

gy's alterity—the pedagogic possibility for being/becoming otherwise. A different book perhaps. And perhaps simply a book that might have been something less “sensible,” but certainly much more engaging.

The Internet and the First Amendment: Schools and Sexually Explicit Expression. Fred H. Cate. Bloomington, IN: Phi Delta Kappa Educational Foundation, 103 pages, softcover, \$12.00.

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Although computers and related technology have been used in many schools in North America to a greater or lesser degree since the 1960s, the advent of schools accessing the Internet has led many educators and segments of the general public to pay considerable attention to it. Also known by terms analogous to high-speed roadways, such as the Information Highway, Electronic Highway, or Infobahn, the Internet has grown considerably in a span of less than 10 years, and most of that growth has occurred outside the realms of education and government. The rise of e-commerce firms such as Amazon.com and eBay are prime examples. Nevertheless, governments in both Canada and the United States extol the Internet as a source of information and as a rapid means of communication in the “global village.” Governments in both countries have programs underway to connect every school to the Internet as quickly as possible.

In spite of such developments, concern is expressed in some quarters that much of what is readily available on the Internet is related to the prurient aspects of sexuality. This view is reinforced by many media reports that focus on the apparent availability and quantity of pornography on the Internet, and especially illegal materials such as child pornography (Vernadakis, 1998). This exposure by the media has led some individuals to assert that the Internet must be regulated in much the same way as the Universal Postal Union regulates the mails. Moreover, it is suggested that teachers may face litigation if they permit students free access to the Internet while in school. The opposing view contends that the Internet is a true manifestation of the principle of free speech and that attempts to regulate it amount to censorship by the state. It is into this charged and unclear discussion of free speech versus safety for schoolchildren

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and their teachers that Fred Cate enters. The book is published by Phi Delta Kappa, an educational society that produces practical and accessible materials to help classroom teachers contend with current issues and methods. Cate is well qualified for explaining and exploring the legal issues, as he is a professor of law with a special interest in education.

In spite of the sustained media coverage of pornography on the Internet, comparatively little has been written on the subject in educational circles. Cate's book is not the first work to investigate objectionable Internet content from this perspective, however. Besides the US Department of Education's general and cursory *Parents' Guide to the Internet* (1997), several articles have also been written concerning Internet hazards for schoolchildren (Guevara, 1998; Laughon & Hanson, 1996; Thomas, 1997; Westphal & Towell, 1998). Most of these authors do not possess extensive legal backgrounds, so discussion of legal issues stem from the basis of perceived social or community standards. This basis, Cate contends, is difficult to quantify and to apply nationally or internationally.

After a brief introduction describing what the Internet is and how extensive use of it has become, the author lists the three goals of the book: to present a clear framework of the legalities of Internet access for students and culpability by librarians and educators; to provide practical information regarding control of access; and to identify important issues concerning regulation. Although the book refers to US law and cases almost exclusively, the examples and intent are not irrelevant to the Canadian scene, where similar legislation concerning what can be transmitted via the Internet has been passed but is being challenged in the courts.

Although Cate acknowledges that pornography is available on the Internet, he states that the quantity has been exaggerated by the media. This view is also shared by Meeks (1997). Moreover, Cate states that most of the images on the Internet are actually copyright violations, primarily scanned from magazines. Whether produced illegally or not, Cate notes that the images are becoming easier to access, as they are no longer found only in text-accessed bulletin boards (BBS), and because current Web browsers decode image files automatically.

Some important points not mentioned, however, are that particular sites on the Internet are often transitory, so an inappropriate site found by a student one week may no longer be accessible at that location the next week. Moreover, the nature of current Web browsers is that unless one takes careful steps to set one's preferences file once a particular type of site is accessed, then information about that site's subject matter is stored on the user's computer in a file called a "cookie." In addition, the URL of the file is stored in the history file of the browser. In consequence of the cookie and history file information, subsequent use of the browser will often result in advertisements for related sites appearing in banners on many screens. Much of this topic-specific advertising is eliminated when the history and cookie files are deleted, a challenging procedure for novice users. Setting a browser not to accept cookies is not always a good approach, as many legitimate sites require a cookie if the user intends to interact with the site.

One of the legal questions that Cate asks is almost impossible to answer: What is pornography? It is pointed out that there is no consistent and legally robust definition throughout the US. Not even the term *obscene* has a consistent legal definition. The situation in Canada is not much different when one considers that showing women topless is acceptable on Quebec television, but such portrayal is considered objectionable in many places in the rest of Canada. The issue of definition of terms becomes especially thorny when one considers that the Internet transcends national borders, so even if a national definition could be agreed on, there is little likelihood that all other countries comprising the Internet would also agree. Cate is careful to explain that although there have been precedents of state and international censorship going back to the *Papal Index Expurgatorius* of 1501, the proliferation of printed books, and later the telegraph and telephone, were comparatively slow and not nearly as internationally based as the Internet. In other words, it is unlikely that the Internet can be regulated like older media.

The book also describes various legal initiatives that have been taken to regulate the Internet, but yet have failed miserably. The most celebrated of these is the 1996 Communications Decency Act (CDA), which was struck down for violating the First Amendment of the US Constitution. It is noted that similar laws to restrict "objectionable" printed works by such authors as Kurt Vonnegut had also been struck down consistently by state and federal courts. Cate also contends that subsequent initiatives of this sort are also likely to fail for the same reason, a claim borne out by the recent court injunctions against the Child Online Protection Act, also known as the CDA II (Seminerio, 1999).

A considerable portion of the book describes and discusses various blocking and filtering software that is available. Cate lists positive and negative attributes, as well as cautioning that if "the child is old enough and skilled enough to seek Internet access to sexually explicit expression, there is little that supervisors can realistically do to prevent that" (p. 78). The culpability of the individual classroom teacher is not left in legal limbo by Cate. He notes that unless a teacher or school librarian knowingly permits students unfettered and unsupervised access to the Internet, then there is probably no legal action that can be taken against the teacher or school should a student come across objectionable materials despite safeguards against this.

According to Cate, the best approach is to allow Internet access only after instruction on proper use, and then only when under adult supervision, both at school and at home. Moreover, Cate notes that because it is possible for "younger" persons inadvertently to access disturbing pornographic sites, he recommends that they not be permitted Internet access at all. Unfortunately, Cate does not explain what he means by a "younger" learner. Nevertheless, his advice is worthy of consideration, as one may, for example, enter the word *zoo* in a search engine and then be presented with a list of sites including some concerned with zoophilia.

Although the focus of the book is on sexually explicit material, Cate does mention other forms of inappropriate information available on the Internet. A weakness of the book is that the extent and danger of these other areas is not explained in comparison with sexually explicit information. For instance, recent research by Clyburn (1998) found that fraud is the most prevalent criminal

activity on the Internet. Given Cate's information that pornography comprises less than 1% of Internet traffic, perhaps the recommendations to teachers should be to educate students about more prevalent dangers on the Internet. In spite of this shortcoming, *The Internet and the First Amendment* is an informative book that will be of great value to most teachers, administrators and teacher educators.

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