Week 9: Freedom of Speech
March 6, 2023
Implications of Internet Technologies
Censorship

(Warf 2010)
Censorship: Definition and History

- Censorship is the attempt to suppress or regulate public access to material considered offensive or harmful

- Forms of censorship
  - Direct censorship
    - Gov't monopoly, e.g., former USSR
    - Prepublication review; e.g., can't publish classified material
    - Licensing & registration, e.g., TV stations must comply with decency laws or lose license
  - Self-censorship
    - CNN suppressed negative reports on Iraqi gov't to keep Bagdad Bureau open
    - Publishers wanting to maintain good relationship with the government
    - Voluntary rating systems, like the mature label on games
Discussion Point 1:
Does the Internet pose new challenges to censorship? How?
Platform measures
Children and Inappropriate Content
Child Internet Protection Act
Is Censorship Ethical?
Kant’s vs. Mill’s Views on Censorship

- Radically different ethical theories, but had similar views on censorship
Kant’s View

• Kant asked: “Why don’t people think for themselves?”

• He replied rhetorically: “Laziness and cowardice are the reason why so great a portion of mankind, after nature has long since discharged them from external direction, nevertheless remain under lifelong tutelage, and why it is so easy for others to set themselves up as their guardians”

• Kant believed he lived in a time in which many obstacles prevented people exercising their own reason
• Mill championed freedom of expression

• He offered four reasons
  ▪ Preventing someone from voicing their concern could be silencing truth
  ▪ A person can be erroneous, but all opinions need to be heard to assess the whole truth
  ▪ Truth needs to be rationally tested and validated
  ▪ An opinion that has been tested through open discourse is likely to have a “vital effect on the character and conduct”
Mill’s Principle of Harm

• “The only purpose for which power can be rightfully exercised over by any member of a civilized community, against his will, is to prevent harm to others. His own good, either physical or moral, is not a sufficient warrant”

• Why use of adult porn by adults should not be censored by the government
Censorship and Internet

• Warf (2010) mapped the severity of censorship worldwide and assesses the numbers of people affected, and used the Freedom House index to correlate political liberty with penetration rates.

• Many governments employ filtering of or restricting access to certain Internet content
  - North Korea
  - Middle East
  - China
  - Germany
  - United States
Censorship and Internet (Warf 2010)

Authorities that invoke diverse strategies of suppression of various groups and individuals for a broad array of reasons and motivations. Adding to this complexity is the rapidity with which the Internet has grown and changed technologically; often government censors have difficulty keeping up-to-date with changing technologies (e.g., text messaging) or slang terms used to communicate hidden meanings.

The degree and type of Internet censorship obviously varies widely and reflects how democratic and open to criticism different political systems are.

Reporters Without Borders, an NGO headquartered in Paris and one of the world's preeminent judges of censorship, ranks governments across the planet in terms of the severity of their Internet censorship (Fig. 2; see also Quirk 2006). Their index of Internet censorship is generated from surveys of 50 questions sent to legal experts, reporters, and scholars in each country. Thus, countries in northern Europe, the US and Canada, Australia and New Zealand, and Japan exhibit minimal or no censorship (scores less than 10). Conversely, a rogue's list of the world's worst offenders, including China, Vietnam, Burma/Myanmar, Iran, and Turkmenistan, exhibit the planet's most severe and extensive restrictions (scores greater than 80). In North Korea, Internet access is illegal, although the government uses it to send messages to the outside world (Hachigian 2002).

In between these extremes lies a vast array of states with modest to moderate forms of Internet censorship that reflect their diverse systems of governance, the presence or absence of civil liberties, and the ability of various groups to resist limitations on their ability or right to use the Internet in whatever manner they so prefer. Using the categories of Fig. 2, Table 1 summarizes the distribution of the world's population and Internet users according to the level of severity of censorship.

Thus, only 13% of the world's people, but a third of Internet users, live in countries with minimal censorship; conversely, roughly one-quarter of the world's people and Internet users live under governments that engage in very heavy censorship (the vast bulk of whom are located in China).

Internet penetration rates—the proportion of the population with regular access to cyberspace at home, school, or work—also shape the contours of censorship geography (Fig. 3). Rates vary from as low as 0.2% (Myanmar) to 100% (Falkland Islands).

Fig. 2 Reporters Without Borders Internet Censorship Ranking 2009. Source: data drawn from http://www.rsf.org/en-classement1003-2009.html
Freedom of Expression
First Amendment
First Amendment
First Amendment
Discussion point: In the US, television commercials for cigarettes are banned. Should there be a ban on commercials for violent video games too?
Discussion point: Should people publishing accusations against others on their blogs or Facebook pages be held responsible if they disseminate false information (e.g., fake news, anti-vax content, COVID-19 infodemic, Russian invasion of Ukraine)?
Spam
• What is spam?

• With ease of internet access, businesses looked for ways to capitalize on market opportunities associated with Internet communications – easier/cheaper to send emails than physical mails
  ▪ How to find email addresses though?
  ▪ Crawling the web; scrape address books with viruses; listen to chatroom conversations; sneaky way to sign up; dictionary attacks on ISPs

• This entrepreneurial behavior has given rise to a new set of legal and ethical problems
Spam Case Study
Discussion point: Why is “cold calling” considered to be an acceptable sales practice, but spamming isn’t?