

3. Demokratie-Kongress

„DIGITALE (UN)KULTUR UND DEMOKRATIE“

Es gilt das gesprochene Wort!

Meine Damen und Herren: Es ist mir eine große Ehre, hier zu sprechen. Aber ich muss mich entschuldigen, weil mein Deutsch so schlimm ist. Deshalb muss ich English sprechen. Ich danke Ihnen für Ihr Verständnis.

Privacy has many protectors; publicness, I fear, has too few. Today I will urge you to protect publicness and its tools.

Jürgen Habermas argues that the public sphere emerged in the 18th century with the gathering of rational, critical debate in the coffeehouses and salons of Europe as a counterweight to the power of government.

But a group of academics from Canada and the U.S. argued recently that centuries before, in the Early Modern period, we created publics using many tools: the stage, art, written music, maps, markets, and, of course the press.

Gutenberg's press is perhaps our greatest tool of publicness – until the net, today. The net puts a press in the hands of everyone. We are just beginning to see the change that brings: to media first, then to business and government and society itself.

Another group of academics at the University of Southern Denmark argue that we are coming out of the other side of what they call the "Gutenberg parenthesis."

Before Gutenberg, knowledge was passed mouth-to-mouth, scribe-to-scribe, changed along the way, with little sense of authorship or ownership. The aim of scholarship

was to preserve the wisdom of ancient scholars.

With Gutenberg, knowledge became linear – as did our understanding of the world – with beginnings and ends. It became a product more than a process, and one that could be owned. We came to respect contemporary authors and their knowledge.

Today, these Danes say, we are coming to the other side of the parenthesis. Knowledge is once again passed along, link-by-link, click-by-click, without clear beginnings and ends, remixed along the way, more of a process, less of a product. In his upcoming book, "Too Big to Know," David Weinberger says that "as knowledge becomes networked, the smartest person in the room isn't the person standing at the front lecturing us, and isn't the collective wisdom of those in the room. The smartest person in the room is the room itself: the network that joins the people and ideas in the room and connected to those outside of it." That network is made possible because we share our knowledge, in public.

These Danish academics say the adjustment to Gutenberg was difficult. So, they argue, is the adjustment we are making today, post-Gutenberg. We are that as we adapt our norms, mores, laws, structures, and organizations.

It is accepted knowledge that we are undergoing change at a lightning pace. But I wonder whether that's true. What if the change we are experiencing is instead slow? What if we are only beginning to see the disruption brought on by the digital age?

Konrad-Adenauer-Stiftung e. V.

BERLIN

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JOURNALISMUS-PROFESSOR

30. November 2011

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John Naughton, a columnist for the Observer in London, asks us to imagine we are conducting a poll on a bridge in Mainz in 1472, asking people whether they think this invention of Gutenberg's could:

- undermine the Catholic church and power the Reformation,
- lead to the Scientific Revolution,
- create new social classes and professions,
- change our conceptions of education and with it childhood, and
- also change our view of society and nations.

Surely few would have thought so.

Today, we are as far from the introduction of the commercial web as Naughton's pollsters were from the invention of the press. In Gutenberg years, this is 1472. The change has just begun. As we say auf Englisch: We ain't seen nothin' yet.

Elizabeth Eisenstein, a key Gutenberg scholar, says the book did not take on its own form until 50 years after its invention and its impact on society did not become clear for at least a century.

We do not yet know the shape of our future. So I say it would be a mistake to regulate and restrict the key tool we will use to build that future, the net. It would be a mistake to define the future in terms of our past.

Consider #OccupyWallStreet. The movement bewilders legacy institutions because it is not institutional. It has no organization, no leadership, no spokesman, no creed, no message. The hashtag is an empty vessel – a means for people to gather around common issues, complaints, and hopes; a platform for reformation or revolution. In it, I believe we see society begin to mimic the architecture of the net: end-to-end, anyone-to-anyone, bypassing hierarchies and mediators (except, perhaps, for telephone companies).

When a movement of the people can spread from the indignados of Spain to the Arab Spring to #OccupyWallStreet and many #occupy encampments around the world, we need to ask whether these people are more connection to nations or notions? In the Arab Spring, true publics are emerging. In Europe we see governments deposed by bond holders and neighboring nations. We need to ask which scene looks more democratic: Egypt or Greece? In many ways, we are reconsidering our definitions of nations, of publics.

How else will the net change society? Will it build a culture of its own? When I spoke with a group of editors at Zeit Online about privacy, one of them said his children were not behaving less like Germans and more like citizens of the net.

Will our world, like the net, favor openness and flatness over structure and institutions? Today, government is too often secret by default and open by force when it should be the opposite: transparent by default, secret by necessity. There are necessary secrets: of security, criminal prosecution, diplomacy, and most important, citizens' privacy. But Wikileaks taught us much about the precariousness of secrecy as well as the banality of secrecy. Some of the secrets it revealed helped lead to the Arab Spring in Tunisia.

