected.

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[86] http://regions.adl.org/central-pacific/adl-objects-to-anti-muslim.html
[87] Dan Cairns, "Too far for Facebook? How the site decides what to ban", *BBC Radio 1*, 7 October 2011. Online at http://www.bbc.co.uk/newsbeat/15181075

Analysis

Understanding the true danger of Hate 2.0

The real damage of the Aboriginal Memes incident did not occur when the first image was created. The impact was still minimal when the Aboriginal template was created in Meme Generator. It was only when Facebook pages encouraging the further creation and propagation of Aboriginal memes were established that people truly became concerned. On August 8th 2012, as the public outcry grew, two of the pages had audiences in the thousands.

Crikey, an online news source, reported that fans of the racist pages included employees of Australia's state and federal governments. Consumer Affairs Victoria, the Royal Australian Navy, and Centrelink (the Commonwealth Department of Human Services) were named.[88] In the corporate world, Combined Insurance Company of Australia, Action Industrial Catering, and Dowerin DHS were also listed.[89] In each case someone with a public affiliation with the organisation on their personal profile 'liked' one or more of the racist Facebook pages.

When people in trusted positions of authority are seen accepting racism, this has a negative impact on society. It normalises the racist discourse outside of the targeted group and marginalises the victims within society. It sends a message that the treatment they should expect from government agencies, insurance companies, etc may not be fair. Such messages can discourage engagement and reduce democratic participation. Governments have responded to this threat and the State of Victoria can be held up as a role model approach to combating racism in social media. This is discussed further below.

Social media itself brings with it a specific threat to multicultural harmony and the concept of racism as a social ill. The problem was first exposed in a 2008 paper on the problem of 'Antisemitism 2.0'.[90] This paper, partially focused on Facebook, highlighted the danger of social media in making racism once again socially acceptable. By allowing crowds to gather where the normative value is racist, that value becomes entrenched and gains greater acceptability. The danger is "not simply about promoting ideas", but rather about "discussing them and thereby conferring on them legitimacy as one 'possible truth' among the many narratives that exist".[91] That 'legitimacy' accorded to the racist view is aimed not at other racists but at their non-racist friends and associates. The result is a "blurring of boundaries in common discourse" so that "what in the mainstream-media era was clearly viewed as offensive is now so prevalent that it is increasingly gaining acceptability".[92] Facebook's response to the Aboriginal Meme pages, stating that such racism was no more than 'controversial humour', is evidence of this spread of acceptability. The standard for public online speech is no different to the standard in the physical public square.

A Government View of Responsibility in Social Media

Governments are aware of the danger posed through inappropriate use of social media. Using Victoria as an example, the *Public Administration Act 2004* includes a statement of public sector values including "respect" and commitment to "freedom from discrimination".[93] These values are included in the 'Code of conduct for Victorian public sector employees',[94] which 'prescribes the behaviour expected of public sector employees'.[95]

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[88] Andrew Crook and Matthew Knott, "Facebook page vilifying Aborigines 'breaks Australian law'", *Crikey*, August 8 2012. Online at http://www.crikey.com.au/2012/08/08/facebook-page-vilifying-aborigines-breaks-australian-law/

[89] Ibid

[90] Andre Oboler, Online Antisemitism 2.0. "Social Antisemitism on the Social Web", Post-Holocaust and Antisemitism Series, JCPA, (April 2008, No. 67). Online at http://jcpa.org/article/online-antisemitism-2-0-social-antisemitism-on-the-social-web/

[91] Ibid.

[92] Ibid.

[93] *Public Administration Act 2004* (Vic) s 7.

[94] http://ssa.vic.gov.au/images/stories/product_files/810_CodeofConduct2007.pdf

[95] Ibid, 1.

The Code states that "Public sector employees follow the spirit as well as the letter of the law relating to discrimination, harassment, bullying and victimisation" and adds that "Valuing and promoting diversity is an important element of demonstrating respect".[96] The Public Sector Standards Commissioner released a Guidance document to clarify the obligations under the code of conduct 'in the context of using social media'.[97] The document outlines principles including:

- "Staff must ensure that any personal comments don't compromise their capacity to perform their public role in an unbiased manner"
- "Whether using social media for official use, or in a private capacity, staff must not do anything that may adversely affect their standing as a public official or which could bring themselves or the public sector into disrepute. The nature of social media increases the risk of reputational damage through private activities such as: posting images, information or links to images or information..."
- "Obligations on public sector employees to support an environment free of discrimination, harassment and bullying also apply to their use of social media."

Individual government departments have policies designed to support the guidance document. The policy of the Department of Justice includes separate sections on professional and personal use of social media. The personal use section outlines a range of obligations and prohibitions which are clearly modelled on the terms of service from platform providers themselves. Users are, for example, prohibited from posting "material that is offensive, obscene, defamatory, threatening, harassing, bullying, discriminatory, hateful, racist, sexist, infringes copyright, constitutes a contempt of court, breaches a Court suppression order, or is otherwise unlawful".[98] The list is more reflective of Facebook's terms of service prior to May 2009 than the terms of service today.

In 2009, Facebook removed prohibitions against content that is "derogatory," "demeaning," "offensive," "harmful," "defamatory," "abusive," "inflammatory," "vulgar," "obscene," "fraudulent," "invasive of privacy or publicity rights," and a provision against content that was "racially, ethnically or otherwise objectionable".[99] Some of these items were still caught by provisions against general illegality within the United States. This year, when reviewing its terms of service, Facebook replaced the provision against content that was "hateful" with one against "hate speech". Hate speech is a far narrower term. It fails to catch, for example, the blatantly hateful Facebook page "Cancer is funny because people die". The victims do not belong to a minority group, so would not be protected under the new terms of service, even though they would have been protected under the old wording.

