Abstract

This is a study of the standardization process and establishment of technical standards that define virtually every artifact of the modern world. In the information and communication technology field, such standards specify everything from the prongs on plugs to software protocols that make the Internet work. Historically, standards have been set largely by volunteers in committees operating within a range of environments, institutional rules and social practice, but they generally have espoused traditional principles of accessibility, democratic deliberation, public accountability, and balanced stakeholder representation.

A recent trend that has prompted much discussion is the increasing privatization of standardization activities under various corporations, trade associations, and consortia. This trend is far removed from the traditional, and, as claimed, more “open,” democratic, and inclusive, practices of voluntary consensus committees. Because standards play a powerful role in shaping technologies and their diffusion into society, the trend raises significant public policy issues about how the public interest may be represented and served in today’s digital information age that is increasingly dependent on technical standards.

Within fields of law and public policy, an oppositional discourse has emerged concerning the privatization or “enclosure” of ideas—analogous to the land enclosure movement in 16th century England—and on the expansion of intellectual property rights, resulting in the “fencing off” of the intellectual commons. Since standardization practice can be viewed as a collaborative effort in idea formation—an intellectual commons—this study uses the enclosure discourse as a framework for examining the debate over the privatization of standards.

This study, which draws upon a theoretical perspective of political economy and theories of the public sphere, applies methods of discourse analysis and historiography in examining the quest for legitimization by consortia and arguments for their inclusion in the international standards system. Furthermore, the study seeks to clarify the discourse on standards and standardization by showing how the ideas and arguments that form, apply, and justify policy decisions rely on symbols, beliefs, and ideologies that are rhetorically constituted. It is further argued that key
terms used in the discourse, that is, open, public, and private, are often ill defined and conflicting.

Keywords: commons, consensus, democracy, discourse, enclosure, open, policy, private, privatization, public, public sphere, rhetoric, standards, standardization.

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