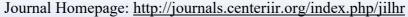
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Capitalism, Development, and Information Rights in Third-World Contexts

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Abstract

This research article explores the intricate dynamics between progress and peril in the digital age, with a focus on the Global South. It examines contrasting narratives surrounding the socio-political implications of digitization, revealing multifaceted dimensions that transcend traditional divides. The author highlights divergent perspectives on digital advancements, from empowerment to concerns over inequality and exploitation. Through an analysis of innovative digital solutions in the Global South, the article illuminates their potential to address entrenched challenges while perpetuating power imbalances. Regulatory efforts to mitigate negative impacts are scrutinized, with attention to the historical roots of digitization linked to colonial legacies, leading to digital colonialism. Drawing parallels with the NWICO movement of the 1970s, the article elucidates complexities of capitalism, development, and information rights in the Global South. By delving into historical antecedents, the author offers insights crucial for navigating the digital age and understanding contemporary debates on data flows and power dynamics. This exploration aims to inform discourse and policy formulation, particularly in the Global South, with the ultimate goal of fostering equitable development in the digital era.



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1. Introduction

The advent of digital technologies has heralded a paradigm shift in global society, sparking contrasting narratives that illuminate the intricate interplay between progress and peril. In recent years, discussions surrounding digitization have evolved beyond mere technological advancements to encompass profound socio-political implications, particularly within the Global South. Here, the dichotomy between optimism and apprehension regarding digitization reveals multifaceted dimensions, transcending conventional divides between the developed and developing worlds.

On one hand, proponents champion digital technologies as harbingers of transformative change, offering avenues for empowerment, social advancement, and the realization of human rights and sustainable development goals (Hernandez & Roberts, 2018). Conversely, skeptics paint a somber picture, highlighting the dominance of tech conglomerates, their unchecked power, and the exacerbation of inequality, dehumanization, and data exploitation (Selwyn, 2022).

Amidst these divergent narratives, the Global South emerges as a unique arena where the impacts and manifestations of digitization are both profound and distinctive. Here, innovative digital solutions often serve as experimental remedies for entrenched challenges such as poverty, climate change, healthcare, and migration (Hernandez & Roberts, 2018). Yet, critics caution against techno-solutionism, arguing that it perpetuates existing power differentials, particularly between local populations and foreign corporate interests.

Efforts to mitigate the negative repercussions of digitization through strengthened human rights and data protection regulations have yielded inconsistent results (Taylor, 2017). A deeper examination reveals that the roots of digitization in the Global South can be traced back to its colonial past, giving rise to a phenomenon dubbed "digital/data colonialism" (Milan & Treré, 2019). This critique not only implicates Western tech giants but also underscores local initiatives aimed at bolstering data sovereignty and localization, eliciting diverse responses ranging from accusations of censorship to concerns over national interest subverting broader societal progress.

Against this backdrop, this article delves into the complexities of capitalism, development, and information rights in Third World contexts, seeking to elucidate the challenges and opportunities confronting nations in the Global South amidst the digital revolution. Beyond the apparent novelty of digitization, this paper revisits historical antecedents, drawing parallels with the "New World Information and Communication Order" (NWICO) movement of the 1970s and 1980s. By intertwining past struggles with contemporary debates, this research endeavor aims to shed light on the enduring questions surrounding data flows, information technologies, and power dynamics, offering insights crucial for navigating the complexities of the digital age. In doing so, this study endeavours to provide a comprehensive understanding of the intricate and conflicting narratives surrounding digitization, thereby contributing to informed discourse and policy formulation in contemporary societies, particularly within the Global South.

2. Revisiting NWICO: Uncovering Historical Narratives and Contemporary Relevance

In the 1970s, it became increasingly recognized that there was a substantial disparity in the global exchange of information, which was limiting the access of Third World countries to information and their ability to share it with the rest of the world. This also hindered their participation in the global community (Stiglitz, 1999). NWICO, although maintaining the predominant liberal concept of freedom of information, questioned the existing framework of information distribution. Normatively, the "New World Information and Communication Order" (NWICO) was a component of a wider endeavor undertaken by developing countries to attain decolonization, national liberation, and development, while opposing neo-colonialism (Thussu, 2022). NWICO highlighted the unequal distribution of information and communication resources, which was caused by and worsened the economic and technological reliance of developing countries on industrialized and former colonial powers.

