

PRACTICE
TO POLICY:
INTERNATIONAL
PERSPECTIVES
ON THE POLICY
IMPLICATIONS
OF A CULTURAL
SECTOR IN
TRANSITION



editors

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COVER PHOTO:

U-Turm, Dortmund, a venue of ISEA 2010, during which the panel discussion was held upon which this publication is based, and also the venue of the E-culture Fair.

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INTRODUCTION

This book examines the changing nature of the cultural sector in relation to electronic and digital technology and the consequences for policy. It was compiled by Virtueel Platform, the Netherlands Sector Institute for Electronic Culture, an NGO active for many years both on a national and international level in the field of digital culture.

Practice to Policy was a term adopted by a group of leading figures in the European new media culture field when they met in the Netherlands in 1997. This international conference, organised under the auspices of the Council of Europe, looked at the role of new media artists and practitioners in the development of digital media and the consequences for policy, summarised in the Amsterdam Agenda. Since 1997 a series of international policy meetings has drawn up recommendations for the digital media age in relation to culture. The last was the Mini Summit in Singapore from July 2008, in partnership with the International Federation of Arts Council & Cultural Agencies (IFACCA) and the Asia-Europe Foundation (ASEF).

After more than a decade of summits and meetings between international policy makers and practitioners in the field of media culture, the time had come to examine the extent to which policy has caught up with what is happening on the ground. Electronic culture is part of our everyday lives, and the dividing lines between arts and science, business and the cultural sector are becoming increasingly blurred. New media are transforming the cultural sector and at the same time the cultural sector has a great deal of potential in bringing about new models, processes and products in the new media sector as a whole. Policy makers are debating new models for economic and social development based on digital technology, however these often remain isolated and fail to take in to account the opportunities offered by the cultural sector.

Virtueel Platform asked a group of critical thinkers working in the new media culture field to take part in a panel debate at the 16th International Symposium on Electronic Art (ISEA) held in Dortmund in 2010, entitled Practice to Policy 2010: Barriers to transformation. The new media culture sector is increasingly acknowledged by policy makers as a source of transformation for the arts and cultural sector itself but also for the economy and society as a whole. The panelists were asked to contribute texts for an international publication based on their presentations. Isaac Mao was also asked to contribute an article for the publication.

Among the key issues around e-culture and policy include the relationship between e-culture and innovation in the broader arts and media sectors; the value of distributed networks and new forms of participation and skills; the relationship between infrastructure and content, process and product; issues of open source models for the production and distribution of culture. There is still a valuable role to play for new media artists, and the conditions required to allow this to flourish must not be suffocated by policy and traditional approaches to innovation (Norman). Among the institutions that need to rethink their role are the traditional public cultural institutions (Tarkowski) and it is time to value the increasingly network-based nature of the cultural and new media sector (Lovink). The (global) challenge to policy makers in the age of cloud computing and distributed networks is enormous (Mao) and policy makers need to critically re-examine the political and economic theory that underpin current policy debates around digital culture (Stapleton).

This publication aims to provide input for and to inform policy makers in the field of media arts, culture, and adjacent areas such as education, research; and provide the media culture community with a knowledge base of international case studies and policy frameworks with which to work on advocacy. ←

THE AMSTERDAM AGENDA

FOSTERING EMERGENT PRACTICE IN EUROPE'S MEDIA CULTURE

THIS DOCUMENT IS THE FIRST RESULT OF THE CONFERENCE 'FROM PRACTICE TO POLICY: TOWARDS A EUROPEAN MEDIA CULTURE' (P2P) HELD IN OCTOBER 1997 IN ROTTERDAM AND AMSTERDAM, THE NETHERLANDS. THE CONFERENCE WAS HELD UNDER THE AUSPICES OF THE COUNCIL OF EUROPE AND WITH THE SUPPORT OF THE NETHERLANDS MINISTRY OF EDUCATION, CULTURE AND SCIENCE, THE MINISTRY OF FOREIGN AFFAIRS AND THE CITIES OF ROTTERDAM AND AMSTERDAM. THE CONFERENCE IS PART OF THE PROGRAMME OF THE PROJECT GROUP FOR NEW TECHNOLOGIES: CULTURAL CO-OPERATION AND COMMUNICATION OF THE CULTURE COMMITTEE OF THE COUNCIL OF EUROPE.

The P2P Conference brought together expert practitioners in media culture from 22 organisations in 12 European countries. Their work exemplifies what 'good practice' in media culture can be, in a variety of fields: art, design, music, video, cultural theory, virtual reality and the Internet. Organisations at the conference work in a variety of innovative ways and on a variety of operational scales.

This Agenda identifies several themes which are of shared pragmatic interest to these communities. It is not a statement of high principle with which all artists - or policy makers in government and industry - are asked to agree. It is from future discussion of these themes, among all parties, that a media culture for Europe will emerge. This document is one part of that process.

1. WHAT MEDIA CULTURAL PRACTICE HAS TO OFFER

1.1 INNOVATION

1.2 EDUCATION

1.3 SOCIAL QUALITY

2. MEDIA CULTURE AND THE CHALLENGES OF

AN INFORMATION SOCIETY

3. FROM PRACTICE TO POLICY

4. ...AND FROM POLICY TO PRACTICAL ACTIONS

5. SUMMARY AND NEXT STEPS

SHIFTING MEDIA CULTURE

PERSPECTIVES

SALLY JANE NORMAN

DEALINGS WITH DIFFERENCE

The series of Practice to Policy labeled events launched in the Netherlands thirteen years ago attests to a world of media culture where transformations are taking place at multiple levels and scales. For example, they can be read as changes in priorities spelt out in policy papers authored by these gatherings¹, or as changes in involvement of national and pan-national, government and ostensibly independent bodies constituting their support frameworks. Resource availability that often allows if not shapes practice-to-policy type encounters may mean specific funding to cover travel and subsistence costs, and the scheduling of meetings to coincide with events likely to provide useful fora and feedback (the case in ISEA contexts). Media community initiatives that seek to influence policy consequently tend to be strategic and prone to the representativity gaps of any non-systematic endeavour. To view this as a shortcoming is however to miss the point.

As defenders of the conceptual creativity on which the collective imagination depends, gatherings of media communities, here aligned with media artists, are unlikely to aspire to occupy the terrain of consensual cultural or media politics². They more probably occupy terrain Louis Bec attributes to creative extremophiles: “haunted by exploratory tropisms, by the irresistible attraction for aggressive biomes, for vague and dangerous zones (...), inhabited by the inclination to exceed or overturn ‘taboos’, limits and frontiers (...), tormented by the bulimic greed for immoderately accumulating knowledge (...), obsessed with a curious idiosyncrasy – ‘that of creating utopian worlds’ - by the proliferation and variety of scientific activities and artistic and technological forms of expression.”³ This paper is focused on media art-

1] Cf. the Amsterdam Agenda (1997), Helsinki Agenda (2004), Delhi Declaration of a New Context for New Media (2005), Singapore Mini-Summit on New Media Arts Policy and Practice (2008). Numerous other media practitioner initiatives to engage with policy include Networking Centres of Innovation (Linz, 1998) and the Pacific Rim New Media Summit (San José, 2006).

