A New Goal to Ensure Equal Participation of All in the Network Society – Beyond the horizon of MDGs

Anita Gurumurthy

IT for Change
Aug 2012

[Presented at the 'Post 2015 Development Agenda – Mumbai Consultation' organised by the Jamsetji Tata Centre for Disaster Management (Tata Institute of Social Sciences) and Centre for International Governance Innovation between 27-28 August 2012 in Mumbai]

Framing a new candidate goal for access to digital technologies – Some considerations

Any discussion around the candidate goal of digital connectivity in the post MDGs context must start from the fact that connectivity or connectedness is a socio-structural phenomenon. Access to information, goods and services in the network society is important no doubt, but it is the goal-post of equal participation in the network society that must engage the attention of those working for social transformation.

The rise of the network age has been theorised a lot, but its significance for development is still not widely understood nor adequately deducible from any well planned interventions that go beyond the occasional best practice scenarios. The promise of the network society for global justice and equity hence remain somewhat vague and limited to the notion of the digital divide, a term that has out-lived its meaning. Exclusion from the network society is fundamentally different from lacking access to connectivity; exclusion means the absence of capability to participate in the emerging society, polity and economy shaped by a new structural logic and thus, the goal of equal participation (rather than mere inclusion) in this emerging structure is a foundational goal.

There is no global governance of the Internet. This neither implies an absence of state control (as we do know, exists), nor an utopian online world that can be an anarchist's delight, but that rules that apply to all nations and all peoples do not exist in global policy even though the Internet is seen as a global public good[1]. This leaves a normative and regulatory vacuum, which has by and large seen the take-over of the digital commons for profit and power[2] and much ad-hocism in the way national governments, especially from developing countries, address new and complex socio-legal issues implicating digital spaces (from blocking sites to limiting smses and dealing with a host of cyber crime issues). National laws are clearly only catching up with the social flux effected by technology in developing countries, whereas in the developed countries - the EU for example - there are many institutional processes underway[3] that articulate a vision around the network age with policy directions providing frameworks for regulation and positive discrimination.

The political economy of inclusion of developing nations in the benefits of the network society is

1 http://www.itforchange.net/civil_society_statement_on_democratic_internet
2 http://monthlyreview.org/2011/03/01/the-internets-unholy-marriage-to-capitalism
3 http://ec.europa.eu/information_society/tl/policy/index_en.htm

guided more by apprehensions around exclusion palpable inter alia in the global division of labour in the information economy. The hope of win-win in the distant horizon have seen developing country governments usher in policy and regulatory frameworks that place huge faith in the ability of market forces to deliver on the goals of development. However, the urgency to benefit from the rapid evolution of the information or knowledge economy displaces the space needed for wider public debate and visioning to determine what kind of information society will be most appropriate for meeting people's aspirations. It is imperative that the institutional processes for what may be socially relevant in relation to network society opportunities and challenges, are set up and strengthened in developing country contexts.

The absence of a globally accepted normative framework and of comprehensive national policy frameworks creates a Hobson's choice w.r.t. real participation for marginalised people and communities. They are rapidly being pulled into the currents of the network society, but not necessarily in ways that have given them real choice and empowerment as discussed below:

a. The market-led mobile path and its predictable dead-ends

The rapid inroads that mobile telephony has made into rural hinterlands, while bringing a dramatic shift in communications, hardly meets the complex information and knowledge needs of marginalised communities to feel aware and equipped to engage as active citizens in their everyday lives. Voice-based connectivity is not enough for active participation in local governance, access to local public institutions and public services, access to new opportunities for work and learning, sharing and preservation of local cultural knowledge, transactions with trans-local communities for commerce etc. These capabilities presuppose a wider institutional ecology that can support new practices using technology. For instance, with no local language interface, text messaging for alerts or updates in local development cannot go too far. Or, without capacity building and appropriate systems, new possibilities for archiving and using local knowledge cannot be undertaken. Again, unless public authorities or non-profit agencies can set up platforms for information dissemination and public participation through mobiles, the promise of mobiles for participatory governance may not materialise.

