Social and economic justice issues in global IG

This background paper consists of two parts. The first part is an excerpt from the Statement of Anita Gurumurthy at the closing ceremony of WSIS plus 10 review held by UNESCO from 25th to 27th February, 2013. The second part is an article by Norbert Bollow titled "Root Causes of Internet Social Justice or Injustice", originally published in *América Latina en Movimiento*, No. 494, ALAI, Quito, April 2014. http://www.alainet.org

1. Excerpt from Anita Gurumurthy's WSIS plus 10 review statement

„I would like to take us back in time to the decade of the 90s and the particular sentiments at the turn of the millennium that framed the World Summit on the Information Society. In the late 90s, the power of the digital revolution was seen as heralding a new hope for addressing long standing challenges in development. At the same time, world leaders were also concerned that the digital divide at international and national levels could lead to shaping a new class of those who have access to ICTs and those who do not. As we stand at this milestone of the WSIS plus 10 review, we have the responsibility to go back to this concern. The Internet – as the future social paradigm – is already yet another axis shaping exclusion and power.

The WSIS Declaration of Principles titled 'Building the Information Society: a global challenge in the new Millennium' avers in its preamble that no one should be excluded from the benefits the information society offers. It notes – with conviction interlaced with caution that - 'under favourable conditions', these technologies (that is, ICTs) can be a powerful instrument, increasing productivity, generating economic growth, job creation and employability and improving the quality of life of all. This is the moment of reckoning – for all of us – to ask if we stand at the threshold of a new positive future for all and if indeed, the global and national governance and policy architectures of the new techno-social paradigm have created the 'favourable conditions' for the good life that seemed plausible in 2003.

• The economic crisis of the recent years, in the developed world, is a serious indictment of the macro economic pathways of neo-liberal growth and its policies. Recent research in Europe suggests that serious attention needs to be paid to the inequality in work - wages, working conditions and social cohesion - and its microeconomic implications.

• Even in Latin America, despite relative economic stability and reduction in poverty in many countries, a recent research by the UN says that the richest 20% of the population on average earn 20 times more than the poorest 20%. There is a considerable job deficit and a large labour informality affecting mainly the young and women. Colombia, Paraguay, Costa Rica, Ecuador, Bolivia, the Dominican Republic, Argentina and Guatemala have all seen an increase in inequality in the past decade.

• The Asian giants China and India, often touted as rising economic powers, face huge challenges in socio-economic equity – the consuming middle class may but be a smokescreen that hides the livelihoods crisis for the majority. All this has happened in the same decade that the Internet ought to have been been equalising social and economic opportunity. We need to sit back and reflect,what went wrong? Why did the Internet, and the Information Society phenomenon not do what it was supposed to do? This is the principal question that the WSIS review process must answer.

If the good life is also about democratic transitions, then the miracles of technology may certainly be counted as harbingers of deep change in the past decade. Authoritarian states have had to come to terms with the power of interconnection in the network age. The Occupy Movement gave new hope to social movements. Yet, new configurations of power in mainstream spaces have more or less seen the political elite make way for a new class of economic elite – information society democracy remains as exclusionary as its predecessors. Perhaps more, with little place for women and others in the margins, and oblivious of new forms of violence and misogyny in the open and

ostensibly emancipatory corridors of the virtual world.

Those of us committed to build a people-centred, inclusive and development oriented information society have to come to terms with and interrogate the roots of these crises – the unfavourable conditions that seem to have jettisoned the equalising propensities of the Internet.

The crisis today for the information society agenda is two fold – it is economic and it is cultural. The neo-liberal juggernaut has – at an unstoppable speed – usurped the power of connectedness. As some cyber enthusiasts continue to sing peons to the power of the supposedly decentralised, non-hierarchical and inclusive Net, the human predicament in real terms is far from this idealised picture. Today, a handful of colossal corporate mega-giants rule private empires - the top 10 Web sites accounted for 31 percent of US page views in 2001, 40 percent in 2006, and about 75 percent in 2010..."