2]For a discussion of nonrepresentational politics operable within network cultures, see Rossiter and Zehle, 2009.

3]Bec, 2009.

ists whose priorities are those of creative extremophiles, compared with practitioners mainly concerned with making tangibly utilitarian contributions to industry (bearing in mind that hard and fast oppositions are counter to the transformational nature of media culture activity). Media artists imaginatively empowered to inflect policy tend to be solicited as contributors to wider dialogue because of their unique ability to articulate extremophile stances, pushing horizons of possibility beyond prosaic common sense and sensibilities. In short, it is this difference which makes a difference.

Given their propensity (or necessity) for swift self-organisation in response to usually fleeting opportunities, the geo-cultural provenance of media artists and activists participating in policy review exercises is diverse, as indicated by attendance lists at the above-cited events. Physical hosting of such activities is naturally coloured by regional mores and logistics, making speaker proximity a cultural as much as a geographical criterion, usually combined with some degree of answerability to local and multilateral funding body remits. Although the wealth of anchorage points and development perspectives amongst media protagonists can make it hard to identify relevantly shareable policy goals, the resultant spread of transnational platforms tuned to intercultural dialogue and dealings with difference constitutes an overwhelming value in network societies prone to the normative flattening of powerful communications technologies⁴.

MYTHS OF JUST-IN-TIME POLICY

The social, economic and technical evolution of media culture over the dozen years embraced by Practice to Policy events has deeply modified the status of that culture on political and industrial agendas, essentially leading to its being viewed from economic rationalisation perspectives⁵. Creative industries discourse generally and generically sees media activities as part of a multi-billion euro production sector which includes advertising, architecture, arts, computer games, design, fashion, film,

4] The Place: Local Knowledge and New Media Practice event is evidence of this dual interest in local and transnational media developments (Butt, Bywater, Paul, ed. 2008).

5] "In this very common situation, the calculation of costs and benefits and efficiency considerations dominate the policy-making process. (...) it is not so much participation that is being restricted, but rather the range of arguments regarded as pertinent by policy elites". "Policies are based on the unwarranted assumption that problem solving requires a particular kind of value trade-off to be made, effectively excluding values issues vital to at least some of the parties involved." Hisschemöller and Hoppe, 1996, pp.46, 49.

TV, music etc.^{6, 7} While such assimilation risks disarming critical media efforts to problematise mainstream consumerism, it functions as a double-edged sword. Absorption of previously discounted, non-valued activities into a fundable, socially legitimised and revalorised regime is considered by some players to constitute the sole survival route, which they feel obliged to pursue more or less diffidently. Those adopting an intermediate stance navigate more readily between earning money in this sector, then reinvesting it to subsidise non-funded, experimental work. For players refusing any such engagement, creative industries discourse engenders the fierce marking of difference to counter such amalgamations. All these stances are frequently treated as a continuum by funding authorities eager to keep production energies within their holistic grip, who thus strive to include unruly elements as proofs of difference and vitality⁸. Yet expedient blurring of conflictual positions is likely to stifle or alienate the transformational forces on which vibrant media culture depends.

As well as misrepresenting media practitioner motivation at a given snapshot moment, indiscriminate creative industry policy frameworks are likely to err badly over time, as their innate institutional inertia prevents adaptation to fast changing landscapes. Constituencies they are supposed to address are susceptible to swift morphings of boundaries through the emulation, simulation, recuperation and reappropriation of identities and viewpoints. Momentarily useful ways of representing drivers and obstacles may prove uselessly simplistic, anachronistic or downright irrelevant in an environment that changes overnight. Consensually formulated aspirations may fall apart when their authors gravitate towards different goals, forming separate groups. Attitudes or behaviours that seem commendable one day may look doubtful the next day in a new light. Facilitating the shifts that can strengthen media culture's socially

6] This inventory features in Chris Smith's *Creative Britain* (1998), regularly invoked in the UK to justify public investment in digital technologies and purportedly related cultural activities.

7] Critical responses include the "My Creativity" conference organised in 2006 by Geert Lovink and Ned Rossiter (<http://www.networkcultures.org/mycreativity/>). The chapter entitled "Assuming the Position: Art and Against Business" (pp.271-346) in Berry Slater and van Mourik Broekman (ed.), 2009, likewise groups writings highly relevant to this subject.

8] The fatal circularity of this tactical subsumption is summed up as follows by Sher Doruff: "The playfulness of art and design research/ creation has much to offer in the open discourse and shared praxis between rigorous scientific methodologies and the crapshoot of entrepreneurialism. But that same playfulness, the dynamic relations that emerge through interplay, have already been subsumed by the system and are driving it". (Doruff, 2008).

transformational impact⁹ requires a mix of keen scrutiny and foresight, both of which tend to be lacking in policy that inevitably lags behind its objects (“a policy problem is usually defined as a gap between the existing and a normatively valued situation that is to be bridged by government action.”¹⁰). Since media culture policy is forever trying to catch up with “just-in-time” needs, there is always creep between the formulation of those needs and the publication of corresponding frameworks. By the time a programme is issued, those who authored and inspired it may well have moved into new terrain, forming alliances with different partners, priorities and implications.

While such shifts in values are characteristic of neoliberal hypernervosity, media practitioners hasty to denounce them can end up trapped between a rock and a hard place¹¹. How can defenders of conceptual agility and creative mobility convincingly refuse the co-optation of these same principles by the broader media sector? It may sound outrageously philistine, but the question is tricky to answer precisely because of the fuzzy logics integral to the media community dynamic: opportunistic initiatives led by the extremophiles described earlier may best be accommodated by ill-defined areas of ambivalence in the slippery media world. Short of undermining appropriationist politics with prankster strategies like “over-identification” (cf. the Bavo collective¹²), creative practitioners stand at times to strategically benefit from the transition zones offered by these constantly shifting landscapes. Temporal factors are of the essence. Extending Nelson Goodman’s suggestion to replace the question of “what is art?” by asking “when is art?”¹³, perhaps we could ask “when is/ was media art”, and “when is/ was it valued as such, by whom, in keeping with what criteria?” This might allow differences in contextual readings to be grasped as a

9] “Impact” in UK universities is being used as a controversial criterion for assessing submissions to the next Research Evaluation Framework, a review undertaken approximately every six years on which research funding has been largely dependent.

10] Hisschenmöller and Hoppe, *op.cit.*, p.43.