As governments move forward, Facebook itself is moving backwards. The legislated values of the public service, supported by policies and guidance documents, make the obligations of civil servants clear and consistent across social media platforms. They also give foreign corporations like Facebook some insight into the values of the Australian people and exactly how seriously these values are taken.

Who Should Pay?

Efforts by companies, like Facebook, to create an 'internet exceptionalism', serving their own commercial advantage, must be resisted. OHPI believes that those who take the benefit of social media revenue must also bear the cost of policing their service and ensuring the system complies with the law.

The concept of policing social media extends beyond the minimum standard imposed by law. Platform providers have an obligation to provide terms of services that make clear what forms of communication are prohibited on their platform. They have an obligation to provide a reporting mechanism through which people

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[96] Ibid, 21.

[97] State Services Authority, 'guidance for use of social media in the Victorian public sector' (18 August 2010), 1. Online at http://www.egov.vic.gov.au/pdfs/PSSC_Social_Media.pdf

[98] http://www.justice.vic.gov.au/socialmedia

[99] Andre Oboler, Facebook, Holocaust Denial, and Anti-Semitism 2.0, Post-Holocaust and Anti-Semitism Series, No. 86, The Jerusalem Center for Public Affairs, 15 September 2009. Online at http://jcpa.org/article/facebook-holocaust-denial-and-anti-semitism-2-0/

can report violations. These reports need to be assessed against the platform provider's terms of service and action taken where appropriate. Closing the feedback loop, by informing the complainant of the decision, is vital for ensuring trust in the system. An appeals process and a quality assurance process for the handling of complaints are also strongly recommended.

Having appropriate terms of service and a quality reporting and enforcement mechanism involves significant expense. This is, however, part of the cost of doing business in the social media space. It is comparable to the provision of crowd control or security staff at a public function. Platform providers must wear this cost.

Despite its policy and past statements, Facebook, at least in Australia, now seems to be adopting a position of doing the minimum required by law. This means blocking content to Australia, rather than actually removing it, when formal complaints are lodged in Australia. This approach does not go far enough, as the potential violations of Australian law in areas such as hate speech are also violations of Facebook's existing terms of service. Where a review by a government authority declares that content falls into a category that is also prohibited by Facebook's terms of service, the content should be deleted and not simply blocked.

By only acting in response to demands from governments, Facebook is effectively shifting the cost of the assessment of complaints to the public purse. This is the equivalent of a public event organiser informing the local police that they will not be providing any crowd control or security staff and inviting the police to provide whatever safety staff they feel the event needs. In the real world, such action would see the event shut down or in some cases, the security might be provided and the event organiser charged for the service. The same should apply to online platforms.

The right role for Government

In 2009, Dr Oboler said, "The internet requires regulation, just as film, television and computer games do. If companies such as Facebook abdicate that responsibility, it suggests government intervention is needed to prevent an internet-powered surge in racial hatred".[100] In the second half of 2012 we have seen such a surge, and the permissive attitude of platform providers to hate in Australia has been a significant contributing factor.

The problem, as Dr Oboler explained in 2009, is that "Facebook is looking for excuses not to take action... They don't want to get on the bad side of their users and the people reading their content. They just want to sit there and watch the money pile up."[101] At the time, Dr Oboler warned that the clock was ticking for reform and "If it doesn't come from within Facebook, it's going to come through governments and be taken out of their hands".[102] There is a need for a new approach to tacking online hate,[103] and since 2009 some governments have been stepping up to that challenge.

In 2010, for example, Italy undertook a Parliamentary Inquiry into online hate and committed to passing new laws.[104] The Inquiry produced an extensive report.[105] One outcome of the inquiry was a commitment to sign the Additional Protocol to the Budapest Convention on Cybercrime. The Additional Protocol is an international treaty which relates to crimes of a racist or xenophobic nature committed through computer systems.[106]

[100] Andre Oboler, Facebook gives hatred a hand, The Guardian: Comment Is Free, 13 July 2009. Online at http://www.guardian.co.uk/commentisfree/2009/jul/13/facebook-holocaust-denial-groups

[101] Chantal Abitbol, Facebook refuses to ban all Holocaust-denial groups, The Australian Jewish News, 15 May 2009, pg 8 Online at http://www.zionismontheweb.org/antisemitism/SYDAJN008MAY1509.pdf

[102] Ibid.

[103] Andre Oboler, New media need a new approach to anti-Semitism, Jerusalem Post, 28 April 2010, p 15. Online at: http://www.jpost.com/Opinion/Op-EdContributors/Article.aspx?id=174108

[104] "Italy to fight anti-Semitism in cyberspace", *JTA*, 17 July 2012. Online at: http://www.jta.org/news/article/2012/07/17/3100946/italy-to-fight-anti-semitism-in-cyberspace; Andre Oboler, *Prepared remarks to the Hearing into Online Antisemitism at the Italian Parliament*, April 22 2010. Online at: http://www.oboler.com/?p=196.

[105]http://www.camera.it/453?shadow_organo_parlamentare=1496&bollet=_dati/leg16/lavori/bollet/201110/1006/html/0103#allegato

[106] http://www.fiammanirenstein.com/articoli.asp?Categoria=5&Id=2487

Australia is not a signatory to the Additional Protocol. In the UK, with the support of other agencies, police undertook innovative investigations leading to arrests in response to racist comments on Facebook.[107] To be effective, cooperation was needed between different areas of government and there are lessons here for Australia. In Israel, the Foreign Ministry has been supporting a working group of experts focused on online hate, specifically online antisemitism. An extensive report from this working group will be released in October 2012 and aims to aid the development of policies and laws.