Centralization is the name of the game – the most powerful weapon in neo-liberalism's arsenal. Consider Google: when it comes to user data, today Google runs a much more centralized operation than five years ago where individual searches, youtube video histories, and calendars combine to generate individualised and targeted ads. The Internet market place atomises the consumer-user, coopting her persona as a commodity in a logic that may not be self evident to Internet enthusiasts unwilling to see the realpolitik.

The cultural crisis is deeper. What the architects of the WSIS documents perhaps underestimated is the way the information society would precipitate a normative crisis. As the Internet market place broadens its horizons, we see the individuals, communities and nations, fragmented by increasing self interest. The seamless geographies of the connected world are images of the Internet's economic paradigm – where membership for marginalised individuals, social groups and nations is a simple binary - assimilation or decimation. The talk of diversity and multiligualism notwithstanding, there is much less we can aspire today out of the promise of the networks society for collaboration and horizontalism than seemed plausible ten years ago. We need to pause and ask – are our normative frameworks – infoethics and info-civic imaginaries – adequate to ensure that every person, the last woman, can be a global citizen in the interconnected global world. What we are witness to instead of a reflection around the basics of democracy in the interconnected world, are anxieties of nations states that make ancient tribal chieftans seem like impeccable upholders of freedoms and the rule of law."

2. N. Bollow's article "Root Causes of Internet Social Justice or Injustice"

The Internet is not only useful; it is also dramatically transforming our societies. In this respect, I expect that some decisions that will be taken in the very near future will have a profound long-term impact on the future of human society. I feel that we are at the threshold of some kind of defining constitutional moment for the future of humanity. By this, I mean that just as the overall political structures of a country are to a large extent determined by its constitution, some important aspects of the future of humanity are going to be determined by how certain technical matters regarding the Internet are decided.

Mass surveillance, as documented by the Snowden disclosures, is a good example of this. As long as at least some of the world's intelligence services have significant funding and no respect for the internationally recognized human right to privacy, it is inevitable that international mass surveillance will continue for as long as it is technically feasible. But why is it feasible? The reason is that those who have been making the relevant technical decisions have not considered it a requirement to prevent mass surveillance. From a technical perspective, adequately protecting the privacy of communications (including some reasonable degree of protection of the so-called metadata, which includes in particular information about who communicates with whom) is not an easy task. But it is not impossibly hard either. It is surely an easier task than to design an airplane which allows us to travel from one continent to another in less than a day.

From a political economy perspective, international mass surveillance is primarily about power. It represents a huge concentration of power. Since among the political leaders of just about any country, there will be some who have an embarrassing secret in their life, the power of mass surveillance implies the power to topple just about any democratic government. Or maybe the intelligence agency which holds this power would prefer to use it for blackmail. It is absolutely scary to consider what a Hitler 2.0 would do with the kind of surveillance capability that the NSA is now known to possess. Hence ICT systems which are not adequately designed to protect communications privacy are a form of social injustice. In fact, undermining democracy in foreign countries is one of the worst kinds of large-scale social injustice that I can imagine.

In the realm of political institutions, concentrations of power are of course also a potentially serious problem. However, the constitution of every democratic country has been carefully designed to prevent dangerous concentrations of power. There is a careful division of powers between the different institutions, and there are checks and balances. Similarly, we need to insist that the power that any government or company can have on the global Internet must be limited. For example, Microsoft, Facebook and Google are each unreasonably and unacceptably powerful.

Unfortunately, the current system of what is often grandly called "Internet governance" lacks any mechanism to effectively diffuse such concentrations of power. This is, however, not generally recognized as a problem. Quite on the contrary, the upcoming "Netmundial"[1] meeting is intended to enshrine "multistakeholder governance" as a fundamental principle of Internet governance. For all intents and purposes, this would be a constitutional principle for the Internet, and by implication also for the worldwide information society. Multistakeholder governance is an ideology which implies the belief that democratically elected governments and parliaments should not exercise any power to make decisions in relation to the Internet, but rather all governance decisions should be made by a multistakeholder consensus process, in which all stakeholders, including representatives of governments, civil society and private companies, can participate fully and equally.

