Censorship and Internet: a Singapore Perspective

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Abstract
Technology and censorship are often seen as opposing forces in the information age. This tension is exemplified by the case of Singapore, which wants to harness new technologies for development while having censorship controls in place.

This paper looks at how Singapore is going about censorship of the Internet. It is part of a larger study into how Singapore proposes to censor without losing the advantages of new technologies.

The paper begins by noting that censorship in Singapore is justified on historical and socio-political grounds. Both the government and the people want it, favouring caution and prevention over liberalism.

In line with these desires, the Singapore government has drawn up guidelines for censorship. In practice, however, some of these principles conflict, especially when censorship of the Internet is attempted.

The paper then looks at problems in censorship of the Internet and examines some censorship measures that have been attempted. The paper concludes with the observation that current thinking suggests it is almost impossible to both control information and reap the benefits of the information age. Singapore is trying nevertheless.

1. Introduction
In 1991, Singapore's National Computer Board, a quasi-government body that looks into the use of computers, began a study on how information technology could be harnessed to create new competitive advantages and improve the quality of life in Singapore. Also in that year, the Ministry of Information and the Arts began its once-a-decade review of censorship laws and standards across all media.

When both reports were completed, it was clear that neither technology nor censorship could stand without one considering the other. Some censorship laws could impact negatively the diffusion of computers in society. On the other hand, new forms of media were making it difficult to maintain the extant level of censorship. The dilemma was, and is, that Singapore wants to harness new technologies for development, but its citizenry also wants censorship controls in place. In the words of Bill Gates, chairman and CEO of Microsoft Corporation after a recent meeting with top Singapore officials, "They are going to try to have their cake and eat it too."[1]

The problem of censorship and new technology is best highlighted by the Internet. At present, Internet is available to tertiary institutions through a service called TechNet and to home and business subscribers through Singapore Telecommunications Authority's Singnet, currently the only commercial service provider. The Telecommunications Authority of Singapore (TAS) has plans to allow the entry of a second commercial Internet service provider in the near future. Already, IBM, Apple and Microsoft have expressed
interest in being service providers. A recent estimate by Minister for Information and the Arts George Yeo suggests that some 26,000 Singaporeans are now on the Internet, with the number growing by more than a thousand a month. [2] This paper looks at censorship of the fast-growing Internet from a Singapore perspective of minimising the negative effects of the new medium while maximising the benefits to be derived from it. The paper shows some limitations, and possibilities, when censorship is attempted on the Internet.

2. Basis of Censorship in Singapore

From a Western, especially American, perspective, censorship is difficult if not impossible to defend. But the position of the Singapore government and indeed even the citizenry is that there are good reasons for censorship. First, as there is anecdotal evidence to suggest that media can have negative effects on their consumers, it is therefore wiser to err on the side of caution through censorship. Second, there have been incidents in the past where media reports have caused racial riots and the shedding of blood. These are the 1950 Maria Hertogh riots, the 1964 riots during Prophet Muhammad's birthday, and the 1969 riot spillover from Malaysia. These riots have been blamed partly on uninhibited reporting and are often cited as examples of how the press can incite racial and ethnic violence.[3] In the Maria Hertogh case, the Malay press played up the angle (in its words and pictures) that the Dutch girl brought up as a Muslim by a Malay family was now forced to take up the Christian religion. The story was read by the Muslim community as a case of religious injustice and a riot broke out--leaving 18 dead and 173 wounded.[4] Most recently, the execution of a Filipino domestic help in Singapore has sparked off anti-Singapore sentiments in the Philippines. Again, uninhibited and erroneous reporting have been blamed for the demonstrations and protests against Singapore.[5]

Events like these are used to justify the need for tight censorship in a multiracial/multireligious society, where the unimpeded flow of ideas instead of leading to enlightenment can sometimes have negative effects.[6]

Censorship also survives because of the widespread support of Singaporeans, as a recent survey by the first author found. On a censorship scale of 1 to 7, the three areas where Singaporeans wanted most censorship were materials for the young, news leading to race conflict and racially offensive public expression in that order.[7]

Thus, censorship in Singapore is justified on historical as well as socio-political grounds, favouring caution and prevention over liberalism. This position has been systematically articulated by the government and accepted by the people as one of the boundaries within which Singapore society must function.

