Censorship of the Internet:
The Job of Parents, Not Government

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ABSTRACT

This paper presents arguments against censorship of the Internet. The Internet has become one of the most valuable technological tools in our society. For the first time in history, people can freely express their opinions. In fact, it has been suggested “that on-line systems give people far more genuinely free speech and free press than [has] ever [occurred] in human history” (Corn-Revere 71). The claim throughout this paper is that censorship of the Internet by the United States government for the purpose of preventing children from viewing “offensive material” is misguided. The main reason for this censorship stems from American’s fears that children can view online inappropriate material like pornography. This paper will contend that the government should not censor the Internet for the sake of children because such suppression of ideas goes against the freedom of expression protected by the First Amendment of the Constitution of the United States. Moreover, only a small percentage of online communication involves offensive material. Further, the involvement of parents, filtering software, and digital signatures that inform viewers of what the site contains represent more viable alternatives for protecting the interest of children than censorship. Using these alternative measures, parents can oversee the Internet usage of their children, and adults can continue to enjoy Internet free from governmental intrusion. Finally, it may be both politically and technologically impossible to censor the Internet. Therefore, government should not encourage Internet censorship.

INTRODUCTION

There is no turning back. Once a novelty, the Internet is now transforming how people live, think, talk and love; it is changing how we go to school, make money, see the doctor, and elect presidents (Newsweek 38). The Internet, though technically a network of computers, sociologically it consists of a network of people who use this technology. Today, the Internet community is far bigger and more diverse than the group that used computer network to share science and engineering information three decades ago. These days, fourth-graders, skydivers, historians, politicians, astrologers, and lovers of pornography, all pursuing their various passions, surf the network (Chandrasekaran A20). A wonderful place of entertainment and education, the Internet offers a vast number of resources unavailable in any single geographical location, but, this myriad of users and the breathtakingly large number of interactions that result from Internet traffic has brought about numerous negative effects as well. Easy access to information on any topic may lead users, especially children, to materials that would otherwise not be accessible and could be potentially harmful.

Originally a place where people freely expressed their ideas worldwide, the Internet has evolved into one of the world’s most valuable types of technology because many professors, scientists, and other professionals use e-mail for quick and easy communication. Scientists, for example, post their current scientific discoveries on the Usenet news groups, thus enabling other scientists in the same field of study, all over the world, to share their findings within minutes. Other people use the Net for communication, expressing their opinions in newsgroups, obtaining up-to-date information, acquiring files by using File Transfer Protocol (FTP), and so on. In short, the ability to express ideas always has represented the care of what makes the Internet unique and enjoyable for many people.

This emphasis on communication has characterized the Internet from its inception. The United States government conceived the idea for the Internet about thirty years ago. In the early 1960s, the government hired a group of people, called a “think tank,” to solve a military need. The U.S. Department of Defense (DoD) wanted to create a system to ensure constant communication between all its strategic command posts. Relying on research funded by the United States Advanced Research Projects Agency (ARPA), the DoD created a large decentralized communications network. Its purpose was to ensure the protection and integrity of information passing between critical government entities in the event of a national disaster or war. This project, called ARPAnet, linked various government computer networks together (Caswell 6). This military-oriented development led to the creation of non-military computer system, including Ethernet local area networks (LANs) developed by various universities. Most of these LAN workstations used Unix, a very sophisticated, generic time-sharing, multiprogramming operating system developed at Bell Laboratories by
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Ken Thompson and Denis Ritchie. Back then, computers were connected to each other like the cars of a train, one after the other. If one of those computers broke down, then the whole chain would break and the network would be useless. By 1969, four universities- the Stanford Research Institute, the University of California at Santa Barbara, the University of California at Los Angeles, and the University of Utah-came up with a brilliant idea. Instead of connecting computers one by one, they saw that connecting them like the ropes of a fishnet, or the strands of a web, would eliminate the problem that would arise if one of the connections broke down. Another connection could be used instead.

