

Censorship And The Internet

The freedom of speech that was possible on the Internet could now be subjected to governmental approvals. For example, China is attempting to restrict political expression, in the name of security and social stability. It requires users of the Internet and electronic mail (e-mail) to register, so that it may monitor their activities.⁹ In the United Kingdom, state secrets and personal attacks are off limits on the Internet. Laws are strict and the government is extremely interested in regulating the Internet with respect to these issues.¹⁰ Laws intended for other types of communication will not necessarily apply in this medium. Through all the components of the Internet it becomes easy to transfer material that particular governments might find objectionable. However, all of these means of communicating on the Internet make up a large and vast system. For inspectors to monitor every e-mail, every article in every Newsgroup, every Webpage, every IRC channel, every Gopher site and every FTP site would be near impossible. Besides taking an extraordinary amount of money and time, attempts to censor the Internet violate freedom of speech rights that are included in democratic constitutions and international laws.¹¹ It would be a breach of the First Amendment. The Constitution of the United States of America declares that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances"

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Therefore it would be unconstitutional for any sort of censorship to occur on the Internet and affiliated services. Despite the illegality, restrictions on Internet access and content are increasing worldwide under all forms of government. In France, a country where the press generally has a large amount of freedom, the Internet has recently been in the spotlight. A banned book on the health history of former French president Francois Mitterrand was republished electronically on the World Wide Web (WWW). Apparently, the electronic reproduction of *Le Grand Secret* by a third party wasn't banned by a court that ruled that the printed version of the book unlawfully violated Mitterrand's privacy. To enforce censorship of the Internet, free societies find that they become more repressive and closed societies find new ways to crush political expression and opposition.¹³ Vice - President Al Gore, while at an international conference in Brussels about

the Internet, in a keynote address said that "[Cyberspace] is about protecting and enlarging freedom of expression for all our citizens ... Ideas should not be checked at the border".¹⁴ Another person attending that conference was Ann Breeson of the American Civil Liberties Union, an

organization dedicated to preserving many things including free speech. She is quoted as saying, "Our big victory at Brussels was that we pressured them enough so that Al Gore in his keynote address made a big point of stressing the importance of free speech on the Internet."¹⁵

Many other organizations have fought against laws and have succeeded. A prime example of this is the fight that various groups put on against the recent

Communication Decency Act (CDA) of the U.S. Senate. The Citizens Internet

Empowerment Coalition on 26 February 1996 filed a historic lawsuit in Philadelphia against the U.S. Department of Justice and Attorney General

Janet Reno to make certain that the First Amendment of the U.S.A. would not be compromised by the CDA. The sheer range of plaintiffs alone, including the American Booksellers Association, the Freedom to Read Foundation, Apple, Microsoft, America Online, the Society of Professional

Journalists, the Commercial Internet eXchange Association, Wired, and HotWired, as well as thousands of netizens (citizens of the Internet) shows the dedication that is felt by many different people and groups to

the cause of free speech on the Internet.¹⁶ "Words like shit, fuck, piss, and tits. Words of which our mothers (at least some of them) would no doubt disapprove, but which by no means should be regulated by the government. But it's not just about dirty words. It's also about words like AIDS, gay, and breasts. It's about sexual content, and politically

controversial topics like drug addiction, euthanasia, and racism."¹⁷ Just

recently in France, a high court has struck down a bill that promoted the censorship of the Internet. Other countries have attempted similar moves.

The Internet cannot be regulated in the way of other mediums simply because it is not the same as anything else that we have. It is a totally new and unique form of communication and deserves to be given a chance to prove itself. Laws of one country can not hold jurisdiction in another country and holds true on the Internet because it has no borders.

Although North America (mainly the United States) has the largest share of servers, the Internet is still a worldwide network. This means that domestic regulations cannot oversee the rules of foreign countries.

It would be just as easy for an American teen to download (receive) pornographic material from England, as it would be from down the street.

One of the major problems is the lack of physical boundaries, making it

difficult to determine where violations of the law should be prosecuted.

There is no one place through which all information passes through.

That

was one of the key points that was stressed during the original days of the Internet, then called ARPANET. It started out as a defense project that would allow communication in the event of an emergency such as nuclear attack. Without a central authority, information would pass around

until it got where it was going.¹⁸ This was intended to be similar to the

road system. It is not necessary to take any specific route but rather anyone goes. In the same way the information on the Internet starts out

and eventually gets to its destination. The Internet is full of anonymity. Since text is the standard form of communication on the Internet it becomes difficult to determine the identity and/or age of a specific person. Nothing is known for certain about a person accessing content. There are no

signatures or photo-ids on the Internet therefore it is difficult to certify that illegal activities (regarding minors accessing restricted data) are taking place. Take for example a conversation on IRC. Two people

could be talking to one another, but all that they see is text. It would be extremely difficult, if not impossible, to ascertain the gender

and/or age just from communication of this sort. Then if the conversationalist lies about any points mentioned above it would be extremely difficult to know or prove otherwise. In this way governments

could not restrict access to certain sites on the basis of ages. A thirteen-year-old boy in British Columbia could decide that he wanted to

download pornography from an adult site in the U.S. The site may have warnings and age restrictions but they have no way of stopping him

from receiving their material if he says he is 19 years of age when prompted. The complexity in the way information is passed around the Internet means that if information has been posted, deleting this material

becomes almost impossible. A good example of this is the junk mail that people refer to as spam. These include e-mails advertising products, usenet articles that are open for flames. Flames are heated letters that

many times have no foundation behind them. These seem to float around for ages before dying out because they are perfect material for flamewars. Flamewars are long,

drawn out and highly heated discussions consisting of flames, which often

time, obscenely, slander one's reputation and personae. Mostly these are

immature arguments that are totally pointless except to those involved. The millions of people that participate on the Internet everyday have access to almost all of the data present. As well it becomes easy to copy

something that exists on the Internet with only a click of a button.

The

relative ease of copying data means that the second information is posted to the Internet it may be archived somewhere else. There are in fact many sites on the Internet that are devoted to the archiving of information including: ftp.cdrom.com (which archives an extraordinary amount of software among others), www.archive.org (which is working towards archiving as much of the WWW as possible), and wuarchive.wustl.edu (which is dedicated towards archiving software, publications, and many other types of data). It becomes hard to censor material that might be duplicated or triplic ated within a matter of minutes. An example could be the recent hacking of the U.S. Department of Justice's Homepage and the hacking of the Central Intelligence Agency's Homepage. Someone illegally obtained access to the computer on which these homepages were stored and modified them. It was done as a prank; however, both of these agencies have since shut down their pages. 2600 (www.2600.com), a magazine devoted to hacking, has republished the hacked DoJ and CIA homepages on their website. The magazine ei ther copied the data straight from the hacked sites or the hacked site was submitted to the magazine. I don't know which one is true but it does show the ease that data can be copied and distributed, as well it shows the difficulty in preventing material deemed inappropriate from appearing where it shouldn't. The Internet is much too complex a network for censorship to effectively occur. It is a totally new and unique environment in which communications transpire. Existing laws are not applicable to this medium. The lack of tangible boundaries causes confusion as to where violations of law take place. The Internet is made up of nameless interaction and anonymous communication. The intricacy of the Internet makes it near impossible to delete data that has been publicized. No one country should be allowed to, or could, regulate or censor the Internet.

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