

# Who Censors the Internet and Why

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## Introduction

This paper presents a quick tour of Internet censorship around the world, summarizes findings about who censors what and why, and concludes with a discussion of how libraries and librarians may be affected.

Any nation wishing to participate in the global economy now pays attention to the Internet as a source of business opportunities. At the same time that the Net is welcomed for economic advancement, it is a threat to those who do not want to give up the kind of control over the flow of information that they have exercised over traditional communication media. Consequently, as more and more countries become connected, the incidence of Internet censorship increases.

The Internet itself has helped to call attention to these instances, because it facilitates communication across borders and fosters coalition building among groups sharing similar interests. Several dozen international organizations, ranging from European to Asian, who are interested in preserving civil liberties on the Net have recently launched a counterattack through the Global Internet Liberty Campaign (GILC). This umbrella organization has released a report, *"Regardless of Frontiers: Protecting the Human Right to Freedom of expression on the Global Internet"* (GILC, 1998). Quoting the Universal Declaration of Human Rights statement, "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers," the report states:

For the first time since this 1948 proclamation of the international human right to freedom of expression, the citizens of the world have the ability to exercise that right on a truly global basis, "regardless of frontiers." With the advent of the Internet, methods of accessing and disseminating information have been fundamentally changed, with profound implications for individuals, civil society and governments (GILC, 1998, p. 4).

The establishment of a Committee on Access to Information and Freedom of Expression by the International Federation of Library Associations and Institutions (IFLA) also flowed from the Association's confirmation of commitment to the Universal Declaration of Human Rights at the 1995 Istanbul conference (1997). The Committee's report for the Copenhagen conference notes "increasing infringement on free expression and the free flow of information in many parts of the world and the resultant limitations on the ability of libraries and librarians to serve the needs and interests of their users." While the report does not refer to the Internet as a specific target of censors, the principles enunciated in it certainly apply, especially as more libraries around the world become the point of Internet access for their citizens.

## Internet Censorship Around the World

Even though libraries in much of the world are not yet connected to the Internet, more and more of them will be as the global telecommunication infrastructure develops. The benefits of access to information will

outweigh the hazards of exposure to undesirable aspects of the Internet. As United States Supreme Court Justice Brandeis once said,

Those who won our independence...knew that order cannot be secured merely through fear of punishment for its infraction; that it is hazardous to discourage thought, hope and imagination; that fear breeds repression; that repression breeds hate; that hate menaces stable government; that the path of safety lies in the opportunity to discuss freely supposed grievances and proposed remedies; and the fitting remedy for evil counsels is good ones (Brandeis, cited in Godwin, 1998, pp.17-18).

Meanwhile, what kinds of problems can librarians expect to encounter when they do get connected? The following is a far from exhaustive look at the map of Internet censorship; it is merely a sampling intended to show what the usual concerns are. The only systematic aspect of this survey is that it is arranged by country in alphabetical order.

The Australian Broadcasting Authority has called for self-regulation of "objectionable material" using the Platform for Internet Content Selection (PICS), which is technology designed to provide content rating and filtering mechanisms (W3C, 1998; Hochheiser, 1997). This comprises what the American Library Association calls "labelling," which it equates to censorship.

In Belarus, the government has effective control over Internet use because all communication flows through lines it controls. All modems must be certified by the government, at a very substantial fee (Moffett, 1998, January 16).

The Canadian Radio and Telecommunications Commission called for opinions this August on whether it should regulate the Internet. Groups concerned about pornography seem to welcome the idea (Gracey, 1998).

China issued stringent regulations late in 1997. These include:

"defamation of the government," -- a phrase observers say is often used when prosecuting and imprisoning dissidents -- or the "splitting of the nation" - referring loosely to views that support regional separatism or an independent Taiwan. The regulations also provide a detailed definition of what constitutes a computer crime in China, such as the viewing or promoting of pornographic material, creating a computer virus, and computer hacking (Moffett, 1998, January 6).

The new regulations also call for users to register with the government and to agree to help catch violators. From the outset, the Chinese government has sought to restrict Internet providers through licensing and has blocked sites it finds offensive, such as dissidents' web pages, Western news agencies, and pornography. Earlier this year, a spokesman stated that China is working with America Online and Netscape to create a Chinese browser with ratings using a system like PICS, and that filtered content will be provided through government controlled servers in ten cities, in order to protect cultural and social values. He said that China did not want to protect gambling, pornography, or politically sensitive material, and that most Western content is not relevant to the Chinese (Krochmal, 1998).

