# Addressing Internet Dangerous Expressions: Deliberative Democracy and CleaNet©

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## ABSTRACT

The article is divided to three parts: (1) underpinning principles; (2) troubling concerns on the Internet: terror, child sex offence and hate speech; and (3) exploration of a new paradigm for the future of the Internet called CleaNet©. CleaNet© will be sensitive to prevailing cultural norms of each and every society and will be clean of content that the society deems to be dangerous and antisocial. Netusers, with the co-operation of ISPs and Web-hosting companies, will together decide which content will be considered illegitimate. That content will be excluded from CleaNet©.

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## INTRODUCTION

The emergence of information technology (IT) has massively expanded the amount of data that we can read and store, and has made access to this data easy.[1] The Internet entered our lives in the early 1990s without much preparation or planning, and changed them forever.[2] Not many people in the late 1980s would have guessed that a little phone would become the centre of their world and the focus of their attention. With a small powerful computer the size of their palm people can shop, order plane tickets, read, listen to music, watch the news, send emails, play games, visit libraries, study languages, write articles, socialize, date, and fall in love (to list a few). And technological advancement does not stop. All we need is to imagine, and someone will translate imagination to reality.

The Internet has affected virtually every aspect of society. It is a macro system of interconnected private and public spheres: household, literary, military, academic, business, and government networks. The Internet has produced major leaps forward in human productivity and has changed the way people work, study, and interact with each other. The mix of open standards, diverse networks, and the growing ubiquity of digital devices makes the Internet a revolutionary force that undermines traditional media and challenges existing regulatory institutions based on national boundaries. The Internet has created new markets and is profoundly changing the way people think, interact, find leisure, and explore the world. But the picture is not all roses. The Internet's massive potential can also be abused, and we must be aware of the potential for inflicting harm and devise ways to tackle the challenges.

The Internet has no central management or co-ordination.[3] The Internet's open architecture design and raison d'être are complete freedom, but soon enough people began to exploit the Net's massive potential to enhance partisan interests, some of which are harmful and antisocial. The discussions about the costs and harms of such content on the Internet, and how to address them, reflect on the transnational nature of the Internet and tend to conclude that it is very

difficult, some say virtually impossible, for national authorities to unilaterally implement laws and regulations that reflect national, rather than global, moral standards.[4]

Generally speaking, the Internet is perceived as a free highway, and the way to combat problematic speech is said to be by more speech. Organizations and associations were set up to protect and promote freedom of expression, freedom of information, and privacy on the Internet. People realize that the Internet can be exploited and abused but liberals commonly argue that the Free Speech Principle shields all but the most immediately threatening expression.[5] For free speech advocates, the substantive danger is that of censorship. Freedom of expression is perceived as a fundamental human right and censorship should not be allowed to inhibit the Net free flow of information.

The crux of this essay is the proposition to establish a new browser for liberal democracies called CleaNet©. Through mechanisms of deliberate democracy Netusers would agree what constitutes illegitimate expression to be excluded from the browser.

## UNDERPINNING PRINCIPLES

The hypotheses advanced here and the conclusions reached are limited to modern democracies emerging during the last century or so. Democracy is defined as a form of government whose power is vested in the people and exercised by them either directly or by their representatives elected freely. As Abraham Lincoln said, democracy is government of the people, by the people, for the people.[6] That is to say, one assumption of the liberal ideology that I contest is that of universalism. I believe that there are some basic universal needs that all people wish to secure such as food, raiment, and shelter; I believe that sexual drives are universal and that people need to have some sleep to be able continue functioning; I also believe that we should strive to universalize moral principles. But sociologically speaking we cannot ignore the fact that universal values do not underlie all societies. Ideally there are some ethical concerns that should be accepted by all societies, but in reality we know this is not the case. Some countries do not adopt liberal democracy as a way of life. Instead, they adhere to other forms of government that are alien to the underpinning values of democracy: liberty, equality, tolerance, and justice. Some societies do not accept the norms of respecting others, and not harming others that form the *raison d'être* of democracy.[7] According to Immanuel Kant, it is only through morality that a rational being can be a law-giving member in the realm of ends, and it is only through morality that a rational being can be an end in himself, having intrinsic value, that is, dignity. Human beings are infinitely above any price: "to compare it with, or weigh it against, things that have price would be to violate its holiness, as it were."[8]

In turn, the Millian Harm Principle holds that something is eligible for restriction only if it causes harm to others. Mill wrote in *On Liberty*: "Acts of whatever kind, which, without justifiable cause, do harm to others, may be, and in the more important cases absolutely require to be, controlled by the unfavourable sentiments, and, when needful, by the active interference of mankind."[9] Whether an act ought to be restricted remains to be calculated. Hence, in some situations, people are culpable not because of the act that they have performed, though this act might be morally wrong, but because of its circumstances and its consequences. Although Kant spoke of unqualified, imperative moral duties, Mill's philosophy is consequentialist in nature. Together the Kantian and Millian arguments make a forceful plea for moral, responsible conduct: Always perceive others as ends in themselves rather than means to something, and avoid harming others.

