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**The Epistemology and Ethics of Internet Information: A
Universal and Global Model**

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Epistemology and Ethics of Internet Information: A Universal and Global Model

Abstract Beginning with the initial premise that as the Internet has a global character, the paper will argue that the normative evaluation of digital information on the Internet necessitates an evaluative model that is itself universal and global in character ¹(Gorniak-Kocikowska, 1996). The paper will show that information has a dual normative structure that commits all disseminators of information to universal epistemological and ethical norms. Based on the dual normative characterization of information the paper will seek to demonstrate: (1) that information and internet information (*interformation*) specifically, has an inherent normative structure that commits its producers, disseminators, communicators and users, everyone in fact that deals with information, to certain mandatory epistemological and ethical commitments; and (2) that the negligent or purposeful abuse of information in violation of the epistemological and ethical commitments to which it gives rise is also a violation of universal rights to freedom and wellbeing to which all agents are entitled by virtue of being agents, and in particular informational agents.

1. Introduction

The overall primary objective of this paper is to describe and propose a meta-ethical as well as normative model for the theoretical and practical evaluation of the quality of digital information on the Internet. This model I shall argue must of necessity be universal and objective in its mode of justification and motivation and global in its reach. It has to be able to transcend cultural borders² so as to be able to objectively evaluate the quality of information that is in its essence borderless and global.

Given the global reach and scope of the World Wide Web that now reaches and impacts on every part of the planet, any theoretical model that seeks to not merely describe the cultural quality of digital information on the internet, (*interformation*) but *evaluate* it, at least in its epistemological and ethical manifestations, must itself be global in its application and scope. For it to be

¹ I agree, therefore, with Gorniak-Kocikowska's claim that because of its global nature "computer ethics has to be regarded as global ethics" (1996).

² Unless otherwise specified, I will use the term *cultural borders* to refer to all type of borders, including geographical, national, ethnic (ethnic boarders within multi-ethnic nations such as the USA, Canada and Australia, for example), religious, gender, political, and lifestyle borders.

global in its application, however, it has to be universal and objective in its mode of justification and motivation. It must be able to evaluate interinformation on the basis of universal principles that most if not all reasonable individuals irrespective of their cultural differences and affiliations can accept and more importantly must accept on the basis of their shared minimal rationality.

The main aim of the paper is to provide a solution to this problem by proposing a universal theoretical model which can provide at least in principle a method for evaluating objectively interinformation in all its modes of dissemination across the globe. The proposed solution comprises two main parts that together seek to show that information is *doubly normative*:

- (A) Information generally and internet information (*interinformation*) specifically, has an inherent normative structure that commits its producers, communicators and users (*disseminators*), everyone in fact that deals with information, to certain mandatory epistemological and ethical commitments;
- (B) The negligent or purposeful abuse of information in violation of the epistemological and ethical commitments to which its normative inherent structure gives rise is also a violation of universal rights – specifically, universal rights to freedom and wellbeing to which all agents are entitled by virtue of being agents, and in particular *informational agents*. An *informational agent* is described in this paper as any putative agent that engages in informational action either as transmitter or receiver of information. *Informational action* is any action that involves the dissemination and communication of information.

Hence, the abuse of information through, for example, misinformation (unintentional or negligent dissemination of false “information”) or disinformation (intentional and purposeful dissemination of false “information”) practices, constitutes (a) a violation of the epistemological and ethical commitments to which the inherent normative structure of information gives rise and (b) a violation of universal rights to which all agents and specifically informational agents are entitled.

Finally and echoing comments by Umberto Eco in *The Open Work* (1989) – namely, that with regard to human beings information theory becomes communication theory - the paper will also show that the demonstrated dual normative structure of information in terms of its own inherent normative structure, as well as the universal rights of informational agents to which it gives rise, confirms and supports Eco’s insightful comments.

2. The Normative Structure of Information

In providing the dual normative model for the evaluation of information and interinformation specifically, outlined above (henceforth unless otherwise stated, the generic term *information* will be used to refer to all information, both online and offline) the paper will employ an epistemological account of information based on a minimal *nuclear* definition of information. Following Luciano Floridi it will define *information* as “well formed meaningful data that is truthful” (2005) and

following Dretske it will define information as “an objective commodity capable of yielding knowledge”; knowledge in turn will be defined as “information caused belief” (1999).

