

Open Content Should be King: Copyright and Digital Justice

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Content is king, says the slogan, and content - texts, pictures, audio files and video streams - is the hot commodity of the information society. In the early days of the net, content was free, but this is changing. What should we do about it?



Recent statistics show that US consumers are consuming and paying for online media at a growing rate. They spent nearly \$1.6 billion for online content last year-- up 18.8% since 2002. Digital Rights Management, DRM, has become the key tool to control access to content and to turn the Internet user into a paying customer. Historically, copyright laws were enacted "to promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries", but DRM today is dominated by the

interests of the global entertainment industry.

It is quite telling, for example, that the copyright.org website is owned by the Motion Picture Association of America whose members include all major Hollywood studios. Their intention is quite the contrary to what the World Summit on the Information Society (WSIS) adopted in its Declaration of Principles and Plan of Action in Geneva in 2003.

Although the WSIS acknowledges that "Intellectual Property protection is important to encourage innovation and creativity in the Information Society" it also stresses "the wide dissemination, diffusion, and sharing of knowledge is important to encourage innovation and creativity" because bridging the so-called digital divide is an important tool for development, "to empower the poor, particularly those living in remote, rural and marginalised urban areas, to access information and to use ICTs as a tool to support their efforts to lift themselves out of poverty."

Advocates of global justice often forget they must include media ethics in their agenda because the future of developing countries is not only determined by fair trade issues but also by unhindered access to information.

Raising one's voice for the poor leads to advocating copyright laws that favour the welfare of all people over the particular interest of vocal and powerful corporations. "Open source" has become a powerful movement in computer programming, the Free Software Foundation's GNU General Public License (GNU GPL) becoming the legal framework for open source software. The success of the operating system Linux shows that programme code can be shared freely while respecting copyright laws and still let software companies make money from it.

There are various approaches that transfer the idea of "open source" software to "open content" on the Web. Creative Commons is an initiative that provides a licensing framework that allows using private rights to create public goods. The utopian approach of "having all things common" (Acts 2:44) gave rise to movements that applied this idea to economics during a time

when the focus was on the production of material goods. Leaving an industrial society behind us and entering the Information Society, the time has come to apply this idea of sharing also to immaterial goods like content. Open content should be king. European Copyright Legislation regarding DRM is currently on the way. It is an important task to monitor this process. We should lend our voices to those who do not have the economic power of transnational companies but who are advocating global justice in a digital age, trying to bridge the gap between the digital haves and have-nots.

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