Liberal democracies accept these ideas as the foundations of governance. On the other hand, theocracy, apartheid, and forms of governance that are based on despotism, either of one person or of a small group, all deny the background rights and moral values of liberal democracy. Moral values, unfortunately, are not universally shared in all countries by all humanity. Thus, my concern is with liberal democracies which perceive human beings as ends and which respect autonomy and variety. The arguments are relevant to other countries, but because nondemocratic countries do not accept the basic liberal principles, because their principles do not encourage autonomy, individualism, pluralism, and openness, and their behavior is alien to the concepts of human dignity and caring, one can assume that the discussion will fall on deaf ears. Nonliberal societies, based on authoritative conceptions and principles, deserve a separate analysis.[10]

Furthermore, the essence of democratic legitimacy should be sought in the ability of all citizens to collectively engage in authentic deliberation about their conduct. Public deliberation enhances understanding of complicated issues, facilitates learning, and creates a vital and inclusive pluralistic democracy where citizens feel that they can make a difference, shaping and reshaping the decision-making processes. The only meaningful democracy is participatory democracy, and on developing technologies that affect our lives, deliberative democracy may serve as a guiding model. Deliberative democracy evokes ideals of rational legislation, of participatory politics, and of civic self-governance and autonomy. It presents an ideal of political autonomy based on the practical reasoning expressed in an open and accountable discourse, leading to an agreed judgment on substantive policy issues. Deliberative discourse is uncoerced, inclusive, reasoned, and equal debate. Habermas notes that the success of deliberative democracy depends on the institutionalization of the corresponding procedures and conditions of communication and on the interplay of deliberative processes and informed public opinions.[11]

Finally, although I am not a relativist, I believe that history and culture do matter. Societies do not adopt a universal common denominator to define the boundaries of freedom of expression. For instance, Germany and Israel are more sensitive to Holocaust denial, and rightly so. Although the United States protects hate speech, racism, and Holocaust denial, we would be most troubled if Germany were *not* to adopt restrictive measures against Internet sites that deny the Holocaust. Facebook explains that some 14 countries have legislation on their books prohibiting the expression of claims that the volume of death and severity of the Holocaust is overestimated. But less than half the countries with these laws actually pursue it. Facebook blocks on report only in those countries that actively pursue the issue. These countries are Austria, France, Germany, and Israel.[12]

That is to say: There is no universally shared measure to decide the boundaries of freedom of expression. These boundaries vary from one society to another, and are influenced by historical circumstances and cultural norms. Liberal societies adhere to general liberal principles (thinly described as, say, "human rights") but these are instantiated in more detailed, specific, contextual ways (as, say, the more thickly described ways that democracies understand "freedom of expression"). Basic human rights recognize the inherent dignity of people as human beings. This broad and rather abstract idea protects the life of the person and prescribes that any form of coercion should be explained and justified. Freedom of expression is valuable and of great importance but it might be compromised when other, no less important considerations (*e.g.*, privacy, security, dignity of the person) might come into conflict. In difficult or evenly balanced cases, our moral conclusions may vary. On some occasions we may give precedence to freedom of expression; on other occasions we may decide that the competing consideration is of utmost importance.

## TROUBLING CONCERNS

As the Internet provides cheap, virtually untraceable, instantaneous, anonymous, uncensored distribution that can be easily downloaded and posted in multiple places, it became an asset for terrorist organizations, criminals, hate groups, and other antisocial individuals who abuse the Internet to transmit propaganda and provide information about their aims, to allow an exchange between like-minded individuals, to vindicate the use of violence, to delegitimize and to demoralize their enemies, to raise cash, to enlist public support and to promote violent conduct.[13] Here, I focus attention on three major concerns: terrorism, sexual abuse of children, and hate speech. In the democratic world, there is a wide consensus that those expressions are illegitimate and dangerous. The United States is exceptional in its liberal stance on hate speech.

### TERROR

*Terrorism* is defined as the threat or employment of violence against noncombatant targets for political, religious, or ideological purposes by subnational groups and/or clandestine individuals who are willing to justify all means to achieve their goals.[14] Terrorist conduct is designed to attract attention to the terrorist's cause and to spread fear and anxiety among wide circles of the targeted population.

