

Why *Confronting the Internet's Dark Side*?

Raphael Cohen-Almagor

Philosophia (2015),

<http://link.springer.com/article/10.1007/s11406-015-9658-7>

Digital Object Identifier (DOI) **10.1007/s11406-015-9658-7**

Abstract

Raphael Cohen-Almagor, the author of *Confronting the Internet's Dark Side*, explains his motivation for exploring the dangerous side of the world wide web. This new book is the first comprehensive book on social responsibility on the Internet.

Key words: Internet, child pornography, crime, cyberbullying, hate speech, racism, responsibility, terror, trust

Introduction

In July 2015, my book *Confronting the Internet's Dark Side* was published after nine years of extensive research.¹ In this forum I explain the reasons for writing this book, its main thesis and its basic structure. I also speak of some of the challenges that I have encountered during my research. It is argued that the present mechanisms to tackle abuse on the Internet are insufficient. We need to evoke awareness and push for greater responsibility of all stakeholders: of people who use the Internet to upload information, of readers who encounter problematic speech on the Net, of Internet Service Providers and Web-hosting companies, of governments and of the

¹ R. Cohen-Almagor, *Confronting the Internet's Dark Side: Moral and Social Responsibility on the Free Highway* (NY and Washington DC.: Woodrow Wilson Center Press and Cambridge University Press, 2015).

international community at large. Only concerted effort of all will facilitate responsible use of the Internet and prevent abuse.

Why have I written this book?

Upon completing my book *The Scope of Tolerance* (2006),² some critique argued that certain aspects of this book are no longer relevant as the Internet has changed everything; that its invention requires new rules of the game for questions relating to freedom of expression and its boundaries. I became enthralled as I thought the Internet is a variation on the theme, a different dress for the same lady, if you like, but not a different lady altogether. I decided that my next big project will concern the Internet.

Confronting the Internet's Dark Side is about introducing responsible boundaries to freedom of expression on the Internet. Indeed much of my previous research is about the intriguing challenge of introducing boundaries: of liberty and tolerance,³ of freedom of expression,⁴ of liberal intervention in illiberal affairs of cultural minorities,⁵ of life and death.⁶ A great deal of my scholarship strives to achieve a balance between competing rights and interests.

² R. Cohen-Almagor, *The Scope of Tolerance: Studies on the Costs of Free Expression and Freedom of the Press* (London and New York: Routledge, 2006).

³ R. Cohen-Almagor, *The Boundaries of Liberty and Tolerance: The Struggle Against Kahanism in Israel* (Gainesville, FL: The University Press of Florida, 1994).

⁴ R. Cohen-Almagor, *Speech, Media, and Ethics: The Limits of Free Expression* (Houndmills and New York: Palgrave-Macmillan, 2005).

⁵ Will Kymlicka and Raphael Cohen-Almagor, "Ethnocultural Minorities in Liberal Democracies", in Maria Baghramian and Attracta Ingram (eds.), *Pluralism: the philosophy and politics of diversity* (London: Routledge, 2000): 228-250.

At the outset, it was clear to me that I cannot possibly tackle *all* the problematic information that we find on the Internet. I asked myself: What troubles you (me) the most, and what issues may present a compelling case for social responsibility? If I am able to reach some conclusions and suggestions about the dealing with some highly problematic issues, maybe the discussion can then serve as a spring-board to drive forward a motion for Net social responsibility. After long and careful probing I decided to concentrate attention on violent, anti-social forms of Internet expression: hate speech and racism, use of the Net by terrorist organizations, crime-facilitating speech, and child pornography. As I progressed with my research it became clear that a growing concern is Cyberbullying. I decided to add another cluster of research dedicated to this challenge.

I think many people around the world are troubled by those problems. People are products of their upbringing, of the education they receive, of the society they live in. I am most sensitive to those issues because as an Israeli and a Jew I became acutely aware of the harms of hate speech and racism at a very young age when I first heard of the Holocaust. I was staggered to learn that one of the most cultivated nations in the world saw it necessary to eradicate my people from earth only because they were Jewish. Later in life, when I started to travel the world, I encountered several incidents of anti-Semitism, when I was judged according to one criteria: being Jewish, notwithstanding my character and personality. I recall those incidents vividly. They are most unpleasant. They are offensive. They have made a sustained impression on me.