The NWICO debate, similar to other Third World movements like the NIEO, showcases a conflict between normative radicalism and pragmatism. Additionally, the internal complexities of Third World dynamics have played a role in its decline in the mid-1980s (Chong Chia Siong, 2002). However, NWICO's fundamental criticism of unequal distribution of resources and imbalanced control in the transmission of information provides significant historical perspectives and analytical methods for comprehending current power dynamics in the digital era. This study aims to shed light on the patterns of empowerment and oppression that exist within the concept of freedom of information by reexamining the often ignored NWICO narrative. It also wants to reclaim NWICO as a source of inspiration for alternative digitization methods.

Moreover, the NWICO narrative remains significant for Third World approaches to international law (TWAIL) studies, specifically in its association with the "New International Economic Order" (NIEO) (Asthana, 2022). NWICO, as a resistance movement against Western dominance in global communication and information dissemination, is a valuable case study for TWAIL. It helps us understand the connection between information and control, and also highlights potential ways to oppose this control. In addition, NWICO's examination of information and communication concepts and its approach to traditional culture aligns with TWAIL's criticism of the postcolonial state and its ideals related to development. This study will begin by providing an overview of the NWICO movement, utilizing original sources such as those from UNESCO and the Non-Aligned Movement. The text will thereafter analyze the internal criticisms and practical limitations of NWICO, while also exploring its normative difficulties and historical significance for TWAIL studies. Lastly, it will end with contemplations on the significance of NWICO for ongoing discussions on digitization.

3. The NWICO Initiative and the Quest for Information Equity

As NWICO emerged amidst the backdrop of widespread anti-colonial movements, identifying a precise starting point and delineating it as a distinct initiative may inherently entail some

subjectivity. During the 1970s, countries within the Non-Aligned Movement came together to establish NWICO, seeking to bolster collaboration in the realm of information and communication to surmount existing barriers (Schmitt, 2018). Their grievances regarding the deficiencies in the international dissemination of information and the challenges encountered in global communication caught the attention of UNESCO, tasked with promoting the "free flow of ideas" through mass communication. Consequently, UNESCO became the primary international platform for NWICO discussions, running parallel to conferences organized by the Non-Aligned Movement during this period (Brendebach, 2018).

As mentioned by Li (1992), "UNESCO made a significant contribution to the comprehension and progress of NWICO by creating the International Commission for the Study of Communication Problems (ICSCP) with the guidance of the former Director-General, Amadou-Mahtar M'Bow." This project was implemented in response to the resolutions passed by UNESCO's 1976 General Conference in Nairobi. Under the leadership of Seán MacBride, the ICSCP began the process of gathering a wide range of studies and data on communication challenges. The MacBride Report, also known as "Many Voices, One World: Toward a new, more just and more efficient, world information and communication order," was presented to UNESCO's General Conference in 1980 (Singh, 2021).

It is important to emphasize that the emphasis on the ICSCP's work in this section does not diminish NWICO to a purely philosophical discussion. On the contrary, the efforts of the ICSCP provide a concise representation of the various actions done by developing nations over a period of ten years to improve their ability to communicate and address the unequal distribution of global information. In addition, the ICSCP's efforts will be accompanied by an examination of other state practices to ensure a thorough evaluation of the impact and importance of NWICO.

4. The Capitalist Foundations of Information Flow

The prevalence of Western mass media, represented by the Big Four in news coverage and dissemination, exposed the fundamental capitalist essence of the notion of unrestricted information exchange (Nelson, 2021). By Singh's (2021) analysis, Vidya Charan Shukla, the former Indian Minister of Information and Broadcasting, expressed the belief that the concept of "free" information is consistent with other antiquated freedoms advocated by 19th-century liberalism. The capitalist perspective on information, which views it as a tradable good, led to individuals in the Third World passively consuming information. According to one scholar, individuals in these areas were reduced to becoming just consumers, as the control over media allowed certain individuals to govern the flow of information without any interference from emerging nations, thereby limiting the freedom of information (Livingstone & Lunt, 2011). Rejecting this market-driven concept, Masmoudi advocated for understanding information as a societal good and cultural product, enabling equal access to information sources and fostering participation in international communication processes (Jacobson & Garlic, 2021). Additionally, the capitalist nature of international communication and information flows was evidenced by the ownership, distribution, and restructuring of information resources for the production and dissemination of information products. Oligopolies and monopolies in the communication sector, formed through vertical and horizontal integration, were influenced by profit rates, capital flows, and technological advancements in national and global markets (Razali & Delliana, 2020). This concentration of media ownership could potentially impede

media freedom and plurality.

