

Introduction¹

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The contributions in this book cast a spotlight into dark, often neglected, corners of the “information society” as articulated in the World Summit on the Information Society (WSIS). Several very different layers are illuminated, from the philosophical underpinnings of the role of information in society, to the context and manner in which the concept has recently emerged into global consciousness, to how it can be deployed in practice to maximize benefits to society. An edited volume is well suited to covering these diverse ways of thinking about the topic as it offers the opportunity to bring together authors with different backgrounds and approaches.

All the authors display a degree of healthy scepticism toward the information society, which is partly why they were selected. There was considerable unease when WSIS was first announced in mid-2001, regarding its concept, focus and purpose. Subsequent developments did little to allay the widely held suspicion that it was hastily conceived, and that its central tenets were perhaps taken too much for granted. The information society had become common coin before it had earned it. Only a thin veneer covers the cracks that, left unattended, could open up deep fractures with the potential to undermine any enduring utility. This publication raises some such issues, exposing areas where some further thought and work is needed.

In many ways, the information society is an unfortunate term. It is unfortunate in its genesis as a smokescreen for the narrow liberalization and privatization policies pursued by the European Union in the 1990s, designed to suggest a social dimension that barely transpired. It is unfortunate because “information” is an insubstantial substitute for “knowledge”, lacking a certain depth and sagacity, pointing more in the direction of computers and information technology than in the direction of the breadth of human experience and capacities. Some thus argue for the term a “knowledge society”. But it is especially unfortunate because information and hence an information society seems static, non-interactive, and lacking in social and human dynamism. “Communication” and “communicating” are dynamic terms that necessarily involve people and communities in a cycle of exchange and mutual interactivity: by comparison, information and even informing (“informating” simply is not a word) are bureaucratic, half-hearted and indifferent. As Antonio Pasquali puts it in the final chapter of this book:

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information categorically expresses a less perfect or balanced communicating relationship than does communication, and tends to produce more verticality than equality, more subordination than reciprocity, more competitiveness than complementarity, more imperatives than indicatives, more orders than dialogue, more propaganda than persuasions.

It is no accident that we have been saddled with such a term. The most recent and ardent propagator of the information society—the International Telecommunication Union (ITU) as the lead UN agency for WSIS—has a mandate and history of promoting the extension of infrastructure. It is not an organization that has been associated in the past with communication or interaction. Although the ITU has occasionally and commendably referred to the “right to communicate”, this tends not to go beyond the laudable but limited goal of achieving universal access to information and communication technologies.² It could have been worse. The other contending title of the mid-1990s was more revealing still of the narrow vision of its promoters: the technological-determinist and asocial “Global Information Infrastructure” promoted by the United States.³

But things might also have been better. In August 1996, the Executive Board of the United Nations Educational, Scientific and Cultural Organization (UNESCO) began planning a Conference on Information and Communication for Development, to be held in 1998, which would:

focus on development issues to which information and communication can make a meaningful contribution and would provide a forum for all who wish to contribute to the search for international consensus in these matters (UNESCO 1996a).

In November the Executive Board agreed that:

The possibility of coorganising the conference jointly with other bodies within the United Nations system, such as ITU, would be actively explored (UNESCO 1996b).

The idea, however, was dropped, and UNESCO was not centrally involved as a co-organizer with ITU of the summit. Indeed, it might have ended up as the World Summit on Information and Communication for

² The Maitland Commission of 1984 was the last time the ITU attempted a broad interpretation of telecommunication (see Independent Commission for Worldwide Telecommunications Development 1984).

³ Al Gore, opening remarks at the World Telecommunications Development Conference, Buenos Aires, 21 March 1994.

Development, a far more attractive title. Many believe that the outcome of WSIS would have been improved had UNESCO been a co-organizer. The cultural and communication brief of the event, as well as relations with civil society, would have been enhanced in the WSIS process.

Having said this, WSIS has given the regrettable term the “information society” new legs, and it appears that we must live with it for some time. This book is about infusing it with some of its missing meaning, missing not only in its history but in its current incarnation in WSIS.

Inertia in WSIS

The substantive issues raised by the WSIS process include some on which progress is blocked, with powerful governments ensuring that nothing will be done beyond confirming the current status quo as exercised outside of WSIS. Thus a number of “inert” passages in its declaration are intended as no more than markers that certain topics are off-limits.

One passage in particular goes further, in that it not only reaffirms the status quo, but gives the game away as to the direction in which the powers that be would like to move. This passage refers to who owns and controls the rights to use information, which is a key area for the information society. A perverse notion that what we need is the “protection” of intellectual property by means of exclusive monopoly rights given to owners is pursued. A typical formula is:

Intellectual property protection is essential to encourage the innovation and creativity in the Information Society. However, striking a fair balance between protection of intellectual property, on the one hand, and its use, and knowledge sharing, on the other, is essential to the Information Society. This balance is reflected by protection and flexibilities included in existing Intellectual Property agreements which should be maintained (Paragraph 33, Draft Declaration, 25 September 2003).

