

Who is Ruling the Internet?

Gender Sensitive Research into Internet Censorship as a Central Area of Internet Governance

Chat Garcia Ramilo

Association for Progressive Communication
Women's Networking Support Programme
chat@apcwomen.org

Jac sm Kee

Association for Progressive Communication
Women's Networking Support Programme
jac@apcwomen.org

Heike Jensen

Gender Studies, Humboldt University Berlin
dr.heike.jensen@web.de

Gayathry Venkiteswaran

Centre for Independent Journalism Malaysia
vgayathry@yahoo.co.uk

Sonia Randhawa

Centre for Independent Journalism Malaysia
soniarandhawa1@yahoo.com.my

ABSTRACT

"Internet governance" has been defined, since the UN World Summit on the Information Society in 2005, as any concerted action designed to "shape the evolution and use of the Internet". As such, Internet governance undoubtedly constitutes a complex new terrain of political, economic, technological and social power brokering. Concurrently, it also forms a new area of academic research, which would benefit from a strong gender angle. In our presentation, we will address Internet censorship and surveillance as one central area of Internet governance and explain how its research can be gendered. We have developed this gender research framework as a contribution to the ongoing censorship and surveillance investigation carried out by the OpenNet Initiative (ONI) in the Asian region. With our framework, we seek to lay open to academic scrutiny the ways in which Internet censorship may impact the power imbalances of societies, with the gender imbalance at the focus.

Keywords

Internet governance, Internet censorship, gender, OpenNet Initiative (ONI), Asia



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INTRODUCTION

At the outset, I would like to thank the organizers of this conference for including this paper in the exciting program we are enjoying here in Bremen. On behalf of the OpenNet Initiative Asia gender team, I would like to present to you the research framework we are currently developing. We invite your feedback, criticism and suggestions alike.

My paper is structured as follows: First, I will say a few words about Internet governance. Then, I will provide a brief introduction to the OpenNet Initiative (ONI), to the "deep dive" research into Internet censorship and surveillance in Asia that it is currently conducting, and to its gender team. Next, I will explain how gender issues in Internet governance might be approached in general. And subsequently, in my main section, I will illustrate what a gender approach can illuminate with respect to Internet censorship and surveillance. Here, I will share the research framework with you that we are developing for the ONI Asia endeavor.

INTERNET GOVERNANCE

Internet governance constitutes a comparatively new political field. In fact, it was only at the UN World Summit on the Information Society in 2005 that it received a proper definition at all, stating, "A working definition of Internet governance is the development and application by governments, the private sector and civil society, in their respective roles, of shared principles, norms, rules, decision-making procedures, and programmes that shape the evolution and use of the Internet." (Tunis Agenda for the Information Society (WSIS-05/TUNIS/DOC/6(Rev.1)-E, 18 November 2005, para. 34.)

One kind of intervention that has a profound impact on the "evolution and use of the Internet" is Internet censorship and surveillance, which this paper will be centrally

concerned with. As instances of Internet censorship and surveillance seem to be multiplying, more and more researchers look into this field of national and international politics and practices. But as with many other vital new fields of inquiry, the development of a gender angle is something that still does not necessarily form an integral part from the outset. Therefore, it is quite significant that the OpenNet Initiative (ONI), as one of the leading groups of researchers in this field, has taken on board a gender team to inform its “deep dive” research into the Asian region from the beginning. As part of that team, I will now introduce ONI in some more detail.

THE OpenNet INITIATIVE (ONI)

ONI is a growing group that started roughly five years ago to investigate the technical and other restrictions that states employ to block access to Web sites and to track these restrictions over time and across states and regions. The initial ONI members came from the University of Cambridge, Harvard Law School and the University of Toronto. They were later joined by researchers from the Oxford Internet Institute and many other institutions around the world. ONI’s principal investigators, who I am sure many of you know, are Ronald Deibert (Associate Professor of Political Science and Director of the Citizen Lab at the Munk Centre for Internet Studies, University of Toronto), John Palfrey (Executive Director of the Berkman Center for Internet and Society and Clinical Professor of Law at Harvard Law School), Rafal Rohozinski (former Director of the Advanced Network Research Group at Cambridge University (Cambridge Security Programme), principal with The SecDev Group), and Jonathan Zittrain (Professor of Internet Governance and Regulation at Oxford University and Jack N. and Lillian R. Berkman Visiting Professor for Entrepreneurial Legal Studies at Harvard Law School).

ONI publishes its findings at <http://www.opennet.net>, and the principal investigators just named also co-edited a book which came out in 2008, entitled *Access Denied: The Practice and Policy of Global Internet Filtering* (Cambridge, MA, London: MIT Press).

