

E-GOVERNANCE AND DIGITAL COMMONS

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Certainly there are novel features of telecommunications technology that can serve a more participatory, deliberative form of strong democracy and can help redress the asymmetry of a global society in which anarchic markets are powerful and organized civic and political forces weak. Technology can be an ally of citizens as well as of banks and corporations, of global civil society as well as special interests groups. But this will happen only if it is consciously subordinated to our democratic wishes, and if we are fully sensitive to the technology's ambiguous impact on the forms of democracy. [Benjamin R. Barber: "The Ambiguous Effects of Digital Technology in a Globalizing World"]

It is a common place to point out how ICTs have changed our daily practices. Also it is clear that technological changes are promoted under a conscious and sustained effort to achieve those changes. Many different projects promoted by institutions and states go in that direction to build up the new "society of information". From the nineties the term "society of information" has become maybe the most important topic relating society and technology. Many authors, like Víctor Sampedro have noted a cyclic pattern of thought; every time a different technology of information arises, then utopian analysis about participatory democracy and governance appears too (Sampedro, 2006). Telegraph invention was taken as the means to establish a real democracy because that technology could unite the whole world in a single society. It is patent that this goal was not achieved. Nor TV, the builder of what Marshall McLuhan coined as "global village" did and there could be strong suspicions about the potentialities of Computer mediated communication technologies. It is true that present conditions are different from other times. Indeed we confront a globalized world but not only thanks to information but also thanks to financial movements, ecological risks and environmental questions (among other factors).

How to use ICT as a political tool in order to improve and reinforce democracy is a very well known topic on studies about social effects of technology (Maldonado, 1998; Sustain, 2002; Lanham, 1995; Alonso & Arzoz, 2005). Maldonado (Maldonado, 1998) claims on the need to identify the real model we have when speaking about democracy: it is a Jeffersonian model or the ancient Greek model? Both of them have advantages and difficulties. But many times it seems that in current discourses there is not a clear identification of from what tradition we depart. Athenian democracy was proportioned to a small population and the majority of population could not take part on government (children, slaves, women, foreigners). Also the total number of participants should be small. That is difficult to harmonize in a global world. Jefferson's democracy

would accommodate better to our plural and globalized world but rejects state controls. That is an important inconvenience in a world ruled by corporations and financial powers. Sustain (Sustain, 2002) warns about how ITC represent an important bias when conforming political creeds and attitudes because people look for what is more suitable for them, following then to a progressive radicalism. Habermas' ideal of a free domain of discourse is in danger. Enthusiastic analysis such as Levy's (Lévy, 2004) that considers technology as a force to free the political real has been deeply questioned. A complete transparency for political and state activities, in spite of efforts like Wikileaks, seems to be a far desideratum and the battle between control and free access is in its beginning.

Also the existence of a society of information is only possible in those places where there is enough technological development and enough literacy for individuals being able to participate in the electronic realm. Digital divide goes through the social domain in a vertical way (economic, gender, education, age factors) and fences participatory capacities for a big part of world population. Digital divide is a crucial question if there is the desire to carry out a real electronic and participatory democracy. Many institutional and governmental projects consider electronic democracy, e-governance, as a simple translation of state services (bureaucratic paperwork, free access to public data, possibilities of electronic polls) into electronic realm. There is no questioning about if present political system, based into parties and of representative nature, suits our times. But there is a growing literature that gathers a generalized discontent about present democratic systems and the need to reform it. Participatory *versus* representative democracy is a frequented topic in political sciences theory (Barber, 2004; Crouch, 2004; Hardt & Negri, 2002; Mulgan 1994). In fact a "cyberdemocracy" would be basically a forum for free exchange of opinions, for expressing wills and for taking *real* political choices. And in present situation electronic politics would be a place to make patent civil disobedience against professional politics that conforms a representative democracy lacking any substantial democratic content, transformed into ceremonies such as polls. That electronic forum should try, now, to recover and build a real republic beyond and behind present political procedures that, for the majority ends up with voting. It is true that electronic systems allow create horizontal structures favoring participation and expression of political will (Alonso & Arzo, 2005).