3. Principles of Censorship in Singapore

Administration of censorship in Singapore has been performed in a typically methodical manner with guidelines developed through experience.[8] First, materials going into the home are more heavily censored than those going into the corporate world. The Singapore authorities have drawn a distinction between information for business uses, which should be as free flowing as possible, and information for
non-business uses. Information for the home is seen to be of a less critical nature so censorship of such information is regarded to have not as deleterious an effect.

Second, materials for the young are more heavily censored than those for adults. This is an admittedly paternalistic principle of protecting the weaker members of society from the possible harm of the materials in question.

Third, materials for public consumption are more heavily censored than those for private consumption. This is a corollary of the second principle as it is assumed that the public includes those who are "weaker." Also, regardless of the level of censorship those who are determined can always get their hands on them. Hence private consumption can only be policed to a limited extent. Further, it is more efficient to police public instead of private consumption. It should be noted that private consumption of censorship materials is still policed in that those found in private possession of censored materials can be convicted in court.

Finally, materials deemed to have artistic and educational merit are less heavily censored. This is a recently articulated principle and has been applied to movies, which now have an R(A) or Restricted (Artistic) rating.

In sum, censorship in Singapore has an element of differentiation: home vs. business, children vs. adults, public vs. private consumption. Further, materials that can be shown to have some tangible and wider benefit--such as for business, art and education--are censored with a much lighter hand. On the other hand, materials deemed to have less tangible benefit--such as "pure entertainment"-- are censored more heavily.

To be sure, some of these principles come into conflict in the administration of censorship. The concession to artistic materials is an admission of one such conflict. On the Internet, however, the conflict is magnified.

4. Problems in Censorship of the Internet

As a new technology, the Internet defies censorship because of characteristics such as information explosion, de-massification, convergence, computer culture and globalisation.

First, the Internet has the ability to explode information onto every user. More information can be gathered and distributed at a faster pace, meaning that the flow of information in circulation increases at an exponential rate. In Singapore, however, the number of censors at work has not kept pace with the explosive growth in the amount of censorable materials.

Censorship in Singapore is undertaken by the Censorship Section of the Ministry of Information and the Arts. Figures from the Censorship Section show that the number of censors has increased by 80 percent in the 10 years from 9 in 1983 to 16 in 1993. The amount of materials that the Censorship Section has to vet, however, has increased 400 percent over the same period--from 102,352 in 1983 to 408,863 in 1993. On a per-person basis, the workload has increased five-fold from about 5,500 in 1978 to more than 25,000 in 1993.[9]

Employing more censors is, at best, a short-term solution and in a tight labor market, an expensive one too. Censorship is also made difficult as the Section has
only begun to obtain the equipment necessary to vet electronic publications. Vetting, already selective even in the 1980s, has to be even more so in the 1990s as the capacity to censor is unlikely to match the amount of information being generated.

Second, the Internet borders between being a mass and a specialised medium. The information available on the Internet is not intended for the mass audience. Usenet groups and web sites, for example, are intended to cater to a specialised audience.[10] Information on these groups and sites tend to be less mass and more customised, and the distribution points are multiple. This decentralisation suggests that censorship could technically follow the Censorship Review Committee's principle of differentiation by target audience, i.e. homes vs. businesses, the young vs. adults.

However, the nature of the Internet is that it has all the potential to be a mass medium. This poses a problem for Singapore censors because the greater reach of material calls for a heavier degree of censorship. The Internet therefore poses a problem for the censorship guidelines as it conflates the distinctions between public and private consumption.

Third, the Internet is an example of a convergent medium: it has a mail function, a news-reading function and a computing-software function. Convergence poses problems for censorship because it becomes difficult to classify the new medium and to decide who regulates them and how. Singapore's current censorship regime assumes that the media are distinct and separate from one another.

There are three regulatory regimes for the Internet. First, it could be classified as a telecommunications service because one major use is electronic mail. Second, it could be considered a computer service because one needs a computer to access the Internet. Third, the availability of information through Usenet group and web-sites, where they can reach a wide audience electronically, could qualify the Internet as a broadcasting service. Singapore has chosen the third option: to treat the Internet as a broadcast service. It is to be regulated under the recently-passed Singapore Broadcasting Authority (SBA) Act, which defines broadcasting broadly--in terms of programme transmission to all or part of the public, regardless of the means used. The Act could require computer networks to be licensed by gazetting them as "licensable broadcasting services", but they have been excluded for now.[11] Regulation in Singapore is such that there is no censorship of mail, a little censorship of computing for pornographic software and heavier censorship of news. The Internet therefore falls into cracks in regulation.