THE ONI ASIA RESEARCH

The Asia research began in 2008 and will continue throughout 2009. It carries the programmatic title “Making Internet Censorship and Surveillance an Issue of Public Policy and Advocacy Research for Civil Society”. It is funded by the International Development Research Centre (IDRC) and encompasses the three concerns of research, advocacy and peer networking. With respect to research, it combines a censorship and surveillance mapping with a “deep dive” investigation of social, political, economic and regulatory contexts, processes and impacts. With regard to advocacy, it aims to facilitate a knowledge translation into public advocacy, civic engagement and policy formulation. And with respect to peer networking, it is committed to collaborative knowledge creation.

More than a dozen research teams are engaged in the ONI Asia endeavour. Most of these belong to civil society, but

the private sector is also involved. One team will produce a documentary on digital censorship and surveillance in Asia as an intervention into discourse and advocacy. Two teams focus on institutions: The first investigates workplace censorship and surveillance in the Philippines, and the second will offer a workshop for bloggers in Singapore. Several teams concentrate on policy, looking at the Philippines, Myanmar, India in general and India with a special focus on gender and sexuality. A number of teams investigate practices and uses, and these encompass webboards in Thailand, blogs in Mainland China, the Intranet in Singapore and Malaysia, and practices and uses in Bangladesh. Finally, two teams are concerned with research epistemology: The first looks into how to ensure long-term sustenance of Internet censorship monitoring, and the second one is concerned with developing and implementing a gender research framework. The latter is what I will now speak about in more detail.

The gender research team members are Chat Garcia Ramilo from the Philippines, Jac sm Kee from Malaysia, Heike Jensen from Germany, Gayathry Venkiteswaran from Malaysia and Sonia Randhawa, currently based in Australia. Gayathry and Sonia are from the Centre for Independent Journalism Malaysia. Chat is the director of the Women's Networking Support Programme of the Association for Progressive Communications (APC WNSP), and Heike and Jac are members of APC WNSP as well. So these were the introductions, and now we will turn to how gender can be conceptualized for Internet governance in general.

GENDER CONCEPTS AND INTERNET GOVERNANCE RESEARCH

Let’s start out with a definition of gender to make sure we are all on the same page. Gender can be taken to refer to the “social and cultural aspects of sexual difference”. Other ways of socially differentiating people intersect with gender, e.g. race, class and region, so that many gender groups emerge, e.g. white women and black women, and can be looked at in sufficient sociological and historical detail. Gender is not only important with respect to people individually, but also operates at symbolic and structural levels, i.e. language, discourse and ideology on the one hand and institutions and spaces on the other.

In most contexts in which gender becomes salient, gendered meanings go hand in hand with social hierarchies. Thus with respect to Internet governance, a major interest for gender analyses lies in finding out how power balances or imbalances of a given society are affected through it (e.g. if new elites arise, if policies are designed to perpetuate the privileges of specific groups or to abolish them etc.). In thinking about how to engender research into Internet governance, three approaches to gender issues suggest themselves: the “women” approach, the “hegemonic masculinity” approach, and the relational gender approach. I will briefly discuss each of these in turn.

The “women” approach is most prevalent in politics in general and usually involves trying to establish how women’s position in society differs from that of men and trying to establish special measures for women’s equality on that basis. Inspired by the United Nations, several tools exist for the approach. For measuring women’s status, there is the GDI and the GEM. GDI stands for gender-related development index and compares the life expectancy and health, education and standard of living between men and women. A low GDI score of a country means that there is a big gender gap in this country. GEM stands for gender empowerment measure, and it assesses women’s participation in politics and the economy, i.e. their possibilities of decision-making about how societies develop. Within the field of ICTs, increasingly there are gender-disaggregated statistics available of who has access, what use they make of this access, and where women and men are regarding training, university degrees, research and development, careers and decision making. Regarding legal tools for gender equality, the most important one is CEDAW, the Convention on the Elimination of all Forms of Discrimination against Women, which most countries of the world have become parties to by now. And with respect to governance and administration, many countries have adopted Gender Mainstreaming requirements. The “women” approach is thus useful for obtaining basic data about the status of women and their entitlements in a specific country, which can be used as a baseline for investigating how censorship impacts the gender setup.