Denmark convicted a man for posting racist comments on a Danish news group, on the basis that racist slurs are illegal in that country. The penalty was small, however, apparently in recognition of the fact that it would be highly difficult to enforce Internet speech uniformly. The man was not prosecuted for similar comments made on an American Internet provider service (Snedker, 1998).

Germany's government has been accused of "control madness" (Hudson, 1998). An Internet Service provider was convicted for distributing pornography, even though he was unaware of the fact. Since then the law has been changed and service providers are no longer held responsible for content they cannot control ("Internet: Bonn," July 1998). Last year, a politician whose Web page was linked to Radikal, a magazine that was

banned when it published an article on how to sabotage railway lines, was accused of breaking the law (*NetWatch News*, 1997). This year, a court ruled that the creator of a Web page is legally liable for content to which it links, and Kohl's cabinet talked of requiring Internet service providers to build monitoring into their systems.

Iran has had e-mail and other limited text-only services available since 1995, but "networks are subject to random checks...to ensure that email users do not use bad language or transmit unfavorable political messages," and "use of the Internet requires special permission and is limited to government organizations and professionals such as journalists" (Reuters, 1998, June 28).

Malaysia discourages Internet pornography access in cyber cafes by confiscating a deposit of over \$5,000 if found in violation (Reuters, 1998, March 16).

In Russia in March of 1998, legislation was proposed that would equate the Internet with mass media, which would mean that an individual's Web page would be treated as though it were like radio or television and therefore subject to high registration fees, and one would assume, the likelihood of government surveillance (Moffett, 1998, March 31).

Saudi Arabia, which initially allowed only hospitals and universities to connect (Westphal & Towell, 1998, p. 26), announced in May that it will allow some local firms to provide direct access, and attributed the delay to objectionable material (Reuters, 1998, May 6). The same news report states that, "Internet access in other Gulf Arab countries is provided by state telecommunication monopolies through proxy servers that block politically, socially, or culturally sensitive sites."

Singapore has been called a leader in "stifling" regulations (Clarke, 1997). Server-level filters are used to block Web sites that promote pornography, violence, and racial or religious hatred (Reuters, 1998, March 16).

The United Kingdom's Scotland Yard anti-terrorist squad took action against a Web site that it considered to promote terrorism:

NetFreedom had been hosting the Euskal Herria Journal, a magazine supportive of the Basque separatist movement. When ordering British ISP Easynet to remove the site Scotland Yard gave no indication that NetFreedom or Euskal Herria Journal had committed any violent activities or broken any British law. Their only crime was to speak out for a prohibited political movement. Notably, the EHJ website contains a bulletin board where web users argue both for and against violent action to end Spanish rule (Campaign Against Censorship of the Internet in Britain, 1998).

Also reported by the same source were discussions in the U.K. over the last year or so about whether to institute PICS and to censor racism.

### **The United States Experience**

The United States has weathered one major federal attack on the Internet in the form of the Communications Decency Act of 1996, which was declared unconstitutional. The U.S. is in the enviable position of being the only country that has a constitutional guarantee of freedom of speech. That right is deeply cherished and zealously guarded by librarians, as well as by journalists, civil rights groups, and others. The fact that a second attempt to legislate "decency" is currently on the floor of Congress is only one example of why constant vigilance is exercised. Another example is proposed legislation that would make discount rates for access to the Internet by libraries contingent upon their agreeing to the use of filters (see [www.cpsr.org/~harryh/faq.htm](http://www.cpsr.org/~harryh/faq.htm) for information about filters and PICS).

So far, this survey of Internet censorship around the world has dealt primarily with government censorship,

but governments are not the only censors. In the U.S., for example, academic institutions, businesses, and even libraries censor. This may be true elsewhere also, but information about non-governmental censorship around the world is not readily available.

