Energy-Information Exchange Approach to the Ethics Web Regulation

Olena Andriienko
PhD in Psychological Sciences, Advocate
Chief LegalTech Officer of "CCM" SE (Publicis Groupe Ukraine), Kyiv, Ukraine
+380504698574; oascientist@ukr.net

Abstract
Introduction. The modern science (from physics to economics) operates with two key categories of energy and information to explain the nature. Periodically the accent moves from energy to information and vice versa. However, jurisprudence and partly psychology avoid them. Nevertheless, the digital world development and virtualization of humanity inspire looking for new approaches.

Purpose of the study is describing a general energy-information exchange approach and the role of the psyche in these processes as the clue to the ethics web regulation.

Approach constitutes five principles:

1) Any object exists as the structured **flow of energy and information** in the certain point of space-time and is not obligatory related with the tangible property.
   It explains development of uber-phenomena, forming of experience or information economy and stimulates rethinking whether pure energy and information are property, including the legal doctrine of property.

2) Any object is in a **permanent energy-information exchange with the environment**. Each object is a fragment of energy-information flow. its borders in space, time and way of behavior (or usage) depend on the current social circumstances. These existing in individual and collective consciousness artificial borders make the definitive impact on the legal qualification.

3) **Energy transforms permanently into information and vice versa**.
   The second law of thermodynamics concentrates on transformation of energy into information and ignores the inverse process. However, any disordered systems exceeding some scale might not stand against the ordering system of the bigger scale. Thus, a part of energy is accumulated on this new level as information.
   In the economic system energy of physical work converts into information in form of currency for further transformation into energy and information. It works for any economic exchange even before epoch of cryptocurrency mining when pure energy-information conversion is the most obvious.

4) Energy-information exchange (circulation) processes are structuring into cluster with varying degree of stability in space, time and complexity. These sustainable clusters are named **levels of virtualization** (including physical, chemical, biological; legal, economic, geopolitical, etc.).
   The efficient web regulation requires taking into account the maximum quantity of these levels, constituting the corresponding phenomenon, and their interaction. Partly it is realized by the layers Internet theory.

5) The key role in existing of any level of virtualization plays the **psyche**, which is an independent physical force that creatively forms and regulates the energy-information exchange driven by meanings. Thus, the psyche has four key features: integrality (gravitation), meaning generation (conceptualization), creativity (freedom of interpretation) and movement between levels of virtualization.
   These features is a clue to the problem of subjectivity in law (for artificial intelligence, animals etc.), as each carrier of psyche is a semi-independent node in energy-information exchange and a circle of right-holders is changeable.

Results apply the mentioned principles for revision of legal ecosystem, namely principles of regulation,

especially usage of freedom of interpretation as a tool for **dividing the energy-information flow into fragments shaped by the meaning nucleus**. Being the systems of the next level of virtualization, **ethics, science and religion are sources of such meanings**.

The energy-information flow fragments constitute a **circle of subjects and objects of law relations, which are in permanent transforming**. For instance, the current challenges are legal subjectivity of artificial intelligence or recognizing of pure energy, information, data, knowledge, uber-phenomena, cryptocurrency etc. as objects of the legislative regulation.

The efficient and **ethics legislative environment should keep the balance of any energy-information exchange processes**; otherwise, the social explosions are quite possible.

The most effective tools and sources of regulation (from soft law, multi-stakeholder consensus-based model, Wiki-approach to big data analysis) are grounded on **potentiality of the collective consciousness** as a liquid brain that is an incubator of semiotic capital, realizes the wisdom of polarized crowds and forms the immunity against lies. Crowdsourcing in law is very common in form of customs. The main challenge today is **invention of the efficient instruments for accelerating a customs development** for the ethics web-regulation.

Limitations and strengths of the study are caused by format of conceptual approach: many applied aspects were voluntarily ignored. However, it stimulates the conscious choice of the appropriate borders of the certain energy-information flow fragment for the ethics regulation basing on the freedoms of meaning generation.

Practical/Social value is in inspiring to rethinking of the basic legal constructs and mechanisms for the ethics legal (including Web) regulation development.

Conclusion. The energy-information exchange approach is an efficient instrument for understanding of web phenomena and their ethics regulation by development of crowdsourcing mechanisms: from the customs of the small charts or bots to national and supranational regulation including internet of things, blockchain and artificial intelligence.

Keywords. Energy-information exchange, level of virtualization, freedom of interpretation, meaning-generation, crowdsourcing.