The "hegemonic masculinity" approach is useful for understanding the male hierarchies that perpetuate patriarchal relations. This approach was popularized by R.W. Connell in the academic strand of masculinities studies or critical men’s studies. The approach refers to different kinds of masculinity which are positioned in a hierarchical relationship: Hegemonic masculinity is at the top, and rules over subordinated masculinity, e.g. embodied by gays, and marginalized masculinity, e.g. relegated to black men. Those ruled over are generally complicit with this setup and with hegemonic masculinity. What is generally beyond the pale of this approach is complicit femininity on the one hand and resisting masculinity and femininity on the other. Yet the approach is useful because it brings into focus the acts and mechanisms by which men on the one hand create a hierarchy among themselves and on the other seek to re-create their joint predominance over women. Such an approach can also be particularly useful for understanding North-South collaborations and contestations.

To truly understand how different gender groups, both male and female, interact and create the societies we live in, a gender approach would be required that works out the relational dynamics, including the shifting relationships between women’s status and agency and the male contestations for hegemonic masculinity or its abolition. This relational gender approach is a vast endeavour and therefore more of a gender studies ideal than something that

comprehensively characterizes each contribution to gender studies. So how can these gender concepts be operationalized for researching Internet censorship and surveillance?

ENGENDERING INTERNET CENSORSHIP AND SURVEILLANCE RESEARCH

We propose to think about gender at different levels, following these eight lead questions:

1. What gender context characterizes the country?
2. Who decides on censorship and surveillance matters?
3. Which logic, rights or norms underpin the decisions around censorship and surveillance?
4. Which aspects of internet use are censored or surveilled?
5. Who is censored or surveilled?
6. Who executes censorship and surveillance?
7. Who earns from censorship and surveillance?
8. Who is affected by censorship and surveillance?

The “who” questions provide easy entry points for gender surveys, because actual men and women are at issue. At the same time, ideological and structural issues come into play at all levels, as I will show in what follows when I explain how we suggest the lead questions may be broken down and approached by the research teams.

1. What gender context characterizes the country?

In order to understand the gendered dimensions of censorship and surveillance, a basic understanding of the situation of women and men in the country under investigation is required. This includes some demographic information as well as information about the rights of women. Regarding the gender context of a country, we thus ask about its GDI and GEM scores as well as statistics about a possible gender digital divide. We also ask about women’s human rights legislation and requirements for gender mainstreaming and affirmative action.

2. Who decides on censorship and surveillance matters?

The decisions about the definition, scope, actions and actors involved in censorship and surveillance can be triggered by different actors and in different ways, for instance women and/or men in political processes, informal bodies such as mass media or religious institutions, or businesses such as ISPs. With respect to the decision makers on censorship and surveillance, on one level we ask about the female-to-male ratio at the decision-making level in the respective institutions and the degree of gender awareness of the decision makers. On another level, we are also concerned with the breadth and interplay of institutions and their “gendered cultures”. This includes women and/or men in formal political bodies and processes (e.g. in democracies differentiated into legislative, executive and judicial branches), in informal bodies such as expert groups, think tanks, and public organizations, in the aggregate termed the “public” and in the private sector, most notably Internet

Service Providers (ISPs). Not only the institutions, but also the decision-making processes are important to consider in terms of which social groups they strengthen or weaken, either directly or indirectly. The questions here range from the tone of conversation to the costs involved in participation, including the availability of child-care facilities during the decision-making process.

3. Which logic, rights or norms underpin the decisions around censorship and surveillance?

The power to influence the discourse around censorship and surveillance is very likely unevenly distributed within society, so that the principles, assumptions, realities or priorities of some social groups tend to predominate. The discussions and decisions regarding censorship can follow different kinds of argument and logic, invoking a whole range of rights and norms. Also, argument and logic need to be differentiated: Arguments are expressed overtly and can form part of public justifications or discussions. To understand which logic is used, a discourse analysis is helpful because it goes beyond this manifest content to simultaneously unearth taken-for-granted assumptions and blind spots in the argumentation. Gender-relevant variations in pro-censorship stances could for instance involve notions of maternal concern, paternalistic sovereignty tied to a state, a religion, or other forms of centralized control, hegemonic business masculinity and ideas about a masculine technological battle of wits. Concurrently, the assumptions at play may not take into account women's as well as men's lived realities but may be articulated from a male default position. For instance, if privacy is invoked, it may be forgotten that women, due to their positions in the home and in the job market, have different privacy concerns than men. In this overall context, it is also important to consider if different social groups champion different rights or norms, and if trade-offs or a ranking among their positions occur.

4. Which aspects of internet use are censored or surveilled?

A common sense question regarding censorship is of course what precisely is censored or outlawed. However, the answer may be more diverse than any general public debate might suggest, given that many debates quite one-sidedly focus on content issues such as child pornography. If content is at issues, it can range from items considered "undesirable" such as pornography or hate speech to items considered quite valuable and hence protected by intellectual property rights. Beyond content, technologies such as VOIP or GPS may be censored or outlawed, and practices such as blogging may be hindered. In this context, a central gender question is if and how the censored content, practices or technologies are linked to gender-specific behaviour on the Internet.

