Birth of Internet Ethics

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Abstract. Communication on the open networks during the first half of the 1980s was more factual than personal. However, the expanding use of electronic mail increased the personal and individual character of this type of communication. Personal and emotional content became more and more common. This increased content interest. Branch organizations formulated ethical principles, and it was created around the balance between market control and legal control.

At the time, legal regulation concerned the balance between public openness and personal integrity. Sweden was a country in the forefront. The number of concerns within the concept of content "control" increased.

This text discusses the occurrence of ethical control on the networks of the 1980s. Many of these were videotex networks that were not technically standardized, they could rather be considered as technologically defined market islands. However, a certain "ethical standardization "appeared, which was to become important later, when the Internet arrived.

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1   Background

In this text, the concepts "ethics" and "codes of conduct" are used in similar conceptual environments.

Codes of conduct for creators of computerized systems had started to be discussed in the 1970s. The early often centralized data base oriented systems were often built with a concern primarily for top-down efficiency, and discussion of effects on and by users was not apparent and frequent. However, such user concern was asked for increasingly, and codes of conduct for system creators were believed to be able to help.

This was early observed by Kerstin Anér, liberal Member of Swedish Parliament, who in her visionary book "Datamakt" [2] asks citizens to observe openness and moral for system creators. She discusses "ethical codes for computer system workers", referring to UK and US proposals from 1973 where such codes were suggested, much in line with ethical codes for legal experts and medical doctors. It was mentioned here that sanctions might be applied against misuse. She also explicitly refers to a Japanese report ("Plan for Information Society 1985") where it is noted that:

"The ethics of the future should not be of the modest type which only avoids to harm others, but should state that each individual strongly should contribute to societal wellbeing and development through intellectual creativity" ([2] pp 318, translated by this author).

Thereafter, ethics for system creators successively came to be observed in larger circles, although these circles in the beginning had small radius. It took time until Kerstin Anér´s thoughts reached out.

Through the arrival of computer conferencing, including electronic mail, the border between system creators and system users turned less and less sharp. ([7] pp 1) Consequently, ethical concerns for communication systems creators slowly came to be observed in larger circles.

The use of early public computer based networks in the late 1970s showed analysis and communication with only little "personal" communication but with much more factual and "measurable" content. As time passed, however, network content contained communication elements that became more and more personal and, often, emotional. This became evident as electronic mail started to be used in larger circles in the 1980s. Interest then smoothly shifted to ethical principles applied on and inside these new types of communication.

This development was foreseen by the pioneers of computer communication systems, professors Starr Roxanne Hiltz and Murray Turoff. In their "The Network Nation", first published already in 1978, they note:

"In public computer conferences, operators should state clearly what, if any, are the policies on censorship of the material. On material that is not subject to censorship, the operators should recognize individual rights of ownership to individual entries…. Items should not be copied to others by receivers without the permission of the owner or the awareness of the group" ([3] pp 506-507).

Observation of such interests, evident as they may look today, came slowly to be demanded on the early communication networks.

This evidently was way before the arrival of the Internet. However, the dawning ethical concerns and interests on early computer communication systems and on the videotex networks of the 1980s had an influence on later communication on the Internet.

As uses of services over time more and more began to contain items of personal nature, the concept "codes of conduct" became complemented by "ethical concern", and regulation increasingly observed information content.

The videotex networks of the 1980s were not technically unified and standardized. On the contrary, different countries used quite different types of technical communication standards (ref 4). As these standards met and at times collided at the national borders, for instance when the French Télétel standard met the German CEPT videotex standard, or met the English Prestel standard, market oriented "battles" arose (ref 1). But these battles built on technology. However, the applications learned from each other. The French advance invited several other countries to implement similar applications that increasingly concerned customers and private users.

However, the English Viewdata system (later called Prestel) was probably first in offering nationally public videotex network services. Already in 1980 the UK Post Office presented an astonishingly complete Code of Practice handbook, with detailed specifications concerning use of many types of services. It contained chapters including rules about Information and Advertising concerning Children, Consumer Credits, Financial, Sales, Medicine, Body, Alcohol, Tobacco, Slimming, Betting, Direct sale. This was, as can be seen, a for its time fairly complete catalogue.

In spite of this UK move, during several years of the 1980s, by quantity the (packet switched) French Télétel network with its Minitel terminals dominated European network concerns for videotex expansion. The French network combined centralized terminal definition and production with a business model with ingenious and highly decentralized (for organization and payment) market structure definition (Ref 1, p 169)

Before being "defeated" by TCP/IP, this French communication standard was used by as many as 7 million Minitel users, which was a true success. Competing networks in other countries, and there were many, could at best only show cultures of hundreds of thousands of users. The influence from the French codes of conduct was therefore probably mostly restrained by language.

2   User Cultures

On all of the separate videotex networks (French, English, German, American, Nordic, Japanese ….) electronic mail successively became a central application. These systems were of public as well as private nature. Electronic market applications were tried in the 1980s, by banks, postal concerns, commercial branches, game providers etc, but the lack of standardized payment routines made wide spread market use difficult. This type of service needed time to mature.

The Swedish TeleGuide system, which in the middle of the 1980s tried to copy the French Minitel success, introduced payment with smart cards (for which the need for codes of conduct was observed). But the methods to handle this, especially by service providers, were not mature. TeleGuide reached, as a maximum, approx. only 22 000 users (ref 5)..

During the beginning of the 1980s pornographic material started to appear on the French Télétel network (via the Minitel terminals). After some time, the phone number to the main and most low- cost French Minitel service database (kiosk), 3615, became looked upon as a "soft number" (where the user easily could find pornographic services). Such pornographic services via Minitel were advertised privately, and for some years in the 1980s, they generated quite a lot of profitable traffic. This development was criticized in the public debate. A representative of France Telecom in 1987 excused himself by saying: "…. but this "Messagerie rose" at the time only

generates 5% of our télématique traffic income" (personal communication). One can note the word "only" here.

