

Governing the Socio-Technical Phenomenon

By making communication and information exchange easy and inexpensive over large distances, ICTs re-organise our social structures into bigger units. Economic globalisation is one early manifestation of this process, but increasingly, all social systems are getting reconstructed over ICT infrastructure, or rather using ICTs as building blocks. The nature of ICTs, which we know can be socially determined in many different ways, therefore have a strong impact on the nature of our social systems. The Internet, as the central paradigm technology of information society, was built by public-spirited people. However, dominant forces, both corporatist and statist, increasingly determine the direction of the evolution of the Internet and its associated technology.

The area of technology or ICT governance deals with the means and forces that determine the evolution and availability of technology. Does the present pattern of ICT governance serve global public interest in its diverse manifestations? IT for Change has been involved with issues of ICT governance at global and national levels, with the aim of ensuring that ICT models are open and egalitarian and promote the empowerment of the peripheries of large systems that are getting built. Digital space is curiously devoid of the concept of public, an idea otherwise basic to our social organisation. It is either private and corporatist, or at best invokes the technical principle of neutrality and openness. While these latter ideas are basic to new ICT models, and must be defended, we argue that the more political notion of the public with respect to digital spaces is as necessary to ensure real inclusion and participation of all.

'Public Software' is a meaningful term for officials working in public services. They can relate to its connotations of universal access and community participation, which are both important goals for their work.

Our work in the area of ICT governance during 2009-10 can be clubbed into three parts: (1) technology standards in e-governance (2) software policies for the public sector and (3) Internet Governance.

Technology Standards

Standards, by definition, are single and publicly owned, in the sense that no private party can have a special claim over them, much less, seek royalty from their use. However, common sense can easily be not so common in the brave new world of ICTs, where standards are not only privately owned and patented, but frequently have royalties attached to their use. To help systematise the massive e-governance work that is taking place in India, the Department of Information Technology of the

Government of India came out with a draft policy on 'open standards in e-governance'. Quite rightly, the draft sought such standards to be single, non-patented and royalty free. However, a few digital global corporates immediately got into the act, and were able to convince the department to change the draft, and include multiple and patented, as well as royalty encumbered, standards into the draft.

IT for Change, along with other civil society organisations, launched an intensive advocacy and lobbying

*Prof M.K. Sridhar, President,
Centre for Leadership and
Management in Public
Services, Bengaluru,
Karnataka*

campaign against the dilution of the 'open standards in e-governance' draft policy, and specifically for excluding multiple and royalty encumbered standards. We have considered this issue to be crucial to the direction which ICT models in India will take, given the power e-governance systems have in setting the default rules of the game. However, civil society organisations at large often consider this a very technical matter and do not engage with it. In what was, in our view, a most significant achievement that IT for Change was able to present the 'open standards' issue as a citizen's right to information issue, which is an issue that has the strong backing of civil society and activist groups. Consequently, the influential civil society group, 'National Campaign for People's Right to Information', wrote to the highest levels of the government, protesting against the dilution of the draft policy, and posited that the use of royalty encumbered technology standards in e-governance was a violation of people's right to access public information.

Later drafts of the 'open standards' policy have partially rolled back problematic parts, relegating the possibility of multiple and proprietary standards only to exceptional circumstances. The current draft also clearly mentions that the use of even patented standards should involve no cost. However, we have now suggested text for further improvements to the policy draft under consideration of the department.

Public Software

IT for Change has been exploring the role of public sector agencies in enabling, adopting and promoting Free and Open Source Software (FOSS). IT for Change efforts focus on the challenges involved in building the ecology for the

production and wide scale deployment of FOSS within public sector agencies in India.

Over the course of the year, from our study of FOSS discourse, we felt the need to take a second look at the essential nature of software and its role in the digital society being built. The term FOSS stresses the freedom of the individual to create, study, modify and distribute software with its source code and is in the nature of a negative right. While this right is an important one, we felt, that in a developing country context as ours, there is a need to look at the aspect of ensuring universal access to software that is essential to negotiate an increasingly digital world. As an analogy, in India, with the enactment of the 'Right to Education Act', education has moved from being a negative right (every child has the right to education and cannot be denied it) to a positive right, where the government is now responsible (with support from other sections of society) to ensure children are in school. Similarly, there is a need to look at software essential to accessing and participation by the community in the basic social and public systems as an entitlement of each citizen. Thus, to access information from the government (and other public agency) websites as well as to provide inputs into government functioning (where for example, feedback is sought on government policies or programmes), web browsers need to be universally accessible. Documents available on government sites need to be in formats that are free and open, created through FOSS.