Fourth, censorship does not sit well with computer culture, where maximum (and often anarchistic) freedom is celebrated. Cyberspace culture is not value-free in that it privileges free speech and the free flow of ideas as a route to social and intellectual progress. For example, the US Senate Commerce Committee's proposal to ban obscene material in cyberspace faces strong opposition from Internet users and scepticism from critics that the collection of networks can at all be controlled.[12]

Apart from a council that sets technical standards, there is no central controlling body for the Internet. As a result, any of its services can carry undesirable content, be it text, sound or image. System administrators at individual sites may censor by restricting the materials that users may access, but this does not prevent users from
bypassing local service providers and accessing such restricted materials directly from overseas service providers. Besides, the Internet is thus inherently resistant to censorship, both in its operating philosophy and technical set-up. Any kind of censorship is read by the Internet as "damage" and the system will attempt to correct it. Dynamic re-routing ensures that if one communication link is broken, the traffic can be re-directed through other existing links. The Internet, after all, was designed for military use and the design criteria were fault tolerance and reliability even after a nuclear attack.\[13\]

Fifth, the Internet highlights a major problem in global interconnectivity: what legal standard applies? Legally, everything is allowed on the Internet as long as it does not violate the laws in the country where the originator resides. But even if the law of the land is broken, it is well-nigh impossible to enforce criminal laws outside of one's country. For example, it would be difficult to pinpoint just who is responsible for the distribution of pornography when the pornography has flown in through an interconnected network. Further, controlling the flow of information into the receiving country also means controlling the flow of information from the originating country. Even if the laws were in place in the receiving country, there would still have to be corresponding enforcement and perhaps extradition arrangements in the originating country as well.

The trend of global interconnectivity means that any attempts at censorship has to consider the international dimensions. The Internet not only throws up the question of what standard of censorship to be adopted, but also suggests that local standards have to be worked out in mutual juxtaposition with global standards.

A final point is that legislation and case-law tend to proceed piecemeal and almost always lag behind changes in technology. The current regulatory framework was developed in the context of the traditional print media, and the relatively newer media of radio and television broadcasting, telecommunications, films and videotapes. If censorship is to be enforced on a concordant basis, the trend of convergence requires that the present laws be updated.

For example, the Singapore Penal Code provision for distribution of pornography is lacking in these aspects:
1. It does not explicitly cover materials that are not visibly obscene. Two rather old cases interpreting the obscenity provisions have held that the obscene object must be obviously obscene. Thus a pornographic videotape would not be captured because without mechanical aid, it looks just like any other videotape.\[14\]
2. It does not cover the situation where obscene materials are distributed from one computer to another as is frequently done through the Internet.
3. The requirement of knowledge of content, that is whether the content is obscene or not, is not spelt out in the Act. Case law is conflicting. In other words, it is not clear if someone charged with the offence of possession of an obscene object can be acquitted if he or she was genuinely unaware that the contents were obscene. This is a critical issue in the context of information explosion. This means that network administrators who may not know that the materials on their site are pornographic or that such materials are being transmitted through their site may be caught under the current
regime.

The above discussion shows that process of censorship in the age of new technologies is problematic as new laws tend to be inadequate modifications of old laws applied to older technology.

5. Censorship Measures

The above difficulties in censoring the Internet notwithstanding, Singapore is exploring ways to put controls in place. One way to control technology is to use technology itself as a control mechanism. True to its style, the Singapore government has looked into using technology in censorship. The National University of Singapore, for example, has different servers for staff and students. The idea is that staff will get materials with less censorship than students.