Where governments are engaging, and there is the real possibility of stronger laws and greater liability for platform providers, the conversation between platform providers and governments is more productive. Governments, however, need to be willing to take a stand. That stand must include both considerations for law reform and consumer action by governments. The true customers of social media platforms are not the users but the advertisers. The public purse is a significant customer, and its buying power should be used in line with public policy considerations. Companies that cannot meet a minimum ethical standard should be excluded from government advertising. When it comes to Indigenous Australians, the Australian Government has the right to demand the final determination, internationally, of what is and is not hate speech. The Australian Government has the right to demand, in line with Facebook's terms of service, that the content be removed globally. While it may not have sufficient jurisdiction to enforce a global ban, action can be taken in Australia to make non-compliance particularly costly. The government must not shy away from taking such action.

Governments must also consider the cost of processing complaints related to online hate, and how this cost can be transferred back to those who are profiting. This also serves as an incentive for better regulation by platform providers. One solution would be to legislate to provide civil penalty provisions to either the Australian Human Rights Commission (AHRC) or the Australian Securities and Investment Commission (ASIC). These provisions could be restricted to corporations (including foreign corporations) that provide online services enabling user-generated content. The provision could require evidence that content had been reported to a platform provider, and that the content was still available after 14 days. Only after the 14 days had expired would an investigation commence, and only if the content was then found to be a breach of the Racial Discrimination Act would the civil penalty provision apply. Such a system would give platform providers time to respond to complaints their users make to them, but would prevent them outsourcing the cost of investigation to the public purse by imposing a cost if governments need to determine the material is in breach. The amount of the penalty provision would not need to be high, but should reasonably cover the cost of reviewing the complaint plus a small penalty amount to help offset the cost of complaints that are rejected.

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[107] "Arrests over anti-Semitic remarks on Facebook", *BBC News*, 16 May 2012. Online at:
http://www.bbc.co.uk/news/uk-scotland-glasgow-west-18087379

Hate Speech Manifest

This section provides a summarised list of pages related to Aboriginal Memes, and for comparison, a similar list of antisemitic content. The ID number indicated is an OHPI reference. The address is where the content can be found. AU indicates whether it can be seen in Australia ("no" indicates access to it has been blocked from Australia). Global indicates whether the page is still available outside Australia ("no" indicates the page has been deleted either by Facebook or by the page's Administrator).

Racism against Indigenous Australians

ID	Address	AU	GLOBAL
1	www.facebook.com/pages/Controverial-Humour-Abo-Memes/460998877251042	No	Yes
2	https://www.facebook.com/pages/Controversial-Humor-Aboriginal-memes/228939573876474	No	No
3	www.facebook.com/AboriginalAndAustralianMemes[108]	No	Yes
4	https://www.facebook.com/pages/Aboriginal-memes/159797174156990	No	Yes
5	http://www.facebook.com/ControversialHumourAboriginalMemes[109]	No	Yes
6	https://www.facebook.com/pages/Abo-Memes/284547141646790	Yes	Yes
7	http://www.facebook.com/pages/Aboriginal-Memes-2-Electric-Boogaloo/270526909724446	No	No
8	http://www.facebook.com/aboriginalmemes14/[110]	No	Yes
9	http://www.facebook.com/Aboriginal.Memez[111]	Yes	Yes
10	https://www.facebook.com/pages/Petrol-sniffers-are-us/174504889316623	Yes	Yes
11	http://www.facebook.com/pages/Controversial-Humour-White-People-Memes/440926732612430?fref=ts	Yes	Yes
12	http://www.facebook.com/SlanderBro	Yes	Yes

Racism against Jewish people

ID	Address	AU	GLOBAL

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[108] ID #353892144688340
[109] ID #155785404560999
[110] ID #180468708753932
[111] ID #520880767925474

1	www.facebook.com/pages/You-Jews-You-Lose/132591643551155	No	No
2	www.facebook.com/YouJewsYouLose	No	No
3	www.facebook.com/pages/You-JEWS-You-LOSE/454330701264649	No	No
4	https://www.facebook.com/pages/Controversial-Humor-Jewish-Memes/389407607793765	No	Yes
5	http://www.facebook.com/pages/Controversial-Humor-Hitler-Memes/375000169220913?fref=ts	Yes	Yes
6	http://www.facebook.com/JewTVXposed	Yes	Yes
7	http://www.facebook.com/pages/Holohoax-Exposing-the-Holocaust/127821854015621	Yes	Yes
8	http://www.facebook.com/killthejew.weissundstolz (user profile)	Yes	Yes
9	http://www.facebook.com/pages/Jewkilling/133039430105905	Yes	Yes
10	http://www.facebook.com/profile.php?id=100001307295754 (profile of "Jewkilla Jewboy")	Yes	Yes
11	http://www.facebook.com/profile.php?id=100003023136012 (profile of "Aydolph Jewkillah Hitlah")	Yes	Yes
12	http://www.facebook.com/pages/Holocaust/307998715931777	Yes	Yes
13	http://www.facebook.com/F.israel99?fref=ts	Yes	Yes
14	http://www.facebook.com/pages/God-got-angry-that-the-Jews-killed-Jesus-so-he-sent-Hitler/144758462209856	Yes	Yes
15	http://www.facebook.com/events/384546074945050/ "KILL US, DON'T CURSE OUR PROPHET (P.B.U.H). THE ONLY SOLUTION IS JIHAAD AGAINEST THE JEWS AND THEIR NATIVE SUPPORTERS"	Yes	Yes
16	www.facebook.com/apps/application.php?id=107553619275725 ("Kill the Jews" application)	No	No
17	http://www.facebook.com/pages/The-Protocols-of-the-Elders-of-Zion-%D8%A8%D8%B1%D9%88%D8%AA%D9%88%D9%83%D9%88%D9%84%D8%A7%D8%AA-%D8%AD%D9%83%D9%85%D8%A7%D8%A1-%D8%B5%D9%87%D9%8A%D9%88%D9%86/134663136616063	Yes	Yes