11] Increased precarity of artists in a society which glorifies such traditionally “artistic” values as hyperindividualism, creativity, mobility, flexibility, and an appetite for risk and innovation is decried by theorists including Pierre-Michel Menger (2003), while Rossiter and Zehle’s reflection on “the neoliberal injunction to self-actualize” more constructively emphasizes the potential role of freshly conceived organizing networks (*op.cit.*, p.245).

12] “Instead of succumbing to society’s pathetic demand for small creative acts, artists should over-identify with the ruling, post-historical order and take the latter’s immanent laws to their most extreme, dystopian consequences.” Bavo, 2007.

13] Goodman, 1978, pp.57-70.

function of time, honing foresight by applying hindsight to several decades of what is still anachronistically labeled “new media”.

REACHING OUT TO OTHER SECTORS¹⁴

The need to reach out to other sectors is an important driver in artistic, cultural and media circles, since expressive communication is core to their missions. It is also a growing imperative in academic and scientific, industrial, biomedical, technological, environmental, political and economic activity, i.e. areas where ring-fenced and ivory tower behaviours are increasingly challenged for reasons ranging from the most altruistic and enlightened to the most mercantile. Examples of these might be return-on-investment accountability for use of public resources by national and pan-national bodies, or cultivation of attractively all-inclusive product profiles for marketing purposes. Research funding organisations regularly request proof of the societal “relevance” of proposed projects, insisting on anticipated benefits that end-users (i.e. tax-payers) can measurably experience and benchmark. Knowledge transfer processes are another objective in cross-sector initiatives: UK academics are encouraged to build projects that bring tangible economic, social or cultural benefits to non-academic partners through knowledge exchange, and that promise to “make a significant difference beyond the world of academia” (Arts and Humanities Research Council).¹⁵ The champions of knowledge transfer can perhaps learn from their technology transfer predecessors who, to counter twentieth century recycling and dumping ground tactics targeting less developed countries, generated critical discursive frameworks which highlighted previously unheard of notions of “appropriate” transfer and cultural receptivity.¹⁶ Given the global portent and promise of cultural media, and their power to weld geographically and economically disparate communities, these notions appear crucially important.¹⁷

Transdisciplinary collaborations where groups of public, private and community

14] Practice to Policy 2010 contextual information specifies that “emphasis is on the shifts within media culture (reaching out to other sectors) rather than analyzing current media arts policy” (background material sent by organizers Cathy Brickwood, Annette Wolfsberger).

15] See <http://www.ahrc.ac.uk/FundingOpportunities/Pages/KTFellowshipScheme.aspx>

16] For example, in the 1980s the Technology Transfer Committee of the Unesco-backed World Federation of Engineering Organisations became the Appropriate Technology Transfer Committee under the courageous impetus of its chairwoman Antoinette David.

17] Such issues plead for fora sufficiently enlightened to discuss the implications of spectacular initiatives like Negroponte’s One Laptop per Child with relation to e.g. the Zero Dollar Laptop Manifesto (James Wallbank, <http://bricolabs.net/politics/zero-dollar-laptop/>).

stakeholders join forces to tackle complex problems stress reaching out to other sectors to mobilise socially engaged, pragmatic forms of collective intelligence¹⁸. The co-evolution of original know-how through collaborative learning in distributed computing environments which endow previously ignored social groups with peer legitimacy underpins much of the activity referred to as cyberinfrastructure in the US and as e-science in the UK. Learning ecologies here designate mixed, variably scaled formal and informal communities who shape knowledge through open resources geared towards enquiry-based interaction and non-hierarchised participation¹⁹. Like the irreplaceably productive archaeological amateurs of past centuries, committed lay populations are henceforth gleaning and crunching data for virtual observatories, climate change centres, and other massive monitoring exercises. Meanwhile, at the “big science” end of the scale, interdisciplinary initiatives such as the Physiome Project are developing open source markup languages for holistic modelling, in this case incorporating biochemical, biophysical and anatomical data on cells, tissues and organs to relate human bodily structure (anatomy) to function (dynamic process)²⁰. Such collective extremophile knowledge seeking ventures are opening up previously inconceivable horizons, where institutions and what Florian Schneider calls “ek-stitutions”²¹ might momentarily and exceptionally become complementary.

18] See Pohl C, and Hirsch Hadorn G., 2007, whose problem-framing research leads on from policy sciences founded in the 1950's to analyse the influence of public and democratic policy-making on ways of addressing complex societal problems.

19] Dan Atkins, former director of Cyberinfrastructure for the US National Science Foundation, emphasises behavioural changes as drivers of technological development, notably through the growth of larger, more mixed learning ecologies involving schools, community groups, university-type academies and industry. Cf. Atkins, 2006.

20] Led by Peter Hunter, University of Auckland: spatially or temporally grouped parameters of a model component at one level are interpreted in the finer resolution of next level models, using markup languages including XML, MathML, CellML, MeshML, FieldML, RegionML.

21] Ek-stitutions are “networked environments, deinstitutionalised and deregulated spaces such as informal networks, free universities, open academics, squatted universities, night schools, or proto-academies”, in contrast to in-stitutions. “The challenge that ekstitutions permanently face is the question of organizing, while in institutional contexts the challenge is (...) the question of unorganizing. How can they become ever more flexible, lean, dynamic, efficient, and innovative? In contrast, ekstitutions struggle with the task of bare survival. (...) Border economies have emerged allowing an increased variety of actors to smoothly switch from the mode of institutions to that of ekstitutions and back - seemingly without compromise. They actually profit from the sharp boundaries between institutional frameworks and ekstitutional networks.” Schneider, 2010.

The injunction to reach out to other sectors resonates naturally with media artists engaged in interactive, participation-oriented work. It also relates to a growing need amongst industrial developers of social network media to have prototype products thoroughly informed (if not shaped) and tested by targeted user communities, in keeping with concepts of the “prosumer”. The fact that outreach activities in these two cases correspond to starkly contrasting motives demands that policy dealing with new media be sufficiently nuanced to avoid confounding very different types of investment in social technology development processes. Executive Director of the Institute for the Future Marina Gorbis calls for governance and business models coherently aligned with the social values that drive social media. For Gorbis, the hierarchical, non-participatory, opaque business models often used to market participatory and social technology tools based on crowd sourcing and volunteer effort, are unacceptable anachronisms that testify to cynical, quick-win reappropriation of painstaking collective labour²². For it to truly bear fruit, the sustainable, renewable invention of socially transformative technologies requires the parallel invention of relevant economic and organisational models to ensure their development. To uphold the longer term cultural potential of participatory social media, policy thus needs to explicitly address and help scope ethically appropriate accompanying frameworks.

