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Internet Regulation

Internet nowadays has a lot of platforms that allow users to write whatever they want on the site without any restriction. For example, Reddit, AutoAdmit, news articles and so on. However, the user may misuse the platform to spread harmful and offensive forms of speech anonymously, thinking that other people would not find out who they are. Based on the four modes of regulation by Larry Lessig, which are the Law, the Market, the Code, and Social Norms, are ways to regulate the harmful and offensive form of speech online.

Censoring materials posted on the internet has created several problems for all parties. A great example would be The Great Firewall that is done by the Chinese government. The head of the country only allows its people to visit certain websites, so sites that haven’t meet the country’s standard will be restricted by the people in China. For example, the citizens have no access few major websites like Google, Facebook, and YouTube. Great Firewall might be bad for human rights and freedom of speech on the internet; however, it is proven to be good for business. The citizens are required to use websites that are local to shop from, instead of the worldwide companies. You might think that Virtual Private Network (VPN) works in bypassing the law, but the Chinese government has extended a clampdown on VPN. Moreover, the Chinese government hires more than 50,000 employees to strengthen the censorship and removing sites that the government disapproves and filtering out contents that are indecent or harmful for the citizen. (The Washington Post, 2017) People in China may also get jailed for posting indecent comments, or in their personal conversation. I find this The Great Firewall censorship made by the Chinese government be a little too extreme, it restricts their citizens from connecting to the outside world. The country might lose some of their business opportunities as companies from overseas who want to work with the local companies are required to cope with practices which usually invasive elsewhere.

Censorship also restricts people from telling their ideas to some of the sensitive topics. For example, ways to build a bomb or searching up for terrorist information or even complaining about government policies. These sensitive topics are usually restricted to be posted on the internet because people think that internet users will use it to do harmful kinds of stuff. However, there are still people who genuinely want to know more about the scientific information behind those. In some country, citizens aren’t allowed to write anything negative about the government, as the post might be removed by the government for the sake of hiding the truth behind the curtain. This made

Even though on the First Amendment, it is stated where Americans have the rights to the freedom of speech, but this is not always the case on the other countries. Users were, however, able to use the anonymity feature on the internet to have their voices heard because there are many countries where freedom of speech is not right. Many of the users of the internet use the function of anonymity to get their voices to the public. Law should be refined to improve the legal obligation or even criminal liability. This will then reflect on the characteristics of the social norms and the acts of theirs in society. For example, me personally who is a Malaysian, I knew that the Islamic law was designed according to Malaysian’s rules and practices, but it may not be suitable or exact when the law is established on the internet where there’s people from all over the world.

The Market, however, is considered one of the least efficient way to regulate the form of speech. This is because the market is generally run by money. Advertisers will usually go for the more popular websites, as it helps the company enhance the service. Pricing of the advertisement in the market also determines the access of the site to the internet. Spinello also said that limitations of the market of the internet space are usually different from real life. A good example would be pornography, pornography is usually easier to be distributed through the internet than real life. (Spinello, 2006) For example, Apple has removed Tumblr’s official application from its App Store after the existence of child pornography on Tumblr’s site. Tumblr then acted by updating the terms of service, which a filter was applied to flag and restrict content that the company considered objectionable. According to The Verge, Tumblr’s recent incidents cause movement of the user migration to other platforms. (Stephen, 2018) I totally agree with the statement written on The Verge because the user will always seek for new platforms if the previous platform has restricted their policy. The user would feel that there is no longer freedom of speech in this case.

Social norms, on the other hand, are the expression of the community. Social norms can be a very efficient way of regulating speech online. The author gave an example where there are no laws against the smoker, but whoever smokes will most likely be judged by others. This shows the smokers are socially “abnormal”. This thing applies to speeches that are spread throughout the internet. (Spinello, 2006) When there’s certain user posting harmful and offensive speech, people will criticize them and avoid them even though there isn’t any form of law stating that it is not allowed. However, most of the major social networking platforms allow the user to report a certain post if they find it really disturbing or offensive to them. This also works on the small platforms because the user can complain about the website if they did not put remove the offensive and illegal post on their website. The site will then receive negative press which will be spread all over the internet. By doing so, it can force the website to remove the post. Moderator is also a very good way to regulate the website because sometimes the platform is too big that it is very hard to manage by a team. Moderator can actively check on the post that is posted on the website and remove anything is unwelcoming.

The last mode of regulation is the code. The author believes that code works better than other modes of regulation, but it is still not the best. The structure of the internet space makes regulation like code possible to implement. It can be implemented directly or indirectly by many parties. For example, the government could use the power of code to track down the behavior of certain users on the internet. This also encourages internet providers or website authorities to allow behavior tracing as it allows future investigation on certain matter easier. It all depends on how the code is structured if the code is more lenient, it is less regulatable which allow more people to bypass the code. But if the code is too strict, then it will be too sensitive for the user to use as many posts may get rejected when it is running through the test. However, the code still is not the best way to regulate the internet. Even though the technology now is considered very advanced, the code still could not censor out some of the offensive words. For example, they can write the swear words in a slight change, which make it untraceable. The user can also be anonymous while giving the offensive speeches online, Virtual Private Network (VPN) can be used to hide their true IP address. This makes the whole process of tracking down the origin very difficult.

All the modes of regulations might not be perfect in regulating the harmful and offensive form of speech on the internet, but all of the modes can work together to create a better way in regulating the internet. The author suggests that instead of having own country’s law which will be different from others. Without having the universal laws, some criminals might be doing something terribly bad in a country where the law is not imposed completely, this doesn’t help in reducing the number of harms made by them. So, we should have a universal internet law which is used globally to avoid the criminals from finding loopholes in the not well-structured law enforcement. The market may not be very effective in regulating the internet, but it not completely useless. For example, all the advertisements that go through the internet should be filtered by a well-reputable company like Google, which then distributed over the platforms. This can reduce the possibility of having an offensive or harmful form of an advertisement on the internet. Furthermore, having moderators that are allocated to each sub-category of a certain cite as a social norm will be great in regulating the cite. This is because the cites are too big and the administrators of the cite could not handle all by themselves. The social norm is also good in neutralizing the problem happening online because they are just like any other users online, they tend to lead the social crowd and their thinking. In addition, on the regulations above, the code can be another layer of regulation. For example, by using the algorithms, we can effectively remove and censor certain words or pictures that may bring out negative impacts. The code can also be used to scan anything that will be going on the internet, like YouTube processing the video just to make sure it is safe for the internet. However, the code is not perfect in some ways, this is because there are always loopholes in the algorithms where the program misses out part of the code. But this can be done by having a user reporting the problems to the administrators of the sites so the imperfection will be fixed.

I think that both the user and the system operator should bear the responsibility for the materials posted online. But users should bear most of the responsibility for the risk that they are planning to take online. Although everyone may not come from the same background and have the same moral, ethical values in life. Everyone should not go over the limit and always filter out the materials that are going to be posted online. Even though the user has the rights to write whatever they want and rant whatever they want on sites, but it is still not good to post indecent or offensive content on the sites.

In conclusion, the current way of censorship may still have some imperfections, but the author believes that it is just a matter of time. We will eventually have a form of regulation which may reduce the restrictions of freedom of speech on the internet and also reduce the problems of a harmful and offensive form of speech online. Everyone should bear the responsibility on what they post or comment on the internet, to make the internet a platform to spread any information.

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