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Ethics of Sharing

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Editorial: On IRIE Vol. 15

What is the core of this publication, of a publication in itself? Etymologically the notion 'publication' goes back to the Latin 'publicus' which means 'common', 'of the people/state'. So once executed, the publication, the content, the fruits of the scientific labour needed to produce it belong to everyone, to the people? Far from it! According to applicable law and common moral standards the (intellectual) property fully remains with the originators. It is only accessible for everyone (in the case of our journal even accessible for free) and everybody can make use of it; but only according to the very defined rules of the scientific discourse, i.e. citing and referring.

Scandals about the illegal obtaining of doctoral degrees by extensive plagiarism in Germany have reminded us of this specific aspect of the rules of the scientific game. So what is 'common' with regards to this publication and what exactly is made public by the publication?

Interesting questions but yet a misleading approach for the subject of this issue. The scientific discourse and its standards of publishing and citing are not and have never been the template of what is driving the largest communication machinery ever: the world wide web. In fact, the guiding principle of the underlying technology – html and the internet protocol – was to realize an unprecedented ease of referring (i.e. linking) from one publication to another explicitly leaving out the scientific standards of citation. This informal sharing of information is fundamentally woven into what we call most appropriate: 'the net' – the loose coupling of communication shared by anyone with anyone.

In information ethics though 'sharing' has been discussed so far only implicitly in terms of privacy, intellectual property, secrecy, security and freedom of speech. But not only that libraries have been at least challenged by search engines; also recent developments of a second order like the encyclopedia project Wikipedia, the emergence of social networks like facebook or disclosure platforms like WikiLeaks have shown that there is a need to go beyond the scientific habits and legal standards of sharing knowledge and distributing information to understand and govern the communicative space and exchange of information

made possible by the internet and its respective platforms.

So, has sharing of information a special virtue in the information society? How are choices of sharing or withholding of information justified? Is sharing subversive of the new global information regime, or an integral aspect of it?

This issue brings together contributions towards an ethics of sharing that embed the new technological potentialities linking them to their actual social impact. In our understanding, information ethics "deals with ethical questions in the field of digital production and reproduction of phenomena and processes such as the exchange, combination and use of information." So, the task of developing an ethics of sharing is both descriptive – helping us to understand the contemporary complexities of the ethics of exchanging information as it emerges from using digital technologies across a global range of social and cultural contexts – as well as normative – helping us to address blind-spots and clarifying possible ethical frameworks to address unresolved issues regarding these practices.

And what do we and should we finally do with the truly impressive contributions gathered here to provide answers to the above named questions and guidelines for the outlined task? We share them with you leaving them to your appropriate use – whatever you may make out of it.

Yours,

the editors.

P.S. Please take also note that we added another article to the last issue (No. 14) on "Teaching Information Ethics". Bernardo Sorj and Mauricio Lissovsky examined the use of the internet in Brazilian Public Schools and what it needs to make appropriate use of the costly equipment and the new technologies becoming more and more available to teachers and pupils in the country. Unfortunately we became aware of their most interesting observations and conclusions only a few weeks after the copy date of the last issue. But not living in the Gutenberg Galaxy anymore this is not an ultimate criterion of exclusion but only a few more lines of html added to the website.

Felix Stalder and Wolfgang Sützi:
Ethics of Sharing

Sharing has emerged as one of the core cultural values native to the networked environment. However, as Manuel Castells (2009, p. 126) put it: "In our society, the protocols of communication are not based on the sharing of culture but on the culture of sharing." This points to the fact that sharing, first and foremost, is a structural feature, a particular way of communicating and of organizing. It is often handled independently of what is being shared, or which effect these acts of sharing have in concrete situations. Thus, from a social or cultural point of view, sharing remains ambiguous, and its ethics needs to be examined in particular cases as well as across cases. Such examinations will position themselves beyond many of the popular debates, where sharing is often connected to a Utopian discourse, that may resonate deeply in Judeo-Christian thought, invoking images of community and justice that may or may not be justified.

The centrality of sharing within the network environment is connected to properties of digital information: firstly, that sharing means multiplying rather than dividing. Secondly, that digital information can be copied, distributed, accessed and transformed at an extremely low cost. Both run counter to the assumption of scarcity that underlies much economic thinking and through their mere existence tend to question the legitimacy of structures and institutions based on this assumption. A further consequence of these attributes of digital goods is that the differentiation between the producer and consumer is blurred through the emerging peer-to-peer paradigm and remix culture, where the old serves as the raw material for the new. Again, these are initially structural conditions that allow for new patterns to emerge. The next step, to which we hope to contribute with this special issue, is to examine sharing critically and develop an ethics around sharing practices that fosters the actual sharing of culture and the support of communities and allows a deeper understanding of the potentialities as well as the limitations of sharing practices on the level of the information society.

To do this, we need to be aware that sharing has many different meanings, some geared towards the social and others more towards the technical, and that we should not confuse the two (see

Andreas Wittel's contribution). We need to be critical of the contradiction between the culture of sharing amongst users and the commercial ambitions of many platforms on which this sharing takes place (Mayo Fuster, Marie-Louisa Frick/Andreas Oberprantacher), and, of course, the contradiction between the spread of a popular remix culture and the demands of intellectual property rights incompatible with it (Vito Campanelli). While sharing became a dominant theme in digital culture in the last few years, we should not forget that it is not related to particular new technological platforms and applications, but present also in earlier stages of the internet culture (Clemens Apprich). Keeping this in mind, it is productive, even if necessarily speculative, to enquire into sharing as a general paradigm that underlies social processes across different domains, informational as well as physical (Michel Bauwens, Alessandro Delfanti).

The Ethics of Sharing remains an open frontier of both contemporary social development and research in information ethics. At this point, everything is in flux, and what we need to do is trace early patterns and point to fields of contestation. We hope this special issue is a contribution to this collective process.

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Andreas Wittel:

Qualities of Sharing and their Transformations in the Digital Age

Abstract:

This article examines the social side of sharing. It is an attempt to work towards a sociological concept of sharing in the digital age. This is the hypothesis: different forms of sharing have different qualities with respect to the social. Digital technologies bring about new forms of sharing. In order to support this claim I will analyse the social qualities of sharing by focusing on the object, on what is being shared. Using an object-centred analysis it will be argued that digital forms of sharing introduce a new function of sharing. Whereas pre-digital sharing was about exchange, sharing with digital technologies is about exchange and about distribution.

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- Relevant publications:
 - Enthusiasm as affective labour: On the productivity of enthusiasm in the media industry (with G. Bachmann). *M/C Journal* 12/2 (2009).
 - Medienethnographie (with G. Bachmann). In: R. Ayass and J. Bergmann, *Qualitative Methoden der Mediensoziologie*. Reinbek: Rowohlt Taschenbuch Verlag, p.183-219 (2006).
 - Culture, labour and subjectivity: for a political economy from below. *Capital and Class* No 84. Special Issue, Creative Industries: Production, Consumption and Resistance. J. Shorthose and G. Strange (eds.) pp. 11-30 (2004).
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Introduction

Sharing is a rather mundane everyday practice, usually associated with family, kinship, friendship, and community. However the notion of sharing has recently received much attention in conversations on digital media and network cultures. Now sharing is anything but mundane. It is an expression of a utopian imaginary. Sharing now is associated with politics, with socialist, communist, and anarchist values, with the free culture movement and the digital commons. Along with similar values such as openness and collaboration it stands against everything that is associated with neo-liberal ethics (this despite business writers' attempts to co-opt such terms for their own profitable purposes). Indeed, the politics of appraisals for sharing vary greatly.

No doubt, as Benkler (2004) has suggested, sharing (at least when it isn't being mystified) is 'nice'. But a closer look suggests that the matter of sharing is more complicated than this. Apart from the term 'sharing' itself, St. Martin's cutting of his coat in two halves to help a freezing homeless person has nothing in common with the sharing of a house, which again is a rather different social practice than the uploading of our family photos on social media platforms.

It is the rather neglected social aspects of sharing that are at the centre of the following considerations. So far most commentators have addressed the economic implication of sharing in the digital age, sometimes with a reference to gift economies (Benkler 2004; Benkler 2006; Leadbeater 2008; Tapscott/Williams 2008; Shirky 2010). Usually it is assumed that all forms of sharing strengthen the social. This implicit assumption needs to be contested - particularly with respect to digital environments. In order to do so, we have to unpack a term which is becoming more complex. 'Sharing' is used for different social practices with different functions and different motivations. It is used for a multitude of social and ethical realities. There is a danger of conflating different social qualities of sharing, which in turn may produce distortions, illusions, and delusions.

Let's illustrate the difference between an economic and a social analysis of sharing with an example. Yochai Benkler (2004) has developed both an ambitious and influential analysis of sharing in the networked economy. Using the two examples of carpooling and distributed computing (e.g. SETI@home) Benkler demonstrates that 'social sharing' is a significant modality of economic pro-

duction that co-exists and sometimes outperforms price-based systems of economic production. The significance of Benkler's work lies in two things. Firstly, he does not restrict his analysis to creative labour and its products such as knowledge, information and ideas. Instead he focuses on rival goods as well. Secondly, he argues from an object perspective. He goes to great length to carve out the features of 'shareable goods'. Shareable goods are those that have excess capacities (unused seats in a car and unused computing power). With this analysis of shareable goods he can explain why some goods which are shared can outperform a system where the same goods are regulated through markets and price-based systems.

What makes perfect sense for an economic analysis is rather problematic for a social analysis of sharing. From a social perspective the idea of 'shareable goods' is nonsensical, as all goods are potentially shareable. Whether a car has excess capacities does not depend on some objective economic reasoning (number of spare seats available), but on the willingness of those who are sitting in the car to share. Shareability as a social category is not defined by some intrinsic qualities of goods but by human beings and their subjective reasoning. Nevertheless it is indeed interesting for a social analysis of sharing to focus on the shared object - not to gain insights on *shareability* (as does Benkler with his economic perspective) but, as I want to argue, to make claims about the *social qualities of sharing*.

This opens up a second point of departure. Whereas Benkler's analysis of 'shareable goods' does not differentiate between rival and non-rival goods, this distinction as well as the *difference between bits and atoms* is rather crucial for an understanding of the social side of sharing. Let's illustrate this point with his treatment of carpooling as equivalent to distributed computing. For Benkler both are examples of 'social sharing'. What works with respect to the realm of economy does not work with respect to the realm of the social. To put it bluntly, carpooling produces the social, it produces social processes, social proximity, and quite likely some form of interaction, maybe even conflicts and/or social bonds. Distributed computing - even though this is a project of immense economic, environmental, and ethical value - produces nothing but computing power.

As already indicated the aim of this article is an attempt to work towards a sociological concept of sharing in the digital age. Whilst there is a huge body of theoretical work on the gift, particularly

within anthropology (Mauss 1954; Sahlins 1974; Bourdieu 1997; Godelier 1999; Graeber 2002; Hyde 2007) practices of sharing are surprisingly under-researched. This lack of groundbreaking conceptual work on sharing can partially be explained with a subsumption of some forms of sharing (e.g. the sharing of food) under the notion of gift exchange. It could also result from the fact that the notion of sharing means too many different things. The following considerations are not a comprehensive analysis of sharing. The frame is rather narrow: an inspection of the impact which digital technologies have on the social qualities of sharing.

This is the hypothesis: different forms of sharing have different qualities with respect to the social. They have different levels of impact on the realm of the social. Those forms of sharing that intensify social interaction are of a higher quality than forms of sharing which do not strengthen social ties. I am inspired by Benkler's focus on objects (in his case 'goods'), however I am not studying economic shareability but social qualities of sharing. In a pre-digital world such an inspection of different qualities would not have made much sense, as all things that were shared (material things as well as immaterial things such as thoughts or affects) led to an intensification of social interaction. In the digital age however this is not a foregone conclusion. Digital technologies, I will argue, bring about new forms of sharing - however these new forms may not per se enrich the social.

In order to establish a framework for an analysis of qualities of sharing I will focus on the *object*, on what is being shared. To unpack the object, we need to consider three points: (1) We need to distinguish between material and immaterial things in the pre-digital age. (2) We need to examine the digital packaging of material and immaterial things. Here we will apply Bruno Latour's distinction between mediators and intermediaries to explain how digital objects are being shared. (3) We need to address issues such as scale and targeting and study their implications for the creation of social bonds in digital environments.

Material and immaterial objects in the pre-digital age

Let us put digital technologies aside for a moment. In the pre-digital age people shared material and immaterial things. *Material things* being shared become 'reduced' for those who engage in the act of

sharing. This observation applies to both, material objects such as T-Shirts, vinyl record albums, and newspapers and materially enclosed spaces such as houses, cars and office rooms. It also applies to biological things. If an apple is shared between two people, they will each get only half of the apple. The motivations for the sharing of material and biological things may differ greatly. Someone may prefer to live alone and still share a house for economic reasons. Another person may choose to share a house for purely social reasons. Irrespectively of these different motivations the decision to share will generally produce an intensification of social activity and social exchange. Two friends who decide to buy a vinyl record together will not have full control over this material object and will have to negotiate terms of usage (the album gets reduced for each of them). But the purchase does strengthen their bond as the album creates an additional link between them.

Whereas the sharing of material things produces the social (as a consequence), the sharing of *immaterial things* is social in the first place. Whether we share intellectual things such as thoughts, knowledge, information, ideas, and concepts, or affective things such as feelings, memories, experiences, taste, and emotions, the practice of sharing is a social interaction.¹ The sharing of immaterial things produces (as a consequence) other things than social relationships, such as knowledge, art, rules, and religion.

Whereas the sharing of material things can require some forms of sacrifice for those who share (only one person can wear a shared T-Shirt at any given time), the sharing of immaterial things does not 'reduce' anything but adds value to whatever is being exchanged. This is very obvious for intellectual exchanges, but it is also true for affective exchanges. 'A joy shared is a joy doubled, a trouble shared is a trouble halved', so the proverb goes.

To summarise: In the pre-digital age sharing is always mutual, always social, and always based on the principle of generalised reciprocity.²

¹ For the distinction between intellectual and affective things within the realm of the immaterial see Hardt/Negri (2000: 290-293)

² One might object to this claim and point toward altruistic practices of selfless giving, such as blood donations, organ donations, financial donations for good causes, and collections of old clothes for people in need. It is of course correct that these practices are non-reciprocal, with no intention for exchange. However I would not subsume these practices un-

Digital packaging of material and immaterial things

What happens to the examples mentioned above when they are being shared digitally? If we disregard for a moment the issue of scale, the social quality of sharing does not change systematically when immaterial things such as ideas or feelings are being shared digitally. A personal conversation between two friends or a professional exchange between two scientists may happen face-to-face, via letters, on the telephone, in an online chat-room or with instant text messaging. Pace McLuhan, neither the mediation of these conversations in general, nor the specific medium being chosen necessarily have a systematic effect on the social bonds that are produced through these exchanges. We would assume that media-literate people would pick whatever medium they see appropriate and purpose-fit for the nature of their conversation.

How about material things? Obviously not all material things can be shared digitally, think of a table. What can be shared are those material objects that contain *immaterial/cultural content*: a book, a newspaper, a record album, a photo album. Before the digital age cultural/immaterial content - a novel, a song, a film - was produced and reproduced with materials such as paper, audiotape and videotape. Now this material packaging of cultural/immaterial content can be replaced or expanded with *digital packaging*, with bits instead of atoms.

I want to argue that this new format, the digital packaging of immaterial content has profound implications for the notion of sharing. What really is changing is the notion of sharing itself, and the associated 'reduction' of shared objects. Sharing a car means not having access to the car all the time, sharing a mango with someone else means that both can only eat half of the mango. This form of sharing usually involves the notion of sacrifice and economic anthropology went to great length to argue that it is precisely this sacrifice that produces an intensification of social relationships, a strengthening of social ties.

The sharing of digital things is effortless, it does not involve any sacrifice. Digital things just get *multiplied*. If we share a poem digitally we do share it in an abstract way, we share the cultural/immaterial content, the meaning of the poem, we share our taste in poetry and literature, but we do not share the file itself.

der the notion of sharing. 'Giving' and 'giving away' would be more appropriate terms for such altruistic gifts.

For this reason one could argue that the term sharing is rather problematic, perhaps misleading, for digital objects. It seems that sharing, like stealing, has entered the language of digital cultures due to mere ideological reasons. Both terms are used to justify new forms of social practices morally. Sharing is good, stealing is bad. But copying is neither good nor bad. Copying is neither sharing nor stealing, it is just copying, multiplying.

With respect to 'sharing' in the digital realm and its implications for social interaction we can differentiate between two forms of 'sharing', which draws on a distinction by Bruno Latour (2005), between intermediaries and mediators. *Intermediaries* transport messages (content, code, meaning) without transforming them. *Mediators* transform, translate, distort, and modify the meaning or the elements they are supposed to carry.

These concepts point toward different *functions* of digital sharing. Sharing as intermediary is about *distribution*, it refers to a pure dissemination of content (e.g. file-'sharing'). Sharing as mediator refers to, say mailing lists, wiki pages, discussion groups, blogs with feedback features etc. This is about *exchange*, or more precisely, about *social exchange*. It is about creation and production, and obviously this function of sharing has always existed; it is not at all specific to the digital age.

What is the relation between these two functions and the social qualities of sharing? In short, sharing as distribution has the potential to create social interaction but it also has the potential to not trigger any social responses. Distribution can turn into social exchange but there is no guarantee. File-sharing software, which more precisely should be called file-multiplication software, does not produce meaningful social exchanges. A blog or an entry in a social media platform starts as distribution but has the potential to turn into social exchange.

Scale and targeting of immaterial objects

The last part of this object-centred analysis focuses on immaterial things such as knowledge, ideas, passions and feelings. In particular we will focus on the difference between the digital and the non-digital sharing of immaterial things. To understand these differences we will have to examine the issue of scale and the issue of selection or targeting. Recently Charles Leadbeater (2008) coined a rather

intriguing phrase: 'You are what you share'. There is something very beautiful about this statement, but it is also misleading as it suggests that the more we share the better we are. The reality however is rather different. Nobody can share everything with everybody. On the contrary, in our daily life we have to think carefully with whom we share and what we share. Sharing is an investment, so we are likely to select those who we consider to be trustworthy, those who we hope to respond to whatever we share in an appropriate way. Sharing also depends on timing, on the right moment. It depends on context and situation.

The first fundamental transformation digital technologies can have on the practice of sharing is the possibility of *large-scale sharing*. Rather than sharing with one person or a small group we use wikis, blogs, mailing-lists, social media sites to share intellectual and affective matters. These forms of large-scale sharing illustrate particularly well the blurring of the two functions of sharing, of distribution and social exchange. A new blog post is a one-sided distribution of content into cyberspace. Real sharing as exchange only happens when the blog post receives comments in return.

The second fundamental way in which digital technologies can transform the sharing of immaterial things refers to *selection and targeting*. With large-scale forms of sharing we abandon the possibility to select specific people we want to share with. Ultimately we cannot control who responds to what we distribute on wikis, blogs, social media sites, and mailing-lists. Instead of us choosing who we share with we get chosen by others for intellectual and affective exchanges. We also lose control over timing and the right moment to share something.

Large-scale digital sharing of knowledge and affect brings about new opportunities and advantages, but also new risks. The advantages and opportunities are very much visible in the realm of *intellectual exchanges*. The open-source movement, wikipedia, wikiversity, the A2K movement (Access to knowledge), social bookmarking, open education resources, open publishing - all these initiatives and many more have emerged with the rise of the social web, with the rise of peer production and mass collaboration. Large-scale digital sharing of knowledge, information, code and data is an incredible success story and has rightly been celebrated by a number of commentators over the last few years (Rheingold 2002; Weber 2004; von Hippel 2005; Benkler 2006; Tapscott/Williams 2008; Reagle 2010; Krikorian/Kapczynski 2010). It is by now a well

known and well rehearsed argument that these forms of sharing have driven innovation to new levels and have produced an always growing (if always imperilled) digital knowledge commons.

Large scale sharing of *affective* matters has not yet turned into a success story to be celebrated. This form of sharing has not received the same attention and is less explored. It seems difficult here to make general arguments. This is a new phenomenon, which calls for more ethnographic research. In 'Alone Together' Sherry Turkle's (2011) tone as well as her assessment of virtual life is much more sober than in the first two books of her trilogy. Now there is a real danger that digital technology does not enhance the social but replace it. Eventually Turkle remains still cautiously optimistic, yet her stories of life in the age of social media are full of neglect, distraction, and meaningless practices of (dis)engagement.