THEM VS US

A leitmotif running through the present paper is the extreme lability and diversity of actors and forces at work in the media culture sector. This reflection of inevitable, desirable overlaps and fluidity between human communities and identities is simultaneously a strength and weakness, and certainly a complicating factor when it comes to policy making. Ironing out differences to dissolve in all-englobing frameworks positions that are too varied to be meaningfully grouped results in consensual mush, as when divergent approaches to “media culture” get crudely lumped together²³. Alternatively, undiscerning attempts to aggregate unlikes may aggravate difference and lead to stand-offs, ruling out future dialogue. In the latter instance, unduly polarised positions can be just as problematic for policy making as catch-all consensual positions. Public institutions are not inherently bad, but as social entities are subject

22] “If we are to truly fulfill the promise of technology tools we have created, we urgently need to design new governance models and new ways of creating value. (...) organizations whose value derives from communities they create should incorporate the governance principles of successful commons organizations and use the same technology platforms that are at the core of their operations for governance purposes.” Gorbis, 2010.

23] “Policymakers may (...) not grasp the biases that are inherent in their own policy frames. In any case, they run the risk of tackling what is called the “wrong problem”. They may treat as “structured” a problem that other stakeholders - be they pressure groups, target populations, or even their own executive officials and street-level bureaucrats - define as much more complex and controversial than they themselves are willing to admit.”

to more or less inertia and political pressure as a function of historical and geocultural contexts. Private organisations are not systematically corrupt, profiteering bodies, any more than informal, associative cultural networks are necessarily oases of selflessness. In the changing world of media culture, cut and dried “them-and-us” oppositions are all the more untenable and unproductive in that actors are constantly having to navigate its boundaries and “border economies” (Schneider, op.cit.).

An evolving world demands the creation and implementation of continuously adaptable systems of discourse, somehow grounded in the positioning statements or utterances (Foucault’s énoncés) that make for meaningful dialogue. Novel collaborations that call for the renegotiation of identities might allow media artists to make their most incisive contributions - through alliances or positions of informed distance - to the novel interactions on which social transformation depends, and this requires deciding on the terms and language which will most dynamically link with others in forging new kinds of relationships. Whereas clinging to pre-existing status and objectives in new terrain risks entrenching development in a bygone age, notional media culture perspectives must nonetheless be articulated by the different stakeholders as starting points for building dialogue. There’s the rub: in the shifting sands of priorities that underpin and condition the livelihood of cultural media, how can creative extremophiles most productively assert their core mission and values?

For media arts to occupy a unique, effective place in the cultural technology landscape, it takes more than quick-fix inventiveness and commitment to new collaborations, both of which henceforth drive so many sectors of activity geared towards laudable, immediately tangible social purposefulness and applicability²⁴. By comparison, media artists may not decry utility as an output, but it tends to be a by-product of their heuristic explorations insofar as functionality is not the pre-defined, unambiguous goal that might, for example, motivate applied design work.²⁵ The key difference might therefore reside in the ostensible gratuitousness that colours the idiosyncratic utopian worlds (Bec), insoluble cascades of questions, and horizons of possibility projected by creative extremophiles. The tinkering, satisficing and bricolage that characterise the critically serious play of art and the critical art of serious play contrast with the exacerbated monetisation and “optimisation” to which our culture is increasingly subject. Perhaps it is these behavioural and methodological stances that most significantly underpin the mission and values, and inform the

24] For concrete examples, see case studies presented in *Creative Sustainability* published by Designium, the New Centre of Innovation in Design in Helsinki (Nieminen, 2008).

25] Cf. Graham Harwood: “I do not have any problem with creating media systems that have utility from my art methods. The utility, though, must reveal something about the nature of power in which its mediation is taking place.” For Anthony Iles, “If we are not yet ready to ask ‘what might an emancipatory technology look like?’, it is because the instruments currently shaping the terms of the question must first be turned into their own criticism”. Iles, 2010.

positioning statements artists can contribute to the transformative/ transformational arena of cultural media. Whereas Harwood deplors the normalised production of “anaesthetic” art (which he sees in the UK as “a cheap panacea for social inclusion, economic regeneration, and the maintenance of an unfair world”), he declares an addiction to art as a unique space of reflection, drawing a distinction between ‘art’ and ‘art methodologies’, which are “skills and tools developed by artistic traditions, practice that can be applied, sold, traded with other specialisms to bring about potential social, material benefit.”²⁶ Using “art methodologies to negotiate a pathway”, Harwood is thus able to transform the peculiar looseness of artistic reflection into effectively and affectively provocative “socially active aesthetics”.

(WHY) YET ANOTHER MANIFESTO?

The usefulness of devoting effort to lobbying and drafting policy papers instead of pursuing core creative practice is questioned by many artists, who are already obliged to spend much time seeking often tenuous means with which to pursue their work. While policy documents produced by P2P and similar encounters provide historical milestones which testify to evolving contexts and perspectives over years of media practice, the question remains as to how much energy must be invested to establish such milestones. A related issue, however, concerns the traps of engaging with policy-making bodies and other institutions on terms they alone control and dictate: “Those actors who have the power to decide on the policy agenda, also have the power to choose the problems they like to solve.”²⁷. This suggests that for media culture at large to benefit from and respond to the novel insights and interactions of creative extremophiles, thence undergoing desirable transformations, involvement of these actors in forging the terms of dialogue is imperative. Constant creative effort is needed to uphold productive tension between idiosyncratic practices and the collectively invested role of art, between centralised normative and ec-centric media culture development processes.

The steadily growing international corpus of critical media arts reflection (including manifestos, declarations and agendas published under the aegis of the “Practice-to-Policy” initiative) is evidence of an articulate, diversified community of practitioners and theorists engaged in a broad spectrum of activities. This indicates conversance with a range of terms, stances and values that in turn informs and sharpens dealings with others. Whose interests are represented or deemed to be represented by an authorial collective at a given moment is a profoundly political and ethical question, which in the media culture context demands to remain all the more explicitly foregrounded because it has no definitive answer. In a transient environment where “others” may well become one’s “selves” at certain points in time, the fluency gleaned by reflective positioning and dialogue valuably heightens awareness of difference, and of real and potential slippages in identity. As we weave our art and networks, it is surely this awareness of difference, of its subtle transformations, intensifications or

26] Cited in Iles, *op. cit.*

27] Hisschemöller and Hoppe, *op.cit.*, p.45.

attenuations over time, that most keenly warrants our continued search for dialogue, thus our continued engagement with policy. ←

Note:

Issues raised in this text draw largely on discussion during ISEA 2010 with co-panelists and session attendees, and notably on contributions to the floor from people including Eric Kluitenberg, Anne Nigten, Julianne Pierce, Mike Stubbs and James Wallbank. The paper's idiosyncratic positioning however strictly translates my own attempts to engage with others.