To bring the term into wider discourse, we held a South India regional workshop on 'Software Principles for the Public



South India regional workshop on 'Software Principles for the Public Sector, with a focus on Public Education'

Sector, with focus on Public Education' in Bengaluru along with UNESCO, UN Solution Exchange, e-Governance Department, Department of Public Instruction and *Sarva Shiksha Abhiyaan* (Government of Karnataka), Karnataka *Jnana Aayoga* (Karnataka Knowledge Commission). The workshop discussions resulted in a pioneering document - 'Guiding Principles for Public Sector Software', which defined Public software "as software developed or procured, for the public good, which is publicly owned". Public ownership has two important components – providing universal access by ensuring it is freely shareable without any constraints, legal or technological, and enabling communities to participate in its creation and modification, just as universal access to public resources and community participation in the creation and maintenance of public resources are essential. A mailing list called public-software@lists.public-software.in has been created as a result of this workshop, which will serve as a forum to discuss public software at concept, policy, design and programme levels.

Since the term public sector is defined broadly to include all entities working for promoting public interest, it includes NGOs, CBOs, community media organisations and academia. A workshop on 'Public Software for the Development

Sector' was co-organised by UNESCO, UN Solution Exchange, Knowledge Commons, Digital Empowerment Foundation, *Digantar* and IT for Change at Jaipur that focused on the needs and possibilities for NGOs to adopt public software.

Research and Advocacy

IT for Change completed research on computers in school programmes of Kerala (*IT@Schools*) and Karnataka (*Mahiti Sindhu*). The research identified the basic benefit of using FOSS educational tools in the Kerala model, namely, curriculum focus on learning regular subjects through a rich and diverse set of FOSS educational tools rather than just computer literacy with a limited set of proprietary tools, making these FOSS tools universally accessible and supporting tool customisation to meet local needs. Based on our research, we have advocated with education departments in state governments, specifically Gujarat, Maharashtra and Karnataka, to prefer FOSS educational tools over proprietary applications. In Gujarat, we had advocated with the government last year urging them to not get swayed purely on economic grounds (where the proprietary software was offered free of cost by the vendor). We had a series of meetings with officials in the Gujarat Education and IT departments and also interacted with key people in academia, media, industry bodies etc. Though the Government of Gujarat was initially undecided about the choice of software (proprietary versus FOSS), during the current year, it has chosen FOSS platforms.

IT for Change also led the advocacy on the issue of the Government of Maharashtra entering into a Memorandum of Understanding (MoU) with Microsoft Academy for training

government school teachers. While the vendor solely determines the curriculum in these academies and only the vendor's proprietary technologies are allowed to be taught, the training costs of the teachers are paid by the government. This implies that government funds are being used to promote the software of one vendor, promoting a monopoly as well as a lock-in into proprietary platforms, of teachers and schools. Eminent educationists and development sector actors endorsed a letter to the Government of Maharashtra, cautioning against adverse pedagogical, political and economic implications of such an MoU.

We have been proactive in writing to different Government departments in Karnataka whenever a tender has been issued specifying proprietary software. We have had varying degrees of success, in one case the tender was changed to include both FOSS as well as proprietary software options, and another tender seeking specific proprietary software was withdrawn. All documents pertaining to our advocacy efforts in this area are available on www.public-software.in.

Networking

We have also been participating in existing civil society mailing lists where issues relating to ICTs are discussed, e.g. the United Nations Solution Exchange Communities. We have raised the issue of FOSS and proprietary software in discussions on the education and ICTD e-lists. The 'National Coalition of Free and Open Source Software Community of India' that was started in February 2009 held two meetings at New Delhi and at Mumbai, to both increase local participation as well as to refine the agenda and priorities of the alliance. Based on these meetings, specific Special Interest Groups (SIGs) were formed, to

focus on different priority areas. IT for Change is a member of the SIG focusing on FOSS in education. We are also a member of a second national coalition, the Free Software Movement of India. IT for Change has also been working with some key academic institutions on their adopting public software, including the Tata Institute of Social Sciences (TISS), MEI Polytechnique, *Digantar*, since it would serve as exemplar to other academic institutions. A quarterly bulletin on Public Software, providing some key information on public software adoption at policy and programme levels in India and elsewhere was begun to create greater awareness about the imperatives of public software. The public software website (www.public-software.in) has become a repository on public software and has case-studies of governments which have adopted public software FAQs and discussion forums for new users, and also guides to using public software in Kannada (on "*Sarvajanika Tantramsha*") and Hindi (*Sarvajanika Software*).