On the assumption that what is happening in the U.S. can happen anywhere, some of the issues that have surfaced there are described here. High school students who have criticized their schools or insulted their teachers on their personal Web pages have been disciplined and ordered to remove the pages from the Net. The American Civil Liberties Union has come to their defence, saying that speech posted by students on the Internet is as protected as it would be if made in an underground newspaper, or on a park corner (ACLU of Eastern Missouri, 1998). A somewhat similar situation can occur when an employee's personal Web page contains material of which the employer disapproves. There are quite a few cases where people have been disciplined or have lost their jobs because of their Web pages, despite the fact that the pages were maintained on their own time, using their home computers. In most of these cases, there is no recourse, since private non-union companies can fire at will ("Internet: Chicago," 1998). Companies can of course exercise control over how computers in the workplace are used, and now there is software available that allows monitoring of every keystroke.

A different kind of censorship occurs when organizations succeed in keeping information not in their interest from being posted in the first place. For example, the non-profit Institute for Alternative Journalism in San Francisco, which accepted grants from a foundation, failed to distribute information on its AlterNet that might have been harmful to that foundation (Curran, 1998).

Another instance of prior censorship (that is, preventing dissemination in the first place) involves making the service provider responsible. In order to stop publication over the Internet of its documents by former members of the Church of Scientology, the Church sued the Internet service provider for copyright and trade secret violation, thus trying to put the provider in the position of policing infringement (Godwin, 1998, pp.184-195).

The role of religious institutions is not always so directly evident. In the efforts to legislate "decency" on the Internet, various groups identified with the religious right have been, and continue to be active (Godwin, 1998, p. 215).

Colleges and universities prosecute students who use the institutions' computer networks to post material contrary to their speech codes, or that might invite libel suits. The most famous case is that of Jake Baker, a student at the University of Michigan, who published a repellent sadistic short story using the real name of a female classmate for the story's victim. The University asked him to withdraw, which he refused to do, and then suspended him, and turned over his computer files to the FBI (Godwin, 1998). A more typical case is that of the student who sent an ugly and threatening remark about another student to a campus computer bulletin board by mistake, having intended to send it elsewhere. Not only was the university concerned about this disregard of rules about hate speech, but it also feared it might be sued by the person who was slandered ("Online free speech," 1988). The U.S. law, however, allows racist, homophobic, or other reprehensible speech, as long as it does not clearly threaten someone.

## Summary

*Table 1. Censors, Rationales, Methods*

Who Censors	What	Why	How
<b>Government</b>	Pornography; hate speech; terrorist information, e.g., directions for how	Protect children and citizens; decrease foreign influence; protect	Legislation; licensing/controlling telecommunication; labelling;

	to make bombs; information from/ about regimes felt to be threat	political stability; maintain security	
<b>Academic institutions</b>	Hate speech; criticism of administration/ faculty; expression judged to be in conflict with institutional policy, good taste, etc.	Institutional responsibility for setting high cultural/social standards, maintaining civility and security	Prevent publication; threaten suspension/ dismissal;
<b>Religious groups, institutions</b>	Pornography; in general, expressions thought to deny, contradict, or mock the particular religion espoused	Responsibility for maintaining moral standards and respect for religious teachings and institutions	Law suits; working to eliminate publication and use of information they deem objectionable
<b>Corporations</b>	Information thought to be harmful to company; employee use of electronic resources for "unauthorized" communication	Protect trade secrets; preserve image; guard against unproductive or damaging employee behavior	Law suits; counterintelligence or disinformation; dismissal/sanctions against offending employees
<b>Media</b>	Information that threatens advertisers	Preserve relationships with sponsors	Refrain from publishing
<b>Libraries</b>	Pornography, other information thought to be harmful to children	Respond to community pressure; avoid need to "police" terminals	Filters; contracts specifying online conduct;

Table 1 summarizes the current state of Internet censorship, based on examples presented above.

A different approach to surveying the state of Internet censorship was taken by Westphal and Towell of Northern Illinois University, who queried companies that provide Internet services around the world about pressures to regulate and the source of the pressure (1998). While the response rate to this survey was very low, 86 providers from 38 countries participated. A majority of 56% said that the pressure to regulate came from the government. However, about the same percent claimed that they, as providers, had the most control

over the material transmitted, and that parents/users controlled 51%. Terrorism, pornography, and racism were the primary targets of regulation reported, but there were also countries that stated that astrology, religion, birth control, and politics needed to be regulated. Westphal and Towell concluded that:

The majority of the Internet providers indicated that the Internet needs regulating, but the degree of regulation is still unclear. Knowing that the Internet is a global network and countries all over the world operate under their own sets of laws, regulating the Internet on an international level may be impossible... If Internet participants cannot agree on who has control and what should be censored, then the reasons for discrepancies in all the other basic issues surrounding this topic become obvious. What is legal and acceptable in one country may be illegal or unacceptable in another (Westphal & Towell, 1998, p. 30).