Recommendations

Recommendations for Facebook

1. Pages that are renamed under direction from Facebook should have their initial username "quarantined" for a period of 3 months so it cannot be used by a new page.
2. Pages that are deleted by Facebook should have their username quarantined either for 3 months, or permanently if the name itself was problematic.
3. Facebook reviewers need training to help them differentiate a legitimate effort to manage a controversial topic, e.g. by having reporting processes internal to the page, from effort to white wash racism.
4. A combination of a fake profile and hate speech should trigger a deeper review of the user's accounts and a clean out of their online assets as a deterrent against abuse of the system.
5. When a page has an unusually high number of its administrators suspended or deleted:
   a. Facebook should review the page to see if it is serving as a base camp for online hate;
   b. Reports against others administrators of the page should be given greater priority and should be reviewed in a more holistic context.
6. Fake Facebook profiles are apparently being verified via pre-paid mobile numbers in Australia. Facebook needs to seek the cooperation of telecommunication companies and the Australian government to address this. This method is used by users inside Australia and overseas.
7. When notifying users that content has been removed, Facebook should not share the removed content or should reduce its quality significantly. Sharing it allows those who put it on Facebook intentionally to more easily share it again.
8. When notifying users that certain information they posted was a violation of privacy, the information should not be shared by Facebook as this is an additional privacy violation by Facebook staff.
9. Class hate against particular minorities as a form of hate speech.
10. Remove the ability for users to post 'controversial content' anonymously.
    a. Pages should either be restricted from posting 'controversial content' (users could be directed to use groups), or
    b. Pages deemed controversial should require their administrators to be listed and all posts by the page should identify which administrator made the post
11. Standardize the report so the system for pages, profile, images etc all use the "Support Dashboard"
12. Staff managing complaints need better training so they can identify hate speech that takes a form focused on groups rather than individuals.
13. The complaints process need to have an appeal process and quality control auditing.
14. When content is removed due to a re-review based on a later complaint, earlier complainants should have the "Support Dashboard" updated. This includes where images reported on a page have been rejected, but then the entire page is removed or deleted by the administrator.

Recommendations for Governments and Government Agencies

1. Governments outside the US who have not banned hate speech should do so.
2. Governments should sign the Additional Protocol to the Budapest Convention on Cybercrime.
3. The US Government should pass laws against anonymous hate speech in online gatherings, a law that should be modelled on the New York State Law against the covering of faces at protests.
4. Australian Governments should follow the example of Victoria in creating policies for social media that also cover the personal use of social media by the civil service.
5. The Australian Government should consider giving the Australian Human Rights Commission civil penalty provision powers to recoup the costs of complaint processing from large social media companies that should be resolving issues before government agencies need to become involved.
6. The Classification Board should make greater use of its discretion in providing RC (Refused Classification) ratings to racist content, particularly the sort of content demonstrated in this report which was clearly outside the standards the community expects.

7. At minimum the Classification Board should consider the appropriateness of children as young as 13 viewing the sort of content disclosed in this report, and should consider whether a rating that requires some level of age verification would be more appropriate in light of "adult themes".
8. The Australian Government should consider providing the power to issue takedown orders, subject to appropriate safeguards, to the Australian Human Rights Commission.
9. Urgent attention should be given by governments to the need to support and engage with charities working in the area of online hate, cyberbullying, and related problems.

Recommendations for Grassroots Anti-Racism Activists

1. Those monitoring online hate need to be vigilant in capturing the page IDs and not just the names or usernames of pages.
2. Grassroots activists should ensure their Facebook accounts are secure and ideally that access from new devices require verification by SMS.
3. We recommend anti-racism activists like the OHPI Facebook page (www.facebook.com/onlinehate) and follow us on Twitter (http://www.twitter.com/onlinehate), and that those in Australian join Australian based pages, groups and NGOs to maximize their individual impact.
4. Those running pages, groups and NGOs should contact OHPI

Recommendations for NGOs and OHPI

1. NGOs monitoring and reporting on Online Hate need to be vigilant to avoid confusion between similarly named pages, especially when the pages also have similar usernames.
2. Conventions for data capture need to be developed and shared with activists and volunteers. These conventions should cover issues such as:
   a. Ensuring all images include the web address of the source
   b. Ensuring the date and time are captured, including accounting for the time zone
   c. Ensuring Page creation dates are captured
   d. Ensuring page ID values are captured and stored with the images

Appendix A: Meme Generators and Facebook (Additional Images)