Internet Governance

Internet governance is largely a global issue because of the inherently global nature of the Internet. However, since there are no strong global governance institutions, this crucial space of governance has largely been left vacant. It is either the whims of global corporates or the laws of developed countries that have become the default basis on which the Internet's evolution is being governed. The fact that there is a close matching of interests between governments in the North and global ICT corporates based in the North, makes the situation even more pernicious. The South is then giving pre-determined models of technology, and is expected to be happy with the benefits it can get out of them,

I also want you to know how much difference you make with all your contributions to the Internet Governance Caucus and elsewhere. Your voice is vital, and you also inspire others to speak out.

*Janna Quitney Anderson,
Director of 'Imagining the
Internet' project*

*(Posting on the public
mailing list of the global
Civil Society Internet
Governance Caucus (IGC)
referring to IT for Change's
engagement with the IGC,
and with other global IG
forums)*

while these ICT models become the vehicle for new forms of continued domination of the South by the North. This process has often been referred to as digital imperialism. It is the control over global ICT systems and the ever stringent IP norms that form the basis of new geopolitical dominations, and correspondingly, of exploitation and further exclusion of the marginalised.

IT for Change has sought global Internet Governance to be democratised through the evolution of global policy structures that have equal participation for all countries, with a strong role of civil society through processes of deepening democracy. We have also emphasised that a human rights approach to global Internet Governance must be taken. Further, we have strongly advocated measures to protect the open nature of the Internet's basic architecture.

Over the year we remained highly engaged with the Civil Society Internet Governance Caucus (IGC), the primary space of civil society discourse in this area. As in earlier years, we kept providing development oriented perspectives to the debate, and for a large part helped shape them. We have been very active during 2008-09 to bring the human rights agenda into the UN Internet Governance Forum (IGF) through our engagements with the IGC. These efforts continued and were built over this year, and we succeeded in getting the topic intensely debated in the programme committee meeting for the IGF. Human rights was mentioned in the early drafts of the IGF programme. However, due to stiff resistance by some governments, specific reference to human rights was dropped from the programme, and the plenary which was supposed to discuss human rights was negotiated to be re-named as 'Internet

Governance in the light of WSIS Principles'. Since the 'Declaration of Principles' of the World Summit on the Information Society (WSIS) begins with a commitment to human rights, this was seen as the session where human rights issues vis-à-vis the Internet would be taken up.

The most important IGF related issue and activity this year was about the review and possible renewal of the IGF's initial 5 year mandate. This review was to be undertaken by the UN's Secretary General in formal consultation with IGF participants and submitted to the UN General Assembly for a final decision. While there was never any real danger of the IGF's mandate not being renewed, some very interesting and intense politics emerged around the review and renewal issues. Certain authoritarian developing country governments who had earlier supported the IGF, expecting it to be used to challenge the US's unilateral control of the basic routing infrastructure of the Internet, now began to show signs of changing their views. They were increasingly frustrated by the fact that the manner in which IGF worked gave no opportunity for it to produce any clear outcomes, even if only of recommendatory nature, which was in fact a part of the mandate given to the IGF by the WSIS. On the other hand, they saw that while not delivering what they hoped it would for them, the forum was being used to raise human rights issues, which alarmed them. Some of these countries therefore were beginning to oppose the renewal of the IGF. However, they were in a minority and there was overwhelming support for the continuation of the IGF.

There was much less agreement, however, on whether the IGF should continue in the manner in which it has functioned over

the last five years, whereby no formal outcomes were produced, or if it should considerably reform itself to meet the full requirements of its mandate. Developing country governments were eager that the opportunity of the renewal of the mandate is used to reform the IGF towards a greater and clearer output orientation. Developed countries largely want the IGF to continue basically only as a space for talk and discussion. The business sector, expectedly, sided with this latter view. Unfortunately, so did the majority of civil society actors coming from a civil society space dominated by the North, and so some extent, by techies. IT for Change was one of the few civil society voices which advocated a clear line for the reform of the IGF. We responded to the questionnaire circulated in this regard with suggestions of what kind of reforms may be appropriate. At the annual IGF meeting, we met the UN Deputy Secretary General who was mandated to gather IGF participants' views as part of the civil society delegation, and shared our views. We also spoke at the plenary session on the IGF review, putting across our suggestions for IGF reform. We had been engaging with some developing country governments – especially the democratic ones – to coordinate our strategies in this regard.