What is necessary for both information and knowledge is truth. For information without truth is not strictly speaking information but either *misinformation* (the unintentional dissemination of well-formed and meaningful false data) or *disinformation* (the intentional dissemination of false “information”).

Using the minimal account of information described above, the paper will now develop a *normative account of information*, which demonstrates and describes the generic epistemological and ethical commitments that necessarily arise in the dissemination of information.

Briefly, the argument is as follows: Insofar as information is a type of knowledge (it must be capable of yielding knowledge, one must be able to learn from it) it must comply with the epistemological conditions of knowledge, specifically, that of truth. And insofar as the dissemination of information is based on the justified and rightful expectation among its disseminators and especially its users that such information should meet the minimal condition of truth, then the disseminators of information are committed to certain widely recognized and accepted epistemological normative criteria. Those epistemic criteria will in the main comprise objectivity as well as the independence, reliability, accuracy and trustworthiness of the *sources* that generate the information.

The epistemology of information, in turn, commits its disseminators to certain ethical principles and values, such as honesty, sincerity, truthfulness, trustworthiness and reliability (also epistemological values), and fairness, including justice, which requires the equal distribution of the informational goods to all citizens. Thus in terms of its dissemination and communication, information has an intrinsic normative structure that commits everyone involved in its creation, production, search, communication, consumption and multiple other uses to epistemological and ethical norms. These norms being intrinsic to the normative structure of information with regard to all its disseminating modes are rationally unavoidable and thus not merely optional. Moreover, the epistemological and ethical norms to which all disseminators and communicators of information are committed by virtue of the inherent normative structure of information are universal and thus have a global application.

3. Information and Universal Rights

The goal of the following argument is to show that apart from committing its disseminators to unavoidable epistemological and ethical standards by virtue of its inherent normative structure, information commits its disseminators to respect for peoples’ universal rights to freedom and wellbeing. That is, information, must not be disseminated in ways that violate peoples’ fundamental rights to freedom and wellbeing (*generic rights*), individually or collectively, or undermine their capacity for self-fulfilment (Negative Rights). In addition, information must as far as possible be disseminated in ways that secure and promote peoples’ generic rights and capacity for self-fulfilment (Positive Rights) when those rights cannot

be secured or promoted by the individuals themselves and can be so secured and promoted at no comparable cost to its disseminators (Gewirth 1998, Spence 2006). But from where does this normative authority come and what are the fundamental rights to which I refer? Alan Gewirth's Principle of Generic Consistency (PGC) offers a description and prescription for both the rational authority (based primarily on instrumental and deductive rationality) and the content of the fundamental rights (freedom=FR and wellbeing=WB) that persons have necessarily and only by virtue (sufficient reason) of being purposive agents.

Due to constraints of space, I cannot provide a detailed justification for Alan Gewirth's argument for the Principle of Generic Consistency (PGC) on which his derivation of rights is based, as this is well beyond the scope and limits of this paper. Such a detailed defense can be found in *Ethics Within Reason: A Neo-Gewirthian Approach* (Spence, 2006, chapters 1-3). I will, however, offer a brief summary of the rationale of the argument for the PGC by way of a schematic outline of the three major steps of that argument. In addition, I will provide a brief analysis of two central objections that have been raised against Gewirth's argument for the PGC. I will then offer a response to those objections, as those objections question in effect the universality of the rights to freedom and wellbeing that are derived on the basis of the PGC, a thesis which this paper supports.

3.1 The Rights of Agents: The Rationale for Alan Gewirth's Argument for the Principle of Generic Consistency³

The central claim of Gewirth's ethical theory is that the necessary content of morality is to be found in action and its generic features. Because of its generic features, action has a "normative structure" in that an agent's deontic and evaluative judgments are logically implicit in all action, and by subjecting those judgments to certain necessary rational requirements, a substantial moral principle can be logically derived from them (Gewirth, 1978, 26). Because of the normative structure of action every rational agent, in virtue of engaging in action, is logically committed to accept a supreme moral principle, the Principle of Generic Consistency, which commits every rational agent, just in virtue of being an agent, to certain necessary prudential and moral constraints.

Gewirth undertakes to prove his claim that every agent, *qua* agent, is committed to certain prudential and moral constraints in virtue of the normative structure of action in three main stages (Gewirth, 1978, 48- 128; Spence, 2006, Chapters 1 and 2).

