Joining the dots in arriving at an ethics of access

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This speech was given at Session 10 of the UNESCO organised international multistakeholder conference CONNECTing THE DOTS to discuss the first draft of the Comprehensive Study on Internet-related issues. The session discussed "Access and Ethics".

Often times in these corridors, we have heard this question – who is to decide? Inconclusive rhetoric in the debate on ethics is a device employed often. We also hear the seductive appeal of the thesis that things are highly contextual.

 Yet we speak of the right to seek and receive; create and share, and have unfettered access to open knowledge – we do come from a rather unequivocal imaginary of inclusive knowledge societies that promote democracy – in a world that is multi-scalar – simultaneously, local and global.

I quote from Partha Chatterjee, *The Politics of the Governed*. New York: Columbia University Press, 2004.

> **[I]**t is morally illegitimate to uphold the universalist ideals of nationalism without simultaneously demanding that the politics spawned by governmentality be recognized as an equally legitimate part of the real time-space of the modern political life of the nation. By seeking to find real ethical spaces for their operation in heterogeneous time, the incipient resistances to that order (of governmentality) may succeed in inventing new terms of political justice.

In another work, Chatterjee talks about the tension between the lofty political imaginary of popular sovereignty and the mundane administrative reality of governmentality: it is the tension between the homogeneous national and the heterogeneous social.

This tension in our case is between a universal/ global internet – the lofty political imaginary of a global popular sovereignty and the mundane reality of control. Our task therefore is to ask what kind of global and national public policy instruments can create the legal framework for an ethics of access – where this ideal imaginary can co-exist with the forces that challenge its mutations with social control.

The UNESCO Report

I find that in terms of epistemic categories, ethics have been proposed as separate – whereas, ethics are cross-cutting: they are the crucible in which access to information and knowledge, freedom of expression, privacy and, the conflicting concerns that tie in these categories with the Internet, may be examined.

The scrutiny of rights, openness, accessibility and stakeholder participation – as they obtain in empirical/ real terms in relation to access to information, privacy and freedom fo expression – requires an ethical framework so that we are able to move closer to fostering not only inclusive, but democratic, knowledge societies. It needs a focus that can frame seeking and receiving; sharing and creating – not only as online behaviours but as values that mean something unambiguous for a culture of inclusive and democratic knowledge societies.

For instance, the ability to be heard (where freedom of expression meets its accessibility counterpart) or the right to a local knowledge society (which needs clearer articulation in the report) – where both privacy and publicness need to be examined for the 'expropriation of data' that takes away from the dignity of life as a community, are vital to recognise and acknowledge.

Three aspects of access must be elaborated. The mobile telephony revolution happened, thanks to private telecoms. However, providing the internet is a different ball game. The Obama administration's letter to the Federal Communications Commission (FCC), notes massive private investment into broadband architecture, but goes on to argue that "there remain areas of our nation where private investment simply has not delivered broadband service adequate to meet the demand of local communities." The revolution in Internet universality therefore needs a new ethics of the local.

Broadband open access – and unbundled access – services are vital for promoting community owned networks. As a supporter of community media, UNESCO needs to look at community owned networks as a critical priority. This is not only an infrastructure issue, but as is the case with community radio, which is not only about the technology of broadcast, but of ownership and licensing, community

networks are about local cultures of sociality and local institutional futures.

Secondly, what kind of internet?

Here the ethics of access behove us to ask I the Internet not about the idea of the commons, if it is about information and knowledge, science and education, society and culture? Non-discrimination or equal access to all services is at the heart of the ethics of access. Net neutrality therefore, is not a technical issue – it is eminently social and in joining the dots of the ethics of access, the idea of the scientific, educational and cultural commons must be promoted without hesitation, by UNESCO, with a normative exposition based on the state of play.

Thirdly, it is vital that the report and its finalisation take into account the idea of social well being. UNESCO needs to stake a claim to safeguard the higher principles of key social activities. Whether it is media, education, community life, or knowledge organisation, the proprietisation through the internet of the community commons and public institutional elements, is a cause for deep concern. If internet universality means a new architecture of global knowledge that algorithms control, the very idea of education or science as a means for global public good, is vitiated. The internet is indeed primarily about media, education, science, and culture... it is about those parts of social life that benefit from public services.

So, the report needs to be bolder in terms of staking a claim over:

- Community-owned networks, as people's infrastructure

- Network Neutrality – akin to the idea of equity in education, and

- The emphasis on *publicness* of the Internet and social well-being

The Internet is indeed a market and trade issue – and that is clearly being discussed and debated in other forums. However, its essential character for local and global knowledge societies needs an unapologetic tenor as UNESCO stakes claim to provide the venue for ethical conceptions of the internet.

Finally, in the reading of the ethics of access, two points of departure from Amartya Sen's work on Justice, are useful. A 'realisation focused' theory of justice, according to Sen, will enable us to pay special attention to the way institutions actually work given the inevitable moral and other failings of those who will occupy their roles. Sen recognises the lack of agreement over moral and political issues.

But the existence of such disagreement, he opines, does not mean that an objective approach is not possible. Sen advocates for "positional objectivity" – a kind of objectivity that is "person invariant but position relative". This would involve recognising that how the world looks can depend very much on where one is standing in it. It requires asking: *whose* access, along with, *what kind* of access.

For example, in the context of the Internet, accounting for positional objectivity would exhort us to move away from grand pronouncements about an open, free, inclusive – ideal type – Internet, to a quest for how specific injustices can be addressed. In their essay 'Big Data's Big Unintended Consequences', Marcus R. Wigan & Roger Clarke talk about how data has become remote from the individual and their communities, and is replicated within new accumulations that are not merely remote from the individual, but unknown to them, and that 'know' them not as human beings but only as database entries.
Positional objectivity would require us to ask what kind of regulatory framework is essential for Big Data that will clearly spell out the transgression on personal interests by the reduction of information to data, its centralisation, and its expropriation. The ethics of access must thus be able to deal with specific injustices that undermine the ideal of open, free and equal access.

Thank you.