POSITION PAPER FOR A W3C/IAB WORKSHOP ON STRENGTHENING THE INTERNET AGAINST
PERVASIVE MONITORING (STRINT)

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TITLE:        Balance – Societal security versus individual liberty

As a society we are governed by law, by morals, by societal norms. In general society seeks to govern its members such that its laws, its moral code, its societal norms are complied with. It is also true that as society has developed that its laws, moral codes and accepted norms also develop. The Internet has been and continues to be a disruptive technology. It has allowed us to evolve new behaviours and to test or develop new moral codes and norms of societal behaviour. The Internet has been liberating in allowing individuals to join new societies and has been a tool in some cases of achieving societal change towards greater liberty.

The granting of liberty to individuals should in no way be seen as a tool to overturn the law, the moral code or the societal norms of the wider society. However if the governors of our society cannot observe behaviour then there is genuine risk to the society we live in. Rather unfortunately there does not need to be many "*alternative*" behaviours before the status quo is attacked. This is the classic "bad apple in the barrel" problem where a single rogue fruit will infect and damage the entire barrel. How do we recognise when one apple turns bad and can take action to isolate it before it poisons all around it?

In mature democratic societies there are clear rules for when individuals become able to influence that society and whilst few take advantage of the process it is there. In practice most societies appoint agencies to assist in the policing of their laws, moral codes and societal norms. Some of these agencies are formal, others very much less formal (e.g. twitching curtains of Neighbourhood Watch), some have their own governors, some do not. An ungoverned society is not in the best interests of society as it leaves itself open to attack. Thus we have to find a way to govern whilst retaining protection and freedoms. This is not a simple issue and should not be thought of one as uniquely solvable.

The monetisation of human behaviour is a growing trend and is unlikely to end any time soon. In order to monetise behaviour that behaviour has to be gathered and analysed, the act of gathering has moved with technology and it is difficult if not impossible for any individual to undertake any behaviour without it being noted by someone somewhere. It can be asserted that in the internet world that behavioural monitoring is endemic. What we need to ask is when does that monitoring become an attack on the society and individuals in which the internet exists? We also need to ask if the purpose of the monitoring is not clear is it reasonable and can we elect to choose not to be monitored?

Whatever we do it is unlikely that monitoring will ever go away and it is not in our wider interests to expect it to. What we need to ensure that monitoring is controlled and subject to controls. Inevitably this may lead to more monitoring.

Nation states use monitoring of internet activity to assist in the protection of the state and it would be difficult to argue against a government attempting to know what their citizens are doing and assessing if their activity represents a threat. There are many tools provided in the internet's suite of protocols and services that allow for monitoring of the activity of the internet and by analysis making assertions about the behaviour of individuals. When such tools are used badly and without accountability then monitoring becomes rampant. Whilst controls of monitoring tools are feasible it may be a retrograde step to go that way. What is needed is open discussion and what is to be avoided is any knee jerk reaction that removes the ability to either monetise the internet or to police it.