First, he undertakes to show that by virtue of engaging in voluntary and purposive action, (*voluntariness* and *purposiveness* being the two essential features of all purposive action) every agent makes certain implicitly evaluative

³ A full and detailed defense of the argument for the PGC against all the major objections raised against it by various philosophers can be found in Spence 2006 (Chapters 1 to 3), Beyleveld 1991 and Gewirth 1978.

judgments about the goodness of his purposes, and hence about the necessary goodness of his freedom and wellbeing, which are the necessary conditions for the fulfillment of his purposes.

Secondly, he undertakes to show that by virtue of the necessary goodness which an agent attaches to his freedom and wellbeing, the agent implicitly (from within his own internal personal perspective) claims that he has rights to these. At this stage of the argument, these rights being merely self-regarding are only prudential rights. According to Gewirth, there is a conceptual connection between rights and the necessary conditions of action, namely, freedom and wellbeing. Because the agent, *qua* agent, necessarily requires freedom and wellbeing in order to fulfill any of his chosen purposes, the agent has, from within his own subjective viewpoint, a justifying reason for requiring other persons not to interfere with his freedom and wellbeing. In other words, the necessity with which he must regard his freedom and wellbeing creates for each agent, from within his own internal viewpoint, an entitlement to those conditions.

This entitlement can be viewed as both subjective and objective. It is subjective in the sense that it arises from within the agent's internal subjective standpoint. However, it is objective in the sense that it issues from the necessary conditions of agency, which not only apply to the individual agent but to all agents generally, in virtue of those generic conditions being necessary for action and agency as such. Furthermore, in virtue of this necessity, every agent feels entitled to require other persons not to interfere with his freedom and wellbeing. This requirement, which is implicitly advocated by every agent in the form of an "ought"-judgment—that is, "All other persons ought at least not to interfere with my freedom and wellbeing"—is logically correlated to the right-claims pertaining to freedom and wellbeing which every agent, in virtue of being an agent, feels entitled to make. Gewirth refers to these rights, which every agent needs in his capacity as agent, as *generic rights*, since these are rights that essentially issue from the generic features of action.

Thirdly, Gewirth undertakes to show that every agent must claim these rights in virtue of the sufficient reason that he is a *prospective purposive agent* (PPA) who has purposes he wants to fulfill. Furthermore, every agent must accept that since he has rights to his freedom and wellbeing for the sufficient reason that he is a PPA, he is logically committed, on pain of self-contradiction, to also accept the rational generalization that all PPAs have rights to freedom and wellbeing .

The aim of stage III of Gewirth's argument is to establish, through the employment of the principle of universalizability, that every agent is logically committed to extend the generic rights he claims for himself to all other PPAs, and thus prove the truth of his supreme principle of morality, the Principle of Generic Consistency: "Act in accord with the generic rights of your recipients as well as of yourself" (Gewirth, 1978, 135). Gewirth's argument for stage III comprises three components: a *criterion of relevant similarity*; the formal *principle of universalizability*; and the *argument from the sufficiency of agency*.

We saw that the conclusion of stage II of Gewirth's argument, (call it premise 6) "I have rights to freedom and wellbeing", is a statement that every agent must accept from within his own internal standpoint. Now the agent's understanding of

himself as a PPA, who needs to have freedom and wellbeing in order to act for his purposes, is both a necessary and a sufficient condition of the justifying reason he must provide as ground for his claim to have the generic rights (Gewirth, 1978, 109). It is a necessary condition because every agent performs his actions in virtue of having purposes whose achievement he subjectively regards as good. It is a sufficient condition because it is strictly in virtue of being a PPA who needs freedom and wellbeing that an agent claims to have the generic rights. By not claiming the generic rights he contradicts himself. For he claims at once that he is an agent and that he does not require the very conditions essential to his agency. Hence, it is the agent's own understanding of himself as a PPA that constitutes, from his own internal viewpoint, the necessary and sufficient justifying reason for his claim to the generic rights. As a result, every agent must accept (call it premise 7) "I have rights to freedom and wellbeing because I am a PPA". It is this description of himself by the agent which constitutes the *criterion of relevant similarity*. For it is this description which logically entails, through the principle of universalizability, that the generic rights the agent claims for himself, as a PPA, are rights which he must also extend to all other persons who are relevantly similar to himself—that is, to other persons who are prospective purposive agents (Gewirth, 1978, 109).

