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The Analysis of the Essence on the Information Society in the Legal and Philosophical Context

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Mychailo V. Kostytsky *

Nataliia V. Kushakova-Kostytska **

Ivan V. Serdiuk ***

Oleg I. Gvozdik ****

Oleg V. Pavlyshyn *****

Abstract

This article analyzes the main conceptual approaches to understand a new type of information society. The methodology used in terms of intellectual operations to process information combined the dialectical method, historical method, comparative method, systemic and functional method, formal and logical method. The formation of the information society is the result of the new global social revolution that is based on the explosive nature of development and the convergence of information and communication technologies. It is a knowledge society, where the main condition for the well-being of each person and each state is the knowledge acquired due to free access and the ability to work with information. By way of conclusion, everything indicates that the main value of the information society is the formation of open access information spaces that improve the quality of life and human capacities, and promote the development of open societies.

Keywords: information society; network society; knowledge society; communicative society; information policy.

* Doctor of Legal Sciences, Academician of the National Academy of Legal Sciences of Ukraine, Professor of the Department of Philosophy of Law and Legal Logic of the National Academy of Internal Affairs, Ukraine. ORCID ID: <https://orcid.org/0000-0002-2093-251>. E-mail: post@naiau.kie.ua

** Doctor of Legal Sciences, Professor of the Department of Philosophy of Law and Legal Logic of the National Academy of Internal Affairs, Ukraine. ORCID ID: <https://orcid.org/0000-0002-1116-4751>.

*** PhD in Law, Lecturer of the Department of Philosophy of Law and Legal Logic of the National Academy of Internal Affairs, Ukraine. ORCID ID: <https://orcid.org/0000-00024309-0347>.

**** Doctor of Philosophical Sciences, Professor of the Department of Philosophy of Law and Legal Logic of the National Academy of Internal Affairs, Ukraine. ORCID ID: <https://orcid.org/0000-0003-3146-2120>.

***** Doctor of Legal Sciences, Professor of the Department of Philosophy of Law and Legal Logic of the National Academy of Internal Affairs, Ukraine. ORCID ID: <https://orcid.org/0000-0001-9444-4734>.

El análisis de la esencia de la sociedad de la información en el contexto legal y filosófico

Resumen

Este artículo analiza los principales enfoques conceptuales para comprender un nuevo tipo de sociedad de la información. La metodología utilizada en términos de operaciones intelectuales para procesar la información combinó el método dialéctico, método histórico, método comparativo, método sistémico y funcional, método formal y lógico. La formación de la sociedad de la información es el resultado de la nueva revolución social global que se basa en la naturaleza explosiva del desarrollo y la convergencia de las tecnologías de la información y la comunicación. Es una sociedad del conocimiento, donde la condición principal para el bienestar de cada persona y cada estado es el conocimiento adquirido debido al libre acceso y la capacidad de trabajar con la información. A modo de conclusión todo indica que, el principal valor de la sociedad de la información es la formación de espacios de información de libre acceso que mejoren la calidad de vida y las capacidades humanas, y promuevan el desarrollo de sociedades abiertas.

Palabras clave: sociedad de la información; sociedad de red; sociedad del conocimiento; sociedad comunicativa; política de información.

Introduction

The term “information society” is widely used in sociology, futurology and globalism today. It is used to identify some crucial changes in modern society for human life, caused by the intensification of information flows in it on the basis of the development of information and computer technology.

Information society is a sociological concept of post-industrial society; it is a new historical phase of the society development, in which the production, use and consumption of information becomes a defining way of activity in all spheres of social life (economy, politics and culture). The peculiarity of this type of society is the crucial role of information and communication technologies (ICT), the production of information and knowledge, so quite often the concept of “information Society” in the economic sphere is supplemented by the concept of “knowledge economy”. The essential aspects of the information society are: the growing role of information, knowledge and information technology in society; a significant number of people involved in information technology and

communications, a large share of production of information products and services in GDP (according to some international indicators, more than half of GDP); wide informatization of society with the use of radio, television, Internet (global telecommunication network of information resources), traditional and electronic media; creating a global information space that provides effective information and communication interaction of people, their access to global information resources, as well as meeting the needs of information products and services.

