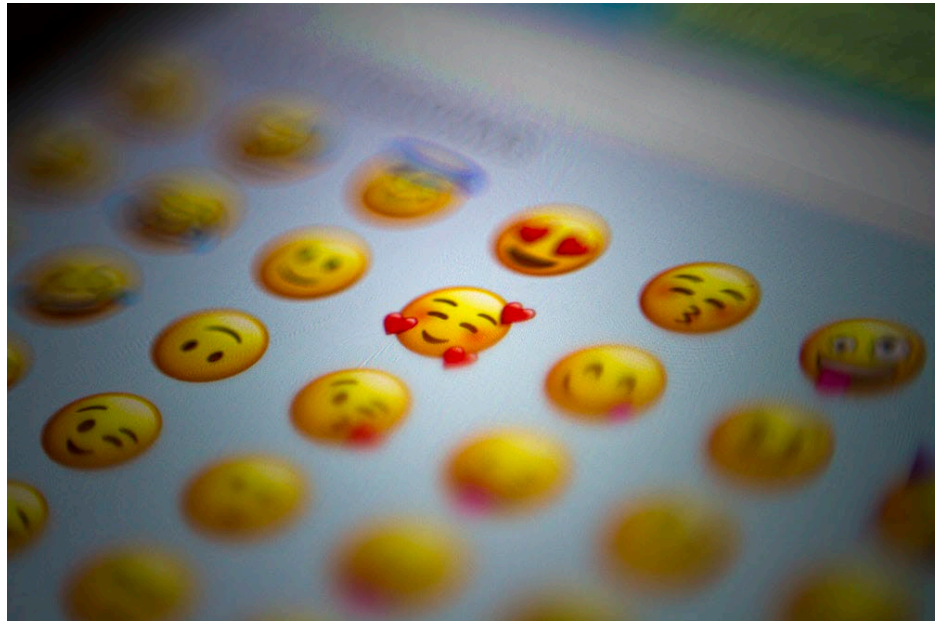


CAN EMOJIS BE UNETHICAL?

THE ETHICS OF EMOJIS IN DIGITAL COMMUNICATION

As the internet and various social media platforms have boomed throughout the past three decades, emoticons or “emojis” have become prevalent in everyday online communication. What started as a simple smiley face “:-)” in 1982 has now evolved into about three thousand emojis with various meanings (Kom, 2022). However, interpreting modern emojis has become complex, as some of the colorful icons hold hidden meanings amongst different age groups and sub-cultures, making it easy for misunderstandings to arise.



With the ubiquity of emoji use online, their relevance has also expanded offline. Indeed, the importance of their meanings and interpretations is now being recognized in realms such as the justice system, and there have been numerous cases surrounding the debate of emoji interpretations as admissible evidence in the court of law. For example, the case of *J.S v. Grand Island Public Schools* involved two students at Barr Middle School who posted messages on social media stating: “tomorrow gonna be...fire [fire emoji] be there” and “don’t show up at school tomorrow [gun emoji]” (297 Neb. 347, 2017). Both messages were perceived as threats and seventeen students missed the next day of school. The school also ensured extra security was present the following day. The student held responsible for the fire message said that the meaning of fire – both the word and emoji – was a term for “good” or “cool,” and that the message was intended to encourage other students to attend school the following day (297 Neb. 347, 2017). The student was suspended nonetheless, and after requesting a hearing with the Grand Island Board of Education to appeal the suspension, her request was denied. The student then took her case to Nebraska district court to appeal the suspension, but the court upheld the suspension and stated that the “posting was open to several interpretations, including one of violence, and that it in fact prompted a posting that could also be considered threatening or violent” (297 Neb. 347, 2017).

In today’s modern communication, all emojis are inherently ambiguous and their interpretations differ from age group, culture, and the platform used to communicate them (St. John, 2023). While the term “fire” has become associated with positive connotations such as “cool” or “awesome” with youth in the past decade, the fire emoji can also suggest a literal fire. Understandably, this ambiguity in emoji meaning led to anxiety in Barr Middle School over a message with no ill intent. But as the Grand Island Board of Education and the district court decided, the use of the emoji was interpreted as a safety threat and a “substantial disruption to

the school environment” (297 Neb. 347, 2017). As such, Barr Middle School took corrective action.

Emoji interpretation in any court of law is dependent on a few factors, including the context of the communications, the entire exchange of messages, any associated messages, and the emoji’s meaning seen by the parties (Goldman, 2018). Despite the ultimate outcome of *J.S v. Grand Island Public Schools*, the court’s decision itself is also up for interpretation: was the student’s suspension justified on the basis of public safety or should her suspension have been reversed since the message was misinterpreted and no harm was intended? With the constant evolution of emojis in online communication, discrepancies will continue to occur and lead to new conflicts.

Discussion Questions:

1. How are emojis useful in digital communication? How might they make communication more complex or problematic?
2. What ethical values conflict in the type of emoji use noted in this case?
3. How much does intent matter in analyzing emoji use, especially in potentially threatening messages? Is it fair to punish someone for miscommunication?
4. What are the ethical principles that should guide us in how we use emojis—especially in non-threatening employments?

Further Information:

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