

# Cultural and Social Challenges for the Information Commons\*

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*Bongiorno a tutti e tutte. Voglio ringraziare Professore Juan-Carlos de Martin, Andrea Glorioso e gli altri organizzatori de CCIT per invitarci a parlare del futuro dei beni comuni. E un peccato che il poco d'italiano che posso produrre sparisce dopo 3 o 4 minuti e riappare solo con due bicchieri di vino piemontese. Vado dunque fare il mio speech in inglese, che non la mia lingua madre, e non e la vostra. Per favore, si parlo troppo veloce, mi segnalerà.*

What's the biggest danger for the information commons movement? Is it software and information patents, DRMs, some forms of trusted computing, database property rights, the broadcast flag, the outlawing of circumvention even for legitimate usage, or the criminalization of inciting to alleged infringement of intellectual property? Though all these things can lead us to lose much time (tens of years), though they can diminish the standing of law and, as usual, hurt the weakest in our societies, the answer is "none of the above". The biggest danger is fenced commons [slide]. Little Indian reserves where scientific publications, part of the blogs, personal photographs, some segments of music and a few other things will be enclosed, parked, without influencing truly what's happening in society, in culture, in research, without even changing the relationship people build to information and what can be represented by it.

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\*Keynote speech at the Creative Commons Italia 2005 Conference, Politecnico di Torino.

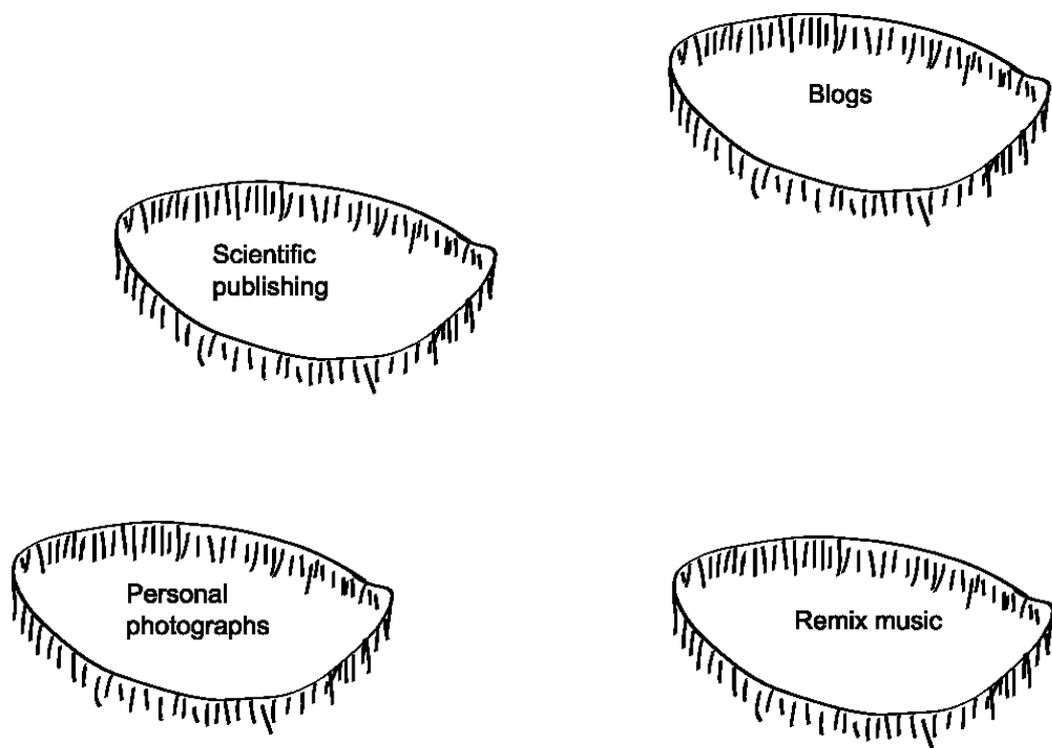


Figure 1: Fenced commons

Why do I think it could happen ? Why would it be truly bad ? Of course it could happen because of all the restrictive laws and technology fences that I have listed before. But in reality, I believe that if the information commons movement is truly convincing, it won't be possible to build these fences to stop it spreading, or more precisely only extremely authoritarian regimes will be able to maintain the fences, to put in application ever more absurd and more extreme laws and devices. Making sure that we don't get such authoritarian regimes is beyond the scope of my talk, but it could be that information commons, and the relationship between them and social public goods also have a role to play for that.

So let's accept to focus on challenges of a different nature, that do not come from adversaries but from how far we are ourselves able to reach out, how much we can *make sense*. The rest of my talk will be focussed on 3 of these challenges.