Now suppose, however, that some agent were to hold instead that he has the generic rights only because of a certain more restrictive characteristic R. Examples abound, but let us say R stood for being an Australian, or a Catholic, or a millionaire, or Rupert Murdoch, or what not. In that case, the agent would be claiming (call it premise 7a) "I have rights to freedom and wellbeing *only* because I am R". Such an agent, however, would contradict himself, for he would in effect be claiming that if he were not R then he would not have the generic rights. But since by being a PPA he must hold that he has those rights, simply in virtue of being such an agent, he cannot also hold the view that R alone is the sufficient justifying reason of his having the generic rights. So to avoid contradicting himself, the agent must accept that simply being a PPA is a sufficient as well as a necessary justifying condition of his having rights to freedom and wellbeing, and that he would have those rights even if he did not have the more restrictive characteristic R. This is Gewirth's "argument from the sufficiency of agency", so called because it states that the fact of being a PPA who has purposes whose fulfillment he regards as good provides, for any agent, a sufficient as well as a necessary justifying reason for his implicit claim to have the generic rights (Gewirth, 1978, 110).

Given the sufficiency of agency as the justifying reason for claiming to have the generic rights, and applying the principle of universalizability, the agent must accept (call it premise 8) "All PPAs have rights to freedom and wellbeing". It is by the application of the principle of universalizability that (premise 8) follows from (premise 7). The principle states that if some predicate P belongs to some subject S *because* that subject has some quality Q (where this "because" stands for a sufficient condition), then that predicate must belong to every other subject that has Q. Therefore, since the original agent has claimed that the predicate of having the generic rights belongs to him *because* he is a PPA, he is rationally committed

to admitting that every PPA has the generic rights. If the agent were to deny this generalization, he would contradict himself, for he would at once affirm and deny that being a PPA is a sufficient condition of having rights to freedom and wellbeing.

In a nutshell, the PGC states that since the generic features of action constitute the necessary structure of action, a structure that not only generates descriptive but also prescriptive statements, and since the agent must hold from within his own internal standpoint that he has rights to these necessary features of action simply by virtue of being a PPA, the agent is rationally committed to accepting that his recipients, insofar as they too are actual or potential PPAs, also have those rights (Gewirth, 1978, 135). At this third and final stage of the argument these rights being not only self-regarding but also other-regarding, are moral rights. The conclusion of Gewirth's argument for the PGC is in fact a generalized statement for the PGC, namely, that all PPAs have universal rights to their freedom and wellbeing and those rights must be respected by all PPAs.

An objection that has been raised against Gewirth's argument for the PGC is that the mere fact of needing or wanting something cannot of itself confer rights to those needs or desires. If that were so, the objection goes, there would be a proliferation of rights, since different people need and want different things: cars, washing machines, first-class travel, property, plasma TVs and so on. Accordingly, "right-claims to X cannot be logically derived from the fact that an agent needs, wants, or demands X". Examples of two specific objections that help illustrate the above general objection are expressed by W. D. Hudson and R. M. Hare respectively:

(1) But how does the mere fact that anyone insists upon having something gives him a right to it? (Hudson 1984, 127)

(2) But does it follow that one must therefore think that other persons *ought* to supply these necessary conditions, by refraining from interfering? Can I not want something, without thinking that I ought to have it? (Hare 1984, 54)

In answering this objection, namely that rights cannot be logically derived from one's needs, wants or demands, Gewirth draws our attention to two essential characteristics of his argument, which philosophers who press this objection tend to overlook. The first essential characteristic is that the needs which agents claim a right to are the necessary needs of agency, which every agent requires in virtue of being an agent, and not just any contingent needs which particular agents might have in virtue of their contingent characteristics and circumstances. The second is that the rights to freedom and wellbeing, as the necessary requirements of agency, are claimed by each agent *dialectically* from within his own internal standpoint and not ascribed to an agent assertorically. Thus from an agent's claim "I categorically need X", what follows is that the agent, from within his internal standpoint, must *logically consider* that he has a right to X. It does not follow, however, from the agent's statement "I categorically need X" that others must

hold, assertorically, from some external standpoint, that the agent has a right to X. I shall consider each point in turn.

