

Internet as a Basic Human Right

What is the issue?

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- Kerala promises to deliver a new optic fibre network, Wi-Fi transmission centres and free Internet facility to two million poor families.

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- Kerala's finance minister, thus, affirmed **access to Internet as a right for every citizen.**

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- With this, the southern state joined a clutch of countries like Finland, Estonia, France, Spain, Greece and Costa Rica that have declared the Internet a basic human right.

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Why it should not be a basic human right?

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- But can access to Internet in general be defined as a basic human right? Vinton G. Cerf, a "father of the Internet" (sharing this title with Bob Kahn) doesn't think so.

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- In an article, Cerf argued, that the move to declare the Internet as a human right may be well intentioned but misses the point that **"technology is an enabler of rights, not a right itself".**

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- Cerf says that by allowing for the Internet to be defined as a **civil right** which is "conferred upon us by law" as opposed to a **human right** which is "intrinsic to us as human beings."

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- This brings us to another distinction, i.e., one between positive rights and negative rights, which is more important to developing countries like

India.

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- **Negative Rights:** They are intrinsic to us as human beings and the Constitution merely guarantees the protection of such rights.

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- The Constitution usually curtails the power of government or other entities in performing certain actions which violate the negative rights of the individual.

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- The right to equality or the right to freedom of expression enshrined in the Constitution of India are examples of such rights.

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- **Positive Right:** It enables the holder of the right to claim a good or a service against the state or someone else.

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- These rights/entitlements—require fiscal allocations and hence are subject to budgetary constraints. (Ex. MGNREGA, RTE etc.,)

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- Cerf's idea of right to the Internet as a civil right also comes under the banner of positive rights.

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- **Positive rights, thus become justiciable** and enable the citizens to demand better services from their governments.

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- Moreover, declaration as rights **enables centralization of power.**

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- A right to education, for instance, mandates a kind of standardization for every corner of the country without taking into account the granular differences on the ground.

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- The usefulness of the Internet cannot be overstated and the government should do everything possible to bridge the digital divide among its constituents.

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- But declaring access to the Internet as a citizen's right is not a defensible proposition.

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Source: Live Mint

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