



Digital Anonymity and the Law: Tensions and Dimensions (Information Technology and Law Series)

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The right to anonymous exchange of information as well as anonymous communication is in an odd state of paradox. While the formal legal protection of this right appears at an all-time high, developments in both the public and private sector show a growing number of legal and especially technical means to undermine anonymity. The growing interest of people in using the Internet has had a key impact on the worldwide availability of personal information. Everyday life is evidence that technological advance provides numerous opportunities to trace and track people down. They fuel the commercial interests of persons and organisations who seek to know exactly who is accessing certain digital content in order to be able to charge for it. The pressure on anonymous communication has grown substantially after the 2001 terrorist attack on the World Trade Center and the subsequent new political climate. Although it is still difficult to oversee their exact implications, measures such as the US Patriot Act, the European Cybercrime Convention and the European Union rules on data retention may perhaps be only the very first signs that the exercise of the right to the anonymous exchange of information is under substantial pressure. These and other developments have fuelled the dialogue on the beliefs and values behind anonymous communication. Debates rage about how, by whom, and to what extent cyberspace anonymity should be controlled, for technological advance not only provides for new opportunities to trace and track people down.

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