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FACEBOOK FRIENDS

Drawing made during Wintercamp 2009, organised by the Institute of Network Cultures <http://networkcultures.org/wpmu/wintercamp/>

Illustration by Het Harde Potlood / The Hard Pencil

THE CULTURAL POLITICS OF ORGANISED NETWORKS FROM EXCHANGES TO COOPERATION

GEERT LOVINK

Much like the shifting relationship between social movements and NGOs 10-15 ago, we see a growing tension between the existing models of 'cultural organizations' that deal with new media culture and arts and informal networks aka individual artists. Unlike a decade ago the cultural new media sector can no longer claim to embody an 'avant-garde' position because that has been taken over by the market. This situation leads to a void: neither truly innovative nor particularly critical, new media organizations in the non-profit sector have become confused. What direction should they take? If they are not doing proper research, or at least not what policy makers and academics consider useful, then what is their potential role? Should they simply do without public funding—and disappear—now that the introductory phase of new media is coming to an end? The well-funded massive digitization of 'cultural heritage' has proven to be useless for the new media sector and has merely reproduced the existing, conservative cultural landscape that is dominated by museums, opera and concert halls. The same could be said of 'media wisdom' programs in the educational sector, which are merely run to 'manage' (read: control) the already high computer literacy amongst youngsters and the ignorance and paranoia of both parents and teachers.

Instead of aligning with the 'creative industries' agenda, the proposal here would be to transform current organizational models into facilitating hubs that empower 'organized networks'. One of the few yet unexplored models left for new media culture is that of networking itself. We should distinguish two types: networked organizations that exchange information and experiences, and emerging forms of organization with the internet that aim to cooperate in order to realize projects, write software, in short, produce cultural artefacts. Whereas the first is more loose and slightly non-committal, aimed at 'recharging the batteries' through information sharing and inspirational talks, the latter is more transformative in that it moves the production of culture itself to the net and changes the very mode of organization itself.

The orngnet concept stems from a very active, dynamic environment that generates more questions than could possibly be answered. Activists organize transnational

campaigns online. Web 2.0 companies profit from this free labor and attention provided by the networks of users. If we take these network technologies seriously, we have to ask ourselves: What's next after all the initial excitement? What happens after we have linked up, found old classmates, became 'friends' and meet up? Will networking produce a weak and dispersed level of sociality or will relationships become more substantial? What long term cultural transformations might emerge from networked interactions? Will we constantly move from one platform to the next initiative, following the global swarm from Friendster to Foursquare? Do we really wish to carry our 'social cloud' with us, wherever we go, as advocates of the 'open graph' seem to suggest? How do we cope with the hype surrounding the 'social web'? Are the constant requests to be linked a plague? Or do these sites function more like a modern telephone book rather than a 'revolutionary' platform that fosters new forms of cooperation? How can networks maintain their critical edge while aiming for professional status? Does anyone want to get paid for their 'free labour'? Will we return to our busy everyday life after the hype recedes or strive for an even deeper commitment to Social 2.0? As artists, researchers, activists, educators, and cultural workers are drawn into the network paradigm, it is urgent to collectively inquire into what happens when networks become driving forces of both work and leisure. Even if network will not replace real existing office culture, how will it transform cultural organizations?

Together with the Australian media theorist Ned Rossiter I developed the organized networks concept and have done both theoretical and practical work into the development of 'new institutional forms'. Taking the idea into the 2010 context it is not enough to submerge into speculative debates over diminishing cultural budgets. Instead, we propose to implement independent sources of income and types of organization that reflect the 'network condition' in which cultural workers find themselves. Living under the omen of neo-liberal capitalism the messy everyday life is steered by ideologies and pragmatics but also open for other designs that are of strategic nature. It is this freedom of choice that is expressed in the network architectures. The layout of the social is one of vague possibilities to (re-) connect. The freedom to change jobs and move from one city to the next should not just be an empty phrase. Moving from one discipline to the next professional field is both liberating and distressing. The emphasis on the necessity to become 'mobile' is not exactly covered by the concept of 'risk' as the pleasure element to roam around is taken out of equation. How do we balance the desire to move on with the justified struggle to defend rights and resources? To sign up for networks can no longer be presented as a free choice. The pressure to do both ruthless self-promotions while practising vulnerable 'self disclosure' on social networking sites is a clear example of this. Many of the 'precarious' cultural workers feel they have to compromise. Social networking is a vital part of the reproduction of work. In this McJob era artists and cultural workers feel the pressure to work on a range of parallel projects and clients that may or may not get realized. This is why it is not wise to morally dismiss participation on corporate platforms such as Facebook and Twitter but to actively promote distributed alternative social networking software, based on FLOSS principles.

A first step for this would be to recognize the actual force of the ideology of free and open, such as advocated by some in the 'free culture' movement as a potential trap. It is good to embrace Creative Commons, open content, free software and open access but only if becomes part of a larger movement to enforce (alternative) revenue models. In this respect we also need a new notion of the public domain and public broadcasting in particular in which new media will have an equal status, next to film, public radio and television and (subsidized) print. Barcamps, unconferencing, booksprints, hackatons, contentfests and bricolabs are all manifestations of a thriving culture of temp media labs. Instead of asking how these emerging practices can contribute to 'policy' we should reverse this question: how can cultural policies strengthen networks? One of the steps we need to take is to understand networking as a cultural logic that is at odds with the current democratic rules. Networks are post-representational. They cannot claim to speak on anyone's behalf, other than itself. If we pretend otherwise, we might fool ourselves, and others, with potentially devastating consequences.

Let's look at some stories of organized networks in action. Neither being a religion, identity nor quality management system, it is not relevant to ask if the subjects or institutions involved subscribe to the 'orgnet' idea. At least in this initial stage, orgnet should be first and foremost seen as a proposal, a critical concept and strange attractor with the potential to provoke events.

Culturemondo is a network of cultural web portals (<http://www.culturemondo.org/>). It consists of researchers like the Taipei-based Ilya Lee and Aleksandra Uzlac of CultureLink, Croatia, policy makers such as Frank Thinnes from Luxembourg region culture portal plurio.net, Jane Finnis from Culture24, UK to IT experts that work inside museums like Seb Chan from the Powerhouse Museum, Sydney, Australia and other who work in the cultural heritage sector. According to Ilya Lee Culturemondo members recognize the value of peer sharing of like-minded people who want to collaborate in order to increase influence and visibility for their work and spread literacy of progressive web development in their own fields. Ilya Lee: "They acknowledge that the Internet promotes loose connections, not official global bureaucratic forms of organization. It is really important to coordinate and practice the value of collaboration in the cultural heritage sector." Amongst many topics, Culturemondo discusses how to ensure that culture and heritage policies are linked to digital policies and strategies. The 6th roundtable in Amsterdam, coinciding with PICNIC, was entitled "Bringing Practice into Digital Cultural Policy."



LOGO CULTUREMONDO

The Culturemondo network was founded by cultural web portals that met in June 2004 at the Minerva International Digitisation Conference, in Dublin. Jane Finnis of

Culture24, Valadimir Skok of previous Canadian culture online and culture portals of France, Sweden, and Brussels, founded Culturemondo collectively. The first years were sponsored by Canada and the TELDAP program in Taiwan. Culturemondo is not a global branch organization or a professional association but an active, informal network that thrives from actual cultural differences and approaches. Culturemondo does not organize conferences or annual meetings but 'round tables'. Important to stress is its trans-disciplinary attitude. The added value of Culturemondo lies in the variety of professions that gather. It is not only useful for cultural heritage managers or cultural policy makers but equally so for web developers, designers, copy editors and content producers.