On March 23, 1996, the *Terrorist's Handbook*[15] was posted on the Web, including instructions on how

to make a powerful bomb. The same bomb was used in the Oklahoma City bombing.[16] Only hours after the Oklahoma City bombing, someone posted on the Internet directions – including a diagram – explaining how to construct a bomb of the type that was used in that tragic act of terrorism. Another Internet posting offered not only information concerning how to build bombs, but also instructions as to how the device used in the Oklahoma City bombing could have been improved.[17]

The structure of the Internet has facilitated the global Islamist terrorism. It has evolved through the search and exploration of new safe methods of interaction by thousands of terrorist sympathizers following September 11, 2001, and especially the post-Iraq invasion.[18] Many modern terrorist groups share the pattern of the loosely knit network; decentralization, segmentation, and delegation of authority. These features make computer-mediated communication an ideal tool of co-ordination, information exchange, training, and recruitment.[19] The Internet has grown to be a key element in terrorist training, planning, and logistics. Jihadi texts and videos are available for people who seek such guidance. Extreme religious ideologies are spread through Web sites and videotapes accessible throughout the world.[20] Police say the Internet has taken on huge importance for militant groups, enabling them to share know-how (*e.g.*, bombmaking, suicide bombing, guerrilla operations) and spread propaganda to a mass audience, and to plan operations.[21] In 2017, General Petraeus wrote: "The fight against Isis, al-Qaeda, and the other elements of the global jihadist movement has become the defining struggle of the early 21st Century."[22] ISIS was able to maintain a consistent virtual output of thousands of videos, radio bulletins, magazines and less formal messaging through encrypted apps like Telegram and its own network of Web sites.[23] Funding, of course, is essential for terrorist operations. Terrorist organizations raise funds *via* the Internet by making email appeals or through their Web sites; by selling goods through their Web sites; through associated side businesses; through fraud, gambling, or online brokering, and through online organizations that resemble humanitarian charity groups.[24]

In August 2016, the UK Home Affairs Committee published a report on terror and political extremism. The report probes the role of the government, communities, media, and technology, aiming to contain radicalization and promote security and peace of mind.[25] The report says:

> Social media companies are consciously failing to combat the use of their sites to promote terrorism and killings. Networks like Facebook, Twitter and YouTube are the vehicle of choice in spreading propaganda and they have become the recruiting platforms for terrorism. They must accept that the hundreds of millions in revenues generated from billions of people using their products needs to be accompanied by a greater sense of responsibility and ownership for the impact that extremist material on their sites is having.[26]

The report calls for a zero tolerance approach to online extremism, including enticement to join extremist groups, glorify them or commit terror attacks. It recommends removal of terrorist manuals from the Internet. In this context, my book *Confronting the Internet's Dark Side* recommends that certain forms of speech that are presently shielded under the First Amendment should be at the very least in restricted Net areas to which people should register. If you developed an interest in terrorism, you will need to leave verifiable details. Morally speaking, we cannot be neutral regarding such alarming speech. At the very least, this speech requires some responsible precaution.[27] The idea of having registration in sites where people could view videos advocating bloodthirsty revenge and establishment of the Caliphate by the sword would allow scholars to see what is out there while somewhat limiting the proliferation of these videos on open platforms. An open and transparent policy is essential in order to mitigate justified civil liberty concerns when we aim to crackdown on these vile propaganda videos and violent messaging.

On June 26, 2017, Facebook, Microsoft, Twitter, and YouTube announced the establishment of the Global Internet Forum to Counter Terrorism. This initiative adds structure to existing efforts by the companies to target and remove from major Web platforms recruiting materials for terror groups. Together, the companies' leaders say they will collaborate on engineering solutions to the problem, sharing content classification techniques and effective reporting methods for Netusers. In addition, each company

will contribute to technical and policy research and they will share best practices for counter-speech initiatives.[28]

## CHILD SEX ABUSE

Adult pornography assumes consent: Adult people voluntarily engage in sexual activity and voluntarily agree to be photographed while engaging in that activity. Conversely, children cannot consent to their abuse – both physical in engaging them in sexual activity, as well as pictorial in photographing them in sexual context. Thus child pornography by definition is abusive and coercive. Every depiction of sexual intercourse with real children is considered to be molestation, a criminal act. Liberal democracies take upon themselves to protect third-vulnerable parties, and children are perceived as worthy of protection against adult abuse; therefore, child pornography is declared illegal.