It might be dangerous to equate large-scale sharing of affective matters with social media web sites only as there is a difference between blogs, and discussion groups on the one hand and social media platforms on the other hand. There is a difference with respect to anonymity (which is so far impossible to secure in social media sites) but also with respect to *targeting* (generally blogs, mailing lists and discussion groups are better suited for a specific community with similar interests than the rather diverse group of 'friends' and 'followers' we accumulate on social media sites. Thus the notion of sharing seems to be especially problematic in social media sites.

A very sad example of the social implications of large-scale sharing of affective matters can be found in a story published by the Telegraph in January 2011.³ A 42 year old woman in the UK posted a message on Facebook to her 1,048 friends on Christmas day, announcing that she will commit suicide and that she has just swallowed the pills. Her message was widely discussed in her network and led to 148 responses where her 'friends' discussed the statement and the former breakdown of this women's relationship. But nobody bothered to call her, call the police, or go over to her place, even though many of her 'friends' discussing her post lived very local. So she died.

It's common sense that people who announce suicide want to be rescued. This is probably even

more true in this specific incidence as the woman announced her suicide using large-scale sharing methods. It is not far fetched to assume that this woman would still be alive had she shared her intentions not on a digital network (with no possibility for selection and targeting) but with only one or more selected friends (no matter the media). Surely this is not a typical example from everyday life, it is not representative in any way. It does make clear however that Turkle has a point and that 1,048 Facebook-friends are not at all an indication for a rich social life. It also supports the argument I have been trying to make in this essay, that sharing as distribution should not be confused with sharing as social exchange. However, as this case sadly illustrates, this confusion can be all too real.

Conclusion

Definitions and meanings of words are not set in stone. They change over time and so does the term 'sharing'. Whereas sharing in the pre-digital age was meant to produce social exchange, sharing in the digital age is about social exchange on the one hand and about distribution and dissemination on the other hand. What makes sharing with digital media so hard to understand is exactly this blurring of two rather different purposes. To resist mystifications and ideological forms of hijacking of this word it is important to be aware of its multiple digital transformations.

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Mayo Fuster Morell:

The Unethics of Sharing: Wikiwashing

Abstract:

In order for online communities to assemble and grow, some basic infrastructure is necessary that makes possible the aggregation of the collective action. There is a very intimate and complex relationship between the technological infrastructure and the social character of the community which uses it. Today, most infrastructure is provided by corporations and the contrast between community and corporate dynamics is becoming increasingly pronounced. But rather than address the issues, the corporations are actively obfuscating it. Wikiwashing refers to a strategy of corporate infrastructure providers where practices associated to their role of profit seeking corporations (such as abusive terms of use, privacy violation, censorship, and use of voluntary work for profit purposes, among others) that would be seen as unethical by the communities they enable are concealed by promoting a misleading image of themselves associated with the general values of wikis and Wikipedia (such as sharing and collaboration, openness and transparency). The empirical analysis is based on case studies (Facebook, Yahoo! and Google) and triangulation of several methods.

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- Relevant publications:
 - Fuster Morell, M. (2011). The Wikimedia Foundation and the Governance of Wikipedia's Infrastructure: Historical Trajectories and its Hybrid Character. In Lovink, G., Tkacz, N. & Roberts, I. (eds). *Critical Point of View Reader*, Amsterdam: Institute of Network Cultures, 2011. (pp. 325-341).
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Wikinomics: The New economy of information access and sharing

The new technologies of information (NTIs), together with other processes such as the increase in education levels, have greatly extended the potential for access and sharing information, which is resulting in several forms of online collective action. Online creation communities (OCCs) refer to individuals that communicate, interact and collaborate, aiming at knowledge-making and sharing. In order for OCCs to take place, it is necessary to have some basic infrastructure that allows the aggregation of the collective action online. The infrastructure is made up of a number of components: servers, domain names, online platforms (with communication and collaborative authoring tools), among others. Infrastructure providers solve those aspects for the communities. For example, the Wikimedia Foundation is the provider of the infrastructure within which the community of participants who build up Wikipedia can interact. There are several models of infrastructure provision, which offer creators different conditions. When OCCs started to emerge, infrastructure providers were closely linked to the community of users and were mission based, instead of profit based (Fuster Morell, 2010). The entrepreneurial culture and business ideals of raising money through innovation with NTI informational products also emerged. Over years, infrastructure provision by corporations has increased, constituting the new economy of information access and sharing.

The new economy of information access and sharing, also known as Web 2.0 or Wikinomics, is based on the commercialization of information flows and services provided by media corporations (O'Reilly, 2005; Tapscott & Williams, 2007).¹ Some of the platforms provided by corporate hosts bring together very large communities of participants and domi-

nate their markets (Tapscott & Williams, 2007). Example of corporations are Facebook (providing social networking platform), Google (providing search services and YouTube a video-archive), Skype (providing communication services), Twitter (providing micro-blogging services), or Yahoo! (providing, among other things, Flickr, an image repository).

This new economy results in a shift of the business model following the 2001 "dot-com" crisis of the technological industry (O'Reilly, 2005). In the economic model of Wikinomics, the relationship between media corporations and their "clients" possesses certain peculiarities: Individuals become "users" of the services provided by the media corporations, rather than the latter selling fixed products to "consumers". In this relationship, media corporations depend on the content created by their users to increase the value of their services. However, users contribute with content depending on their own views and motivations, and the lack of control over these important factors (the availability of volunteers to create content) indicates a weakness in these types of business models. Additionally, it renders the reputation of the corporation somewhat vulnerable. If a community of users sharing content becomes the product of the corporation, then the corporation is in many ways at the mercy of its users. One consequence is that the community of users sharing content is more empowered in the face of the corporation. This creates a stimuli encouraging ethical practices by the corporations. Corporations therefore make extra effort to maintain their reputation and image and to "gain" the trust of their communities of users and the general public. However, as the actual practices of the commercial providers do not always conform to this, there is the incentive of creating "fake" images of the commercial providers in order to gain a reputation, while at the same time developing unethical practices. This is where 'wikiwashing' comes into play.

Wikiwashing

Wikiwashing refers to a set of actions developed by corporations that first and foremost offer services for information sharing and collaboration online in order to build, promote or direct attention towards an image of themselves connoted with the positive values associated with sharing and collaboration among peers (their users) or to associate its image with that of non-corporate entities such as Wikipedia or wiki technology in general; secondly, it refers to concealing or limiting access to its role as a com-

¹ ICTs have gone through several technological generations. The latest ICT tendency is found in the concept of the Web 2.0. The Web 2.0 is generally used to refer to a second generation of ICT-based services, such as social networking sites, wikis, and communication tools that emphasize online collaboration and sharing amongst "users" to build up the site content. It also differs from early web development (retrospectively labelled Web 1.0) in that it moves away from static websites, the use of search engines, and surfing from one website to the next, and towards a more dynamic and interactive World Wide Web. However, the term Web 2.0 was originally used to represent a shift in the business model, "a new way of doing business", after the dot-com crisis (O'Reilly 2005).

mercial service and infrastructure provider—such as conditions of use, sharing data with governments, profit-making—in order to perform unethical and abusive practices in these areas.

The term **'wikiwashing'** is proposed for several reasons in order to frame this set of activities.² Firstly it includes a reference to wiki. On many occasions, Wikipedia or wiki technologies in general, and the positive values associated with them, have explicitly been used by corporations to "wash" (i.e. clean up), and thus make attractive, their image. Secondly, the term wiki equates with speed. The reactions of corporations to "wash" their image tend to be very fast and aggressive, in order to stop negative images of themselves spreading virally. Thirdly, wiki is also used to refer to the new economy as "Wikinomics" (Tapscott & Williams, 2007). Fourthly, it includes the notion of washing, referring to an act of keeping something "clean" of negative expressions or interest in the corporate image. Finally, and most importantly, wikiwashing is analogous with "whitewashing".

The term whitewashing initially (dating from 1591) referred to a cheap white painting technique used to give a clean appearance quickly. From 1800 on it began to be used in political contexts regarding the efforts made to appear beautiful on the outside without changing the inside (Encyclopaedia Britannica, 2003; Wikipedia, 2011). More recently, other terms have emerged to refer to specific forms of whitewashing. The most popular, "greenwashing", is used to describe the practice of companies spinning their products and policies as environmentally friendly, or "green" (Green washing index, 2011).³

² To my knowledge, the first adoption of the term "wikiwashing" was in an article in 2008, which I then expanded as part of my doctoral thesis (Fuster Morell, 2010). In December 2010, Goldstein used the term as part of a blog post to refer to Wikileaks' use of the term wiki (Source: <https://shiftingbalance.org/?p=924> Last access 30th April 2011). The term has also been used occasionally to refer to minor editing or "cleaning" task of articles in Wikipedia (actually there is a tool called wikiwash.org which helps to identify problematic articles) or to refer to "cleaning up" the image of a company in its Wikipedia article.

³ Another such term is "bluewash", a term used to describe a partnership between the United Nations and a corporation which has agreed to abide by the United Nations Global Compact. Since there are no screening or enforcement mechanisms to ensure that the corporation adheres to those principles, the term makes reference to a public relations ploy designed to improve corporate image (Bruno & Karliner, 2000). "Pinkwashing" (from pink ribbon and whitewash) refers to the promotion of products (that increase pollution or are cancerous) by donating to a breast cancer charity (Landeman, 2008).

Wikiwashing does not specifically rely on the use of wiki or a particular type of technology, but on the assertion in their public relations and branding strategy of possessing values associated with wikis (such as sharing and collaboration, openness and transparency), whilst simultaneously concealing unethical practices and practices not in line with those values.

Infrastructure providers, regardless of whether they are for profit or not-for profit, always have some form of public relations and a branding strategy. Wikiwashing does not refer to public relations as such. Furthermore, wikiwashing should not be understood as the public relations and branding policy of media corporations in contrast with other types of infrastructure providers. Wikiwashing incorporates and is developed via corporate public relations and branding, though it does not only involve corporate public relations. Wikiwashing refers to dual aspects: i) to develop practices in their role of for-profit infrastructure provider (i.e. abusive terms of use and violation of privacy policies, censor data, replacing workers with volunteers) that would likely be regarded as unethical by the communities of users of the infrastructure – if they would know about it, ii) at the same time using their public relations and branding strategy to conceal those unethical practices and appear to be associated with a series of values connected to wikis that in fact they do not perform: In other words, the use of the public relations and branding in order to create a dishonest or manipulative public image because it does not correspond with their real practices.

The following section presents these dual aspects of wikiwashing. First, the set of unethical practices will be presented; then how, on the top of that, media corporations perform wikiwashing through the image they build up around themselves in order to conceal those abusive and unethical aspects.

The empirical analysis is based on case studies of media corporations providing infrastructure services. Facebook (as provider of Facebook social networking side), Yahoo! (as provider of Flickr) and Google (as provider of YouTube video sharing platform) were the central cases examined here. Reference is also made to other examples in order to illustrate wikiwashing practices. The methodology is based on the triangulation of several methods, including virtual ethnography, discourse analysis and a total of 25 interviews. Data collection was carried out from 2008 to 2011.

The "grey and dirty" side of Wikinomics

This section will present the areas which remain in the shadow of the corporations promoted image and that are based on abusive practices. These involve: The terms of services, Government demands for user information, and the use of voluntary work.

In the corporate model of the three cases, it is the infrastructure providers who define the **terms of services**. Users are constricted by each site's terms of service through private contracts, rather than rely on the law as written. However, users are not expected to have a chance to negotiate the contents of these private contracts. Furthermore, terms of use could be obscure for several reasons and users might easily be unaware of their existence. Terms of use can be changed by the providers at any time, particularly in the case of Facebook where the terms of use changed six times over the course of two months,⁴ making it difficult to follow the exact terms of use at any given moment. Additionally, the terms of use are defined in legal terms and in long and small text that tend to be difficult for the general user to understand and read through. To simplify the reading of such terms of service, Flickr provides a shorter version in the form of "community guidelines". However, Flickr community guidelines are very broad, with greater potential for subjective interpretation, in the manner of "soft laws". Additionally, the overall conditions (which include term of use, but also other policies such as privacy, ads, and intellectual property) are spread across several pages.

Furthermore, corporations might not be transparent and consistent when it comes to the application of user policies. For example, Facebook requests that users log in with their real name and surname. Facebook's suspicion that the name of an account does not correspond to the real name of the person is reason enough to deactivate the account (without notification), but at the same time many "fake" accounts, with names that obviously do not correspond to a person, can be identified on Facebook (York, 2010).

Governments of any country from which a platform is accessed may request information from corporations about their users, or request that

corporations remove certain information from their platforms. Corporations are forced by law to respond to governmental requests. However, the process is opaque: Corporations could inform their users that a government has requested their information, though this does happen rarely (York, 2010). This opens up a grey area of censorship or surveillance which could be both within or without the perimeters of legal regulation. It was along these lines, and aided by Facebook, that Israel prevented scores of pro-Palestinian activists in July 2011 from boarding Tel Aviv-bound flights in Europe.⁵ Similarly, researchers reported the scanning of Skype chats for sensitive keywords in China: If present, they were reported and stored on government servers (Villeneuve, 2008).

The use of these sharing platforms may be conceptually framed in various ways, from a mere use of a service provided by a corporation, to providing free labour (Terranova, 2000). This is in the base of another challenging area that has to do with the use of voluntary contributions to benefit commercial companies. There are permeable boundaries between active and engaged community members and employees of the companies and on certain occasions employees and volunteers act very similarly. According to Moulier-Boutang, it questions the crisis of the wage system of employment (2009). From critical theory perspectives, Wikinomics contributes to the concentration of wealth as participants' activities have a tangible value for the providers (Boltanski & Chiapello, 2005; Fuchs, 2008; Moulier-Boutang, 2007). Several authors argue that commercial platforms constitute a source of exploitation by the companies of volunteer work or free work, because the corporation benefits from the value generated by collective interaction (Terranova, 2000). In the view of Moulier-Boutang, it is part of a "shift to a third capitalism, what we call cognitive capitalism relying upon capture of positive externalities more and more produced, located, and acting outside the historical boundaries of the firm, for continuous innovation and production of different publics (audience) more than market of commodities" (Moulier-Boutang, 2007, p.1). A salient characteristic of the corporations is the gap between the very small number of employees and the massive number of volunteer participants involved. In line with this, Flickr's working team has 48 employees while the platform involves millions of participants.⁶

⁴ From the 25th April until 7th July 2011. Source: The terms of service tracker <http://www.tosback.org/timeline.php> (Last consultation 6 August 2011).

⁵ Source: Associated Press. Israel blocks airborne protest, questions dozens, 9th July 2011.

⁶ Source: www.flickr.com (Last consultation: December 2008).

This large gap is also present in Google and Facebook. Some authors claim that community members generating value should be compensated (Weigend, 2009). However, when crowdsourcing is paid for it is not necessarily based on good working conditions. Fuchs points out that, "the reward (of Amazon crowdsourcing) is four cents for an estimated task time of 10 minutes, which results in a total hourly compensation of 24 cents if you repeatedly carry out similar tasks" (2010). Furthermore, it is legally unclear as to whether a volunteer can carry out a prescribed set of tasks in a prescribed time frame for a commercial organization (B, Johnson, Interview, December 9, 2008). In the USA, there was a large lawsuit in the late 1990s against AOL, the first corporation to use voluntary work, which established that AOL was substituting workers' positions with volunteer positions.

Abusive terms of use, violation of privacy and sharing of data with third parties such as governments, censorship of content, and substitution of workers' positions with volunteers, among others, are a set of unethical practices of media corporations in their role of infrastructure providers. In the following section, the other component of wikiwashing will be described; The use of their public relations and branding strategy to conceal those unethical practices and instead 'clean up' their image by appearing to be associated to a series of wiki-connected values.

The 'washing' of unethical practices by media corporations promoting a "wiki" image

Wikiwashing involves the promotion of a particular type of public relations and branding, which favour the invisibility of the above presented unethical practices and instead brings to attention an image associated with the positive values of wikis. There is a set of characteristics on how the corporations frame their image in this regard. Media corporations tend to: i) promote an image of themselves as **technological tools** (not as corporations) and which also result in a lack of perception regarding the corporate profit-seeking character; ii) promote a **neutral conception of technology** while playing a major role in defining the platform agenda and dynamics; iii) promote a discourse and a vision of themselves as **equal to other tools or platforms that are based on a non-profit model of provision** and feature more empowering user conditions; iv) present themselves as **being community-**

friendly, that is by being with and for the community; v) present themselves as being associated to values linked to wikis; vi) adopt the **aesthetics of the playground** and create a platform environment framed by the optimistic ideology of growth without highlighting risks.

i) Corporations present an image of themselves as **technological tools**, rather than as a corporation. In this way, there is often not much distinction made between a corporation and the technological service it offers (for example in the trade mark or logo) - Google the search engine has the same name and logo as Google Inc, and the same could be said of Facebook and Twitter. However, this is not the case of Flickr provided by Yahoo!. Additionally, there is limited and fairly discreet information on the corporation on its service website. Here the inaccessibility of the various terms of use presented above can be recalled, or the lack of references in the three cases to their business models. Whilst the platform prominently displays references to technology for online sociability, sharing, or access, among other values, certain types of purpose (i.e., commercial ones) are systematically misrepresented (Werry, 1999).

ii) In addition to reinforcing the image of a technological tool, these corporations promote a **neutral concept of technology**. From this perspective, the technology is easy to use, and users adopt and use it according to and governed by their needs without agency or intervention of others. However, the results of a large-N statistical analysis showed that corporations, as any other form of infrastructure providers, have a significant role in defining the type of activity and interaction between individuals on the platform (Fuster Morell, 2010). In other words, even if the corporate model of provision promotes a format of "non-presence" by the platforms, providers (and technology) are not neutral.

Corporations' commodity participants' behaviour towards the profit goals: The profit goal of the corporations is highlighted by its emphasis on flow and new activity. Along these lines, and according to Danlberg, (2005), the case of Flickr, provided by Yahoo!, highlights the last photos uploaded more than it does the organization of the photos. Yahoo! aims to maximize the number of people using its services, rather than design interaction in a way that would increase an integration of the content. The demands of advertisers and the requirement to increase paid subscriptions limit the type of content, number of participants, demographics of partici-

pants and the overall design of the platform as well as increasing growth and flow.

iii) There are different models of platform provision as to the type of provider and the conditions of use (Fuster Morell, 2010). The corporate model is one variety, but non-profit or other types of profit-making models also exist. Nevertheless, corporations promote a discourse and a vision of themselves as **equal to other tools or platforms that are based on a non-profit model of provision and feature more empowering user conditions**. In particular, Wikinomics corporations tend to situate themselves as being equal to Wikipedia. For example, Telefonica presents itself thus: *"Wikipedia democratizes the creation of knowledge, as we [Telefonica] democratize the access to Internet"*⁷. However, the above-mentioned large-N statistical comparison showed that Wikipedia's conditions of use are more empowering for its community of users (in terms of decision making and the level of freedom and autonomy of the users - Fuster Morell, 2010).

iv) A platform which appears to actively listen to and have a fair relationship with its community is more valuable and attractive to participants. It is part of the more general discourse and approach of the infrastructure providers towards the users and the community of users to present themselves as **being community-friendly**, that is by being with and for the community. In Flickr's words, *"Flickr works on getting things up and serving you"*⁸. However, in the words of Bill Johnson, an expert on community managing: *They may have been giving lip service to this concept of: "we want to embrace the community and we're all about community for the community's sake". In reality, that's often not the case.* (B. Johnson, Interview, December 9, 2008). Corporations also "fake" their friendly image via several mechanisms, for example, when "false" users created by employees participate in the community act as regular participants without revealing the fact that they are corporate employees (B. Johnson, Interview, December 9, 2008) or when a community manager uses feedback to legitimize decisions, such as *Tell[ing] people [to look] at new products, asking for suggestions (look or don't look at it), then when re-launching saying "This is what you wanted"*. (C.

Watson, Community manager, intervention at Online Community Report Unconference).

v) Corporations frame their actions as being associated to wiki-connected values. In this regard, and in the manner of the three case studies, the value of sharing is present. Facebook_ *"Facebook helps you connect and share with the people in your life"*; Flickr - *"Share your life in photos"*; and YouTube - *"Join the largest worldwide video-sharing community!"*⁹.

vi) In addition, corporations promote the **aesthetics of the playground**, in contrast to the aesthetics of "professionalism" of corporations previous to the Web 2.0 boom, such as Microsoft; this recalls the values of youth, innocence, being carefree, and enjoyment: A space of play free from "real" consequences.

In line with the game imagery, corporations create a platform environment framed by the optimistic ideology of growth in "consumption" and the enthusiasm around values such as sharing without assumptions of risks by users, and looking to create legal conditions which reduce responsibilities for corporations.