## **1 Serving the human revolution of information**

[SLIDE] To start with, let's look again [back slide] at our dear little fenced commons. It is not per chance that the grass is greener in each of them. It is because the human revolution of information has made its way there: whether we speak of blogs, scientific publications, personal photographs or remix music, we speak of domains where the distinction between receptors and producers is abolished or extremely blurred. We speak of domains in which a full chain of tools for creating, distributing, retrieving, archiving information exists, and exists as free software. We speak of domains where wide communities of human beings master these tools.

Some of you will say : of course, that's because they are information commons, that's exactly what information commons are about, to bring these things to exist. Sure, sure, we do hope that commons will bring that everywhere, that they will bring the bright side of the information revolution to everyone and every cultural, knowledge or communication activity. Except that historically it did not exactly happen in that order for those little commons. They developed at least part of the "good" properties that we tend to associate with information commons before being commons, or at least before becoming self-conscious commons. They developed these

properties out of their technology or the specifics of their media, for instance for photographs, blogs, and music remix. Or they did it out of the sociology of production and reception : most readers of scientific publications have always been scientists themselves. Of course, some players in each domain were conscious from the start of what it meant : for instance Donald Knuth, Paul D. Miller<sup>1</sup> or Tim Berners-Lee in his original vision of the Web. If we look at sharing photographs over the Web, we can see how much practice has preceded the consciousness of information commons as a project, and we can also see how this consciousness was useful when it finally emerged. Without it, we would not have more than 6 millions true quality photographs on Flickr, and tens of millions on personal sites.

However, we are now looking at media like video where technology is less simple to use and less symmetrical in particular for network distribution, where the separation between producers and receptors is much deeper. In these media, literacy simply does not exist, the ability to critically receive - and make it known to others by commenting directly on and in the medium - is only a dream for the time being. In these media, we don't have a continuum of positions between being a receptor and being a recognized producer. Of course these are also media that are much more dependent on time, and they get caught in the war for attention time, which means that there are players who have every interest to keep them as they are, or make them worse.

We are also looking at activities such as those of democratic debate, of construction of policy, of new creation forms that are of a more collective nature than taking a photograph or writing a blog entry, and we are ill-prepared to address the corresponding challenges. The greater part of education systems have put an emphasis on competition in performance by individuals, and fail to recognize the value of cooperation, when then do not radically discourage it. In addition, when we ask ourselves what is the equipment of the citizen of tomorrow, even when we acknowledge formally that he or she should be critical, creative, constructive, and able to participate in collective efforts, we are not taking the consequences in terms of what should be valued, what should be the object or our investment.

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<sup>1</sup>Paul D. Miller aka DJ Spooky, *Rhythm Science*, Mediawork / MIT Press, 2004.

It took 5000 years before the better part of the humanity was able to take advantage of reading and writing, to use it for thinking, for communicating with others, for keeping the memory of knowledge and building further knowledge, for debating ideas. I am a long distance runner, and I know the value of persistent efforts, but 5000 years is too long. We shouldn't wait that long to construct a way to live with information and communication technology, to define what is valuable in this respect. The existing information commons can help us to see the direction, but it will take a wider effort to go there.

By the way, we might have hard choices to make on the path. For instance, we might have to arbitrate between the permanent change associated to the inventiveness in new technology and the ability of people to creatively master its usage. And for sure, we will have to learn to recognize when technology change is just motivated by an associated business model without delivering human value.

This last remark brings us to the next challenge.

## **2 Making sense beyond and with the economy**

[SLIDE] There is nothing worse than taking words that convey a valuable meaning, and turn them against this meaning. This is precisely what the Lisbon strategy does. For those who have escaped it up to now, the Lisbon strategy is the major European policy framework of the last years. It aims at building in Europe by 2010 the most competitive economy based on knowledge. When it became clear that this strategy was - as implemented - not delivering even its intended economic benefits, and leading to growing social discontents, the conclusion was, let's do more of the same, and label it with additional words such as growth and employment. Is it a failure of European institutions ? I don't think it's fair to say so. It is a European-wide failure of our political thinking, at every scale, National, local or European. Failure to acknowledge that we have to do things that make sense beyond the economy. If we accept this prerequisite, and we accept that there are no forbidden paths that respect basic human values and rights, then we can start thinking about what to do it WITH the economy.

