

NATIONAL COALITION AGAINST CENSORSHIP

October 8, 2020

By electronic mail

Eric Yuan, Chairman, President & CEO
Zoom Video Communications, Inc.
55 Almaden Boulevard, 6th Floor
San Jose, CA 95113

Mark Zuckerberg, CEO
Facebook, Inc.
1 Hacker Way
Menlo Park, 94025

Susan Wojcicki, CEO
Google LLC, D/B/A YouTube
901 Cherry Ave.
San Bruno, CA 94066

Re: Censorship of San Francisco State University Seminar

Dear Mr. Yuan, Mr. Zuckerberg, and Ms. Wojcicki:

As organizations dedicated to protecting freedom of expression, the National Coalition Against Censorship and the other groups signed below are deeply concerned by the recent decisions of your companies to refuse to host a seminar conducted at San Francisco State University.

It is deeply distressing whenever students and faculty members' rights to expressive freedoms, including academic freedom, are foreclosed. Academic institutions, including public universities like San Francisco State University, currently heavily rely on Zoom, Google, and Facebook for remote virtual learning. This incident draws into question the ability of academic institutions to rely on these platforms for educational purposes. We strongly urge you to reaffirm your organizations' commitments to free expression and ensure that your platforms do not impede the free and open exchange of ideas and information.

As we understand the facts, the following events took place:

Earlier this summer, San Francisco State University's Arab and Muslim Ethnicities and Diasporas Studies program announced that it would host an online roundtable discussion entitled, "Whose Narratives? Gender, Justice and Resistance." One of the persons invited to participate in the discussion was

NCAC PARTICIPATING ORGANIZATIONS

Actors' Equity Association
AICA-USA
American Association of
School Administrators
American Association of
University Professors
American Association of
University Women
American Booksellers for Free Expression
American Civil Liberties Union
American Ethical Union
American Federation of Teachers
American Jewish Committee
American Library Association
American Literary Translators Association
American Society of Journalists & Authors
Americans United for Separation of Church
& State
Association of American Publishers
Authors Guild
Catholics for Choice
Children's Literature Association
College Art Association
Comic Book Legal Defense Fund
The Creative Coalition
Directors Guild of America
The Dramatists Guild of America
Dramatists Legal Defense Fund
Educational Book & Media Association
First Amendment Lawyers Association
Free Speech Coalition
Freedom to Read Foundation
Global Alliance for Behavioral Health and
Social Justice
International Literacy Association
Lambda Legal
Modern Language Association
National Center for Science Education
National Communication Association
National Council for the Social Studies
National Council of the Churches
National Council of Jewish Women
National Council of Teachers of English
National Education Association
National Youth Rights Association
The NewsGuild-CWA
PEN America
People For the American Way
Planned Parenthood Federation
of America
Project Censored
SAG-AFTRA
Sexuality Information & Education Council
of the U.S.
Society of Children's Book Writers
& Illustrators
Student Press Law Center
Union for Reform Judaism
Union of Democratic Intellectuals
Unitarian Universalist Association
United Church of Christ
Office of Communication
United Methodist Church,
United Methodist Communications
Women's American ORT
Woodhull Sexual Freedom Alliance
Writers Guild of America, East
Writers Guild of America, West

Leila Khaled. Ms. Khaled is a member of the Popular Front for the Liberation of Palestine (PFLP), which is designated as a Foreign Terrorist Organization by the United States Department of State, as well as by Japan, Canada, Australia, and the European Union. In 1969 and 1970, Ms. Khaled participated in two airline hijackings. After the second, she was taken into custody, but was later released in an exchange for the release of hostages in a subsequent hijacking.

After news of the planned discussion spread, numerous organizations which oppose PFLP's activities or politics pressured San Francisco State University to cancel the roundtable. San Francisco State University President Lynn Mahoney refused, stating that although she condemns both terrorism and hateful ideology, the commitment of public universities to academic freedom, to freedom of expression and to freedom of inquiry prevented her from cancelling the discussion.

The seminar was scheduled to be hosted on Zoom, pursuant to the platform's agreement with the university to host classes and programs during this time of remote learning. Opponents of the discussion argued that, by hosting the event, Zoom would be in violation of federal laws forbidding the provision of "material support" to designated foreign terrorist groups.

Zoom [claims](#) that it "supports the free and open exchange of thoughts and ideas." Despite the fact that no court has ever ruled that merely allowing a member of a designated terrorist group to speak at an academic forum constitutes "material support" for that group, Zoom refused to host the discussion.

Roundtable organizers then attempted to move the event to Facebook and to YouTube. Both companies claim to be dedicated to freedom of expression: YouTube [states](#) that it "believes people should be able to speak freely, share opinions, foster open dialogue," and that "everyone should have easy, open access to information"; and Facebook recently [reasserted](#) its ostensible belief that "we must continue to stand for free expression." Nevertheless, both Facebook and YouTube censored the live feed of the event.

It is clear that Zoom, YouTube and Facebook censored the San Francisco State event either because they disagreed with the political views of the speakers, or because they feared that hosting the event would constitute "material support of terrorism" under the Violent Crime Control and Law Enforcement Act of 1994 (18 USC § 2339B), despite their robust legal teams' almost certain knowledge that there is no legal precedent for such a claim, and that any such claim would be unlikely to survive a First Amendment challenge. Again, no court has ruled that merely allowing a member of a terrorist group to participate in an academic forum constitutes support of terrorism. In either event, the companies' decisions undermine their purported support for free expression and raise serious questions about the utility of the platforms for academic purposes.

If support for free speech means anything, it means allowing unpopular people to speak, unless it is clear that their speech is unprotected. That is particularly true in the United States, where exceptions to freedom of speech are

exceptionally narrow, and probably narrower than any in any other country in the world.

Thus, an American company that truly supports the free and open exchange of thoughts and ideas would not have silenced the San Francisco State panel. Knowing that no precedent exists for punishing an academic forum for allowing a member of a terrorist group to speak, such a company would have hosted the panel and dared the government to come after it. Such a company certainly would not have “played it safe” by canceling the session.

We call on Zoom, Facebook, YouTube, and every social media company to be that company in the future. They will have our full support.

Sincerely yours,

A handwritten signature in black ink that reads "Chris Finan". The signature is written in a cursive, flowing style.

Christopher Finan
Executive Director
National Coalition Against Censorship

Co-signed by: American Association of University Professors
Association of University Presses
Defending Rights & Dissent
The DKT Liberty Project
Electronic Frontier Foundation
The Partnership for Civil Justice Fund
PEN America
Project Censored and the Media Freedom Foundation
Woodhull Freedom Foundation