Expressed like this, the idea of “intellectual property protection” is nonsense, historically, legally and logically. Intellectual property rights (IPRs), the collective term preferred by industry for copyright, patents, trademarks and so on, are basically monopoly usage privileges granted by society to their creators (later, their “owners”) for a given period, before such intellectual creations go into their natural habitat in the public domain. This is proposed as a means (among several possible means) to ensure that the creative process is rewarded and thereby encouraged to continue. Logically, to protect intellectual property thus

refers at least equally to ensuring that it finds its way into the public domain, as it does to protecting the monopoly usage-privileges temporarily granted. Furthermore, the “fair balance” to be struck is thus rendered nonsensical: there is simply no balance to be struck between the protection of intellectual property and its use and knowledge sharing. The best way to protect creations of the intellect is to allow them to be used—this constantly reproduces them. Only in exceptional circumstances and for very specific reasons (and there are some) should they be withheld for a period from the public domain.

In fact, this language is logically consistent only if it is presupposed that *the only right recognized is the right of the party that is granted the temporary monopoly usage*. And of course this is the intention (though not necessarily conscious) of those drafting this paragraph. It assumes that only owners have rights over intellectual property, just as only owners have rights over the disposal of a physical object, or indeed of a piece of land. It is this application of exclusive rights associated with physical ownership (that not everyone agrees with in any case—ask any indigenous people) to the rights associated with products of the intellect that is the basic error in this way of thinking. It ignores the several and fundamental differences between intellectual products and physical products, as well as the entire economic and legal history of copyright, patents and other forms of protection since their invention.

But do they care? The goal of the copyright industries, it seems, is to keep the IPR railroad moving, with the World Trade Organization (WTO) as the engine and the World Intellectual Property Organization (WIPO) aboard, trampling earlier agreements, human rights treaties, national laws and any other barriers encountered. The copyright industries, including print, television, press, film, music and software, are simply trying to create facts on the ground, the fact that the only legitimate rights are those of IPR owners. Paragraph 33 simply reveals this fact through the WSIS Declaration process, which has already, whether naively or disingenuously, adopted the language, though at a price.

Jean-Claude Guédon’s chapter on scientific and scholarly publications makes the case that the information society is most certainly seen as an opportunity in these circles—an opportunity to diminish even further the possibility of exercising rights to fair use, the term used in treaties for legitimate use of copyrighted material, and to dispense altogether with the obligation of “balance” through the introduction of licensing schemes governed by contract law. It is a compelling example of what happens when a particularly sterile profit maximization dynamic is allowed free reign in an area of special social and development value.

There are other blind spots that, though less revealing, are no less important.

The role of media in the information society is one. In general, the media are given short shrift, appended as a sideshow rather than a central and defining feature. Few would deny that media play an increasingly constitutive role in society, in the self-constitution of the individual through childhood, in the formation of culture, identity and community, and in political and democratic processes. There is even general agreement regarding the need for diversity and freedom of the media. And more and more are beginning to realize that these critical functions of the media are under threat, less in the traditional form of state control (which persists) but in the form of centralization of corporate media control at the global level and the commercialization of media intent only on maximizing profits. Most disturbing are signs of unholy alliances between the media industry and governments (future or actual) in countries as diverse as Italy, Russia, Thailand, the United Kingdom, the United States and Venezuela. But such issues have remained largely unacknowledged in the WSIS process, which goes to pains to avoid ruffling the feathers of powerful corporations and governments. The vital role of the media to service the public interest is glossed over, with public service and non-commercial media barely mentioned.

Another area where substantive progress eludes the WSIS process is the identification and reining in of growing surveillance and control of electronic space. There is growing evidence that the United States, the European Union and many others are using the terrorist attacks on the United States on 11 September 2001 as a pretext to take control of this space. A plethora of hastily drafted laws, treaties and other instruments were pushed through in a climate of fear, and “purpose creep” is extending their implementation beyond even the often draconian original intent. Yet at the surface level, this is barely visible in the WSIS process. While giving a nod to protecting privacy, it talks of promoting “a global culture of cyber-security”. It makes little reference to the myriad ways in which commercial and state control of electronic space is growing ever tighter, where civil society, non-commercial and non-military interests are expected to live with the leftovers.

So when it comes to key aspects of any information society, and indeed key elements in encouraging open, creative and free communication within that society, WSIS is so far found wanting. Critical questions are not satisfactorily addressed, around the corralling of intellectual creations into pay-as-you-enter ranches; growing corporate control over the main means of communication; and the gradual but inexorable loss of the freedoms in electronic space.

