

Enough is enough, Anti Spam is going to far?

By Scott Thomson

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Ok before entering into this argument I will say that some form of spam control is needed and understandable. I am intolerant of unsolicited e-mail as I think are most people. However, I think the time has come for the Internet Industry to take a lead in this.

It is rather ridiculous, for example that certain States in the US have one set of strict legislation while others have less. This is particularly the case from my perspective in Australia where that legislation has no power over me in any case.

The thing we all have to accept is that the Internet is a global tool. It is no longer owned nor controlled by a single country. Hence the way to deal with spam is by Industry Control not legislation. However this control must work both ways.

Although many spam complaints are real and should never happen and need to be dealt with there are a significant number that are not really spam. If you loose your domain or ISP due to a false complaint you are going to feel trodden on, accused of a ?crime? you did not commit. There needs to be an alternative.

The concept of ?guilty upon demand?, which is effectively how a spam complaint works, is a concept foreign to the laws and beliefs of countries like the USA and Australia. However I will label it as it is, its fascist. Basically a ?right wing? opponent to receiving e-mail (that they most likely did request) has put in a complaint to the ISP and the Line Provider.

The ISP is so fearful of the potential damage if the Line Provider cancels their connection that they terminate the account of the person accused of spam. That this person actually did anything wrong is irrelevant. It also has virtually no grounds for review. I was always told that the USA prides itself on certain freedoms, as does Australia. Somehow these freedoms have been lost on the Internet.

So what is the way forward? The Internet Industry must come up with a set of policies that are equally enforced across the Internet, by all ISP?s and the Line Providers. These rules need to be fair. Based on the principles of law where you are innocent until proven guilty, not guilty wether you can prove otherwise or not.

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