In 2015, the National Centre for Missing and Exploited Children in the United States reported that the information sent to them from ongoing investigations since 2002 suggested that more than 150 million images and videos depicting child sexual abuse were reported to their staff across the world.[29] Sex abusers are using Web sites to create a network of co-operation, promote their social cohesion, to cyberstalking, to seduce children, and to promote their criminal activities. Social Networking Sites (SNSs) are used to initiate sexual interactions, provide private communication between victims and perpetrators, access and disseminate information about or pictures of victims, and connect with victims' friends.[30] Predators use the Internet for the production, manufacture, and distribution of child pornography. They also use the Internet to expose youth to child pornography and encourage them to exchange pornography. Predators entice and exploit children for the purpose of personal gratification, for commercial gains and for sexual tourism.[31] By showing children child pornography abusers try to convince them that they would enjoy certain sexual acts, and that what they are being asked to do is all right and "normal."[32] For some offenders, pornographic images can be used as an aid to blackmail in order to ensure the child's silence and co-operation in future assaults. Threats of showing images, that with the help of computer are easily produced, appear to be common.[33] Further, child-pornography is also thought to reinforce a person's sexual attraction to children.[34] The exchange of child pornography among sex abusers is a significant reinforcement of their urge to abuse children, providing a sense of support, legitimizing this behavior to themselves, thus it encourages continued sexual exploitation.

The Internet also provides predators easy and anonymous access to unsuspecting kids. It provides sex offenders another way to enter into the privacy of the home of young children and to lure them to meetings.[35] One study shows that of the total combined sample of 4,697 online offenders, 17.3 percent (n = 812) were known to have committed a contact sexual offense, mostly against a child.[36] People who pay to access the designated sites are injecting cash into a criminal and manipulative industry that sexually exploits and seriously damages children.[37] Some pedophiles blackmailed their victims and share abuse tips and images with like-minded offenders on the dark Web.[38]

The Internet provides online child sex offenders with convenient ways to communicate. It enables an international community, brings people together, facilitates information, solicits support, embodies desires. People connect with each other, acquire information, encourage and reassure one another, plan activities, create virtual community.[39] Indecent images are used to fuel abuse.[40] Child pornography and pedophilia become for the interested parties credible, legitimate, justified. *Via* the Internet, members of this community help confirm what they do.

## HATE

Hate speech is a specific type of online content that is designed to threaten certain groups publicly and act as propaganda for offline organizations. Hate speech is defined as a bias-motivated, hostile, malicious speech aimed at a person or a group of people because of some of their actual or perceived innate characteristics. It expresses discriminatory, intimidating, disapproving, antagonistic, and/or prejudicial attitudes toward those characteristics which include sex, race, religion, ethnicity, color, national origin, disability, or sexual orientation. Hate speech is aimed to injure, dehumanize, harass, intimidate, debase, degrade, and victimize the targeted groups, and to

foment insensitivity and brutality against them. A hate site is defined as a site that carries hateful message in any form of textual, visual, or audio-based rhetoric. Hate groups use Web sites for sharing ideology, propaganda, link to similar sites, recruit new converts, advocate violence, and threat others.

Hate groups are quite varied and many do not allow access except through direct personal contact, not through the Internet. However, some hate mongers make the most of the Internet and the communication options that are opened before them: Web sites; blogs; email; Usenet Newsgroups (computer discussion forums); Web-based bulletin boards; clubs and groups on social networks; chat rooms; Internet Relay Chat (IRC), and Instant messaging (IM). With the help of the Internet, hate groups are able to reach places that were closed for them before: Homes, schools, offices. As said, the medium is particularly well suited for reaching social outcasts, angry and isolated individuals on the fringe of society who find solace and comfort in cyberspace.[41]

Hate speech aimed at reducing an identifiable group's rights or at instigating violence against it is not a legitimate form of political discourse. It does not further democratic ideals. To the contrary, destructive messages cause conflict and division rather than seeking mutual grounds for compromise designed to benefit all factions of the society while respecting the individual rights of its members. Unrestrained bias foments disunion and endangers civil liberties. The Internet is being used to undermine democracy by providing a far-reaching medium for drawing together distant hate groups.[42]

*Via* the Internet, hate organizations resort to various methods to appeal to potential supporters and recruit them to activities. Specifically, they aim to appeal to the minds of young people. Young people may be susceptible to online racist propaganda because they do not have the experience or facts at hand to refute the lies and myths being fed to them. Lonely, marginalized youth, seeking a sense of identity and belonging, are both the most attractive targets for racists and their most useful tools, once recruited. Lee and Leets found that storytelling-style, implicit messages often used by hate groups on the Internet were more persuasive to adolescents, who have become the target of new member recruitment of many hate organizations.[43]