And if government is better in the open, shouldn't many businesses also be more transparent? Is a business better served by its secrecy or by the openness and collaboration it shares with its customers?

Will we have to update our industrial-age idea of education? We manufacture students, all the same, each memorizing the identical, so-called right answer. Those skills are outmoded by Google. Those skills will not invent the next Google.

And, of course, media are changing. I believe we in journalism must look at building platforms that enable communities to share information on their own, end-to-end, like the internet. Then we journalists must ask how we add value to that exchange. I teach

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entrepreneurial journalism because my students now have the opportunity to start media enterprises of their own. We also teach them to collaborate with the publics they serve. They should see themselves as members of ecosystems rather than owners of industries.

We do not know the shape of our future world. In fact, we are just beginning to build it. So I ask you to assure the freedom and power of the tools we need to do that. I ask you to beware the unintended consequences of even well-meaning regulation. Consider these restrictions built around privacy:

- The Verpixelungsrecht, the right to be pixilated in Google Street View, sets what I believe is a dangerous precedent for public space: If Google can be pressured into blurring public views taken from public streets, cannot also journalists or citizens who want to witness and share the image of, say, police corruption in public? I hear some say that Google should not be able to make money on a public view. Should an artist? And if permission is needed, who has the right to grant it: the resident, the owner, the architect, the builder? What are the principles at work here?

- In her four pillars of internet regulation, the EU's Viviane Reding has argued for a right to be forgotten. That sounds appealing. But what if you tell me as a writer or a publisher that I must forget and erase what I have written about you? Does not also impinge upon my right of free speech? Do we truly want to regulate the free flow of knowledge that is already known?

- Germany's Commissioner for Data Protection and Freedom of Information, Peter Schaar, has argued for privacy by default. But if that default had been imposed on, say, the photo service Flickr, people would not have shared their pictures and built communities around them and tags such as "funny." I don't know that I want to live in a society that is private by default. I'd prefer one that is social by default.

- In the United States, the Children's Online Privacy Protection Act, COPPA, restricts sites from using any information about a child under 13. This, too, sounds sensible. But there have been unintended consequences: First, we teach our children to lie. Researcher danah boyd found that more than half of 12-year-olds have Facebook pages – and 76 percent created their accounts with the help of their parents. Parents say they don't want governments making these decisions. The real impact of COPPA, from my experience, is that companies won't create sites for children because the risk is too great. The result: children are the worst-served sector of society online. That's a tragedy.

- There are efforts to filter all content online to get to child porn in Austria or piracy in Belgium and perhaps soon the U.S. I agree with the European Court of Justice's recent decision invalidating such a law, arguing that it hurts internet business and that it challenges the privacy of users and their right to exchange information freely.

- In the U.S., there are efforts to pass Do Not Track legislation, though users already have the means to turn off and erase cookies. The unintended consequence of this, I fear, could be reduced support for media and less content online.

- Finally, Nicolas Sarkozy argued in Avignon recently that culture has a "distribution problem." I say just the opposite: culture has solved its distribution problem now that anyone can find an audience anywhere. It's the legacy distributors who have a distribution problem: They're not needed as much anymore. Sarkozy is trying to defend old media and its old economy, not the culture.

That is what power does: defend itself. That is what technology does: disrupt. What we are seeing is a struggle between power and change. We are witnessing also our effort to find the right balance between private and public, the individual and the community.

This adjustment is not new. Such conflict is frequently the case when new technologies introduce change, from the Gutenberg Pa-

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renthesis to the invention of the Kodak camera, which led to the first serious discussion of a legal right to privacy in the U.S. (for a time, President Teddy Roosevelt outlawed "kodaking" in Washington parks). Other technologies have caused similar fears, similar adjustments: from microphones to video cameras. Today, Peter Schaar lists radio chips, locater beacons, biometric & DNA identification, and others. It is well and good to worry about the worst that new technologies can bring and to try to prevent it. But if we manage life only at the worst case, we will never imagine and build the best case.

I must emphasize that private and public are not opposites; they are not at war. They are a continuum, like hot and cold, wet and dry. We must have both. One depends upon the other. Thus I urge you to pay attention not only to the risks to privacy brought by technology but also to the benefits of publicness. They are many.

- Publicness makes and improves relationships. There's a reason 800 million people are on Facebook and it's not that they're all insane or drunk. We want to connect with one another; we are social. Mark Zuckerberg told me he is not changing human nature but enabling it.

- Publicness, openness, and transparency breed trust, especially in politics and business.

- Publicness enables collaboration, which is a powerful force in building better companies and governments.

