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Freedoms of intimacy and the Internet

ABSTRACT

This article argues that new media often get involved in struggles for new rights. The nascent book was involved in the struggle for religious freedom, the press has been engaged in the struggle for fairer political regimes and the Internet is used today as an instrument for the advocacy of new liberties: the freedoms of intimacy. Communities and individuals seek to gain rights related to the needs and preferences derived from their self-identity. This article shows that the Internet is best suited to dealing with issues associated with the self and intimacy than are other media. Taking the example of sexual minorities who use cyberspace as an alternative public sphere, it argues that it is particularly well adapted to two key practices that are essential to community-building and that can only take place in the public sphere: self-definition and political mobilization.

The article also shows how public authorities have always tried to censor new media when used by minorities to demand new rights. It argues that censorship has become increasingly efficient and that today's new media face a new means of censorship in technology. The article illustrates the case with the rating and filtering software used to censor cyberspace. Finally, it claims that the fight for new rights is part of the process of individualization inherent to modernity.

INTRODUCTION: NEW MEDIA – NEW RIGHTS

New media often get involved in the struggle for new freedoms. The nascent book was involved in the struggle for religious freedom in the 15th and 16th centuries, the press was engaged in the struggle for political freedom in the 17th and 18th centuries. Today's new media are, in turn, used as vehicles for the advocacy and promotion of new rights.

Soon after its invention, the printing press revolutionized the dissemination of knowledge in the mid-15th century, books and pamphlets became the principal means of propagation of religious reforms. Printed and sold in defiance of papal and local authorities, books were the main medium through which the Protestant Reformation spread across Europe (Loades, 1991). Later, the press became the medium most closely involved in the struggle for political rights. All over Europe, newspapers became the mouthpiece of those calling for political reforms such as the instalment of more representative regimes and the introduction of universal suffrage, secret ballots and fairer tax systems (Harrison, 1974; Rétat, 1989).

The book accompanied early developments in religious reform, the press was at the heart of 17th and 18th century political struggles, and the Internet is today involved in struggles for new liberties. Individuals who use the Internet as a means of empowerment seek to promote rights that are related to needs and preferences derived from their self-identity: *the freedoms of intimacy*. These needs and preferences arise because of the increasingly reflexive nature of the self in late modernity. The emergence of new sexual identities over past decades illustrates individuals' new reflexive dispositions and the appropriation of the most intimate matters in their lives.

The next section argues that the media play an increasingly central role in the formation of the self. The second and third sections show that the Internet is the medium most closely connected to reflexivity and intimacy. The article takes the example of sexual minorities who use the Internet for political mobilization and self-definition of their community.

The fourth section shows that public authorities have always sought to censor new media when used by minorities to demand new rights. The article identifies four traditional means of censorship (legal, administrative, violent and economic) and argues that today's new media face medium-integrated means of control. It discusses the rating and filtering software used to control Internet access and shows that digital technology has allowed censorship to become less visible and more efficient. Finally, this essay argues that the fight for new rights is part of the process of individualization inherent to modernity.

THE MEDIA AND THE REFLEXIVE SELF

The connection between the Internet and intimacy needs to be placed in the wider context of the relationship between the media and the reflexive self. As Anthony Giddens argues, personal identity has become problematic in late modernity. Rapid social and economic change, and the declining importance of tradition have profoundly affected the way individuals conduct their lives and think about themselves. Our post-traditional order offers a wider range of opportunities for individuals to explore uncharted territories in their life course. Giddens writes that, under these conditions, 'the reflexive project of the self correspondingly assumes an especial importance. Where large areas of a person's life are no longer set by pre-existing patterns and habits, the individual is continually obliged to negotiate life-style options' (Giddens, 1992: 74. See also Giddens, 1991). Individuals no longer derive meaning from traditional settings but from the way they actively construct the self as a symbolic project.

Media play a crucial role in this process of self-formation. Individuals need information and knowledge to enable them to construct their self-identity. Answers used to be provided by the past, the family and other institutions such as the church. However, as the authority of these institutions has waned, and other support networks declined, individuals have increasingly turned to the media for answers. Today, the media constitutes a main source of information from which the individual may construct a narrative of the self. John Thompson argues that the media helps individuals to develop their reflexive project and widen their horizons because it gives them access to an expanding range of symbolic resources that is no longer exclusively provided by family, church or school (Thompson, 1995: 212).