The information revolution taking place in modern society is associated not only with the formation and development of global information and telecommunications networks, but also with the radical transformation of individual's life, society and State. There are qualitatively new opportunities for socialization of an individual in the information society, access to the accumulated knowledge of mankind, public administration reform based on the formation of e-government and the implementation of State information policy to ensure openness and transparency. All these processes are summarized in socio-philosophical, economic, political concepts, generally accepted principles and norms of international law, during the formation of public policy. At the same time, the diversity of approaches to understanding the essence of the information society, the lack of a single terminological basis necessitates the study of the genesis and institutionalization of this category. The purpose of the study is to analyze the main conceptual approaches to defining the concept of information society and its essential components.

1. Methodology

Research methods are based on methodological tools, conceptual approaches developed by legal science.

The research was carried out on the basis of philosophical, general scientific and special scientific methods.

In particular, the dialectical method allowed to analyze the dynamics of the information society, to reveal the basic patterns of its formation, as well as the factors influencing the process of its functioning.

The historical method was used in studying the genesis of the information society, as well as the process of its transformation. This approach also allowed to predict the prospects for its further development.

The comparative method helped to explore and to compare international and universal, international and regional, as well as national models of legal regulation of the information society. Using this approach, the possibility of adapting national legislation to European standards was analyzed.

The systemic and functional method was useful in considering the information society as a holistic system consisting of certain components, which, in turn, are the part of more complex structure associated with more complex system – the system of society. The use of this method allowed to focus on the national characteristics of the information society.

With the help of the formal and logical method, a conclusion was made on the formation of the basic concepts of the content of the information society.

2. Literature review

The first attempts to analyze the impact of informatization of human activity on public life were made in the early 1960's by the American researcher F. Machlup (1962). He, in particular, conceptually highlighted professional activities related to the production and practical implementation of knowledge and information, among other forms of professional activity and, based on certain qualitative criteria for such separation and simplified economic calculations, tried to determine what part of US GDP is generated in the “knowledge industry”. His research has led him to argue that creating “cheap, reliable, fast, and publicly available information” will have “as powerful consequences for the society as the invention of electricity”.

The futurists became interested in the problems of informatization in the 1970's, but not only in production, but in public life in general. Understanding these problems, the American sociologist D. Bell (1974), in particular, concluded that “new decision-making technologies” will come to the forefront of social life in the nearest future and the main “social actors” will be professional technocrats who will operate with knowledge and information. This will lead to a qualitative change in society – its entry into the “information age”. After the publication of the book by J. Naisbitt “Megatrends” (1984), the term “information society” became generally accepted. Since then, one of the main issues that have become central in the discussions about the information society as such is the issue of the change in the status of an individual in a social life. Decentralization of communications strengthens the communication potential of the individual and causes, in particular, the virtualization of his (her) physical presence at the work place or in any other place, which can lead to a crisis of his (her) social identity.

A new stage in the development of the concept of “information society” was the development of the concept of “network society” (Castells, 1996), which focused on the fact that, firstly, the development of the society in the future will depend less on physical resources, and secondly, the widespread

use of information and computer technology will lead to fragmentation of social time, which can be either further accumulated through augmentation of information, or wasted because of active but ineffective communication.

The critic of information society theories, in particular F. Webster (2014) notes that information and computer technology is a non-social phenomenon, and therefore they cannot change the foundations of the society. He also argues that the concepts used by the supporters of the information society theory are vague and their quantitative calculations are unreliable. According to the view of Webster the supporters of this idea have not developed a clear categorical apparatus that would allow them to distinguish between those employees who deal with the information itself as such, and those who only use information equipment. This means that counting the number of “information workers” does not provide the understanding the real social hierarchy and the associated power.

The study of the process of entry of human civilization into a new stage of development, i.e. the stage of the information society, is reflected in the scientific works of domestic scientists, who have developed their own approaches to defining the essence and outlining the problems of the information society. Among them are: I. L. Bachylo (2001), D. V. Dubov (2010), A. V. Kolodiuk (2004), O. M. Seleznova (2013), O. Vorobiova (2010), etc.