I am not at all opposed to multistakeholder consensus processes being used for decision-making whenever it is possible to reach a consensus. My objection is against effectively adopting it as a kind of constitutional principle that consensus processes are the only kind of decision making processes that can legitimately be used in regard to the Internet. This principle would imply that no decision could ever be taken that would solve the problem that some companies are overly powerful, because the powerful companies could simply oppose and thereby prevent such a decision from being taken. Of course, when no explicit decision can be made in regard to conflicts of interest between particular commercial interests and some aspect of the public interest, such a lack of a decision-making process is a decision in itself. In that kind of situation, powerful profit-oriented companies are automatically able to do whatever they want, to the full extent of what the market will allow them to get away with, with no chance for public interest oriented regulation.

The alternative which I would propose[2] in situations where there are genuinely conflicting interests (i.e. conflicts which persist after a reasonable attempt has been made to resolve the issue by means of a consensus process), is that the best approach will be to develop competing proposals, corresponding to different perspectives on the issue, and to then have national parliaments make the perhaps difficult decision of choosing between these options. Clearly the set of proposals should be designed for making it as unproblematic as possible for different countries to adopt different options.

On the other hand, there are existing multistakeholder processes which can be used to solve real problems (problems where there is no reason why, for example, existing standardization processes would not work to develop a solution), while at the same time preventing new dangerous power concentrations from emerging.

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[1]   http://netmundial.br
[2]   For the specifics of a concrete proposal along these lines, see http://WisdomTaskForce.org

One very interesting example of this is the work on "web payments" at W3C, the World Wide Web Consortium[3]. Technically this initiative is based on advances in cryptography, which allow for secure implementation of payments without relying on a middleman such as PayPal or Western Union. The technology can be implemented to be usable everywhere where a web browser can be used, from TV sets over PCs to mobile telephones, and this has in fact already been done in the Firefox OS smartphone operating system.[4]

Importantly, the goal here is to create a technical standard that can be freely implemented by anyone. In this regard, the planned "web payments" are going to be like email rather than like WhatsApp or Facebook or PayPal. That however is not sufficient to ensure that the technology will positively contribute to social justice, and avoid contributing to social injustice. If implemented without consideration of fairness, non-discrimination and consumer protection concerns, a "web payments" technology could easily result in new social injustices. Removing the payment processing service as a middleman is good, but there is a need for flanking measures to prevent it from creating problems.

There are several reasons why it is good and important to create a payment processing service that does not rely on a middleman. Two of these reasons are related to the fees which a payment processing service levies: these do not only cost the users of the service money, they also tend to prevent some applications involving very small amounts of money, so called micropayments. Then there is also the risk of monopolization: if no standardized web payments solution is available, chances are that the kind of network-effects-driven winner-take-all economics which are so often seen in the online realm would concentrate most of the market for online payment processing in the hands of a single company. Such a dominant market position would represent a huge concentration of power that could be abused easily.

On the other hand, when web payments are processed without a middleman, that creates a difficulty, because the payment processing service is removed as a point of possible regulation for the benefit of consumers. For example, the payment processing service cannot then be given a role of acting as a gatekeeper to protect consumers from fraudulent merchants.

Due to the international nature of the Internet, there is also no straightforward way to rely on the traditional legal system to ensure that the consumer can get a refund if an online merchant acts fraudulently. One solution to this problem might be to build a refund mechanism into the web payments system, which would allow consumer courts in the consumer's country of residence to initiate a refund, and a requirement for online merchants to have a bank guarantee that ensures that such authorized refunds will actually get paid out.

Hence, seemingly technical topics on web payments are actually very much of a kind where the design decisions need to be made primarily on the basis of consumer protection and other social justice concerns. This cannot simply be left to technical experts! It is important for a variety of civil society organizations, with a range of perspectives from different cultural and economic contexts, to engage in this area. Not engaging at the current stage when this technology can still be shaped could quite possibly end up being a root cause of social injustice within a couple of years.

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[3]   http://w3c.org
[4]   https://web-payments.org/