b. Social media platforms and the paradox of participation

The role of digital technologies in political mobilisation and organising – especially in the Arab revolution – has been widely acknowledged. Here specific social media spaces have been seen as providing revolutionary pathways for change. However, these spaces are not subject to law and public policy, and are controlled by corporates. Thus, what networks or content will be supported by these spaces, is not based on transparent and publicly accountable norms. Social media corporates are not immune to the bottomline in business; with any threat to their market expansion or business survival, their response has been to exercise unilateral censorship as also withdraw their supposed endorsement to transformative action. (The case of the Pink Chaddi Campaign in this regard is instructive. http://en.wikipedia.org/wiki/Pink_Chaddi_Campaign). Social action for change through ICTs is hence constrained by the commercial architecture of new age public spheres.

c. ICTs as Public goods – the missing link

Experiments in the arena of ICTs for Development where donors have played a big role, have offered some leads on what may work for people-centric development through ICTs, but these experiments have been stunted owing to a global shift in funder priorities and what may be called a premature movement towards mainstreaming. The lack of development finance has stunted the learning from many pilots, and prevented new ones from emerging, in the Web 2.0 era with its possibilities for peer

based collaborative modalities. The insights from the erstwhile ICT for Development experiments do suggest the immense potential for the mobility of local communities into new trajectories of development. But these call for institutionalisation efforts - an across-the-system design that can nurture local networks. Unless public finance can support approaches that privilege local ownership of technology through a range of standards setting and infrastructure building processes that support a public goods and public access philosophy, communities cannot evolve locally meaningful network society sub-cultures. There is still only very sporadic and one-off technology based innovations either in domains like health, agriculture etc., either for service delivery or citizen involvement. (The IT department in India has taken a limiting infrastructural orientation to egovernance, whereby the frontiers of public engagement for accountable governance remain unexplored. These trends are also true for many other developing countries.)

Goal setting in relation to people's participation in the network society must therefore proceed from a comprehensive and nuanced rights-based framework. Here it would be instructive to look at some global policy discussions around the time of the MDGs and the World Summit on the Information Society (WSIS) as also some more recent developments in relation to the debate on access to the Internet as a right.

Why should participation in the network society be a foundational goal?

1. The Millennium Declaration invokes the ECOSOC 2000 Ministerial Declaration as the touchstone on the basis of which states shall ensure access to all citizens of the benefits of information technologies.[4] Making clear observations about the iniquitous nature of the global information society, the ECOSOC Declaration notes that:

> "The ICT revolution opens vast new opportunities for economic growth and social development but also poses challenges and risks. Along with important economic and social benefits, it can lead to further widening disparities between and within countries. While considering the impact of ICT on the creation of a global knowledge-based economy, we highlight that the majority of the world population still lives in poverty and remains untouched by the ICT revolution. The emerging new economy, characterized by a rapidly increasing reliance of value creation on information and knowledge, still remains concentrated in the developed countries. Unless access to and use of ICT is broadened, the majority of people particularly in the developing countries will not enjoy the benefits of the new knowledge-based economy."[5]

Further, the Declaration also takes an unequivocal stand that the goal of ICTs for development is more than a proposition for market-led ICT Infrastructure; that it is a political path for nations and peoples. Thus, it goes on, to state that;

> "Market forces are fundamental but they alone will not suffice to put ICT in the service of development. Effective and meaningful collaborative efforts are required, involving Governments, multilateral development institutions, bilateral donors, the private sector, civil society and other relevant stakeholders, to enhance the developmental impact of ICT."

