

OP-ED CONTRIBUTOR

Internet Access Is Not a Human Right

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FROM the streets of Tunis to Tahrir Square and beyond, protests around the world last year were built on the Internet and the many devices that interact with it. Though the demonstrations thrived because thousands of people turned out to participate, they could never have happened as they did without the ability that the Internet offers to communicate, organize and publicize everywhere, instantaneously.

It is no surprise, then, that the protests have raised questions about whether Internet access is or should be a civil or human right. The issue is particularly acute in countries whose governments clamped down on Internet access in an attempt to quell the protesters. In June, citing the uprisings in the Middle East and North Africa, a report by the United Nations' special rapporteur went so far as to declare that the Internet had "become an indispensable tool for realizing a range of human rights." Over the past few years, courts and parliaments in countries like France and Estonia have pronounced Internet access a human right.

But that argument, however well meaning, misses a larger point: technology is an enabler of rights, not a right itself. There is a high bar for something to be considered a human right. Loosely put, it must be among the things we as humans need in order to lead healthy, meaningful lives, like freedom from torture or freedom of conscience. It is a mistake to place any particular technology in this exalted category, since over time we will end up valuing the wrong things. For example, 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.

The best way to characterize human rights is to identify the outcomes that we are trying to ensure. These include critical freedoms like freedom of speech and freedom of access to information — and those are not necessarily bound to any particular technology at any particular time. Indeed, even the United Nations report, which was widely hailed as declaring Internet access a human right, acknowledged that the Internet was valuable as a means to an end, not as an end in itself.

What about the claim that Internet access is or should be a *civil* right? The same reasoning above can be applied here — Internet access is always just a tool for obtaining

something else more important — though the argument that it is a civil right is, I concede, a stronger one than that it is a human right. Civil rights, after all, are different from human rights because they are conferred upon us by law, not intrinsic to us as human beings.

While the United States has never decreed that everyone has a “right” to a telephone, we have come close to this with the notion of “universal service” — the idea that telephone service (and electricity, and now broadband Internet) must be available even in the most remote regions of the country. When we accept this idea, we are edging into the idea of Internet access as a civil right, because ensuring access is a policy made by the government.

Yet all these philosophical arguments overlook a more fundamental issue: the responsibility of technology creators themselves to support human and civil rights. The Internet has introduced an enormously accessible and egalitarian platform for creating, sharing and obtaining information on a global scale. As a result, we have new ways to allow people to exercise their human and civil rights.

In this context, engineers have not only a tremendous obligation to empower users, but also an obligation to ensure the safety of users online. That means, for example, protecting users from specific harms like viruses and worms that silently invade their computers. Technologists should work toward this end.

It is engineers — and our professional associations and standards-setting bodies like the Institute of Electrical and Electronics Engineers — that create and maintain these new capabilities. As we seek to advance the state of the art in technology and its use in society, we must be conscious of our civil responsibilities in addition to our engineering expertise.

Improving the Internet is just one means, albeit an important one, by which to improve the human condition. It must be done with an appreciation for the civil and human rights that deserve protection — without pretending that access itself is such a right.

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