3. Results and Discussion

The emphasis on the role of technological progress and systematization of theoretical knowledge as the decisive factors in the formation of new society naturally led to the emergence of theories, in which these factors appeared not only as systematically important, but also as the solely noteworthy features of modern society. The recognition of the decisive role of information and knowledge in public life contributed to the consolidation of the concept of “information society”.

There are various directions and trends that focus on various aspects of social relations and its social prospects within the ideology of the information society. The most developed is the concept of information society by M. Castells (1996, p. 243), which he outlined in his three-volume work “Information Age: Economy, Society and Culture”. The study provides a thorough analysis of the role of information in the modern era; in particular, the theory of network society was developed. The author does not use the usual terminology, noting that the term “information society” only emphasizes the role of information in society. In his view, information as a transfer of knowledge in the broadest sense of this word was important

in all societies, including medieval Europe. The term “information” in the work of the philosopher indicates an attribute of a specific form of social organization, in which the generation, processing and transmission of information have become fundamental sources of productivity and power due to new technological conditions. Social and technological forms of social organization cover all spheres of activity, starting on the dominant ones and ending with the objects of everyday life in this type of society.

The concept of network is one of the M. Castells’ key concepts. According to him, modern capitalism is organized on the model of the Internet – a global information network that covers all countries, regardless of political and State borders. The basic structural model of social interaction in such a society is a network project created not by a separate group, but by network members. Everything is decided by information and the control over it: “In a new, informational way of development, the source of productivity is available in the technological generation of knowledge, information processing and symbolic communication. Specific for the information method of development is the impact of knowledge on their own knowledge as the main source of productivity” (Castells, 1996: 39). However, the main feature of the network society is not even information or knowledge, but a change in the way of their use, as a result of which global network structures become particularly important in peoples’ lives, displacing previous forms of personal and material dependence. M. Castells emphasizes: “Not all social dimensions and institutions correspond to the logic of a network society, just as industrial societies have been including numerous pre-industrial forms of human existence for a long time. But all societies of the information age are really permeated (with varying intensity) by the ubiquitous logic of the network society, whose dynamic expansion gradually absorbs and subdues previous social forms” (Castells, 1996: 505).

The dynamism of the social structure of the network society, its global nature, caused by financial markets and information flows, makes it a system that is constantly expanding, penetrating in all communities in different ways and with different intensity. According to M. Castells, network society is not a model of success, it is rather a general characteristic of the new social structure. He argues that the centralized decision-making system from the metropolis to the periphery gives way to the networks based on the principles of decentralization and joint coordination of self-programmed and self-directed entities (Castells, 1996: 163).

Network organizational principles are used not only by transnational corporations, but also by States, as they develop in conditions of dependency on macroeconomic factors. A thorough study of industrial society is presented in the work of British sociologist F. Webster “Theories of the Information Society”, in which the author tries to analyze both the advantages and disadvantages of the concepts of the information society.

He notes that, despite the differences in views, interpretive schemes, attention to certain aspects of society, all researchers acknowledge the importance of information and information technology, their special role in the modern world. The researcher identifies six main criteria for characterizing the information society: technological, economic, spatial, cultural and qualitative. The basic principle of the first five criteria is the belief that quantitative changes in the area of information lead to the emergence of a qualitatively new type of social system – the information society. F. Webster formulates a new definition of this phenomenon, which is based on a qualitative criterion, due not to the fact that “there is much more information in the modern world, its nature has changed the image and lifestyle of people” (Webster, 2014: 7-14).

A similar approach assumes that the basis of modern human behavior is theoretical knowledge and information. F. Webster also believes that in such a society the key are the humanistic principles of society, based on the transparency of government, universal access to information, democratic public decision-making. Many researchers, paying attention to the philosophical and legal issues of the information society, argue that it will present a new system of regulation of social relations – responsible self-regulation as a more complex form of control of socially significant actions, which will not have direct directive management inherent in positive law.