4 http://www.un.org/millennium/declaration/ares552e.htm
5 www.un.org/documents/**ecosoc**/docs/**2000**/e**2000**-l9.pdf

2. The G8 meeting that came out with the Okinawa Charter[6] is more well known and oft-cited in policy documents, including of the UNDP, and has been significant in shaping the global development aid discourse on ICTs. The Okinawa charter refers to governmental role in regulation and exhorts governments not to place hindrances in the way of markets. The slant is thus more limited to market access for the developed world, in keeping with global trends at the turn of the millennium pushing for liberalisation of telecom markets. The private sector is asked to lead the way. This was the point that economic globalisation was increasingly shaping the information society. And the meaning of ICTs for development was framed in development cooperation not so much from the perspective of the rights of individuals and marginalised groups to be an equal part of the emerging social paradigm, but as a technological infrastructure, the benefits of which could be experienced through inclusion in emerging markets. The MDGs also put new technologies into this vision, under 8F, as part of goal 8 to "develop a global partnership for development"[7],

> "In cooperation with the private sector, make available the benefits of new technologies especially information and communication"

3. The unease on the 'why' of ICTs for development was more and more palpable in the emerging contradictions in global debates, carried into the WSIS process, even as the network society and globalisation seemed to rapidly piggy back on each other in global and national institutions – finance, trade, commerce, communications, media, entertainment, and even democracy and community.

In December 2003, the World Summit on the Information Society (WSIS) was convened under the auspice of the United Nations. The negotiations threw up the tensions between aspirations of Northern and Southern governments, the latter seized of the opportunity for leapfrogging development milestones through ICTs. The WSIS Declaration of Principles was clear in reaffirming the importance of the Information Society to maintaining and strengthening human rights. It makes specific reference to the importance of the right to freedom of expression in the "Information Society" in stating[8]:

> "We reaffirm, as an essential foundation of the Information Society, and as outlined in Article 19 of the Universal Declaration of Human Rights, that everyone has the right to freedom of opinion and expression; that this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers. Communication is a fundamental social process, a basic human need and the foundation of all social organization. It is central to the Information Society. Everyone, everywhere should have the opportunity to participate and no one should be excluded from the benefits of the Information Society offers."

(The second phase of WSIS in 2005 was a far cry from the sentiments of the ECOSOC 2000 Ministerial, embedded as it was in a weakening UN system and a snowballing democratic deficit in global governance. Therefore, WSIS did not see concrete commitments in its outcomes from Phase 2 that would make the principles from Phase 1 meaningful for the development agenda of developing countries through the articulation of global norms for the governance of the Internet.)

4. In the recent past, the right to Internet access has been seen as an enabling right, a right that allows

6 http://www.g7.utoronto.ca/summit/2000okinawa/gis.htm
7 www.un.org/millenniumgoals/
8 www.itu.int/**wsis**/docs/geneva/official/dop.html

one to exercise and enjoy her/his rights to Freedom of expression and opinion and other fundamental human rights. In several countries, including Estonia, France, Finland, Greece and Spain, Internet access is already a human right.

The connection between participation in digital spaces / access to ICTs and human rights, especially the freedom of expression, the right to development, cultural rights and the right to assembly are important to consider.

In May 2011, the United Nations Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression, Frank La Rue, submitted a report to the UN Human Rights Council "exploring key trends and challenges to the right of all individuals to seek, receive and impart information and ideas of all kinds through the Internet." The Report made 88 recommendations on the promotion and protection of the right to freedom of expression online, including several to secure access to the Internet for all noting that :

> “Unlike any other medium, the Internet enables individuals to seek, receive and impart information and ideas of all kinds instantaneously and inexpensively across national borders. By vastly expanding the capacity of individuals to enjoy their right to freedom of opinion and expression, which is an “enabler” of other human rights, the Internet boosts economic, social and political development, and contributes to the progress of humankind as a whole. In this regard, the Special Rapporteur encourages other Special Procedures mandate holders to engage on the issue of the Internet with respect to their particular mandates.”

The Special Rapporteur also called on governments to ensure Universal access to the Internet:

> “Given that the Internet has become an indispensable tool for realizing a range of human rights, combating inequality, and accelerating development and human progress, ensuring universal access to the Internet should be a priority for all States. Each State should thus develop a concrete and effective policy, in consultation with individuals from all sections of society, including the private sector and relevant Government ministries, to make the Internet widely available, accessible and affordable to all segments of population.”