In this regard, wikiwashing is in tune with other contemporary processes, thinking and ideology - positive thinking as a way of ignoring consequences and risks. Wikiwashing emerges in a context of diminished or non-existent responsibility regarding different types of risk. The recent nuclear disaster in Japan is an example of the lack of properly measuring the risks associated with technology. The 2008 financial crisis is another one.

According to Ehrenreich (2010), positive thinking has been a key component of corporate culture since the 1980s. Business men contracted motivational speakers and distributed books on positive thinking as a way to cope with white workers anxiety, and accept the reduction of their working conditions without thinking critically about how and why they were out of work, indicating that their mental state was the key resource in explaining whether they had a job. Positive thinking is based on an individualistic approach, because when faced with a problem it suggests that the mind provides the key resource without mentioning the responsibilities of corporations or states, or it suggests solutions based on solidarity or mutual responsibility amongst people

⁷ Source: Intervention of a representative from Telefonica Argentina at the inaugural press conference of Wikimania 2009 (Buenos Aires, 25 August 2009).

⁸ Source: Flickr.com (Retrieved May 15, 2010).

⁹ Source: Each case website retrieved 5th August 2011.

(Ehrenreich, 2010). A new wave of positive thinking was also applied to the financial crisis. Reich links the capacity to get to very high levels of debts, and nevertheless keep up expenditure, to the optimism of positive thinking (Reich, 2010). The idea is not to assume the risks of one's actions, but to keep buying because one has to look to the future with optimism. Similarly, Wikinomics is based on a constant flow and increase of information, and an optimistic approach towards NTIs without assuming its risks.

The points above are **illustrated** by the style and design of corporate platforms. Furthermore, they are also present in the message that the corporation displays outwith its own online spaces, such as via press, public representation, online marketing (like cleaning their image on a Wikipedia article), viral campaigns, sponsorship, and publications among other things. The spreading of this image also involves the figure of technological "guru" or evangelist, who as an independent figure can promote the corporation, even if they are directly paid by the corporation to "spread the word" in several places or are associated with the company though other indirect mechanisms.

Conclusions

In every case, and particularly since 2004, online infrastructure provision by corporations is increasing in contrast to previous type of infrastructure providers. Corporate-operated platforms play an important role in global communication and in hosting (and regulating) public debate. This suggests the importance of the role of such corporations, and proves just how delicate the ethics by which they perform such a role are.

Wikitwashing refers to a strategy of corporate infrastructure providers where unethical practices associated with their role of infrastructure providers (such as abusive terms of use, privacy violation, censorship, and use of voluntary work for profit purposes, among others) are concealed by promoting a misleading image of themselves associated with the general values of wikis and Wikipedia (such as sharing and collaboration, openness and transparency). Wikitwashing is used to lie about, or hide, abusive actions that are clearly in contradiction to the values of the communities which the corporations serve and on whom they depend for their businesses models to work.

From the user's perspective, the perception of wikitwashing unethical practices seems to be very low despite several campaigns¹⁰ or interventions from governmental institutions (such as the sanctions imposed upon Google by the European Commission). The possibility of improving the situation and stimulating ethical practices for business via market competition also seems limited. The new economy is characterized by the tendency towards a dominant position. For example Google, controls from 75% to 90% of the online search market (Vaidhyanathan, 2009). Furthermore, on an individual user level, if a user feels they are being abused, as in some cases with Twitter or Flickr, he or she has the possibility of leaving the platform and using an alternative one (such as Identica or Picasa, respectively). There are other cases in which an alternative or the possibility to leave the platform with your data 'in hand' is more complex or obstructed by corporations. This is the case with Facebook. Researchers reported that Facebook users experienced difficulties in permanently quitting their Facebook membership (Trerè, 2008).

The "novelty" character of the new economy (which in some instances has poor regulation of certain areas, lacks it altogether, or does not acknowledge some of its consequences) might explain the level of unethical business practices. Furthermore, the recent increase of lobbying activities, and particularly government lobbying might also explain the lack of regulation or regulation in favour of corporate interests (Organization for Security and Co-operation in Europe, 2011). However, more comprehensive empirical research is required in order to define and gauge wikitwashing practices so as to bring the ethical judgement of wikitwashing practices into the public debate.

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Marie-Luisa Frick and Andreas Oberprantacher:

Shared is not yet Sharing, Or: What Makes Social Networking Services Public?

Abstract:

According to a libidinally charged slogan, Social Networking Services are meant to give "people the power to share and make the world more open and connected." But does the digital act of sharing personal information – invested in so many of the New Social Media – make such internet domains a public realm? What characterizes actually the *public* according to classical political theory, and what sort of performances become visible in digital fora under the banners of interactivity, friendship and an alleged dissolution of boundaries? Against the background of increasingly elastic borders between things considered private and spaces declared public as well as of a remarkable spectrum of modes of sharing – ranging from disclosing daily trivia to collectively expressing political dissent – our contribution will examine the ambivalence of *sharing* in Social Networking Services, not least in *Facebook*, in terms of a paradoxical nexus of *passions* and *risks*.

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 - Moralischer Relativismus. Antworten und Aporien relativistischen Denkens in Hinblick auf die weltanschauliche Heterogenität einer globalisierten Welt. Wien/Münster, Lit 2010, 311 p.

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 - "Beyond Rivalry? Rethinking Community in View of Apocalyptic Violence". *Contagion: Journal of Violence, Mimesis and Culture* 17.1 (2010). 175-187.
 - "Culture Jammed: The Art of Subverting Violence". *Medienimpulse. Beiträge zur Medienpädagogik* 2 (2011). <<http://www.medienimpulse.at/articles/view/310>>.
 - "Off Limits. Elastic Border Regimes and the (Visual) Politics of Making Things Public". Hug Theo and Sützl, Wolfgang (eds): *Activist Media and Biopolitics*. Innsbruck: iup. Forthcoming.

Generation F

Is Facebook perhaps that *dispositif* by which hundreds of millions of users are slowly but steadily turned into digital zombies whose frightening *jouissance* consists in nothing but sharing statuses with a spectral audience accepted as "friends"?

At least for those cultural and political theorists that have flipped the janiform coin named New Social Media as to only display its dystopic downside, it must have come as a surprise that the Facebook generation is also capable of generating revolutionary sentiments – for which the recent *Arab Spring* provides ample evidence.¹ Considering the latest political developments in a range of autocratic regimes it is in any case emblematic that the Egyptian internet activist and Google executive Wael Ghonim, who has been called "*spokesman for a revolution*"² by Mohamed Elbaradei and who is heading the list of the 2011 *TIME* 100 most influential people in the world, enthusiastically thanked Mark Zuckerberg for having made Facebook such a collaborative environment that served as an accelerant in Egypt's political revolution:

*"I want to meet Mark Zuckerberg one day and thank him. [...] This revolution started online. This revolution started on Facebook. This revolution started [...] in June 2010 when hundreds of thousands of Egyptians started collaborating content. We would post a video on Facebook that would be shared by 60,000 people on their walls within a few hours. I've always said that if you want to liberate a society just give them the Internet."*³

Notwithstanding Ghonim's jubilatory testimonial, the protuberant narrative of a "Facebook Revolution" is not free of guile. Even if it is the case that against

the assumption that "*people have really gotten comfortable not only sharing more information and different kinds, but more openly and with more people*", Zuckerberg does understand Facebook's first and foremost role "*to constantly be innovating and be updating what our system is to reflect what the social norms are*"⁴, one needs to be critically aware that such an alleged role of 'reflecting' a globalized society's changing social norms corresponds as much to a re-*definition* of social spaces and practices out of particular, sometimes hegemonic interests as it may also regenerate what Hannah Arendt identified as the pulsating heart of truly democratic politics: the public realm. In this ethical twilight of a networked sociality, for which profiling and posting have become mandatory performances, our discussion of different modes of sharing shall commence by first of all drawing on a genealogy of the very idea of the *public* as outlined in the works of Immanuel Kant and Hannah Arendt. In a second step we shall discuss two contemporary critiques of the digital culture of sharing, namely those by Eva Illouz and Slavoj Žižek. Eventually, the ambivalence of sharing oneself in Digital Networking Services shall be exposed by highlighting three problematic dimensions that allow us to critically reflect on a crucial distinction: that of public and publicity.

Shared thinking and acting: Kant and Arendt

To understand which sort of public may arise out of the new digital fora and to evaluate its potential quality, it is pertinent to highlight those concepts that have strongly been linked, as far as two of the most prominent representatives of political ethics are concerned, to the idea of shared thoughts and shared action.

For Kant the public realm is the core condition for universal enlightenment, defined as the overcoming of one's self-inflicted immaturity. Apart from that, the use of one's reason is inextricably coupled with, if not dependent on, open exchange and discourse with others.⁵ What Kant is emphasizing in particular is that the freedom of thought is inherently connected to the freedom of speech and to that of the

¹ The question to what extent Social Networking Services fostered the revolutions in Tunisia and Egypt or support the uprisings in other countries in the region is highly controversial. However, empirical data supports the assumption that Facebook does indeed matter since the number of users in the Arab world increased by 30 percent in the first quarter of 2011. Within this timeframe, Egypt, for example, has gained 2 million new users. Still, Egypt is outnumbered by 5.11 percent of the Tunisian population who have joined the service between January and April 2011. (Dubai School of Government: Arab Social Media Report. 1.2 (2011). <<http://www.dsg.ae/portals/0/ASMR2.pdf>>).

² Elbaradei, Mohamed: "Wael Ghonim: Spokesman for a Revolution". *TIME*.

³ "Ghonim: Facebook to Thank for Freedom". CNN.

⁴ Mark Zuckerberg in an interview with Michael Arrington on the occasion of the 2010 *The Crunchies Awards*. <<http://www.ustream.tv/recorded/3848950>>.

⁵ cf. Kant, Immanuel: Was heißt: Sich im Denken orientieren?

press.⁶ He asks: to what extent and how accurate would we really be able to think if we were not allowed to reason in concert with others who are sharing their thoughts with us, while we are sharing ours with them? In this respect, any effort to restrict one's freedom to share thoughts with others will inevitably imply a violation of the freedom of thought in general. According to Kant, the public realm needs to remain accessible for everybody who is willing to freely exercise one's reason.⁷ When it comes to the freedom of speech, however, this Kantian *generosity* is backed up with a principal distinction of the private and the public that is not without ambivalences. Whereas Kant calls for an unrestricted *public* use of one's reason, the *private* use of it – in terms of a professional that is bound by particular work duties – can be restricted without running contrary to the very end of universal enlightenment:⁸ in my role as *intellectual* I have unlimited access to the public discourse and may freely exercise my reason; as a *professional* subjected to the responsibilities and limitations of my vocation – Kant mentions army officers and priests – my factual freedom of contributing to a society's open discourse and of criticizing is finite.

Hannah Arendt agrees with Kant in as much as she, too, defines the public as an actualization of a particular mode of sharing. In her conception, however, the public is constituted to a lesser extent by the thoughts that can be shared; rather, it is one's *self* that is at stake. For Arendt, the substantive relation between the public realm and the self-disclosure of its subjects gains its particular significance from what she refers to as *acting*. It is through acting and speaking that we get involved and finally make our appearance in the human world, as Arendt puts it:⁹ "With word and deed we insert ourselves into the human world, and this insertion is like a second birth [...]"¹⁰. Public speech and action reveal a person's unique *distinctness* which in Arendt's philosophy is an integral moment of the *human condition*, very much like the plurality of our experiences and points of view. According to Arendt, when people are publicly acting and speaking, they are also (unintentionally) answering the question "Who are you?":

"This disclosure of 'who' in contradistinction to 'what' somebody is – his qualities, gifts, talents, and shortcomings, which he may display or hide – is implicit in everything somebody says and does".¹¹

Not least in view of the basically pluralistic human condition such public revelations are potentially *risky*. On the one hand, one is running the risk of being rejected by others; on the other hand, one might also be surprised by discovering one's veritable self.¹²

Another function of the public that is stressed by Arendt is its capacity to gather people in such a way that it relates them as much as it keeps them apart, a particular capacity that eventually "*prevents our falling over each other*"¹³. In this sense, the public needs to be distinguished from radical privacy, which refers to a condition where no one is able to "see" and "hear" or to be "seen" and "heard". Ultimately, Arendt argues that the public realm constitutes the very condition for a shared *world*: the existence of others that see what we are seeing and that hear what we are hearing ensures the *reality* of this world as well as the *reality* of ourselves.

Hyperrational, but interpassive fools?

Considering some of the more important technological changes in the past few decades, we may well assume that the *reality* of this world has changed dramatically along with the *reality* of ourselves: Ever since the ARPANET's establishment of the highly flexible method of "packet switching" as the technology used for setting up highly integrated computer networks, the strategy of a multidirectional transmission of messages has constantly gained in significance. But more than just being a technical achievement in the field of ICT, sharing data, information, but also oneself has eventually become a mode of living that defines and encompasses devices as various as File Sharing, Online Dating, Social Networking Services etc. Not least in view of these recent phenomena that mark a comprehensive transformation of social spaces and practices, the

⁶ Kant, Immanuel: Was heißt: Sich im Denken orientieren? 144

⁷ Kant, Immanuel: Was ist Aufklärung? 36

⁸ Kant, Immanuel: Was ist Aufklärung? 36f.

⁹ Arendt, Hannah: The Human Condition. 179

¹⁰ Arendt, Hannah: The Human Condition. 176

¹¹ Arendt, Hannah: The Human Condition. 179

¹² Arendt, Hannah: The Human Condition. 179f.

¹³ Arendt, Hannah: The Human Condition. 52

sociologist Illouz contends in her book *Cold Intimacies* that

"the act of posting a profile allows the Internet [...] to convert the private self into a public performance. More exactly, the Internet makes the private self visible and publicly displayed to an abstract and anonymous audience, which, however, is not a public (in the Habermasian sense of that word¹⁴) but rather an aggregation of private selves. On the Internet, the private psychological self becomes a public performance."¹⁵

Illouz' analysis confirms Zuckerberg's expectation according to which the digital passion for sharing (not just information but, most importantly, oneself) will overcome the modern dichotomy of public and private spheres by facilitating performances that are *hybrid* – with one notable difference though: According to Illouz, we should consider the genuine risk that this new cultural constellation might eventually turn us into "*hyperrational fools*", i.e. into "somebody whose capacity to judge, to act and ultimately to choose is damaged by a cost-benefit analysis, a rational weighing of options that spins out of control."¹⁶ Put otherwise: the more the Social Networking Services are used to digitally enhance and spread out the users' psychological landscapes by consequently minimizing the jeopardy of being "ridiculed" by others – the absence of a "dislike"-button in *Facebook* is all but circumstantial evidence in this respect – the less space is left for forms of sharing that may cross particular allotments and create new commonality.

Along similar lines, Žižek has also recently argued that the pervasive notion of *interactivity*, which is widely applied to characterize mankind's liberation from a consumerist mentality by simultaneously redefining man-machine relationships, is paralleled by its "*shadowy and much more uncanny supplement/double, the notion of 'interpassivity'.*"¹⁷ According to Žižek, the more the contemporary concept of activity is defined by the desire and as the capacity to defer one's passivity to a personalized device, the more opportunities of (*passively*) enjoying will also have to be delegated. In precisely this

sense, the interactive user is plagued by a relentless activism whose main purpose is that of effectively preventing *inter-change* while keeping up appearances, and this may indeed be termed "false activity"¹⁸.

And what better device to illustrate this paradoxical inversion of acts of sharing than *Facebook* itself, which allows its users with almost no effort at all – i.e. with one single *click* – to join political causes worldwide without having to renounce the comfort of a lounge chair? In fact, as Sara Louise Muhr and Michael Pedersen have pointed out in their "application" of Žižek's notion of *interpassivity* to the domain of *Facebook*, there is a chance that Social Networking Services are effectively depoliticizing the internet:

"You may think you enjoyed the intimate time with your friends or that you changed something (and you may indeed have changed something) by joining yet another Safe Darfur group – but in fact Facebook did it for you. [...] I can continue to have a full commitment to a political action, as long as I don't have to make choices about what to actually do, and how to fit it into my already too-crowded life."¹⁹

By blending Illouz' and Žižek's critical interventions and by recalling Kant's and Arendt's conception of the public, we shall now attempt to draw an ethical dividing line that distances the *public* from *publicity* and along which different modes of sharing can be discerned. Such a dividing line is itself not without ethical controversy, but it may nevertheless be of critical use value for transforming the rather *naïve* and sometimes problematic attitudes towards Social Networking Services and for supporting a different form of commonality.

Sharing and its uncanny doubles

Against the background of our preliminary historical genealogy of spaces, ideas and practices shared as and in public, and the subsequent discussion of a digital environment in which it is no longer clear what is private and what is public, what is active and what is passive, the following three dimensions are of particular importance for a political ethics of sharing.

¹⁴ For Jürgen Habermas the public sphere does not only depend on the quantity of participation, but also on the quality of discourse. Cf. Habermas, Jürgen: *Strukturwandel der Öffentlichkeit*. (Note by authors)

¹⁵ Illouz, Eva: *Cold Intimacies*. 78

¹⁶ Illouz, Eva: *Cold Intimacies*. 113

¹⁷ Žižek, Slavoj: *The Plague of Fantasies*. 111

¹⁸ Žižek, Slavoj: *The Plague of Fantasies*. 115

¹⁹ Muhr, Sara Louise and Pedersen, Michael: "Faking It on Facebook". 275

“Oh my friends, there is no friend”

If it is true that *Facebook* is the current, highly emotionalized meridian of all Social Networking Services, one may conclude that for such New Social Media it all comes down, as the largest company's mission statement suggests, to “*connect and share with the people in your life*”²⁰, i.e. with those we consider to be *our friends*. As simple and appealing as this invitation to participate in a globalized village consisting of aggregated, friendly profiles may sound, it is of critical importance to acknowledge that it silently defines *friendship* as that magic social operator which henceforth shall regulate most issues of belonging. Especially in view of the Social Networking Services' genuine potentiality to displace some of the territorial markers, which so far have delimited people's communication according to fragmented and segmented nationalized spaces, we are indeed confronted with new forms of transversal bonding. Not incidentally, Arendt showed a great interest in exploring the meaning of civic friendship when discussing how public life has eventually emerged in the Greek *poleis*:

*“In discourse the political importance of friendship, and humanness peculiar to it, were made manifest. This converse (in contrast to the intimate talk in which the individuals speak about themselves) [...] is concerned with the common world, which remains ‘inhuman’ in a very literal sense unless it is constantly talked about by human beings. For the world is not humane just because it is made by human beings, and it does not become humane just because the human voice sounds in it, but only when it has become the object of discourse.”*²¹

No doubt there is a lot of ‘talk’ adorning the ‘walls’ of those who are displaying a digital profile in *Facebook*. But as Arendt has repeatedly emphasized, public discourse does not equal intimate talk. Bearing this fine distinction in mind, the public quality of sharing in Social Networking Services will then depend on the “unfriendly” disposition to break the chains of intimacy and to engage in debates. If *Facebook* and its users are serious about “*giving people the power to share and make the world more open and connected*”²², it is time for shifting the

attention from what is posted on individual's profiles to what is discursively shared (in groups).

Such a shift would first of all require that users develop a critical awareness regarding the allurements of self-presentations in terms of simply playing to the gallery. Especially when considering the increased readiness to use Social Networking Services for political agitation in the broadest sense, the question needs to be addressed if such single-click outreach efforts are really directed at supporting a particular cause (if they are “shots into the moral darkness”²³, so to say), or if they are rather intended to fabricate an image of the self in order to anchor it in the minds of those potentially auditing? If the latter applied, there would indeed be no genuine difference between participating in a dedicated group of political activists and “*choosing [...] an outfit to wear*”²⁴.