Figure 84 Meme Generator 29 August 2012
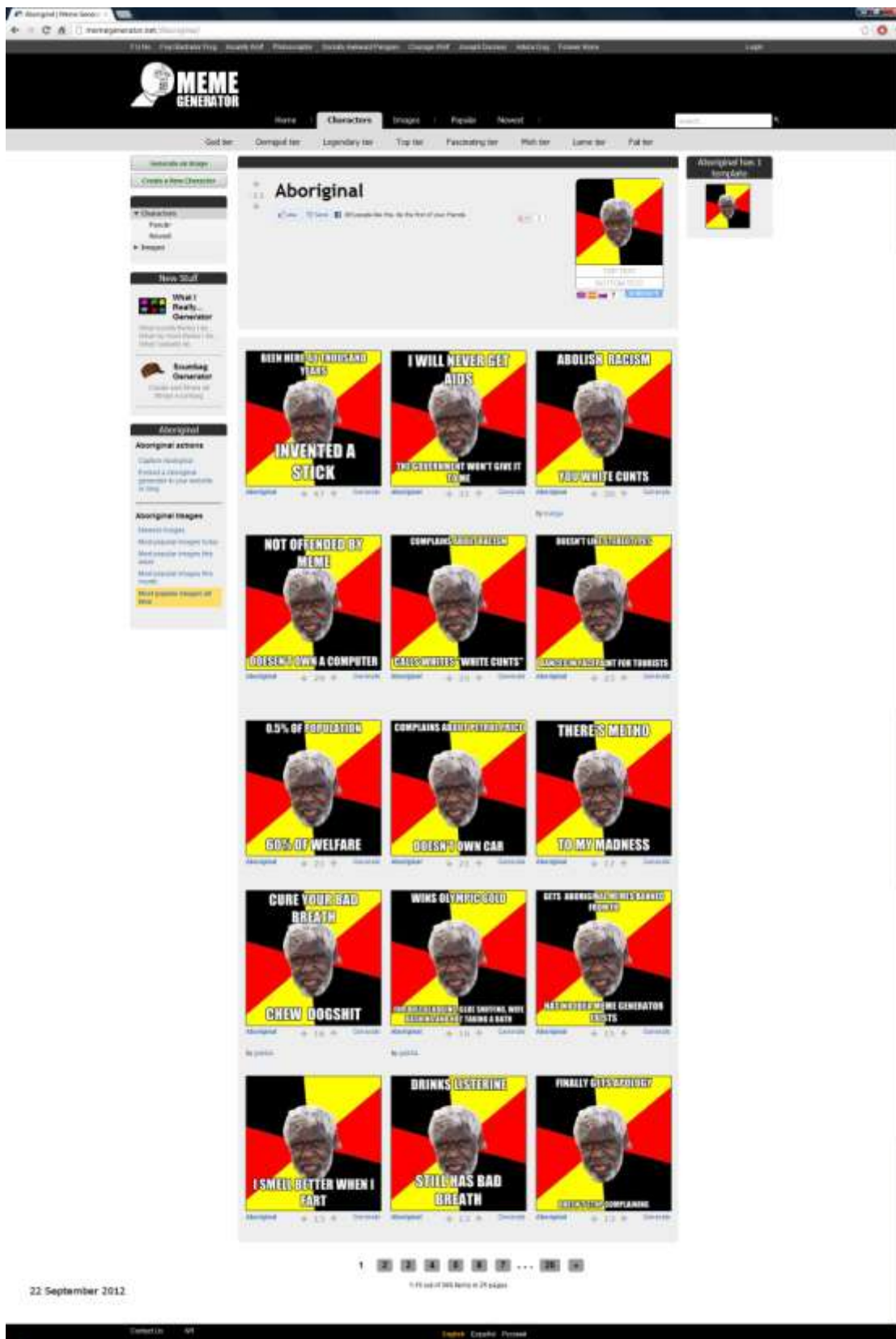
Figure 85 Meme Generator 22 September 2012

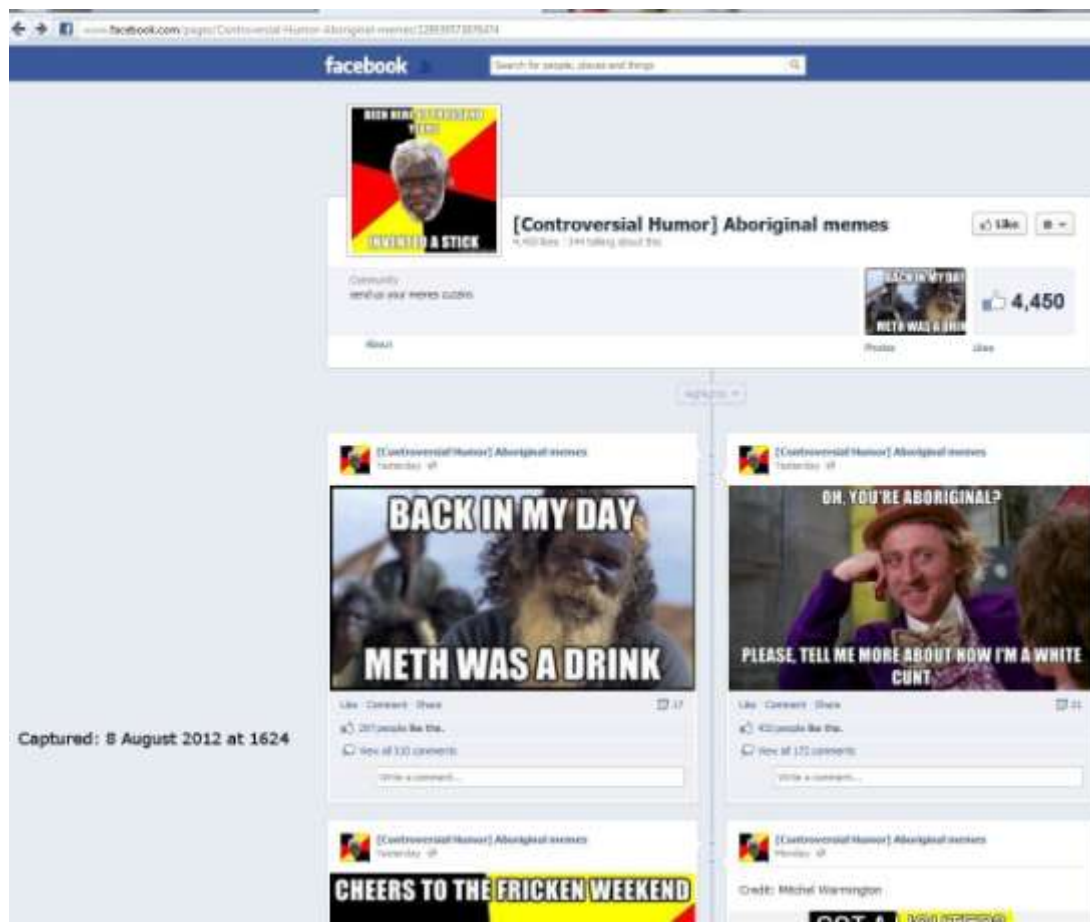Figure 86 The original page (ID# 460998877251042) prior to renaming