5. Who is censored or surveilled?

Censorship may target "bad" people such as alleged perpetrators of crime or abusers of technology, but it may also be directed at "good" people such as alleged victims or

general users to "protect" or "direct" them. Here, it is helpful to initially differentiate input users and output users. Input users are generally the alleged perpetrators or subjects of "crime". Output users are either the alleged victims or objects of protection, e.g. minors, or they are those seeking to access, make use of or profit from the "outlawed" input, e.g. audiences for pornography. An exception to this rule is children supposedly putting themselves at risk by making available too much information about themselves, e.g. in chatrooms, in which case they are input users and simultaneously objects of protection. Furthermore, censorship or surveillance may be tied to specific locations such as cybercafés or libraries and thus targeting their customers or clients, which may include input and output users. The question of who is censored or surveilled is of course also concerned with the gender stereotypes that may play into the picture that is drawn of them publicly. To give some examples of male gender stereotypes, input users may be targeted as terrorists, greedy businessmen doing illegal things or male computer-nerd spammers. Output users may be conceived as gamblers or sick paedophiles. In scenarios in which censorship and surveillance appear like processes with which men predominantly target other men, this would invite discussion under the hegemonic masculinity approach. Important questions to also consider are whether people are aware of the censorship and surveillance targeting them, and if there is a process in place for them to object or seek redress.

6. Who executes censorship and surveillance?

Different persons or entities may be called upon to execute censorship or surveillance. A central role is often occupied by women and men working in ISPs, for instance those offering hosting, or content and services such as search engines, or output access. But beyond ISPs, women and men in many other capacities and institutions are also required or expected to engage in censorship and surveillance, for instance library and school personnel or parents. In this context, it is important to understand how strong the legal, social and other forms of pressure are on these women and men to censor or surveil, how eager these persons and institutions are to comply, and whether they receive forms of compensation for their services from those asking them to censor or surveil.

7. Who earns from censorship and surveillance?

The question of who earns and builds careers recognizes that censorship and surveillance give rise to new forms of businesses and expertise, so that for instance women and men in software companies, consultative roles or regulatory authorities may gain income, profit and prestige from these practices. If new business and political elites are emerging in this context, it is of course vital to trace who these are. This needs to be done with reference to the gendered occupational cultures that exist in most societies, taking into account how these cultures may perpetuate themselves from generation to generation or may shift. Thus a consideration of the mechanisms that allow people to participate are required, including gendered barriers to participation such

as educational disparities or masculinist cultures in science, technology and national security.

8. Who is affected by censorship and surveillance?

This question takes note of the fact that the impact of censorship goes well beyond those directly targeted and creates a pervasive social reality as well as collateral damage. As for collateral damage, targeting pornography may for instance also lead to a blocking of health-care information, or even of diplomatic information, given that the word "embassy" contains the letter string ASS. Regarding more pervasive impacts, differently constituted "imagined communities" may be affected, e.g. women and/or men as citizens, consumers, private individuals or "legitimate" and "illegitimate" subjects. At issue here is the larger effect of censorship on society in all spheres, from the political to the economic to the social, including a possible reconstitution of what is understood as a public and private sphere or activity. Concurrently, what is also at issue are the differential benefits and burdens related to these shifts and whether there is a gender dimension to them.

CONCLUSION

With our research framework, we seek to encourage researchers to take note of and think through the different gender dimensions pertaining to censorship and surveillance. At the most obvious level, real women and men are involved, wielding, negotiating and experiencing power. At the same time, institutions and discourses may

evoke gendered meanings, logics, prerogatives and exclusions, which are brought into play in the discussions, decisions, actions and reactions concerning censorship. Thus an incredible breadth of issues and "imagined communities" become pertinent when a gender lens is brought to researching censorship. An understanding of this breadth is particularly vital in view of the fact that the complex of gender and censorship has often been equated with and hence reduced to issues of pornography in the public debate. This equation and reduction can be understood as only one specific manifestation of gender ideology that is at times mobilized for discussions around censorship. Our aim is to make accessible to academic scrutiny both the manifest and the underlying gender dimensions involved in censorship, including, as one point among many, the functions of gender-blind rhetoric and the use of gender stereotypes bolstering hegemonic masculinity.

With this gendered approach, a clearer understanding of the power dynamics surrounding censorship can be developed. Not only does this make obvious how censorship as an important field of Internet governance has been shaping societies and the power relationships within them, but by extension, it also shows that gender analyses can contribute substantially and systematically to understanding Internet governance scenarios and mechanisms and their impacts in a nuanced way.