5. In relation to the freedom of expression, censorship of the Internet emerges as a serious concern. Activists have denounced the use of firewalls to intercept communication between citizens and the banning of certain social media sites in many countries. What is often missed in discussions around freedom of speech and the Internet is the manner in which censorship of the Internet happens through the protection of intellectual property. Content producers are awarded wide ranging powers through anti-piracy laws enforced through digital surveillance of users[9]. The enforcement of IP through digital means also has critical implications for access to knowledge, a development agenda being discussed in WIPO. In this regard, the report of the Special Rapporteur cited above also makes reference to the connection between right to development and access to the Internet:

> "without Internet access, which facilitates economic development and the enjoyment of a range of human rights, marginalized groups and developing States remain trapped in a disadvantaged situation, thereby perpetuating inequality both within and between States."

9 The media and content industry has sought to gain the co-operation of Internet service providers (ISPs), asking them to provide subscriber information for IP addresses identified by the content industry as engaged in copyright infringement. Such attempts have been made in many countries including France (see the HADOPI law) and the UK (see the Digital Economy Act 2010)

A compelling case emerges here for public provisioning (and universal access) of the Internet, a point the Special Rapporteur's report emphasises in exhorting states to "thus develop a concrete and effective policy to make the Internet widely available, accessible, and affordable to all segments of population."

6. For marginalised populations like migrant domestic workers, research has shown that having access to mobile telephony is fundamental for basic access to their human rights[10]. Being connected (through the Internet or the mobile network) has thus become a pre-condition for the enjoyment of civil and political rights, including the right to assembly. The Internet expands and reconstructs the Habermassian public sphere by allowing people to meet and interact online and for political deliberation and action to take shape. The use of the Internet for assembly however presupposes that its quality as the global public square is maintained. Yet, as discussed above, rule setting by powerful interests creates default law in the digital sphere. The capture of the Internet by private interests and controls by the state undermine its intrinsic openness. Significantly, the Occupy movement is attempting to build 'open' communications platforms that are people's spaces, not controlled by corporates.

7. The Internet makes cultural exchange possible in civilizationally unprecedented ways. In her 2011 report on The Right to Enjoy the Benefits of Scientific Progress and its Applications, the Special Rapporteur for Cultural Rights, Farida Shaheed observes how the right to culture "should both be understood as including a right to have access to and use information and communication and other technologies in self-determined and empowering ways." Not being inundated by the global flows of culture, as Shaheed's Report argues, requires both "freedom of access to it (the Internet) and maintaining its open architecture...for upholding the right of people to science and culture." The Report also submits that states should adopt a human rights approach to access to technology, and emphasises the importance of individual and collective access to scientific progress, not just the overall contribution of technology to economic growth.

Strategically positioning "Equal Participation in Network Society" as a goal

The change brought about in the networked information environment is deep and structural and as has been observed by many scholars, has the potential to empower cultures left out of the Industrial Revolution. Thus, it is fundamental for us to understand, from a developing country perspective, how the Internet changes the capacity of knowledge production, distribution, and access and how this affects the very core of development, as technological capacity, technological infrastructure, access to knowledge, and highly skilled human resources become critical sources of competitiveness in the new international division of labour[11].

Participation in the network society is not just about economic power. It is equally about cultural and political aspects of life. Not coincidentally therefore, among the political economy contestations of this century, the control of digital space and its institutional ecology stands out as the most spectacular. It is a world of monopolistic and oligopolistic alliances that are at cross-purposes with every stated - and as technology advances, about-to-be-stated - eulogy about the network society's potential for development, justice and freedoms. It is only on the basis of equal participation in the network society

