

Of Net and Neutrality

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The Chinese Government has asked internet providers to block pages relating to Tibet freedom, Taiwan unity, police atrocities, Tiananmen Square and Falun Gong. US Secretary of State Hillary Clinton has bashed China for this. She said: "We stand for a single internet where all of humanity has equal access to knowledge and ideas... We do not tolerate those who incite others to violence, such as the agents of al-Qaida who are, at this moment, using the internet to promote the mass murder of innocent people across the world... Those who use the internet to recruit terrorists or distribute stolen intellectual property cannot divorce their online actions from their real world identities. But these challenges must not become an excuse for governments to systematically violate the rights and privacy of those who use the internet for peaceful political purposes." Two distinct themes emerge from this statement. One theme is of Human Rights. Other is that of Intellectual Property Rights.

Central to the Human Rights aspect is the values held by a society. Every country places limits on individual freedom. Secretary Clinton admitted that all societies recognize that free expression has its limits. She disagreed with China on how these limits are imposed, which is fine. But more importantly, the US imposes various restrictions on the net. The Digital Millennium Copyright Act criminalizes the discussion and dissemination of technology that could be used to circumvent copyright protection mechanisms, and makes it easier to act against copyright infringement on the Internet. The Department of Defense filters certain IP addresses, which makes it impossible for an individual located in the US to access these sites. Google servers in Denmark and France remove Neo-Nazi and other listings in compliance with German and French law. The Western countries, therefore, do not espouse complete freedom of the internet. The restrictions follow the values of these societies. The United States supports property rights on knowledge and Europe abhors Nazism, hence the restrictions.

China has alleged that the US has used the internet to promote opposition to the Islamic Government of Iran. This also is interference in the free working of the internet. The people of Iran should have the freedom to choose what information they want to read. They should not be 'forced-fed' particular information. That is reverse censorship.

The restrictions imposed by China appear to be similar. The US holds Al-Qaida and France holds the Neo-Nazis as anti-national. China holds the demand for Tibetan and Taiwan Independence to be anti-national. It is not the question for supporting China's branding of Tibetan and Taiwanese as anti-national. What is anti-national and what is not is a matter of debate. It will be obvious that every country has to determine its own definition of good and bad. The underlying principle is that if the US has the right to prohibit Al-Qaida then China has the right to prohibit Falun Gong. It should certainly be debated whether such prohibition is appropriate or not. But that is a separate issue. One cannot surreptitiously take a position in favour of Falun Gong in the guise of Internet freedom.

The real objective of the US in raising hue and cry over Chinese censorship appears to be protection of Intellectual Property Rights owned by its companies. Secretary Clinton said in so many words that those who use the internet to distribute stolen intellectual property should be punished. But other societies may not support this. 'Knowledge for profit' is a debated matter. Knowledge should be free for all humanity. Many developing countries opposed the inclusion of copyrights and patents in the WTO. But the US is the leader in holding patent rights and stands to lose the most if these are disseminated on the internet. Therefore, Secretary Clinton classifies knowledge as 'stolen' and is demanding that internet should not be used to distribute the same.

Other US companies support interference in the working of the internet when it suits their commercial interests. A report on *24/7 Wall Street* says : "(Bill) Gates views China's online screening efforts as 'very limited'. Gates said that companies should abide by the local laws in the nations where they do business or get out. Gates is friendly with senior Chinese officials and has used this relationship to get the government to crack down on the piracy of Windows. He is now siding with Beijing, and potentially gaining favor, by indicating that Google should follow Chinese laws as a matter of good international business practice. Gates understands that if Google leaves China it will be an extraordinary opportunity for Microsoft's Bing search engine to gain market share in the world's largest internet market."

In another article Brenna Coleman tells how US companies are opposing free operation of the internet to protect their commercial interests: "Net neutrality is the principle that consumers and internet users have a right to all forms of online data. Although internet neutrality has always been an inherent concept of the internet, it is not protected by law. Major telecom companies, such as Verizon, Comcast, and Time Warner Cable, have spent hundreds of millions of dollars on lobbyists to encourage Congress to dissolve net neutrality." These companies are demanding that they be permitted to interfere in the free functioning of the internet. They should have the right to prevent pages of their competitors from loading, for example.

It is clear that the position one takes on Internet freedom is dictated by commercial interests. Bill Gates and Time Warner oppose freedom because it suits them. Secretary Clinton supports freedom because it supports the strategic and commercial objectives of the United States in her assessment. She said so in as many words: "Censorship should not be in any way accepted by any company from anywhere. And in America, American companies need to make a principled stand. This needs to be part of our national brand. I'm confident that consumers worldwide will reward companies that follow those principles." She seems to believe that freedom is commercially lucrative hence that demand.

It appears that state control over the content of internet is inevitable. It is the solemn responsibility of the government to promote the welfare of its people. It has the inherent right to filter such information that it deems harmful for the attainment of this objective. Indeed, tyrannical leaders can misuse this window. It is possible that such may be the case in China. But the solution of such misuse of authority is to oppose that bad governance. Internet freedom is not the way to establish good governance. Just as a patient does not give up

taking medicines if administered wrong doze by the nurse, similarly one cannot remove state control over the internet because of misuse of this authority. One should stick to the right policy. State control over internet appears to be necessary. It is better to focus on securing good governance and benign control of the internet instead of seeking unrestricted freedom. □□□