

Public Diplomacy Forum 2015
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**Regulatory principles for global
commons goods**



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CC

What are commons?

Common Pool Resources



Commons

Common heritage
of nature

water, air, climate,
fish in the ocean

Common heritage of
social life

asylum, **privacy**



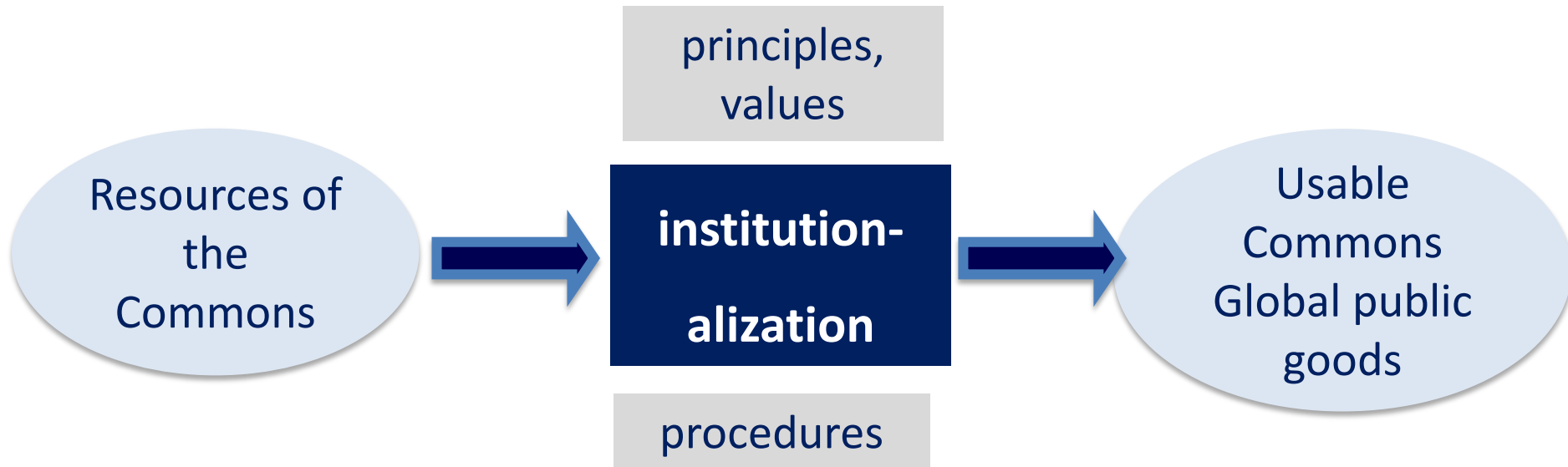
Commons heritage of
cultural creativity

the arts

knowledge and information



Commons need to be institutionalized



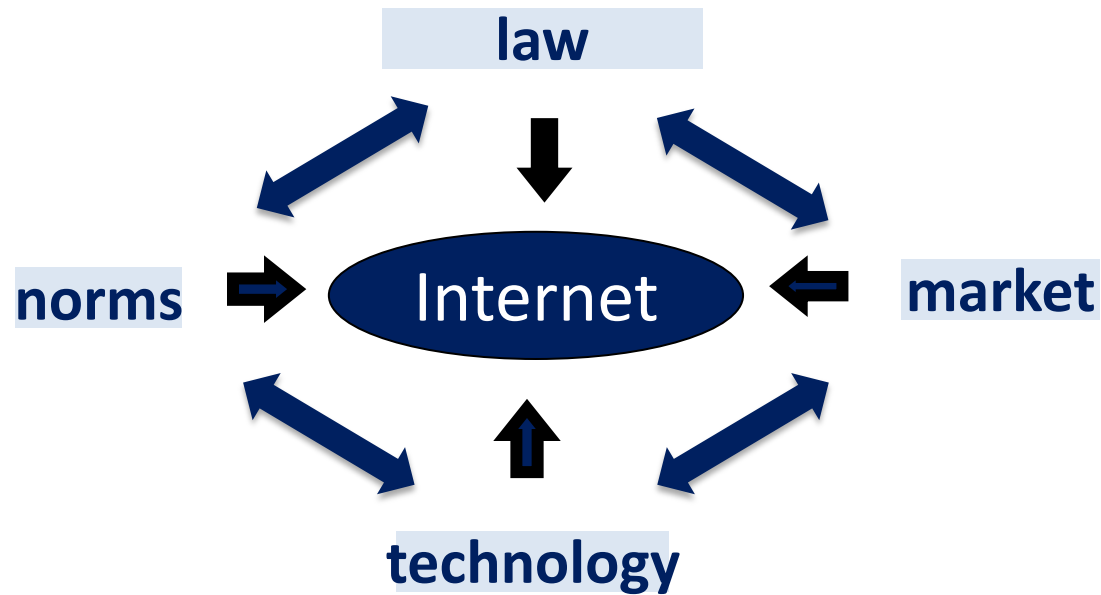
Commons (global common goods) are institutionalized „common-pool resources“

