Chapter 38

Ethical and Social Issues of the Internet Governance Regulations

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ABSTRACT

In this paper we debate some fundamental normative issues of the Internet governance. This is addressed in terms of technical regulations, self-regulations, and the legal regulations; this debate gives rise to a set of social and ethical questions whose answers may impact our lives.

IN HONOUR OF GUNILLA BRADLEY

Before all, I am very pleased to repeat here the terms of the IFIP-WG9.2 Namur Award that honoured Gunilla Bradley in 1998:

‘Gunilla Bradley, professor in Technology and Social Change at the Royal Institute of Technology in Stockholm, Sweden, and now professor in Informatics at the University of Umeå and at Mid Sweden University, is a pioneer within interdisciplinary research concerning IT and its impacts and the interrelations between techniques, organisations and humans. In her work, she has always refrained from fractionalising to keep a holistic perspective and she has never tired in her mission to put forward human needs and possibilities in relation to IT structures. Her internationally successful text book Computers and the Psychosocial Work Environment presents the essence of her continuous research: work places and environments that are psycho-socially sound produce viable and profitable services and products. This was first outlined in her Ph.D. thesis in 1972 and has been pursued nationally and internationally since in enterprises and government organisations. Her work has influenced lawmakers to include in laws the need for psychological and social adaptation of work to human factors, and she has influenced scholars all over the world through lectures, conferences and textbooks. Today, her work remains cross-disciplinary by comparing and analysing societal and psychosocial challenges in modern IT domains, such as

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rural versus suburban communities and various interactive creative learning environments. Her dedication enlightens us all concerning the need for true human qualities in the IT era.

Gunilla Bradley also stands out as a role-model for women in IT, encouraging researchers of many disciplines to follow their own minds, even though it is not always the fashion of the day. She has persistently underlined the needs and possibilities of all those women who historically, in batch systems, in on-line systems with display terminals and micro-computers, made up the basic work force required for the developments that led to today’s and tomorrow’s IT systems - in this way empowering humans on all levels with the knowledge of what is needed to carry out human-oriented, viable but also economically feasible developments.

In the opinion of WG9.2, the work of Professor Gunilla Bradley firmly supports the work and spirit of WG9.2 now and into the future. By offering this award to Professor Bradley, a women is honoured who symbolises the persistence required to create better awareness of the social implications of information technology. 

Let me now contribute to what I think has been in accordance with one of Gunilla Bradley’s own preoccupations.

ETHICAL AND SOCIAL ISSUES OF THE INTERNET GOVERNANCE REGULATIONS

If Vinton Cerf, one of the fathers of the Internet and the founder of the Internet Society (ISOC) is to be believed, then “As we move into a new century marked by the Internet’s ubiquitous presence, we must dedicate ourselves to keeping the network unrestricted, unfettered, and unregulated.” [Cerf, 1999]

Ten years later, after the subprimes crisis and its consequences at the worldwide level, many countries have insisted for setting up regulations, mainly of the financial but also of the activities that have global consequences.

It is naïve to say that the Internet is unregulated. Lawrence Lessig and Joël Reidenberg have pointed out three levels of regulations: 1) technical, code, infrastructure; 2) market, commerce, business, self-regulatory, and 3) legal. Pierre Trudel of the University of Montreal, distinguished seven levels which constitutes a continuum: the common law, the ruling of the States, the contractual techniques, the self-regulation, the soft law, the standardization, and the technical normalisation.

We shall restrict ourselves to three levels: the technical regulations, the self-regulations, and the legal regulations, trying to raise the social and ethical questions that are linked to those levels.

THE TECHNICAL REGULATIONS

It is usual to mention three organisations, which regulate the Internet from a technical point of view: the Internet Engineering Task Force (IETF), the Word Wide Web Consortium (WWWC) and the Internet Corporation for Assigned Names and Numbers (ICANN). Let us briefly describe their role before raising the social and ethical issues.

Internet Engineering Task Force (IETF)

Its main roles are schematically, and among others: Promotion of standards and norms which assure the full interoperability of the Networks Areas: transport, routing, security to the users, the Internet Protocol. The IETF is “the protocol engineering and development arm of the Internet” Approximately more then 130 working groups in 8 areas with more or less 2000 technician