Consider Creativity for Kids. This is a Web site developed by the World Church of The Creator (WCOTC) that offers downloadable coloring book pages and crossword puzzles about "white pride" in a subtle "kid-friendly" format. Materials are written at an age-appropriate level. The site invites children to email questions about the online crossword puzzles. Although WCOTC packages hate messages within the context of a religion that is anti-Christian, anti-Jewish, and anti-everyone except whites, its children's section mainly promotes white pride. The purpose of the children's section is "to help the young members of the white race understand our fight."[44]

Stormfront for Kids offers games, optical illusions, a page with the flags of Europe, Kaleidoscope painter, information about the history of the white race, and music. Children visiting the page have comprehensive access to all of Stormfront's online materials as well as to its extensive list of external links. Parents and children are encouraged not to attend the mainstream education system as it corrupts the minds and does not teach about what really matters: pride in oneself, in the family and in the white people.[45]

The Aryan Nations Youth Corps (ANYAC) site aims to "get the message of Yahweh God to all the White, Aryan Youths of America." It explains that "Aryan Nations seeks to regenerate all Aryan Youths to their God ordained mission, the education and survival of Our Glorious Aryan Race. For in the Youth lies the next generation of leaders that will bring us closer to the Ultimate Victory Day!"[46] The site calls upon "all male Aryan Youths" to form their own branch of ANYAC in their state and town, declaring that "The time to make a stand is long overdue. We must educate ourselves and those around us to the truths contained in The Holy Bible, and to expose the Jews for who they are, (the literal Children of Satan)."[47] On the site you find its Code of Honour, the Aryan Nations symbol and credo, what they are up against (unhealthy minds, drugs, race mixing, abortion, pollution, immigration, multiculturalism, and affirmative action), and a photo of Adolf Hitler.

A recent study by Chan, Ghose, and Seamans found that some 14,000 Internet sites contained hate-related content. Using a large-scale dataset and econometric techniques, they found a positive relationship between Internet penetration and offline racial hate crime. This correlation is most evident in areas with higher levels of racism, indicated by higher levels of segregation and higher propensity to search for racially charged words.[48] Chan, Ghose, and

Seamans also observed a link between online hate sites and the incidence of racial hate crimes executed by lone wolf perpetrators.[49] My own research concludes that evidence for this link spans nearly two decades.[50]

In order to counter those and other challenges, I propose to introduce a new voluntary browser, free of the above concerns which would enable Netusers safe use of the Internet without being potentially introduced to terrorist information, being pursued by predators, or victimized by hate groups who do not like the Netuser's gender, religion, race, cultural group, ethnic origin, or sexual preferences.

## CleaNet©

Once data are available in digital, questions arise as to who disseminate the data, who own the data, who provide access to the data, who may have access to data (including restrictions to access), and who may use the data. It is time to consider the introduction of a new browser funded by an affluent person with a sense of social responsibility, an NGO or a group of NGOs wishing to establish a better Internet future for our children (like The Deliberative Democracy Consortium).[51] The new browser will be called CleaNet© and will have no connections with any government. Being cognizant of potential governmental tendency to restrict out-of-favor political speech under the pretence of "dangerous" and "terrorist" speech, no government will be involved in this delicate, deliberative process.

Deliberative democracy directly involves citizens in the decision-making processes on matters of public concern. It requires the setting of public reason institutions by which knowledge is exchanged and ideas crystallized *via* mechanisms of deliberation and critical reflections. Democratic procedures establish a network of pragmatic considerations and a constant flow of relevant information. People present their cases in persuasive ways, trying to bring others to accept their proposals. Processes of deliberation take place through an exchange of information among parties who introduce and critically test proposals. Deliberations are free of any coercion and all parties are substantially and formally equal, enjoying equal standing, equal ability, and equal opportunity to table proposals, offer compromises, suggest solutions,

support some motions and criticize others. Each participant has an equal voice in the process and tries to find reasons that are persuasive to all so as to promote the common good.[52] The technology at hand enables direct participation of people, eliminates geographic distances, and recreates direct Athenian-style democracy. It empowers good citizenship and public partnership in promoting shared social values and norms. As the Internet affects the life of each and every one of us, we have vested interest in attempting to have a social tool that enables the promotion of social good. Following Habermas' ideas on deliberative democracy and the importance of having access to different publics and organizations in the international civil society, it is argued that the Internet will be stable in the long run only if Netusers generally perceive it as a legitimate instrument; only if the Internet will be perceived as right and good, based on shared values and norms.[53]

Mutual recognition, respect, and equal protection are essential. Habermas explained that democracies are associations of free and equal persons. Such an association is structured by relations of mutual recognition in which each individual is respected as free and equal. According to Habermas, each and every person should receive a three-fold recognition: "they should receive equal protection and equal respect in their integrity as irreplaceable individuals, as members of ethnic or cultural groups, and as citizens, that is, as members of the political community."[54]

The first step will be to convene a Netcitizens Committee that would decide what should be excluded from the new browser, what are the agreed-upon problematic topics that are regarded as unprotected speech.