According to Elinor Ostrom: *Governing the Commons: The Evolution of Institutions for Collective Action* (1990)

Commons need to be regulated

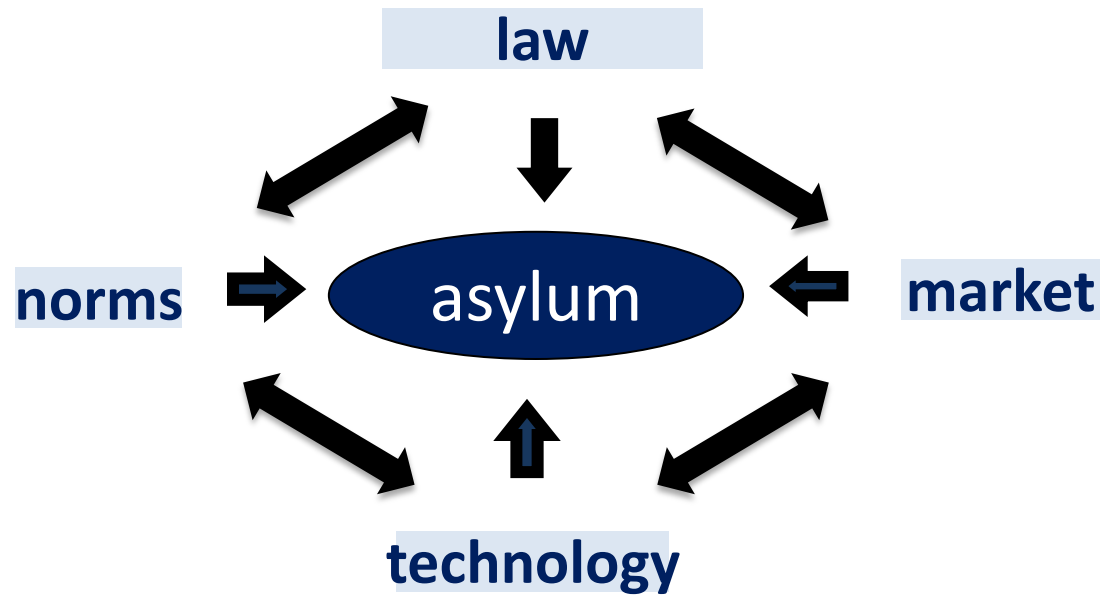


Commons need to be regulated

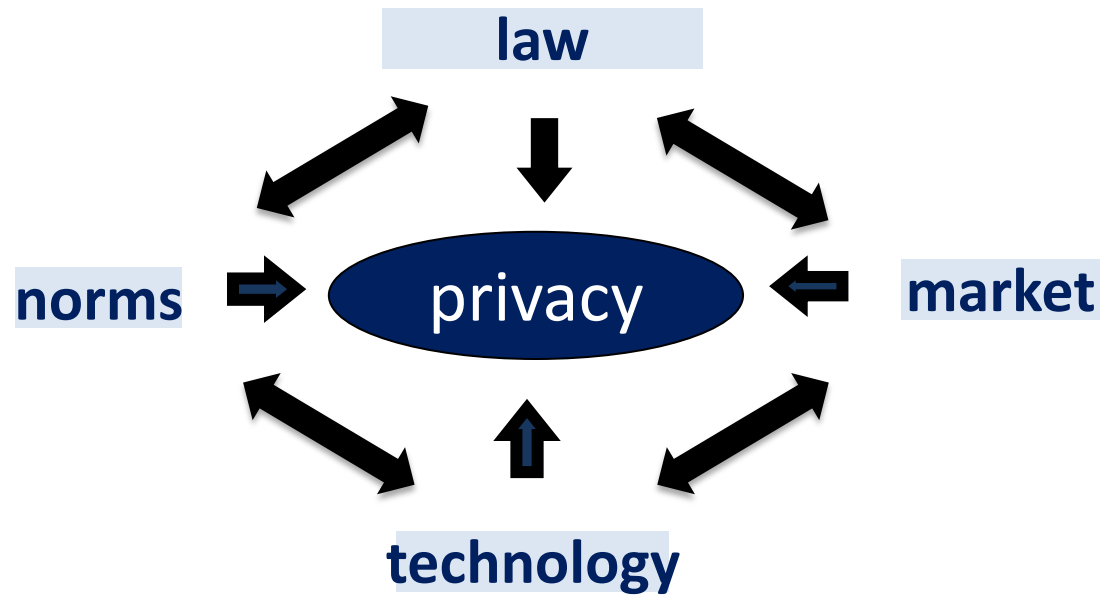


Applying Lawrence Lessig: Code and other laws of cyberspace. Basic Books, Perseus Books Group: New York 1999, second edition 2006

