

# INFORMATION FREEDOM and INFORMATION VIOLENCE

Andrey Stolyarov  
avst@cs.msu.ru

Lomonosov Moscow State University

November 2, 2013

# Information Society is developing rapidly

## New type of social relations

Information plays more and more important role in the life of society.

## New problems and contradictions

Actually they existed for ages, but today they are harder to ignore.

## New questions and challenges

Finally, what is appropriate to do with information, and what is not; what actions with information should be considered legal and illegal; what is to be accepted, what is to be tolerated, what is to be prohibited.

# Contradiction 1: Speech Freedom vs. Spam

## Internet community

The Internet community, specially in the early years of Internet (until 1995), was clearly and strongly oriented towards unlimited personal freedom, including information freedom.

The key cause of this was the fact that information freedom was for long **the only thing the Network could offer** to people who aren't computer professionals, so the freedom-loving people went to the Net and accumulated around it.

# Contradiction 1: Speech Freedom vs. Spam

## Internet community

The Internet community, specially in the early years of Internet (until 1995), was clearly and strongly oriented towards unlimited personal freedom, including information freedom.

The key cause of this was the fact that information freedom was for long **the only thing the Network could offer** to people who aren't computer professionals, so the freedom-loving people went to the Net and accumulated around it.

## Spam problem

Emerged in the middle of 1990s, spam quickly proved to be a problem that can not be ignored: even if only 0.01% of network users (1 of 10 000) decide to send some spam and successfully do so, we'll have to say bye-bye to the worldwide email system.

# Spam and the Freedom of Speech (continued)

## Governments ignore it

Anti-spam laws appeared in some countries as late as around 2005, and in most countries the spam problem is still ignored by the government. Even when the laws exist, they effectively *allow* spam instead of denying it.

# Spam and the Freedom of Speech (continued)

## Governments ignore it

Anti-spam laws appeared in some countries as late as around 2005, and in most countries the spam problem is still ignored by the government. Even when the laws exist, they effectively *allow* spam instead of denying it.

## Technicians implement a defence

Technical people who run major networks simply **had to** implement some anti-spam protection: filters, spam source databases, and policies for local users that they don't send spam.

**This is why email still exists.** Without these defensive measures, it would be buried to death with spam around the year 2000, as it happened to Usenet newsconfernces service.

# Spam and the Freedom of Speech (continued)

## Technicians implement a defence

Technical people who run major networks simply **had to** implement some anti-spam protection: filters, spam source databases, and policies for local users that they don't send spam.

**This is why email still exists.** Without these defensive measures, it would be buried to death with spam around the year 2000, as it happened to Usenet newsconfernces service.

## Still there are disputes

Some people still argue that such technical measures are **inappropriate** as they 'violate freedom'.

# Spam and the Freedom of Speech (continued)

## Spam advocates:

Everyone has the right to send anything to anyone because of freedom of speech; any measures against spam are censorship and thus must not take place.

## Freedom of Speech opposers:

It's obvious we can't afford spam (and a lot of other things as well), so no freedom of speech actually exists, it's only a word that means nothing.

## Call for new paradigms:

We can't afford spam (at least we can't afford saying bye-bye to the email system).

**But can we afford sacrificing freedom of speech?**



## Contradiction 2: copyright holders vs. wide public

### Before the digital era...

An average individual hardly knew there's such thing as copyright before the digital epoch.

Only the publishers were affected by the copyright law regulations, as it was physically impossible for anyone but a publisher to violate copyright.

### Today...

Publishing industry strives to keep the status quo, but the times are changed: now it takes to affect *everyone* to keep copyright law in effect, because copying of digital data is costless, lossless and is available for everyone.

# Copyright holders vs. wide public (continued)

## Copyright holders:

- do their best to convince the public that copying is a crime just like robbery;
- push new regulations;
- monopolize new technologies (such as DVD or BlueRay)
- destroy technologies they can't control.

# Copyright holders vs. wide public (continued)

## Copyright holders:

- do their best to convince the public that copying is a crime just like robbery;
- push new regulations;
- monopolize new technologies (such as DVD or BlueRay)
- destroy technologies they can't control.

## Wide public:

- refuses to believe copying can be a crime;
- protests against new regulations;
- turns to free software;
- organizes “pirate parties” and votes for them.

# Copyright holders vs. wide public (continued)

## Copyright holders:

- do their best to convince the public that copying is a crime just like robbery;
- push new regulations;
- monopolize new technologies (such as DVD or BlueRay)
- destroy technologies they can't control.

The question is: **Who is right?**

## Wide public:

- refuses to believe copying can be a crime;
- protests against new regulations;
- turns to free software;
- organizes “pirate parties” and votes for them.

There are other problems and contradictions as well. What the society needs is a basic principle on which to decide what is right and what is wrong when it comes to information and communication.

# The solution grounds

## Libertarian notion of freedom

Individuals *own* themselves, so any interaction between individuals must take place on their mutual voluntary consent, and no one ever should be forced into any interaction with others.

## Communication is always interaction

In any act of communication, at least two individuals are involved: the one who transmits the information and the one who receives it.

## Freedom of communication

The notion of *freedom of communication*, or simply *information freedom*, is an adequate replacement for the notion of *freedom of speech*, according to the contemporary world's needs.

Individuals are free to communicate any information, provided that the one who transmits the information agrees to transmit it, the one who receives the information agrees to receive it, the one who owns the communication media allows the media to be used for the communication and no one of them has any obligations under previously made deals that make the communication impossible.

## Definition

Any violation of individual communication freedom is to be named **information violence**.

## Major types

- transmission of information without the recipient's consent;
- getting information without the transmitter's consent;
- unauthorized interference of third parties into a consensual information exchange.



# No consent of the recipient

- direct personal insults;
- unsolicited advertizement, including spam (but, strictly speaking, not every advertizement);
- almost all social and political propaganda, not only governmental, but oppositional too, including street protests;
- proselytism, be it religious or not, in any form of it;
- door-to-door selling, and other kinds of selling outside of specially dedicated areas such as shops;
- begging;
- transmitting of knowingly false information, with defamation as a special case.

# No consent of the information holder

- espionage and privacy violations, wiretapping, eavesdropping, any communication network traffic interception, be it 'lawful' or not;
- direct theft of physical media that carries information (not information violence as such, but information violence can be said to be a *part* of such theft);
- forced testimony.

# Intervention into a consensual communication

- censorship;
- copyright law enforcement.

# Intervention into a consensual communication

- censorship;
- copyright law enforcement.

## The funny thing is...

According to:

- MacQueen, H.L., Waelde, S., Laurie, G.T., *Contemporary intellectual property: law and policy*. Oxford University Press, 2007.

the real intention of the earliest known copyright law, the 1709 'Statute of Anne', was establishing of government control over the printing press, that is, censorship.

Many people don't share the libertarian principles and values; this doesn't really matter here.

Many people don't share the libertarian principles and values; this doesn't really matter here.

Some people even think violence is good...

Many people don't share the libertarian principles and values; this doesn't really matter here.

Some people even think violence is good... provided that they are not the victims of that violence.

Many people don't share the libertarian principles and values; this doesn't really matter here.

Some people even think violence is good... provided that they are not the victims of that violence.

Any violence creates social tensions. If you're going to oppress the people, then at least it is not a bad idea to know in advance **what are the potential sources of social problems**. For information society age, the notion of *information violence* is the answer.



Thank you for the attention!