Several factors explain these lapses. The inexperience and background of the ITU is one. Many governments are also uncertain of whether WSIS is about telecommunications and infrastructure, or about

content, media and culture, or solely about development, which has resulted in delegations of very different experience and orientation; some from telecommunication ministries and regulators, others from foreign affairs and aid-related ministries, and a few from substantive areas that can yield specific benefits in health, education and so forth. An understandable general confusion was thus evident especially at the earlier stages of WSIS. But as the confusion clears, a few factors come into relief.

The tendency persists of reducing the “information society” to an ahistorical and technical question of extending telecommunication infrastructure and services, driven by technological innovation. The WSIS process has not led to a deeper exploration of what, if anything, the information society means, but instead to the opposite. Its meaning-deficit is now taken for granted and indeed has become invisible to many.

A number of powerful actors are determined to ensure that WSIS does nothing to question or interrupt the global neoliberal agenda across all sectors. Some even see in it an opportunity to eliminate what they regard as constraints on corporate goals in the digital era as, for instance, in relation to copyright.

There is a risk that, on the coattails of growing unilateralism and fragmentation of global governance structures, some governments may to use this as an occasion to justify increasing surveillance and control over electronic space.

Why “Communicating in the Information Society”?

The selection of contributors to this volume was driven by a keen awareness of the above issues, cast up repeatedly in so many of the forums during the early days of the WSIS process, though we cannot claim to cover them all or from every angle. We believe that the outcome of WSIS can be enhanced if the debate proceeds on the basis that there are shortcomings, and that it is better to face up to them than to ignore them. Our goal required writers of very different styles and backgrounds, some in touch with the WSIS process, others far removed from it. We sought contributors with a Southern as well as a Northern perspective, some from non-governmental organizations (NGOs) and others from academic institutions, each with their own take on the key questions. With somewhat less success we also sought a gender balance, although the importance of the gender issue is acknowledged with a contribution dedicated to it.

It is hoped that such diversity will offer the reader new vantage points from which to view the information society. As WSIS proceeds to 2005 and beyond, we hope to encourage the reader to maintain a critical

eye on the question of *which* information society we are building, and who will benefit most from it.

The contributions range from practical, down-to-earth advice on concrete implementation of an information society, through strategies to enrich the potential of WSIS, to philosophical ruminations on the etymology of the central concepts. They all, in one way or another, support the idea that the process of communicating must be at the centre of an information society.

The book begins, quite deliberately, not at the lofty end of the discussion but with some very practical and down-to-earth analysis and advice on priorities in implementing an information society, relevant no matter how we conceptualize it. Dafne Sabanes Plou and William McIver, Jr., focus on two groups of users who are absolutely critical to designing and implementing an information society that empowers instead of divides, and whose needs and potential are so often ignored: women and local communities. Neither group is particularly attractive to commercial interests, yet the extent to which their needs are addressed and their potential realized is probably as good a measure as any of the sincerity of claims for an inclusive information society. Building on the Beijing Platform for Action, Sabanes Plou makes the case for gender mainstreaming in WSIS. Failure to act positively will replicate existing problems in emerging spheres, further embedding discrimination and exclusion. McIver lays down the principles and practice of “community informatics”, concerned with the design, deployment and management of information systems by communities themselves, designed to solve their own problems.

Light is cast on the media blind-spot in two very different but complementary contributions, underlining the powerful dynamic of “traditional media” and pointing to WSIS as an opportunity. James Deane and his co-authors offer a timely reminder of that “other information revolution” in the countries and regions of the global South. The frequent funnelling of debate on the information society into the development potential of the Internet ignores what has been happening in television, newspapers and radio, whose impact is more pervasive and potentially even more far-reaching. Wrestling control of much media from the clutches of self-perpetuating and oppressive governments has been a major positive development, weakened or swept aside by a media liberalization maelstrom that has wrought massive and deep change almost everywhere. Yet a new set of challenges, perhaps even more intractable, is emerging as commercially driven media begin to drown out or obstruct the emergence of public interest media. Journalists and media activists, who have fought for years to escape government control, are rightly suspicious of government-led policy responses. Yet the need for action to place the public interest at the centre is pressing—to do

nothing is not an option. The authors identify a key role for civil society actors in terms of pressuring both media industry and governments to build a regulatory and policy space that pursues the sectarian interests of neither group, and instead serves the broader public interest.