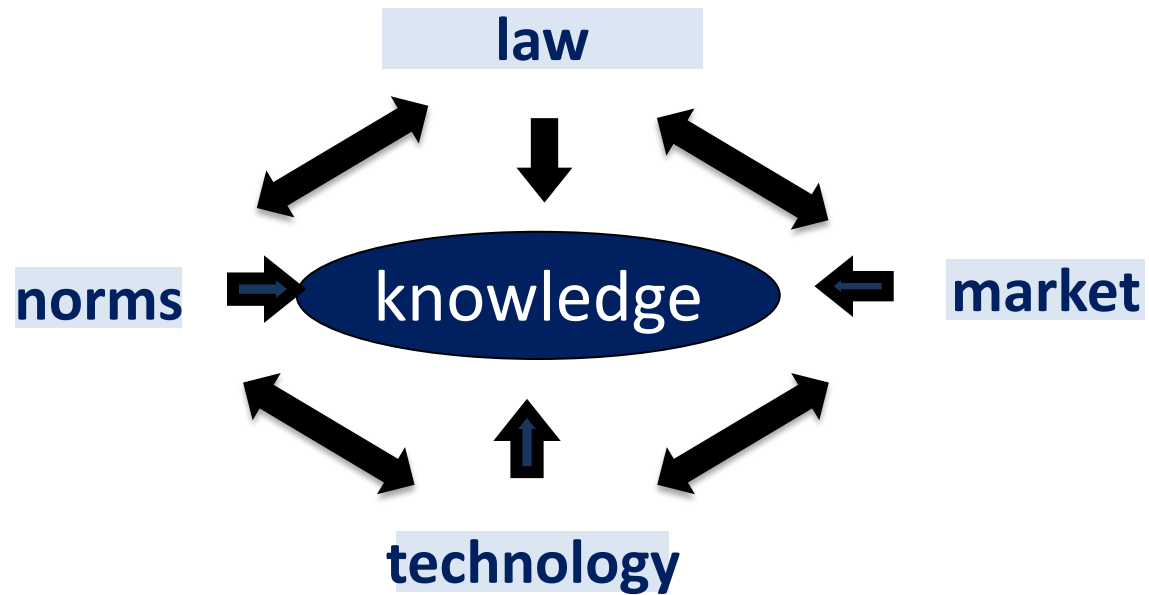
Commons need to be regulated

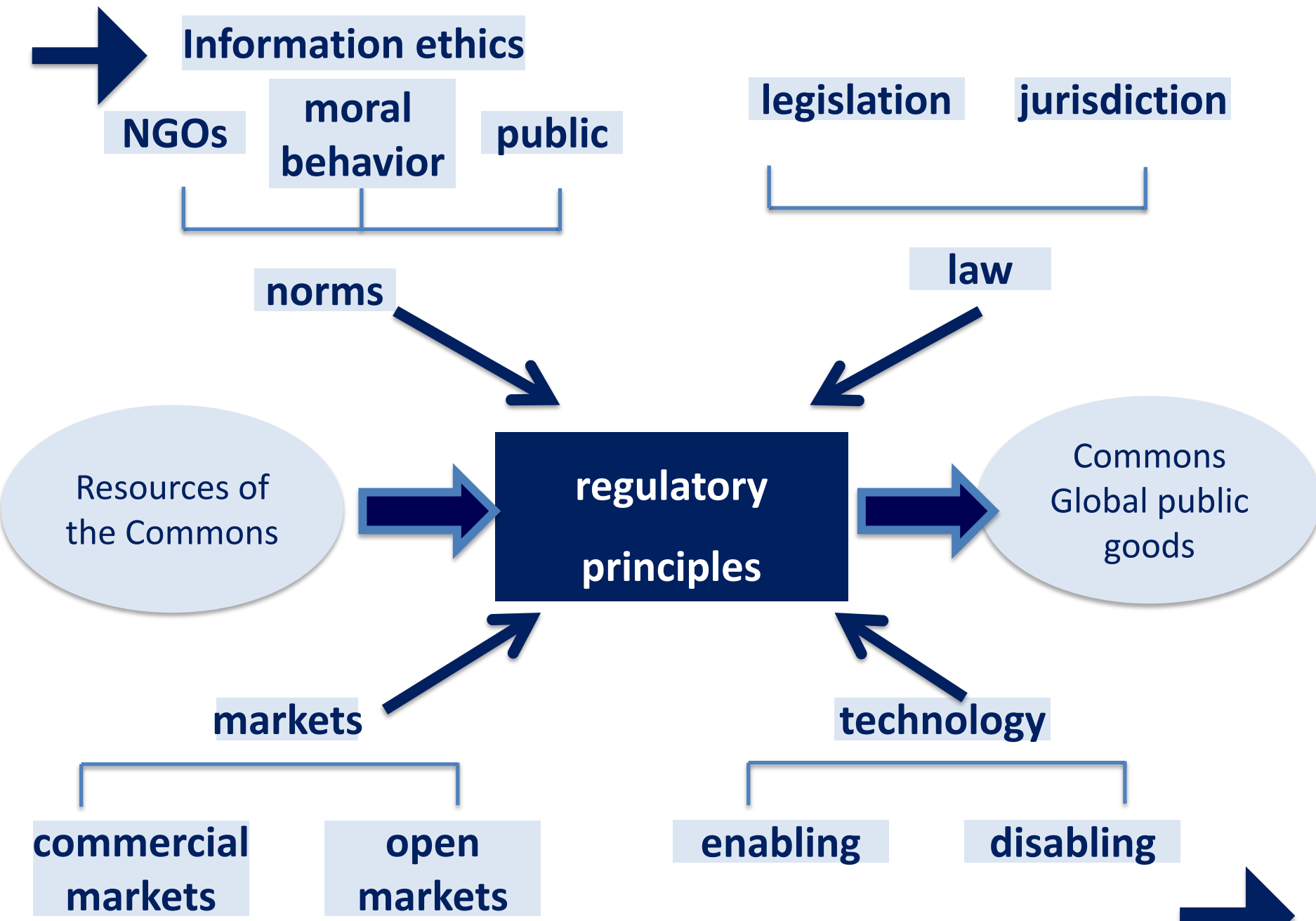


Commons need to be regulated



Commons need to be regulated