A note on terminology is in order. The term "Netuser" refers to people who use the Internet. It is a neutral term. It does not convey any clue as to how people use the Internet. It does not suggest any appraisal of their use. In contrast, the term "netcitizen" as it is employed here is not neutral. It describes a *responsible* use of the Internet. Although it is possible to speak of "good" and "bad" citizens, the term "netcitizen" as adopted here has only positive connotations, referring to concerned Internet users who utilize the Net in multipositive, social, responsible, nonabusive ways, and who are willing to be proactive in promoting social Internet environment. Netcitizens are people who use the Internet as an integral part

of their real life. That is to say, their virtual life is not separated from their real life. Even if they invent an identity for themselves on social networks such as Second Life, they do it in a responsible manner. They still hold themselves accountable for the consequences of their Internet use. In other words, netcitizens are good citizens of the Internet. They contribute to the Internet's use and growth while making an effort to ensure that their communications and Net use are constructive. They foster free speech, open access and social culture of respecting others, and of not harming others. Netcitizens are Netusers with a sense of responsibility.[55]

A public open call for Netcitizens Committee members will be issued and the process will be conducted with transparency, full disclosure and open deliberation and debate. Clear deadlines for each step of the process will be outlined in order to assure that the process will not linger for many months. The Netcitizens Committee will be selected by a special Select Committee, nominated by the owners of the new browser. NGOs in the fields of New Media, human rights organizations, freedom of expression societies and institutions that promote social responsibility will be invited to serve on the CleaNet© Select Committee.

The Netcitizens Committee will include representatives of ISPs, Web-hosting companies; Internet experts; media professionals; Internet scholars; government officials; human rights and minority rights organizations; freedom of speech organizations; computer engineers; judges, lawyers and other interested parties. This representation is of crucial importance as minorities frequently face difficulty in having an equal voice and equal standing in decision-making processes.

The Netcitizens Committee will include no less than 100 people and no more than 400 people, depending on the number of applicants willing to commit themselves for the responsible work at hand. This Committee needs to be a working committee. It cannot be too big.

Members will commit to work for one year, renewable for two more years at most. After one year, the least active members will be asked to leave and they will be replaced by others. It is expected that a third of the committee will change each and every year. Such a reshuffle is advisable and productive. It keeps the Committee energetic, engaged, viable, and fresh with ideas.

As the work is hard and demanding, with considerable societal implications, members of the Netcitizens Committee will be paid for their work. The payment should not be too meager nor should it be very substantial. It should be enough to provide an incentive, denoting the responsible work at stake but it should not be the main job of the Netcitizen. It is recommended that it will be between 1,000 and 2,000 Euro per month.

The first issue on the agenda is to detail what should be ousted from the Net, and parameters for identifying problematic, antisocial speech. The Committee will consider the wide needs and interests of the public in an open, transparent, and critical way. All Committee members will have the opportunity to participate and voice an opinion, to present arguments, to submit criticisms and reservations, and to respond to counter-arguments. No one will ever be excluded from the deliberative process. The Committee will try to reach a consensus in delineating the scope of the legitimate and the acceptable Net speech. In the absence of a consensus, decisions may be made through voting but the Committee needs to make every effort to reach a consensual decision that reflects the widest possible public needs and interests. Members of the Committee need to recognize that the widest possible consensus would assure the legitimacy of their decisions. As the Committee represents western-liberal tradition, the scope of the legitimate and the acceptable should be as wide as it is possible. Whenever we come to restrict speech, the onus for limiting free expression is always with the one who wishes to limit expression. One should bring concrete evidence to justify restriction. The speech must be dangerous and/or harmful. The danger and/or harm cannot be implicit or implied. If speech would be prohibited only because its danger might be implied from an unclear purpose that is opened for interpretations, then the scope for curtailing fundamental democratic rights is too broad, and the slippery-slope syndrome becomes tangible. The implicit way is not the path that liberals should tread on when pondering restricting of freedom of expression.

