Contemporary comment: An examination of Australian internet hate sites

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An examination of Australian internet hate sites

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Introduction

The recent prosecution of Australian Nationalist Party members for their part in vandalism against religious buildings and immigrant owned businesses, has brought the subject of hate crimes to the political agenda. Increased prison sentences for those found guilty of racial vilification have brought Western Australia into the forefront of opposition to racist dialogue. Such laws however have been in place in other states for some time, with penalties ranging from six months (Victoria, Queensland, and NSW), to three years in South Australia (Martin & Taylor, 2004). Tasmania currently uses the process of civil remedies to counteract such crimes. Under the current proposal Western Australia raises its tariff from the current two-year sentence to 14 years incarceration. While these penalties address the problem of vilification on racial or religious grounds, there is another similar area that has been of concern to legislators for some time. Since 1995 when Don Black, the leader of the US white pride organisation Stormfront posted what is regarded as the first “hate site” (Levin, 2003), it has incited numerous duplications of this theme, and there are several Australian examples of this material. There has also been an equally influential opposition to the removal of such content from the Internet, and recently laws have been applied to the virtual world to mirror the censorship that occurs in the off-line setting.

Another recent example concerned the website of Fredrick Töben and his holocaust denial assembly The Adelaide Institute. Believed to be the first case charged under the Racial Discrimination Act in relation to the Internet, Töben was ordered to remove his website from its server and not to publish similar material on the Internet. Töben argued that the ruling amounted to Internet censorship, but the judge overseeing the case stated simply that “what it’s done is bring the Internet into line with other forms of publishing” (The Age, 2002). There are many who believe the Internet is not a lawless place and that the same rules that apply in off-line speech are equally applicable in cyberspace (Wall, 2001). The Töben case highlights how the law can be used effectively against cases of hate crime, but that it is often the responsibility of civil organisations to seek prosecution. In this case it was a Jewish group that sought legal redress over the Holocaust denial that Töben’s Adelaide Institute was advocating, and therefore needed to be astute in recognising the provisions made under the legislation for dealing with such activities. By contrast, the police would appear to be reluctant to act, either due to scarce resources or a general reluctance to become involved in arguments that are not so legally clear-cut (McNamara, 2002).
Currently Australia doesn’t distinguish hate crimes separately in terms of sentencing offenders as in the USA, Canada and the UK, but instead relies on existing criminal laws to prosecute the crime committed (McNamara, 2002). There are however, specific laws regarding racial vilification – the use of offensive discourse on the basis of race or ethnicity. The main legislation in Australia covering the subject of hate speech stems from the Racial Discrimination Bill 1975, and following inquiries such as the National Inquiry into Racial Violence (1991) and the Royal Commission into Aboriginal Deaths in Custody (1991), was extended to include racial vilification. Perhaps the most important aspect is the emphasis on in the location being defined as “in private” and refers to the prohibition of voicing negative opinions in the public forum. For example, it is lawful to espouse derogatory attitudes in your own back, but not front garden, as they represent two distinct private/public domains (Jones, 1997). Published media are therefore also deemed to be in the public sphere, and only recently has the Internet been viewed in the same way.

The Anti-defamation League (2000) estimate there to be some 147 million Internet users worldwide, and there to be over one thousand ‘hate sites’ present at any one time. There is no doubt however that the Internet provides many hate groups with a forum for their discourse. In particular, five critical elements that are believed to enable hate speech to benefit from using the Internet over traditional methods have been identified by Whine (2000) - its interconnectivity, being largely covert and anonymous, the relative cheapness, its force multiplication, and finally the audience. Crime on the Internet is both a vehicle to facilitate existing crimes and also creates new opportunities to conduct these activities (Wall, 2001). Hate speech is a good example of how this new technology has been utilised in this way.

Identifying hate on the internet
It was hypothesised that not only has racial stereotyping in overt terms decreased significantly in recent years, but that people’s own attitudes will also play a significant role in the judgement of information. Social Judgement Theory as proposed by Sherif and Hovland, postulates that people appraise “new information along a continuum with three ranges, the individual’s latitude of acceptance, latitude of non-commitment, and latitude of rejection” (Borgeson & Valeri, 2004, p.3). With specific relation to hate sites, the more overt the message presented therefore the more likely (partly due also to changing attitudes) it will be rejected as one’s latitude of rejection is significantly higher for such prejudicial material.

Three styles of website were proposed by Borgeson and Valeri (2004) - the in-your-face approach, the misleading approach, and the ambiguous approach. The first of these categories is fairly self-explanatory in that the website adopts a specific frame of reference in posting its message, for example a “white pride” organisation accompanied by Third Reich imagery. The second such approach is termed misleading because it seeks to portray itself as a legitimate source of factual information which may more likely be false or mere speculation, for example Holocaust denial. The final type of website is the ambiguous approach, referred to as such for its “toned down” message. It may feature the same rhetoric as the in-your-face sites but instead is somewhat more sophisticated and covert in its delivery.
By assigning students into three experimental groups to assess these categories of acceptance when viewing a typical style of these sites resulted in there being a significant difference in rejection levels between those who were placed into the in-your-face group, but not for those who were assigned to view websites from either the ambiguous or misleading categories (Borgeson and Valeri, 2004). Although some gender differences were also reported, all participants were less tolerant of the in-your-face approach than either of the other two, which suggests that explicitly racist material is largely rejected at source and that people can easily recognise such blatant prejudice. Whilst these results may appear encouraging for hate crimes and the Internet, a somewhat more worrying interpretation may speculate that people are less astute at recognising prejudicial material when it is “disguised” in an ambiguous or misleading way. Hate groups therefore may become shrewder in their presentation of this material and deliver it in such a manner that its primary aim is indistinguishable from its intended purpose.