Furthermore, the MacBride Report highlighted how information of significant economic and social value, such as scientific knowledge and industrial research findings, often faced restrictions on outgoing transmission due to intellectual property rights protection or export control measures imposed by developed countries. This underscored the capitalist character of information flows, extending beyond mere accumulation and profit. NWICO advocates contended that international communication was intricately linked to the development of global capitalism.

They illuminated two facets of the intricate relationship between communication and capitalism. Firstly, Hugo Gutiérrez Vega, a professor at the National Autonomous University of Mexico, posited that communication within the capitalist cultural industry not only mirrored the ideology of the ruling class but also actively shaped ideologies conducive to capitalism by influencing consumer mindsets (Ostrom, 2022). This process, he contended, served to reinforce existing societal structures and promote conformity, thereby perpetuating the dominance of capitalism.

Furthermore, Cees Hamelink, an expert in communication from the Netherlands, has explored the tangible aspect of this connection. He coined the term "communications-industrial complex" to describe the interaction between three essential components: the control of financial capital, technology, and marketing outlets. Hamelink contended that this intricate entity exerted significant sway over the global economic terrain, specifically in aiding the growth of international trade after World War II (Klein-Beekman, 1996). This expansion required the establishment of comprehensive information networks, backed by sophisticated telecommunication technology, in order to effectively coordinate the operations of international firms and enhance their marketing and public relations efforts As an analytical framework, mentioned by Ostrom (2022), "the communications-industrial complex shed light on the tangible realities of international communication and the economic interests intertwined with it." Furthermore, it underscored the inherent bias of the doctrine of freedom of information, highlighting its reliance on the agendas and practices of Western transnational corporations that held sway over communication channels and sources.

5. Analyzing Legal and Judicial Perspectives: State Actions and Opinions

The critique of the "New World Information and Communication Order" (NWICO) against the liberal notion of freedom of information did not seek to eliminate it, but rather to enhance and specify its parameters. The NWICO initiative is based on democratic ideals and aims to achieve equity in communication between developed and developing nations, with a particular emphasis on justice and balance (XU, 2008). He highlighted that these objectives were not in conflict with the ideal of freedom of information. Instead, they aimed to guarantee its just and equal implementation in all countries, especially those that are less developed.

UNESCO acknowledged the importance of supporting NWICO's goals and recognized the necessity of enhancing the idea of unrestricted information exchange with a more equitable and unbiased exchange, both among nations and within and between regions (Leye, 2009). The phrase "free and balanced flow" has become increasingly popular as the official term used by UNESCO to promote reforms in the global communication system. Nevertheless, establishing the parameters for such a progression proved to be difficult. Although it was relatively simple to detect disparities in information distribution and connect them to technological and

economic interdependencies, defining the concept of a "free and balanced flow" in theoretical terms presented considerable difficulties.

In addressing this issue, advocates of NWICO often emphasized other well-established principles. For instance, Osolnik, a Yugoslavian member of the ICSCP, argued that the formula should be understood alongside conditions such as respect for the equality of all nations and cultures, recognition of pluralism of values and interests, acknowledgment of the responsibility of all participants in international communications to uphold UN principles, and respect for the sovereignty and independence of nations in cultural and informational matters (Leye, 2009). This multifaceted approach aimed to ensure a more holistic and equitable framework for international communication, one that goes beyond mere technical considerations to encompass broader principles of justice, equality, and sovereignty.