TELEVISION AND INTIMACY

Over past decades, intimate matters have emerged from the reflexive project of the self as individuals increasingly think and talk about their close relationships, their emotions, sexual life and personal identities. Individuals are no longer prepared to experience intimacy passively and leave it unquestioned. They have become more active about issues surrounding intimacy and try to understand and fulfil their needs.

This has created a demand for information and entertainment on such issues to which the media have responded. No edition of a women's magazine is published without a cover story on sexuality, relationships or saucy revelations from a celebrity. On television, an increasing number of programmes provide outlets for the public disclosure of emotion. Talk shows give people the opportunity to express personal issues, emotional experiences and relationship problems in front of a studio audience and millions of viewers. Guests may want to reach the public at large or just confess something to a particular individual,

such as an absent partner or relative. They may have several motives: to seek help, illustrate a common plight, or enjoy the limelight. Some talk shows have a therapeutic pretence and others, such as the Jerry Springer Show, are purely entertainment-driven (Lunt, 2001). Intimacy has invaded many other television genres. Countless documentaries are produced on sex and relationship-related topics. Fly-on-the-wall documentaries report in minute detail the lifestyles of sexual minorities such as transgender people.

Intimacy has acquired an unprecedented visibility in the modern world. Television does not so much blur the boundaries between private and public than shift them. In this sense, intimacy is not only more visible than ever but we increasingly plunder greater levels of intimacy. Programmes that deal with these issues are often accused of pandering to viewers' voyeuristic instincts, but such accusations do not acknowledge the relevance of these issues for many people. Audiences have an interest in these programmes because other people's private lives offer clues that may shed light upon their own. Viewers may simply want to be entertained, but at the same time they may also be looking for answers.

THE INTERNET AND INTIMACY

The Internet is best suited to dealing with issues associated with the self and intimacy than are other media. James Slevin argues that cyberspace is particularly appropriate for enriching the process of self-formation because it allows individuals to acquire information that is directly relevant to their life projects, enabling them to reappropriate knowledge and skills, and to track risk and uncertainty (Slevin, 2000: 174-180). In particular, two characteristics of the Web help individuals retrieve information related to their needs: the diversity of content and flexibility of use. These advantages can be illustrated by the way people use the Internet to seek help for specific areas of their intimacy, i.e. sexuality.

Historians and sociologists have analysed the seismic changes that have affected sexuality over the past forty years. Evidence shows that the period has witnessed a profound sexual liberation. Society is more tolerant, attitudes are more liberal and individuals more knowledgeable about sex than ever before. There is also greater sexual diversity than ever. New sexual practices, identities and sub-cultures have emerged. In particular, homosexuality has gained tolerance and legitimacy. Values and points of reference have changed. The catalogue of perversions listed by sexologists in past centuries has been replaced by a discourse of diversity whereby old assumptions have been successfully challenged (Weeks, 1986: 69-88; see also Weeks, 1985).

Several causes explain this evolution. Jeffrey Weeks mentions the liberalization of

attitudes in the Western world, the detachment of sexual values from religious values, the crisis of the nuclear family and the growing diversity of domestic forms (ibid.: 92-100). Other factors include the introduction of the contraceptive pill and consequent separation of sex from reproduction, resulting in an increase in women's sexual autonomy and, in broader terms, women's emancipation. Women have a much greater awareness of their rights and have gained more control over their bodies. In turn, this has forced a recognition of their own sexualities. Giddens underlines that modern sexualities are also a product of individuals' reflexive dispositions:

"Sexuality" had no distinct existence so long as sexual behaviour was bound up with reproduction and with the generations. [...] Sexuality becomes a property of the individual the more the life-span becomes internally referential and the more self-identity is grasped as a reflexively organized endeavour (Giddens, 1992: 174-5).