Anyway, discussion on electronic governance seems to require broaden usual political questions. This paper will try to present some of them. In a self-declared technological society technology itself takes part of political design; technology re-distributes power therefore it is a fundamental ingredient in politics (Winner, 2008). If this is true, then there are questions that must be answered. For example the meaning of electronic citizenship could be understood as electronic activism to change laws and rules, to oppose in a pacific way government or supra-state agreements, to reform institutions, etc. Obviously this goes far beyond e-democracy or e-governance than electronic polls or digital certificates for governmental procedures. At the same time there are voices claiming for a *global* democracy because local ones do not guarantee freedom. The birth of all kinds of social networks, especially those of

an activist nature, has shown the wide political diversity in the world and inside states. There are more politics inside networks than in professional politics. This paper tries to draft in a short way a set of questions about governance in the era of the Internet and how it relates to activism. For that purpose it is useful to note how some actual political terms acquire a different meaning in the realm of cyberculture. Contact with technology is never neuter and the “cyber” gives different content. Adding that prefix it is enough to see new questions. It seems necessary to change some institutions that followed the birth and settlement of democracy such as the bill of human rights: broadening that bill in different times shows how democracy is not a fixed pattern. But at the same time it is compulsory to speak about new problems posed by new phenomena such as hacktivism and of course how one crucial problem poses perhaps the real and most urgent question we can ask right now: the nature and politics for the commons.

Free Cyberculture

The sci-fi writer William Gibson (Gibson, 1984) coined the term “cyberculture” in his trilogy on cyberpunk. That notion has acquired a growing, diverse and politically laden meaning, especially when coupled with “free”. Free cyberculture can be defined into a great extent as an effort of solidarity; free access to the Internet trying to eradicate digital divide both as users or producers of content. Free cyberculture tries to achieve the status of commons for the digital realm. From the beginning there has been an effort to declare that status before the expansion of the net. Counter-culture of the sixties understood ICT as a tool to empower and free people and some of that spirit transmitted into the activists in the net. William Gibson and Bruce Sterling (1990) considered that the new battle for freedom would take place into de the net. Their basic idea was that corporations would try to take over technological development diminishing the political role of civil society. The political scientist Hakim Bey tried to conceptualize cyberpunk and proposed the existence of Temporary Autonomous Zones, places where freedom could exist against the oppression of corporation (Bey, 1996). Those were the primary efforts to think cyberculture as a commons, as a free cyberculture. Proposals such as Creative Commons are, in fact, re-enacting these ideas. But for a free cyberculture it is required a maximum extension of its actors: from hackers to current users, from programmers to digital illiterates, from digital children to analogic elderlies, from women to “otakus”, from connected rich people to “unconnected people” the majority of world population. Somehow cyberculture is just a part of something bigger, culture, and the first empowers de second. Cyberculture requires creativity, collaboration and involvement in daily life but as said before; a free cyberculture must be a commons, if not there will not exist.

Cybercampaigning

It is widely known the effort a political campaign requires: voluntary and not voluntary workers, marketing experts, sociologists, interviewers and great amount of money to be able to achieve results. As a consequence the game can be played by very few and lobbyists press candidates compromising their

future decisions, taking over political future. Many experts consider this the source for failure in democracy, in that lobbying structure that determines political action and transform representation in something void. For sure ICT has change some aspects for that traditional campaigning; blogs, virtual campaigns, independent source informers. E-campaign can overcome the lack of money for some candidates as Howard Dean showed in 2003. Using ICT Dean succeeded in two goals: criticize George Bush Jr. and collect a huge amount of funds (34 million dollars approximately) through “small donors”, people not connected to big lobbying groups. Dean’s tactics were used by Barack Obama refining the small donor system and was able to confront McCain. Different social networks such as *Second Life* and the most recent *Facebook* have transformed into usual places for all kind of candidates. Nevertheless cybercampaigning is an example of how to translate current politics into cyberculture. More interesting is how current activists can use cybercampaigning to create opinion about many different political questions. There are many examples of how some of these campaigns succeeded ranging from human right defense to environmental issues, anti-war campaigns (Iraq war), consumerism (Christmas) or defective laws (anti-copyright movements). E-mail, on-line discussions and other ICT systems allow design and activate a campaign without many resources. But there are some questions that must be solved such as understanding correctly available strategies and the limits that the virtual has. Also it is required to build a bridge between the virtual and the real or how users adopt in real world a defined political position.