Risking sharing

The public envisioned by Kant as a realm constituted by freely shared thoughts and formed by an unimpeded exercise of one's reason is no longer a mere utopian postulation, nevertheless it remains an imperfect privilege of – at best: partially – “open” democratic societies. When turning to Arendt's understanding of the public realm as that site where speech and action are shared to the extent that one's self is ultimately disclosed to others, one cannot but notice, however, that the risks implied by such an existential self-revelation are spread disproportionately: there is, in short, a crucial difference between an Italian citizen, for example, who opposes the use of nuclear energy by joining a protesters' group on *Facebook* on the one hand, and, perhaps, an Iranian student openly supporting an imprisoned opposition leader on the other. Considering Arendt's argument that an anonymous sharing of information and action cannot possibly generate a public (democratic) realm – e.g. when she stresses that “[w]ithout the disclosure of the agent in the act, action loses its specific character and becomes one form of achievement among others”²⁵ – the following question arises: what if political actions are directed against a totalitarian regime and if anonymity is crucial to uphold the integrity of the actors involved? If emerging and thus exposing one's inimitability – discussed by Arendt as man's *second*

²⁰ <<http://www.facebook.com/>>

²¹ Arendt, Hannah: “On Humanity in Dark Times: Thoughts about Lessing”. 24

²² About: <<http://www.facebook.com/facebook>>

²³ Vallor, Shannon: “Flourishing on Facebook”

²⁴ Meikle, Graham: “It's Like Talking to a Wall”. 17

²⁵ Arendt, Hannah: *The Human Condition*. 180

birth – ultimately results in risking one's very intimate *death*? Would it make sense to argue that such acting is lacking the quintessential public quality and, as a result, it is not political in Arendt's own terms? But as she also notes, only somebody willing to continue to exist within a given community or commonwealth and to maintain relations with others therein will finally be ready to take the risk of emerging – in public. Hence, one could argue that acting publicly in a political sense is *per definitionem* a specificity of an at least potentially "open" society, i.e. political acting itself requires social conditions where risks are not very likely lethal. One could even argue in continuation of Arendt's concession that the duty to keep promises may be suspended when extraordinary circumstances apply²⁶ – including such when the state fails to fulfill its basic responsibilities –, that anonymous political acting within Social Networking Services is a legitimate political strategy as long as the agenda is that of enabling conditions under which masking is no longer necessary. In view of this modified Arendtian argument one could contend that whereas a democratic commonwealth should be alarmed by the rise of anonymity, in the case of repressive regimes concealed and undeclared acts of sharing are the only feasible option for manifesting dissent.

Another play, another sharing is possible

If the financial speculation over *Facebook's* stock market valuation, peaking at 50 billion USD at the beginning of 2011, tells us anything of significance for a political ethics of sharing, it concerns the webservice's legal status as a private company that is owned and controlled by a restricted group of entrepreneurs, and headed by a single individual. This is remarkable insofar as it evidences a performative contradiction: the very institution which has defined *connecting* and *sharing* its unique selling proposition is itself a profit-oriented enterprise that is neither reflecting the idea of *the commons*, nor is it up to public scrutiny.²⁷ In this sense, *Facebook* can be understood as a digital space

²⁶ Arendt, Hannah: Zur Zeit. 151

²⁷ In analogy to Derrida's main argument put forward in his paper "Structure, Sign and Play in the Discourse of the Human Sciences", one could claim with regard to *Facebook* that it is an almost too perfect exemplification of the ambivalence of a center which on the one hand "permits the play of its elements inside the total form", i.e. the connecting and sharing of user profiles, while on the other hand it "also closes off the play which it opens up and makes possible." Derrida, Jacques: "Structure, Sign and Play in the Discourse of the Human Sciences". 352

where everything can be shared, just not *Facebook* itself. But wouldn't it be consequential to share also what until now constituted the Social Networking Service's secretive centre? Wouldn't it be more coherent – also in the light of *Facebook's* notoriously slack handling of user privacy – to turn to an open source alternative? How about a decentralized network like *Diaspora*²⁸?

Public/ity

As much as sharing in its predominant mode of posting on one's profile has become the undisputed fetish of a whole New Social Media industry, this *lifestyle* raises a great many ethical concerns ranging from the risks of an uncommitted, yet openly staged affectivity or closed environments declared as 'collaborative' to the ambivalences of *sharing* in terms of a promising, active participatory process vs. interpassive, disjointed acts of having trivia *shared*.

As recent uses of Social Networking Services are demonstrating, not least in view of the Arab youths' impressively coordinated uprisings against the whims of their rulers, it would be a grave mistake to assume that devices have a predefined operating range. Even *Facebook* can become an activist media in the hands of people who share the revolutionary passion to establish *public* life. Against an all too enthusiastic and libidinally charged rhetoric of interconnectivity, however, it is expedient to retain a sober, critical distance to the technology at our hands and to furthermore concede to ourselves some undivided passivity. Perhaps this will help us to form an unprecedented commonality that actualizes de-centered and yet engaged modes of sharing without at the same time confounding the public with publicity and discourse with chatter.

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²⁸ <<https://joindiaspora.com/>>

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Vito Campanelli:

Remix Ethics

Abstract:

Occupying the increasingly thin line that separates legitimate appropriation from plagiarism, remix practice raises significant ethical issues. The issue is rendered more complicated by the fact that this line frequently shifts, both in academic debates and in legal. If in large Western nations remix practice is widely considered legitimate, it is still considered necessary to add something personal to one's sources, and if at all possible to enrich those sources in some way. This is usually considered sufficient to avoid misappropriating someone else's intellectual work. In the last few years, various legal actions in the EU and the USA have revealed a significant gap between this apparently moderate position, and the position of legislators. The purpose of this paper is to take a look at some of the most controversial positions on the issue of 'remix ethics', attending more closely to aesthetic implications than to political consequences⁴².

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- Relevant publications:
 - Web Aesthetics: How Digital Media Affect Culture and Society, Rotterdam/Amsterdam, NAI Publishers/Institute of Network Cultures, 2010 (978-90-5662-770-6)
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- 'Hacking, la sfida intellettuale della software culture', in: *D'Ars*, n° 206, June 2011, (ISSN: 0011-6726), pp. 37/39
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⁴² The paper is a reworked text from my recent book: Web Aesthetics (2010).

- 'The DivX Experience', in: Geert Lovink and Rachel Somers Miles (eds), *Video Vortex Reader II: Moving Images Beyond YouTube*, Institute of Network Cultures, Amsterdam, 2011 (ISBN 978-90-78146-12-4), pp. 51/60
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Translations

- Translation into Italian of the book: Miltos Manetas (ed.), *Neen. New Art Movement*, Milan, Edizioni Charta, 2006 (ISBN 88-8158-601-0)

One of the most controversial issues about remix culture concerns the question of whether it is appropriate to establish a remix ethics. To put the question another way: Is it appropriate to conceive of a limit, beyond which remix becomes less legitimate? The question is intrinsically connected to the principle of authorship, as is evident in the increasing crisis of the concept of the author during the last several years. The concept of 'author' is as abstract as that of 'border'; in fact, the collaborative modalities implicit within digital tools, and the uptake (predominantly since the 1960s) of collective creative practices, have led us to a point in history in which the figure of the author as a kind of lonesome genius, and the figure of the collective authorial subject, coexist. In particular, the net.art deriving from the 'digital revolution' has closed the circle between the alternative collective movements of the late twentieth century, leaving the task of completing the work of art to users, through interaction. Creators of net.art are unrelated to the Romantic concept of the artist, as those who activate a context that requires the cooperation of others in order to come to fruition. Masking, identity games and plagiarism are practices that net.art has inherited from avant-gardes. When such techniques join forces with digital technologies, they invert the concept of authorship that continues to legitimize the contemporary art world. In net.art, the 'author' makes room for a new subject: the network. In fact, it is only in the network that the sense, the aesthetics and the intentions of the *net artistic* work can be recovered. As Tatiana Bazzichelli writes:

"To network means to create relationship networks, to share experiences and ideas. It also means to create contexts in which people can feel free to communicate and to create artistically in a 'horizontal' manner. It means creating the aforementioned in a way that the sender and the receiver, the artist and the public, are fused/confused; they lose their original meaning. The art of networking is based on the figure of the artist as a creator of sharing platforms and of contexts for connecting and exchanging. This figure spreads through those who accept the invitation and in turn create networking occasions. For this reason, it no longer makes sense to speak of an artist, since the active subject becomes the network operator or the networker"¹.

¹ Bazzichelli, Tatiana: Networking. 27

As remix practice does not only concern art but is implicit in any expressive form, it is necessary to widen our reflections to include other fields of human action, and to focus on the sizable gap between the commonsense conception of remix ethics and the practice of copyright.

The Inadequacy of the Legislator

A major reason for the inadequacy of present legislation is the fact that copyright was instantiated in an age in which digital media did not exist². After all, before the birth of digital media and the Internet, it was (almost) only commercial publishers that could actually publish a work, and the publisher acted as guarantor (or alternatively legitimated plagiarism because they knew they could rely on an army of lawyers).

Today, new technologies have effectively reduced the costs of publication (at least of 'amateur' publications) giving life to such phenomena as desktop publishing, along with the entire blogosphere. In light of this profoundly altered situation, the inadequacy of copyright law is immediately evident. Yet, backgrounding digital media for the moment, there are many cases in which simple common sense violates copyright³.

² The English Copyright Act of 1709 is the first legislative measure to establish the relationships between publishers and authors. This was imitated by France in 1793, and then by other states, while it was not until 1886 that the Berne Convention established the principle of international reciprocity of rights. Most interestingly, perhaps, is the fact that authors received no fees from publishers until the eighteenth century. Copyright is not the result of authors' commercial interest, however. The interest behind copyright is due to publishers' economic concerns. Similarly, today the vast majority of intellectual property laws are aimed at protecting the economic interests of publishers, record labels, multinational software companies, etcetera. The livelihood of authors and the defence of their creativity are, in essence, always the arguments used to justify the existence of exclusive rights of which – paradox of paradoxes – the authors benefit only in small part.

³ In Lessig's reconstruction, analogue technologies were marked by 'natural' limitations that somehow limited consumers' opportunities to compete with producers. Digital technologies have eliminated these constraints, rendering any cultural content completely manipulable. When the content industry became aware of this, it was terrified, 'and thus were born the copyright wars'.

Lessig, Lawrence: Remix. 38-39

Common Sense that Violates IP Law

This is the case in scientific disciplines, in which progress is consequent upon the work of the entire past, present and future scientific community. Any scientist (or group of scientists) who makes a significant discovery will have taken advantage of all the research—whether successful or failed—undertaken by their predecessors. As Lazzarato writes: "Invention is always encounter, hybridization, a cooperation between many imitation flows . . . even when it develops in an individual brain."⁴ If every scientist was forced to pay licensing fees to every scientist who has worked on a related subject, scientific research would immediately cease. And yet we may be seeing precisely this process taking place. Several years ago, the South African government, in view of a population literally destroyed by HIV⁵, decided to infringe upon the patent applied by pharmaceutical companies to drugs used to treat and contain the disease⁶.

Pharmaceutical corporations reacted furiously, assuming that they owned the active ingredients *copied* by South African researchers who, apart from invoking a terrible state of necessity, also argued that it was not possible to claim exclusive rights over elements that are in nature and are therefore not invented, but discovered.

Similar perplexities arise in regard to patents of genuine products of human intellect: software. Traditionally, patentable processes applied only to material transformations, while processes such as economic methods, data analysis procedures and *mental steps* were exempted. Since the 1980s, a series of decisions made by the US Supreme Court (and, as a consequence, by the European Tribunals, in the name of a sort of 'Americanization of the law') have questioned this principle. Large software multinationals have quickly picked up on the poten-

tial of this development. The situation has become so nonsensical that the US Patent Office is forced to face hundreds of requests every year for patents for software concepts. With the Patent Office having no means to establish the real novelty and originality of the concepts, there have been devastating consequences for small and mid-sized enterprises that, lacking the economic resources to pay for expensive legal actions concerning the paternity of an idea, have no way to defend themselves against industry giants such as Microsoft.

Towards a 'Free Culture'

The few examples mentioned should be sufficient proof of the schism between modern intellectual property laws and common sense. The interests of the few (corporations and their shareholders) are jeopardizing the interests of humanity, as the progress of science, technology and culture are threatened. In *Free Culture*⁷, Lessig expresses this concern, highlighting the intrinsic risk of the protection of 'creative property', which allows those who own the rights to intellectual property to control the development of culture. Lessig's reasoning demonstrates that some of the most important innovations of modernity, such as photography, cinema and the Internet, were made possible thanks to a climate in which knowledge was freely shared and disseminated. According to Lessig, present regulations constitute insurmountable barriers to the free circulation of ideas, thereby obstructing the development of culture. For Lessig, 'free culture' does not imply the denial of intellectual property. His proposal, which is realized in Creative Commons licences⁸, offers a way to avoid the extremes of an anarchic 'no rights reserved' and the total ownership expressed in the formula 'all rights reserved'⁹. Creative Commons licences aim to realize the principle of 'some rights reserved': authors retain the right to make their content freely available as they see fit. This proposal restores liberties once taken for granted, decreasing the gap between legislation and common sense.

⁴ Lazzarato, Maurizio: La politica dell'evento. 25

⁵ In South Africa, recent statistics from the Department of Health (<http://www.doh.gov.za>) report 1,700 new cases of HIV infection each day, and a total of 6-8 million people infected (of a population of about 40 million).

⁶ The African continent, with 70 per cent of infections of the number worldwide, represents only 1 per cent of the global market for drugs, compared with 80 per cent represented by the USA, Western Europe and Japan. In view of this scandal, the expression 'health apartheid' formulated by Médecins Sans Frontières appears profoundly justified. The struggle between the right to health and the defence of companies' profits inspired the novel *The Constant Gardener* (2001) by John Le Carré: a harsh indictment of the economic interests of pharmaceutical companies.

⁷ Lessig, Lawrence: *Free Culture*.

⁸ Web: <http://creativecommons.org> (accessed 4 April 2011).

⁹ For a critical reading of the presuppositions of *Free Culture* and an original exposition of the main positions emerging in the debate around Creative Commons, see: Pasquinelli, Matteo: *Animal Spirits*.

A Relativist Ethics

Leaving aside the legal constraints upon remix, it is evident that formulating a morally satisfying solution in regard to remix culture remains a difficult task. In fact, attaining a shared ethics in the present relativist atmosphere is a near-utopian aim. Furthermore, it seems even more difficult to formulate an ethics that would apply equally to the plagiarism *tout court* of the Borgesian hero César Paladión, and a song featuring a very short sample of *O' Sole mio* (1898). There seem to be an infinite number of intermediate positions between those who believe that no-one invents anything, and those attached to a kind of fetishized vision of the author.

The Recognition of Peers

What is needed is to imagine a subjective ethics. As such, an ethics of this kind is difficult to make extrinsic and collective, but its apparent relativism can be qualified by the 'recognition of peers'. As the primary need of anyone who gives life to a creative act is the recognition of their own community, absolute relativism is modulated by the judgment of individuals who share values, references, aesthetic canons or other qualities. This solution seems adequate to that 'world of strangers' outlined by Ghanaian philosopher Kwame Anthony Appiah. According to Appiah's philosophy of cosmopolitanism, in the present interconnected world it is possible for different cultures to live peacefully together by adhering to their own specific sets of values, without ever needing to formulate a final, universally applicable solution¹⁰.

If we leave economic interests aside, attending to an ethics founded on the *recognition by peers* might represent a viable and defensible approach to the phenomena that characterize the present age. If this necessitates the abandonment of a shared ethics, it is worthwhile to point out that a unified moral vision is less essential to a remix culture than it is to religions and other ideological forms.

¹⁰ Appiah, Kwame Anthony: *Cosmopolitanism*.

On the issue of artistic and, more particularly, archaeological objects, Appiah considers it laughable for modern states to claim as national heritage the objects of historical and artistic interest found within their territories. According to Appiah these objects should instead be considered the heritage of all humanity, and therefore be made accessible to everybody. If this reasoning is applied to cultural production as a whole, a cosmopolitan view leads to the conclusion that any cultural object should be accessible and usable (for new production) by all.

Informal Behavioural Codes

Rather than norms enforced through sanctions¹¹, it is legitimate to formulate behavioural rules: crediting one's sources is a good habit to foster; just as it is good form to make one's own creations, constructed from the creative work of other people, available to anyone who wishes to use it. All the informal behavioural codes already widely in use in online communities appear to support the viability of such an ethics. Entering a newsgroup used by developers who have chosen to use open source software, downloading a file using file sharing software, contributing to the creation of a Wikipedia lemma, even purchasing something from e-Bay, we contribute to the existence and the continued operation of a series of habits that, though they do not necessarily constitute a shared ethics, represent the *conditio sine qua non* to gain access to the community one is approaching¹².

Aesthetic Fallout

Departing ethical considerations for aesthetic ones, it is clear that current copyright laws and policies have significant consequences for aesthetics, for they reinforce the sense that some practices, because they are not strictly legal, are 'underground'. In fact, this is a complete misnomer. The existing normative/repressive complex functions to imbue remix culture with an aura of the forbidden, just as 1970s alternative cultures were termed such largely due to their use of drugs and the experimentalism of their lifestyles in contrast to those of the middle classes. Today, many artistic practices that challenge injunctions against free access to, and creative reuse of, culture are labelled 'illegal'. As such, institutional funds are denied to such practitioners and they are held at a distance by the organizers of international festivals, exhibitions and lectures, as well as being excluded from coverage by the global media.

¹¹ Lessig himself states that before entering a legal plan it is essential to take the crucial matter to be that the 'right to quote – or as I will call it, to remix – is a critical expression of creative freedom that in a broad range of contexts, no free society should restrict'. Lessig, Lawrence: *Remix*. 56

¹² A very enjoyable parody of the 'relationship rules' to be adopted on Facebook is offered by the video *Facebook Manners And You*. Web: <http://www.youtube.com/watch?v=iROYzrm5SBM> (accessed 4 April 2011).

The Plagiarism Experience

In the late 1990s, the experience of some 'plagiaristic' works of net.art is emblematic. Artists such as Vuk Cosic and the Italian duo 0100101110101101.org copied entire websites and republished them under a different domain, reclaiming these operations as legitimate net.art performances (examples are Cosic's *Documenta Done* (1997) and *Hell.com* (1999) and *Vatican.org* (1999) by 0100101110101101.org). The apotheosis of this practice took place in 1999, when Amy Alexander duplicated the 0100101110101101.org website and published it on her own website plagiarist.com. The Italian artists responded by linking Alexander's website on their homepage, thereby 'realizing a paradoxical conceptual copy of a copy of their copies'¹³. As 0100101110101101.org themselves explain, such practices undermine copyright completely:

"A work of art, on the Net or not, cannot be interactive as such, it is people who have to use it interactively, it is the spectators who have to use the work of art in an unpredictable way. By copying a website, you are interacting with it, you are reusing it to express some contents that the author had not implied. Interacting with a work of art means to be user/artist at the same time; the two roles co-exist in the same moment. Thus we should talk about meta-art, of fall of the barriers of art; the spectator becomes an artist and the artist becomes a spectator: a witness with no power on what happens on their work.

The essential premise to the flourishing of reuse culture is the total rejection of the concept of copyright, which is also a 'natural' need of the digital evolution¹⁴.

What is most instructive is the reaction of the 'institutional' art world to these plagiarist short circuits. Attempting to exploit the hype surrounding this new form of art, museums, public institutions, curators and galleries risked the very basis of their authority – the originality and uniqueness of the work of art – as they confronted the implications of such appro-

priations. Initial curiosity quickly turned into diffidence, and it is not difficult to see why. The possibility of considering something immaterial such as a website as a work of art raised concerns, as well as the overt hostility of art merchants. It was the threat that plagiarist practices represented to authoriality that was ultimately too much for an institution that, behind its façade of openness, remained deeply conservative and rooted in a reality constituted by atoms and *eternal values*¹⁵. This moment inaugurates the (still present) fracture between the world of 'institutional' art as a whole (bearing in mind that there are significant exceptions), and artistic practices that question the principles of authorship and originality that are the foundations of copyright. These are forced to survive as spectacle, living off the crumbs of the art world, who disguise this 'magnanimity' as an opening towards the new. There are still those artists who refuse to accept the remains and reclaim the whole cake.

Forced to be 'Underground'

Many remix practices are placed outside mainstream flows not because of aesthetic or ideological differences, but because they are not acceptable to the cultural establishment. In other words, they are bound to be labelled 'underground' even though their underlying creative processes take place *in the light* and are popularly and widely expressed. Similarly, in the field of music, there is an increasing distance between artists and companies managing copyrights, and a discomforting lack of proposals that might satisfy all the interests involved. The case of DJ Danger Mouse is instructive¹⁶. In 2004, the artist published a record entitled *The Grey Album*, which remixed Jay-Z's *The Black Album* (2003) and the Beatles' *The White Album* (1968). As the remix process was performed without permission, it soon captured the attention of EMI's lawyers. In response to this legal attack, *Grey Tuesday* was organized: on 24 February 2004, activists and musicians posted and published the incriminated album on as many websites as possible. Not satisfied with ordering DJ Danger Mouse to cease selling *The Grey Album* and threatening to destroy all copies of the record, EMI's lawyers threaten legal action against anyone who publishes the 'illegal' album online. The lawyers

¹³ Deseriis, Marco and Marano, Giuseppe: Net.art. 84 [translation by the author]. In this book, which offers a brilliant interpretation of the pioneering phase of net.art, it is possible to read a precise reconstruction of the history of 'plagiarisms' to which I refer (See: 78-85).