In these new settings, the Internet plays a crucial role. In one sense, it has become the medium most closely involved in sexual politics - including the battles fought by sexual minorities in their search for rights and legitimacy, and wider debates about new sexual norms and morals. Clearly, only a minority of sex-related Web sites deal with issues of sexual politics. Most sex-related content on the Web is posted by the pornographic industry selling sexual content for immediate consumption and gratification (Bell, 2001: 127-8; Slater 1998). Nonetheless, there are spaces on the fringes of the Internet that have been constructively used by sexual minorities, who have used the Web to build an essential tool for community-building: an alternative public sphere. As Jeffrey Weeks explains:

Feminism and the gay and lesbian movements in all the major Western countries - but above all in the USA - have transformed the traditional debates on sex by asserting a new claim to self-definition and self-determination on all issues concerning the body and its pleasures. These new social-sexual movements have created, in effect, an alternative public sphere of personal interaction, debate, publications and intellectual concourse, creating in the process what amounts to a "grass roots sexology" which has challenged the certainties of sexual tradition (Weeks, 1986: 105).

Minorities had created alternative public spheres long before the emergence of the Internet, but the medium has become an essential part of the process. It is particularly well adapted to two key practices that are essential to community-building and that can only take place in the public sphere: *self-definition* and *political mobilization*. The Internet facilitates the process of self-definition by providing community members access to a wide range of symbolic material that has been produced by other members. While the press and broadcasting often offer stereotypical portrayals of sexual minorities, community Web sites give these minorities complete control over their own

representations. The Internet also offers a vast selection of content to individuals who can browse through sites that help them construct and maintain their identity. Furthermore, individuals can enter into the dialogue by posting a personal home page on the Web (Dominick, 1999), giving them the opportunity to present themselves and define their relationship to the community.

As a tool that facilitates political mobilization at community level, the Internet provides an electronic forum for discussion. Individuals can exchange viewpoints and debate salient issues via email and discussion lists. It also offers a platform for community leaders, giving them the ability to publicize their views and the activities of their organizations. In this way, a political content can be injected into the public sphere. The use of the Internet by the gay and lesbian community for the construction of 'queer cyberspaces' provides a case in point. A host of Web sites provide a wide range of services to their community from online news to classifieds and message boards. They address salient issues such as same gender marriage, adoption and gay parenting. The commercial sites also include community-related content, in addition to entertainment content and shopping facilities (e.g. <www.gay.com>; <www.planetout.com>). Voluntary organizations have a strong presence on the Web, using it to run community projects (for example, related to HIV), and campaign against discrimination and abuse of human rights on the basis of sexual orientation and gender identity (e.g. <www.iglhrc.org>). The political dimension of queer cyberspaces is outlined here by Nina Wakeford:

Cyberqueer spaces are constantly reconstituted as points of resistance against the dominant assumption of the normality of heterosexuality in ways which are familiar to activists engaged in other struggles against heterosexism (Wakeford, 2000: 408. See also Woodland, 2000).

Cyberspace plays a similar role for other emerging sexual identities. These include practitioners of sado-masochism who explore alternative and consensual forms of sexual practices. S/M practitioners use the Web as a forum for discussion, resource centre and campaigning tool. Several associations that support the growing diversity of sexual identities, and S/M practices in particular, rely on the Internet to advocate their views about sexual expression (see <www.cuffs.com>, <www.miid.net/diversity>).

Cyberspace is used by people and organizations involved with issues surrounding the self and intimate matters more than any other medium. The role it plays for sexual minorities provides a case in point. It helps their thirst for self-understanding and quest for tolerance, legitimacy and legal rights.

NEW MEDIA, NEW RIGHTS, NEW THREATS

Historically, political elites have always perceived the threat posed by communication capabilities of the various emerging media. As new media get involved in the struggles for new rights, authorities evolve new methods to control them. Thus, the development of new media has often been hindered by restrictive measures and curbs on freedom of expression from those in power.

Less than a century after the Gutenberg revolution, censorship was established to counter the new printing presses' 'revolutionary capability' in the hands of Martin Luther and other Protestant Reformers (Grendler, 1977: 72). Hundreds of authors were put on indexes drafted by the papacy and local ecclesiastical authorities throughout Europe, creating a divide between authorized and banned literature, between orthodox and 'heretical' books. However, the advocates of censorship soon urged both ecclesiastical and secular authorities not only to ban heretic books, but also to curb book production altogether:

Giustiniani and Querini [two Catholic reformers] urged priests to acquire enough Latin to study Holy Scripture and then to limit themselves to sacred studies in the original texts, avoiding modern commentaries and humanistic studies. The two reformers distrusted the printing press and believed that the publication of fewer books would help to advance their objectives. They urged the pope to appoint a committee of learned men to grant, and restrict, permissions to publish (Grendler, 1977: 68).