Aren't web portals a residue from the dotcom nineties? This is not how content is distributed in the age of Web 2.0. That's done through recommendation, linking and 'liking'. Culturemondo members are all too aware of this shift. The 'cultural web portals' label is still in use because funders and ministries understand this discourse. And, let's face it, the 'cultural heritage' sector is notoriously slow and has hard time to keep up. What Culturemondo members talk about is how to deal with the traditional institutional demands. On Skype I asked Ilya Lee if he would consider Culturemondo an 'organized network'. Ilya: "Culturemondo brings together policy makers and geeks. We emphasize the human dimension, informal exchanges and inward development of the network. Active members originate from 15 countries, with 250 collaboration organizations. We are turning Culturemondo into a real body where the local and global can meet. In that sense, one could say that it has 'orgnet' characteristics." Does Culturemondo have to subscribe to the Creative Industry rhetoric? Ilya: "In terms of sponsoring, yes. But luckily there is a delayed pressure. As we speak some of the programs and partners we worked with are forced to close down. The quest for business models is out there. This manifests itself concretely into pressures from the side of the creative industries to adapt the "web is dead" (Chris Anderson) apps for mobile phone. Institutions and commerce like its closed nature. Walled culture is growing. To counter this development we have to discuss our core values. There is a need for theory. How can we introduce open source practices into cultural policy? This goes back to the 1997 Amsterdam Practice to Policy agenda and it would be good to write the history of these efforts."

Culturemondo can easily get 5000 'friends' on Facebook and bring in hundreds of new members, but what's the point? In December 2008 I spoke at the 4th Culturemondo roundtable in Taipei on the issue of organized networks in relation to the social media hype. In my presentation I contrasted the exploitation of 'weak ties' by social networking sites such as Facebook and MySpace and the urge felt by users to collect more and more 'friends' (an effect provoked by software) with the tendency to strengthen existing—but also very virtual—ties inside networks that seek intense exchanges and collaborations. The unease with the blunt privacy policies of Facebook were causing artists, activists and hackers to not only protest inside and outside of Facebook such as the Web 2.0 Suicide Machine (developed by the Rotterdam Moddr lab) but also to start developing alternative social networking software such as Crabgrass, Diaspora and GNUSocial.

In March 2009 our Institute of Network Cultures organized WinterCamp 09: a week-long event in which (cultural) networks were invited to come to Amsterdam to work on the very issue how to 'organize' their network. Usually it is very expensive for (virtual) networks to meet up. Their members are spread across Europe or the globe, and if they meet it is for a quick coordination sessions in the margins of a conference or festival. This is why such workshops need to be hosted by larger players in the field. The 150 WinterCamp participants of 12 networks included programmers, activists, academics, writers, designers, cultural workers and artists. A few of the 12 participating networks emerged within the context of the INC, such as MyCreativity/Creative Labour. Others were already established (Dyne.org, Upgrade!) or are on the verge of becoming a network (Bricolabs). The networks attending ranged from the highly informal (Goto10) to the more formal (blender.org, FreeDimensional) with participants mainly from Western Europe, North America, with a smattering of participants from other parts of the world (Mexico, El Salvador, Cameroon, India, for example) and a small core from New Zealand and Australia). With a few exceptions (notably FLOSS manuals), the groups were not all that transgenerational in so far as participants are fairly young (20-35). The gender balance was reasonably distributed across the networks, though some more loaded with blokes, and one was entirely composed of women (Genderchangers).

German theorist Soenke Zehle spoke at the 6th 'Picnic' Culturemondo roundtable in Amsterdam. He was also closely involved in Wintercamp and I asked him, as a fellow outsider, how he would describe this network. "Culture Mondo attracts people who no longer wonder whether networks will transform the way they operate but have the (conceptual and technological) competencies to actively shape the institutional transformation of the cultural sector. The stakes of such shifts in the dynamic of institutionalization will remain high as long as the museum remains the telos of cultural production. Culture Mondo is neither the only nor the first effort to call into question the ways in which the borders of the cultural field are determined, but it is well-positioned to explore corresponding transformations of its respective publics as online portals are by definition located at the institutional margins, offering institution practices a new milieu for ethico-aesthetic experimentation not least because here the interface itself has become the main concern. Which is why, above and beyond their concrete networking activities, such an ensemble of efforts, sustained by collaborative research as much as events, offers a logic of interstices and iteration rather than institutions – and therefore a much-needed disruption of the way the making and making-public of culture is organized."

The last example is a meeting that addressed issues of cultural sustainability with a focus on networking. A training program for cultural network management called Organized Networks took place in Riga (Latvia) from December 3 – 5 2009 (<http://orgnet.rixc.lv/>). The event brought together representatives from over twenty cultural organisations, new media centres and networks from the Baltic, Nordic and other European regions as well as Caucasus countries. The training program was organised by RIXC, the centre for new media culture (Latvia) with partners from Finland (Pixelache festival, MARIN Association), Norway (Piksel, iolab, Atelier Nord), Iceland (Lorna), Sweden (Kultivator, C-Studio/Interactive Institute, New Media

Meeting), Denmark (FieldWork, WindFestiva/Energy Academy), Lithuania (KCCC), Latvia (Association for Cultural NGOs), the Netherlands (Baltan Laboratories), Armenia (ACCEA/NPAK) and Georgia (Center for Contemporary Art – Tbilisi, GeoAir). According to the organizers, networks are not only virtual structures, “there are people and real technical infrastructures behind them, and our network culture also are facing the same sustainability issues.” The question raised was how to work out new strategies and methodologies to improve and develop a more sustainable translocal cooperation practice. How to develop new network-based models that will facilitate both individuals and local cultural organisations? How do networks and nodes relate to each other? Much like Culturemondo, the training program had a trans-disciplinary approach. Artists, new media activists, renewable technology researchers, social software developers, open source activists, designers of autonomous and alternative infrastructures who already work together discussed how to deal with sustainability issues. An interesting detail here is direct link that is made between ecology and the arts in the literary transfer of the sustainability concept from the environmental context of natural resources to the cultural sector. Mostly, the sustainability concept is used as a buzzword in a metaphorical sense.