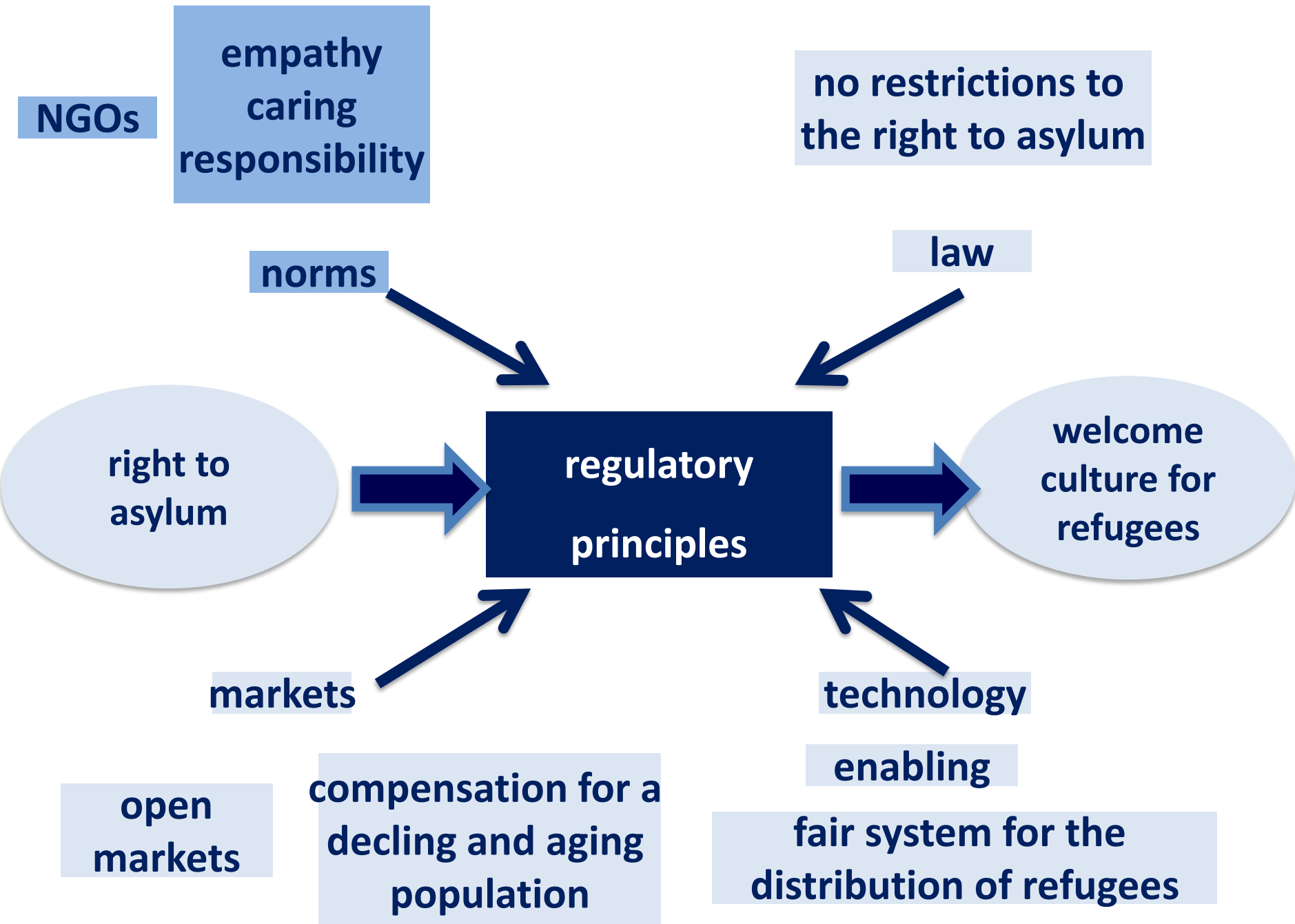




Information ethics

**to be the reflection on beliefs, rules and norms/values
(in total: moral behavior) which continuously
develop/change in electronic environments**

**cannot be derived from whatever law of nature, from
however grounded metaphysics, let alone from religion
or politicians (party leaders, government)**