¹⁴ Private conversation between Deseriis, Marano and 0100101110101101.org, quoted in: Deseriis, Marco and Marano, Giuseppe: Net.art. 82-84 [translation by the author].

¹⁵ Elsewhere I defined the contemporary art system as "a hologram of a vanished world, the representation of an ancient society in which everything was weighed up in terms of atoms". See: Campanelli, Vito (ed.): *L'arte della Rete*. 85

¹⁶ Web: <http://www.dangermousesite.com> (accessed 4 April 2011).

seemed ignorant of the dynamics of the Net, and their threats seem comparable to attempting to stop a swarm of grasshoppers by means of a scarecrow. Furthermore, we can note that once again the attitude of international record labels, along with contemporary art institutions, cover contemporary artistic practices based on remix with a gloss of illegality. As Daphne Keller observes:

"Much of today's most innovative cultural production takes place in the shadow of the law: many DJs and other artists produce their work in the knowledge that a copyright holder could sue, that distribution of their work could be enjoined by law, and the sampler held liable for substantial monetary damages"¹⁷.

In the Shadow of the Law

It is important to note that acting 'in the shadow of the law' influences the aesthetic perception of many works. According to their own personal perspective, a member of an audience might confer a work of art with positive values such as breaking with tradition and the reclamation of creative spaces or, alternatively, with negative values such as the misappropriation of others' intellectual works and lack of 'originality'. A similar situation characterizes the file-sharing phenomenon. The activity of downloading from P2P networks, for the reason that it is experienced as rebellious and seditious, becomes a particular kind of aesthetic experience because of the injunctions in place. Simultaneously, the *vox populi* accepts the idea that those who perform these activities embody the model of a transgressive, 'outlaw' life-style. The perception of P2P as analogous to smoking pot or going to a club for swingers is inappropriate, because the activity of 'digital swingers' is never hidden in the way that sly or morally disputable practices are. It is not something that happens in the dark of a filthy club, or in some metropolitan ravine, it is rather a phenomenon that would lose its intrinsic meaning if the acquired materials were not displayed, in fact the three stages of: downloading of a cultural object from the Internet, organizing it within an archive and exhibiting the archive, are not separable stages, rather they constitute a gestural *continuum* that flattens the existence of the contemporary *flâneur* into a specific aesthetical canon, that of the 'data dandy'¹⁸.

¹⁷ Keller, Daphne: 'The Musician as Thief', in: Miller, Paul D. (ed.): *Sound Unbound*. 136

¹⁸ Recalling Oscar Wilde, Dutch media theorist Geert Lovink defines the modern media user as a 'data dandy': "*The Net is*

Therefore it can be claimed that the cultural products assembled over years are never hidden because accumulation and exhibition are two sides of the same coin¹⁹.

Intrinsic Ethicity of Online Communities

The same dynamic characterizes also the remix culture as a whole, indeed the remix makes sense not only as a practice/process but also as a product that one can show to the world and/or to the smaller community of one's own peers.

The desire to exhibit the results of our *raids* in the file sharing platforms, as well as to demonstrate our unequalled creativity through continuous remixes, is already enough in itself to deny, in the most absolute way, that we are in front of practices perceived as morally reprehensible and, as such, condemned to some form of hiding. The contemporary *flâneur* does not hide, he/she does not live in the darkness of some suburban ravine but in the light of the perpetual sparkling of digital worlds. Therefore the imaginary that the digital *flâneur* brings into play with his/her remixes is not that, tired and decadent, of an outlaw forced into hiding, but that, typically baroque, of a network society's inhabitant, proud of this status and of the possibilities it offers.

To put the point another way, to continue to consider the remix culture as a culture that takes place 'in the shadow of the law' is certainly instrumental in protecting the economic interests of corporations but, from the perspective of aesthetic criticism, it is as insane as to continue to ignore that networks have become nowadays the *medium* and the message of any artistic practice.

to the electronic dandy what the metropolitan street was for the historical dandy. . . . The data dandy has moved well beyond the pioneer stage; the issue now is the grace of the medial gesture."

For Lovink, just as *flâneurs* displayed their clothes on crowded boulevards, Web users 'stroll' and strut about social networks and file-sharing platforms, displaying their archives of movies, music and images. These latter objects are the icons of a digital modernity. See: Lovink, Geert: *The Data Dandy*. 99

¹⁹ Moreover, accumulation of images, sounds and suggestions that may later be creatively re-edited is a necessary activity for any artist, at least if it is true that, as Paul D. Miller (aka DJ Spooky - That Subliminal Kid) states, 'as an artist you're only as good as your archive'. P.D. Miller, 'In Through the Out Door: Sampling and the Creative Act', in: P.D. Miller, *Sound Unbound*, op. cit., 16.

Returning for a moment to the desire to exhibit our personal archives of data and our reworkings of these collections (that is to say: our remixes), it is impossible not to acknowledge a state of things in which that desire is continually mortified by the complex of copyright laws and pronouncements. These, in concert with mainstream media and institutions which express the *will of power* of corporations, insist on characterizing as “underground”, “unconventional”, “outlaw”, “antisocial” and so on, a series of phenomena that often, for their own nature, do not embody at all those values.

Millions of individuals worldwide are using the “creative tools” that marketing has led them to purchase, and are rearranging fragments of that data flow with which mass media have saturated their lives. Although they are acting *in the light of the sun* they find themselves forced within labels such as *Carbonari* and conspirators. These individuals – young people, students, workers, honest citizens and “good family men” – are continually being pushed into the darkness with the aim to reinforce in the public imaginary the idea that handling cultural copyrighted contents is equivalent to making unworthy acts such as those which are usually associated with darkness.

This constant struggle between the *light of the righteous* (the holders of intellectual property rights) and the *darkness of the wicked* (the remixers) suggests to me a parallel with the alternation of the Dionysian gray area to the Apollonian light of reason, a theme dear to Maffesoli. According to the French thinker, after the struggles of modern intelligentsia (vainly striving to impose the Apollonian “daytime regime” on the “night regime” of Dionysus), the two ‘regimes’, respectively related to ‘science’ and ‘common sense’, must move forward together because there is no a science which is not based on common sense. Yet – as Maffesoli remarks himself – this relationship is lacking in many theoretical systems that bypass the manifestations of a common sense highly related to daily life. Here, if we replace the word ‘science’ with ‘law’ we see that in the contemporary age it becomes possible to bring out a contradiction very similar to the one Maffesoli identifies in the modern age; in fact, a law that does not reflect the common sense is like a science that denies the experience coming from daily life: an unbearable theoretical construct, completely abstract²⁰. In other words: something of which we would like to do without, especially at a

time, as the current one, which left in the attic the distinctive features of modernity (rationalism and individualism) to embrace a multiculturalism based on digital networks (the authentic heart of the remix culture) and therefore on the ability of individuals to give life to increasingly global networks and, through them, to create relationships, to share ideas and projects, to put into play ones own intimacy and imaginary.

To state the point one final time, it might be desirable that the legal culture should put itself on the same level of other fields of knowledge in which the sharp fracture of post-modernity already represents a point of no return. Concepts such as ‘author’, ‘original’, ‘copy’ etc., sorely tried in the transition from modernity to post-modernity, have now exploded into countless particles and are centrifuged in the current remix culture on a daily basis. Faced with this scenario, the pretension to be staked out behind legal principles (born in distant and different eras) appears for what it is: a petty attempt to continue to offer representations of a world that no longer exists. Therefore if one can not do without looking for ethical principles capable to take away the remix culture from that state of anarchy which seems to be so connatural to it, then it is in digital networks that those principles are to be found. Moreover, it is only through a full participation in such a communities, that is to say through the involvement in their daily practices (and among them, *ça va sans dire*, in the remix practices), that one can acquire such an ‘ethical know-how’²¹. The online communities are characterized by an intrinsic ethicity and therefore by ethical principles which, while not requiring an explicit formalization, regulate community life. These principles are learned by all participants without any effort (Varela would say: in an instinctive way), indeed it is sufficient to live in the community in order to perceive it as completely transparent.

Obviously, besides being non-formalized, ethical principles governing online communities are also in constant evolution because, unlike the written law, they directly reflect the common sense, as a result they register also the smallest fluctuations.

In conclusion, to find an answer to the question posed at the beginning of the paper (Is it appropriate to establish a remix ethics?), one must look at online communities and at the evolution of common

²⁰ Maffesoli, Michel: Apocalypse.

²¹ Varela, Francisco: Ethical Know-How.

sense related to their daily practices. To the *commons* the arduous sentence.

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Clemens Apprich:

Teilen und Herrschen: Die „digitale Stadt“ als Vorläuferin heutiger Medienpraxen

Abstract:

The beginning of the 1990s saw the rise of critical interest in examining the promises and risks posed by newly built network technologies in Europe. A key role within these discussions was played by the newly founded "Digital Cities", whose stated goal was to provide the necessary infrastructure for self-governed communities. Not only was the shared use of technological infrastructure crucial to the invention of new forms of organization, interaction and participation, but also the active sharing of common goals and interests. For this reason the idea of the digital city with its virtual communities helped to implement new technologies by providing the necessary metaphors in order to translate technological developments into social practices. Hence, many of the technologies that make up Web 2.0 emerged in the 1990s, and with them also emerged the idea of social media, user-generated content or participatory platforms. By retracing the threads of current practices of sharing back into the early days of network building, the aim of this article is to critically examine new forms of network-based subjectivation which produce specific concepts of subjectivity within the digital environment.

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In jüngster Zeit lassen sich bemerkenswerte Umbrüche in der informationellen Landschaft erkennen: Seien es die aktuellen Wahrheitsspiele im Umfeld von WikiLeaks, die Fragen der Suche, der Klassifizierung und des Zugangs zu Information in der Auseinandersetzung mit und um Google, oder die Rekonstruktion des Sozialen durch Online-Plattformen wie Facebook; die neuen Netzwerktechnologien und die mit ihnen verbundenen Praxen stehen heute im Zentrum unserer digitalen Lebenswelt. Die Auseinandersetzungen um ethische Grundsätze betreffen dabei nicht alleine rechtsstaatliche Regulierungen des Internet, sondern führen zunehmend zu einer allgemeinen Diskussion über soziale, kulturelle und politische Werte in einer vernetzten Umgebung. Insbesondere Fragen des Teilens sind in den letzten Jahren in den Mittelpunkt der Debatten gerückt, zumal neue Voraussetzungen für die Produktion, Zirkulation und Konsumption digitaler Güter herrschen: Wurde in der klassischen Nationalökonomie die exklusive Verfügungsgewalt über ein Produkt noch aus der „natürlichen Knappheit“¹ der Ressourcen abgeleitet, löst sich dieses Verknappungsprinzip bei digitalen Gütern gleichsam auf. So kann im Gegensatz zu einem Apfel, der John Locke zufolge nur dem/derjenigen zustand, der/die ihn auch gepflückt hat, ein digitalisiertes Produkt vielfach kopiert und weitergegeben werden, ohne dass einem/r anderen damit etwas weggenommen wird. Durch die technologische Befreiung digitaler Güter von ihren materiellen Trägern erscheint die private Eigentumssicherung mittels Intellectual Property Right Systems (IPRS) als die eigentliche Form des Diebstahls, während der offene Austausch von Daten neue Formen der Teilhabe verspricht. Zu fragen wäre also, inwieweit sich eine neue Ethik des Teilens in die bestehenden Netzwerke, ihre Infrastrukturen und Praxen eingeschrieben hat und worin die Vision einer gerechten, partizipativen und egalitären Gesellschaft, deren zentrales Kommunikationsmedium das Internet ist, besteht.

Damit verknüpft ist die Suche nach institutionellen Regeln, welche die gemeinschaftliche Nutzung digitaler Güter erlauben. Sie bilden die Grundlage von Gemeinschaften, die sich nicht alleine über die Bereit- und Herstellung materieller Ressourcen definieren, als vielmehr über das Teilen gemeinsamer Ideen, Informationen und Praxen. Solche *communities of practice* (vgl. Wenger 2006) stellen eine wesentliche Herausforderung für bisherige Organisations-, Interaktions- und Partizipationsformen dar, zumal sie sich weitgehend außerhalb der klassischen Institutionen bewegen. Im Folgenden sollen diese Gemeinschaften aus einer historischen Perspektive untersucht und damit ein Beitrag zur aktuellen Debatte geleistet werden. So entstand zu Beginn der 1990er Jahre eine äußerst aktive Netzkulturszene, die sich intensiv, kritisch und experimentell mit den Versprechungen und Risiken der neuen Kulturtechnologien auseinandersetzte. Eine wesentliche Rolle spielten dabei die neu gegründeten „digitalen Städte“ (neben Amsterdam und Berlin auch in Wien), deren erklärtes Ziel es war, die nötige Infrastruktur für selbstverwaltete Gemeinschaften bereitzustellen. Hierzu diente die Stadtmetapher, welche bei der Implementierung der neuen Technologien half, indem sie die notwendigen Bilder zur Übersetzung technologischer Entwicklungen bereit hielt und darüber hinaus Handlungsanleitungen im Umgang mit diesen Technologien lieferte. Im Rückblick lässt sich feststellen, dass eine Vielzahl heutiger Medienpraxen, die in den sogenannten „sozialen Netzwerken“ zur Anwendung kommen, bereits damals entstanden sind. Im Folgenden wird daher die Annahme vertreten, dass in den „digitalen Städten“ eine spezifische Art der „Vergemeinschaftung“ vorweggenommen wurde, die heute, mit der Wiederentdeckung jener Medienpraxen zur dominanten Form einer vernetzten Gesellschaftsstruktur geworden ist. Nicht zuletzt Praxen des Teilens, der Teilhabe und der Partizipation verweisen damit auf einen sozialen Transformationsprozess, dessen Ausgangspunkte weiter zurückliegen und in dessen Zentrum eine neuartige Subjektivierungsweise zum Vorschein kommt.

¹ Freilich ließe sich in diesem Zusammenhang ebenfalls argumentieren, dass es eine „natürliche Knappheit“ nicht gibt, da es sich dabei um einen sozioökonomischen Zustand handelt, der künstlich hergestellt wird. Demnach werden im Kapitalismus Dinge verknappt, um sie verwerten zu können, wie zum Beispiel Lebensmittel, Geld oder Wohnraum. Insbesondere in der Entwicklung freier Software wurde diesbezüglich auch die Keimform einer neuen Gesellschaftsstruktur gesehen, zumal mit der digitalen Kopie die technologische Grundlage für ein unbegrenztes Produktivkraftmodell vorhanden zu sein schien. Vgl. Merten, Stefan/Meretz, Stefan: Freie Software und Freie Gesellschaft. Die Oekunux-Thesen.

Communities of Practice

Zu Beginn der 1990er Jahre herrschte ein nahezu grenzenloser Optimismus in Bezug auf die Möglichkeiten der neuen Informations- und Kommunikationstechnologien; insbesondere das Internet galt als Hoffnungsträger einer neuen Generation, für die der Computer nicht mehr eine bloße Rechenmaschine darstellte, als vielmehr den Zugang zu einem welt-

weiten Kommunikationsnetz versprach. Durch den stetig wachsenden Austausch von Informationen über Bulletin Board Systems (BBS) sowie das Fido- oder Usenet, entstanden schon bald erste Gemeinschaften, deren Zusammenhalt sich aufgrund gemeinsamer Interessen anstatt geographischer Nachbarschaft oder sozialer Nähe erklärte:

„This is a technologically supported continuation of a longterm shift to communities organized by shared interests rather than by shared neighborhoods or kinship groups.“²

So sollten die neuen Technologien den vielfach befürchteten Niedergang urbaner Räume, im Zuge dessen öffentliche Plätze wie Parks, Cafés oder der Krämer um die Ecke ihre Bedeutung als sozialen Treffpunkt verlieren würden, umkehren und zur Grundlage gänzlich neuer Formen der Partizipation, Interaktion und Kooperation werden. Allerdings wurden auch schon früh die möglichen Schattenseiten einer auf Netzwerktechnologien basierenden Gesellschaft diskutiert, zumal *„sozialer Wandel in einem gegebenen Netzwerk oder einem Netzwerk von Netzwerken nur eine geringe Chance hat.“³* Aufgrund der Fähigkeit von Netzwerken, nicht kompatible Knoten einfach auszuschalten bzw. Dissens in die eigene Funktionsweise zu integrieren, sah Manuel Castells etwa die Gefahr, dass sich die jeweiligen Gemeinschaften zunehmend homogenisieren und nach Außen hin abschotten könnten. Damit unterwandern eben jene Technologien, auf welche die Hoffnungen einer Wiederbelebung des demokratischen Diskurses gelegt wurden, die Möglichkeit sozialer Interaktion und das heißt von Demokratie selbst.

Mit dem Platzen der Dotcom-Blase zur Jahrtausendwende ist allerdings auch die Erinnerung an diese frühen Debatten, die zu einer Zeit stattfanden, als das Internet noch keine allgegenwärtige Realität darstellte, sein künftiges Potenzial aber bereits absehbar war, verloren gegangen. So war der Diskurs der Teilhabe vielfach geprägt von Schlagworten wie Demokratie, Partizipation und Kooperation; ein Diskurs, der gerade auch mit der Etablierung des Web 2.0 wiederzukehren scheint. In diesem Zusammenhang bieten die *communities of practice* ein möglicher Ansatz, um der Frage nach einer

neuen Ethik des Teilens nachzugehen, zumal es hierbei nicht alleine um den Austausch von Informationen und das Teilen gemeinsamer Interessen geht, sondern darüber hinaus die Teilhabe an kollektiven Praxen im Mittelpunkt steht:

„Communities of practice are groups of people who share a concern or a passion for something they do and learn how to do it better as they interact regularly.“⁴

Bezogen auf eine vernetzte Umgebung, geht es dabei nicht um eine virtuelle Parallelwelt, wo sich Science-Fiction und High-Tech mit dem alten Traum von der idealen Gemeinschaftsordnung verknüpfen, sondern um die Frage nach einer Überlagerung des real existierenden Raums mit digitalen Netzwerken. Mit den „sozialen Medien“ scheint sich diese Perspektive heute durchgesetzt zu haben, wobei die Massenwirkung des Web 2.0 die anfängliche Vielfalt an Netzinitiativen überlagert und eine weitgehende kommerzialisierte Fassung des Internet übrig gelassen hat. Damit einher ging die Unterordnung kollektiver, kommunikativer und kollaborativer Anstrengungen, indem das Prinzip des Teilens zum wesentlichen Bestandteil einer profitorientierten Unternehmensstrategie geworden ist. Um den Umschlag von einer anfänglichen Kultur des Teilens in eine Ökonomie des imaginären Eigentums beschreiben zu können, lohnt ein Blick in die frühe Phase der Netzbildung: Nicht zuletzt jene Medienpraxen, die im Kontext der „digitalen Städte“ entstanden sind, dienten einer sozialen, ökonomischen und politischen Modellbildung, die sich an Prinzipien des Teilens orientierte. Dabei stand nicht alleine ein möglichst billiger Zugang zur technologischen Infrastruktur oder der freie Austausch von darin produzierten Inhalten im Mittelpunkt, sondern eine kollektive Praxis, welche die Potentiale der neuen Informations- und Kommunikationssysteme für sich *„selbst-organisierende Systeme“⁵* ausschöpfen wollte.