- Publicness unleashes the wisdom of the crowd. See Wikipedia.

- Publicness disarms strangers and also stigmas. The most powerful weapon gays and lesbians had to beat back the bigots who forced them into closets was to break out of those closets and challenge prejudice. No one should ever be forced into the public but those who had the courage to be public accomplished much.

I found much benefit in publicness when I wrote about my prostate cancer, about my malfunctioning penis. That might seem insane in this era of privacy, to violate the most private of information about my own private parts. But I gained great benefit: support, information, and the opportunity to inspire other men to be tested.

I would urge us to think about the good that could come if we were all more open about, for example, our health: sharing data; discovering correlations that could save lives or find cures; offering support to each other. Why aren't we so open? In the United States we fear losing insurance; you don't have that problem. We fear losing jobs, but that can be dealt with legislatively. What really holds us back from talking about sickness is the stigma around it, but that is society's problem. In a modern society, why should anyone be ashamed of being sick? That is the kind of issue we should be grappling with, the kind of adjustment we should be considering in this new and public age.

Mind you, the technology and publicness can be used for good or bad. Online crowdsourcing of photos is used by Iranian police to identify demonstrators; it is also used by Egyptian freedom fighters to identify security forces and bring them to justice. The technology gives us choices.

That is the real issue of privacy: retaining choice. It is also the issue of publicness: protecting the choices we and our children will make building tomorrow's society.

I worry about our tool of publicness, the net. I worry that its potential will be restricted out of well-meaning fear or self-serving protectionism. I worry about who will guard this great tool of publicness. Can companies? No, that is not their job. Governments? No, for if we give one government power over the net, all will claim it, including the tyrants who fear it most. Government may fancy itself our greatest protector of privacy, but it is also privacy's greatest threat, for government can use our information against us.

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No, we the people of the net must protect the net and the publicness it enables. To do that, I believe we must have a discussion about the principles underlying our newly public society. As German Justice Minister Sabine Leutheusser-Schnarrenberger wrote in the Frankfurter Allgemeine Zeitung: "The digital world does not primarily need new laws, it needs universal digital values. The internet community must intensify this process of discussion." I agree. So here are principles I suggest. We will never agree to them all. But we must discuss them.

- First, we have a right to connect. If your connection to the net is cut off by Mubarak of Egypt or by a piracy law in France or the U.S., then your connection to the world has been severed and you have suffered a violation of your human rights. Can we begin by agreeing to that?

- That right to connect is a modern preamble to the next, the right we in the United States call the First Amendment: the right to speak.

- And from that right follows the next: the right to assemble and act. See #Occupy-WallStreet and the creation of new publics around an idea.

- Next, I believe we should see privacy as an act of knowing someone else's information and handling it responsibly. This brings many requirements: not to steal information, to be open about gathering information, to understand the context in which it is given, to hold information securely, to give people access to their own information, and to make it portable.

- Publicness, then, is an ethic of sharing. If you know something that could help others, why not share it?

- Next, our institutions' information – not our personal data but that of government and in many instances companies – should become public by default, secret by necessity; it is the opposite today.

- I believe that what is public is a public good and when one diminishes what is pub-

lic – through, say the Verpixelungsrecht – then the public loses.

- Next: all bits are created equal. If a bit is stopped or detoured, whether by Iran shutting off parts of the net or China stopping searches for Falun Gong or a telco stopping us from sharing our culture, then no bit can be presumed free.

- Finally, the internet must stay open and distributed. That no one can claim sovereignty over the net is what makes the net free.

I will repeat a plea I made to President Sarkozy at his meeting of the e-G8: I ask us all to take a Hippocratic Oath for the net: First, do no harm.

I ask this in the land that brought us the greatest tool of publicness in history, Gutenberg's press. Gutenberg was, I believe, our first technology entrepreneur. He tackled incredibly difficult problems of technology: of metallurgy, of paper and ink, of mass production, and much more. He experimented in public—in the terms of the net, his first grammar books were betas. Then his final products, his Bibles, exhibited the perfectionism of a Steve Jobs. Sadly, he lost his business when, just as he was ready to sell his Bibles, his funder, Johann Fust, demanded payment. He faced the same business challenges Silicon Valley startups face today. Then Gutenberg turned from secretive to public, sharing his knowledge and spreading printing and its disruption and enlightenment like fire. Was Gutenberg a public failure? As a businessman, perhaps. But few disruptors have changed the world more.

I urge you to recall the spirit of Gutenberg and nurture our next tool of publicness, the net as we ask whether we are ready to live, work, and govern more in public; to reap the benefits of connecting with others and with information; to learn and fail in public and share that education; even to rethink our ideas of nations, governments, companies, industries, education, and culture. Now I hope we have a discussion about that ... in public.

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Vielen Dank.

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