The information society, based on the recognition of the unconditional importance of each of its participants, denies directive management, which pre-limits the interaction of government administrative inequality, suppressing freedom, natural movement and the formation of the information space. M. K. Mamardashvili (1994: 53) emphasizes that the transition to the new level of socio-legal development is possible only in case of awareness of the law by the object, which, accordingly, forms a mindset to “refusal to recognize the existence of a certain world with ready laws and essences” on the basis of the realization that “something cannot be predicted in the form of law, but can only be established as law”. According to Mamardashvili’s concept, it is necessary to radically change the mental attitude to the law as a presumed punitive force, operating in the format of “power – subordination” in order to solve this problem. The awareness of the deep foundations of legal phenomena allows to highlight the regulatory, rather than protective, function of law, which is the feature of the information society.

In this context, I. Bachylo’s (2001) view on the information society as the most organized social system, which provides not only intensive circulation of information, but also a higher degree of regulation of these relations, including the necessary restrictions in this area that can be ensured primarily through legal basis, is quite reasonable.

Ukrainian researcher N. B. Novytska (2012) emphasizes that the formation of the information society is also based on humanitarian and legal components in addition to the technological component. This approach is especially important given the study of legal issues of the global information society.

Theoretical and practical aspects of the creation and development of this society, its current trends and dominants, challenges and threats are now actively explored by domestic scientists. Thus, considering the origins of the information society, M. Zghurovskyi (2005) identifies three periods (concepts) of its development at the turn of the 20th–21st centuries: communication, information and knowledge society.

It is worth noting that there was a transformation of important information for people in digital form, the creation of archives for its preservation, its transmission over long distances using new technology, as well as the development of the global computer network Internet” in the communication society of the 80’s – early 90’s. Information became a commodity that could be sold and bought in the information society of the second half of the 1990’s. At the same time, it has not yet become knowledge; it has not acquired a personal dimension.

Information and communication technologies must be truly combined with the human, creative component in a knowledge-based society. Considering the concept of informationalism, A. Kolodiuk (2004: 18) notes: “Examining the theory of information society as a paradigm of social development, one can say that it in some way combines all the best achievements of mankind, gave impetus to positive changes in all other non-technical spheres of human life, and became the basis for the development of human potential, the widest possible realization of civil rights and freedoms of an individual, by setting the related relations to a whole new level of existence”.

At the same time, O. Vorobiova (2010) draws attention to the fact that the problems of the information society in Ukraine were initially formulated within various cybernetic theories. The researcher notes that the information society “provides a comprehensive and organic human development, creates the necessary conditions for spiritual progress, ensures the accumulation of national human capital as the basis for the development of a new type of social organization”.

In determining the essential features of the information society, O. Seleznova (2013) concludes that it is not a permanent concept, as now only “it is only possible to observe its formation, because the characteristics of the information society are just being formed”.

Domestic scientists consider the formation of an open information society to be one of the priority goals of Ukraine. The process of forming

such a society in Ukraine from information secrecy to the presumption of information openness is quite complex in situations of transition. It is obvious that our State is only at the beginning of this process and does not keep pace with the developed countries of the world. Thus, a number of researchers note that “the informational society, unfortunately, in many respects remains just a popular slogan from the lexicon of European declarations rather than real practice for the countries similar to modern Ukraine, which are still in a state of civilizational uncertainty”. This assessment is explained by the fact that in progressive countries the information society is defined as: “A humanitarian category that describes qualitative social transformations, shifting the emphasis from productive to non-productive spheres, changing the nature of information flows, group and individual identities” (Dubov, 2010: 20).

Public policy focuses on doctrinal approaches, which help to control social changes caused by telecommunications technology in information-developed countries. We have previously noted that the Internet in Ukraine is one aspect, and the promotion of its development through the creation of appropriate legislation and certain measures by the government and other public authorities is a completely different aspect (Kushakova-Kostytska, 2003).

An important problem in the development of the information society in Ukraine is that the State does not play a leading role in this process: institutional instruments for implementing public policy are ineffective. One of the measures to overcome this situation is the Law of Ukraine “On the basic principles of information society development in Ukraine for 2007 – 2015”, the content and philosophy of which generally meet the needs of Ukrainian society and the State.