In 1971, the ARPAnet connected only 23 university and military host computers within the United States. By 1980, 213 hosts had joined the network, with a new host joining every 20 days. Indeed, the ARPAnet grew so fast that the DoD became concerned with the amount of traffic it was handling. It therefore split the network into two segments: a military network called MILNET and a civilian network that retained the name ARPAnet. The term Internet, however, was not used until 1983; and originally this term referred to the Transmission Control Protocol/Internet Protocol (TCP/IP) that connected to the backbone, or the major communication lines, that linked this increasingly large network of host computers (Caswell 6). The word cyberspace, which comes from the book Neuromancer by William Gibson, was not used until 1984. By 1987, the Internet consisted of over 10,000 interconnected host computers. That may seem like a lot of computers, but in 1999 almost 200 million people worldwide used the Internet. By 2003, experts predict more than 300 million people will be surfing the Web (Newsweek 39). Today, most four-year colleges are connected to the Internet. All this activity points to continued growth, evolving technologies, and job security for Net workers (Willmott 107). Yet these-educational and business-oriented activities also have spawned numerous problems.

The problem that concerns most people is the availability of indecent material, such as pornography, online. Many high schools and most public libraries in the United States provide Internet access to students and patrons. This access is very useful for looking up information, but if a student or young patron intends to look for inappropriate material, he/she very likely can find such material by doing an Internet search. This access has led to many people's clamoring for governmental regulation of the Internet, often called the “Censor the Net” approach. This is a way of keeping inappropriate materials out of minors' hands by banning offensive material online. However, this approach raises other issues because what some consider offensive material is perfectly acceptable to somebody else. In the words of Allison and Baxter, two experts on Internet censorship at Monash University, “possibly [offensive] topics are behavior, nudity, political/economic/social opinion, violence, racial/ethnic, religious, coarse language, sexual/gender orientation, and [and] sexuality” (3). Not surprisingly, the proponents of this approach have focused on pornography because it greatly concerns too many people. The issue of whether it is necessary to have censorship on the Internet is being argued all over the world. There are numerous homepages on the World Wide Web discussing this issue, some with petitions to stop government censorship. In order to understand whether the government should censor the Net, one must take into account both the advantages and the disadvantages of the “Censor the Net” approach. Censorship is that, ideally, unsuitable material will not fall into the hands of children and teenagers. Many people believe it is not fair to limit freedom and to damage the atmosphere of free expression of ideas just for the safety of children. Robert Corn-Revere, an expert on Internet censorship and a partner in the Washington, D.C. law firm of Howgan & Hartson, points out that the purpose of indecency regulation is to keep adult material from falling into the hands of children. When Senator Exon first introduced a similar bill in 1995, he said that he was concerned that the Information Superhighway was in danger of becoming an electronic “red light district.” While Senator Exon had fewer reservations about adults banning access to such a material, he also feared that information would stop flowing freely on the Internet. Nonetheless, he wanted to bar his granddaughter's access to unsuitable information (24). In reality, only a very small portion of the Net contains offensive material. The majority of the people do not use the Net for pornography. Warren Caragata, a Canadian journalist and a senior staff writer who specializes in high-tech and business coverage, in Maclean's magazine says that, “it is pornography that stirs the most controversy. But while there is no doubt that pornography is popular, it amounts to a trickle compared with everything else available on the Net” (51). In short, most people use the Net for communication and information exchange rather than sexual gratification.

Nevertheless, Senator Exon, joined by Senator Coats, in 1995 proposed the Communication Decency Act(CDA). The pervasiveness of this problem led Congress to pass the Internet Censorship Bill of 1995, also known as the Exon/Coats CDA. The bill amended section 223 (47 U.S.C. 223) of the Communication Act of 1934 to establish a prohibition on commercial distribution of material on the World Wide Web that is harmful to minors. The Act makes it a criminal offense to make available to children any indecent material or to send anything indecent with the “intent to annoy, abuse, threaten, or harass” (Stop the Communication Decency Act). Under this bill, a person breaks the law if he/she puts offensive material like pornography on a web page without making sure children cannot access the page. Furthermore, if a person verbally assaults someone on the Internet Relay Chat (IRC), he/she breaks the law. Under the CDA then, at a university where some students may be under 18 years old, a LAN that carries the alt.sex newsgroup (i.e., adult materials) breaks the law.