## Discussion

Overall, one can say that the instinct to censor is quite universal, and that the stated aim is protection -- of children, of cultural values, of government stability, and so on. The objective is to maintain control. But why is there this need to be protective, to be in control? Perhaps underlying this instinct is the more basic one of fear. As Godwin puts it in his discussion of why the "Communications Decency Act" was passed by the United States Congress,

It's that the theocratic right is driven by an *irrational* fear -- a fear that the citizens and Congress can't be trusted to do the right thing if they're presented with unvarnished, unmanufactured facts (Godwin, 1998, p. 301).

Across the world, similar fears seem to drive the censors, suggesting a mistrust of free speech and people's ability to deal with it rationally, and perhaps an unacknowledged lack of confidence on the part of the censor in his her own infallibility.

As the survey above shows, it is pornography that is probably the most prevalent and persistent target of Internet censorship around the world. It is this concern that that has been the most troublesome to libraries. No one wants children to be exposed to the ugliness that is out there on the Internet, and attempts to protect children occur at local, state, and federal levels. Librarians as well as parents and religious groups have sought ways to prevent children from being seduced by paedophiles or from seeking out or stumbling across pornography on the Net, and an entire industry of Internet filtering software has sprung up in response. Filtering, including PICS, is described on the Computer Professionals for Social Responsibility web site (Hochheiser, 1997). Those who have studied how the various filters work agree that they are not reliable or consistent in blocking "objectionable sites". Meanwhile, politicians continue to think that filters are the solution to the problem, and legislation to mandate filtering is currently under consideration by the U.S. Congress.

How are libraries coping with the demands for protecting children? In public libraries, one approach is to use filters on the computers in the children's room, but not in the rest of the library. Privacy screens can be installed in order to prevent inadvertent exposure to images as one walks past unfiltered computers. Another way of dealing with the problem in both public and school libraries is to ask parents and young people to sign "appropriate use" contracts that spell out what is and is not permitted (for examples, see Vandergrift, 1998). Another method, generally deplored by the profession, is for library staff to make random checks to see what is on computer screens and to warn users when they step out of bounds. For the most part, librarians agree that the best practice is to educate young people and parents about the dangers and how to avoid them, and to guide children and teens toward responsible use of the Internet. Parents should be in control of what their own children read, view, and listen to, but only for their own and not others' children.

For the younger children, having librarians select and bookmark the best sites is recommended. Such sites have been identified by the American Library Association and posted on its web site, making it easy for

librarians to make selections appropriate for their communities (see Cool Sites for Kids at [www.ala.org/also/children\\_links.html](http://www.ala.org/also/children_links.html)).

Academic libraries, at least in the United States, are less concerned that students might access pornography. The biggest problem posed by student use of Internet-connected terminals in the library is their tendency to monopolize workstations and to conduct their private e-mail correspondence instead of doing research.

The American Library Association and many state library associations in the United States have developed policies to guide their members when faced with pressure to use filters or censor the Internet in other ways. Documents can be found by going to the ALA Web site, [www.ala.org](http://www.ala.org). The ALA has also joined coalitions against censorship and has worked to educate the public and legislators about the issues involved with access to the Net. The principles espoused by most professionals are based on the Library Bill of Rights, which in turn is grounded in the First Amendment to the Constitution, which guarantees freedom of speech. In countries where there is no such guarantee, librarians can at least turn to the principles set forth by IFLA and by the Global Internet Liberty Campaign. Even those who feel that they need not worry about Internet censorship now, because there are as yet few public or school libraries that have access, it is a good idea to be prepared to discuss the fears as well as the hopes that people have about eventual access. "Connectivity" will arrive, and librarians ought to be in a position to provide information about the Internet and to guide people in using this resource wisely and safely.

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