The Law defines the essential features of the information society: transparency, focus on the interests of people, free access to information, knowledge, realization of human potential, social and personal development, improving the quality of life. This definition is broadly in line with the Declaration of Principles of the Information Society, first published in Gazette (2004), which highlights the following basic principles of the society: freedom of expression, quality education for all, universal access to knowledge and information, respect for cultural and linguistic diversity.

The UNESCO concept also focuses “not on global uniformity, but on liberating diversity, pluralism and universal participation”. The point is that new technologies open up considerable opportunities for accelerating development, promote the active participation of people in the management of society. The foundation of a new type of society should be respect for human rights and fundamental freedoms, in particular freedom of expression. The Declaration of Principles defines the general vector of many theoretical ideas and political aspirations of representatives of different

countries, reflecting a set of philosophical, socio-political, sociological, cultural and technological ideas about the future of the information society. This document is designed to become the basis for the formation of the fundamentally new information policy that will take into account not only technical and technological aspects of the problems of the information society, but also the humanitarian ones.

The information society as a constructive idea for the implementation of a set of civilizational transformations began to be actively used to initiate government programs around the world, but the ways to realize the potential of such a society in different countries acquire specific features.

This happens for certain reasons. Any sovereign State independently determines the strategy of its own development in general and the policy of development of individual spheres of activity, taking into account the need to realize national interests and goals. Thus, the concept of the global information society is a set of national concepts to enter the global information and communication space, which takes into account the cultural identity of each nation.

A State striving for equal integration into the global information space should develop and gradually implement an effective national information policy, which should be recognized as a priority of public administration to ensure the transition to the information society. It should be noted that Ukraine has currently developed a certain legislative and legal framework in the area of information society (regulations, national programs, ratified international documents).

The key areas of implementation of the information society development strategy in Ukraine within the current legislation are:

- accelerating the development and implementation of the latest competitive information and communication technologies (ICT) in all spheres of public life;
- ensuring computer and information literacy of the population;
- development of national information infrastructure and its integration into the world infrastructure;
- State support for new “electronic” sectors of the economy;
- creation of national information systems;
- preservation of the cultural heritage of Ukraine through its electronic documentation;
- State support for the use of the latest ICT in the media;
- the use of ICT to improve public administration, relations between

the State and its citizens, the formation of electronic forms of interaction between public authorities and local governments, individuals and legal entities;

- effective participation of all regions of the country in the processes of formation of the information society;
- protection of the information rights of citizens regarding the availability of information, protection of personal information;
- improvement of legislation regulating information relations;
- improving information security, etc.

According to L. Perevalova (2012), the difficulties of this project are related to “insufficient technical base, complex financial support of this process, inadequate legislative support, as well as lack of thorough research on the process of forming the information society and its components taking into account the best foreign experience”.

Conclusions

The researchers identify a number of key issues in the process of formation of the information society in Ukraine. These are, first of all, ineffective system of State regulation of media space, lack of unified view on the further development path, insufficient information presence of Ukraine in global media space, information dependence on foreign States and media structures, unsatisfactory condition of cable broadcasting network, outdated technological equipment of Ukrainian TV and radio companies, underdevelopment of the newest means of communication, monopoly of cable broadcasting, extremely slow transition to digital broadcasting, market anarchy of telecommunications networks and computerization, unregulated training and employment of IT specialists within the State, insufficient number of government programs related to the formation of the information society (Nesteriak, 2014).

The information society as a certain stage of the development of human civilization aims to give an opportunity to the society to create a tool for effective solution of their problems by qualitatively new means. The information society is a society of a new type, the formation of which occurs as a result of a new global social revolution, which provides for the accelerated development and convergence of information and communication technologies; a knowledge society, in which the main condition for the well-being of each person and each State is the knowledge gained through free access and the ability to work with information; a

global society, in which the exchange of information is not hindered by temporal, spatial or national borders; a society that, on the one hand, promotes the interpenetration of cultures and, on the other hand, provides new opportunities for self-realization.

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