⁶ R. Cohen-Almagor, *The Right to Die with Dignity: An Argument in Ethics, Medicine, and Law* (Piscataway, NJ.: Rutgers University Press, 2001).

As in Israeli I narrowly escaped death several times when terrorists attacked malls, coffee-shops, restaurants, bus stops, bus lines and other places I used to frequent days, and sometimes mere hours after I left those places. I grew up with the long shadow of terror accompanying me, denying me peace and tranquillity that people in the democratic world usually take for granted. If you want to begin understanding how is it to live in Israel, try to imagine your life without this vital component of tranquillity.

As a father, as a human being, I am horrified by the thought that adult people abuse children, sometimes even babies, for their pleasure, violate their young bodies while being devoid of care as to the physical, emotional and psychological scars they inflict on those unfortunate children, deep and penetrating scars from which they will suffer for the rest of their lives.

Lastly, as a young boy I had my share of encountering bullies at school. I know how tormenting this experience is. In the pre-Internet age, children who were subjected to bullying had some relief when they went home. In this age, bullying can continue 24/7 without relief.⁷ The home is no longer secure as the offline bullying at school continues online and makes it more public, as the victims' friends become aware of the harassment, as Net social networks amplify the victims' sense of shame

⁷ Sameer Hinduja and Justin W. Patchin, *Bullying Beyond the Schoolyard: Preventing and Responding to Cyberbullying* (Thousand Oaks, CA: Sage Publications, 2009); Shaheen Shariff, *Confronting Cyber-Bullying: What Schools Need to Know to Control Misconduct and Avoid Legal Consequences* (Cambridge: Cambridge University Press, 2009); Ruth Gerson and Nancy Rappaport, "Cyber Cruelty: Understanding and Preventing the New Bullying". *Adolescent Psychiatry* 1 (2011): 67-71; N. Baas, M.D.T. de Jong and C.H.C. Drossaert, "Children's perspectives on cyberbullying: insights based on participatory research", *Cyberpsychology, Behavior, and Social Networking* 16(4) (2013): 248–53.

and insecurity, pushing them to suicidal thoughts as their self-confidence is continuously being eroded and as they struggle to find comfort and relief.⁸ I have been horrified by the thought that my own children might become the target of bullying and cyberbullying. I see it as my responsibility to ensure safe environment for their upbringing.

We need to stand against evil. We should strive to stamp it out of our lives. We have the responsibility to confront the dark side of the Internet.

Thesis

Confronting the Internet's Dark Side is the **first comprehensive book on social responsibility on the Internet**. The book aims to strike a balance between the free speech principle and the responsibilities of the individual, corporation, state, and the international community. This book brings a global perspective to the analysis of some of the most troubling uses of the Internet. It urges net users, Internet service providers, and liberal democracies to weigh freedom and security, finding the golden mean between unlimited license and moral responsibility. **This judgement is necessary to uphold the very liberal democratic values that gave rise to the Internet and that are threatened by an unbridled use of technology.**

It is argued that freedom of expression is of utmost importance and value but it needs to be weighed against the no less important consideration of social responsibility. The Internet is open to use and abuse. As it provides a platform for

⁸ Corinne David-Ferdon and Marci Feldman Hertz, "Electronic Media, Violence, and Adolescents: An Emerging Public Health Problem". *Journal of Adolescent Health* 41 (2007): S1–S5; "'Bullying' link to child suicide rate, charity suggests", *BBC.com* (June 13, 2010), <http://news.bbc.co.uk/1/hi/uk/10302550.stm>

violent, hateful, and antisocial behaviour including terrorism, cyberbullying, child pornography, hate speech, and cybercrime, we need to ask ourselves: **How do we, as individuals and as a society, protect against dangerous expressions online?**

If social responsibility on the Internet is to be implemented, discussions will need to focus on how and why one can draw limits on what one does on the Internet, as well as what ISPs and countries can do with the Internet. I should stress that the **Internet is not the problem**. The problem arises where it is utilized to undermine our well-being as autonomous beings living in free societies. This study focuses on articulating possible solutions to specific problems and on providing a framework within which these problems can be identified and resolved by accentuating the concepts of moral and social responsibility. It strives to suggest an approach informed by the experiences of democratic societies with different norms and legal cultures; one that harnesses the strengths and capabilities of the public and the private sectors in offering practical solutions to pressing problems.