Marc Raboy follows this by exploring what is needed to build such an enabling framework at the global level. After briefly framing media in a historical context, he focuses on the last decade or two, pointing out that media issues are increasingly transnational and hence must be the subject of international conventions and other instruments. Taking the UNESCO World Commission on Culture and Development and the follow-up intergovernmental conference as a key event, and as a lesson in the balance of forces, he situates WSIS as a direct successor. Offering an opportunity to broker the interests of the state, the broadcasting industries and civil society, he argues that WSIS can be, if not a milestone, then at least a moment in the establishment of the new global media framework within which media can flourish and contribute to democratic public life and human development. He notes that such a framework can both enhance freedom of expression *and* promote in practice the right to communicate.

Cees Hamelink addresses directly the issue of the right to communicate—a controversial one in WSIS—and makes a case for it. He introduces the concept of informational developments, denoting the growing significance of information and related technologies and dynamics, and points out that the international community over the years has established a broad set of human rights standards for how informational developments should interact with society as a whole. The problem is twofold. First, the existing standards are simply not implemented in practice—people have only very limited means to vindicate their information-related human rights. And second, current human rights provisions focus exclusively on information and ignore communication. And if anything characterizes the momentous changes of the last half-century, it is the need to encourage and democratize communication as an interactive and participative process. He suggests several remedial roadmaps, and concludes with a call on WSIS participants, governmental and non-governmental, to broadcast a strong signal of their intention to mobilize around achieving the right to communicate. In between, the main body of the chapter covers some very valuable terrain, identifying the full panoply of human rights and instruments that relate to informational developments, sorted under technological, cultural, political and economic dimensions, as well as the means for and obstacles to their enforcement.

Jean-Claude Guédon's point, mentioned above, on scientific and scholarly publications is in fact just one strand in a much more complex and layered study. It proceeds from an examination of the sometimes

contradictory evolving relationships between scientists, the creation of symbolic values, the institutions that translate into various rewards, librarians, and, at the fulcrum, commercial publishers. He identifies how since the late 1960s, a narrow, conventional and profit-maximizing trend has created an institutional elite and highly profitable business through ever more tightly policed gateways for accessing scientific knowledge. Digitization threatens to change that, but the question is whether it will be for better or worse. Against the traditional approach that would deepen control is a free or open-access approach promoted by civil society. Simplifying a nuanced argument, such an approach requires a sustainable model—which implies some borrowing from the “business” approach to the information society and an alliance with more progressive publishers. The plot thickens further when he generalizes the argument to the area of free and open source software, and to discussion of the commons and the public domain in general. This in turn leads to the claim that drawing a clear distinction between infrastructure provision and service activities, and developing strategies around it, is more fundamental than the commercial/non-profit dichotomy. His ultimate conclusion (hence we can decipher the title of his contribution) is that the tendency of the phrase information society to convey the idea that social problems are best resolved “scientifically”—away from the fray of politics—must be overturned, and that civil society, with its focus firmly on the social and political, is best placed to lead this. The capacity of civil society to network in a distributed manner is what is needed to exploit the fullest potential of the information society.

Finally, posing as a (highly select) glossary of the information society, Antonio Pasquali’s contribution returns from a different vantage point to many of the same points. His first chosen term is “human relations”, an apparently self-explanatory term that he deploys to restate the need to resist the strong tendency of reducing the information society to a purely technical or economic discourse. Taking us back to the etymological roots in ancient history, he says: “The words communication or information always, and necessarily, refer to the essence of community and human relations”. If WSIS allies itself with the current trend of moving decision-making powers from consensus-based bodies of the United Nations into power-based bodies such as the International Monetary Fund (IMF) and World Bank—and it seems set to—then that key domain will favour technological and economic, rather than social, approaches to issues. He rescues other terms from their vague and ambiguous usages which suit discourse that reduces social development to a technical matter. In arguing for rigorous and judicious use of “deontologies”, “morals” and “ethics”, he is at the same time laying the groundwork for a rights-based approach. Then he tackles “informing” and “communicating” together, concluding that while they are

inseparable, the latter must always be chosen over the former, instrumentally in terms of favouring certain media as well as sociopolitically in terms of choosing reciprocity, pluralism and democracy over, for instance, efficiency. A robust defence of communication rights is followed by an interpretation of its supposed erstwhile mortal enemy, free flow of information. The latter sits uncomfortably alongside the reality of a communication superpower that alone can turn off the information tap of others; the free-flow of paedophilia and pornography; growing global surveillance; and the violation of the new holy grail of intellectual property rights. He still manages to defend free flow in a reconciliation with communication rights as “a beautiful positive principle that we must defend in conferences and in real life, though we must unceasingly denounce abuses of dominant positions committed in its name”. Then “access” and “participation” are rendered mutually reinforcing as, respectively, the capacity to receive, and the capacity to produce and transmit.

He signs off with his account of the term information society. We leave this to the reader, adding that the chapter rounds off the book nicely but could equally well serve as the introduction.

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