

CORSAIRS OF THE INTERNET AND CONSTITUTIONAL RIGHTS OF THE CITIZENS



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Exclusively for Russian Institute

Today, there emerges a contradiction within the legal environment pertaining to the access to books and information. Such a contradiction seems to exist in all countries that follow a path towards democracy. On the one hand, the constitution of almost each one of these countries provides every citizen with the right to the free access to information. Libraries are obliged to supply their visitors with information for free (aside from some special services). On the other hand, constitutions also protect the right to property, which includes the right to intellectual property and copyright. **There is now every indication of a conflict between the interests of copyright holders and those of citizens who have a right to free information.**

A search for a compromise in this problem is relevant for the entire world. Anglo-Saxon standards of jurisprudence are based on the rule of proper usage: a reader has a right to get information from a book, even in digital form, if he needs it for his education, scientific or outreach activities, but is not allowed to use it for commercial benefit. If a man produces a pirated edition based on a digital copy then he is treated on an individual basis. In Russia, the law tended to favor a simplification of the access to information, but after the introduction of a fourth part to the Civil Code, the balance has been turning back to copyright protection.

The spread of pirated books on the internet is a burning problem. But we shouldn't mix the commercial environment of the internet with such institutions like the National Library, which should be entitled to uphold the right to free information of a reader who has no interest in commercial benefit.

THE RUSSIAN DEBATE OVER MODERNISATION



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Whether directly or not, Russian society in the midst of a debate over modernisation, which is approaching a new possible dispute with respect to this issue. The core of this dispute is the question as to which version of modernisation is preferable under modern Russian conditions: a 'local' version, which grasps only some parts of the territory of the Russian Federation, or one that is actually nationwide in scope? Is it also possible to discuss the methodology for carrying out such modernisation. For instance, should it be project-based or one that is more strategic in nature? The beauty of the dispute is that everybody ends up a winner. Both models have to work simultaneously. **At the nation-wide level, the government needs to create Russian research universities.** Finally, the government should openly declare, that unlike previous practice, today Russia will be friendly and welcoming to foreign high technology companies.

Companies should not be restricted or run out just because they are foreign or non-governmental (such as Royal Dutch Shell or YUKOS).

At the local level, Russia needs to create investor communities, good academic-industry relations, and places where converting scientific ideas into industrial applications is considered to be a worthy, desired, and rewarding undertaking.

Nowadays, **the Russian scientific community, especially at the Russian Academy of Sciences, is too devoted to 'ideas' and does not hold a large enough interest in their commercial applications.**

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