First, it is not just any needs or wants that an agent claims rights to but the necessary conditions of action, namely, freedom and wellbeing. Of course if an agent claimed rights to anything he wanted or needed, there would be a proliferation of right-claims and Gewirth himself agrees that right-claims cannot be derived from an agent's contingent wants or needs, whatever they happen to be (Gewirth, 1978, 77). As Gewirth points out, just because someone considers that he must have a ten-speed bicycle it does not follow that he must think that he has a right to it (Gewirth 1983, 231).

Gewirth's example is interesting in that it illuminates the difference between the contingent and the necessary contents of action, a difference that is crucial to his argument. In the above example, the agent's wanting to have a ten-speed bicycle—thinking that it would be good to have such a bicycle—cannot constitute a right-claim for that agent because such a right-claim could not be independently justified. That is, there is no compelling independent rational reason in which the agent could ground his claim. So even from within his own internal standpoint, the agent could not provide *himself* with such an independent justification for deriving a right-claim from his demand that he must have the ten-speed bicycle. An independent rational justification for the agent's demand, expressed by the contingent content of the agent's statement "I must have a ten-speed bicycle", cannot be provided by the agent himself, and thus although the agent's statement does provide him with a necessary condition for making a right-claim, it fails to provide him with a sufficient condition.

Consider, by contrast, another statement made by the same agent, "I must have freedom and wellbeing". The content of this statement, in contrast to that of the previous statement about the bicycle, is not contingent but necessary, because freedom and wellbeing are the necessary conditions of action and agency which every agent must have if he is to function as an agent, irrespective of the contingent characteristics he has in virtue of being a particular historical agent. He has the necessary conditions of agency in virtue of being an agent *simpliciter* and, as a result, statements which have as their content the necessary conditions of agency, as the statement "I must have freedom and wellbeing" does, have a necessary content. It is the necessity of the generic conditions of action and agency that provide an agent with a categorical and independent rational justification for claiming a right to those conditions, which in turn provide the agent with a sufficient condition for his claiming a right to the generic goods of freedom and wellbeing.

The mistake in the above objection is to only consider the necessary condition for claiming a right, namely that an agent must consider good the thing he is claiming a right to, but overlook the sufficient condition, namely that what an agent must claim a right to is something necessary and not merely contingent. Thus what an agent claims a right to are not any contingent needs or wants, but the necessary conditions of action and agency, which provide the agent's right-claim with both a necessary condition (the agent's consideration that his freedom and

wellbeing are good), and a sufficient condition (the agent's rational recognition that he must *qua* agent have freedom and wellbeing).

Even the agent's statement "I must have a ten-speed bicycle" in Gewirth's example implies that the agent must rationally recognize that his particular wish to have a bicycle presupposes his having the necessary conditions of agency, namely, freedom and wellbeing, for without them he would not be able to fulfill his wish of owning a bicycle. Thus even the agent's contingent wish to own a ten-speed bicycle, which by itself cannot provide the ground for the making of a right-claim, does logically imply that the agent must rationally consider that he must, at least implicitly, claim a right to his freedom and wellbeing, since these are the necessary requirements of agency which would enable him to fulfill his wish. The right-claim which the agent must make *qua* agent attaches not to his contingent wish of owning a bicycle, but to the necessary conditions of his agency, namely, freedom and wellbeing.

Another objection⁴ that relates to the one just considered is that an agent who values her particular purposes more than the purposes of other agents is not involved in any logical contradiction. Moreover, it is natural for agents to value their own purposes more than those of other agents.

This objection involves a similar mistake as the earlier objection examined above. For Gewirth's argument does not preclude people valuing their own purposes more than those of other agents. It is in fact compatible with them doing so. For the logical force of the Principle of Generic Consistency as a basis for having rights, attaches not to the specific contingent purposes that individual agents have but rather to the *conditions of action necessary* for the pursuit and fulfillment of those purposes, namely, freedom and wellbeing.

3.2 The Rights of Informational Agents

Applying the PGC to information, we can now make the further argument that information generally and information specifically, must not be disseminated in ways that violate informational agents' rights to freedom (FR) and wellbeing (WB), individually or collectively, (Negative Rights). Moreover, information must as far as possible be disseminated in ways that secure and promote the informational agents' rights to FR and WB (Positive Rights). Conceived as the Fourth Estate, this places a significant and important responsibility on the disseminators of information in the media, especially journalists, both offline and online.