Legal, moral and social responsibilities on the Internet are neglected issues in the New Media literature. I felt it is time to start a discussion in the realm of morality and ethics, one that supplements the many discussions on the social production, and the technological, structural, architectural, geographical aspects of the Net (Yochai Benkler,⁹ Manuel Castells,¹⁰ Luciano Floridi,¹¹ Gary P. Schneider and Jessica

⁹ Benkler Yochai, *The Wealth of Networks: How Social Production Transforms Markets and Freedom* (New Haven: Yale University Press, 2006).

¹⁰ Manuel Castells, *Communication Power* (Oxford: Oxford University Press, 2009), and *The Internet Galaxy* (Oxford: Oxford University Press, 2001).

¹¹ Luciano Floridi, *The Fourth Revolution* (Oxford: Oxford University Press, 2014).

Evans,¹² Aharon Kellerman,¹³ Lawrence Lessig,¹⁴ Clay Shirky,¹⁵ James Slevin,¹⁶ Jonathan Zittrain,¹⁷ Van Dijk,¹⁸ and Tim Wu,¹⁹ to name a few).

The research for this book involved extensive survey of free speech literature, theories in media ethics and in social responsibility; extensive survey of problematic, violent speech on the Internet; analysis of relevant literature, government position papers, state laws and court cases, and review of law-enforcement measures that have been taken to combat various forms of violent speech. In addition, discussions and interviews were conducted in Israel, the United Kingdom, the United States, Canada and France with key policy makers, public officials, elected officials, police officials, legal scholars and justices, media and Internet experts, and representatives of human rights and free speech NGOs. I have employed similar methodology of extensive surveys in the fields of philosophy, law and communication in previous

¹² Gary P. Schneider and Jessica Evans, *New Perspectives on the Internet: Comprehensive*. (Boston: Thomson, 2007).

¹³ Aharon Kellerman, *The Internet on Earth: A Geography of Information* (Oxford: WileyBlackwell, 2002).

¹⁴ Lawrence Lessig, *Code and Other Laws of Cyberspace* (New York: Basic Books, 1999); *idem*, *The Future of Ideas: The Fate of the Commons in a Connected World* (New York: Vintage, 2002); *idem*, *Free Culture: How Big Media Uses Technology and the Law to Lock Down Culture and Control Creativity* (New York: Penguin, 2004).

¹⁵ Clay Shirky, *Here Comes Everybody* (London: Penguin, 2008).

¹⁶ James Slevin, *The Internet and Society* (Oxford: Polity, 2000).

¹⁷ Jonathan L. Zittrain, *The Future of the Internet – And How to Stop It* (New Haven, CT: Yale University Press, 2008).

¹⁸ Jan Van Dijk, *The Internet Society* (London: Sage, 2012).

¹⁹ Tim Wu, *The Master Switch: The Rise and Fall of Information Empires* (NY: Knopf, 2010).

studies, benefiting from experts' experiences on topics that are not well covered in the literature.

Book Structure

The first three chapters lay the underpinning foundations for this book. From 1960 onward, Internet technology advanced rapidly. This has been an age of innovation where ideas have driven the development of new applications which, in turn, have driven demand. Then we witness circularity. New demands yielded further innovation (mobile communication technology, cloud computing) and many more new applications – email, the world-wide-web, file sharing, social networking, blogs, skype. These were not imagined in the early stage of the net.

Chapter 1 outlines and analyzes milestones in the history of the Internet, how the Internet evolved from the ARPA project in 1957, its formative years (1957-1984) until nowadays; from the early Internet devised and implemented in American research units, universities, and telecommunication companies that had vision and interest in cutting-edge research until it became a global phenomenon. I highlight the entry of the Internet into the commercial phase (1984-1989), facilitated by the upgrading of backbone links, the writing of new software programs and the growing number of interconnected international networks; the massive expansion of the Internet into a global network during the 1990s when business and personal computers with different operating systems joined the universal network; the instant and growing success of social networking -- sites that enable Netusers to share information, photos, private journals, hobbies and personal as well as commercial interests with networks of mutual friends and colleagues.