NWICO Agenda and Compromises for Equitable Communication

In addition to stressing state sovereignty and equality, another avenue pursued to rebalance global communication dynamics was the delineation of responsibilities for mass media entities (Tang, 2020). Numerous Third World nations contended that states ought to possess the jurisdiction to regulate mass media, ensuring the preservation of cultural integrity and the prevention of the dissemination of harmful propaganda that could fuel animosity or offend national sentiments. Nevertheless, contentious issues surfaced concerning state accountability and the notion of the right to rectification.

On the matter of state responsibility, Third World countries advocated for international accountability for states regarding the actions of their mass media entities operating beyond national borders (Carayannis & Weiss, 2021). This proposal targeted transnational media corporations but faced resistance from Western nations, who perceived it as conflicting with human rights and the constitutional principle of free speech in numerous jurisdictions. Similarly, concerning the right to rectification, Third World nations asserted that states should possess the prerogative to rectify inaccurate news reports that detrimentally impact interstate relations or national prestige. As mentioned by Carayannis & Weiss (2021), "this viewpoint stemmed from the belief upheld by certain Third World and socialist nations that freedom of expression and information should be contingent upon the dissemination of truthful, accurate, and objective information." However, Western nations interpreted this qualification of freedom of information as potentially legitimizing governmental constraints on media freedom.

After a long and intense debate that lasted for eight years, fatigue and compromises followed. The Mass Media Declaration, which was accepted at the UNESCO General Conference in 1978, represents an ideological compromise that emerged (Schmitt, 2018). Significantly, this statement did not include references to state accountability and the entitlement to correction, but it did pledge to offer technical and economic assistance to Third World nations for the development of their mass media infrastructure.

Moreover, besides readjusting the balance of power between developing countries and global media corporations, NWICO emphasized the significance of regional cooperation among nations in the Non-Aligned Movement to promote exchanges and strengthen collective communication abilities. The creation of the Non-Aligned News Agencies Pool in 1975 was a significant tangible outcome of NWICO in promoting such collaboration (Brlek, 2022).

6. <u>Developmentalism and the Postcolonial Nation-State: Revisiting NWICO Through a TWAIL Lens</u>

NWICO emerged as a movement aimed at enhancing Third World countries' access to information and bolstering their communication capacities. In this context, critiques from the Third World Approaches to International Law (TWAIL) regarding developmentalism and state-centrism are particularly relevant. It is evident that both ideologies played significant roles in shaping NWICO's agenda (Al-Attar, 2021).

Developmental thinking heavily influenced how information was perceived within NWICO. Advocates who underscored the economic dimension of information viewed it as a national resource crucial for development. This perspective was intertwined with the broader framework of the New International Economic Order (NIEO), wherein Third World countries sought permanent sovereignty over information related to natural resources (Azoro & Onah, 2021). This emphasis on information as an economic asset mirrored the developmental model of the 1970s, which emphasized resource exploitation and commodity exports.

Furthermore, for those highlighting the social, cultural, or ideological dimensions of information, communication policies were deemed vital for societal progress and national liberation. The information sector and associated cultural domains were viewed as arenas for development and modernization.

Despite some nuances, NWICO advocates generally perceived modern technology as inherently progressive. This instrumentalist perspective treated technology as neutral, separate from prevailing political-economic relations. While critiques focused on how modern technology exacerbated North-South dependency, they primarily targeted issues of ownership, control, technology transfer, and benefit-sharing, rather than questioning technology itself (Mawdsley, 2018).

Moreover, while NWICO critiques highlighted the capitalist nature of information flows and mass media, they largely overlooked critiques of communication technology. Few questioned the supposed neutrality of technology or its entrenchment within existing power structures.

The acceptance of technological progressiveness, particularly by Third World thinkers, reveals a tension within NWICO: critiquing Western domination while avoiding accusations that could be perceived as regressive. This tension underscores the complex dynamics at play in efforts to challenge existing international information orders from a postcolonial perspective within the context of developmentalism and technological advancement.

7. Navigating Developmentalism and State-Centrism in the NWICO Discourse

The dichotomy between the spiritual and material domains resurfaced within NWICO discussions, with many advocates embracing technology as a tool for material progress. This instrumentalist view positioned technology squarely within the material realm, largely devoid of spiritual or ideological considerations. NWICO's ideological framework was closely intertwined with developmentalism, a paradigm that viewed the postcolonial state as the primary agent of progress and modernization (Wanshu, 2023).