However, in a landmark decision issued on June 26, 1997, the Supreme Court held that the Communications Decency Act violates the First Amendment's guarantee of freedom of speech. The First Amendment of the Constitution, among other things, states:

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.

http://www.eff.org/blueribbon.html
The Court’s opinion, written by Justice John Paul Stevens, resoundingly rejected censorship of the Internet for the 21st Century (EPIC n.p.). On August 27, 1999, a coalition of cyber-rights groups and Web publishers filed an appellate brief supporting a lower court decision enjoining enforcement of the Child Online Protection Act (COPA), also known as CDA II. The case against COPA brought by the Electronic Privacy Information Center (EPIC), the American Civil Liberties Union (ACLU), and other organizations is now pending before the U.S. Court of Appeals for the Third Circuit (EPIC n.p.).

As these cases indicate, censorship of the Net implicates one of the most fundamental rights of U.S. citizens. Therefore, this paper will argue that censorship of the Internet by the U.S. government for the purpose of preventing children from viewing “offensive material” is misguided. In fact, there are many arguments against censorship that should be taken into account by the U.S. government and people before they make any further decisions about such an issue. Censoring the Internet for the sake of children means to go against the freedom of expression protected by the First Amendment. Besides, only a small amount of information available on the Internet is “offensive,” and it is important to recognize that inappropriate material like pornography is already legal. Also, taking a closer look, it is easy to see that to censor the Internet is both politically and technologically impossible. Based on such issues, government should not encourage censorship of the Internet; rather, people need to be informed that there are many other alternatives to government censorship, some of which will be presented throughout this paper.

**Arguments Against Internet Censorship**

In many ways the Internet is like a political party; it has its council of members, every member has an opinion about how things should work, and they can either take part or not. It is the choice of the user. On the other hand, the Internet has no president, chief operating officer, etc. John Perry Barlow, co-founder and executive chair of the Electronic Frontier Foundation, in *One’s Man Declaration of Independence of Cyberspace*, states, “We have no elected government, nor are we likely to have one, so I address you with no greater authority than that with which liberty itself always speaks”(1). The constituent networks may have presidents and CEO’s, but that is a different issue; there is no single authority figure for the Internet as a whole. Frances Hentoff, the staff writer for *The Village Voice* and the author of *First Freedoms*, states, “On an info superhighway driven by individuals, there are no cops preventing users from downloading”(1). This means that information is available to everybody on the Net, and everybody with the appropriate tools can retrieve it and use it. Information is obviously not a “thing.” In fact, it is something that happens in the field of interaction between minds or objects or other pieces of information. Internet users can broadcast or express anything they want. Therefore, the facts that the Net has no single authority figure, and everybody enjoys their freedom to express anything they want, presents a problem about what kind of materials should be available on the Net.

The Internet is a world that consists of transactions, relationships, and thought itself, arrayed like a standing wave in the web of our communications. This is a world where anyone, anywhere, may express his or her beliefs, no matter how singular, without fear of being coerced into the silence of conformity (Barlow 2). In fact, the most significant new properties of the Internet media are the diversity of information sources and their ability to reach almost anywhere in the world. Authors range from major corporations such as IBM and Disney to school children (Allison 3). As predicted by Corn-Revere, “At the very least, the law will force content providers to make access more difficult, which will affect all users, not just the young” (70). Most Internet users are enjoying their freedom of speech on the Net, which is supposed to be protected by the First Amendment of the Constitution of the United States.

On the other hand, there is a debate over what is meant by freedom of speech. Some people will argue that free speech only covers all the information that is educational, religious, and its intentions are not to hurt anyone; therefore, it does not cover offensive material like pornography. Others argue that free speech fits the purpose of protecting the free flow of ideas. In reality, the First Amendment protects democracy, so therefore it allows people to express their ideas whether others agree or not. According to Corn-Revere, “it has been suggested that ‘on-line systems give people far more genuinely free speech and free press than ever before in human history’” (71). In fact, people express ideas every day, but never before could so many minds express themselves to so many other minds in so little time. Therefore, censorship of the Internet would be a heavy-handed attempt to impose restrictions on the Net, and it could kill the spirit of cooperative knowledge sharing that makes the Net valuable to millions (Rheingold n.p.). Freedom of expression is what makes the Internet important and enjoyable, and it should not be waived for any reason.