Chapter 2 is designed to explain technological aspects and concepts essential to the understanding as to how the Internet works and how it can be abused. New media technology offers many desirable benefits: Velocity, scalability, standardization, and cheap cost. In the foci of analysis are the basic characteristics of the Net, its most prevalent modes of communication, the concept of file sharing, the work of search engines, and tools we have to increase security and privacy: Filtering, monitoring, and encryption. Promoting privacy via encryption may contribute to web users' security but it might also undermine their security.

Chapter 3 introduces the theoretical principles of the discussion. Relying on Aristotle and contemporary philosophers, I distinguish between legal, moral and social responsibility and present the notion of Internet trust. Legal responsibility refers to addressing the issue by agencies of state power. Moral responsibility concerns the personal responsibility of the agent to conscience. Social responsibility relates to the societal implications of a given conduct. It concerns the responsibility of individuals and customers, of governments and law-enforcements agencies, of business and Internet intermediaries, and of the public at large. I also introduce two pertinent theories: The "democratic catch" and moral panics.²⁰

The "democratic catch" is my attempt to find the Golden Mean for the sustained working of democracies. A delicate balance should be maintained between measures taken to protect democracy while adhering to the underpinning

²⁰ Stanley Cohen, *Folk Devils and Moral Panics* (London: Routledge, 1987); Stanley Cohen and Jock Young, *The Manufacture of News* (Thousand Oaks, CA: Sage, 1981); Chass Critcher, *Moral Panics and the Media: Issues in Cultural and Media Studies* (Buckingham: Open University Press, 2003); Charles Krinsky (ed.), *Moral Panics over Contemporary Children and Youth* (Farnham, Surrey: Ashgate, 2008).

liberal values. It is asserted that democracy is no different from other forms of government in having self-government capabilities that contain the seeds for its destruction. The very principles of democracy might undermine it. Limitless liberty might lead to anarchy. Tolerating the intolerant might lead to coercion and violence. Respecting *all* conceptions of the good might harm the more vulnerable people in society, often women and children. Excessive participation might lead to “flooding” of the system and to inability of government to function. And no democracy aims to secure representation for each and every idea in society.

Moreover, because democracy is a relatively young phenomenon, it lacks experience in dealing with pitfalls involved in the working of the system. This is what I call the “catch” of democracy. The freedoms we enjoy are respected as long as they do not imperil the basic values that underlie democracy. Freedom of speech, for instance, is a fundamental right, an important anchor of democracy; but it should not be used without boundaries. While we dread censorship, there is a room to consider time and space regulations. Liberty and tolerance are not prescriptions for lawlessness and violent anarchy.

The next six chapters, 4 to 9, discuss social and moral responsibility of different agents and actors: Responsibility of Netusers who upload information to the Internet, of readers who encounter information on the web, of Internet Service Providers (ISPs) and Web Hosting Services (WHSs), of the state, and of the international community at large. These chapters were enriched by fieldwork in Britain, Israel, the United States and Canada. *Chapter 4* focuses on the Megan

Meier tragedy, a teenage girl who committed suicide after she was harassed on the Internet.²¹

Then I discuss the anti-social problem of cyberbullying which exemplifies lack of responsibility by Netusers, highlighting the need for Net education and caring for the consequences of one's actions. By cyberbullying is meant the use of the Internet, cell phones or other devices to send or post, text or images, intended to hurt or embarrass another person.²² The need for Netusers' responsibility is apparent considering the limited ability and will of governments to police the Internet. We cannot expect others – administrators, governments, international community – to be responsible while we Netusers shake off any notion of responsibility.

As the Internet continues to grow, the responsibility of the reader is especially important in the identification of websites that serve as a vehicle for the expression of murderous thoughts that potentially lead to murderous action. What is the responsibility of readers when they encounter violent expressions on the Net? Do readers of websites have any moral and social responsibility to warn against potentially harmful uses of the Net which might be translated into real, practical harms? To address these questions, *Chapter 5* focuses on the Kimveer Gill story. Gill, a person full of hatred and rage, vented his hostilities on the Net prior to

²¹ Linda Deutsch, "Neighbor indicted in Missouri MySpace suicide case," *Associated Press Online* (May 16, 2008); Linda Deutsch, "Neighbor indicted in Missouri MySpace suicide case," *Associated Press Online* (May 16, 2008); Cynthia McFadden, Mary Fulginiti, "Searching for justice; online harassment," *ABC News Transcript* (March 24, 2008).

