

Considering the nature of freedom of speech in the internet age

Mohit Agarwal

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The nature of free speech in our current society is questionable, yet the internet paves its own path in this realm. To the internet, the traditional considerations of freedom of speech arguably do not exist. Firstly, the question of place and time is less significant in relation to the internet in comparison with traditional thought on freedom of speech. Whilst speech in person creates noise and, can by its nature, causes genuine disruption or offence to people who may inhabit the area. Furthermore, loud speech in the night may disrupt people who are trying to sleep and thereby be considered a nuisance whereas speech in the day may be better tolerated. On the internet, however, there are no such considerations. Although actions online can spur in person events, any published material on the internet cannot immediately cause disruption through its time or place. As a non-physical event, its existence cannot block a road, create noise, or wake people in the night, unless individuals chose to do so in person. Furthermore, whilst a person talking in the street can indubitably be heard by any bystander, on the internet any material being read, watched, or listened to is through the choice of the reader, viewer, or listener. The speech that everyone must hear on the street, is heard only by those who wish to when it is published on some website. The factor of disruption and offence is thereby limited by the nature of the internet.

Thus, traditional limitations to absolute free speech that may seem reasonable or indeed necessary, such as intervention involving somebody shouting obscenities in public to the cause of major offence or where disruption to others and other behavioural factors are considered significant (Mill, 2021) seemingly no longer apply on the internet. Truly the internet deals without the physical constraints that may limit traditional freedom of speech, allowing us to potentially understand the nature of freedom of speech in a greater sense. Through the internet, freedom of speech is a more pure concept, closer to our understanding of freedom of press, giving the freedom to communicate to more people.

In modern society usage of the internet is clearly widespread and is noticeably an incredibly significant phenomenon of our world today and will likely continue to be so (Auxier & Anderson, 2021;

Johnson, 2021; Perrin & Duggan, 2015). A significant feature of internet communication methods are their potential for resistance to regulation, and thereby resistance to attempted limitations on freedom of speech. Some popular internet platforms have been known to restrict their users' communications, at times to the cause of some alarm (Conger & Isaac, 2021; Jennen & Nussbaum, 2021). These platforms, however, must be considered for what they are: popular, for-profit, privately owned sites. However much we are invited to consider them as communications providers that exist for the common good of humanity (Fox, 2014), they are not. In this light, just as an individual may say what he pleases, or a newspaper may publish the content of its choosing, a website may host or may not host content of its choosing as a private enterprise. For those who are not fond of such measures, there are other platforms which do not moderate users' content to such an extent, but they thereby naturally have content that others may find distasteful (Bilton, 2010; Lewis, 2020).

Given the prevalence, however, of a small handful of platforms (Auxier & Anderson, 2021), this may be worrying. Although in theory, the internet is free, in reality a small group of private organisations might control any sense of freedom of speech and have the power and have used the power to limit it. To an even more worrying degree, they have the power to limit what we say in what we consider as 'private' communications and the power to change what we say to something that we did not. Although we should consider this as a potential threat to freedom of speech, particularly as these companies may have an interest in regulating freedom of speech to benefit their revenue from advertisements, we must acknowledge that this potential limitation comes with using a private site, and that they cannot guarantee us freedom. Furthermore, unlike traditional regulation, any activity we see as a limitation of our speech is not a terminal act. We can, currently, use any platform at any time, whilst a government can and has maintained its authority over citizens (Funder, 2003), naturally with far greater consequences. This is an authority that private companies currently do not have.

It is clear, that private regulation is acceptable, and perhaps quite useful such as on popular platforms that are used by large numbers of people, or by particularly young children, such as YouTube (Dredge, 2015). Governments will struggle to intervene with this regulation without significant investment and the content is of such high volume that an attempt at regulation would likely be meaningless. This means that in the internet age, freedom

of speech is in our hands. An organisation can heavily regulate freedom of speech and regulate the information that reaches us, as the major social media platforms currently do through their ‘recommendations’, yet if we act accordingly we can have as much or as little freedom of speech on the internet through the variety of platforms currently available.

There is cause for concern, however, with regulation on a ‘lower level’, such as the private companies that provide the infrastructure that allows the internet to exist. Websites have been removed by these organisations ([Harwell, 2019](#)) and this can heavily limit freedom of speech if heavily used for regulation. It is this that leads to arguments for non-discrimination by these organisations ([Gayo-Avello, 2017](#)). Heavy regulation at this level poses a threat to the freedoms the internet provides and the freedoms of citizens, as it would give governments or private companies to remove sites as they please. Such regulation is visible, such as in China, or as we might refer to it: ‘censorship’ ([Economy, 2018](#)), despite much distinction.

Furthermore, payment transaction services, such as PayPal or Visa can be considered in this way, and similarly, any attempts for regulation could be very serious for the freedoms of individuals.

Although these limitations may change the nature of freedom of speech, in protest to the potential for such limitations there is an interest in decentralisation. Cryptocurrencies can replace traditional payment systems, networks such as Tor can circumvent potential removal of sites from the internet, and decentralised communications protocols featuring encryption allow free and private communication. In fact, these technologies are already in popular use, both by those who have an interest in privacy and freedoms, but also by criminal groups. Although there is a lot of effort to prevent this crime ([Evans, 2020](#)), technology makes it more difficult for governments, thus presenting the problem that attempts to regulate freedom of speech in the internet age are useless, due to the freedoms the internet age provides. New technologies make it increasingly difficult to prevent communication and the transfer of capital between parties governments might wish to. Thereby, technology retains freedom of speech on the internet and introduces a new concept in the nature of freedom of speech. Whilst before, freedom of speech could be more easily removed by ruling groups, technology and cryptography are making this very difficult, even for governments. Thus, in the internet age, we must consider a new resilience that freedom of speech has.

In the internet age, young people are very prominent users of technology. Yet, when learning that parents that are involved in the technology industry, such as Steve Jobs limit their own children in their usage of technology (Akhtar & Ward, 2020; Bilton, 2014), it can come as a surprise to us. We should consider how we allow our children to use technology and make use of the freedoms it already provides and will seemingly continue to provide (Hawkey, 2019), perhaps to an even greater extent. For governments attempting to promote ethical behaviour and enforce laws, attempted regulation of the freedoms that the internet provides may be fruitless or may have to be so draconian, as is visible in China (Reality-Check-team, 2020), that these very regulations are perhaps themselves deeply unethical. The limits of freedom of speech, when for example accessing children through freedom of speech on the internet (Dredge, 2015), are difficult to control through regulation. Nevertheless, freedoms to this degree limited though encouraging sensible use of the internet and through parents considering how much access to internet that a child has.

In conclusion, the internet offers freedom of speech that is closer to absolute freedom of speech than it would otherwise be in society. Although there do remain many limitations and potential for limitations, people remain keen to circumvent or prevent these limitations through technology and to limit freedom of speech is far more difficult than it would be without the internet. The internet provides freedom of speech in a more genuine sense than may be present otherwise, and will likely continue to do so. Thus by reconsidering the nature of freedom of speech we can act accordingly and encourage and engage in use of the internet in a useful, productive, safe, and ethical manner, particularly for young people. The limits of freedom of speech, are now set by the nature of the internet itself, and thereby by us. However, the nature of the internet is influenced by private organisations who may not have freedom of speech in their interests, which we must be aware of. The true consideration is how much we value freedom of speech. With an understanding of the new nature and limits of freedom of speech, we can use the internet to further freedoms as we have been and truly use it for the betterment of freedom for humanity.

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