Kwaku Owusu
Dr. Suver
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<u>Is Internet Access a Human Right?</u>

The Internet is a relatively new medium that has been in the public domain for about 21 years. Since its inception, it has become more prevalent in everyday tasks such as ordering food and applying for jobs. When it comes to regulating or policing the internet, the majority of society does not have a common consensus on how to handle these concerns. There is no bigger issue pertaining to the internet than the idea of whether access to the internet is a human right. A large number of scholars, journalists, and key members of the industry have argued for years on this issue and have not come to a concrete conclusion. A significant part of the issue stems from whether to classify access to the internet as a civil or human right, or none at all.

Vinton Cerf, a key participant in the development of the early internet and "Internet Evangelist" for Google, believes that internet access should not be a human right. Cerf is no stranger to the Internet, in the early 1970's he assisted with laying the groundwork for ARPANet, the government predecessor to the internet. At a later point he lead the development of one of the first commercially available email systems. Since then Cerf has gone on to be a key member in the networking world, from collaborating with NASA to help create interplanetary internet, to serving on the UN Broadband Commission for Digital Development, a group created to help increase access to the internet. In the early 2010's with the ever increasing importance of the internet, Cerf took to the New York Times to voice his opinions.

Written during the Arab Spring when internet access was deemed instrumental to spreading information, Cerf argues the idea that internet access is an enabler of other human

rights; and shouldn't necessarily be a right of its own. To put it simply, Cerf believes that the Internet should be used as a means to an end. In his point of view we should not focus on making the means into a right. If everything popular and closely integrated into society was made into a human right, we would have a lot of irrelevant leftovers. For example, Cerf writes in his New York Times op-ed Internet *Access Is Not a Human Right* "... at one time if you didn't have a horse it was hard to make a living. But the important right in that case was the right to make a living, not the right to a horse. Today, if I were granted a right to have a horse, I'm not sure where I would put it." (Cerf). The horse was only a means to get us to locations faster and as time passed we developed other methods to get us to our destinations, focusing on just the horse would not be the correct thing to do. As a final point, Cerf proposes the idea that access to the Internet as a tool should be regarded as a civil right. In this view, access to the internet should be protected by the government, any individual or corporation is not legally able to impede it.

Members of the United States' government have debated the idea of making internet access a human right, due to the Internet's relevance to court cases. Some of these discussions came to light during the release of the supreme court's decision about net neutrality. For example, Michael O'Reilly, a commissioner of the FCC shares the opinion of Cerf, thinking that although the Internet is an important tool, it does not need to be elevated to a human right. During his 2015 speech about the future of broadband Internet, O'Reilly brought up the fact that citizens currently do not need access to the internet to function in their daily lives. In his viewpoint those who campaign for making access a human right are overstating the importance of the Internet, and that the "...Internet doesn't even come close to the threshold to be considered a basic human right." (O'Reilly 4). He also believes like Cerf that, the internet should be

protected like a Civil Right, harsh regulations would hurt its growth rather than help it (O'Reilly 4).

O'Reilly and Cerf would both agree that human rights should be related to the necessities of life, things that you would need to survive, like food and water. As evidenced by Cerf and O'Reilly it appears that those who believe Internet access is not a human right still believe it has a relevant place in society. The Internet is an important tool in spreading information about our rights, and it should be used as such. However, despite its importance in modern day, this does not mean the internet is or should be a necessity. However there are a large number of people on the other side of the argument who believe that Internet access should become a human right. Several researchers at universities, and even committees for nations have argued for this ever since the Internet rose to prominence. It is argued that because the Internet has become relevant to basic tasks today, such as looking for housing or employment, it is necessary to have unlimited, and unrestricted access to the Internet for a society to function.

Stephen Wicker and Stephanie Santoso, a Cornell Professor and PHD student of Information Systems research respectively, have campaigned for making access a right; so much so that Santoso has gone on to become a Senior Advisor at the White House Office of Science and Technology Policy, making an effort to help promote the understanding of technology. In their paper titled *Access to the Internet Is a Human Right,* which was written in response to the claim by Cerf, Santoso and Wicker seek to subvert Cerf's belief. According to their viewpoint human rights are viewed as "aspects of our lives that are critical to our capacity to choose and to pursue our conception of a worthwhile life. These aspects can be expressed in terms of a certain set of capabilities granted to the individual by society as a matter of justice." (Wicker and

Santoso). Taking this into consideration, the Internet should be viewed as a platform to help improve one's well-being.

Wicker and Santoso believe that at this moment in time, not having internet access is harmful to the education of others, in their viewpoint there is a large divide between those who have access to the internet and those who don't. Evidently, there is a large knowledge gap, or "digital divide" between these people as more time passes; because those with internet have significantly more opportunities to learn due to the ability to access information quickly. Due to its ability to spread information between multiple groups of people, Wicker and Santoso believe that the internet serves an advancement of freedom of speech and that "The Internet offers a wide variety of means for self-development through experimentation, discovery, and the testing of one's opinions and beliefs". Their viewpoint seems to be that because the internet enables an ever greater sense of freedom of speech the two should be closely intertwined.

Through this ideology, the Internet is closely intertwined with our right to communicate with others and speak freely. This ties into the viewpoint of Information Systems researcher, Jenifer Sunrise Winter, and her paper *Is Internet Access a Human Right? Linking Information and Communication Technology Development with Global Human Rights Efforts.*Winter's research specializes in how access to information can affect others. In Winter's viewpoint, Internet access should be a human right because of its power as a communication platform. The Internet has allowed vast quantities of people to express their freedom of speech and ability to find other like-minded individuals to share and promote thoughts. The removal of access to this technology would create the "digital divide" (Winter 37) that Winter, that Wicker and Santoso spoke of earlier. Any lack of communication between individuals who share their views would be detrimental to their well-being.

As a result of the Internet's importance in so many world issues, some members of the United Nations have also recognized this idea, and have tasked other member nations to help recognize the importance of the Internet. The UN has recognized the fact that there are many digital divides created by restricted access to the internet in other countries and the fact that no person should be persecuted for presenting their ideas online. Many UN members agree that due to the internet's potential to improve the human condition, the internet should be treated as a human right (*The Promotion, Protection And Enjoyment Of Human Rights On The Internet.*). Implementing this idea however, is another issue that would encounter difficulties.

Wicker and Santoso, and Winter have recognized that there would be difficulty in transitioning to Internet access as a human right. According to Winter a major issue that would occur would be planning out how Internet Service Providers would handle giving out Internet access. ISP's would have to either give out their Internet for free or offer low priced, noncompetitive rates to others (Wicker and Santoso 46). If ISPs were eliminated then the government would have to figure out a system to hand Internet to the masses, regulate the internet, and even account for those without a computer, or smartphone (Wicker and Santoso 46). Winter argues that increased access to the Internet could warrant more crime and could have repercussions as the government would now be responsible for cyber-attacks, since the internet would be a protected right (Winter 42).

Although both parties on both sides have argued very strongly about Internet access, there is still a case for deciding whether or not it should be a human right. Winter, Santoso, and Wicker have laid the groundwork for the pros of being granted access, but have not delved into the repercussions. There has not been much of a focus on solid reasons why people should not be granted universal access, and more research can stem from that. Although Cerf and O'Reilly

provided some alternatives for the future of the internet as a Civil right, a lot more could still be waiting to be discovered.

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