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Censorship of Cyberspace a Personal Choice

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Censorship of cyberspace a personal choice

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EARN to make bombs. Revel in pornography. Terrorize your enemies. Be terrified yourself. Is this what the world-wide Internet communications network is all about?

Congress is interested in this question. It has held hearings on terrorism and "mayhem" on the Internet. Sen. James Exon has introduced legislation to ban indecency on the Internet. As the nation and the world discover the volume and scope of communication on our newest technological medium of expression, it seems as though the only thing growing faster than the Internet itself may be a fear of the Internet and what it means for our society.

But like the Communist scares of the 1950s, the worldwide fear of bomb-throwing anarchists in the 19th century or the fear of witch trials in 17th century Salem, the current reaction to the world's most impressive means of communication is wildly overstated.

Most of the urge to "control the Internet" arises from a misunderstanding of what the Internet is and how it works. Even the term "the Internet" is misleading. It is not a single thing or organization; it's simply a collective term for all the computers that "talk" with each other by following a common technical standard. Computer owners around the world, from universities to businesses to charities to individuals, have chosen to have their computers follow this standard. As a result, they can communicate with other similar computers, some 2 million to 3 million of them, by current estimates.

The Internet is much less like a "giant library" or a "giant database" than it is like several million individual libraries, or bookstores, classrooms, newstands, conference centers, mailboxes, locker rooms, lecture halls, academic journals, self-help groups and more, for all of these activities take place on the Internet as well.

To ask "who controls the Internet" is really to ask "who controls all the computers connected to the Internet?" And that's just like asking "who controls all the world's bookstores, classrooms, newstands, conference centers, and so on?" The answer is simple: the people who own them.

Does that mean that the Internet is in a state of chaos, a lawless territory where only outlaws feel at home? Of course not. Many of our laws already deal with wrongs committed in the course of communicating information to others. When such communications take place over the Internet, they are just as wrongful and just as subject to the legal system as they would have been if they took place by ordinary mail or a telephone call or a face-to-face conversation.

It is illegal to threaten someone in person, for example. And it is illegal to threaten them over the Internet. It is illegal to steal trade secrets and sell them to a company's competitors, or to copy and sell a copyrighted novel on a street corner without permission. Both are illegal when carried out over the Internet, too.

In these and countless other situations, from bribery to conspiracy, price-fixing to murder, contracts and more, our legal system punishes the communication of certain types of information. Both common sense and a growing number of recent court cases show that our courts will continue to enforce these prohibitions, whether applied to street-corner conversations, to postcards -- or to communications over the Internet.

So why are Congress and others concerned about the Internet? For the most part, the concerns are not about controlling "behavior" on the Internet. That's already taken care of by all the laws just mentioned. The concern is over "content" -- about the type of information available from computers connected to the Internet.

A huge amount of information is available. There are millions of computers, and their millions of owners put whatever information on them they choose to put. Without question, some of this "information" is pornography. Some of it is about explosives. Some of it is vile and disgusting by almost anyone's standards.

But the same thing is true of all the world's books, magazines, newstands, and so on. And like those books and magazines, most of what appears on the Internet is not pornographic or about may...
Censorship in cyberspace

With all the new technology, it is easy to forget that we are still worried about the freedoms of speech and press. The government can't protect them. Those who don't have freedom, don't have the freedom of access. Sure, the technology that brings us access to distant information also can help us in controlling access to it. Already computer software is coming onto the market that will allow parents to block access to certain parts of the Internet. This is how it should be done: Those who want control can have it; those who don't have children, don't have to control access. Surely with the extraordinary diversity of tastes that exist in America, the best solutions are those that cater to that diversity through individual control, not those that reject diversity outright.

Censorship by Congress over unseemly information on the Internet is real; they are grounded in fact; they are well-intended. But they should not lead to new laws that treat the Internet as if it were a children's magazine, with Congress as the editor-in-chief. It is not up to the government, but rather to ourselves as individuals, as parents, and as members of different religious and cultural communities, to see to it that we and our children pass by the chaff and take advantage of the rich harvest of what the Internet can bring us.

In cyberspace, the diversity of the Internet's population is supported by the Constitution's First Amendment, which prohibits the government from restricting the freedoms of speech and press.

The Internet is a remarkable technology. It brings to average citizens a speaker's forum and a press that can reach large audiences at very low cost. It is foolish to try to control the freedoms of speech and press for the very technology that has brought speech and a press within the average citizen's grasp.

But what about children? Many who support the First Amendment are still worried about what their kids might stumble onto in the Internet, and wonder if Congress can't protect them.

Yes, it can — and does already. For instance, many existing laws make it illegal to distribute pornography to minors. It is also illegal to make, sell, or even own pornography that involves children as models or participants. These laws apply to the Internet just as much as to books or magazines, and they should be enforced with equal vigilance. We do not need new legislation to handle problems that have long been recognized as of special concern for our young people.

What Congress should not do and may not constitutionally do is to reduce adults to reading and viewing only those things that are appropriate for children.

So what's a parent to do? Well, what do parents do today off the Internet, when faced with the fact that reality is a diverse place, with actions, language, images and behavior that are often unsuitable for children? They respond by controlling their children, by limiting where they can go, how late they can stay out, and the people they associate with. Parents can and should do the same with their children on the Internet.

Today, parents may not be aware of the scope and diversity of life on the Internet. And we can thank Congress for beginning to bring this matter to our attention. But the proper response is for all of us to be responsible for our children, not for Congress to pass laws that would make an intimate electronic love letter between spouses into a criminal offense.

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