Digitale Städte

Mit der Verbreitung von Bulletin Board Systems (BBS) entstanden während der 1980/90er Jahre in ganz Europa erste virtuelle Gemeinschaften, die sich

² Wellman, Barry/et al.: Computer Networks as Social Networks: Collaborative Work, Telework and Virtual Community. S. 224

³ Castells, Manuel: Bausteine einer Theorie der Netzwerkgesellschaft. S. 438

⁴ Wenger, Etienne: Communities of practice. A brief introduction. S. 1

⁵ Blank, Joachim: Internationale Stadt Berlin, Notizen aus der Provinz. S. 74

explizit als „Bürgernetze“ verstanden.⁶ Diese dezentralen, auf Selbstorganisation und -verwaltung setzenden Netzwerke sahen sich zwar in direkter Nachfolge zur nordamerikanischen Freenet-Bewegung,⁷ grenzten sich aber zugleich von der damals gängigen Vorstellung des Cyberspace als einem zu besiedelnden Parallelraum ab. Für die neu entstandenen politischen und kulturellen Initiativen ging es vielmehr darum, in bestehende Prozesse einzugreifen und die sogenannte „digitale Revolution“ in real existierenden Räumen zu erproben. Hierzu bedienten sich einige Projekte der Stadtmetapher, um mit ihrer Hilfe neue Kollaborations- und Produktionsprozesse, sowie eigenständige Distributionsmechanismen zu entwickeln. Neben den digitalen Städten in Amsterdam, Mailand oder Wien entstand eine solche auch in Berlin. Die Internationale Stadt (IS)⁸ wurde am 1. Jänner 1995 mit dem Ziel gegründet, die nötige Infrastruktur für selbstverwaltete Kunst- und Kulturprojekte bereitzustellen. Dabei war der unabhängige Internetprovider von Beginn an als Kontextsystem geplant, welches sich bewusst an der Stadtmetapher orientierte:

⁶ So etablierte sich mit dem „Zerberus-Netz“ (Z-Net) ein eigenes Mailboxsystem in Deutschland. Im Gegensatz zum angloamerikanischen FidoNet erlaubte dieses eine anonyme und verschlüsselte Kommunikation, was insbesondere für die politische Arbeit von Interesse war. So beruhte auch das „Computer-Linksysteme-Netz“ (CL-Netz), welches als Plattform für diverse Gruppierungen diente, auf der Zerberus-Technologie. Vgl. Medosch, Armin: Freie Netze. Geschichte, Politik und Kultur offener WLAN-Netze. S. 210f.

⁷ Die Konzeption der digitalen Stadt geht im Wesentlichen auf das 1986 von dem Mediziner Tom Grundner initiierte und der Case Western Reserve University finanzierte Cleveland Freenet (bis 1999) zurück. Zu Beginn als Mailbox für Gesundheitsfragen betrieben, verbreitete sich das Netzwerk aufgrund seiner Offenheit gegenüber anderen Themen sehr schnell. Zur Strukturierung dieses wachsenden Wissensraumes wurde ein textbasiertes Interface entworfen, welches sich an der Stadtmetapher orientierte und über ein eigenes Postamt, einen öffentlichen Platz, ein Verwaltungsgebäude, sowie ein Kranken- und ein Künstlerhaus verfügte. Vgl. Douglas Schuler: Neue Bürgernetze. Aufruf zu einer neuen Gemeinschaft. S. 300ff.

⁸ Ende 1993 wurde das von Barbara Aselmeier, Joachim Blank, Armin Haase und Karl-Heinz Jeron gegründete Netzkunst-Projekt *Handshake* erstmals auf dem *Internationalen Videofestival am Bauhaus Dessau* präsentiert. Als interaktive Rauminstallation realisiert, war *Handshake* eines der ersten deutschen Kommunikationsprojekte, welches sich mit den Verhaltensweisen von Menschen und Automaten in elektronischen Netzwerken auseinandersetzte. Als sich 1994 der damalige Provider und Sponsor *Contributed Software GbR a.D.* auflöste, übernahm das Projektkollektiv kurzerhand deren Internet-Infrastruktur und rief die *Internationale Stadt* ins Leben. Von 1994 bis 1995 betrieb *Handshake* das legendäre „Clubnetz“, welches aus öffentliche IRC-Chat-Terminals in ostberliner Technoclubs bestand.

„Die Stadt als Sammelpunkt, Ballungszentrum, Kommunikations- und Informationsmedium mit ihren Dienstleistungsangeboten ist ein gesellschaftliches und universelles Gesamtmedium und verdient daher im Kontext der Neuen Medien besondere Aufmerksamkeit.“⁹

Die Trennung von privatem und öffentlichem Bereich,¹⁰ sowie die Möglichkeit über Diskussionsforen und Chat-Systeme Informationen auszutauschen, nahmen bereits eine Reihe technologischer Entwicklungen vorweg und verwiesen in den Augen der Stadtverantwortlichen auf „die Transformation verlorengangener Funktionalitäten realer Städte in elektronische Netzwerke.“¹¹ Die reale Stadt sollte aber nicht ersetzt, sondern durch die neuen Netzwerktechnologien ergänzt, erweitert und möglicherweise verändert werden.

Unter Berücksichtigung früherer sozialutopischer Stadtentwürfe wollte die IS mittels technologischer Vernetzung Synergieeffekte für eine direkte Demokratie schaffen, wobei die rund 300 Einwohner/innen „ihre eigene Netzumgebung [gestalten], die für andere einsehbar ist.“ Und im Gegensatz zu eindimensionalen Mediensystemen sollten sich Informationen aus dem sozialen Austausch ergeben:

„Es entsteht ein sich selbst organisierendes System, in dem Kommunikationsformen und Inhalte durch bidirektionale Interaktion zwischen den BetreiberInnen und NutzerInnen bestimmt werden.“¹²

Dabei darf freilich nicht übersehen werden, dass auch ein System der Selbstregulierung, welches eine weitgehende Unabhängigkeit der User/innen von den jeweiligen Betreiber/innen zu ermöglichen versucht, zuerst einmal programmiert werden muss:

⁹ Internationale Stadt: Die ideale Stadt im Internet. S. 254

¹⁰ Die Bewohner/innen der *Internationalen Stadt* hatten die Möglichkeit über die Veröffentlichung ihrer Inhalte selbst zu bestimmen. Der private Bereich wurde dabei von einem Passwort geschützt und beinhaltete neben der klassischen Mailbox auch das Anlegen von Tagebüchern oder sonstigen persönlichen Informationen. In zuvor festgelegten Gruppen konnten die Einwohner/innen zudem orts- und zeitunabhängig an den gleichen Seiten arbeiten. Auch hier entschied die Gruppe selbst, ob die gemeinsam entwickelten Seiten der Öffentlichkeit zugänglich gemacht wurden oder nicht.

¹¹ Internationale Stadt: Die ideale Stadt im Internet. S. 254

¹² Ebd. S. 257

„Die Informationsschwerpunkte in solchen Systemen werden zunächst durch Ideen, Visionen der Betreiber und ihres sozialen Umfelds bestimmt. Sie sind es auch, die die Regeln für soziale Selbstregulierungsmechanismen entwerfen.“¹³

So wurde in Berlin viel Zeit und Mühe in die Entwicklung komplexer Webtools¹⁴ investiert, um die kybernetische Vorstellung einer selbst gesteuerten, selbst verwalteten und sich selbst regierenden Gemeinschaft umzusetzen. Jedoch war die Hoffnung im Übergang zum 21. Jahrhundert durch cyberdemokratische Ideale an die attische Idealstadt anzuknüpfen, von Anfang an fragwürdig. So groß die Pläne und Ansprüche in Bezug auf die digitale Stadt in ganz Europa auch waren, so ernüchternd war ihr jeweiliges Scheitern. Die realweltliche Ausrichtung der digitalen Städte stieß schon bald an ihre Grenzen, zumal *„[d]er lokale, ortsbezogene Ansatz der I.S. oder anderer Digitaler Städte nur sehr eingeschränkt [funktionierte], weil die meisten Nutzer daran kein Interesse haben.“¹⁵* Als mit der Einführung des WorldWideWeb kommerzielle Anbieter zunehmend die Rolle des Internetprovider übernahmen, musste ein Großteil der digitalen Städte ihre Tore schließen.¹⁶ Übrig blieb ein „Infocom-Kapitalismus“,¹⁷ der in der ersehnten Agora virtueller Gemeinschaften letztlich doch nur einen global vernetzten Marktplatz sah.

So waren es nicht zuletzt die digitalen Städte mit ihren virtuellen Gemeinschaften, welche die Idee der sozialen Netzwerke mittels computervermittelter Kommunikation vorwegnahmen und damit einen ersten Boom des gerade erst implementierten WWW auslösten. Der mit ihnen verknüpfte Netzwerkdiskurs half bei der Implementierung der neuen Technologien, indem er die notwendigen Metaphern zur Übersetzung der technologischen Entwicklungen lieferte und damit dem Internet als Massenmedium zum Durchbruch verhalf. Dabei haben sich allerdings auch die Prinzipien des Teilens verschoben: Ging es anfänglich noch um die kollektive Teilhabe an gemeinsamen Projekten, wie dies in der Konzeption der Digitalen Städte zum Ausdruck kam, steht die Arbeit am individuellen Profil im Mittelpunkt des Web 2.0, was einerseits dem Wunsch nach persönlichem Identitätsmanagement entspricht, andererseits gerade jene Praxen, die aus einer partizipativen Kultur des Teilens entstanden sind, einer um sich greifenden Marktlogik unterwirft. Die Simulation von Gemeinschaft, wie sie bereits in der kybernetischen Vorstellung eines sich selbst regulierenden Systems angelegt war und heute einen wesentlichen Bestandteil von Unternehmensstrategien ausmacht, führt zu einer weitgehend kontrollierten Umgebung, in der die Grenzen zwischen Selbst- und Fremdbestimmung zunehmend verwischen. Und wie schon in Zusammenhang mit der Digitalen Stadt ersichtlich wurde, wird der Wunsch nach einer allumfassenden Vernetzung nicht notwendigerweise von den Netzwerktechnologien hervorgerufen, jedoch ermöglichen diese Technologien das Auftreten eines neuen Systems von Sozialbeziehungen, in deren Zentrum eine dem Netzwerk entsprechende Subjektivierungsweise steht:

„Es ist daher nicht das Internet, das das Muster des vernetzten Individualismus schafft, sondern die Entwicklung des Internet bietet eine angemessene materielle Stütze für die Verbreitung des vernetzten Individualismus als vorherrschende Form der Soziabilität.“¹⁸

Dieser „vernetzte Individualismus“ bildet für Manuel Castells die Grundlage eines neuen Sozialitätsmusters, welches mit der Verbreitung des Internet zur dominanten Form der westlichen Gesellschaftsstruktur geworden ist

¹³ Blank, Joachim: Die Stadtmetapher im Datennetz.

¹⁴ Hierbei wesentlich war die Schaffung innovativer Werkzeugzeuge, zumal das damals noch auf HTML1.x basierende WWW strukturell als einschränkend empfunden wurde: *„Das WWW war zu Beginn [...] ein reines Informationsmedium, das (im Vergleich zu den alten Internetdiensten (E-Mail, IRC, MUS, Newsgroups) weniger zum direkten Kommunikationsmedium geeignet ist. Das störte uns.“* Aus diesem Grund sollte das Webproblem „systemisch“ gelöst werden, indem beispielsweise einer der ersten Webchats programmiert oder ein WWW-Formular als einfacher HTML-Editor in die Oberfläche der Internationalen Stadt integriert wurde.

¹⁵ Baumgärtler, Tilman: Die Zeit der digitalen Städte ist vorbei. Interview mit Joachim Blank von der Internationalen Stadt Berlin.

¹⁶ Dabei durchläuft die Einführung neuer Technologien scheinbar einem immer wiederkehrenden Prozess: am Anfang steht die Erfindung, dann die Übergabe an experimentierfreudige „Beta-Tester“ (Künstler/innen, Student/innen, Aktivist/innen, etc.) und letztlich die Kommerzialisierung dieser Technologien bei einer gleichzeitigen Verarmung der Inhalte.

¹⁷ Vgl. Hirsch, Joachim: Postfordismus. Dimensionen einer neuen kapitalistischen Formation.

¹⁸ Castells, Manuel: Die Internet-Galaxie. Internet, Wirtschaft und Gesellschaft. S. 144.

Vernetztes Individuum

Die produktive Macht der neuen Netzwerktechnologien erlaubt die Konstitution und Aktivierung neuer Subjektivitätsformen, die wiederum eigene, und der Formation der Netzwerke entsprechende Kontrollregime hervorbringen. Eines der Schlüsselmerkmale der informationellen Gesellschaft ist somit die Vernetzungslogik ihrer Grundstruktur, in deren Zentrum eine neue Subjektivierungsweise steht: Flexibilität statt Solidarität heißt seitdem die Losung vermeintlicher Selbstverwirklichung, der eine ganze Generation junger, kreativer und mobiler Menschen folgt. So verknüpft sich der soziale mit dem technischen Wandel, indem die bestehende Solidaritätsstruktur aufgelöst und über die dadurch aufklaffende Lücke digitale Netzwerke gespannt werden. In diese eingespannt, wird aus dem vernetzten Individuum eine Quelle permanenter Datenproduktion, welche die Geschäftsgrundlage der Social Media darstellt und eine „Regierung“ unter postfordistischen Bedingungen überhaupt erst möglich macht. Das emanzipatorische Potenzial der neuen Medientechnologien, wie es im Diskurs von Demokratie, Partizipation und Kooperation zum Ausdruck kam, verschob sich anhand der kybernetischen Vorstellung von Selbststeuerung und Eigenverantwortung hin zu einem informationellen Kapitalismus, der auf die „innere Landnahme“ der psychologischen, sexuellen, politischen, beruflichen und affektiven Lebensbereiche setzt:

„These signals of belief and desire are eminently susceptible to interception, storage in databases, and transformations into statistics, which can be used as guidelines for the informed manipulation of our environment, and thus of our behaviour.“¹⁹

Indem „soziale Netzwerke“ zur Teilhabe und Interaktion aufrufen, ermöglichen sie ein ökonomisches Modell, welches Profit aus dem Wunsch nach individueller Selbstverwirklichung zu schlagen weiß. Dabei werden Grenzen zwischen Arbeit und Freizeit, Notwendigkeit und Freiheit, Konsumtion und Produktion zunehmend brüchig: Nicht nur soll das vernetzte Individuum flexibel, mobil und ständig erreichbar sein, sondern nach Möglichkeit auch gleich zur Weiterentwicklung und Verwertung seiner kommunikativen, sozialen und kognitiven Fähigkeiten

beitragen. Die permanente „Arbeit an sich selbst“ wird zum Imperativ der digitalen Ökonomie.

Die Geschichte und vor allem das Scheitern der Digitalen Städte bietet nunmehr einen möglichen Erklärungsansatz für diesen Transformationsprozess: So sind Ideen und Vorstellungen von Web 2.0, sozialen Netzwerken, user-generated Content, Social Media oder partizipatorischen Plattformen bereits damals entstanden. Die Entwicklung graphischer Weboberflächen mithilfe der Stadtmetapher, wie dies am Beispiel der Internationalen Stadt gezeigt werden konnte, ermöglichte schon früh erste Vernetzungs- und Partizipationsprojekte, die nicht alleine Informationen und Ideen teilen, sondern darüber hinaus einen sozialen Austausch initiieren wollten. Mit der Etablierung des Internet zum Massenmedium, wurde aus dem Wunsch nach Selbstorganisation eine neue Regierungsweise, die sich wesentlich auf Prinzipien des Teilens beruft: Wie schon in den Digitalen Städten zuvor erreicht Zugang zu den jeweiligen Netzwerken nur, wer auch partizipativ an ihnen teil hat. Damit verknüpft sich der Aufruf zur beständigen Konnektivität mit einer neuen Art des Regierens:

„Diese beruht auf der Instrumentalisierung persönlicher Loyalitätsbeziehungen und der Bereitschaft, aktiv Verantwortung zu übernehmen: Regieren durch Community.“²⁰

Angesichts dieser Entwicklung stellt sich die Frage nach der Motivation Daten zu produzieren und diese über soziale Netzwerke Anderen zur Verfügung zu stellen. Eine mögliche Antwort liefert der relationale Charakter der neuen Netzwerktechnologien: So haben die von Nutzer/innen generierten Inhalte ja keinen (sozialen, kulturellen oder eben auch ethischen) Wert für sich, sondern erhalten diesen erst im Teilen mit anderen Nutzer/innen.²¹ Dies mag auch der Grund dafür sein, dass dieselben Technologien einerseits eine Architektur der Partizipation erlauben, andererseits Ausbeutung und Kontrolle Vorschub leisten. Vor dem Hintergrund historischer Beispiele, wie der zuvor untersuchten digitalen Städte, wäre nunmehr nach Alternativen zur heutigen Medienpraxis zu fragen, um somit Fluchtlinien in der vernetzten Umgebung ausfindig zu machen.

¹⁹ Holmes, Brian: Signals, statistics & social experiments: The governance conflicts of electronic media art.

²⁰ Rose, Nikolas: Tod des Sozialen? Eine Neubestimmung der Grenzen des Regierens. S. 81

²¹ Petersen, Soeren Moerk: Loser Generated Content: From Participation to Exploitation.

Conclusio

Die digitalen Städte der 1990er Jahre bilden einen möglichen Ort, an dem die utopischen und ästhetischen Momente, aber auch ethischen Überlegungen, die zur Entwicklung einer vernetzten Umgebung beigetragen haben, erfahrbar werden und damit diskutierbar bleiben. Wie versucht wurde zu zeigen, war es vor allem die kybernetische Vorstellungen von selbst gesteuerten, sich selbst verwalten und sich selbst regierenden Gemeinschaften, welche die frühen Utopien in Bezug auf die neuen Medientechnologien hervorriefen. Jedoch entstanden die jeweiligen Medienpraxen nicht in einem herrschaftsfreien, von der Realwelt unabhängigen Raum, sondern sind selbst Ausdruck individueller und sozialer Praktiken, von Lebensweisen, kulturellen Mustern, Wissen, Macht und Herrschaft. Das vielfältige Wechselspiel von Produktions- und Konsumtionsverhältnissen, sowie neuen Interaktions- und Partizipationformen ist somit Ausdruck eines beständigen Widerstreits, zumal der Kapitalismus in der Kommodifizierung von user-generated Content eine mögliche Antwort auf die Herausforderung digitaler Produktions- und Distributionsmittel gefunden zu haben scheint. In diesem Prozess breitet sich die Fabrik als Symbol der industriellen Verwertungslogik von menschlicher Arbeitskraft in alle Lebensbereiche aus:

„It proliferates in every possible area of life, proliferating in the city as a metropolis, proliferating in society, proliferating in the formerly strictly anti-industrial areas of creativity.“²²

So verrichten die Nutzer/innen „sozialer Netzwerke“ unbezahlte Arbeit, deren Wert von den Unternehmen abgeschöpft und an interessierte Dritte weiterverkauft wird. Zugleich ist es aber diese neue Subjektivierungsweise, die mit dem „vernetzten Individuum“ die Möglichkeit bietet sich innerhalb der Netzwerke den medialen Raum ein Stück weit zurückzuerobern. Gerade jene Praxen, die sich mit Fragen einer neuen Ethik des Teilens auseinandersetzen, versprechen alternative Modelle aufzuzeigen und den offenen Austausch in einer vernetzten Umgebung voranzutreiben.²³ Hierzu bedarf es nicht

zuletzt einer kritischen Bestandsaufnahme bisheriger Erfahrungen, um zum einen mögliche Fallstricke zu umgehen, zum anderen jene (mit-)geteilte Vision früher Netzprojekte in Erinnerung zu rufen, die für eine mögliche Re-Artikulation des Teilens als einer engagierten sozialen Praxis notwendig ist.

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²² Raunig, Gerald: The Industrial Turn. Smooth Times, Striated Times.

²³ So hat die Debatte um eine "common-based peer production" bzw. eine "economy of sharing" mit den neuen Digitaltechnologien an Bedeutung gewonnen. Und auch wenn die veränderten Bedingungen zur Produktion, Zirkulation und Konsumption digitaler Güter nicht ohne weiteres für materielle

Sachgüter gelten, handelt es sich dabei doch um einen grundlegenden Wandel in einer zunehmend vernetzten Wissensökonomie. Vgl. Benkler, Yochai: The Wealth of Networks. How Social Production Transforms Markets and Freedom.

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Michel Bauwens:

Understanding Peer to Peer as a Relational Dynamics

Abstract:

This paper is an inquiry into the nature of the emerging peer to peer relationalities that are co-evolving with the networked forms of technology and human organisation. In the first part, we will match the observations of the P2P Foundation collaborative, a network of researchers into p2p phenomena, on the emergence of peer production as a general social process. We will use the relational typology of Alan Page Fiske to systematize these observations and some conclusions. In the second part, we will make an attempt at some more speculative philosophical and sociological conclusions. Our question will be: what if the emergent peer to peer modalities are not just emergent phenomena, but also new institutional and social and economic models that portend a substantial transformation of our political economy.

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Introduction

This paper is an inquiry into the nature of the emerging peer to peer relationalities that are co-evolving with the networked forms of technology and human organisation. In the first part, we will match the observations of the P2P Foundation, a network of researchers into p2p phenomena, on the emergence of peer production as a general social process. We will use the relational typology of Alan Page Fiske to systematize these observations and some conclusions. In the second part, we will make an attempt at some more speculative philosophical and sociological conclusions. Our question will be: what if the emergent peer to peer modalities are not just emergent phenomena, but also new institutional and social and economic models that portend a substantial transformation of our political economy.

