

What are people's rights in the digital world? – Moving towards a digital social contract

A workshop to be held in Bangalore on 4th and 5th of December, 2015
IT for Change, Bangalore

What is happening in the digital arena

Today, the digital phenomenon is fundamentally transforming our social systems and institutions. New ICTs have largely been taken as tools that improve our lives, opening up new ways of being and doing. But it is high time that the phenomenon is examined from a structural view of how social power is reconfigured; who wins and who loses out in a society that is digitally mediated.

The idea of what is just and equitable in this new digital world, or in other words, what rights can form the basis of our digital existence, is something that requires committed reflection. Such an inquiry has begun, but it tends to focus mostly on freedom of expression and privacy. We seem to be mostly 'reacting' to the digital paradigm and the violations we experience on account of curtailments to our freedom. It is imperative that justice in this emerging reality is based on a conception that is *ab initio*, proceeding from the indivisibility of rights and restoring the equal and vital place of social, economic and cultural rights alongside the civil and political.

What is required to be done

What this calls for is the need to go beyond considering ICTs as a given that markets will provide either for money or in exchange of other 'valuables' like personal data. We also need to challenge the casual acceptance that it is but obvious for private players to be developing ICTs to serve commercial interests even if it is to the detriment of people's rights. Other than some rudimentary consciousness of consumer rights, social imagination is still lacking about what our rights are *vis a vis* the emerging digital landscape. If we want this new social space – or, to look at it in another way, the DNA of much of current social change – to be one which furthers rather than curtails equity and social justice, we must lay an early claim to defining the social contract on which it is to be built. The default, as being witnessed all around us, is leading to an ever greater concentration of power through control by the currently dominant forces over key digital arteries, nodes and platforms, and over personal and social data.

Actors working to transform society must grapple with the question of alternative ICT pathways, exploring the structural-institutional design that can enable more equitable social outcomes. This, *inter alia*, calls for an engagement with the issue of the governance of ICTs.

Rationale of the workshop

A good starting point for this would be to build from below conceptions of rights with regard to the digital realm based on our tacit formative consciousness about them. ***The proposed workshop will undertake such an exercise to draw the first outlines of the social contract that must underpin our pervasively digital existence. IT for Change plans to get together thought leaders engaged in rights-frameworks (including rights activists across domains and digital rights activists) to participate in***

this preliminary inquiry, which we hope can form the basis of further work in this area. The plan is to build from scratch a conception of what constitutes an equitable and just digital society, and what individual and collective rights would be commensurate to such a conception.

Objectives

What we hope to achieve through this is a push towards a longer term public deliberation and engagement that can shape a rights discourse, and thus a digital rights agenda, to underpin a new governance thinking for the digital phenomenon. The current discourse, almost exclusively consisting of liberal conceptions that seek minimal governance (hopefully, none!) in this area, is of governance (or governments) 'versus' digital rights and freedoms. This has to be replaced with a more comprehensive framework of governance 'based on' rights of the people, and our democratic social contract, as interpreted in the digital context.

Workshop methodology

We will begin with an exploration of how rights-based consciousness and articulation, and over them, people's movements, got built in other areas and what lessons can be learnt from them for the digital realm. This will be followed by a structural analysis of the emerging digital landscape and its implications for our social systems and institutions, taking a forward-looking approach. Then we go into looking at what progressive actors in different sectors like education, health, media, livelihoods, public services, community development, etc., expect from the digital space, to meet their respective imperatives. These three framing sessions will suitably prepare the group to get into an exercise of abstracting principles and conceptions of the rights that must underlie ICT design. This exercise will continue over the second day of the workshop to hopefully arrive at a basic principles and rights document.