The lesson from the West, however, appears to be that censorship using technology does not work well. For example, university professor Richard DePew developed a programme he called ARMM (Automated Retroactive Minimal Moderation) to delete anonymous messages to Usenet groups. The programme failed at first. Then when it succeeded, it actually affected the workings of other connected computers.[15]

Others have tried less sophisticated methods of censorship, such as using algorithms to search for censored words. These methods, however, are often bypassed using encryption or counter-technology.[16]

Recently, through some misunderstanding of an high-level official request, public Internet accounts of a business service in Singapore were scanned for .GIF files. The method used was simply a search engine that sought out files with the .GIF extension. Of 80,000 files scanned, five were found pornographic by Singapore standards and those users were issued warnings.[17] Speaking to the authors later, a few irate users said they would consider renaming all their files with a .GIF extension, just to make life a little more difficult for the search. Of more concern to the service provider, many users expressed grave reservations with the security and privacy on the system.[18]

A somewhat more refined approach is to patrol the Internet. Technically, anyone at any connected site in the network can monitor it. The Internet lends itself to traffic analysis, where the content may not be known, but the source and destination can suggest certain interests. For example, traffic to a particular overseas site known to contain pornographic material may be more closely monitored. The sheer amount of information and "noise", however, makes this method highly inefficient and improbable.

It is possible, at a cost of US$70,000 a year, to create a separate server to censor, within limits, Usenet groups. Then, some users will have access to materials that others do not. This will prevent all but the most determined from accessing those censored groups. But it is costly to manage the system, especially with the labour shortage in Singapore. Further, it is possible to access other servers that offer access to Usenet. Therefore, such controls are not technically or economically feasible.

Currently, Usenet groups in Singapore are censored using guidelines issued by
the Ministry of Information and the Arts, the government body in charge of media censorship. For example, Usenet groups accessed through the local telecommunications provider, Singapore Telecom, are more heavily censored than those accessed through the local universities. The Unix shell used by Singapore Telecom has been deliberately crippled to remove some functions. Subscribers have to use the menu to access the Internet services.[19]

Some censorship is also implicit in the fact that Usenet groups enter Singapore through Technet before reaching the local universities, where system administrators decide if certain groups should be deleted. The system administrators can also set conditions for usage, revoke certain services from users' accounts (e.g. electronic mail, Usenet access, file transfer capabilities, remote communications), or deny login access totally. These rules tend to be haphazard and crisis-oriented. Currently, there are no widespread, uniform guidelines or procedures for restricting use of any Internet services, and local administrators have to make arbitrary decisions on access.

Apart from an act relating to the criminal misuse of computers, Singapore has little regulation on computer networks and looks set to continue that way at least for the near future. Control over pornography is through the existent laws. There is talk of an amendment to the Films Act to cover both moving and still images--which would include pornographic pictures on the computer. But the amendment is still being studied for its wider implications.[20]

6. Conclusion

The Singapore government is well aware that it cannot do much to censor the Internet. In fact, as the discussion above as shown, censorship can impact the workings of the Internet and faith of users in the system. But, as the Minister for Information and the Arts has said, the Singapore government will not give up without a fight.[21]

The main means of censorship is to control access. The rationale is that this will allow only the determined to get at the materials, thus excluding the novice and the casual user.

Of late, the issue has shifted from censorship of pornographic material to censorship of "misinformation," as political debates are increasingly tossed around in cyberspace. For example, issues discussed on the newsgroup soc.culture.singapore have ranged from American Michael Fay's caning and the hanging of Dutch drug trafficker Johannes Van Damme to the recent case of Flor Contemplacion, the Filipino maid convicted of double murder.[22][23]

To that end, an administrative committee has been formed to provide information (and rebut inaccurate information) about Singapore on the Internet through "Singapore Infomap."[24] The group includes members from the Economic Development Board, the National Computer Board, the Ministry of Information and the Arts, and Internet access providers Technet and Singnet. The youth wing of the ruling party, Young PAP, has also set up a section to state the government's views. It appears that Singapore's response to the problem of control over the Internet has been to stake out a place for itself in the cyberspace neighbourhood, as the Minister has put
Singapore's case is instructive in that it is trying to do both--control information and yet reap the benefits of the information age. Current thinking suggests that it is difficult, if not impossible, to achieve both aims. Singapore is trying nevertheless.

References
[10] In fact, the irritation with advertisements on Usenet groups is that the ads are often off-topic.
[14] A case in Malaysia, Public Prosecutor v Tee Tean Siong & 8 Ors [1963] MLJ 201, and another in Brunei, Lim Hock Thai v Public Prosecutor [1981] 2 MLJ 212, interpreting sections of the law that were word for word the same have so held.
[18] Interviews with users over November 1994.

Source: http://www.isoc.org/, 05/04/1995