P2P as Intersubjective Process: Definition

In this essay, the author will define "peer to peer" in relational terms, i.e. as any system which allows agents to freely and permissionlessly interact with each other. Peer production is then any process whereby people can freely aggregate around the creation of common value. The interpretations below are from the author only, but are based on a continuous dialogue with the research community through the P2P Foundation ecology of resources.

The Relational Grammar of Peer Production

Helpful in analysing the type of relationality that emerges in p2p systems is the Relational Typology developed by the anthropologist Alan Page Fiske¹. Below, I will attempt to match the four relational logics as described by Fiske, with my own observations.

Paraphrasing and shortening a longer quote from Fiske, here are the four modes of intersubjectivity that he recognizes, and which he claims, in his book 'Structures of Social Life',² are present in all cultures and at all times (though some may appear later than others in the development of social forms):

- Communal Sharing (CS) is a relationship in which people treat some dyad or group as equivalent and undifferentiated with respect to the social domain in question. (Example: people using a commons.)
- In Authority Ranking (AR) people have asymmetric positions in a linear hierarchy in which subordinates defer, respect, and (perhaps) obey, while superiors take precedence and take pastoral responsibility for subordinates. (Example: military hierarchies.)
- In Equality Matching (EM) relationships people keep track of the balance or difference among participants and know what would be required to restore balance. (Example: turn-taking.)
- Market Pricing relationships are oriented to socially meaningful ratios or rates such as prices, wages, interest, rents, tithes, or cost-benefit analyses (Example: property that can be bought, sold, or treated as investment capital).³

Though Fiske does not make such inference himself, it is possible to posit a historical succession of modes of dominance. In such a hypothesis, it could be argued that early tribal society starts with a dominance of Communal Shareholding, augmented with Equally Matching as soon as tribal society becomes more complex, the subject of the well-known work of Marcel Mauss on the gift economy⁴. With the birth of class society comes the dominance of Authority Ranking, while Market Pricing becomes the dominant modality only under capitalism. The P2P Foundation's main hypothesis is that there is a social evolution towards Communal Shareholding but this is outside of the scope of this paper.

It is important to state that all the different intersubjective modalities co-exist at any given time, but that they are generally influenced by the dominant mode. An interesting take on the co-existence of various modalities under capitalism is the work of the neo-institutional school.⁵ The crucial debate is

¹ Fiske, Alan P.: Human Sociality.

² Fiske, Alan P.: Structures of Social Life.

³ Fiske, Alan P.: Human sociality.

⁴ Mauss, M.: The Gift: forms and functions of exchange in archaic societies.

⁵ For example, Colin Crouch writes: "*... a firm embedded in community within a market economy is not engaged in a subsistence economy, but reaches out through its community*"

whether Communal Shareholding, now existing within the broader institutional framework of the capitalist economy, can only be subsumed to the dominance of Market Pricing, or whether it can become an autonomous and eventually even a dominant mode, which can eventually subsume Market Pricing at some future point in time.

My own views on the possible subsumption of Market Pricing under a regime of Communal Shareholding are expressed in the founding essay of the P2P Foundation.⁶

A critical perspective on the incorporation of Communal Shareholding under capitalism is offered in the work of Christian Fuchs.

For example, Fuchs writes that:

*"Wikinomics shows how mass collaboration and digital gifts can be subsumed under capitalist logic. The difference between my own approach and the authors' is that the latter welcomes this development, whereas I consider it from a neo-Marxist perspective as the extension and intensification of alienation and exploitation, yet I recognize that, at the same time, it bears certain potentials for alternative developments."*⁷

This complex debate about the 'immanent' (within the system) vs. transcendent (beyond the system) aspects of Communal Shareholding and commons-based peer production provides a crucial context for any hypothesis about the present and future importance of Communal Shareholding within the relational mix. One of the aims of the first part of the essay is to allow the readers to make a more informed judgment about this issue by looking in some more detail into the relational mix.

The Ethics Associated with P2P⁸

Each of the above intersubjective dynamics has its own relational ethics. In Communal Shareholding,

to a market." Crouch, Colin: [Capitalist Diversity and Change: Recombinant Governance and Institutional Entrepreneurs](#). 121

⁶ Bauwens, Michel: The Political Economy of Peer Production.

⁷ Fuchs, Christian: Wikinomics. See in particular his concept of the Gift Commodity Internet Economy, at http://p2pfoundation.net/Gift_Commodity_Internet_Economy, retrieved July 25, 2011.

⁸ Himanen, P. The Hacker Ethic and the Spirit of the Information Age.

the individual is both receiving and gifting with a community and he/she is judged by the level of contributions to the common project, as well as assistance to the maintenance and social reproduction of the project as a whole. In Authority Ranking, a key value is obedience and respect for authority as the 'giver' of benefits, on which the individual is dependent and the individual must ideally be seen as showing loyalty. Market Pricing favours 'neutral' human relationships, but nevertheless, values both personal and impersonal trustworthiness. The key value of Equality Matching is the capacity for reciprocity.

Is it possible to posit any ethical hierarchy of preference in these different modalities—a question also asked by Benkler and Nissenbaum⁹ and by Julian Fox¹⁰? Among the more popular answers to this question are the 'Emergent, Cyclical, Levels of Existence' point of view of Clare W. Graves¹¹, and its popularisation in the system of Spiral Dynamics¹².

Such a hierarchical and preferential ordering of different ethical modalities would be consistent from an increasing flow of literature interpreting the history of nature and human civilisation as one marked by increased levels of cooperation (Bar-Yam¹³; Stewart¹⁴) as well as with those proposing a neurological (Olson¹⁵; de Waal¹⁶) or cultural-evolutionary basis (Henrich¹⁷).

Here is the argument and hypothesis that we use to justify the preferential attention to peer to peer dynamics:

- Authority Ranking is a win-lose exchange, since the lower in the hierarchy, the less you receive in the interaction with someone higher up. Inequality is the highest in the AR mode. However, it is assumed to operate

⁹ Benkler, Yochai. and Nissenbaum, Helen: Commons-based Peer Production and Virtue.

¹⁰ Fox, Julian: Virtue.

¹¹ General documentation at <http://www.clarewgraves.com/>; retrieved July 25, 2011

¹² General documentation at <http://www.clarewgraves.com/>; Retrieved July 25, 2011

¹³ Bar-Yam, Y. Complexity Rising.

¹⁴ Stewart, John.: The Future Evolution of Consciousness.

¹⁵ Olson, Gary: We Empathize, Therefore We Are.

¹⁶ de Waal. The Age of Empathy.

¹⁷ Henrich, Natalie and Joseph: Why Humans Cooperate.

for the greater good, as hierarchy is spiritually justified.¹⁸

- In the Market Pricing Mode, there is at least in theory a win-win model, since the exchange is presumed to be one of equal value. However, individuals engaged in MP do not take into account the wider community, exchanges are impersonal, and at least under capitalism, are assumed to be motivated by self-interest
- In the Equality Matching mode, there is a stronger reciprocity, as well as generally speaking a motivation that takes into account the wider community, in the context of a culture based on widespread reciprocity. Self-interest is not culturally assumed. Furthermore, it is based on an ethic of giving, actually a competition of givers, in which prestige is obtained through the gift.
- In the Communal Shareholding mode, the individual gives to a whole, and indirectly receives from the whole; independently of the motivation of the individual, which may be selfish, the 'commons' itself makes this a win-win-win mode of reciprocity, since the commons is assumed to be of universal benefit (the third win) in a direct way. It could be argued that giving without the expectation of a clear and direct return, is ethically superior to the three other modalities. CS, as expressed in the emerging digital commons based on peer production, is a mode that aligns individual and collective purpose towards mutual alignment. See the contribution on the latter by Atlee¹⁹ and Zubizarreta²⁰.

I conclude from the above that while there may not be a universally agreed way to hierarchize the ethics of the various modes, there is an argument that can be made for the free engagement around common value, to be of a high ethical value, and that the CS

mode is therefore worthy to be at least considered as a preferable variant of human action.

P2P as Primarily Defined by Communal Shareholding

What dynamic is at play in peer production?

Nick Dyer-Whiteford's definition of the cycle of accumulation in peer production²¹ is useful here (he calls it the Circulation of the Common by analogy with the Circulation of Capital). He distinguishes an input phase necessitating freely given contributions through open and free raw material; participatory governance which is the result of free association; and a commons-oriented output which guarantees the continuation of the process by constituting open and free raw material to be used in next iterations.

The dominant process active in peer production is undoubtedly what Fiske describes as Communal Shareholding. Indeed, many of the licenses used by the production of open knowledge, free software, and shared design (i.e. the three main forms of peer production), such as the GNU General Public License, ensure that anybody who respects the license can contribute knowledge, code and design to the common project. On the input side, an individual that contributes to such a common project, does not exchange with a particular other person, does not work in a command and control hierarchy, but adds his/her contribution to the whole. Because of the obligations imposed by the sharing license, once the code is released, it can be used freely by other users, even those who did not contribute to the project. This would certainly be the case in projects that are entirely run by volunteer contributors. However, in reality, the situation is a bit more complicated. Let's look on the input side.

- Contributors may be paid employees of a corporation, in an Authority Ranking (AR) relationship with their corporate hierarchy, who may be giving them directives concerning their contributions
- Contributors may be freelancers, who have sold their work, and are therefore in a Market Pricing (MP) relationship with their clients.

¹⁸ A good explanation of such spiritual justifications is provided by the 'primordial debt' theories, summarized at http://p2pfoundation.net/Primordial_Debt_Theory. The excerpts are from the draft manuscript of a forthcoming book by David Graeber: *Debt, The First 5,000 Years*.

¹⁹ Atlee, Tom: Strategic synergy between individual and collective.

²⁰ Zubizarreta, Rosa: Primary vs Secondary Individual-Group Mentality.

²¹ Dyer-Whiteford Nick: The Circulation of the Common.

- Some contributors may have an obligation to other participants in the community, and see their contribution in a Equality Matching (EM) context towards them. Indeed, within the core group of contributors, i.e. the people who know each other and who judge each other partially through their contributions, interpersonal relations market by Equality Matching dynamics are important. For example, within the P2P Foundation's own experience of building a knowledge commons, the fact of assisting people often creates some type of ethical obligation to return the favour by some other contribution.
- The essential freedom to contribute may be tempered by AR dynamics; for example, in Linux, maintainers control the acceptance of patches to the official version of Linux; in Debian, there is a process of socialization into the community, led by the more experienced developers already active in the community.

However, this hybridity does not in fact violate the core logic of Communal Shareholding, as the license does ensure that the contributions by both waged employees and freelancers are still added to the common code base and are available for general usage. Similarly neither the AR nor the EM aspects of the hybrid participatory peer governance processes undo the constituted commons.

On the output side, it is true that corporations can sell the software itself (which in theory, could also be freely copied, but perhaps without all the added services and guarantees added by open source companies). Companies generally sell services that enhance the common code base, and further insure its workability in the enterprise. More often, the associated corporations sell goods and services on top of the commons. The greatest dangers to the commons would be the enclosure and privatisation of commonly produced material. However, such total enclosure would also kill future value creation by the commons.

There is real tension here between the rules and norms of the community, motivated by a defense of the common production, and the desire of corporations to enclose and capture value. However, in the context of free software, full enclosures and privatisation's of previous code commons are quite rare; rather, corporations create added layers of privately

produced and protected software, which may in time make simple usage of the 'pure' commons version of the code base problematic. But such moves are always contested and fought by free software communities.

Despite these contradictions and tensions, from the point of view of the common resource and its participants, it can be said that all contributions, even by people in an AR relationship within their employment, are seen as voluntary and freely shared, as enforced by the license rules. I could say that the commoners 'are agnostic' on how precisely common code has been added.

In conclusion, I would argue that the core value creation takes place in the commons, i.e. by adding to the common knowledge/code/design base, but that both use and exchange value can be enhanced (but also 'exploited') by market-oriented products and services.

P2P and the Market

How does peer production take place in relation to market activities? In general, I believe that three basic institutional entities play a role in commons-based peer production, each with its own dynamic, and also creating a particular relational dynamic between themselves.

The three players are the community, the for-benefit association (mostly FLOSS foundations), and the market entity (mostly for-profit corporations, but potentially they could take different forms).

The community consists of free and paid contributors to the common code base, and in at least all community-initiated or community-driven open source projects, is marked by a clear social consciousness related to the existence of a commons and a community. It is my hypothesis that this identification is part of the 'class consciousness' of developers and hacker communities. Community "life" and governance is driven by rules and norms deriving from the cooperation and communication necessary to produce integrated and workable code, which cuts across regional and corporate affiliations. This community is also marked by a 'social life' consisting of physical meetings, for example during conferences, which may or may not be organized by the for-benefit association or cooperating market entities.

Most mature and successfully evolving free software projects, and open knowledge projects such as the Wikipedia, are characterised by the existence of nonprofit foundations and associations, which do not direct production, but maintain the infrastructure of cooperation, and may exert a leadership role in the overall strategic direction of the project. These 'legal entities' can fulfill many other useful roles that are beneficial for the social reproduction of peer production projects, such as holding trademarks, achieving tax-deductible status, enforcing contracts and licenses.

For example, Wikipedia is associated with the Wikimedia Foundation, the developer community of the Apache servers with the Apache Foundation, and there are numerous other FLOSS Foundations. In my interpretation, the community dynamics are marked by the aggregation of generally abundantly available contributions from participants, which can operate outside of monetary dynamics, while the Foundations deal with the necessary funding of material resources that are also needed to make the projects sustainable. These Foundations usually operate as organizations that adopt some formal democratic organization to make decisions and allocate resources, while the community dynamics are driven by plurarchy, i.e. the freedom to undertake initiatives outside of a formal allocation mechanism. FLOSS Foundations generally have mechanisms to avoid domination by a single corporate player, though there are also Foundations created by companies who decide on open source strategies (for example the Eclipse Foundation).

The third player consists of market entities, i.e. mostly for-profit companies, but also freelancers and the occasional free software cooperative and/or mission-oriented enterprise. This sector makes a living by 'selling' products and services, including the labor of developers, to the market using MP dynamics.

It is the existence of such market players which finally ensure the continued long-term viability of free software commons, as they insure the social reproduction of the workers through wages and income, but may also contribute financially to the for-benefit institutions.

Immaterial Commons (CS) vs. the Capitalist Market (MP)

It is important to discuss the complex relationship between so-called 'immaterial commons', marked by

Communal Shareholding dynamics, and the capitalist marketplace, marked by MP dynamics. It is of course clear that the so-called Immaterial Commons are themselves material in many different ways (electricity, telecommunication networks, materiality of the computers and labour), but because of the marginal cost of reproducing digital material, it nevertheless functions in quite different ways than its material infrastructure, i.e. 'immaterial' commons allow for self-allocation of human effort.

Peer production projects are collectively sustainable as long as new contributors replace those that leave; but they are not individually sustainable because life-long contributions based on free labour does not insure the social reproduction of the workers who contribute to the commons. Both for-benefit institutions and market entities are needed to insure long-term viability, the first through fundraising activities, the second through their contribution to the social reproduction of the workers.

However, peer production and capitalism can be said to exist in a situation of mutual co-dependency. As argued by Yann-Moulier Boutang²², contemporary capitalism cannot function without the positive externalities of social cooperation, and increasingly those externalities that are specifically generated by peer production. However, corporations that benefit from commons of code not only benefit from the surplus value produced by their paid workers, but also from the immense free labour value inherent in the common production. What this means is that though commons of code are successful in creating use value, the peer producing communities are not able to monetize and capture the surplus value themselves. In this sense, peer production serves the continued existence of the existing political economy, and insures a pool of relatively cheap if not free labour, since only a fraction of contributions is effectively monetized and can serve for the social reproduction of the workers involved. This means that peer production creates both precarity on the workers side, but also a crisis of accumulation of capital, since unpaid free labour is driven from the consumption cycle, thus adding to the current effective demand crisis. In the context of this article, I will not discuss 'solutions' to this contradiction, but it is important to articulate it clearly.

²² Boutang, Yann-Moulier: *Le capitalisme cognitif, la nouvelle grande transformation.*

The inter-relation between community, association, and market entities is therefore inherently contradictory and rife with tension and can be interpreted as the class struggle in the era of knowledge production.²³ Communities will be driven to maintain the integrity of their commons; corporate entities are driven by the need to capture 'scarce' and therefore monetizable market value and are driven to partial enclosures of the commons. Corporations can influence the commons through the influence they exert over their waged workers, and through the subsidies provided to the infrastructure and for-benefit associations. Every commons is therefore marked by a social tension over the polarity of power, with at least three players, i.e. the community, the corporate entities, and the for-benefit institution (one could say the latter plays a role similar to the 'state' in peer production projects).

Class Aspects of Peer Production

I am positing that there is an underlying class structure to commons-based peer production. Why is this important and how is this related to my general argument? I believe that commons-based peer production is not a full mode of production within capitalism, as it cannot sustain its own social reproduction. Indeed, the 'surplus value' is clearly captured by the corporations that monetize the value of free software in their own activities. However, I believe that commons-based peer production is a proto-mode of production, just as the shift from slavery to 'coloni' (serfdom) created proto-feudal modes of value creation within the declining Roman Empire, and just as proto-capitalist formations within feudalisms would later coalesce as a dominant capitalist mode of production. For this transition to happen, it is required that a section of the producing class is gradually mobilized into the new mode of value creation (slaves into coloni/serfs, serfs into workers, workers into peer producers), while a similar shift has to occur in the 'managerial' class (i.e. slave-owners into domain-holders; feudal land owners into capitalist investors; capitalist investors into netarchical capitalism). A successful shift would require a severe crisis in the older mode of production, and the availability of a emergent 'hyper-productive' alternative. While it is not possible to prove or even fully argue this point in this

contribution, it stands to reason that corporations switching to commons-based peer production would outperform and outcompete traditional companies using closed proprietary IP with exclusive reliance on waged workers; and that a significant number of workers would find it beneficial to switch towards contributions to projects involving commons-based peer production.

So, here is the hypothesis as regards the class aspects of peer production:

In my view, producers are knowledge workers, i.e. a section of the working class involved in the production of immaterial 'symbolic' value, but often not in the same structural position as factory workers. Indeed, the essential difference is that the 'means of production', computers and networks, are at least under partial control of the workers, because of their distributed nature, which greatly facilitates access. The class condition of peer producers is much more fluid than those of the previous industrial class, as they can move from the condition of wages workers, to free lancers, to voluntary contributors, to small entrepreneurs (who can sometimes themselves become successful for-profit enterprises). On the other side, it is clear that there is a sector of capital that is interested in investing in commons-based peer production, and I call this sector that of netarchical capitalism. Netarchical capital is that sector which understands that value creation is now driven by social cooperation outside of the classic wage relation, and aims to profit from it. Peer producers and netarchical capital have both congruent and divergent interests. Convergent, to the degree that netarchical capital is funding and facilitating social cooperation, through platforms that, albeit under their control, still allow peer to peer socialization. To the degree that netarchical capital has to fight against the old structures which hold it back, it can often be on the same side as peer producers. However, to the degree that it needs to capture exchange value from the commons and the commoners, and seeks to maximise profits on the basis of it, it also creates social tension and 'class struggle'. Corporations are always divided between their need and desire to facilitate social cooperation, i.e. the drive towards 'openness', and their need and drive to capture value through closure and control. I have described the nature of this social antagonism, and the unstable nature of the underlying social contracts, in an article for Re-

²³ Wark, McKenzie: Hacker Manifesto. Wark's class theory based on the conflict between hackers and vectoralist is not entirely adequate to understand peer production class dynamics, but nevertheless a useful start.

Public,²⁴ while the Delicious social bookmarking service contains an ongoing tag monitoring such conflicts²⁵.

The class antagonism hypothesis that I describe above also informs the ethics of communal shareholding. The exact hypothesis is the following: peer producers are workers and their social condition is determined by tension between their structural position as workers in a wage-labour based dependency, and their desire for autonomy in production through their engagement in production. In addition, in a free-lance or 'entrepreneurial' context, there is also a tension between this desire for autonomy and the need for their social reproduction through monetization of their activities. From the point of view of netarchical capital, the contradiction is between their desire to create the conditions for sharing and collaboration, and their need and desire to extract surplus value. I believe there is a potential solution, for the knowledge workers as peer producers, which is the creation of new cooperative market entities, in which the peer producers themselves would be the owners, and with a mission-oriented structure and governance that subsumes the activities of these new type of market entities to the creation not only of sustainable livelihoods for the commoners (and thus avoiding a seepage of surplus value outside the commons and its reproduction), but also a strengthening of the autonomy of the commons outside of a capitalist context. In this context, the new type of 'for-benefit' market entities would form a counter-economy outside the need for profit maximisation and capital accumulation. Counter-economic coalitions which would practice shared design and open book management, could obtain benefits in mutual coordination outside of the classic cash nexus.

