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India Blog Series: India and the Internet: An Ambiguous Relationship [1]

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India is often celebrated as a contradiction in terms, so it may not be surprising to learn that even though the country has only about 10% Internet penetration, it is very actively moving into e-governance while at the same time struggling with the issues of Internet freedom that are confronting most democracies. Spearheading the effort to achieve a more transparent and digital mode of government is Abhishek Singh, the Director of E-Governance at the Department of Information Technology in the Ministry of Communications & Information Technology for the Government of India, who met with our group on December 13. The National e-Governance Plan (NeGP) is designed to expedite such tasks as applying for a passport, registering a business, and processing land records. To quote the promotional brochure, "No queues. No multiple windows. No delays. The beginning of the NeGP marks the end of all that." That's quite a goal for a nation renowned for an often opaque and confusing bureaucracy.

In that sense it is perhaps no surprise that India has been struggling with issues of Internet freedom even as it uses online technology to ease the lives of its hundreds of millions of citizens. Case in point: sections of an information technology law, passed in 2008, requiring intermediaries, such as Internet service providers and social networking sites, to police the Web for objectionable content. In April, the Indian government released a draft amendment to the Information Technology Act requiring search engines and web hosting services to block inflammatory content, defined as content that "threatens the unity, integrity, defense, security or sovereignty of India, friendly relations with foreign states or public order." As The New York Times">Vikas Bajaj noted in *The New York Times*, "The rules highlight the ambivalence with which Indian officials have long treated freedom of expression. The country's constitution allows 'reasonable restrictions' on free speech, but lawmakers have periodically stretched that definition to ban books, movies and other material about sensitive subjects like sex, politics and religion."

During our meeting, officials of the Department of Information Technology noted that freedom of speech is constitutionally guaranteed in India and said no one had been arrested under the amendment. They also argued that the U.S. has also been wrestling with issues of Internet monitoring. Indeed, such laughable schemes as requiring libraries to release the checkout lists of patrons to authorities have been at least floated as trial balloons in the U.S. before failing to pass constitutional muster.

The issue of Internet freedom is a surprisingly delicate topic in U.S. – Indian relations. U.S. Secretary of State Hillary Clinton has staunchly defended Internet freedom, most recently in her remarks at the Conference on Internet Freedom, held at The Hague. While she and other officials readily condemn heavy-handed Internet censorship in nations such as China and

Syria, they are more circumspect in their criticism of democracies such as India, with which the U.S. is carefully trying to nurture warmer relations. When asked about India and the Internet during our visit to the U.S. Consulate, Mumbai, for example, one official, while reiterating the Secretary of State's position on Internet freedom, characterized India as a "vibrant democracy" that is wrestling with Internet issues openly. Similarly, after India said it planned to find ways to ban offensive content before it is posted, AFP reported that Department of State spokesman Mark Toner said, "We are concerned about any effort to curtail freedom of expression on the Internet… while carefully avoiding direct criticism of any proposals in India."

Word came during our visit that the country had decided to scrap at least some of its effort to require intermediaries to monitor the Internet and delete objectionable content. Nevertheless, serious challenges remain as India wrestles with these issues. In an analysis ("Freedom on the Net 2011"), Freedom House listed India as "partly free" and said that following the 2008 terrorist attacks in Mumbai, "the need, desire and ability of the Indian government to monitor, censor, and control the communication has grown" and that, "[g]iven the range of security threats facing the country… many Indians feel that the government should be allowed to monitor personal communications…" India ranks 77th (along with Bulgaria and East Timor) in Freedom House's 2011 Freedom of the Press ranking ⬚ and is listed as "partly free." (Finland is #1, and the U.S. is 17th.) Reporters Sans Frontieres ranks India at number 122 on its press freedom index for 2010. (Finland is #1, and the U.S. is 20th.)

I see India as a conservative society with a democratic tradition. It will be interesting to see how such a complex nation develops a modus vivendi in cyberspace. When Indian Communications Minister Kapil Sibal insists that the world's largest democracy supports free speech, but adds that Websites such as Facebook, Google, and Yahoo has "had images which could be an insult to Indians," it dilutes the claim that India is the world's largest democracy and hurts its public diplomacy, especially in comparison to China.

Joseph S. Nye, Jr. suggests that soft power is about narratives. It will be fascinating to see whether the next chapter in the Indian Internet narrative consists of many voices speaking freely or regulations clamping down on it.

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