Figure 87: The Initial Aboriginal Meme Page (ID# 228939573876474)

Figure 88 Page ID # 159797174156990

Figure 89: The IMAX Aboriginal Meme page (ID # unrecorded)

Figure 90 Page ID # 155785404560999

Figure 91 Page ID # 155785404560999 contents sample

Figure 92 Page #284547141646790

Figure 93 Page ID# 520880767925474

Figure 94 username "Aboriginal.Memes.1"

Appendix B: Meme Collection

Figure 95 0.5% of population, 60% of welfare
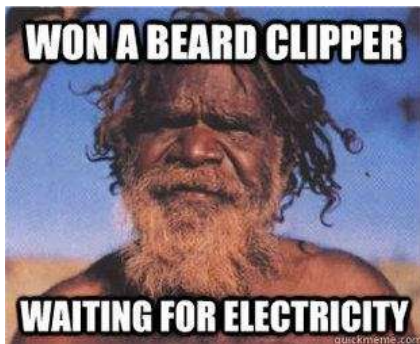
Figure 96 Won a beard clipper, waiting for electricity

Figure 97 Good sniff bro!!

Figure 98 How do you kill 1,000 flies at once? Slap me in the face.
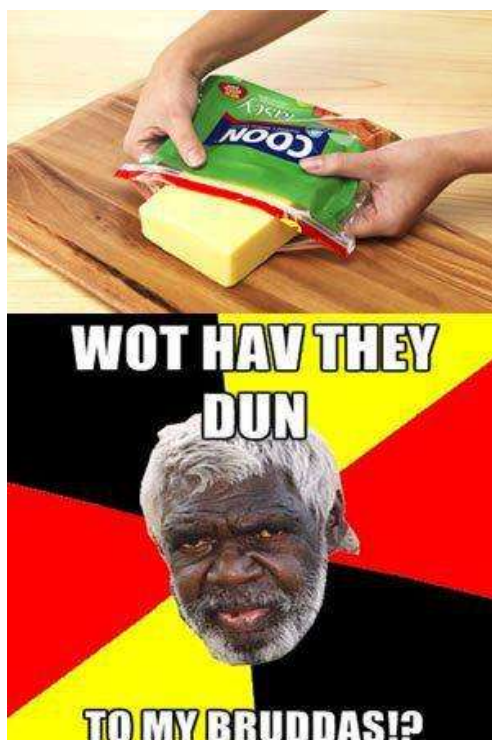
Figure 99 Wot have they dun, to my bruddas!?
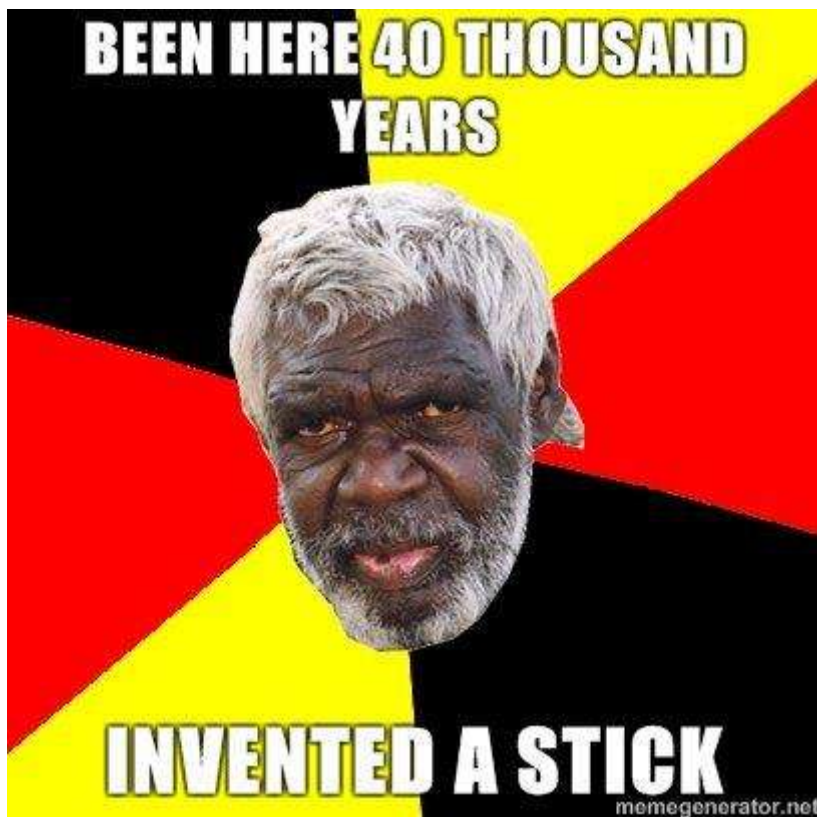
Figure 100 Been here 40 thousand years, invented a stick
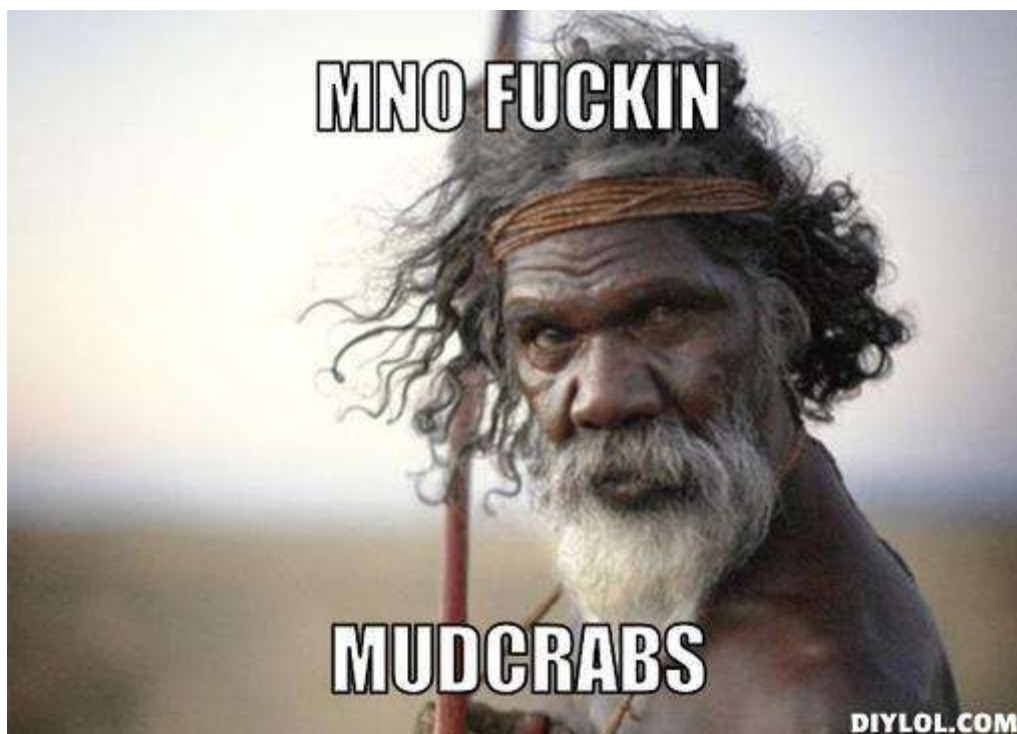
Figure 101 Mno fuckin, mudcrabs

