

Cybercensorship: The Internet and Censorship.

June 12, 1996 was a day of celebrations on the Internet. Thousands of netizens --- the self styled citizens of the Internet, were painting the cyberspace red because of a historic victory. Three federal judges in Philadelphia had struck down the Communications Decency Act (CDA) as unconstitutional and the netizens had reason to celebrate.

Under the CDA, signed in February 1996 by President Clinton as part of the Telecommunications Reform Bill, display or transmission of "indecent" material in a "manner available to minors" would be punished with fines upto \$250,000 and/or two years in prison. Soon after the enactment of the Act, two cases were filed in Philadelphia by a coalition of Internet users, public interest organizations and corporations like Microsoft. The arguments in the case have highlighted several issues about the Internet and the whole concept of censorship as applicable to a new communications medium.

The Internet, a network of computers around the world which can communicate with each other is a unique technology. It grew out of a small network of universities (ARPA net) in the US. This network was started during the cold war by the U.S. military as a prototype of a reliable network which will work in case of a nuclear attack when all conventional communication channels would be rendered useless. The initial use of the network was primarily for exchanging files through email or ftp (file transfer protocol)

However, the real boom on the network came with the World Wide Web (WWW) or the Web as it is referred to. This is by a long shot the most popular service on the Internet, accounting for almost half the traffic. The idea is to be able to transmit not only text but images, videos and audio files which can be viewed by the user. The software used is called HTTP (HyperText Transfer Protocol) and allows one to retrieve elements like graphics, audio etc. in a Web page and more importantly link with other pages through highlighted areas called hypertext. This "surfing" from one site to another is what is responsible for the fascination of the web. The growth in the number of Web servers has been a phenomenal 2400 per cent last year to 76000 servers.

The participatory nature of the Internet is remarkable. In principle, every user has equal access to all the material on the Net. Moreover, any user could at least in principle express her opinions as easily as any other. No longer would the control of distribution channels limit freedom of speech. Anyone could say anything to anyone, and there were no barriers. Thus we have sites advocating abortion coexisting with websites of the Moral Majority on the Web. Of course, as with other communication media, the bigger corporations have an advantage in that they can have faster servers (computers which host the websites) and buy links with other websites, hence enhancing their visibility. Nevertheless, there is space for a variety of opinions and ideas on the web since the whole thing is interconnected.

This easy access has motivated many countries across the globe to think about the need to control the flow of information accessible on the web. Thus we have the Germans worrying about neo-nazi propaganda, the Americans getting upset about the easy availability of pornography on the web and even the French wanting to control the Net after someone posted the banned book about Mitterand's fight against cancer. Authoritarian states would not want "subversive" material to be accessed by their citizens. Herein lies the rub; the Internet is fundamentally different from other media and hence the old rules of the game cannot be applied mindlessly. The problem of reconciling the established norms of censorship and a radically new technology is highlighted by the Internet.

The nature of the Internet is such that it has the potential and the ability to give access to information to ALL users. This implies that the amount of information is huge and located all over the globe and hence it is not really feasible for the State to censor it easily. Though technologies exist to aid in the process, the task is still huge to be really practical. Then there is the issue of whether the Internet is really a mass medium. As it stands, there is both general and specialized information available on the Net. The Usenet groups cater to a specialized audience and thus have a limited appeal for the general public. This leads to a problem for the censors since they have to differentiate on the basis of the target audience.

The technological challenges are even more formidable. The system administrator at the server may restrict access to a particular site which may contain "undesirable" material but this does

not prevent users from using the services from overseas and getting access to that particular site. Overseeing a network of interconnected computers spread over the globe with multiple connections between them is not possible even with the most sophisticated technology. Finally, there is a sociological issue; the cyberculture has always thrived on the principle of "letting a hundred flowers bloom". Freedom and fringe activities have always been celebrated in cyberspace. Any attempt by the State to infringe on this will meet with an immediate reaction from the netizens. This will take different forms ranging from legal action as was seen in the suit against CDA to hackers bringing the whole network to a halt by planting viruses.

The novel nature of the Internet was appreciated in the US by the judges in the CDA case when they noted that "...there are significant differences between Internet communications and communications received by television or radio. Although content on the Internet is readily available, the receipt of information on the Internet requires a series of steps more deliberate and directed than merely turning a dial." Thus the standards applicable to other mass media cannot be applied to the Internet.

The Netizens may have won a major battle in Philadelphia but the war is far from over. The political climate in the US is such that one can almost certainly expect the government to go in for an appeal to the Supreme Court. But it is heartening to see an almost complete consensus on the Net against any mindless regulation by the State.

Apart from the US, there are several other countries where censorship of the Internet is being contemplated. Singapore, which prides itself as being the country with the highest number of chat groups on the Net, is considering amending its existing regulations to cover undesirable material on the Internet. Already the Internet service providers (like VSNL in India) are censoring Usenet groups with suggestive pornographic names. In Malaysia, prompted by the posting of anti-government material by some students on the Internet, is considering new legislation for censoring the Net. It already blocks access to sites like Penthouse and Playboy. China has probably gone the farthest in not only issuing new rules for networks but also asking existing networks to liquidate and register again with the government.

At the present moment, there is a serious dilemma facing most countries. That the Internet is an extremely valuable information resource is almost a truism. That the Internet is here to stay is also beyond debate. What remains to be seen is how different societies can reconcile the desire to harness the resources which the Net provides with a desire to control the information access of its citizens.