Many experts have pointed out that government censorship on the Internet is not possible. Howard Rheingold, the editor of the *Whole World Review* states that, “the ´Censor the Net´ approach is not just morally misguided, it’s becoming technically and politically impossible” (n.p.). As a matter of fact, the technical issue is a huge problem. The question here is directly related to the fact that new web sites are coming alive every day on the Internet. But, most of all, there remains the question of how to enforce such a regulation if the bill becomes law. In this case, it would be necessary for the creation of some kind of virtual police officers, who will control the Net. Would this be possible? Besides, they will not be capable of monitoring all material being transmitted on the Internet. Considering the difficulties with international boundaries, a licensing system faces many obvious practical hurdles (Allison 6). Regulating pornography in the U.S. would be impossible because about 30 percent of it is produced in foreign countries. Even if regulation were not an issue, any trained Computer Science graduate could create a completely secure encryption system for concealment purposes. The material could even be disguised. For example, pornography could be hidden ‘inside’ a perfectly innocuous picture (Allison 6). In fact, if a person wants to publish offensive material, he/she can
design a formula to change the material with respect to a key, and secretly tell other users what the key is. In this way, they can retrieve the same material and pass undetected through government censorship. For these reasons, many people believe that censoring the Net is technically impossible; it will damage the atmosphere of freedom of expression on the Net. Also, “the Internet is comprised of various digital media subsuming many of the distinct roles of traditional media” (Allison 3).

People using this new technological tool have created a new community in which they are not any more passive subjects but active ones. They not only participate with the flow of information, but also with the Internet community they use a large volume of technical terms. These terms are now a part of everyday language. Most people feel resentful of those who try in any way to take away their common language. In order to understand what people are talking about and where one can retrieve information, it is necessary to examine Internet terminology. The term “Net” is frequently used in place of Internet. Electronic mail (e-mail), which is one component of the Internet, allows us to exchange messages through letters, memoranda, notes, and even phone calls with individuals or groups. People sometimes send sound and pictures along with the text. E-mail is mainly for private communication. Users send e-mail to communicate with people across the street or across the globe. Another term that most users know is electronic news (Enews/Usenet). Usenet is a communication tool that enables people to meet and discuss various topics online. Usenet organizes discussions under broad headings called newsgroups. It contains specific addresses and sites on the Internet where people leave messages for one another regarding a particular topic of interest. Also, the term FTP (File Transfer Protocol) refers to the method for transferring files from one computer to another. FTP started as an Internet archival and retrieval medium, somewhat analogous to traditional libraries. Many computer users retrieve files from distant computers using a traditional text-based interface (Caswell 14, 15, 17). The World Wide Web (WWW), another component of the Net, allows publication of material that would traditionally appear in journals, magazines, posters, books, televisions and even on films. Without a doubt those terms are here to stay. Censoring the Internet means to limit the accessibility of information and restrict global communications. The U.S. government, therefore, should not encourage censorship only because some Americans’ fears that children can view inappropriate material like pornography.

While some people are concerned about Internet pornography, it should be recognized that pornography is legal in video and magazines. It is true that the Internet can be considered a public display of information, and it is extremely easy for a child to access such information. However, it is also true that children still are exposed to pornography through television, radio, magazines, and so on. Therefore, it is inconsistent to ban the Internet equivalents because it will not solve the problem. Noone questions citizens’ right to restrict the information flowing into their homes. They should be able to exclude from their home any subject matter that they do not want their children to see. But sooner or later, their children will be exposed to everything from which they have shielded them. Then these children will be left alone to deal with these shocking sights and sounds despite the moral fiber that their parents helped them cultivate (Rheingold n.p.). Even if the Net does not contain any pornography, children could also be exposed to indecorous material in many other places. Also, most authors using electronic media do not produce material that is any worse than that available from news agents, video shops, or mail-order sources (Allison 8). On that account, if the purpose of censoring is to prevent minors from being exposed to indecorous material, much more than the Net needs to be censored. Censorship of the Net will only eliminate one single medium that minors use to find vulgar, titillating material. Government censorship is not the solution to the problem. On the contrary, the bill angers many parents because they want to decide for themselves what kind of information is appropriate for their children to access on the Internet. For these reasons, it is necessary to examine other alternative measures that will help censor the Net without the intervention of the U.S. government.