The last year was marked by close engagements with the Government of India on Internet Governance issues at both global and national levels. We regularly coordinated our strategies in the IGF programme committee meetings, and also at the annual IGF meeting. At the national level, initial ideas were exchanged for setting up an India IGF, a process expected to be formalised in 2010. We also participated as a panelist in a workshop on 'Internet Governance and Inclusive Growth' organised by the Federation of Indian Chambers of Commerce and Industry (FICCI) in

association with the Department of Information Technology, Government of India, in New Delhi, in August 2009.

At the annual meeting of the IGF in Sharm-el-Sheikh, Egypt, in November 2009, apart from strongly engaging with activities regarding IGF's renewal of mandate, IT for Change organised two workshops. One of these, 'Multistakeholderism at the IGF: Assessing Impact on Participation', was co-sponsored by Panos, London, and presented research based analysis of participation in the earlier IGFs. The workshop had panelists from governments of Greece and Brazil, amongst others. We also organised another workshop on 'The Internet and Citizenship - Applying a Gender Lens', which was a precursor to a gender and citizenship research and advocacy project to be taken up in 2010. Apart from our own workshops, we also spoke in a panel on a workshop on 'Network Neutrality', organised by the Diplo Foundation, and co-organised by us on behalf of the Civil Society Internet Governance Caucus.

In the area of civil society networking on Internet Governance issues, IT for Change was invited to be an advisor to a civil society 'network of networks' proposed by the Association for Progressive Communications. We attended the first meeting of the advisors in September, 2009, in Geneva, and helped shape a tentative agenda for this network of networks.

Looking Ahead

The national policy on open standards in governance is expected to be adopted soon. Once the policy is in place, it is important to ensure that the implementation mechanism, especially the committee which will decide on adopting standards, is inclusive of civil society, and works in an open and

IT for Change has provided civil society in general, and the Internet Governance Project in particular, with invaluable critical perspectives on Internet governance from the global south. It is a reliable ally in fighting against injustice and unbalanced power relations in the Internet governance space, and tireless in advocating on behalf of regional and local grassroots efforts. We are lucky to have IT for Change engaged in debates over Internet governance, and hope to see them involved more in the institutions that shape global policies.

Brenden Kuerbis, Internet Governance Project, Syracuse University, New York, United States

transparent manner. We have already given a written representation to the Department of IT of the Government of India on this subject. It will also be important to see that the policy is used to weed out software and applications which do not incorporate open standards from all levels of e-governance activity, especially at the level of state governments. In addition, we will need to monitor software procurement processes so that they incorporate all the policy requirements.

In the area of public software, the major challenges are of getting more traction in and support of governments on the one hand, and engaging FOSS communities, on the other, towards well-directed efforts of building software for public and developmental purposes.

One specific plan is to work towards setting up Public Software Centres (PSCs) that would provide support to public institutions to adopt public software. The South India regional public software workshop will be followed by an international conference on the same topic at Kochi, in Kerala, and in other regions of India, to create greater awareness of public software and its imperatives for India. The proposed PSCs will work in the spectrum of 'awareness-appreciation-adoption-promotion', and their activities would include creating awareness of and appreciation for benefits, arising from adopting public software through seminars and workshops

as well as news bulletins and media. The Centres would also help institutions adopt public software through user training and installation support for the basic tools of the desktop environment. Linking up with similar initiatives in Brazil and other parts of the world would be an important networking and advocacy activity.

In the area of Internet Governance, strong challenges remain in building a progressive IG agenda at the global civil society level. We will continue to work on this through efforts with the Internet Governance Caucus as well as other networks like the one that is being shaped by the Association for Progressive Communications. At the global institutional level, the coming year will witness intense activity both in terms of reforms to the IGF, and the possible shaping of a new institutional space, which was mandated by the WSIS in its call for beginning a process of 'enhanced cooperation'. IT for Change has been one of the few actors to have kept the debate on enhanced cooperation alive. Since the UN Secretary General's report on this subject will to be considered by various UN bodies in the coming year, there will be a lot of advocacy and networking to be accomplished. This year may also see the launch of India IGF, an idea with which IT for Change has been closely associated with from the beginning. Right from its inception, it is vital that this important policy dialogue forum is shaped as a public interest space and not allowed to be captured by vested interests, especially ICT corporates.