For example, certain media practices such as *media release journalism* (Simmons. P and Spence, E.H., 2006), which misleadingly and deceptively disseminate media release information produced by Public Relations professionals and presented as objective and independent information through print or broadcast media sources (newspapers, television and radio) as "news" without any disclosure that these so called "news stories" are sourced from media releases

⁴ I am grateful for this observation to one of the reviewers of this paper.

produced by PR professionals on behalf of their clients, often verbatim and sometimes with the journalists' bylines attached to them, are ethically objectionable. They are so, because they are designed to deceive and do deceive the public by stealth, sometimes in collusion with journalists and government representatives. Moreover, these practices constitute corruption for they are conducive to the corruption of the informational processes and products that are essential for informing citizens on matters of public interest in an objective, truthful and fair manner (Spence, E. 2009 and 2005; Quinn, A. and Spence, E. 2007; Miller, S., Roberts, P. and Spence, E. (2005); Spence, E. and Van Heekeren, B. 2005).

Such practices, which once appeared only in the old corporate media (newspapers, television and radio), have increasingly become more prevalent on the Internet, for example, in blogs. Media deception is demonstrably unethical on the basis of the PGC because it can actually or potentially at least violate the rights to freedom and wellbeing that people have generally as agents and specifically, as citizens that require accurate, reliable and trustworthy information on matters of public interest. More generally, media deception through collusion by PR professionals, journalists and government representatives, violate all citizens' rights to freedom and wellbeing collectively by undermining the democratic process itself that requires the truthful, fair and objective production and dissemination of information on matters of public interest. It is partly for that reason that media control is sought and exercised by totalitarian regimes, such as those in China and Iran for example, that do not want their citizens to be well informed.

3.3 Interim Conclusion

Information generally can be epistemologically and ethically evaluated in a dual manner: First, *internally* by reference to its inherent normative structure. That structure by virtue of information having to be true and through the normative role that truth and truthfulness play in the dissemination and communication of information commits its disseminators, to mandatory and obligatory ethical and epistemological norms. This is especially true of professional communicators (Journalists and PR Consultants, for example, on-line and off-line). Secondly, insofar as the ethical values to which the inherent normative structure of information gives rise require that the informational agents' rights to F and WB should be respected, secured and promoted with regard to the dissemination and communication of information, those values are also mandated by the PGC and thus information can also be *externally* evaluated by reference to the PGC. *Expressive Information* can also be evaluated either internally or externally or both, in this way. For example, *identity theft* on the Internet is morally wrong both because it is untruthful (internal evaluation) and because it can cause harm (external evaluation).

Adding the two normative elements together, we can therefore now conclude that *information as disseminating and communicative action* is doubly normative. Once, by way of the inherent structure of information, that endows the

communication of information with both epistemological and ethical normative constraints and affordances, and twice in virtue of the normative structure of action, which requires that the foundational rights of informational agents to freedom and wellbeing be respected. Because the sources of the dual normativity of information are at once foundational and universal, the application of the normative commitments that *informational action* in the form of dissemination and communication of information gives rise is global.

4. Information as Communication

In *The Open Work* (1989) Umberto Eco makes a very interesting and I think importantly pertinent comment to the present concerns of this paper. He claims that,

“It would indeed be possible to show that the mathematical concept of information cannot be applied to the poetic message, or to any other message, because information... is a characteristic of the *source* of messages: the moment this initial equiprobability is filtered, there is selection and therefore order, and therefore meaning.... The objection is perfectly correct if we consider information theory only as a complex of mathematical rules used to measure the transmission of bits from a source to a receiver. But the moment the transmission concerns *information among human beings* [added emphasis] information theory becomes a theory of communication...” (1989:66)

Given the space constrains of this paper I will not be able to offer but the briefest analysis of Eco’s insightful and promising comment. Eco’s comment is insightful and promising because it points in the same conceptual analytical direction of the present paper. That is to say, it clearly articulates what this paper only implicitly suggests that with regard to *information among human beings information theory becomes a theory of communication*.