²² Robin Kowalski, Susan Limber and Patricia W. Agatston, *Cyber Bullying* (Malden, MA: Blackwell, 2008).

embarking on a shooting spree at Dawson College, Montreal. None of his readers alerted the police.²³ Since this murder we witness a growing phenomenon of mass murders that have one common denominator: many murderers announced their intention to kill on the Internet, yet not enough was done to stop them.

The responsibility of ISPs and host companies is arguably the most intriguing and complex issue. With the advancement of technology at large and specifically the Internet, responsibility for gaining and maintaining trust in the Net increasingly falls on those who operate the Net, namely on Internet Service Providers (ISPs) and Web Hosting Services (WHSs). Some of these companies act responsibly, making an effort to provide a safe environment for their Netusers, thinking that this policy is beneficial to their reputation and business. Other companies uphold Internet neutrality and conduct their business in accordance with direct monetary consequences. In *Chapters 6 and 7* I elaborate and explore this issue in detail from the ethical and social perspectives. The main question is whether Internet intermediaries should be proactive, i.e. not only cooperate upon receipt of information from various sources but also scrutinize their sphere for problematic, anti-social and potentially harmful material; this in order to promote trust among their subscribers. Here I discuss the concepts of net neutrality, perfectionism and discrimination.²⁴ I distinguish between three different meanings of neutrality: (1) Net

²³ Andre Picard, "Gunman shot student again and again," *Globe and Mail* (September 15, 2006): A8; Jan Wong, "Get under the desk," *Globe and Mail* (September 16, 2006): A9; Jain Ajit, "Raging, alienated, Gill was a walking time bomb," *India Abroad* (New York) (September 22, 2006): A1; Natalie Pona, "Net violence unchecked," *Toronto Sun* (September 15, 2006): 4; "Profile posted by Kimveer Gill," *National Post* (September 15, 2006): A4.

²⁴ Johannes M. Bauer and Jonathan A. Obar, "Reconciling Political and Economic Goals in the Net Neutrality Debate", *The Information Society: An International Journal*. (Published online: January 31,

neutrality as non-exclusionary business practice, highlighting the economic principle that the Internet should be opened to all business transaction. (2) Net neutrality as an engineering principle, enabling the Internet to carry the traffic uploaded to the platform. (3) Net neutrality as content non-discrimination, accentuating the free speech principle. I call the latter content net neutrality. While endorsing the first two meanings of net neutrality I argue that Internet gate-keepers should adhere to the Promotional Approach (PA) rather than to neutrality. The promotional approach accentuates ethics and social responsibility, holding that ISPs and web-hosting services should promote the basic ideas of respect for others and not harming others.²⁵ They should scrutinize content and discriminate against not only illegal content (child pornography, terrorism) but also against content that is morally repugnant and hateful. Here the concept of responsibility comes into play. I argue that some value screening of content may be valuable and that the implications from affording the Internet the widest possible scope can be very harmful. Being cognizant of the possibility that “morally repugnant” might open wide the gate to further restrictions, I emphasize that only *cyberbullying* and *hate speech* feature in this category.

The concluding two chapters concern state responsibility and the responsibility of the international community. In *Chapter 8*, a clash is exhibited

2014); Tim Wu, *The Master Switch: The Rise and Fall of Information Empires* (NY: Knopf, 2010); Christopher T. Marsden, *Net Neutrality: Towards a Co-Regulatory Solution* (London: Bloomsbury, 2010).

²⁵ Immanuel Kant, *Foundations of the Metaphysics of Morals* (Indianapolis, Ind.: Bobbs-Merrill Educational Publishers, 1969); John Stuart Mill, *Utilitarianism, Liberty, and Representative Government* (London: J. M. Dent. Everyman's edition, 1948); Piers Norris Turner, “‘Harm’ and Mill’s Harm Principle,” *Ethics*, Vol. 124 (2014): 299-326.

between the view that holds cross-boundary freedom of information around the globe, and the right of states to assert their jurisdiction, also on the Net. The first view holds that since the Internet knows no frontiers, data must have no limitations and states should not erect them, while the second view holds that the Internet is no different than any other medium of information; as the state regulates in one way or another all forms of communication and see that they abide by law so the Internet should abide by state law. The Internet's distinct architecture does not make it aloof from law.