We now return to our examination of the relational typology within peer production.

Authority Ranking and Peer Production

It is clear that there are a number of AR mechanisms at play. For example, many observers have noted that peer production is largely meritocratic.

²⁴ Bauwens, Michel: The Social Web and its Social Contracts.

²⁵ See <http://www.delicious.com/mbauwens/P2P-Conflicts>; other related tags are <http://www.delicious.com/mbauwens/Netarchical-Capitalism>; and <http://www.delicious.com/mbauwens/P2P-Class-Theory>

To the degree that projects are driven by contributors who are not in a wage-dependency to one another, those that are most committed, and perhaps relationally adept, and involved in the community, will tend to take up functions like that of maintainers, or as in the Wikipedia, 'admin' editors. Early adopters who started with the community, will have accumulated more social capital and trust, will be closer to the early leaders who often remain at the core of the community. This translates in real techno-mediated powers (for example of exclusion, deletion, refusal of software patches). Often this will be translated in allocational inequalities. For example, community leaders will more easily be chosen for governance roles in the for-benefit institutions, may have a higher profile to find the best jobs amongst the cooperating corporate entities, may be more able to create such an entrepreneurial entity themselves. However, my view is that these AR-mechanisms are proper to peer production, and not a mere repeat of either wage-dependency or bureaucratic power. Control mechanisms are less likely to be the 'command' of production, but rather more influence in the post-production quality control mechanisms, and in the protocollary power that is inherent in the design and operation of the infrastructures of collaboration themselves. Influential members of both the FLOSS Foundations and the entrepreneurial coalition will of course also have more influence, or be more likely be at the receiving end, of financial allocations that are not made in the community itself, but in its broader ecology.

Are There Gift Economy (EM) Mechanisms in Peer Production?

While I always stress that peer production is not a gift economy, i.e. based on the exchange of mutual obligations between individuals or groups, i.e. it is not a form of Equality Matching, I am not suggesting that there are no EM mechanisms at play 'inside' the community, especially in its core. What I mean is the following: though the exchange occurs between the individual and a commons, the core of the community itself is based on a lot of EM dynamics between core contributing members. While I did not see any specific literature of this, my own experience in peer producing knowledge for the P2P Foundation confirms that people within a core do feel an obligation to return favours, NOT necessarily 'to each other', as in the classic gift economy, but in the form of mutual services for the common project.

The logic is "You did this for us when I last asked, so I now feel obligated to return to favour of doing

something for the project as well, if you'd ask me". In the context of a lack of wage dependency, those who care most about the common project will often 'ask' for particular tasks to be carried out. While these requests can be and are regularly 'refused', they are also often carried out; this dynamic cascades down in the many different parts of any project, creating islands of EM dynamics. So, in my view, the EM dynamics are not classic ones of cycles of 'giving to each other', but a mutual dynamic of favours towards the commons.

A few final remarks about the relation of the peer production process within the MP-driven capitalist society in which it operates. Capitalist MP is a notorious driver of inequalities, which have been classically countered either by state-driven redistribution (a form of AR-allocation?), or by forms of mutualization. It is precisely those two elements that are lacking in present day peer production. It 'floats' in a situation of co-dependency on top of the capitalist system, but its free labour is often not directly monetized, but rather captured by financial capital in the form of the positive externalities of social cooperation. Also, p2p socialization based on the self-aggregation around the creation of common value, has not created the same type of either mutualist or state-redistribution-driven social movements. This is its enduring weakness to date. However, it seems that there is certain degree of mutualization going on through freelancers unions, but also through the creation of for example free software cooperatives, which aim to retain the surplus value within the sphere of the commoners. While these may offer micro-solution for particular projects, it does not solve the crisis of value affecting both precarious labour and the accumulation of capital. I believe this is the reason that the demand for a basic income is getting some traction, as one of the possible answers to the remuneration of unpaid labour.

P2P and the State

An important conclusion from the above developments would be regarding the relation of peer production with state forms. Historically, the state form has evolved from a private function of the rulers, to a public function under the control of property-owners in the 19th century forms of democracy, to the wider political democracy under universal suffrage, supplemented by a wide variety of civil society organizations such as NGO's in the late 20th century. The 20th century, was marked by a variety of state forms, such as totalitarian fascism and

stalinism, the social-democratic welfare state, and the corporate welfare state in the neo-liberal era. Nevertheless, I may argue that despite apparent setbacks, broadly speaking the state form has been characterized by forms subjected to broader democratization and participation, at least in certain periods where strong social movements could exert pressure and obtain substantial improvements in social rights.

The ideology and practice of peer production can fit both in the neoliberal and (right-wing) libertarian narratives, where it is defined as a broadening of market activity which supplants the role of the state. The great contradiction in such accounts is that it conflates essentially non-market activities with the so-called 'free market' itself. One potential consequence of such an approach can be seen in the policy of the British Conservatives, where the Big Society associated the ideological promotion of civil self-organisation with severe cuts in public programs.

But peer production can also be seen as dependent on and necessitating a thriving supportive public service, and therefore fit in a reformist and social-democratic account of the future evolution of the state. Blue Labour in the UK, with its emphasis on the renewal of mutualization and cooperatives, could be seen as such an attempt. Finally, left libertarian accounts could point that the new possibilities of mutualism could also 'replace' a substantial number of state functions.

However, I believe it is useful to supplement the post-war notion of the redistributive welfare state, with the notion of a Partner State, which is less defined by a paternalistic relation to citizens in need of assistance, but rather as a partner and enabler of the autonomous value creation by civil society. In this context, the state form itself would be transformed by deepening participation, including the adoption of mechanisms for the 'peer production' of policy, but would also play a strong supportive role. Such a scenario would fit with the progressive interpretation of the history of state, as subjected to new social demands leading to further democratization. Such a Partner State would not view mutualization as an enemy, but as something to be promoted and could see the basic income as a just retribution for the positive social externalities flowing from each citizen's part in the co-creation of social value. I am of course fully aware that such achievements would require a new balance of forces and massive social and political mobilization to achieve it.

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Alessandro Delfanti:

Hacking genomes. The ethics of open and rebel biology

Abstract:

A new open science culture is emerging within the current system of the life sciences. This culture mixes an ethic of sharing with features such as anti-bureaucracy rebellion, hedonism, search for profit. It is a recombination of an old culture, the Mertonian ethos of modern open science, and a new one: the hacker ethic. This new culture has an important role in the evolving relationship between science and society. And it maintains a political ambivalence. Biohackers are rebel scientists and open access advocates who challenge today's Big Bio's concentration of power. But at the same time they live in a new territory of accumulation that never excludes entrepreneurship and profit.

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Crack the (genetic) code, share your data, have fun, save the world, be independent, become famous and make a lot of money. There is a link between the public image of contemporary scientists devoted to open biology and the ethics and myths of the hero of the computer revolution and of informational capitalism: the hacker. In this article, I want to outline a remix between the Mertonian ethic, the famous account of the scientist's norms of behaviour proposed in the 1930s by the science sociologist Robert Merton (1973) and the hacker ethic, a set of moral norms that emerged in the 1960s within the first hacker communities in the United States, and was formalised for the first time by Stephen Levy in his 'bible' of hacker history (Levy 1984). I point out an emerging open science culture that mixes rebellion and openness, anti-establishment critique and insistence on informational metaphors and operates in a context of crisis where the relationship between researchers, scientific institutions and intellectual property is redefined. Indeed, discursive strategies and socioeconomic practices of contemporary biologists who use open science tools such as open access databases, sharing platforms, open participation to biological research and the likes have an important role in the changing relationship between science and society. These biologists, to whom I refer to as *biohackers*, can be a rich model for current transformations in both the life sciences and in informational capitalism. In particular, they are the public face of a transformation that involves the proprietary structure of scientific information - who owns and controls biological data and knowledge? This phenomenon is also related to the ambivalence between openness, which is a prerequisite for peer production as well as a neoliberal claim linked to free market. Christopher Kelty, who referred to a broader world, not limited to scientific research but related to free software (2008, p. 302), has argued that the new wave of open and peer production projects related to the emergence and spreading of free software culture are «a new response to a widely felt reorientation of knowledge and power». But this reorientation can be as paradoxical as the relationship between open source and free software is, where the former is perceived as business model while the latter is often seen as a tool for resistance. And this is nothing new if, as Armand Mattelart (2003) points out, during every new technological cycle the redeemer discourse of the information society emerges again, while the long history of the free flow of information is strictly related to deregulation and neoliberalism.

Finally, this is a peculiar field: biotechnology genesis partially overlaps computer and hacking history and

their cultural background (Vettel 2008). For example, they share common birth places (MIT, San Francisco Bay Area), while genomics is heavily dependent on hardware and software to analyse and extract relevant information from genetic sequences. Furthermore, the rise of gene patenting and the increasing relevance of private corporations have made the life sciences an important battlefield where the scientists' ethics of sharing have been at the center of a wave of legal and political clashes around intellectual property rights and biopiracy. Lastly, biological innovation now takes place in increasingly complex and mixed configurations, in which open data policies and open access coexist with different, and more strict, sets of intellectual property rights (Hope, 2008). Hence the transformations I am pointing to challenge the institutional environment in which biological research takes place: "Big Bio", or the ensemble of big corporations, global universities and international and government agencies that compose the socioeconomic system of the current life sciences.

The tragedy

The most common, and naïve narrative about open science tells us that once upon a time, ethics in science was a good thing: sharing, equality, disinterest and the common good drove the everyday work of scientists. Then evil corporations entered science and changed the rules of the game, patenting life, enclosing the commons, and eventually destroying the willingness to share data, information and knowledge. The expression «tragedy of the anticommons» comes from a famous paper published by *Science* in 1998 (Heller and Eisenberg). According to this formula, the proliferation of restrictions to access, patents and industrial secrets represents an obstacle to innovation. While Michael Heller and Rebecca Eisenberg reverse the classic perspective on the "tragedy of the commons," Garrett Hardin's widely cited 1968 paper has been used as an example of the necessity of centralized management, or privatization, of common goods. Finally, the rise of the anticommons has been interpreted as a cause of corruption of the norms of good science, expressed by the adherence to corporate values and goals by the producers of scientific knowledge. Patenting, secrecy and the quest for profit radically conflict with the norms of modern open science, i.e. with the «commitment to the ethos of cooperative inquiry and to free sharing of knowledge» (David 2003, p. 3). And free and open dissemination of knowledge remains an important ideal associated with scientific progress. According

to many authors and open access advocates, we need to couple the rise of new technological tools with a restoration of the modern open science culture. Today, so the story goes, we have new tools that together with the old open science spirit and can be used to rebel against evil, defeat it and allow scientific knowledge to flow freely again. These tools are the Internet, open source licenses and open access science, and they can be used to tear down the barriers to the access to scientific knowledge.

Merton revisited

But the old tradition of open science ethos is not enough to understand the transformations we are facing. The new open science culture that is emerging in the life sciences evolves from the 20th century Mertonian ethic but also contains several new cultural elements. In times of crisis and change the need for a reconfiguration of different aspects belonging to one or more pre-existing cultures becomes more insistent in order to answer the urgent need for new strategies of action (Swidler 1986). Thus scientists can mobilize cultural characteristics and operate a remix between an old culture, already accepted and embodied in a recognized set of practices and norms, and ready to be used; and a different set of cultural features that belongs to other social groups. In his 1942 accounts of scientists' behaviour, *The normative structure of science*, Robert Merton famously proposed what is now a classic list of norms of behaviour which govern academic scientist's work and science's functioning. The norms that guide research practices, later summarized by the acronym CUDOS, are communalism, universalism, disinterestedness and organized skepticism. These imperatives are linked to rewards given to members of the scientific community who follow them, and sanctions applied to those who violate them. *Communalism* means that scientific data are a common good and need to be shared freely. Individual creativity must be recognized in the form of authorship, not ownership. *Universalism* means that science can not use criteria such as race, religion or personal qualities to evaluate scientific claims. *Disinterestedness* is a norm against fraud and against the intrusion of personal interests in scientific activity. *Organized Skepticism* states that the whole scientific community must be able to check facts and ideas until they are well-established and recognized. Yet as historians and sociologists have pointed out, the Mertonian ethic is neither an accurate description of scientists' work nor a set of moral norms scientists should follow. CUDOS norms are rather to be considered a means

for scientists to position themselves within a precise historical social contract between science and society. Merton's normative visions is substituted by a significantly more complex scenario, in which autonomy and disinterestedness are not seen as values internalized by the scientific community but ways of positioning within a system of incentives that rewards them. Together with Popperian positivism, these norms serve as an «organizational myth of science» (Fuchs 1993).

And, this goes without saying, the social contract between science and society is now being updated. The ethic of sharing expressed by some contemporary biologists can be very different from the one required in modern, Mertonian open science. Hackers though provide a multifaceted example of a culture attuned to the economic dynamics of the software world made of start-ups, people escaping from academia, corporate networks, garages and computer science departments, hi-tech gift economy (Barbrook 1998), and horizontal labor organisation. Even though several different accounts of it give several different viewpoints and definitions, for the sake of this paper I consider hacker ethic as composed of a quasi-formalised set of moral norms. For example, Levy (2010) lists elements such as: access to computers should be unlimited and complete, all information should be free, mistrust authority, hackers should be judged by their hacking, not bogus criteria such as degrees, age, race, or position, you can create art and beauty on a computer, computers can change your life for the better. To hack means to promote and follow an active access to information and knowledge, and to technology. This ethic is historically related to the academic scientists' ethos and is also an important component of the cultural side of contemporary informational capitalism (Himanen 2001, Coleman and Golub 2008).

The remix

So the remix between the Mertonian ethic of 20th century scientists and the ethic of hackers is a new form of open science culture that not only embodies elements related to openness and sharing, but is rather a more complex recombination in which alongside these, other characteristics emerge: antibureaucratic rebellion, extreme informational metaphors, institutional critique, autonomy, independence, a radical refusal of external interferences and also of scientific institutions themselves, hedonism, the importance of being an underdog, and finally an intense relationship with the media. This culture expresses the re-emergence of an ancient

and recurrent element in the history of science, namely the fight between openness and closure. But the complex and diverse cultural repertoire of biohackers is pretty different from the classical ethic of modern scientists who work in academia, are disinterested, respectful of bureaucracy and peers, not compromised by the market. At the same time, it is also different from a corporate ethos of secrecy, hierarchy, closure. In any case, it does not represent a break in the norms regulating the production of scientific knowledge. It is rather the expression of the transformations affecting the relationship between biosciences, society, public communication, and the market.

Biohackers

In fact, hacking genomes means several different things. The open approach to information is not enough to understand the different possibilities enabled by open science practices. Features such as rebellion, anti-bureaucracy and participation have a crucial role in making DNA something people can hack. Biohackers criticize the scholarly publication and peer review system. They struggle against Big Bio bureaucracies and incumbents. They rebel against authority and refuse to obey to the established (both corporate and academic) hierarchies of the life sciences systems. They adopt radical approaches to the sharing of genomic data or standards. They try to find new business models that stand against Big Bio and follow open access models of data management. They build open source PCR machines or genomic sequencers. In 2003 the 'bad boy of science', Craig Venter, started using open access approaches and circulating genomes in a heterogeneous network of firms, universities, foundations and mass media. He often announces that his greatest success is that he managed to get hated by both worlds: academic and corporate. Yet his hack is directed towards profit and entrepreneurship, as Venter tries to exploit openness in order to participate in a different form of biocapitalism in which data circulation is as important as data gathering and management (Delfanti 2009). In 2006, the Italian veterinary virologist Iliaria Capua made the DNA of viruses hackable by removing it from the secret world of Big Bio, a world where an old-style priesthood decides who can access databases: she forced the World Health Organization to change its policies on restricting access to avian flu data. She refused the secrecy of the WHO bureaucracy and pushed a giant-sized institution towards change. The explicit hacker references and practices of amateur biology projects such as DIYbio

(diybio.org) talk about opening up biology to public participation but also to new forms of grassroots entrepreneurship. Their hacks are not merely a political criticism directed against Big Bio, but rather an attempt at finding new and better ways of accessing cells and DNA. The «open source junkie» George Church from Harvard, also nicknamed «information exhibitionist» given his attitude for total data disclosure, is the director of the open source Personal Genome Project and is involved in many startups in the field of genomics. Another example is Drew Endy of the MIT Biobricks Project, with his ideas for «DNA hacking» that he has also presented in public meetings such as the Chaos Communication Congress of Berlin, one of the best known hacker gatherings on the planet. Church and Endy are two of the most famous supporters of open genomics and citizen biology. 23andMe, the Google genomic startup, urges users explicitly: "Unlock the secrets of your DNA. Today." But besides cracking the code of your genome, 23andMe asks us to share our genetic, phenotypical and medical data on its social media website. The overlapping of openness, anti-bureaucracy, hedonism and sometimes even explicit references to hacking are becoming common in today's biology.

The ambivalence of sharing

Thus the hacking of genomes is a powerful story precisely because it narrates one, or perhaps several possible futures of change, openness and horizontality in a field as difficult, criticized and soaked with Big Bio practices as biotechnology is. Biohackers represent very different worlds, such as academic and public funded science, freelance research able to raise money from corporations, governments and venture capitalists, and amateur research who has ambivalent relationships with universities and firms. Yet putting them together under the umbrella of hacking, I point out the emergence of a new open science culture: a new ethic of sharing that scientists can use to build new strategies of action and better interact with the peculiar socio-economic configuration of contemporary biological sciences. The old Mertonian ethic of the 20th century academy is still at scientists' disposal, but in order to use it as a powerful tool it needs to be remixed with components coming from cultures directly related to computers and information technologies. The spreading of legal and technological tools that enact new forms of data and knowledge sharing needs a cultural adaptation that Merton can not provide. Open science needs new social, communicative and political practices and a new incentive system. Old media such as peer-reviewed scientific journals are

not always an adequate answer to new societal and economic needs. In hi-tech gift economies, data sharing and participation are part of corporate economic models as well as ways to enrich the commons and challenge monopoly power and its informational land revenues.

I think this emergent class of biohackers is related to a new possible type of interaction between scientists' practices and biology's social contract. A new open science social contract would restore some sharing practices that characterized 20th century academic research. But they would be transformed, broadened and improved by web technologies and the widespread diffusion of open and peer production. At the same time, it would include practices of closure such as patents and copyright. Different forms of intellectual property rights would coexist in an environment inhabited by creatures as diverse as companies, universities, public agencies, start-ups and new institutions such as citizen science projects.

The new open science culture linked to this social contract maintains a political ambivalence. Through their mobilisation of ethics, scientists better position themselves within the current socioeconomical configuration of biological sciences. Both academic and industrial research (provided that it is still possible to clearly separate them) have increasingly been using diverse and mixed approaches to intellectual property, and in some cases - such as database management - strictly proprietary models are seen as no longer sustainable. Thanks to open and free input of voluntary contributors, participatory processes of governance, and universal availability of the output, open and peer production might prove to be more productive than centralized alternatives.

Hacking the rules of biology

But these biologists are also hacking the rules of biology. Their active approach to information allows them to participate in the transformation and shaping of the current structure of science. Their struggles against Big Bio priesthoods are a challenge against the current distribution of power among science's institutions. In this sense, their stories could be a model for transformations that are also taking place within other innovation regimes such as software, hardware, technology, and so on. In many fields of information and knowledge production, actors are actively transforming and building their own infrastructures - whether they are technological or legal (licenses). Pierre Bourdieu (2004, p. 63), while referring to epistemic (and not institutional)

revolutions, emphasized that the revolutionary scientist does not only head towards a victory. Scientists can be willing to change the rules of the game: «revolutionaries, rather than simply playing within the limits of the game as it is, with its objective principles of price formation, transform the game and the principles of price formation».

The direction this reorientation will take and the role of scientists' culture in this process is still to be deciphered. But this ethic of sharing and rebellion shows how open science represents two opposite tendencies within the evolving relations between research, society and the market. One towards an individualistic culture of openness both in information circulation and in capitalist competition, a new open frontier for science entrepreneurship in a new territory of accumulation. The other towards a collective, peer produced biology where open sharing is coupled with open participation and a discourse of democracy. Both these tendencies are somehow part of a countersymbolic order, since they challenge today's forms of Big Bio's concentration of power. But neither of these tendencies excludes a crucial role for entrepreneurship and profit. Genes, even when freely shared online, can always be objects of private interest. The ambivalent claims we have heard all along the history of information society - all information must be free! - echo again in labs and in the media arena.

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