10 http://www.gender-is-citizenship.net/sites/default/files/citigen/CITIGEN_Policy_Brief%20_TT_Final_8Dec2011.pdf
11 Yochai Benkler, The Wealth of Networks, 2006

at local, national and global levels, and a transparent and just global governance mechanism for the Internet can all countries and all people benefit from the emerging social paradigm.
Critical therefore, to any conception of development goals post MDGs is a progressive vision of the participation of all, especially marginalised social groups in the way network society unfolds. Participation encompasses the right to engage in the way digital space is conceived, shaped and made to work for development. The goal of equal opportunity to participate and benefit from the information society concerns affordability, accesibility and appropriateness or meaningfulness of access.
Going forward, in the post MDG goal-setting process, civil society actors may need to be cognizant of the real-politik in the ICTs arena. Some crucial aspects merit attention:

1. The most contentious issues between the North and the South other than in the area of climate are likely to be around this area. In the bargain, it is likely that the hope for humanity to have access to connectedness and hence the promise, however feeble, of global citizenship for the marginalised will be jettisoned. This requires tactical positioning. Not having a goal around this, will mean an opportunity lost for public provisioning, universal access and meaningful bottom-up participation in shaping a people-centric global digital environment.
2. The area of network society opportunity is one with the most nascent norms, most that have been developed in Northern countries and within their institutional frameworks. Positioning global goals and articulating them for universal application needs to imaginatively account for Southern aspirations. An instrumental approach that sees connectivity as a means alone is not desirable. The aspirational issue here is not so much about bridging the digital divide but about the new horizon of hope for developing countries and marginalised groups.
3. It must be noted that just like the need to embed gender equality considerations across all goals, the possibilities of ICTs need to be embedded in the way other goals are articulated and measured. ICTs, it must be remembered, allow for new modalities in the creation, delivery and use of public goods. Also, active citizenship in the contemporary context cannot happen without appropriation of ICTs for public participation. Whether it is about fights for transparency or community audits of local government or the Right to Information, these are predicated on infrastructure, capacity and appropriate application of ICTs in governance and public systems.
4. For civil society at local, national and global levels, the pathways for a radical trans-local politics – through informed and even serendipitous alliances for transformative change – is in the possibilities of the network society. The question of global norms becomes very important here for an open Internet that can allow a global public sphere to emerge. Global governance of the Internet is key and at the moment there is a huge democratic deficit here. The post MDG discussions must articulate the need for global norms in the preamble to the goals.
5. There needs to be a recognition that in ICTs and in other areas, the term partnerships cannot be reduced to private sector financing, which has a limited even if necessary purpose. Partnerships need to be defined in more imaginative terms that keep people's rights and community rights to shape the goals at the centre.

   The post MDG candidate goal on Equal Participation in the Network Society may be formulated as follows:

   Affordable and ubiquitous access to ICTs for equal and meaningful participation in the network society

Indicators would be needed in relation to three aspects. (Since infrastructure, access and use are all

important, input and output indicators become important.) Disaggregated data would be critical to obtain a nuanced picture of all the measures.

1. Individual-household aspect, to measure
    a. access to broadband
    b. access to mobile networks
    c. cost / tariffs

    Possible indicators include:
    - proportion of households with broadband Internet access
    - mobile cellular telephone subscriptions per 100 inhabitants
    - Fixed broadband Internet access tariffs per month as a percentage of income.

2. Public-institutional aspect, to measure
    a. ICT-enablement of local public agencies and authorities
    b. Public access points / Internet kiosk availability and accessibility

    Possible indicators include:
    - Percentage of public agencies at the district and sub-district levels with web presence
    - Percentage of public agencies at the district and sub-district levels with web presence in local language
    - Free public access points per 100 inhabitants
    - Paid public access points per 100 inhabitants

3. Community-social aspect, to measure
    a. Use of ICTs for higher functionalities
    b. Depth of ICT penetration

    Possible indicators include:
    - Percentage of Internet users using peer-to-peer functionalities beyond browsing and email;
    - Percentage of small enterprises with web presence at the district and sub-district levels
    - Percentage of NGOs with web presence at the district and sub-district levels