Figure 102 So I heard about the stolen generation, I don't know nuffin bout no stolen generator!!!!!
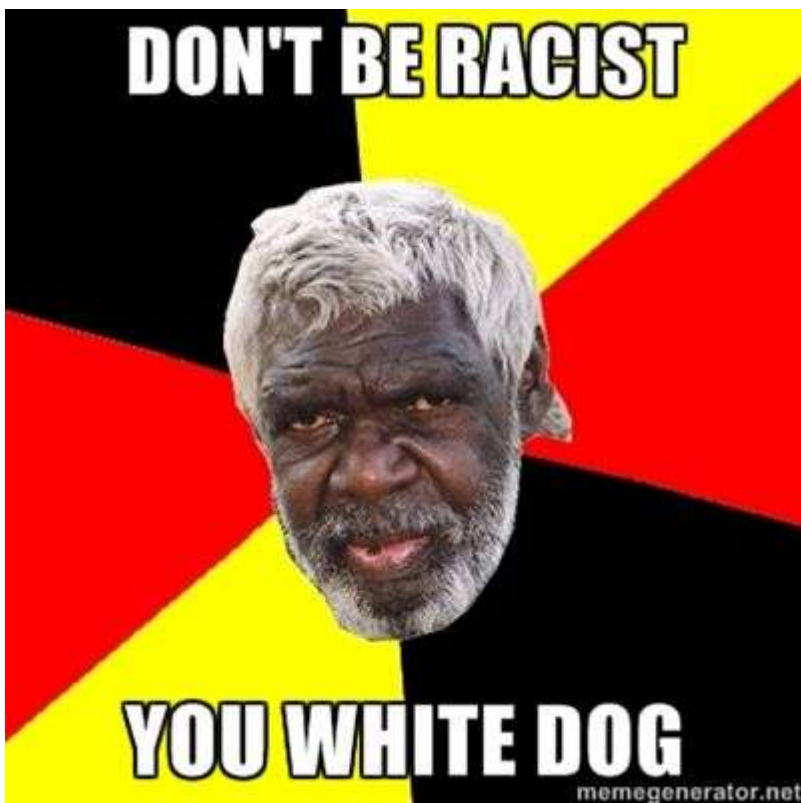
Figure 103 Don't be racist, you white dog

Figure 104 Oh, you're Aboriginal? Please, tell me more about how I'm a white cunt

Figure 105 Got a lighter? Thanks. Got a smoke?
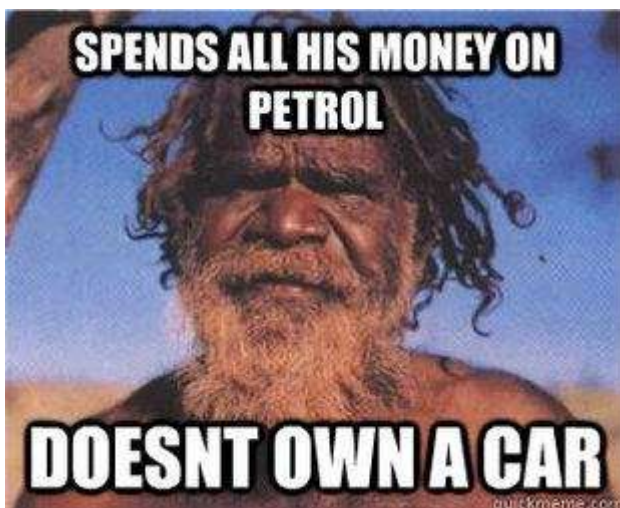
Figure 106Spends all his money on petrol, doesn't own a car