As a point of departure from Eco’s penetrating comment, the present paper further and with some novelty argues moreover that information theory as a theory of communication commits its disseminators to certain epistemological and ethical norms by virtue of its dual normative structure: firstly, because being a teleological orientated activity in its own right that *aims* at truth or truthfulness (has as its *telos* or *goal* truth or truthfulness), information as communication has an inherent normative structure that universally commits all its disseminators to both epistemological and ethical normative standards; and secondly, information as a form of communication among informational agents universally commits all informational agents to the respect of the rights of freedom and wellbeing of all informational agents. This as we saw above requires that information must not be abused and misrepresented in the form of different types of misinformation in ways that violate those rights. Such purposeful misinformation constitutes under certain conditions, a form of *corruption*: the corruption of information as a process and product of communication (Spence, E. 2009 and 2005).

5. A Fundamental Moral Right to Information and the Duty of Knowledge

In an influential and persuasive article, K.E. Himma (2004) examines the question whether persons have a fundamental moral right to information and knowledge by examining whether information qua information has either an instrumental or intrinsic value that can generally, in all circumstances, confer a moral right to it and thus serve as a unique foundation for information ethics. As he puts it, his attempt is “to determine whether we have a general fundamental moral right to information that serves as a unique foundation for information ethics” (2004, 192). His main claim is that his thesis

“does imply that our interest in information *per se* [either instrumentally or intrinsically] do not provide a unique foundation for information ethics. To the extent that our rights to information are derived from other more basic rights, whatever ethical theory adequately explains those *rights* will be adequate to explain out derived rights to information...while our interest in particular information might rise to the level of an entitlement, the thesis here is simply that there is no general fundamental moral right to information that serves as a unique foundation for information ethics. ..Accordingly, the task of providing a comprehensive, plausible theoretical analysis of our information rights will be a complex and nuanced undertaking. ...” (2004, 192).

Himma (2004) correctly argues that since people’s interests in information vary greatly in both content and context, information has neither instrumental nor intrinsic value *per se* but is only valuable, either intrinsically or instrumentally, insofar as it coincides or promotes the contingent and varying interests of individual agents. He rightly states that whilst people in the future might come to value all information simply because of its informative nature, that is, as information qua information, we at present “are not those people” (199). He concludes that

“while this implies that there is no moral right to information that is *both* general and fundamental – i.e., that there is no fundamental right to information *per se* – it does not imply that we have no moral right, general or otherwise, to information” (2004, 201).

I believe, with some degree of modesty and moderation, that the dual normative model of information that I have argued for in this paper does provide if not a comprehensive analysis then at least a structure for a theory of information ethics that both explains and accounts for our individual and collective rights to information. Those rights are derived from the dual inherent normative structure of *informational action* both in the modes of dissemination and communication.

Lorenzo Magnani (2007, 103-104) who cites his agreement with Himma’s thesis that information *per se* lacks both instrumental and intrinsic value

correctly draws our attention to what he calls “knowledge as duty” (2007, 93-127); this is also the term used for the subtitle of his book (2007). The dual normative model of information defended in this paper lends support to Magnani’s insightful and novel thought by showing that (a) both individually and collectively as a society we have a *duty of knowledge* to only disseminate and communicate *true* information, that is, information that neither constitutes misinformation nor disinformation; and (b) we have a *duty of knowledge* to secure the rights that people have to information with regard to the protection and promotion of their individual rights to freedom and wellbeing, as well as the collective of those rights as a society. Once, again the crucial role of the media, both new and old is crucial to the duty of knowledge that the media owes to citizens, in their role as professional disseminators and communicators of information to the public.

Misinformation or disinformation by omission or commission concerning our vital and fundamental interests as a society (government, health, defense, education, science and technology, sport, among others) which can impact negatively on both our individual and collective freedom and wellbeing is thus a paramount moral wrong and under appropriately described circumstances, can constitute corruption – that is, the corruption of the role of the media of informing and imparting knowledge on matters of public interest (Spence 2009 and 2005).

6. Conclusion

Beginning with the initial premise that as the Internet has a global character, the paper argued that the normative evaluation of digital information on the Internet necessitates an evaluative model that is itself universal and global in character.

The paper then proceeded to show that information has a dual normative structure that commits all disseminators of information to both epistemological and ethical norms that are universal and global in their scope and application. Based on the dual normative structure of information the paper sought to demonstrate that (1) information and internet information specifically, has an inherent normative structure that commits its disseminators to certain mandatory epistemological and ethical commitments; and (2) that informational agents have universal rights to freedom and wellbeing that renders the negligent or purposeful abuse of information in violation of the epistemological and ethical commitments to which it inherently gives rise, both epistemologically and ethically objectionable. Thus information as communicative and disseminating action is doubly normative in virtue of both the normative structure of information as well as the normative structure of action.

