

## **The Use of Internet Filters**

### Introduction

The use of internet filters as a method to block offensive internet content in schools and universities is very delicate question, especially because it involves ethical issues. Any free access to information cuts both ways, so no wonder that internet is no exception to the rule. On the one hand the arguments of those, who support use of browsers for filtering sensible data in schools and universities, sound quite convincing; however, on the other hand, there are many ethical issues involved.

It seems that both those people, who stand for strict filtering and those, who support uncontrolled liberty for internet content browsing, are incorrect. No doubts, the filtering of internet content in schools and universities should be implemented. However, the use of filters should be moderate, in order to give the children a chance to feel the limitlessness of information space, and at the same time to allow the children not to face internet content that is mostly not destined for children (e.g. propagation of violence, pornography, drugs, etc.).

The realization of this idea is not so easy, as it might appear at first glance. Although the problem of filtering internet content in schools and universities didn't lose its actuality, the resolutions of this issue do exist. For example, several years ago American government obliged schools and public libraries to use internet filters to protect children from pornography content, or internet thefts. At the same time, there are people, who claim that such strict limitations are ineffective, and, moreover, limit personal freedom and are unconstitutional. Let's examine the problem more thoroughly and discuss the ethical arguments for and against using browsers to filter web sites in schools and universities.

### The Arguments for Using Internet Filters

The supporters of the use of internet filters claim that the students in the U.S. schools and universities deserve the best possible educational opportunities and at the same time,

should be protected from viewing the illegal content. Yet, the problems of societal implications and the effectiveness of filtering and internet blocking programs become the issues of the day. With rapid growth of internet, it becomes more and more difficult to determine the content of internet sites that should be legitimately required to be blocked. Therefore, the educational establishments are usually guided by the basic guidelines concerning legally 'blockable' content. For example, one of such law and acts (the Children's Internet Protection Act CIPA) foresees three kinds of visual depictions: child pornography, obscenity and the content that may be considered to be harmful to minors.

According to the Children's Internet Protection Act, the schools should be required to "adopt a policy to monitor online activities of minors" because the schools address problems including "access by minors to inappropriate matter on the Internet" and "restricting minor's access to materials harmful to them" (Phillips, 2007). CIPA foresees that the schools that receive discounts or federal funds are obliged to install a special internet filtering software to block illegible content.

Yet, it is extremely difficult to determine whether the content of web sites falls into these categories, because the definitions of these categories are very limited and specific. At the same time, there are many websites completely unrelated to the CIPA curriculum that also should be blocked. In such a way, we can see that the legislation concerning internet filtering is imperfect.

The Online Policy Group (OPG) and the Electronic Frontier Foundation (EFF) also examine the ethical issues of internet filters in educational establishments. According to them, an inappropriate censorship has negative impact on educational opportunities for U.S. students, and at the same time, the safety of educational establishments and students online is crucial to a positive productive educational environment (Internet Blocking in Public Schools, 2003).

What concerns the use of internet filters in universities, the issue becomes even more complicated. In case the use of internet filters in schools may be used to block access to the internet pages that fall under the categories determined under the specific internet restrictions guidelines, the students 17 years and older have less restrictions due to their age. However, in reality it is very difficult to make such separation on the basis of the students' age.

In addition, public universities should be guided by the First Amendment regulation concerning speech restriction based on content, whereas private universities that are not agents of the government may apply stricter measures for filtering internet content.

Yet, the basic argument of supporters of internet filtering is that the good points of filtering outweigh its shortcomings. Maximum, they claim, in case the student needs access to specific internet site that is currently blacklisted, he/she can apply to the school or university authorities to get access to the website for academic purposes.

#### The Opponents of Use of the Internet Filters

The opponents of use of internet filters predominantly claim that blocking and filtering the content of web sites violate human rights. The basic argument is that the use of internet filters is ineffective, unnecessary and discriminatory; it “demeans the status of teachers as well as students, and violates constitutional rights” (Patrick L, 2007).

According to them, when one group of people, or a person (e.g. a Board of Education, a superintendent, a school director, etc.) decides what the other people should think and read, they “are exceeding their proper role and probably violating the First Amendment of the U.S. Constitution” (McKenzie, 2005). According to them, although such people try to “defend their actions in terms of values” (McKenzie, 2005), they misinterpret the American Constitutions, the law and basic American beliefs concerning the freedom of access to information and freedom of speech, because they assert that their values and restrictions should prevail because they are the only correct ones.

The opponents of internet filtering consider such heavy handed control of internet content to be associated with dictatorship and fascism, and claim that “at a time when the United States government is urging the spread of freedom to new geographic areas, it would be fitting to practice freedom here at home” (McKenzie, 2005).

The opponents of strict control claim that the use of specially developed internet filtering software aimed to prevent viewing the ‘offensive’ content, in fact hinder students from access to an open forum. They assert that such filters do not serve as “a protective limit but as an educationally restrictive boundary” (Patrick L, 2007). As far as it is difficult to provide the appropriate filter on irrelevant web sites, such internet filters simply deny access to a selected database of web sites, regardless of their content. For instance, the filter may block the official webpage of web site with unrelated content, but at the same time unofficial and local sites will be accessed easily.

According to the research study, conducted by the Electronic Frontier Foundation and the online Policy Group (2003), the use of internet filters Bess (developed by N2H2 and SurfControl companies) erroneously block the vast majority of quite legitimate educational web sites, because the blacklist of key words contains words and word combinations that are relatively admissible. In such a way, practicing the strictest regime of web filtering the school or university filters up to 70% of all search results necessary for the student’s research.

The opponents of internet-filtering claim that in case the student has the intention to bypass the restrictions and filters, he will do it with help of anonymizers, proxies, and other methods, and nothing will prevent from doing it. At the same time, there are plenty of ‘innocent’ web sites, such as the American Civil Liberties Union, the National Association for the Advancement of Colored People, and the National Urban League are banned while more dangerous web sites (e.g. an American Nazi Party) are viewable (Patrick L, 2007).

The internet screening violates student’s First Amendment rights. Under the

Supreme Court rule (1982) “our Constitution does not permit the official suppression of ideas ... In brief, we hold that local school boards may not remove books from school library shelves simply because they dislike the ideas contained in those books and seek by their removal to 'prescribe what shall be orthodox in politics, nationalism, religion or other matters of opinion ...' Such purposes stand inescapably condemned by our precedents” (Patrick L, 2007).

In addition, in 1997 the Supreme Court extended “opposition to the disposal of books and magazines because of "unorthodoxy" to include the Internet” (Patrick L, 2007). For example, the case of Reno vs. ACLU (whose internet site was banned out by one of such filters) ruled that the data on the Internet should be considered “protected speech” under the First Amendment.

#### Conclusion

The students in the U.S. schools and universities should be protected from viewing the offensive internet content and, at the same time, deserve the best possible educational opportunities. Although it is very difficult to balance the two, the solution, probably, should imply further examination of the ethical issues involved in order to find the effective balance between the use of internet filters with no violation of student’s rights.

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