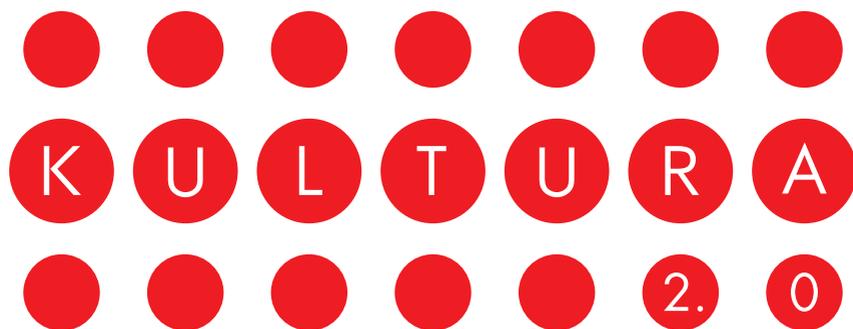
I asked Rasa Smite, the organizer of the Riga event, if ‘organized networks’ in fact exist, or if it remains a useful yet not very realistic construct. Rasa: “In comparison to the wild 1990s we had to make the experience that networks no longer grow by itself. Maybe we’re no longer that idealistic? We just don’t see the rhizomes growing all around us. But there is still the myth of self-organizing surrounding networks while the reality is quite different. There is simply no continuity. We at RIXC had to re-adjust ourselves to this new situation and start testing better network models. Nowadays we do not expect a lot for other network participants, which turned out to be a liberating moment. And that is where the orgnet idea came in. The model means taking full responsibility—and then it really starts to work.” A source of inspiration for Rasa would be the Peer-to-Peer Foundation, coordinated by Michael Bauwens. In the good days, from 2006-2008, before the financial crisis that hit Latvia particularly hard, RIXC employed eight staff members. Late 2010 they are back to three, the two founders plus a producer. In the meanwhile Rasa Smite wrapped up her PhD research into the early days of creative network communities. In order to survive the RIXC founders incorporated a for-profit company and try to survive running both a non-profit organization and a commercial venture.

Maybe the question is not how cultural policies can strengthen networks. In the short term this might still be the case. Soon the borders of what consists a cultural orga-



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nization will become even more fluid. Right now networks depend on real existing 'bricks 'n mortar' institutions to escape the virtual. But what if the tables are turned and an overwhelming majority of the players in a particular context will be self-employed 'precarious' free lancers? Soon networks will be able to incorporate as virtual entities, managing their own legal and financial matters without having to be based in a particular country. This is when self-organisation, free cooperation and distributed resources will no longer be marginal, knocking on the thick doors of the Walled Culture but turn from secondary entities into cultural agents. ←



PUBLIC CULTURAL

INSTITUTIONS 2.0

ARE SUCH HYBRIDS VIABLE?

MIROSLAW FILCIAK

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The increased spread and use of the internet in recent years has led to a growing gap between the work of public cultural institutions and citizens' everyday cultural practices. It is as if tensions between various visions of what culture is meant to be, identified by theorists of cultural studies in the 1960s, have now shifted to a practical level. These cultural theories, based upon ethnographic knowledge and insight, were originally directed against elitist definitions of culture, which were and are abundant in the humanities. Today, the same critique applies just as well to the everyday experiences of people in public cultural institutions: holding on to an institutional mission formulated in the 19th century, focused on the preservation of heritage and promotion of high culture, these institutions are heading towards an increasingly marginal position in contemporary culture.

SPREADING CULTURE

We believe that culture is no longer a sphere of sacrum, detached from everyday life. Rather, it 'dissolves' in life's activities. Instead of existing as a separate, autonomous space that one can enter when „cultural participation" occurs, it becomes one of the dimensions, a layer of these activities. Similarly, cultural institutions can no longer define themselves as occupying a privileged, autonomous sphere that their users should attain. The direction is reversed – it is the institution that needs to reach out and participate in communication processes occurring beyond the boundaries of what they themselves define as culture. A shift needs to take place from the protection of culture or education to participation and engagement, as the key defining characteristic of these institutions.

Researchers working at the Birmingham Center for Contemporary Cultural Studies were among the first to shift accents in cultural studies from elitist, high culture to a popular, bottom-up culture, which is process- and practice-based. Today, the growth of cognitive capitalism makes this opposition between two cultures seem artificial. Culture has become a resource, and society as a whole has become the basis of innovation for cultural and creative enterprises. In accordance with the logic of maximum revenue growth, privileged professionals are no longer the sole creators of culture. And they were joined not just by the higher social classes, but by the masses.

This hybridization of culture is forced not just by global flows of ideas and images, but also by the mutual interaction of what previously was called „high” and „low” culture. The result is a new set of problems from the perspective of political economy, as new mechanisms can just as well serve the emancipation of individuals as their exploitation¹. Most disconcerting is the fact that while corporations today are an important player in this unified cultural field, public institutions are either absent, or remain passive. In digital culture, their place is sometimes occupied by social or civic projects – but one wonders whether they alone can constitute an alternative to commercial culture. Can this process be averted? We believe that the most urgent task of cultural policy today is to find such a role for cultural institutions in a hybrid, digitalized culture.

Public cultural institutions tend to maintain a top-down, pedagogical relation with their users. They accumulate goods and then ration them to the public, and in the process they legitimize what they consider culturally valuable. Yet in a world where all cultural hierarchies have been flattened, it is the very technical infrastructure which underpins modern communication tools that supports such decentralization of the giving of value and meaning. Young audiences in particular do not appreciate being told what is valuable by these institutions because their natural communicative ecosystem is largely open to dialogue and not instruction. This ecosystem provides them also with autonomy and capacity for action. Furthermore, the mass of cultural artifacts that circulates in file sharing networks has been providing an infinite alternative to resources that are being provided by these institutions (as well as official, commercial distribution sources).

The situation is not so much one of creative tension present as of mutually unfulfilled expectations. The institutions are disillusioned with citizens: Research on the state and shape of culture is an important element of their public discourse, resulting in studies offering “scientific” knowledge about citizens’ cultural incompetencies. A study of literacy in Poland indicated decreasing rates of reading based solely on data about contact with printed volumes. Similarly “cultural participation”, often described as the key goal of cultural policy, describes a sphere of culture in which one can participate – or be left out. Meanwhile the citizens function beyond this designated cultural sphere, without any visible negative consequences. And citizens become disillusioned to, by institutions whose mission and activities are so detached from the culture in which they live.

CULTURE 1.0 AND 2.0

In order to describe two divergent ways of thinking about culture, and two respective types of related practices, we propose to distinguish between two versions of culture: a culture 1.0 and a culture 2.0. Although we are fully aware of the hybrid nature of culture, we believe that two distinct logics are at work in the cultural sphere.

¹] This issue has been analysed by authors from the Italian Autonomia Operaia movement, such as Antonio Negri or Maurizio Lazzarato, and then by theorists such as Tiziana Terranova).

Obviously, not all institutions act in the 1.0 version of culture, and by the same virtue not every citizen enacts a culture 2.0. Many phenomena also occur at the intersection of the two models.