A couple of centuries later, when newspapers began to circulate beyond the tiny circle of educated elites, many regimes turned their attention to the press, and so press censorship became widespread in Europe until the end of the 19th century. In addition, several governments checked the development of the press by imposing heavy duties on newspapers. In Britain, the taxes on the press, which came to be known as the 'taxes on knowledge', were first levied by the government of Queen Anne in 1712 to quell a wave of fresh criticism and were maintained by successive governments until the 1850s. In the first half of the 19th century, these taxes were repeatedly raised to keep newspapers out of the hands of the increasingly agitated working classes (Hollis, 1970; Wiener, 1969).

At times, public authorities have targeted the new media while leaving older media free. In France, while Napoléon controlled the press through taxation and censorship, he left book publishing relatively free (Cabanis, 1975: 166-7). Two centuries later, in the early days of radio and television, many regimes sought to control broadcasting while leaving the press unfettered. For instance, when Charles de Gaulle was president

between 1958 and 1969, he maintained complete governmental control over the national broadcaster but respected the freedom of the press (Chalaby, 1998a). Today, the emergence of the Internet presents a similar situation. In many countries, the same political elites who strive to enact a stream of restrictive measures against the new medium would not consider censoring older media. A brief historical review of the means of censorship shows that today's new media face a new breed of censorship methods.

CENSORSHIP IN HISTORY

There are four traditional means of censorship. The means of coercion are legal when legislation is introduced to curb freedom of expression. The most common measures are laws against writing, publishing and the dissemination of texts that are considered seditious by the authorities. Censorship laws can be traced back to medieval codes and prevailed in most European states until the end of the eighteenth century (Loades, 1991: 97). Enforcement and penalties included warnings, suspensions, interdictions, seizures, fines, imprisonment, deportation, mutilation and death. Pre-censorship measures were also commonly used – perusal by a censor before publication, for example. Progress towards more democratic legislative frameworks with regard to freedom of expression was slow and uneven. Article 11 of the French Declaration of Human Rights, enacted in 1789, was the first modern law to establish the principles of freedom of opinion and expression. Two years later, the US Bill of Rights promulgated similar rights. In international law, the turning point was the Second World War. In the aftermath of the conflict, UNESCO was given the mission of contributing to peace by advancing mutual knowledge and promoting the 'free flow of ideas by word and image'. In the same year, the UNESCO General Assembly adopted the resolution 59(I), which promulgates freedom of expression as a fundamental right. Two years later, the rights to freedom of opinion and expression were enshrined in Article 19 of the Universal Declaration of Human Rights. Today, several international governmental organizations, such as the Council of the European Union and non-governmental organizations (Article 19, for example), assist countries in framing democratic media laws.

Despite this, many regimes still pass repressive media laws. Examples include regulatory frameworks that use vague or ambiguous wording to establish journalists' rights and protections, which give power to the government to prosecute journalists on grounds of 'national security' without providing them with the right to refuse to disclose their sources of information. Such laws are frequently passed by governments in authoritarian regimes and in transitional democracies in Eastern Europe or Africa (Lange, 1997; Pryliuk, 1993).

A second type of censorship is administrative in character. This type includes measures

such as the obligation to register journalists and publications, to obtain authorization for publication (licensing), and to deposit financial guarantees. They can impede independent publications or those close to the opposition in ways that are less conspicuous than outright censorship. They provide the opportunity for authorities to take arbitrary decisions and apply a double standard - one for the governmental press and another for dissident journalists. For example, newspapers from the opposition may encounter difficulties in registering or be subject to systematically biased judicial decisions. These practices emerge when governments need covert means of censorship. A third means of coercion is violence: beating, kidnapping and arbitrary arrest, to cite three typical examples. According to French charity Reporters sans frontières, 22 journalists were murdered, 77 were imprisoned and 510 were threatened or harassed worldwide in 2000. Journalists may be the victims of authoritarian governments or, when the rule of law is precarious, of rebel groups or local mafia. In both cases, when media personnel feel unprotected against arbitrary violence, the fear and sense of insecurity itself breeds self-censorship.

