

1. Record Nr.	UNINA9910734389403321
Titolo	Digital ethics : the issue of images // Thomas Dreier and Tiziana Andina, editors
Pubbl/distr/stampa	Baden-Baden, Germany : , : Nomos Verlagsgesellschaft, , [2022] ©2022
ISBN	3-7489-3401-7
Edizione	[First edition.]
Descrizione fisica	1 online resource (426 pages)
Collana	Bild und Recht - Studien zur Regulierung des Visuellen ; ; Volume 11
Disciplina	340
Soggetti	Intellectual property Digital images Law
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Nota di contenuto	Cover -- Part 1 From Drawings to Deep Fakes - Some Introductory Remarks -- Chapter 1 Images, Technology, Ethics and Law - An Intricate Relationship -- I. Digital Ethics - The Issue of Images: An Introduction -- 1. Defining the issue -- a) What is to be understood by digital image ethics? -- b) Changes brought about by digital and networking technologies -- 2. Issues of digital image ethics -- a) Practical level -- b) Semantical level -- 3. Method and aim of the book -- a) Questions to be asked -- b) Consequential ethics -- 4. Law and ethics -- II. The Contributions of This Book -- 1. Transalpine considerations -- 2. The parts of this book -- 3. The contributions in detail -- a) The ethical framework -- b) Images, art and society -- c) Binary encoding and artificial intelligence: The dissolution of the visual object -- d) Technology, ethics and legal norms -- e) Ethics and fundamental rights -- References -- Chapter 2 From Goethe's Italian Journey to Transalpine Online Navigation - Narrative Changes and Transnational Stereotypes -- I. Preface -- II. "Travelling" as a Medium of Communication and Discovery -- III. Letters, Circulars, and Broadcast Chains -- IV. How We Participate in Foreign Life -- V. The Power of the "Image" -- VI. Conclusion -- References -- Part 2 Ethical Foundations -- Chapter 3 Digital Image Ethics - How it Could be Pursued and What It Might Have to Say -- I. Introduction -- II. Digital

Ethics Today: A Snapshot -- III. Ethics: Challenged by Both a Problem of Justification and a Problem of Application -- 1. The problem of justification -- 2. The problem of application -- IV. The Possibility of Applied Ethics -- 1. The need for applied ethics -- 2. Applied ethics is different from everyday moral judging -- 3. The "seat in life" of applied ethics -- V. The Task of Digital Image Ethics.

VI. What Digital Image Ethics Might Have to Say: Three Examples -- 1. The Principle of Unconditionally Permissible Use of all Vocabulary of a Visual Language -- 2. The Principle of the Legitimacy of Taking Photographs in Museums -- 3. The Principle of Prohibiting Deception by Manipulated Photographs -- References -- Chapter 4 Form and Norm in Pictures -- References -- Part 3 Images, Art and Society -- Chapter 5 Who Cares About Privacy? - The Documedia Surplus Value -- I. Prologue: The Virus and the Web -- II. Privacy, Post-Truth, and Documedia Surplus Value -- III. From the Superstructure to the Structure -- 1. Quantity: big data -- 2. Quality: rich data -- 3. Relation: secret data -- 4. Modality: real data -- 5. The unfair exchange -- IV. Epilogue: Objections and Answers -- References -- Chapter 6 Immersive Artistic Forms - What They Are and How to Identify Them -- I. Introduction -- II. Technology -- 1. Knowledge -- a) Planning -- b) Processing -- 2. Practices -- a) Dispositions -- b) Reality -- III. Metaphysics -- 1. Structures -- a) Forms -- b) Hybridizations -- 2. Immersivity -- a) Interaction -- b) Identification Criteria -- IV. Conclusion -- References -- Chapter 7 From Works to Living Means of Communication - The Digital Image and the 'Iconic Turn' -- I. The Democratization of the Image Tools -- II. From Analogue Images to Forms of Orality -- III. Aby Warburg's "Pathosformeln" -- IV. Selfies and Emojis -- V. The Vivification of the Images: Memes -- VI. The Application of Social Media Tools to Classical Artworks -- VII. ...and The Future? - Consequences for Authorship and Copyright -- References -- Chapter 8 Fairness Aspects of Techniques of Referencing Cultures -- I. Referencing as a Cultural Phenomenon -- II. The Importance of Referencing Cultures -- 1. Historical use of referencing and appropriation -- 2. Appropriation art. 3. Referencing as a medium of communication -- III. Under German Copyright Law -- 1. Consent pursuant to 23 (1) sentence 2 UrhG -- 2. Citation according to 51 UrhG -- 3. Caricature or parody according to 51a UrhG -- 4. Pastiche according to 51a UrhG -- a) A broad understanding of pastiche in the Explanatory Memorandum to the German Act implementing the DSM-Directive -- b) A narrow understanding of pastiche -- c) Pastiche does not achieve a systemic change -- V. Concluding Remarks -- References -- Chapter 9 Towards a New Ethic: Building Transgenerationality - Digital Images to Orient the Future -- I. Digital Images -- II. The Transgenerational Bond -- III. Transgenerational Actions -- IV. Transgenerational Images -- References -- Chapter 10 Iconoclasm and Iconoclash - The Digital Restoration of the Movement-Image -- I. Iconoclasm as a Means of Innovation and Reappraisal -- II. Iconoclasm and Iconoclash -- III. Digital Preservation and Restoration -- IV. Provisional Conclusion -- References -- Part 4 Binary Encoding, Artificial Intelligence and the Dissolution of the Visual Object -- Chapter 11 Semioethics of the Visual Fake -- I. The Intimate Nature of the Visual Fake -- II. The Visual Fake, Technology, and Evolution -- III. Conventionality and Motivation in the Technology of the Visual Fake -- IV. The Third Way of Semiotics -- V. Semiotics as Discipline of the Fake -- VI. The Background of Reflection: Advances and Lacunae -- VII. The Tasks Ahead for a Semioethics of the Visual Fake -- VIII. Conclusions: On Fakes and Viruses -- References -- Chapter 12 From Copy & Paste to Deep