It is argued that in the late 1990s, the Internet seemed a perfect medium for business: People can be anywhere, make investments anywhere without any regulatory limitations. I discuss in detail the contested Yahoo! saga in which the French authorities wished to assert their laws over the conduct of Yahoo!, preventing the company from posting on its auction sites Nazi artifacts which are illegal in France under its hate laws. Further appeals in American courts did not yield the right result for Yahoo!²⁶ This case, among others,²⁷ demonstrates that ISPs have to

²⁶ *LICRA v. Yahoo! Inc. and Yahoo France* (Tribunal de Grande Instance de Paris, 22 May 2000); *Yahoo! Inc. V. LICRA and UEJF*, 169 F Supp 2d 1181 (ND Cal. 2001); Marc Le Menestrel, Mark Hunter and Henri-Claude de Bettignies, "Internet e-ethics in Confrontation with an Activists' Agenda: Yahoo! on Trial," *Journal of Business Ethics*, Vol. 39 (2002): 135-144; Joel R. Reidenberg, "Yahoo and Democracy on the Internet", *Jurimetrics*, Vol. 42 (2002): 261-280; Horatia Muir Watt, "Yahoo! Cyber-collision of Cultures: Who Regulates?," *Michigan Journal of International Law*, Vol. 24 (Spring 2003): 673-696; Wolfgang Benedek and Matthias C. Kettemann, *Freedom of Expression on the Internet* (Strasbourg: Council of Europe Publishing, 2013): 118-120, 163-167; Mark Graham and William H. Dutton, eds., *Society and the Internet* (Oxford, U.K.: Oxford University Press, 2014): 272-284.

respect domestic state legislation in order to avoid legal risks. The Internet is international in character, but it cannot be abused to override law. There is not one law for people and another for the Internet. The Internet is made by the people, for the people, and they need to abide by the laws of the people.

Chapter 9 supplements the previous chapter. It reflects on the responsibility of the international community. Does the international community have a responsibility to unite together in order to combat anti-social activities? As the Internet is an international medium, there is need for transnational coordination and cooperation to respond to global concerns. Indeed, the international community has legal, social and moral responsibilities. Hate, terrorism and child pornography are decentralized and diffused, lack a coherent global system, organized in cells with clear agenda and sophisticated means of communication. The Internet is an obvious force in allowing their operation. To address those challenges, international coordination is necessary. In this context I discuss the Council of Europe *Convention on Cybercrime*²⁸ and other modes of cooperation that are and can be utilized to promote Net security. Further mechanisms are suggested to be implemented in order to promote international cyber security. It is argued that cross-country challenges require cross-country cooperation.

My research shows that there is a pattern of closely linked virtual threats and violent conduct. The ascending frequencies in which these events happen are more of a reason to act on the international level. The nature of the Internet is such that it

²⁷ Jack Goldsmith and Tim Wu, *Who Controls the Internet? Illusions of a Borderless World* (New York: Oxford University Press, 2006).

²⁸ Council of Europe – *Convention on Cybercrime* -
<http://conventions.coe.int/Treaty/EN/Treaties/Html/185.htm>

serves a certain function for would-be-killers. Usually people do not just snap. There is a psychological process, a mental journey that killers experience from the inception of thoughts to the actual action. The process begins with bitterness, degenerates into anger and rage, and if there are no mitigating circumstances, the wrath might end with a brawling explosion. People need to vent their hostility, their acrimony, their anger. They provide signs, hints. They find it difficult to contain all these boiling emotions inside them. In the Internet age, it is convenient to vent into the virtual world. The global Internet, where people adopt different personalities and have a perceived sense of anonymity, is becoming a vital component of this crystallizing process. As the Internet continues to grow, the responsibility of the reader who encounters murderous thoughts, of the ISP that hosts those thoughts, and of law-enforcement agencies that cooperate across continents to protect the lives of innocent people are all important in the identification of websites that serve as a vehicle for the crystallizing process of potential murderers.