**ALTERNATIVE MEASURES**

There are many alternative measures to government censorship that would prevent misuse of the Net and would have a better effect than censorship. The U.S. government should inform citizens that there are ways to protect children without legislative intervention: involvement of parents, filter software, and digital signatures that inform viewers of what the site contains. If people use these voluntary measures, adults, under protection of the First Amendment, can remain protected from government control. However, if any future censorship bills pass, the First Amendment may effectively be excluded from cyberspace (Hentoff 1). This is not acceptable because the Internet is not only a network of computers, but sociologically, it is also a network of people; the same people whose freedom of speech is protected by the First Amendment of the Constitution of the United States. For these reasons it is very important for parents to provide moral guidance for their children, and parents should have this responsibility. Moral guidance is the foremost long-term solution to the problem. In fact, if parents have control over their children’s web-surfing on the computer, they are in a better position to protect them from at least accidental exposure to inappropriate material (Zeichick E13). Rheingold believes:

This technological shock (pornography on the Net) to Americans’ moral codes means that in the future, Americans are going to have to teach their children well. The only protection that has a chance of working is to give [their] sons and daughters moral grounding and some common sense. (n.p.)

In America, like in other countries, minors can be exposed to sexual material in many kinds of media. Providing children with moral guidance is therefore the best solution to the problem. In fact, parents cannot watch their children every second of every day, so when left alone or with friends, there is a good possibility that they will search for such sites. The most important point here is that children need to understand that pornography is extremely wrong, and it is something that only exists because it creates a market of billions and billions of dollars throughout the world.
However, at the same time that parents carry out moral
guidance, Americans have to develop some short-term ap-
proaches to solve the problem in a more efficient way. By
doing so parents can protect their children by limiting the
scope of the Internet experience in two ways: by filtering at
the personal computer (PC) itself, or by ensuring that chil-
dren are using trusted sites and resources (Zeichick E13).
An alternative to government censorship is the technolog-
ical fix, which would prevent misuse of the Net and per-
haps would have better effects than government censorship.
This involves the design of intelligent software to filter in-
formation. There is a rush to develop information-filtering
software and to get it to market. One example of this tec-
ological fix is “SurfWatch” software. It is a breakthrough
software product that helps parents deal with the flood of
sexual material on the Internet. By allowing parents to be
responsible for blocking what is being received at any indi-
vidual computer, children and others have less of a chance of
accidentally or deliberately being exposed to unwanted ma-
terial. These same kinds of blocking devices have been used
on television. It seems that they already are working very
well for TV; therefore, it is acceptable to think that these
devices will have the same effects for computers. Therefore,
a software like SurfWatch strives to preserve Internet free-
dom by letting individuals choose what they see (Allison 6).
The SurfWatch vendor intends to provide monthly updates
to cope with the fast changing Internet. Perhaps today the
best site-blocking software is Net Nanny Software Interna-
tional’s NetNanny. This Windows-only software limits a
child’s access to inappropriate material via the web, email,
chat rooms and other parts of the Internet (Zeichick E13).
Commercial Internet service providers, such as “America
OnLine,” allow parents to control what Internet relay chat (IRC)
sessions are available to their children (Cidley 39). Parental
Control is a feature of many commercial Internet
service providers. Users can turn on the Parental Control
function, and they will automatically be kept away from
offensive words in IRC. In this way, children can be kept
away from offensive material and adults can continue to en-
joy their Internet freedom.