NWICO sought to politicize the problem of information flows by presenting it as a question of state sovereignty with the goal of regulating transnational media businesses and advancing fairness in international communication. Nevertheless, this method centered around the state has faced criticism from adversaries who have accused NWICO of supporting government censorship and infringing against the freedom of information. Although facing criticism, supporters of NWICO did not completely reject freedom of information. Instead, they aimed to enhance it by highlighting the responsibilities of the media, connecting it to development objectives, and establishing it within the framework of state sovereignty (McPhail, 2010).

Considering the historical role of freedom of information in promoting global justice, it is not unexpected that Third World countries will embrace its acceptance, as viewed from a TWAIL perspective (Wanshu, 2022). In addition, the discussion on human rights helped to promote the growth and consolidation of the government, in line with the Third World's goals of developing and modernizing their states.

Nevertheless, the statistical framework that underpinned NWICO gave rise to intricate inquiries, especially about the safeguarding of cultural variety inside postcolonial nations. Although the celebration of cultural history was acknowledged, the task of fostering diversity while simultaneously establishing a unified national identity was mostly ignored (Goh, 2012). Similarly, although the concept of freedom of information was recognized as a collective entitlement, the means of identifying and exercising this entitlement were disregarded.

Moreover, state-centrism within NWICO had limitations in addressing domestic inequalities and hierarchies. Some advocates recognized the need for democratizing communication at both domestic and international levels, proposing alternative models like "horizontal communication" that prioritized egalitarian access and participation over market-driven principles.

NWICO's developmentalist ethos and state-centric approach reflected the zeitgeist of its time, characterized by postcolonial nation-building efforts. While its demands appeared radical to the West, they also mirrored a desire within the Third World to emulate First World models. Ultimately, NWICO's trajectory towards pragmatism within UN agencies signaled a shift towards prioritizing infrastructure development over ideological radicalism, contributing to its eventual deradicalization (Shen, 2020).

8. Conclusion

In conclusion, the examination of the NWICO movement within the broader context of capitalism, development, and information rights in Third World contexts reveals significant insights and implications. Empirically, NWICO underscored the stark disparity in information flows between the Global North and the Global South, highlighting the enduring legacy of colonialism and reinforcing dependency relations. Conceptually, NWICO offered a critique of the commodification and individualist conception of freedom of information, advocating instead for a paradigm shift towards recognizing information as a public good with sociocultural significance and essential value for national development.

However, NWICO's state-centrism, while instrumental in politicizing information flows and asserting state sovereignty, also engendered internal disagreements over issues of domestic democratization. This tension, though sidestepped to some extent, remains a fundamental challenge that the movement faced. Zooming out from the 1970s, the issues debated during NWICO have resurfaced in contemporary politics, particularly in discussions surrounding internet governance and data sovereignty. The notion of a free internet, propagated by the US, echoes the challenges faced by the freedom of information concept in the past, especially in

light of recent revelations such as the Snowden and Cambridge Analytica scandals.

Revisiting NWICO serves as a reminder that information and data are inherently political constructs, shaped by existing economic-political systems and social values. As such, the idea of free flow of data is complex and multifaceted, requiring a critical inquiry into its implications for power dynamics, democratic accountability, and human rights values.

Moving forward, scholars can draw parallels between NWICO and current struggles over digitization and data governance, exploring how information technologies have evolved within capitalist social relations and contributed to power asymmetries. The limitations of NWICO's state-centrism offer valuable lessons for reconceptualizing sovereignty in the contemporary politics of digitization, potentially fostering transnational alliances to democratize digitization and challenge the dominance of big tech corporations.

Moreover, NWICO's critique of technology's social aspects underscores the importance of maintaining a level of skepticism towards technological solutions, particularly in the context of the rush towards 5G, artificial intelligence, and cryptocurrency. Critical examination of the political neutrality and promises of progress associated with digital technologies is essential to ensuring that they serve the interests of all stakeholders and promote equitable development. In essence, NWICO's legacy serves as a call to action for ongoing scrutiny of information rights, technology, and development paradigms, particularly in Third World contexts, where the stakes for equitable access and socio-economic empowerment are high.

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