Finally, means of coercion against the press can be economic. Taxes are, for instance, an ancient method of censorship. Taxes on newspapers were levied in France and Britain during the 18th and 19th centuries. Economic coercion is still employed by governments in many transitional democracies. In Eastern Europe, several regimes such as Russia or the Ukraine obstructed the economic development of independent media in the 1990s. Public authorities may impose restrictions on advertising revenue, or refuse to privatize centralized and obsolete systems of printing and distribution. Arbitrary pricing decisions for printing and distribution services controlled by the state can make it difficult for independent media organizations to achieve financial independence (Androunas, 1993; Chalaby, 1998b).

CENSORSHIP IN THE DIGITAL AGE

Today's new media face a new challenge in technology, brought about by the digital era. It is a significant development in the history of censorship because for the first time the means of censorship can be integrated within the medium. Technology can be applied to different media ranging from satellite television to the Internet.

In cyberspace, technology as a medium-integrated means of control has taken many forms, including the technologies of identification, surveillance and investigation (Castells, 2001: 168-87). This article focuses on rating and filtering programmes - designed to prevent users from accessing designated Internet content - that involves a two-step process. The first is rating, which consists of classifying Web sites according to categories such as 'violent', 'full nudity', 'sexually explicit', and so forth. Web sites can either be rated by their own publishers (self-rating) or be evaluated by third

parties, such as particular interest groups. However, filtering companies mostly rely on their own Web searches and content recognition systems.

The integration of this process with the medium is illustrated by the online documentation of a filtering company, SurfControl, which states:

SurfControl's Categorization SDK allows OEMs [Original Equipment Manufacturers] to integrate categorisation functionality into their own products and services, including ISP services, firewalls and proxy servers, search engines and a range of Internet enabled devices.

The second operation is filtering. When the search engine of a Web browser is connected to blocking software, it filters content on the basis of the information provided by the software's rating system. If a site falls under one of the categories disallowed by the user or system manager, then it is blocked and access is denied to the user.

The use of filtering technology is increasingly widespread and many governments use it to restrict the flow of online information. According to Human Rights Watch, countries like Saudi Arabia, Bahrain, Yemen and the United Arab Emirates in the Persian Gulf have fitted proxy servers between the Internet and end-users that filter online material and block undesirable content. In Asia, Malaysia and South Korea are also making extensive use of blocking devices to restrict access to online material.

It is China that has taken the most extensive measures to criminalize online speech, combining technological and legal means of censorship. Since 1994, Internet regulations have become increasingly comprehensive in an attempt to obstruct possible offences and penalties related to online communications. Posting 'secret' or 'reactionary' content on the Web is a capital offence since January 2002. Many activists have been arrested and are currently serving terms for posting 'pernicious' material on the Web.

In Western democracies, the approach to the Internet is not as repressive, despite the concern of governments over the availability of 'harmful' material online. In the European Union, the preferred approach to Internet content regulation is 'self-regulation'. The European Parliament agreed to the use of filtering and blocking devices in October 1997. On this basis, the Council of the European Union adopted a plan for 'Promoting Safer Use of the Internet' in December 1998. The following year, the European Commission sponsored a group of European organizations, INCORE, which seeks to develop and implement an Internet rating and filtering system based on self-regulation. The objective is to restrict the accessibility of 'harmful' material that 'ranges from child pornography to racism and other "adult" material.'

Civil liberties organizations claim that the argument about 'self-regulation' is misleading. This regulatory approach implies that Internet Service Providers (ISPs) will be required to use filtering technology on their servers to block content regarded as illegal or offensive by ad hoc regulatory bodies. A report by the Global Internet Liberty Campaign (GILC) argues that the ISPs may be forced to police their own customers, which is, in fact, a case of 'privatized censorship':

Under international law, privatized control may be harder to challenge. However, in a number of cases, it may be clear that the ISP is acting under the pressure from the government and has, in essence, become the agent of the government for carrying government policy. What is often promoted as Internet "self-regulation" is actually "privatized censorship". [...] The backing is still state power and government threat, but the actual implementation and mechanics of the suppression of material is delegated to a trade group.