I close by proposing to establish a new browser for liberal democracies called CleaNet ©. Through mechanisms of deliberative democracy, Netusers would agree on what constitutes illegitimate expression to be excluded from the browser.²⁹ CleaNet © would facilitate a safer and more responsible surfing of the Internet. In a sense, CleaNet © will be an enhanced, citizens-based form of server filtering. A

²⁹ Jürgen Habermas, *Moral Consciousness and Communicative Action* (Cambridge, MA: MIT Press, 1990) and *Between Facts and Norms*. See also James S. Fishkin, *Democracy and Deliberation* (New Haven, Conn.: Yale University Press, 1993); John S. Dryzek, *Foundations and Frontiers of Deliberative Governance* (Oxford: Oxford University Press, 2012); Zsuzsanna Chappell, *Deliberative Democracy* (Houndmills: Palgrave-Macmillan, 2012).

detailed Terms of Fair Conduct will be drafted. Only material that is deemed problematic by at least 80% 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 resolution 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 cooperate with law-enforcement whenever required.

Ideally, a fortunate person with immense fortune will introduce a new browser whose *raison d'être* will balance between freedom of expression and social responsibility. While the present Internet's design and *raison d'être* are open architecture, freedom of expression, and neutral network of networks, CleaNet © emphasises freedom of expression, innovation, trust and social responsibility. On this browser proactive measures will be taken to ensure that the Internet will be free from terrorism, child pornography, crime, racism and cyberbullying. The algorithm of the search engine won't be secretive. CleaNet © will be made available to all people who may wish to have it free of charge. CleaNet © will provide a safe environment to surf the Internet safely and responsibly.

Challenges

Confronting these issues is no small feat. The dark side of the Internet is dark indeed, distressing and secretive. Security means to tackle it are no less confidential. Fortunately, I received a fellowship at the Woodrow Wilson International Center for

Scholars.³⁰ This wonderful research center provided perfect conditions to tackle those highly problematic and confidential matters. Lee Hamilton,³¹ Mike van Dusen³² and Lee Rawls³³ provided invaluable assistance and opened doors for me. Without their support, this book could not have been published in its present informative and highly detailed format.

Special tribute is given to Lee Rawls who died in 2010 at the relatively young age of 66. Until 2009, Rawls was the chief of staff and senior counsel to FBI Director Robert Mueller. Sometime after my arrival to the Wilson Center I learned that Rawls was a public policy scholar at the Center. I arranged to meet him for lunch. I opened the discussion by asking him whether I may ask him a private question. His answer was positive and thus I asked him whether he bears any relationship to John Rawls.³⁴ Lee smiled and answered: Ahaa, yes of course, my uncle Jack.

Lee Rawls opened for me doors that until then were firmly closed. He arranged for me to meet very senior FBI officials including those in charge of combatting terrorism and cybercrime as well as those in charge of the September 11 investigation. Those key interviews highlighted issues that are not discussed, or not discussed enough in the literature. They helped to shed light on hidden subjects that frustrate researchers who confine themselves to libraries.

Conclusion

³⁰ <http://www.wilsoncenter.org/>

³¹ <http://centeroncongress.org/lee-h-hamilton-biography>

³² <http://www.wilsoncenter.org/staff/michael-van-dusen>

³³ <http://www.washingtonpost.com/wp-dyn/content/article/2010/12/11/AR2010121102393.html>

³⁴ John Rawls is regarded as one of the great political philosophers of the 20th Century. <http://plato.stanford.edu/entries/rawls/>

The solutions proposed in this book are likely to provoke discussion and debate, in the spirit of deliberative democracy mechanisms that involve the public. In light of the detailed stories concerning **hate sites** (toward groups or humanity in general), webcam viewing of actual **suicides**, the exponential growth of **child pornography**, Internet-based **terrorism and crime**, it is hard to fall back on knee-jerk First Amendment responses. The book makes a forceful case for greater social responsibility on the part of Internet service providers and all who surf the Web. Calling on us to think and act like citizens of the online world, it is insisted that we have a moral obligation to confront those who abuse the technology by using it to disseminate hate propaganda and child pornography, or by engaging in cyber-bullying, or by aiding and abetting terrorism. *Confronting the Internet's Dark Side* is intended to serve as a wake-up call and will challenge its readers to reconsider their views of free expression in the Internet age.