What does this have to do with information commons? Let's see what the latest version of the Lisbon strategy says about information and communication technology : "In order to ensure future economic growth, the EU needs a comprehensive and holistic strategy to spur on the growth of the ICT sector and the diffusion of ICT in all parts of the economy". Leaders of our times were working on implementing this void slogan. I say it's void because it does not say what kind of ICT we want to spread and see growing. What kind in the sense of "for which purpose". Meanwhile students demonstrated in this country behind a banderole (strisciono) with "Don't touch my brain" written on it. The demonstrators were mostly referring to the patenting of information such as genetic sequences or software, but they were also answering - most likely without knowing it - the proposal to suppress the daily limit on television advertising time in the European audio-visual regulation<sup>2</sup>. What all this tells us is that the better part of a generation of politicians of all parties are simply at a loss about what to do with information and its technology. It is our responsibility, whether we are *studenti bolognesi* or information commoners, to invent something that makes sort of sense about it and discuss it with them in the public space.

The one thing that the economy will never tell us is what makes sense. Actually, technology will not tell us either. However we should recognise in technology and in the economy what has the potential to make sense. When people are courageous enough to tell capitalism what limits it should respect (with the proper means to enforce these limits) and what aims it should serve, the plasticity with which the economy adapts to these constraints is remarkable. Don't worry for it. If something makes sense - human wise - the economy will find ways of flourishing by serving it. But if you ask the installed macro-interests in the economy or the installed ICT players what makes sense, they have only one answer: them, more of them.

So, as information commoners, we must learn to recognise the forms of economic activity that are useful for the values embodied

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<sup>2</sup>There is presently both a hourly limit, already weakened to refer to the calendar hour and not every hour of broadcast, and a daily limit. The present proposal is to keep only the hourly limit. Estimates is that it would lead to 30% more advertising time and only 15% more advertising revenue due to decreasing returns on lower audience periods of the day. But don't worry, they will find ways to keep people in front of TV also at these times.

in information and knowledge commons. And also to recognise the forms that are compatible with these values and those that are not. Yes, it is permitted. Of course, one needs to be cautious: we might be wrong in our judgement, but I don't think it can be worse these days than having no judgement at all. Don't let anybody ever tell you that one can not shape the economy and technical change. If you are tempted by this form of resignation, just tell yourself that shaping technology with a vision of society is exactly what the creators of the Internet and of Web did. Or consider the facts in the other direction : shaping technology and the economy is exactly what the extension of restrictive property rights, the promotion of shareholder value, the encouragement to media concentration, or the support to just-in-time production have been doing, for the worse, during the past 30 years.

However, there is one thing we must learn from the bad endeavours I have just listed : when possible, it is good to act on the context, on the conditions that make one path easier to take, without imposing it by detailed control on human behaviour. If we learn it right, it will give us a great strength, because today, informational capitalism - a small and pathological form of capitalism - can no longer maintain itself without controlling people behaviour in details. In this domain, freedom is on our side.

### **3 Building a synergy with social public goods and physical commons**

[SLIDE] I would like to conclude on a 3rd challenge. There is more to the world than information commons. Information commons can develop and be sustainable only when some basic social public goods exist : education, health, limits to inequality. And also essential physical commons : water, air, climate, the quality of urban space. And finally the balance between information-related activities and physical, situated activities.

If as information commoners we want to be more than a curiosity for the growing number of anthropologists that are keen on studying us, we need to build alliances, coalitions with those who care for and defend social public goods and physical commons. We need to demonstrate that the existence of information commons can support them, can contribute to their conditions of

existence, for instance the efficient capture of tax resources. This is a challenge because there, we don't speak just freedoms and positive rights, we speak duties, needed constraints, solidarity beyond the keyboard, in the physical and social space. We speak recognition of the needed role of government, and of the need for a public (meaning citizens) to keep it acting for the public good. Information commons can do a lot on this last count.

There is also the challenge of inventing a new art of living with information technology, of combining sedentary and physical activities, speed and intensity of interaction with the distance, the time needed for thought and feeling<sup>3</sup>. But time is too short to speak about that, and I would rather leave the floor for interaction with the public.

## **About the author:**

Philippe Aigrain <http://www.publicdebate.net/Members/paigrain> is the founder and CEO of Sopinspace, Society for Public Information Spaces <http://www.sopinspace.com>. He was trained as a mathematician and computer scientist, researched software and media technology, and worked from 1996 to 2003 in the European Commission R&D programmes. He is an active writer in the political philosophy of information commons, in particular through Cause commune, *l'information entre bien commun et propriété*, Editions Fayard, 2005 <http://www.causecommune.org>.

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<sup>3</sup>See Philippe Aigrain, "Alternance and Articulations", <http://www.arsindustrialis.org><http://www.arsindustrialis.org>.