

What Free Basics did not intend to do

The public now sees the Internet not just in market terms, but as a social phenomenon that requires public interest regulation

PARMINDER JEET SINGH



In its aggressive campaign for Free Basics, couched in simplistic developmental language, Facebook underestimated the political sophistication of the Indian public. It must be regretting it now. The social networking service's reportedly Rs. 100-crore campaign, through double full-page newspaper advertisements, billboards and television, appears simply to have congealed public opinion against Free Basics. Everyone seems to be eager to discuss and write about what is wrong with Free Basics. When the regulator had last called for Net neutrality-related inputs, in May 2015, the opinions were relatively more divided. If they are so much more polarised today against Free Basics and Net neutrality violations, the manner in which Facebook pushed this campaign does bear some responsibility for it.

Facebook's campaign may actually have ended up doing a lot of good to India, which, after all, was its professed goal. We must thank Facebook for that. These benefits have been on two explicit fronts, and one more which will become apparent in some time.

The Internet as a right

First, the campaign forced everyone to respond to the question, 'can those in poverty be denied connectivity?' The obvious answer being 'no', everyone had to come up with concrete alternatives. As a result, something interesting happened. Even with the current middle-class sentiment largely being pro-free markets and anti-government subsidies, a strong opinion has emerged that those who cannot afford connectivity must be provided some basic free connectivity as an entitlement to be ensured by the government. It can be in the form of a limited data package. Many commentators as well as responses to the regulator's consultation have sought such an entitlement.

This should make the regulator and the government think seriously about some such data entitlement for every citizen. It could also have an impact on how connectivity through the government's National Optical Fibre Network will be provided to the people. This network, connecting almost the whole of rural India, is expected to be in place within the next two-four years. Such emerging public opinion in favour of free basic connectivity, if concretised into public policy, will be the first true expression of the Internet as a right, a

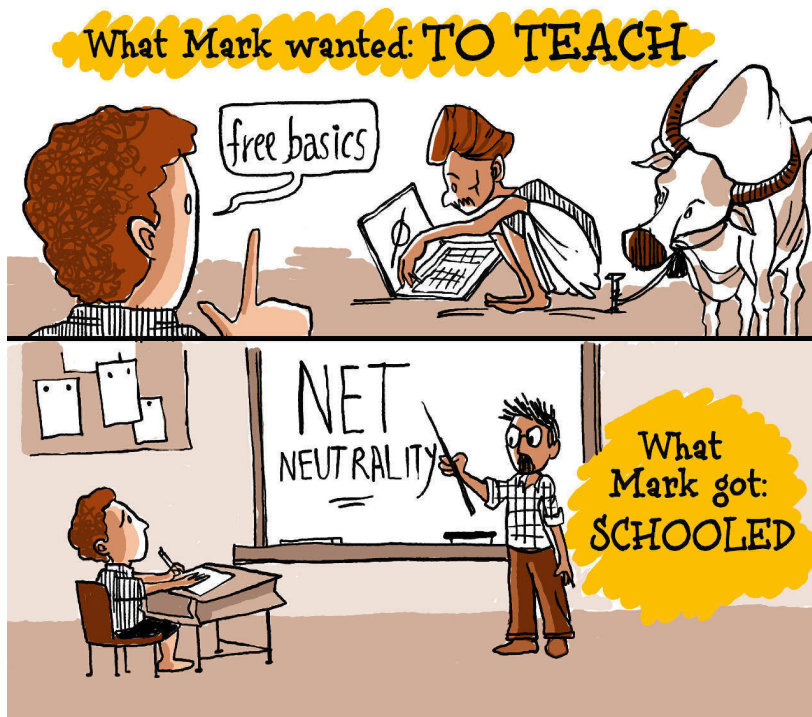


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concept which has begun to be discussed globally.

The second unintended consequence of the Free Basics campaign has been a groundswell of public consciousness that now sees the Internet not just in pure market terms, but as a unique social phenomenon which requires special public interest regulation. The last round of Net neutrality consultation was the first heave in this direction, but it was still a bit tentative and immature. It is also much easier for people to see the logic for an Internet that treats all content equally, than develop a case against a free service. (Remember, free service is already the dominant Internet service model in application and content layers, a point which we will come to later.) That the Indian public could form a considered opinion on this rather complex social and policy issue is heartening to note. It is likely to usher a new era of Internet rights activism, with people claiming digital technologies as a right and not just something that the market provides on its own terms.

At the many public interest discussions on this subject, people came up with ingenious analogies. One person said, "I am ready to pay the auto driver according to the distance travelled, not based on the destination that I go to." Another said, "Free Basics is like someone giving you

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cooking gas for free, but being able to decide what you will cook with it." There is an emergence of a very sophisticated orientation as to how people see the Internet in terms of its very crucial and strong role in society today, and its hidden manipulative possibilities.

The cooking analogy is not a far-fetched one if one projects ahead into the emerging world of Internet of Things. The Internet can be seen as a new neutral system of society, one that organises our lives, which can become very dangerous if its manipulative potential is not closely watched and kept in check. There will always be corporatist tendencies to place 'control points' on this neutral network, with various kinds of free services as the incentive, but which would lead to far greater economic and other forms of exploitation.

Neutrality in all layers

This brings us to the third unintended consequence of the Facebook campaign.

This is only being informally talked about as of now, but will break into prominence soon when other similar 'platform abuses' come to the fore. This is about how Facebook used its monopoly social networking platform for a huge political campaign in its own favour, making and sharing lakhs (11 million, according to Facebook) of template responses to the regulator's consultation. The same platform functionality was not available to other users, who could be holding other views on the subject.

The implications of such 'platform abuse' are not difficult to see. Imagine a close election contest in the future when Facebook, say, has 70 per cent of adult Indians as its users. There are two main parties and, say, FDI or higher corporate taxes has become the key election issue. What if Facebook does a similar campaign two weeks before the elections, taking a strong position favouring one side, reaching and 'engaging' its users in a manner that others cannot do using the same platform?

The question then is, if a telco cannot be allowed to provide different functionalities on its platform to different content and application-providers, how can a monopoly social networking platform be allowed to discriminate among its users in such a blatant way and with such far-reaching social consequences? It is much easier to switch between telcos today than to even find a good alternative to the Facebook platform.

Net neutrality and 'zero-rating' are therefore just the first key Internet regulation issues that we are facing. As the Internet quickly transforms our social systems and becomes an essential element, there will soon be other kinds of 'platform neutrality' issues.

The EU is already conducting a public consultation on 'platform governance'. The French Digital Council has brought out a comprehensive report on platform neutrality. A draft bill on Internet rights in the Italian legislature lays out public interest guidelines for platforms.

The keen public engagement with the issue of Net neutrality and zero-rating indicates that we will soon hear about other kinds of platform abuses as well, along with calls for corresponding Internet regulation.

(Parminder Jeet Singh works with the Bengaluru-based NGO, IT for Change. He has been an advisor to the Chair of the United Nations Internet Governance Forum. Email: parminder@itforchange.net)