Activism in the Web 2.0 Era

Although there are scarce data about the subject it is easy to admit that the use of networks represent a crucial change for political activism. First movements like Indymedia –a proposal to generate a truly independent news agency- were able to join hundred of thousands activists. Also there have been specialized groups gathered through the net but generally speaking there are three kind of activists on-line: historical groups such as GreenPeace who use the Internet to reinforce their work, new groups born with the net itself that can be labeled in a generic way as “concerned people, for instance electro-sensitivity groups (Lafuente 2003) and finally what can be considered as “meta-activist groupus” such as Oneworld whose aim is to provide computer technology for activism. Activism has transformed the net but also the net has transformed activism in the 21st century. Among all forms of digital activism, hackerism is no doubt the most powerful political force for the free cyberculture. Hackerism has suffered transformations also. From the sixties, when hackers began to appear up to now, political ideals have taken part of present hacker’s activities so it is possible to speak about “hacktivism”. One of the best examples of hactivism is the development of free software; that effort means the aim to democratize software therefore allowing participation to everybody interested and able to develop code. Free software opposes proprietary software because the latter encloses code and design belongs to few. Hacking computer systems such as web pages with no real harm intended is another way of political hactivism. In many senses hacktivism is a clear evidence of civil disobedience that follows the principles of non- violent historical movements such as Tolstoi’s and

Ghandi's. At the same time as Alexandra Samuel claims (Samuel 2006), hackers try to constitute a public sphere for the cyberspace based in two basic principles: freedom of speech and responsibility.

Different political strategies developed by activist groups have enriched web 2.0 into a large extent. For instance our culture has recovered a sense for the notion of "chaos" which is positive. The "butterfly effect", an example of physical model teaches us how initial conditions lead to an unexpected outcome. Internet itself can be considered as a "chaotic" system where there have taken place situations, activities and procedures that go against the desire of control (cybernetics) imposed by states and big organizations. Certain chaotic states have an intrinsic value because they have produced important structures on-line. This idea was present from the beginning of the Internet such as the Chaos Computer Club, founded in 1981 (<http://www.ccc.de/de/home>). This activist group works on civil rights in the Internet including questions such as privacy, security and state or corporation control over individuals. Some of their actions consist in challenging control creating chaotic situations. One of their actions was to hack the Access cards for restricted areas at the Hamburg Airport. From a political point of view sometimes chaos has an interesting value as a way to fight rigid and oppressing structures. Many consider chaos as a previous stage on revolutions where state structures collapse. ICTs have favored such situations as cell phones did both in Philippines with Joseph Strada's election and in Spain in 2004.

Hactivism has created alliances and synergies with other forms of activism, for instance artivism. Artivism can be defined as art used as activist aims. Coupled with hacktivism artivism has created strategies such as "spoofing", "fake" or "detournemet". Basically what they do is fight against rivals using humor and parody to discredit them. Artivism has ties with precedent artistic forms such as artistic actions, performances and happenings developed during the sixties. One of the best examples of this alliance between hacking and art is the group "The Yes men"; its members impersonate governmental or corporation speakers and hack mass-media, trying to change political decisions.

Digital Rights

If cyberspace is a place for free politics it has to have a set of citizen's rights. The need to understand electronic governance as a party of the political realm has lead to propose a broadening of the human rights in their electronic version. As Javier Bustamante claims (Bustamante 2010) there is a balance between hypo-citizenship and hyper-citizenship. Hypo-citizenship consists in a ongoing detachment of citizens from political questions and leaving those in professional hands. At the same time there is a growing control of states and government upon civil society. Politics reduces for normal citizen in polls, the unique right and duty for democracy. But hypercitizens try to get involved in matters concerning "res publica" in a proactive way. Those try to build a real "cyberdemocracy". But for this it is required the existence of specific rights that allow such involvement. This aim is far of being accomplished and there is not a question of extreme cases like China; there are violations of those rights in Western democracies.

Digital rights can be understood as a translation from diverse human rights charts (beginning in Helsinki in 1948 with successive versions) into the digital. From this point of view what is important is preserving some basic rights like association, free speech and privacy in communications. United Nations Organization tries to write a chart for the digital and prepared the la World Summit on the Information Society (WSIS, <http://www.itu.int/wsis/index.html>) to gather different actors involved in the digital rights. In 2003 a preliminary text appeared and in Rome (2007) and Rio do Janeiro (2008) there were corrections and additions. UN Declaration is addressed to many different groups such as states, companies, international organizations, and different activist groups such as the Free Software Foundation. Many criticisms appeared saying that this declaration was simply an expression of intentions from private companies and the minimum requirements expressed were unsatisfactory according to activist groups. Anyway the same way there are groups watching other political rights, there are others like the Open Rights Group watching how digital rights are respected around the world.

