

## The Life of Pi in the Electronic Silk Road

Haochen Sun\*

*The Life of Pi* presents an epic journey that a boy survives by maximizing spiritual strength in the most adverse circumstances. Called Pi, the boy harnesses curiosity, spirituality, and love to go through his adventurous “international” journeys through religions, cultures, and most notably nature with a stormy ocean.

In his new book *The Electronic Silk Road: How the Web Binds the World in Commerce*, Anupam Chander also narrates an epic journey that we must embark on in the digital age. Skillfully written with elegant prose, the book explores complex challenges posed by culture, politics, and technology associated with trade in information services.

As a boundless venue hosting trade in services, cyberspace turns out to be the ocean that Pi crossed. According to Anupam, it has enormous barriers blocking the freedom of trading information services in the global context. Culture matters. While some information services are totally fine in western societies, they may be seen as hostile to Islamic beliefs. Politics matters. It has resulted in information suppression in certain authoritarian countries. Technology matters. It facilitates the growth of information services. But it has been used to block trade in information services.

The great firewalls that exist in the electronic silk road best illustrate the difficulty of promoting trade in information services. As mighty as the storm and waves that Pi suffered on the ocean, they are utilized by repressive regimes to monitor, filter, and even shut down the Internet. In 2010 Google withdrew its operations from mainland China. This incident, as I understand from reading Anupam’s book, is a shipwreck as serious as the one that Pi remembers as the darkest day of his life. But it is also a shipwreck similar to the one that Pi regards as a new journey into knowing himself, other beings with him, and the world or nature at large.

On the one hand, Google’s retreat sounded the loudest alarm to the protection of freedom of information in repressive regimes. Nearly 1.3 billion Chinese citizens as well as many other fellow human beings are subject to cyberspace information suppression by authoritarian regimes. As Anupam bluntly reminds us, “[w]hen allied with willing Internet service providers, websites, software providers, and financial intermediaries, a government can gain an omniscience heretofore unknown.” In the digital age, it is the cross-border information services that supply state-of-the-art technologies and abundant financial resources to the authoritarian regimes.

On the other hand, the Google incident calls for immediate and long-term interventions in order to reshape cyberspace as a sphere free of uncivilized surveillance. This journey to information freedom is, indeed, as arduous as the one that Pi experienced across the ocean and continents. Religion, language, imagination, dignity, and even capacity for love all play

---

\* Assistant Professor of Law and Deputy Director of the Law & Technology Center, University of Hong Kong.

an important part contributing to Pi's triumph. The same applies to the journey toward information freedom. After all, people subject to information suppression live with (or without) different religions and speak different languages. Therefore, the capacity for a concerted effort to empower human dignity and love to address information suppression varies significantly across the world. Toward the end of book, Anupam hints that the World Trade Organization, an international institution that governs global trade both in goods and services, might be of little help to resolve this issue. Without any competent international organizations charting the map, the journey to the heaven of information freedom is destined to be a long and tricky adventure.

Reading *The Electronic Silk Road* together with *The Life of Pi* prompted me to think about issues that go beyond information suppression existing in repressive regimes. I realized that there are two major issues looming large in the digital age. While we enjoy the unprecedented freedom, convenience, and entertainment that digital technology can bring to us, we must ponder the dark side of digital technology and how the law should tackle it.

First and foremost, we can identify and understand the ways in which the ubiquity of information services can spawn profound problems. *The Life of Pi* conveys problems of this kind: hostility toward another religion and culture; indifference to other human beings deemed as inferior; and unwillingness to reciprocate others' good deeds (Richard Parker, the tiger who has a human name, runs into the nearby jungle without a glance back). All these problems remain for Pi, although he has miraculously made it to shore. Online information services have caused similar problems. For example, the websites hosting information services are rife with fraud. Shortly after I posted an advertisement on Craigslist for subleasing my apartment last fall, I received several emails through which the senders attempted to persuade me to deposit money into their bank accounts before they took over the lease. After doing a bit research about online fraud, I could not help asking myself why there are so many people who choose fraud as their jobs.

Thus, digital technology is a double-edged sword. It promotes free flow of information and provides the social glue to bind many people together to wage revolutions against repressive regimes (e.g., the Jasmine Revolution). However, it also wields the power to alienate many people from the social network of direct interactions, leaving them increasingly alone in their spaces of egoism. Today, the majority of people on the subway spend much of their time using their smartphones or tablets. They appear in the tangible public spaces, but they confine themselves to those machines connected with the Internet, enjoying the private fun of checking Facebook or Twitter, playing electronic games, reading news, shopping online, or watching YouTube videos. Digital technology has facilitated widespread use of emails and text messages, further reducing the occasions for face-to-face conversations, greetings, or smiles. Thus, these trends raise the question whether digital technology promotes engagement with others or reinforces the individual quest for solitude. A new book by Sherry Turkle, *Alone Together: Why We Expect More from Technology and Less from Each Other*, has a comprehensive and nuanced discussion about this tangled issue.

How should the law tackle the double-edged nature of digital technology? Law is critically important in this regard, because it informs people of what they can and cannot do. Anupam teaches us that core to the law regulating trade mediated via cyberspace is the protection of

“the right of individuals to share and receive information.” This core right prioritizes the “delivery and consumption” of information “regardless of frontiers” (p.202). His novel proposal that combines globalization together with harmonization of laws serves the full realization of this right.

But can celebration of the individual right to share and receive information offer means by which we can deal with the alienating effect of digital technology? In other words, does the language of rights really increase the consciousness of sharing information as it purports to? To some extent, it does. Anupam proves this with many vivid examples, particularly the Jasmine Revolution in which sharing information about freedom and democracy was the focal point. But as I discussed earlier and others’ works have proven, digital technology has also driven an increasing number of people to withdraw from traditional means of communication and confine themselves to an egoistic world of isolation.

I believe the language of responsibility can play a big part in dealing with this problem. In my recent article entitled [Copyright and Responsibility](#), I point out that law “regulates human affairs through rules that require people to enjoy their freedoms and exercise their rights in responsible ways.” Responsibilities always come together with rights. Without the infusion with responsibilities, rights are meaningless. Persons are not only individuals but also social members of communities, countries, and the whole world. As social members, persons must not single-mindedly pursue only the realization of their individual rights. Rather, they should also constantly ask what responsibilities they should take on and how they can fulfill them in their social membership.

Anupam does mention the importance of responsibility. For example, he urges that Internet service providers follow the “Do No Evil” responsibility, which requires them not to collaborate with repressive regimes that suppress the free flow of information. Indeed, this responsibility is crucial. But should we also ask Internet service providers to take on more responsibilities to encourage people to spend slightly less time using computers, smartphones, or tablets and slightly more time interacting with others in various ways? In this sense, Internet service providers may have a responsibility to cultivate a healthy environment and culture for human interactions. A follow-up question is whether individuals should have the responsibility to spend slightly more time paying attention to others and their communities via computers, smartphones, or tablets.

Both *The Life of Pi* and *The Electronic Silk Road* prompt me to think more about the problems in the human world. *The Life of Pi* teaches me how a person can grow and mature through overcoming tough challenges and even evils. Anupam’s *The Electronic Silk Road* teaches me how globalized human societies can continue to flourish through overcoming the obstacles caused by national boundaries and the self-centered energy embedded in each human being. Both *The Life of Pi* and *The Electronic Silk Road* celebrate the beauty of human spirituality and its power to deter selfishness and even evil.

This book review was originally published in *Concurring Opinions*:  
<http://www.concurringopinions.com/archives/2013/11/the-life-of-pi-in-the-electronic-silk-road.html>.