Using Umberto Eco’s insightful comments that with regard to information among human beings information theory becomes a theory of communication, the paper was further able to confirm Eco’s claim that information theory among human beings becomes indeed a theory of communication. It does so by demonstrating that when information becomes communication, as it must with regard to informational practices among human

agents, it unavoidably and universally gives rise to both epistemological and ethical commitments.

Finally, on the basis of Himma's thesis (2004), namely, that there is no general and fundamental right to information per se the paper, in agreement with Himma, showed that we can have rights to information that are derivable from other more general and fundamental rights. In this paper, those rights, argued for on the basis of the dual normative structure to informational action are (a) the right to the dissemination and communication of information that is true and truthful; and (b) the right (negative) to the dissemination and communication of information that will not by commission nor omission violate our rights to freedom and wellbeing; and in addition, the right (positive) to the dissemination and communication of information that secures and promotes our rights to freedom and wellbeing. This, in turn, is in keeping with Magnani's insight (2007) to the effect that knowledge as duty requires us to communicate and disseminate information that neither violates the normative structure of information nor the normative structure of action. Thus, as a result of the dual normative structure of information we have both as individuals and collectively as a society a duty of knowledge. And that duty is universal.

References

- Beyleveld, Deryck (1991) *The Dialectical Necessity of Morality: An Analysis and Defence of Alan Gewirth's Argument to the Principle of Generic Consistency*. Chicago, University of Chicago Press.
- Dretske, Fred (1999) *Knowledge and the Flow of Information*. Stanford, CSLI Publications.
- Eco, Umberto (1989) *The Open Work*, translated by Anna Cancogni. Cambridge, MA., Harvard University Press.
- Floridi, Luciano (2005). Is Semantic Information Meaningful Data? *Philosophy and Phenomenological Research*, Vol. LXX, No. 2.
- Gewirth, A. (1998) *The Community of Rights*. Chicago, University of Chicago Press.
- _____ (1978) *Reason and Morality*. Chicago, University of Chicago Press.
- Gorniak-Kocikowska, K. (1996). The Computer Revolution And the Problem of Global Ethics. *Science and Engineering Ethics*, April 1996.
- Hare, R.M. (1984). Do Agents Have to be Moralists? In Edward Regis Jr. (ed.) *Gewirth's Ethical Rationalism: Critical Essays with a Reply by Alan Gewirth*. Chicago: University of Chicago Press, pp. 52-58.

Himma, K.E. (2004) The Moral Significance of the Internet in Information: Reflections on a Fundamental Moral Right to Information. *Information, Communication and Ethics in Society*, 2: 191-202.

Hudson, W.H. (1984). The "Is-ought" Problem Resolved? In Edward Regis Jr. (ed.) *Gewirth's Ethical Rationalism: Critical Essays with a Reply by Alan Gewirth*. Chicago: University of Chicago Press, pp. 108-27.

Magnani, L. (2007) *Morality in a Technological World: Knowledge as Duty*. Cambridge: Cambridge University Press.

Miller, S., Roberts, P., & Spence, E. (2005) *Corruption and Anti-corruption: An Applied Philosophical Approach*. Upper Saddle River, NJ, Pearson/Prentice Hall.

Quinn, A. and Spence, E. (2007) Two Dimensions of Photo Manipulation: Correction and Corruption. Melbourne: *Australian Journal of Professional and Applied Ethics*.

Simmons, P. and Spence, E. (2006) The Practice and Ethics of Media Release Journalism. *Australian Journalism Review*, volume 28(1), July 2006, pp.167-181.

Spence, E. (2009) Media Corruption, *International Journal of Applied Philosophy*.

_____ (2006) *Ethics Within Reason: A Neo-Gewirthian Approach*. Lanham, Lexington Books (a division of Rowman and Littlefield).

_____ (2005) Corruption in the Media. In Jeanette Kennett (Ed.), *Contemporary Issues in Governance: Proceedings of the GovNet Annual Conference*, Melbourne, Monash University, ISBN 0-7326-2287-5.

Spence, E. & Van Heekeren, B. (2005) *Advertising Ethics*. Upper Saddle River, NJ, Pearson/Prentice Hall.