Figure 107 I think we're out of petrol. Sorry.
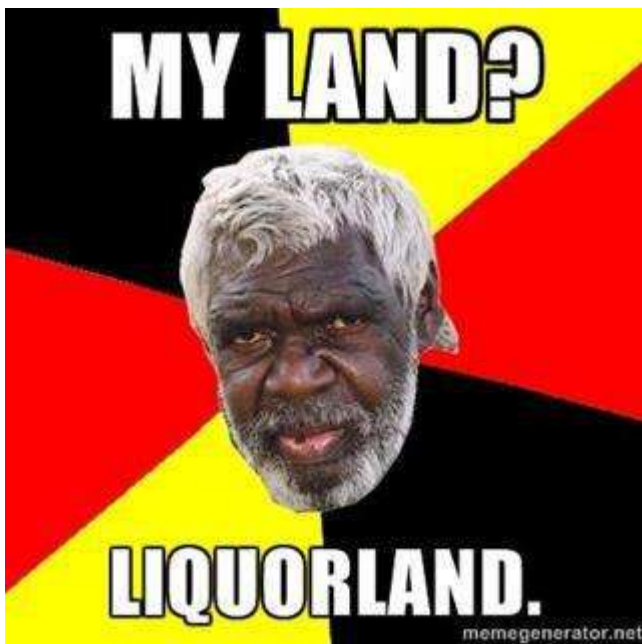
Figure 108 My land? Liquorland.

Figure 109 What do you do at an Aboriginal garage sale? Get your stuff back
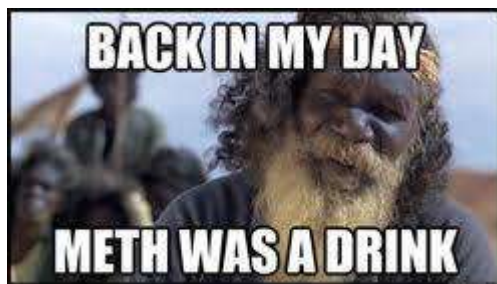
Figure 110 Back in my day, meth was a drink

Figure 111 Cheers to the fricken weekend, I'll sniff to that bruz

Figure 112 Premium unleaded is $1.30. Fuck yeah.

Figure 113 Not offended by Meme. Doesn't own a computer.

Appendix C: User Interface Design of the Complaints System

This report highlights a concern of users being pushed towards direct conflict resolution with a person who may be unknown to them and may pose a cyber-bullying threat. One situation in which this occurs is when a page Administrator chooses to remove a post by clicking the X as shown in Figure 114.

Figure 114 Choosing to remove a post

Facebook will now give the options shown in Figure 115, that is to "Report / Mark as Spam".

Figure 115 Report / Mark as Spam

It is unclear what this initial level of "reporting" does. It seems mostly geared to spam, not actually to reporting. It results in post being replaced with text as shown in Figure 116, which requires further action on behalf of the user to initiate a report. This is poor design as the user already indicated they wanted to report it in Figure 115. This effectively makes them jump through the same hoop a second time. The confusion could be removed if Figure 115 said "Yes, remove this post!" rather than "Report / Mark as Spam".

Figure 116 The message is replaced

Choosing the click report in Figure 116 provides the options in Figure 117, and if "Hate Speech" is selected, this changes to

Figure 117 Reporting Options, stage 1

Figure 118 Reporting Options, stage 2 (Hate Speech classification)

Up until this point the process has simply been inconvenient. Clicking continue takes us to Figure 119, which is where the encouragement to direct conflict resolution appears. The user interface of this design gives to options, one of which appears to be required in order to continue. This is what two unchecked option in a user interface means. There is additionally an optional choice that can be made to "report to Facebook". By default this option is not checked. This screen encourages the user to message the problematic person and discourages them from making a report – the very thing they came here to do.

Figure 119 Encouragement to Engage

After ticking "Report to Facebook" and clicking continue the user is now given a further discouragement to prevent them proceeding, they are directed to "Confirm Report" with a screen, Figure 120, that doesn't provide a summary of their report details, but rather simply tells them how serious this action is and that they should read the community standards (this should in case have a reference to the Terms of Service which is the Statement of Rights and Responsibilities, a different document from the Community Standards which are more of an explanatory document).

Figure 120 The Confirmation

Finally the user is given a confirmation screen and a curt "thank you".

Figure 121 The "Thank You" screen

This screen can be contrasted to that provided at the conclusion of reporting an image, shown in Figure 122. The image report offer an apology, rather than the more directive "we have received your report". It tells the user they will be given feedback and can track their complaint in the Support Dashboard, compared to being told they can go away and read more documents at the Family Safety Center. The reporting of a comment can loose be described as a battle with the system resulting in a final "now go away!" message at the end of the process. The image reporting system by contrast shows agree of appreciation for the users situation and a commitment to close the loop and get back to them.

Figure 122 The thank you for reporting an image

The comment reporting system needs to be improved in terms of its flow, user interface and empathy for the user – particularly when they may be an administrator who is coming under a sustained attack. Most importantly, users should not be pushed to message people they don't know and who have already caused then enough grief to drive them to file a report.

Facebook's own outline of the reporting system is also available in the Safety Center.[112] It does not provide a full walk through as presented here and it does not present a clear picture of the users experience. Facebook should consider this experience and redesign the tool.

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[112] https://www.facebook.com/notes/facebook-safety/details-on-social-reporting/196124227075034