In the United States, the government attempted twice to censor online content, triggering an ongoing legal battle between public authorities and civil liberties associations. In 1996, the US Congress passed the Communications Decency Act (CDA), which sought to protect children from harmful Web content by criminalizing Internet transmission of 'indecent' materials to minors. The Supreme Court defeated CDA in 1997 (in *Reno v. American Civil Liberties Union*), arguing that the Internet is 'the most participatory form of mass speech yet developed' and that its content should remain 'as diverse as human thought'.

A year later, the Congress passed the Child Online Protection Act (COPA), which defines as a criminal offence the posting on the Internet of material deemed 'harmful to minors'. This law is currently being challenged by a coalition of American civil liberties unions. On 22 June 2000, the Third Circuit Court of Appeals found that COPA was unconstitutional, notably on the grounds that 'because of the peculiar geography-free nature of cyberspace, [COPA's] community standards test would essentially require every web communication to abide by the most restrictive community's standards.' The Department of Justice asked the Supreme Court to reverse this decision in February 2001.

Civil liberties groups are opposed to rating and filtering systems on several grounds. First, the rating and filtering of the Web is an impractical task and existing technology is limited. Although it is impossible to rate the enormous amount of online material, filtering software can block unrated sites, thus considerably restricting users' access to cyberspace. Web content is also too diverse to be classified according to filtering programmes' limited number of rating categories. Consequently, they routinely 'overblock' a great quantity of online material. This problem is compounded by the fact that

filtering companies rely primarily on automatic content recognition and categorization that operate by key words and are unable to take into account contextual information. This issue has been highlighted by several surveys conducted by civil liberties associations since the mid-1990s.

In January 2002, Peacefire conducted a test of Cyber Patrol, the leading filtering software on the market. It found out that it blocked numerous Web sites of churches, youth organizations and medical information sites (the American Cancer Society Web site, for example), on the grounds of containing 'sexually explicit' material. This result confirmed those found by earlier surveys. For instance, the American Civil Liberties Union (ACLU) reported in 1998 that Web sites that contain the consecutive letters 's', 'e' and 'x', such as in 'Mars exploration', can be blocked by filtering software.

An additional problem is that rating and filtering systems might block Web sites but ignore other Internet-related communication systems 'such as the chat, environments, file transfer protocol servers ("ftp"), the Usenet discussion groups [and] real-audio and real-video systems which can include live sound and image transmissions'. Thus, while these programmes affect users' access to cyberspace, they fail to make it 'safe' for children, their declared objective.

Civil liberties groups also warn of the danger of biased judgements. Rating categories are laden with value judgements that are subjective and differ between cultures, communities and individuals. As a result, rating systems will affect the cultural diversity of cyberspace. As the GILC report argues:

Efforts to force all Internet speech to be labeled or rated according to a single classification system will distort the fundamental cultural diversity of the Internet and will lead to domination of one set of political or moral viewpoints. Such systems will either be easy to use and not have enough categories for all cultures or they will have so many categories to cater to all cultures that they will be unusable. These systems are antithetical and should be rejected.

As the most influential rating agencies are established in the United States, the filtering procedures will operate on the basis of North American moral values and assumptions. Organizations outside the United States have challenged the validity of these foreign value-laden categories and claim that if they are to be implemented universally, it would further the dominance of American moral values.

Rating and filtering systems risk homogenizing Web content. Minority discourse will disappear and powerful players will increase their visibility on the Internet. As the American Civil Liberties Union argues, '[w]ithout free and unfettered access to the

Internet', this exciting new medium could become [...] little more than a souped-up, G-rated television network.

FROM BOOK-BURNING TO STEALTH CENSORSHIP

The challenge for today's new media is not limited to new means of censorship. The philosophy of censorship itself has become more goal-oriented since ecclesiastical and civil authorities tried to control the printing presses over fears that the faith of heretical authors was spreading fast in Europe. In the 16th century, the enforcement of penalties against authors and booksellers who had infringed on censorship laws was erratic and inconsistent. Both in Spain and Italy, enforcement depended on local conditions and varied greatly from one city to another. Long periods of calm were interrupted by sudden bouts of repression (Kamen, 1985: 62-100).