Throughout the process, each participant will exercise her "communicative freedoms," a term Habermas applied to activities that seek to achieve mutual understanding through reasoned discourse. The open, deliberative discourse allows everyone to participate in the processes of opinion- and

will-formation in which citizens exercise their auton-omy.[56] When the list of requirements will be con-cluded, the list will be handed to software engineers to design the algorithm for excluding material.

In a sense, CleaNet© will be an enhanced, citi-zens-based form of server filtering. A detailed Terms of Fair Conduct will be drafted. Only material that is deemed problematic by at least 80 percent of the votes will be listed for exclusion. A separate list, "under review," will include debatable speech to be considered and debated periodically until a resolu-tion is made: either to permit it, or to filter it from CleaNet©. The "under review" list will also include the problematic material with restricted access to which Netusers will have to sign up. It will be the responsibility of the ISPs and Web-hosting companies to retain the list and to co-operate with law-enforce-ment whenever required.

When the list of requirements will be concluded, the list will be handed to software engineers to design the algorithm for excluding material.

CleaNet© will be launched in a special press con-ference, notifying the public of its availability, ration-ale, and significance. CleaNet© could be downloaded freely with open access for all. Netusers will have a choice: retaining their present browser/s, adding CleaNet© as an alternative (primary or secondary), or replacing their present browser/s with CleaNet©.

CleaNet© will be attentive to societal cultural norms. For instance, although Holocaust denial is not problematic in the United States, it is most problem-atic in Germany and Israel. The Net should pay spe-cial attention to such sensitive matters.

It is assumed that although international consen-sus will exist about excluding certain antisocial mate-rial – child pornography, cyberbullying, the promotion of violent crime, and terrorism from CleaNet©, such a consensus will not exist regarding hate and bigotry. The notable exception will probably be the United States. However, such tolerant norms should not abide other countries that believe their Net should be free of bigotry and hatred. They may opt to filter that material.

Once implemented and out in the market, the government of each country will push its adaptation in the public sector. Only governmental agencies that have specific interest in studying antisocial material should be granted permission to use other browsers. Otherwise, we can assume that the public sector has

no need to have access to – for instance – child por-nography, criminal speech, terrorism, and bigotry.

On CleaNet©, search engines will not keep their ranking algorithms secret. Quite the opposite. They will proudly announce that the ordering of search results is influenced by standards of moral and social responsibility, commitment to preserving and promot-ing security online and offline, and adherence to liberal principles we hold dear: Liberty, tolerance, human dig-nity, respect for others, and not harming others.

The assumption is that once people become aware of the advantages of CleaNet©, they would prefer it over their present browsers. There will be growing open discussions about the merits and flows of the new browser. Attempts will be made to remedy the flows.

The entire process of debating, implementing and browsing with CleaNet© will be transparent, opened for critic and feedback. Netcitizens will be welcomed to provide criticism on the CleaNet© Hotline and will receive an answer within 24 hours. Netcitizens will have the option to make their feedback public or private, with or without attribution.

Paid officers will screen the Hotline and pass thought-provoking complaints to a Complaints Committee. The Complaints Committee will be a subcommittee of the Netcitizens Committee and will include 20 to 40 members. They will receive an addi-tional payment 500–1,000 Euros for their work. It is assumed that it will be a great honor and privilege to sit on this Committee, thus there is no reason for a higher salary despite the hard work involved. The Complaints Committee will study the complaints and will issue a reasoned response within a month. It is assumed that some Netusers will seek to admit into CleaNet© unauthorized sites. The Complaints Committee will study each and every complaint and respond.

By the end of each year, both the Netcitizens Committee and the Complaints Committee will issue an annual report about their work, which will be freely available to all interested parties and could be read on the CleaNet© Web site. The reports will be as detailed as possible, including the terms of practice, how the terms were implemented, reflections on past-year work, lessons, reasoning for specific decisions, and recommendations for the future.

