

What responsibility, if any, do governments have for the liberty, prosperity and security of individuals?

The aim of this essay is to discuss the responsibility that a government has for the liberty, prosperity and security of its citizens. As a means of discussing this topic, the Australian government's proposal for mandatory internet content filtering will be analysed. The proposal by the government for the enactment of internet content filtering undoubtedly raises questions of whether the government is right in taking responsibility for the content that citizens are exposed to on the internet.

The government's 'clean feed' program has clear benefits for preventing access to illegal internet content, however there are many concerns surrounding such a proposal:

- Whether the government actually could effectively implement the filter without allowing users to by-pass the filter and without incorrectly blocking legal content or failing to block illegal content.
- Whether there is a need for the government to regulate internet content or whether there is public demand for internet content filtering.
- Whether the government should be allowed to filter internet content and the potential for the filter to be exploited.

The most pressing aspect of this issue is whether the government is actually capable of taking responsibility for the filtering of internet content. The program is far more complicated than simply making the decision to block certain parts of the internet. In June 2007, the Australian communications and media authority prepared a report on ISP (internet service provider) level content filtering. Using a variety of filters, the report concluded that 88% to 97% (median of 92%) of illegal pages were successfully blocked; 1% to 8% (median of 2%) of safe content was accidentally blocked, and that the connection speed was degraded by between 2% and 87% with a median of 30% (ACMA, 2008.) The internet is estimated to contain around 25 billion pages (Worldwidewebsite, 2009) so a discrepancy of one percentile results in approximately 250 million unfiltered pages. It can be concluded that with the current level of filtering technology, that a large proportion of illegal content would remain unfiltered while a significant proportion of safe pages would be blocked, as well as a

substantial degradation of internet performance. Irrespective of the potential ineffectiveness of filtering web based content, the filters tested were not able to block non web based content, such as instant messaging or peer to peer networks, (ACMA, 2008) which is estimated to account for 60% of Australia's internet traffic (The Age, 2008.) Furthermore, the government's previous attempt at providing an internet filter, NetAlert, was shown to be easily bypassed by internet users (The Age, 2008.) Discussions on the community broadband forum Whirlpool, which includes representatives from most Australian ISP, have shown that many internet users already feel that they could easily circumvent a content filter (Whirlpool, 2009.) Clearly, the dynamic nature of the internet makes it impossible to effectively govern, and attempts at filtering the content delivered to Australians would be futile. The government cannot assume responsibility for the well-being of its citizens on the internet if it cannot effectively control what that content is.

It has been discussed that the government is not capable of effectively filtering internet content, however it is not clear whether there is a need for the government to take this responsibility, or whether there is public demand for government action. The government has made it clear that the primary reason for internet filtering is preventing access to child pornography. With arrests relating to child pornography becoming seemingly commonplace there is a suggestion that further action is needed from the government. However, internet filtering will only force those who wish to view illegal content to pursue more covert means making it harder for police to track their activities. Censorship is not a practical or effective solution to this problem. The government has also indicated that Australian's are concerned about the content that their children are exposed to on the internet; however, the failure of the government's NetAlert program would suggest that parents are not looking to the government to restrict accessible content. The government has estimated that only 29,000 households are using the free internet filter, just two percent of set targets (The Age, 2008.) Every household in Australia received information of how to access the free filter (The Age, 2008) yet with such a low uptake it is clear that the public feel that the government does not need to take responsibility for the content available to children. Furthermore there are many filters available on the market and many ISP's provide a 'clean feed' option. The evidence would indicate that government has not chosen to listen to public opinion when deciding to take responsibility for internet content. There is obviously no need for mandatory filtering when the market has already provided options for parents and the public is of the opinion that this is not an area requiring government intervention.

It has been established that a mandatory internet filter would be ineffective and that the public feel that this is not an area where the government should intervene. There also remains the ideological argument against internet content filtering. The government has made it clear that a 'blacklist' of sites (Senator Stephen Conroy, 2008) would be required by the filtering service in order to filter out prohibited content. This list would be maintained by the Australian Communications and Media Authority, but the nature of any form of censorship means that the contents of the list cannot be known to the public. This means that the public would be unaware should the government decide to filter out any 'undesired' but otherwise legal internet content. The potential for the government to severely restrict the freedom for people to express their views on the internet are apparent. Obviously, no democratic government should take responsibility in determining what legal internet content people can view. The government has dismissed criticism that any filtering of the internet could lead to media censorship, such as in China (ABC, 2008,) however once legislation has been passed implementing mandatory filtering the public will no longer have knowledge of what content is actually being blocked.

The government does not have responsibility for the liberty, prosperity or security of individuals in filtering illegal internet content. The evidence provided has demonstrated that internet content filtering will significantly reduce connection speeds, incorrectly block legal content and ineffectively block illegal content. Furthermore, the government is not implementing the clean feed because of market failure, or due to public opinion; they are unnecessarily attempting to take responsibility away from the individual when the individual is in a better position to determine the content that needs to be filtered. More concerning is that the nature of mandatory internet content filtering means that people will not be aware of the information that is being withheld from them. The potential exploitation of the internet content filter by the government has serious implications for free speech. Society is far better off dealing with people viewing illegal content than losing individual responsibility for deciding what information can be accessed.

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