Similar types of mail-type usage was observed in other countries. In the EIES system in New Jersey, USA, certain material turned soft and personal, resembling "soap operas" with "light relations" (ref 3, p 204).

This type of systems behaviour also has been observed at the introduction of other types of technology. It can be remembered that video technology introduction generated a strong debate in the 1990s, for similar reasons. Effects of this type have later turned out to be strong in the beginning, but smoother as time passes.

Other types of as it seemed unethical services also started to appear on public networks during the first half of the 1980s. Increasing amounts of this raised many questions about responsibility and personal integrity.

3   Market Reactions

This development created a discussion among information providers about possible regulation. General public legislation was at the time mostly not fully applicable for this new type of communication medium. Therefore, regional branchwise regulation was discussed, and in certain environments created. As an example, US concern (for services based on the technological videotex NAPLPS standard) introduced development of certain ethical "standards" organized by the Office of Fair Trading already in 1980.

In Sweden, Informationsproducentföreningen (Information Providers´ Organization) that was created in autumn 1983, quite soon showed concern for codes of conduct and ethical principles on the Swedish networks of the time.

Some of these would touch legal structures, others would be more of practical nature. Application branches were inspired to create own types of regulation. Concepts that could be regulated were related to:

- Common definitions
- Legal correctness (personal integrity, intellectual property ...)
- Compliance with fair trade regulation and mass media ethical publication rules
- System responsibility, types of services provided, correct connections
  between services, index system, border to network providers
- Technical system availibility
- Information content responsibility.
- Service content, user administrative services, help functions
- Secrecy administration, complete or partial
- User information to users about costs

As can be seen here, these types of regulation interests differ quite a lot. One way to

sort these could be to differ between those that contain form and those who address content. Even if the border between form and content at the time not was sharp (and would become even less sharp as time passed), at the time it could be possible to separate between formal parts and parts that concern content.

Form, in codes of conduct
- Common definitions
- System responsibility
- Technical system availability
- Service content, administration and help
- User information

Content, in codes of conduct
- Legal correctness
- Fair trade regulation and publication rules
- Message and information content

For the Swedish network industry, ethical rules for videotex services were defined in June 1985. They contained rules concerning:

- Costs
- Responsibility
- Service form
- Integrity legislation
- Media concern
- Advertisement regulation
- Technology (maintenance, security)

These were updated in 1989, where a new concern for "Moral" was added, specifically referring to pornography [6]. Soon after this, in April 1990, it was decided in Sweden to especially observe the international situation concerning network ethics.

4 Sanctions

Crimes against existing law would naturally be treated according to the relevant laws. But how would this be done? What type of punishment – if any - would be relevant? In several countries, legal investigations appeared during the 1980s.

For branch-wise created rules and codes of conduct, an uneasy feeling often appeared about threatening with sanctions. But how would these principles otherwise be enforced? And who would be concerned? Ought responsibility be shared or not, between the user and the service provider? When would sanctions be voluntary, and when mandatory?

The communications medium in itself introduced new forms. Blacklisting of service

providers who did not behave according to accepted principles, was a form that could be used. Demand for payment of sharply directed form was another. Both of these could be handled online.

Questions that were asked included: Who would be responsible for enforcement of the rules for conduct? Would a specific organization be created, nationally or internationally? How would this organization cooperate with existing Fair Trading organizations?

These possibilities concerning sanctions – when they were applied - were to be implemented in different forms in different countries at the late 1980s and the beginning of the 1990s. Increasingly, cooperation between countries was asked for here, and this was amplified with the appearance of the Internet.

5   International Contact

The legal concerns generally contained observation on personal integrity (where laws at the time in many countries were quite new), and intellectual property (where laws were established but hardly adapted to computer networks). Early ethical principles naturally pointed at the demand from society to have users observe and follow existing legal rules, evident as this may seem. But in electronic form, the application of existing legal principles was often not simple and evident (ref 7).. Numerous public legal committees came to be engaged in the adaption of existing legal rules to new environments.

In the US, discussions about form and content regulation increased during the later parts of the 1980s. The North American Videotex Industry Association later formulated a proposal for a "Videotex Code of Rights and Conduct for North America" at a conference in June 1990 [8].This was to contain observations concerning:

- Privacy
- Copyright
- Exclusion
- Users
- Enforcement
- Rating system

These proposals were to be applied on industrial applications concerning entertainment, health, media, personal and professional services.

In the International Videotex Industry Association, representatives of 14 countries in April 1990 declared their wish to support compatibility between national videotex systems. This would include common ethical concerns. Soon thereafter, and under the chairmanship of this author, IVIA specifically initiated collection of national codes of conduct, with the aim to translate them and look for common interests.

6   Conclusion

Seen in perspective, this ethical regulation analysis was fairly early in time. Often concern for ethics and systems moral appears in a fairly late phase of development of technology. However, the type of ethical concern that has been discussed above in this case inspired the direct creation of the more general ethical principles, once the main technical standard on the market was coordinated to TCP/IP. Then a common "language" turned out to be fairly easily in reach, and the Internet expansion could be given a flying start. It is possible to note that, in this perspective, regulation focus then changed from form to content, although the border between these over time became less sharp.

At the international IVIA meeting in 1991, a number of ethical interests of common concern were made more precise. It was mentioned that focus in the near future would include concern for children online, sharper classification of services, concern for whistle blowers, and steps towards network ethics for all citizens.

This came to form an important ground for the increased ethical influence concerning services on the Internet, a network that at the time was expanding very fast.

References

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