

# Censorship laws ban Internet freedom

By Joshua Olson  
Online Editor

The term "censorship" used to invoke images of deep-south book burnings and grade school teachers being fired for reading Tom Sawyer in class. Today, many people are doing their darndest to apply censorship to the Internet, a very different entity from book or record censorship.

In response to the truckload of hype about pornographic material on the Internet, Congress has spawned a number of bills such as the Communications Decency Act designed to censor such material, usually under the banner of protecting children.

While there is certainly nothing wrong with protecting children, these efforts to shackle the pathways of the Internet are dangerously misguided.

There are myriad problems with the bills that propose to censor the Internet. The fundamental problem is that they are primarily driven by nervous parents and eager Congressmen, none of whom seem to understand the deeper issues.

The media has been feeding a growing specter of misunderstanding with sensationalist portrayals such as the inflammatory July 3, 1995 TIME Magazine cover story entitled "On a Screen Near You: Cyberporn." The story, graced by an illustration of a young male copulating with a computer monitor, is based on a study by a research team at Carnegie Mellon University. The author doesn't mention that the study is in fact the work of an undergraduate student with no credentials and despicable research methods.

The "study" contains wildly inaccurate and misleading conclusions, which the TIME reporter readily transposes into his article.

Other problems with the proposed censorship legislation are legal in nature. Proponents would like to treat the Internet as a one-to-many broadcast medium, like television and radio, that fall under FCC jurisdiction and have much stricter regulation than printed material. The premise of restrictions on TV and radio is that they are broadcast everywhere, and anyone can



turn on a set and pick them up.

The Internet, however, is more like a book or magazine than a television program. Finding sexually explicit material requires more intent and effort than just turning on a computer.

The latest bill containing provisions for Internet censorship, the Telecommunications Deregulation Act, criminalizes any network place where children might find "indecent" content, punishable by a jail term and a quarter of a million dollar fine. It also deliberately leaves the term "indecent" undefined. The effect will be an environment where any form of profane comment or discussion of mature subject matter, even in individual conversations, would be criminal.

Mike Godwin, staff counsel for the Electronic Frontier Foundation, points out that Constitutional protection of "indecent" material extends to the Internet just as much as to printed media. "The First Amendment was designed to protect offensive speech, because no one ever tries to ban the other kind," he says.

Traditionally, censorship catchwords like "indecent" were defined by community standards. What was considered indecent in Buford, Alabama was not necessarily so in San Francisco, California.

On the Internet, however, there are no physical borders or communities. Geographic division of the Internet to accommodate the community standard idea would be impossible without tearing the whole thing down, starting over from scratch, and rebuilding some crippled and pathetic imitation. While the Bufordites would like for the entire Internet to conform to their standards, most of the rest of us wouldn't agree.

Furthermore, an increasing variety of software designed to screen out potentially offensive content is becoming available to home computer users. Parents now have many options to pro-

tect their children from sexual material, including personally monitoring children's online activities, restricting their Internet sessions with passwords, and using screening software.

As if on cue with the American Internet debate, the online service provider CompuServe recently suspended approximately 200 Usenet newsgroups from all its users worldwide in response to a threat from German legal authorities. The newsgroups, which were judged to be in violation of German pornography and obscenity laws, have topics including sex discussion and a support group for gay, lesbian, and bisexual teens.

"Right now, we don't possess any technology where we can block access in Germany and leave it open in France or anywhere else," said CompuServe spokeswoman Daphne Kent.

CompuServe will ultimately work out a software solution and block the objectionable material from its German customers while continuing to provide the newsgroups to customers in other countries.

The Internet, however, doesn't work that way. There is no central authority regulating content of the Internet's newsgroups or its millions of computer sites.

To attempt to screen all material entering or leaving their computers, service providers (such as University Computing) would each have to make an enormous investment in technology and person-power.

Making service providers liable for content on the Internet would be akin to imprisoning librarians for profane words found in works of classic literature. Imagine how many times the "seven dirty words" can be found among the Knight Library's two million titles.

Censorship is bad. We have been taught this lesson about founding fathers, religious freedom, and rebel newspapers from day one in elementary school American history and law classes. Yet for many of us it is a very difficult lesson to remember.

Joshua Olson is the Online Editor of the Emerald.

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