Fakes - Digital Collaging and Image Manipulation -- I. Introduction -- II. From Copy & Paste to Deep Fakes - The Origins of Image Manipulation -- 1. A brief history of image manipulation -- a) Starting point: art forgery. b) Making history with fake photographs -- c) "Face swap" as preliminary stage -- 2. The Technology behind: deep fake algorithms -- a) Deep learning -- b) Autoencoder -- c) Generative adversarial network -- 3. The power of images: why images are more than simple information media -- III. Deceptions Through Image Manipulation in the Information Age -- 1. State of the art: what AI is already capable of -- 2. Deep learning technology and its consequences -- a) Consequences for the individual as a social being -- b) Potentially affected rights -- c) Indirect consequences: disinformation -- 3. Regulating the consequences: possible solutions for this problem -- a) Legal mechanisms -- b) Technical solutions -- c) Social measures -- d) Combination -- IV. Conclusion -- References -- Chapter 13 The Multi-Layered Information in a Digital Image -- I. Semantic Information -- II. Syntactic Information -- III. Structural Information -- IV. Context of Creation -- V. Conclusion -- References: -- Chapter 14 Portrait or Personal Data - The Rivalry of Image and Data Protection Legislation -- I. Introduction -- II. The Collision of Regulatory Regimes in German Law -- 1. The codification of the right to one's own image in the KUG: an overview -- 2. Images in the scope of European data protection law -- III. The Relationship Between the GDPR and the KUG -- 1. Opening clauses in the GDPR -- 2. The KUG and the opening clauses of the GDPR -- a) Journalistic and artistic purposes -- b) Other purposes -- c) Opening clauses and already existing laws -- 3. The (legal) discrepancy between capturing images and their publication -- IV. Concluding Remarks: The Future of Image Protection Law -- References -- Chapter 15 Human Authorship and Art Created by Artificial Intelligence - Where Do We Stand? -- I. Introductory Note -- II. A New Agenda for Copyright Laws. III. AI-Generated Art and Creativity -- IV. AI-Made Art and the Law -- V. AI-Made Art and the Art World -- VI. Concluding Remarks -- References -- Part 5 Technology, Ethics and Legal Norms -- Chapter 16 A Face in the Cloud? - Identifying Moral Issues and Constraints in Cloud-Based Image Storage -- I. Digitization in Economic Transactions -- II. 'Servitization' and Cloud-Based Image Storage -- III. Seeking Moral and Practical Continuity -- IV. Moral Constraints on Cloud-Based Image Storage -- 1. Accumulating -- 2. Accessing -- 3. Curating -- 4. Deleting -- V. Conclusions -- References -- Chapter 17 The Deontic Power of the Internet - Access Controls and the Obsolescence of Legal Norms -- I. What It's All About and what Consequences Does it Entail? -- II. Voluntary Application of Technical Measures Restricting Legal Freedoms Supported by Anti-Circumvention Legislation -- 1. From public goods to technical protection measures -- 2. Technical protection measures and copyright exceptions and limitations -- a) Legislative solutions -- b) Reactions of the courts -- c) Additional issues described in legal literature -- 3. Some thoughts for discussion -- a) Is there really a problem? -- b) Advantages of technological restrictions -- III. Mandatory Decision-Making Power by Private Parties -- 1. Case scenarios -- 2. Structural issues -- 3. Ethical considerations -- IV. Concluding Remarks -- References -- Chapter 18 Algorithmic Censorship of Online Visual Content - Ethical, Political, and Economic Rationales -- I. Introduction -- II. Censorship -- III. Reasons for Censorship -- IV. Algorithmic Judgment and the Pragmatics of Pictorial Speech Acts -- References -- Chapter 19 The Issue of the Image of Algorithms -- I. The Need for Regulating Algorithms -- 1. Fear of

algorithms and technology -- 2. Improvements through regulation --  
3. Present impact of algorithms.  
II. Some Remarks Concerning Terminology.

---