Towards a Society of Control?

Otto Leopold Tremetzberger / Radio FRO 105.0

New Digital Standards and their Impact on Freedom of Information
Current Consequences and Strategies for an Independent Public Sphere

This year's festival theme, "Code—The Language of Our Time," poses the question of the socially regulative implications of the digital codes that are omnipresent in modern Information Society. They define "the rules by which we communicate in a networked world, do business, and gather and disseminate information."[1]

Control Of Standards Means Control Of Content

Constraint of diversity is not the only hidden danger inherent in standardization. Not the least of its consequences are possibilities of comprehensive control such as those currently being discussed in conjunction with the process of adopting uniform copyright laws throughout the EU.[2] After all, whoever controls standards also controls content in many respects. The EU copyright law amendment follows the American lead in extending copyright protection to the new media and particularly the Internet and, above all, provides for stricter measures against evading protection technology.

For years—and even prior to its experiences with swap exchanges like Napster—the software and music industry has been demanding stronger copy protection provisions. The industry is now getting support from lawmakers who, in their copyright law amendments, are legally legitimating the interests of the software and music monopolists and protecting with legal sanctions the "technical protective measures" that prevent any form of copying—even, in certain cases, copying for one's own personal use.

The criticism of those who are skeptical about DRM, like Fred Lohmann of the Electronic Frontier Foundation, point out that DRM cannot prevent "Internet piracy"; instead, the barriers being erected hinder content and, in the final analysis, the very market that only seems to be protected by these steps.[3] Tendentious digital standards like DRM thus contribute substantially to the development of an elitist Information Society in which access to information is reserved for those who can afford it, and this to an even greater extent than is already the case. In this respect, systems like Digital Rights Management become a form of Digital Restriction Management[4] and the "question of information becomes a question of one's budget."[5]

Developing Open Spaces

The history of open spaces is also a story of control strategies and the exertion of influence. Notwithstanding the deluge of data and its much-discussed unmanageability, it is precisely the digital sphere that offers thorough and comprehensive possibilities for control and censorship. While surveillance systems like ECHELON comb through the digital universe in search of questionable keywords and, in the wake of proclaimed national security considerations, proceed to disappear from the public debate and thus for the most part from public consciousness as well, alternative communication platforms and

TOWARDS A SOCIETY OF CONTROL?

NEW DIGITAL STANDARDS AND ITS IMPACT ON FREEDOM OF INFORMATION
CURRENT CONSEQUENCES AND STRATEGIES FOR AN INDEPENDENT PUBLIC SPHERE

KONFERENZ VON RADIO FRO IN KOOPERATION
MIT DER ARS ELECTRONICA

providers see themselves targeted by charges of illicit content. Parallel to the growing need for security, the preconditions for control—political and technological alike—are being put in place. "Digital human rights"—analogous to general human rights—freedom of information, privacy and the open access to information and the exchange thereof are the challenges now facing civil society.

"The great experiment of an unfettered communication space that the Internet as a public medium seemed to provide now seems more like a historical and temporary window of opportunity. If we still care about a common space of knowledge, ideas and information mediated world-wide by networked digital media, we can no longer accept that principle as a given; i.e. as 'naturally' embodied in the Internet."[6]

The emancipatory expectations that have been invested in the new media—first and foremost, the Internet—remain unfulfilled; their broad-based democratic, participative potential—said without any nostalgia—still has hardly been exploited and is stuck on the level of online voting. Experience shows that technological potential alone does not lead to democratization of information and knowledge; quite the contrary—completely in the interest of globalized markets, the "command/control" structure of technologies leads to increasing social homogenization.[7]

According to Eric Kluitenberg, the creation of independent "open zones" is now not only a matter of safe havens for data and a sort of "hygienic" (off) cyberspace but also of the formulation of strategies and tools for use in actual practice. After all: "the common space is defined and constructed through us. It is not given." [8]

Strategies and Purpose

A democratic society requires open access to information and knowledge as well as corresponding open forums and spaces in which this knowledge can be produced and published. Radio FRO poses the question of the interests, intentions and messages hidden

behind digital codes. What consequences do digital and legal standards like DRM have on Information Society? What reactions to limitations and restrictions can be anticipated? If digital codes define the path that information and communication follow in global networks (and elsewhere as well), then what function do citizens' initiatives assume and what possibilities of reaction and subversion do they have? What is the impact of the rules of play in global communication and the multifarious regulative mechanisms on the existence and work of these initiatives? What strategies of evasion are currently available? What is the potential upshot of participation in light of developments in political policymaking and information technology that are increasingly oriented on regulation and surveillance? What possibilities are there to influence the course of events? If those who define the standards also control the content, then who controls these very groups? Instead of relieving the state of a burden, doesn't the privatization of responsibilities like security and privacy that have traditionally been within the purview of the state lead to the deprivation of the power of that state that legitimizes via legal guidelines the commercial interests of the giants of the software and music industry?

Festival Presentation

Experts in theory and practice discuss a wide range of issues including the implementation of EU guidelines (Digital Rights Management), changes in copyright law, the impact of digital standards on Information Society, current problems and issues, the interplay of technology, the economy and surveillance, as well as strategies of resistance. Radio FRO's panels at this year's ARS ELECTRONICA are an up-to-the-minute contribution to the debate on freedom of information and communication.

Panel A: Containing Information: New Digital Standards, Changes in Copyright and its Impact on Freedom of Information

The EU-wide legal legitimation of digital standards like DRM is in the interest of the software and music industry and leads to considerable restrictions on copyright. Tendentious digital standards are not only barriers to the free access to and exchange of information; they also put in place the technological infrastructure for future surveillance systems. Whoever controls the standards controls the contents too. Experts discuss the consequences of these developments for freedom of information and the interplay of technological, economic and political factors in the context of increasing restrictions in the world of the Infosphere.

Panel B: Digital Standards and the Public Domain: Consequences and Current Strategies For An Independent Public Sphere

Democratic societies need open access to information and knowledge, and open media domains in which this knowledge can be produced and published.
A confrontation with digital standards and their consequences for independent media and network initiatives. Current strategies, forms of resistance and restrictions, questions of privacy, copyright and censorship.

<div align="right">Translated from the German by Mel Greenwald</div>