Another technological fix is for parents and guardians to
have a separate “proxy server” for their children’s web
browser. A “proxy server” is a program that does not al-
low the use of some specified Internet sites or Usenet news-
groups. The parents need to actively select sites their proxy
server can access. Parental control tools are a very practical
solution to the problem. As stated in the “Communication
Decency Act Issues Page” by the Center for Democracy and
Technology, “what will help parents control their children’s
access to the Internet is Parental Control tools and features,
such as those provided by several major online services and
available as over-the-counter software” (n.p.). Tools for con-
trolling Internet access by children are widely available, and
parents can already control their children’s access to the
material on the Net.

There are no computer programs to automatically and re-
liably classify material; only people can do it. As a re-
result, while practicing technological fixes, the classification
of the contents of the material when posting is very im-
portant. Most Internet users classify their posting with
standard categories, and leave a signature at the end of
the posting. According to Allison and Baxter, “items are
signed with a secure digital signature that can be traced to
a real person, company or organization” (4). The strength
of the material or the degree of which a specific subject
is present in a Web site is often classified as “strong” or
“weak.” The attitudes of a given document towards a topic
are often classified as “advocates” or to speak in support
of the particular topic, “discusses” or to talk specifically
about a particular topic, “deplores” or to speak against a
particular topic, or “does not discuss” or do not talk about
a particular topic. Additionally, in order to reduce the ef-
fort of classifying many individual items, particularly in the
case of FTP and WWW, classifications are often attached to
directories and inherited by subdirectories and documents.
In this way, readers can make informed decisions regarding
access of Internet material, and the programming of intel-
ligent software will be much easier, just by recognizing a
small number of terms of classification. This should not be
a problem because the classification of material has already
been done on the Net. Most Internet materials are well clas-
sified, and people have an idea of what they are going to see
beforehand. For instance, an article in a particular Usenet
newsgroup can be accurately predicted by the name of the
group. For example, soc.culture.hongkong,entertainment
contains discussion of the entertainment industry of Hong
Kong; alt.binaries.sex.pictures contains encoded binary files
of pornography. Internet users know what they are ap-
proaching beforehand, and minors know that they are not
supposed to browse those alt.bin sex newsgroups. The installa-
tion of censoring software and the classification of material
is a better solution than government censorship. Frances
Hentoff, a staff writer for Entertainment Weekly, mentions
that “flexibility of interactive media...enables parents to
control what content their kids have access to, and leaves
the flow of information free for those adults who want it”
(1). This prevents unwanted material from reaching chil-
dren and allows adults to continue the enjoyment of their
Internet freedom.

CONCLUSION

The major problem of the Net is that, clearly, minors who
use the Net can easily obtain inappropriate materials. Be-
sides, indecent materials are not only on the Net. Minors
can obtain such materials without accessing the Internet at
all. Internet censorship is not the solution to keeping minors
away from pornography. Rather, the best solution for pre-
venting minors from viewing these kinds of materials comes
from parents taking a stronger role in their children’s lives
and to provide moral guidance for their children. At the
same time, parents also need short-term technical solutions.
Intelligent censoring software and proxy servers can let par-
ents deny their children access to certain sites, thus keeping
their children from offensive online materials. While the
censorship approach embodied in the CDA and COPA have
superficial appeal, a closer examination of this approach
shows that it is fraught with constitutional infirmities that
would inappropriately suppress freedom of expression. For
the dilemmas posed by and unanswered questions that char-
acterize the digital age, traditional approaches, government
censorship, simply do not work. In fact, censorship-oriented
legislation goes against the freedom of expression protected
by the First Amendment of the Constitution of the United
States. Americans are going to have to accept less intrusive, probably more exotic solutions, such as providing intelligent software filters to those who want a G-rated version of Internet life. For intelligent software and proxy servers to operate successfully, it is necessary to classify the information available on the Net, which Internet users have already been doing. Parents can then censor the Net for their children, and adults can continue to enjoy their Internet freedom of expression. This new approach, therefore, satisfies the goals or objectives of those parents who wish to supervise their children's access to online matters but does so in a fashion that upholds, rather than impedes, the freedom of expression.

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