An International Steering Committee of national representatives will be formed to learn from each
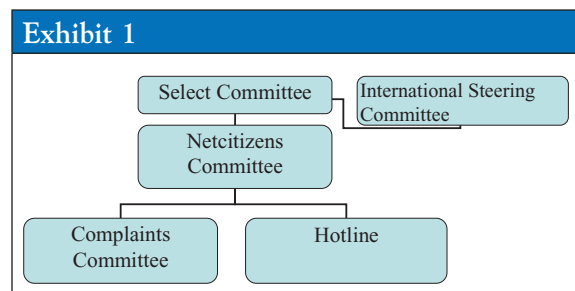
other's experiences, to co-operate in case of need, to exchange views, and to deliberate sensitive issues. As Habermas explained, such a public discourse filters reasons and information, topics and contributions in a way that the discourse outcome enjoys a presumption of rational acceptability. At the same time, the public discourse establishes relations of mutual understanding that are "violence-free," in the sense that participants seek uncoerced agreement rather than dominating or manipulating others. Habermas described the forms of communication that constitute political discourse as structures of mutual recognition.[57]

The Hotline will be operated by a team of paid professionals who will provide effective and speedy response to all questions and criticisms. The Hotline will provide easy accessibility, high availability, and an assured response. Both queries and answers will be transparent. They will be posted on the Hotline Web site. Transparency also means that the rules and procedures according to which concerns will be processed and explained at the point of entry. The system will be explained in detail and additional help will be made available if needed. Netusers should have the ability to track their concern throughout the process and be informed of the final outcome. The Netcitizens Committee will make publicly available annual reports on the basic statistics and experiences with the Complaints Committee and the Hotline.

One may ask: How is CleaNet© different from any of the multiple commercial products that offer filtering of Internet and Web-based content? Well, to start with CleaNet© will be the result of democratic and open deliberation involving citizens. The decision-making process will involve concerned citizens who will decide together what the future Internet should look like. They will be involved in an ongoing process, offering reasoning, and counter-reasoning where everything will be put on the table for discussion. Furthermore, CleaNet© will be more comprehensive than any existing filter. Whereas some filters are designed to help parents ensure that their children will not encounter pornography on the Net (*e.g.*, NetNanny[58]) and others are designed to filter hate (*e.g.*, HateFilter[59]), CleaNet© will be a transparent browser that will provide Netusers with the ability to surf the Internet in a social, friendly environment, free of the antisocial, evil material that is now so prevalent, and accessible *via* the existing browsers. In addition, CleaNet© will be a pragmatic, fluid tool,

sensitive to cultural norms, and open to contestation. It is designed by the people, for the people, answering people's needs and concerns. CleaNet© is suggested precisely because no existing filter can achieve the desired outcome of clean Internet, with full transparency in regards to the relevant considerations and the citizens' ability to deliberate, exchange ideas, and influence cyber surfing.

## CleaNet© FRAMEWORK FOR DECISION-MAKING



Exhibit 1

- Select Committee
- International Steering Committee
- Netcitizens Committee
- Complaints Committee
- Hotline

## CONCLUSION

The Internet is ubiquitous, interactive, fast, and decentralized. The ease of access to the Internet, its low cost and speed, its chaotic structure (or lack of structure), the anonymity which individuals and groups may enjoy, and the international character of the World Wide Web furnish all kinds of individuals and organizations an easy and effective arena for their partisan interests. The Internet contains some of the best written products of humanity, and some of the worse ones. It serves the positive and negative elements in society.

Innovation will continue to be one of the main features of the Net. The Internet experimental project was based on open dialogue, where scientists posted Requests for Comments (RFC), on free exchange of information and ideas, on collaboration rather than competition. There were no barriers, secrets, or proprietary content. Indeed, this free, open culture was critical to the development of new technologies and shaped the future of the Internet for better but also for abuse. We can assume that more people will have access to the Internet whenever and wherever they are. Phones will become more sophisticated; advanced voice recognition capabilities will make both the keyboard and the mouse obsolete; technology will

develop to enhance connectivity between media and our senses, engaging our senses more fully with tinier and more powerful speakers deep inside human ears; chips might be installed into our bodies to receive and transmit data and various communications; 3-D innovations will enable our bodies to feel sensations and to taste edible products we see on our portable screens. These wonderful innovations should be accompanied by an awareness of the consequences of these developments on individuals and society at large.

Although a great deal is dependent on how we use the Internet, a great deal is also dependent on the Internet gatekeepers. It has been said that the CEOs of Facebook and Google have more power than presidents and prime ministers. This statement is not exaggerated. The leaders of Bolivia, Chad, and Laos (to name a few) would love to have Zuckerberg's power. But power without responsibility is dangerous. Power without responsibility is corrosive. Power without responsibility undermines our well-being. Therefore, we must insist that Internet intermediaries take responsibility and ensure that Netusers can enjoy the vast capabilities of the Internet without putting themselves in danger. The Internet should be enlightening, innovative, entertaining, productive, voicing the best of humanity. To enable this, boundaries should be introduced, antisocial and violent activities should be curbed, and safe environments should be established. This requires a combined effort of Netusers, business, governments, and the international community at large.

## NOTES

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