

Chapter 1

Balancing Digital Freedoms and Digital Liberties

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ABSTRACT

This chapter focuses on consumer and human rights through technological application in today's globalized world. Being a well-versed citizen of technology provides better understanding of restrictions and limitations of protections as well as securities. Companies, corporations, countries, individuals, and unsuspecting parties may willingly or unwillingly neglect freedoms or even place liberties in jeopardy, depending on the statutes in place for protection. In an effort to protect the individual, it is important to safeguard the roles we play as a society in the technological globalized enterprise.

INTRODUCTION

With the rise of the Internet, creators of this 'common' area had no idea of the potential or vast extensions, which could arise. It is now through the Internet that all things are possible, but then again, are they? It is conceivable the Internet, in its design and creation, was not meant to be limited or even controlled by government. Consumers of the Internet, ranging from business and education patrons to those seeking simple personal

recreation, now face restrictions more than ever before and operate through this medium as both a controlled and uncontrolled resource. Regulatory guidelines govern much of how we interact as well as react to information on the Web; however, the essence of personal responsibility and freedom, in combination with public access and rights, begin to uniformly mingle together to form one body: The World Wide Web. The specific position of human rights transpires as a gray area merging with traffic somewhere along the superhighway. As we move even faster through it, signs expressing the rules for travel will surely present themselves

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like never before. However, what boundaries now exist within the digital realm, and how will we react to them? What does the future hold? This chapter weighs out the current trends with respect to the rights of the individual, who is now seemingly alone—yet under surveillance—somewhere in cyberspace.

A NORTH AMERICAN QUESTION OF CONTROL

Canada's Measurement and Regulation Dilemma

Looking back at history, there have been times when capitalization and commercialization ruled over getting something for free. When the electric light bulb first became popular in the 1880s in North America, large companies had to surmise a way to bill consumers for these services, otherwise the industry would not grow. It was called 'Usage Based Billing' (UBB); the same model, this time used for Internet metering, was introduced in Canada in early 2011 by the Canadian Radio-Television and Telecommunications Commission (CRTC), where the country's largest service providers opted to meter and charge consumers for their Internet use. Because consumers could easily exceed usage caps with the increasing use of streaming video for example, there is seemingly more of a protest over the cost associated with this, rather than the reality that possible increases may even limit the freedom of expression, as UBB may even affect the ability of poorer Canadians to access the Internet to express their opinions over important issues. Subsequently in opposition to this new regulation, Canadian federal politician Charlie Angus proposed a bill regarding human rights over the Internet and its neutrality, aiming to "prohibit telecommunications service providers from engaging in network management practices that favor, degrade or prioritize any content, ap-

plication or service transmitted over a broadband network based on its source, ownership, destination, or type" (Canadian Conference, 2011). Certainly, this kind of exploration over rights will sway like a pendulum as government and commerce try to harness—and profit—from this global computer network.

Canadian companies may also be tested over their duplicity to consumers in other ways. Such is the case of Research in Motion (RIM), the Canadian manufacturer of the BlackBerry. Just last year, the company was asked to hand over user codes for BlackBerry Messenger (BBM) to Saudi Arabia's telecommunication regulator, after that Kingdom cited social and national security concerns with the device. Other countries followed with the same request, and RIM has thus far turned down Saudi Arabia's access to the data, which are stored on Canadian servers. Thus, Saudi Arabia's three wireless companies opted to suspend BBM service as a result last August, which can be viewed as a boycott (Schreck, 2010). However, one must ask: Will RIM or other manufacturers be pressured to handle these requests differently in the future? Would the company be selective as to which data from certain customers from specific countries are handed over? As such, will the security concerns of certain countries then become more important than the human rights of the individual? In a truly globalized system—and if RIM changes its stance on this—it could mean no one is safe from the prying eyes of a foreign, unknown country in the digital communication sphere, no matter where they reside. However, RIM remains vigilant that the security of the person is more important than the rights of the country to access information, citing, businesses rely as do governments on the security of these devices to conduct business on these daily (Davidson, 2008). The rights and security of the citizen have been upheld in the end despite country and state bans and/or threats, although will that always be the case?

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