As this is largely an exploratory study looking into the way that the Internet is being used in relation to hate crimes in Australia, the logical first step was to identify and examine some sites and analyse their content, themes and discourse. The Simon Wiesenthal Centre is a Jewish organisation that promotes tolerance and human rights. The Centre recently released a report in the form of a CD-ROM entitled “Digital Hate 2002”. The report highlights more than 200 websites believed to be of concern in relation to the promotion of hate and is divided into regions and the “Australasia” section highlights only five emanating from Australia. Using these five and another eight that have been identified through additional research (primarily through exploring links from other hate sites), a total of thirteen sites were selected and examined. Whilst only small in number, they do represent the majority of Australian based websites at the time the study was conducted. These sites were then examined using the categories proposed by Borgeson and Valeri (2004), a methodology which would seem especially relevant for the current study and enables the examination of Australian hate sites along with them being either ambiguous, misleading or in-your-face. The overall aim is to identify how Australian sites are adopting a similar rhetoric as those from overseas. Table 1 shows the totals and percentages for each category.

<table>
<thead>
<tr>
<th>Category of Website</th>
<th>Total (%)</th>
</tr>
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<tbody>
<tr>
<td>In-Your-Face</td>
<td>6 (46%)</td>
</tr>
<tr>
<td>Ambiguous</td>
<td>4 (30%)</td>
</tr>
<tr>
<td>Misleading</td>
<td>3 (24%)</td>
</tr>
</tbody>
</table>

Of the 13 websites that were identified, each was coded into their respective categories according to how well it was perceived they portrayed their message. The in-your-face approach represented the majority with nearly half of the sample being in this category and the ambiguous approach having one more than the misleading approach. Despite nearly half of the websites being overtly racist in their approach, there does appear some concern that there were a significant number of the two other categories present on the Internet and that these originate in Australia.
All of these sites are somewhat different in their approach to using the Internet as a hate tool, but they are also very similar in the manner in which they promote and justify their beliefs. The main distinction would concern the level of effort and organisation that has been extended to creating the sites, with some being fairly basic and holding a few pictures and links, whereas some used the technology to make their Internet presence both comprehensive and interactive. How these relate to actual behaviours off-line is unclear, but some almost appear to have the makings of a legitimate organisation upon first glance. The task for future research is to build on our knowledge of these groups and how they utilise the Internet, to enable identification of problem sites. The sale of merchandise such as books and clothing, and the broadcasting of documentary style programs and speeches didn’t appear to be prominent on the Australian sites as they are on many overseas sites. Representation of the misleading and ambiguous approaches would seemingly show concern that there are attempts being made to disseminate such objectionable viewpoints, and is of the most alarming as a possible wider social problem.

Whilst it may seem undesirable to allow some of the websites that were analysed to remain on the Internet, actual removal of them is not seemingly so simple and revolves around numerous issues and in particular censorship and jurisdiction. The Töben case effectively places the Internet under the constraints of existing publishing law and proves that it is possible to establish jurisdiction to enable prosecution. Some of the control of offensive material is often placed upon the Internet Service Provider’s (ISP) themselves, in much the same way as a book publisher accepts some responsibility for the material it produces in printed form. Although hate speech on the Internet can hold many forms and can vary in severity, the outcome of its actions to its victims is seemingly as real as they are in normal life (Wall, 2001). But lawmakers must also delicately balance the rights to freedom of expression, whilst still controlling the harmful element that presents itself in various forms.

Conclusion
Although there is increasing use of the internet by extremists that increases their presence and facilitates their communication, how this translates into actual (off-line) behaviour is unclear. Attempting to completely eradicate all hate material would be seemingly an impossible task and neither is it a panacea for eradicating hate crimes and racism. As was discovered in this study, the notion that actually identifying what a “hate” site is can be an arbitrary process, not only subjective in nature to the viewer, but also vague in light of the way in which the information is presented. But recent cases involving the Internet and the legal system have demonstrated that there is scope to apply the law to the Internet and that it isn’t a lawless place where hate and other crimes are allowed to circulate. The future will no doubt see more censorship and control being enacted, but certainly no more than is present in mainstream society.

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The following websites were examined (5/4/2004):
Scythian Services - http://www.geocities.com/nazipunk1488/
National Action - http://www.nationalaction.cjb.net/
Blood and Honour Australia - http://members.odinsrage.com/bloodhonour/
The Adelaide Institute - http://www.adelaideinstitute.org/
The Orion Knights - http://www.orionknights.com/International/newzealand.htm
?? - http://dissectleft.blogspot.com/
?? - http://www.geocities.com/ika_australia/

The selection of websites was examined by five independent judges and inter-rater reliability was calculated to be in the region of 92%. The eventual decision as to how each site was categorised rested upon the majority of the three judge’s interpretation of the site according to the three hypothesised categories. It should be noted that all of the judges showed universal agreement over the in-your-face sites with the coding variance present when categorizing the misleading and ambiguous sites.