

# CODE IS SPEECH

*„Programmers’ art as  
that of natural scientists  
is to be precise,*

*complete in every  
detail of description, not  
leaving things to chance.*

*Reader, see how yet  
technical communicants  
deserve free speech rights;*

*see how numbers, rules,  
patterns, languages you don’t  
yourself speak yet,*

*still should in law be  
protected from suppression,  
called valuable speech!”*

*Excerpt from Seth Schoen’s 456-stanza haiku: the transcoding of a  
short piece of the DeCSS free software, 2001.*

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Enric Hughes in his „Cypherpunk’s Manifesto” from 1993 delivers a compelling argumentation for the freedom of speech as a consequence of group speech enabled though electronic communications:

„If two parties have some sort of dealings, then each has a memory of their interaction. Each party can speak about their own memory of this; how could anyone prevent it? One could pass laws against it, but the freedom of speech, even more than privacy, is fundamental to an open society; we seek not to restrict any speech at all. If many parties speak together in the same forum, each can speak to all the others and aggregate together knowledge about individuals and other parties. The power of electronic communications has enabled such group speech, and it will not go away merely because we might want it to” (Hughes 1993).