Repression was meant to be visible. A common measure enforced by the authorities during the Inquisition was the symbolic burning of books. In the mid-16th century, the Spanish Inquisition began to organize public scenes of book-burning during the disciplinary rites of the *autos de fe* (Kamen, 1985: 88-9). During these ceremonies, while offenders endured public humiliation and, in few instances, torture and death, forbidden books were consigned to the purifying flames of bonfires (Kamen, 1985: 178-97).

These rituals were deliberately laden with symbolism. The book burnings were spectacles that belonged to the realm of representations. The flames that engulfed heretic literature symbolized the purification of erroneous knowledge. An Italian print of 1711 represents the Holy Spirit burning forbidden books through St Peter and St Paul (Grendler, 1977: ii). Such ceremonies were intended to restore the symbolic authority of the Church. These rituals proceeded from the same logic as public executions. As Michel Foucault writes:

It [the public execution] is a ceremonial by which a momentarily injured sovereignty is reconstituted. It restores that sovereignty by manifesting it at its most spectacular. The public execution, however hasty and everyday, belongs to a whole series of great rituals in which power is eclipsed and restored (coronation, entry of the king into a conquered city, the submission of rebellious subjects); over and above the crime that has placed the sovereign in contempt, it deploys before all eyes an invincible force (Foucault, 1977: 48).

Early censorship was dominated by the symbol and the allegory. Today, the means to curb freedom of expression have become less visible and more efficient. This evolution began with the emergence of economic means of censorship, which first appeared in

Britain in the form of taxes on knowledge in the 18th century, and then spread to other European countries. These taxes were difficult to evade and did not bear the stigmas of direct censorship. Penalties for infringement - fining and imprisonment - were less ostentatious than book-burning and public flogging.

Rating and filtering systems on the Internet have taken the means of control of public discourse further away from demonstrative and restorative justice. Heretic knowledge is no longer purified by the flames of a bonfire in a public place but by invisible digital codes. Filtering software operates far from the public gaze and behind computer screens. The intention is to control cyberspace in the most efficient and least intrusive way. The means of control of public discourse have been rationalized. If digital means of censorship are allowed to become widespread, they will constitute an invisible, timeless and faceless way of controlling cyberspace.

PUSHING THE FRONTIERS OF HERESY

New media have often been used by minorities to demand new rights. Protestant Reformers published books to spread their faith across Europe and political reformers have used the press to challenge autocratic governments. Today, sexual minorities use the Internet to build their collective identity and promote their rights. These minorities have fought in different times, but each of these battles has expanded the boundaries of freedom and pushed further the frontiers of heresy: Protestant reformers fought in the moral sphere, political reformers fought for collective rights in the social realm and contemporary minorities fight for rights in the sphere of intimacy. The boundaries of freedom have expanded *inwards* and moved closer to the person and his/her identity. The fight for new rights is part of a process of individualization that is inherent to modernity (Bauman, 2001; Beck, 1992). Modernity allows individuals to be more reflexive and make more choices than ever, and it is these new freedoms that necessitate new rights.

Demands for new rights provoke moral panic because they question the norms and absolutisms of their time. They challenge the assumptions of the majority and confront the authority of those in power. Today's new minorities are raising questions about sexual norms, the family and morality. Their use of cyberspace provokes ambivalent attitudes among many governments, including those in Western democracies. While governments may support technological advances in the market-place, it is in their best interests to keep cyberspace in check. They welcome the prominent role the Internet plays in the 'knowledge-based economy' but are wary of the freedom it gives to many people. In support of their policies, legislators have cited child pornography and the need to protect minors as legitimate reasons for their scrutiny. Most recently, in the post-September 11 climate, anti-terrorism has become the new priority in pushing

through Internet-specific regulation. While these are extremely valid reasons, as Tim Berners-Lee writes, 'laws must be written in relation to actions, not technology. The existing laws that address illegal aspects of information are sufficient. Activities such as fraud and child pornography are illegal offline and online' (Berners-Lee and Fischetti, 2000: 147). Public authorities do not want to lose control over a medium that helps minorities propagate values that challenge existing social norms. Manuel Castells makes another important point, 'control over these networks is an essential principle of remaining in control' (Castells, 2001: 177). The Internet has been invented and developed as a medium for freedom. Cyber censorship does not only affect today's minorities. Everybody who uses the Web will benefit from the rights they fight for, as much as everyone has benefited from the rights acquired by minorities in the past.

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