„the boat is full“
protection
security

limitations to
the right to asylum

norms

law

right to
asylum

regulatory
principles

refugees
only teeth
grindingly
accepted

markets

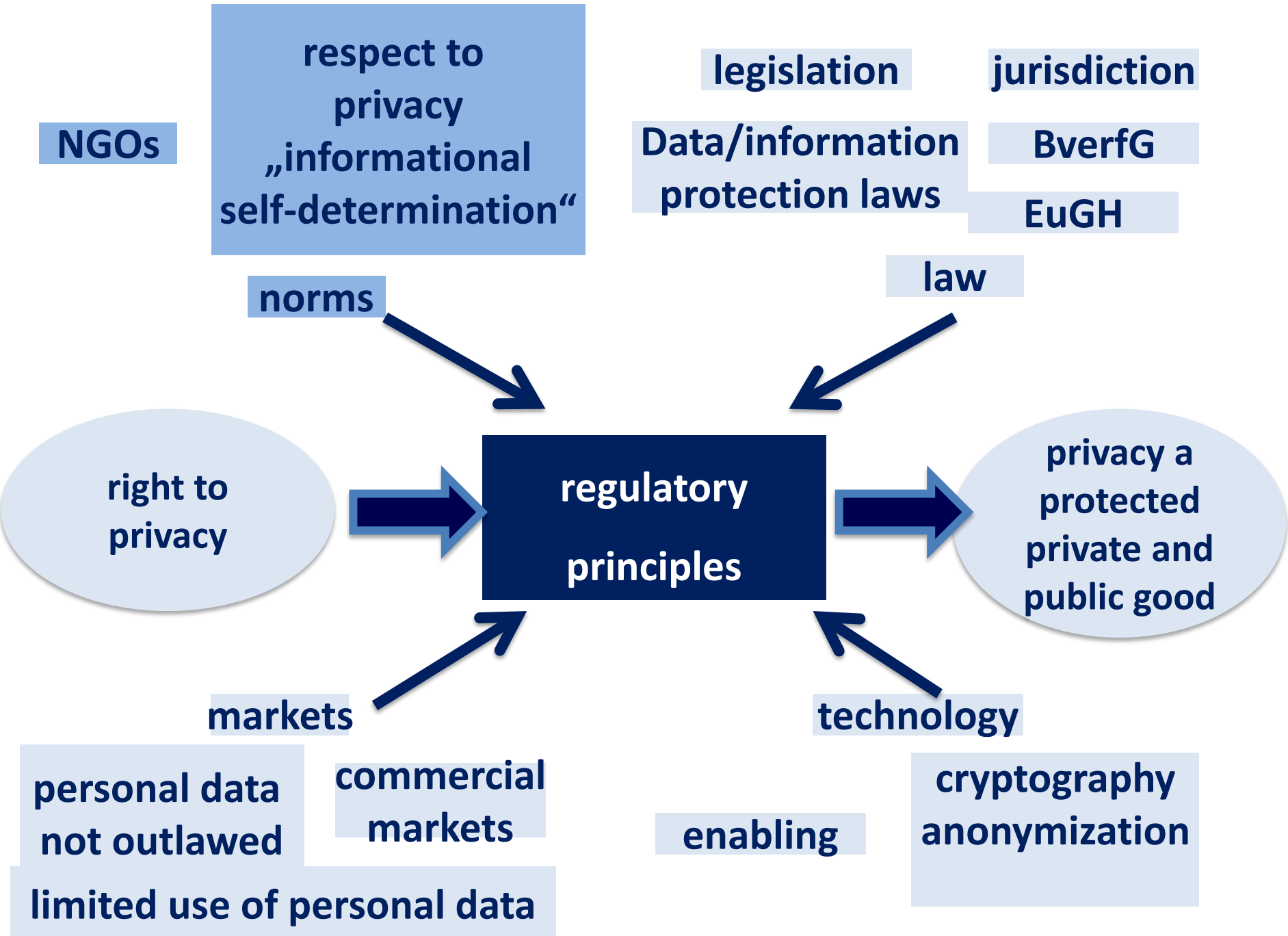
technology

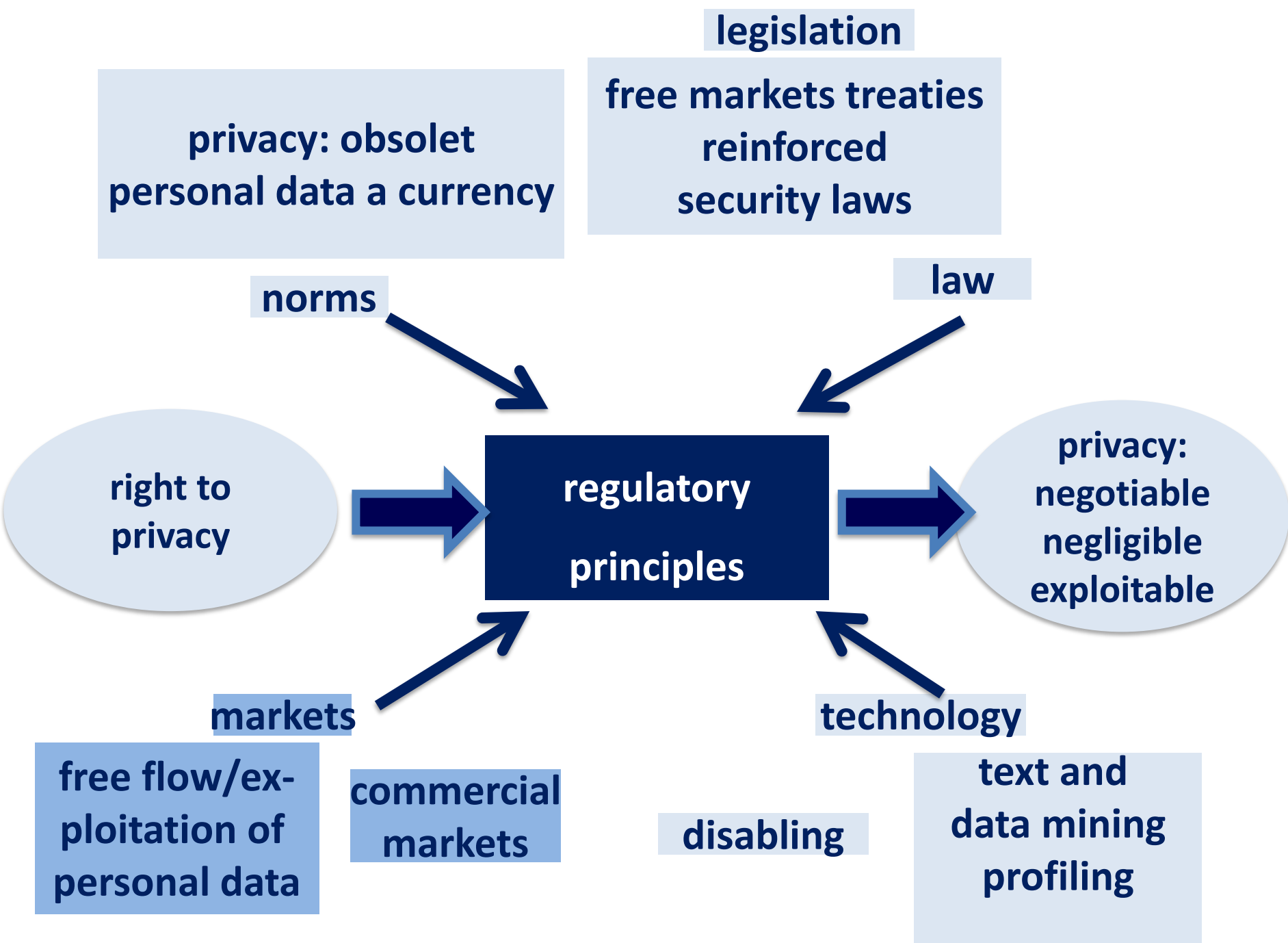
commercial
markets

selection of high
qualified
refugees
brain drain

disabling

tougher security
measures





legislation

**free markets treaties
reinforced
security laws**

**privacy: obsolete
security
personal data a currency**

law

norms

**right to
privacy**

**regulatory
principles**

**privacy:
negotiable
negligible
exploitable**

markets

technology

**free flow/ex-
ploitation of
personal data**

**commercial
markets**

disabling

**text and
data mining
profiling**

private property
profitability
scarce resource

legislation

strong copyright
protection for
exploiters

Jurisdiction

supporting
exploitation
rather than use

norms

law

knowledge
(science
education)

regulatory
principles

controlled
access and
use of in-
formation

markets

technology

dominance of monopolized
and highly
profitable commercial
publishing markets

proprietary software
pay on demand
models

politics

EU

sharing
sustainability
free usability
inclusion

publicly financed
knowledge
freely available

norms

law

knowledge
(science
education)

regulatory
principles

Open
Access
(green and
golden)

markets

technology

increasingly
commercial
open access

open
markets

enabling

free open source
publishing
software

politics

EU

sharing
sustainability
free usability
inclusion

publicly financed
knowledge
freely available

norms

law

knowledge
(science
education)

regulatory
principles

Open
Access
(green and
golden)

markets

technology

increasingly
commercial
open access

open
markets

enabling

free open source
publishing
software

Conclusion

Global common goods are personal and social rights

Neither **law** nor **technology** nor **markets** can **count on acceptance in the long run when they are inconsistent or even contrary to the moral behavior** of the people who are affected by the consequences of the three (above mentioned) regulatory instances.

It is within **civil society** and in **changing environments** where **moral behavior develops**.

A strong system of non-governmental organizations (NGOs) is the best means for **securing and strengthening global common goods as personal and social rights**.

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