Commons and the free computer structure

As said before, free access is a basic requirement to be able to participate in a cyberdemocracy, a democracy expanded into the net. Digital divide, as said before, is the main handicap to begin that democracy. "Digital divide" was a concept that the tandem Clinton-Gore coined in 1995. Reasons or causes for that divide are multiple: underdevelopment of infrastructures in poor countries, or poverty among different sectors of population, gender related issues or lack of education. Therefore the consequences of that divide goes through different directions and layers: countries, economic level, gender, literacy, ethnic groups. All these divides put an obstacle for free cyberculture. Somehow this divide remind us of the distance between masses in the 19th and 20th centuries, alien to political questions and unable to participate due to the lack of means and knowledge, Then this is one of the main political issues if there will be an intelligent crowd able to confront and answer political challenges. Free software has become of great help to erase part of those digital divides but a free hardware and digital literacy are part of the effort as some hack-labs are already proposing.

Defending the digital commons is one of the most important battles for cyberdemocracy. Understanding and preserving cyberspace as commons represents a basic condition to reinforce other commons such as the body, nature and society. That means the goal to preserve a basic commons infrastructure. Then political debates about e-governance must include questions such as free access (digital divide), open movements (open science, open data), alternatives to present economy (from economy of scarcity to gift economy). Certain technologies pose important questions such as patent policies (biodiversity, genetics, nanotechnologies), environmental issues (climate change, pollution rights), monopoly over cultural production (copyright laws). Those issues call for an activism of resistance able to limit those ongoing attacks that represent the most important threat to the freedom and survival for the majority of human beings. The goal is to harmonize commons and private sector, trying to keep a balance between both social elements.

References

- Barber, Benjamin (2009). "The Ambiguous Effects of Digital Technology on Democracy in a Globalizing World", www.Wissensgesellschaft.org, Heinrich Böll Stiftung # Seite 12
<http://www.wissensgesellschaft.org/themen/demokratie/democratic.pdf>
(accessed december 27, 2010)
- Bey, Hakim (1996) *Temporary Autonomous Zone*
http://hermetic.com/bey/taz_cont.html (accessed december 27, 2010)
- Bustamante, Javier "La cuarta generación de derechos humanos en las redes digitales", *Telos*, 85., Octubre
- Crouch, Colin (2004). *Post-democracy*. Blackwell, Oxford.
- Florin, P., & Wandersman, A. (1990) "An introduction to citizen participation, voluntary organizations, and community development: insights for empowerment through research". *American Journal of Community Psychology*, 18(1), 41-54.
- Fontana Press, Londres.
- Gibson, William (1984) *Neuromancer*, Ace, New York.
- Hardt, Michael, y Negri, Antonio. 2002. *Imperio*. Paidós, Barcelona.
- Lanham Richard A. (1995) *The Electronic Word: Democracy, Technology, and the Arts*, Chicago Univ. Press. Chicago
- Lévy, Pierre (2004) *Ciberdemocracia*. UOC, Barcelona
- Maldonado, Tomás 1998. *Crítica de la razón informática*. Paidós, Barcelona.
- Mulgan, G. 1997. *Life After Politics: New Thinking For The Twenty-First Century*.
- Sampedro, Víctor (2006) "Ciberactivismo: Estrategias de futuro en clave de presente (sin olvidar el pasado)" en VV.AA. *Manual de ciberguerrilla*, pp. 5-14. Virus. Barcelona.
- Samuel, Alexandra (2006) *Hacktivism and the Future of Political Participation*,
<http://www.alexandrasamuel.com/dissertation/pdfs/index.html> (accessed december 27, 2010)
- Sterling, Bruce (1989) *Islands in the Net*. Ace, New York.
- ___ (1998) *Mirrorshades, A Cyberpunk Antology* Arbor House, London.
- Sustein, Cass R. 2002. *Republic.com*. Princeton Press, Princeton.
- YesMen <http://theyesmenfixtheworld.com>
- Winner, Langdon (1986) *The Whale and the Reactor*, Chicago Univ. Press, Chicago