“Culture 2.0” was a term we used at a conference organised in Warsaw in December 2006 to describe the emergence of a new cultural circuit, shaped by the experience of using digital media, with new cultural practices, new tools and a blurring of previous distinctions. Culture 2.0 has a lot in common with Web 2.0 and the name was chosen by analogy. Network technologies form a basis of this new culture. But the term itself is not an expression of blind faith in technological power – it rather describes a new culture, in which new versions of known content, media forms, distribution models, ways of participation or cultural canons emerge. The 2.0 metaphor acknowledges the influence of conceptual frameworks originating with the Web. It also serves as a reminder that cultural processes, which at first glance serve an emancipatory function for „normal” people, are also included in the business models of the creative industries. Finally, this new culture opens up content, is accompanied by greater communicative and creative activity, a shift of boundaries between the professional and the amateur, and between cultural production, remix, reproduction and consumption.

Culture 1.0 considers professionals and institutions as key – or even sole - actors in its production and circulation. It is characterized by a strong focus upon cultural objects. Participation in such a culture ennobles, but at the same time makes it necessary to overcome all types of distances, caused both by economic factors, but also by lack or availability of free time, or of necessary cultural competencies. Despite the declared goal of cultural participation, culture 1.0 fails to provide the main incentive to participate, which is the free availability of content – and the ability to actively and creatively reuse it.

On the other hand, culture 2.0 is closer to everyday life, much more amateur and grassroots in character, a culture in which communication processes are more important than their outcome. It is of course not a culture of absolute inclusion. Yet exclusion is treated as a problem, and not something to be proud of. In this culture, property means a chance to make things available, rather than to limit access. Culture 2.0 stresses closeness, achieved by constant exchange of content – which itself serves as symbolic currency that underpins networked communication. Practices that fit in this cultural logic naturally require intermediaries, but these are different from cultural institutions (public or commercial) that intermediate culture 1.0. In the age of analogue media people themselves served as knots in social networks that supported popular culture. Today, commercial network services and platforms (and to some extent their socially produced equivalents) also serve as such intermediaries. Culture 2.0 has shifted from an ephemeral and marginalised part of culture to a key object of current debates about the state of culture.

CASE STUDY: ANKA

The growth of culture 2.0 forces dilemmas upon cultural institutions, as is well demonstrated by an example taken from an ethnographic study of Polish youth titled “Youth and Media”, conducted by a group of researchers led by Mirek Filiciak. It is the story of Anka, an 18-year-old girl from Parna – a person who can be considered cultural and cultured even when culture 1.0 standards are applied. Nevertheless, from the perspective of traditional cultural institutions, Anka’s activities remain invisible. That’s because for Anka, key curators and distributors of content are institutions of culture 2.0.

„Anka loves Werner Herzog movies. There’s nothing unusual about that, other than an unusual (at least from the perspective of generations shaped by analogue cultural experiences) path that led her to discover the director. It all started with music: Anka loves David Bowie. While studying online information about the artist, she became interested in what she calls Bowie’s Berlin period – a time when Bowie lived in the Federal Republic of Germany and recorded three albums inspired by German electronic music: „Low”, „Heroes” i „Lodger” (Anka has downloaded all three in the shape of mp3s from the internet). While following her idol’s inspirations, Anka learned about the band Popol Vuh, and managed to borrow their CD from her uncle. The music was sufficiently impressive to lead Anka to conduct further research on the Web, through which she found out that the band has recorded music for Herzog’s films. Ultimately, Anka became a movie lover – although she spends little time in the cinema (it would be very unusual to watch a Herzog movie in Parna). Anka is an active participant of an online forum dedicated to movies, where she is in touch with people who watch and know more than her friends. It’s them who have recommended Herzog’s movies to Anka, together with names of several other directors whose movies she has downloaded as well. These were recorded on the hard drive of her computer and watched on its screen. Herzog is now her favourite director”.

(„Youth and media” report, p. 12, available in Polish at <http://www.mim.swps.pl/>)

This ethnographic research, conducted in 2009 in three Polish towns of different size, describes a new cultural situation – in which individuals play the role of creators, but more importantly also curators, critics, commentators, archivists and (re)distributors. It is a culture that is digital and networked, circulating in overlapping social and computer networks. These networks are ultimately the key intermediaries of Anka’s „cultural participation”. Traditional institutions, such as cinemas, broadcast media, or institutions responsible for cultural education, remain invisible. For them, by the same virtue, Anka – who does not participate in the activities that they propose and intermediate – remains invisible as well.

DIGITAL EMPOWERMENT

Such transformations of the media landscape cannot be analyzed solely from the perspective of users’ growing autonomy. Research shows that theories about sudden growth in grassroots creation of content should also be taken with a grain of salt: the numbers of active creators remain limited, and digital content is often a „side ef-

fect" of social interactions and communication processes, distributed and archived by network services. One thing is certain: the popularity of the internet and other digital media has caused a shift in all aspects of culture, one which is directly tied to the new cultural roles of digitally empowered individuals. At the level of creation, there is an increased – if still marginal – bottom-up production, taking place beyond traditional institutions and channels of professional production, and often employing techniques for remixing and reworking, rather than creating content. At the level of curation, content is being recommended in horizontal, democratic processes of popular cultural criticism. The very same people also serve as amateur archivists, who preserve and catalogue culture. Finally, at the level of distribution, decentralized file sharing networks are more efficient than traditional distribution models.

REMEDICATION

Digital media have caused a remediation of culture – to use a term proposed by Jay D. Bolter and Richard Grusin. But while Bolter and Grusin use it to describe the effects of one medium upon another – or more precisely the representation of a given medium's text in another – in our opinion the concept can be applied to the cultural condition as a whole. With the appearance of digital media not only could culture 2.0 develop, but also culture 1.0 was transformed. This leads to new challenges faced by all types of actors that interact with cultural content. Among them most important is the state itself – marginalized, or maybe even not present in everyday cultural practices of networked citizens. Today a movie lover can easily function without any of the traditional institutions that would serve as intermediaries (but she still depends upon professional, traditional cultural production).

The process of remediation applies to both spheres and logics of culture equally – but they differ with regard to their reaction to remediation. In culture 2.0, new practices made possible by digital technologies have been met with enthusiasm, as something natural. This is because the affordances of these technologies are helping fulfill needs and expectations present in popular culture for years – such as the need for closeness, exchange of content or access to producerly cultural works. Culture 1.0, on the other hand, ignores this process, or treats it even as something alien, dangerous and scary. The issue of piracy is a good example – defined both by state regulators and cultural industries solely in terms of a crime. Culture 1.0 is of course remediated as well by the force of digital technologies – yet the change is slow, and slowed down further by multiple institutional barriers.

RISING TO THE CHALLENGE

If culture 2.0 is so different from a world and culture defined by traditional institutions, then why should these institutions enter this new sphere? There is risk, after all, that pedagogic models will only endanger participatory culture. Such institutions are also wary of what they see as the chaotic, value-less sphere of popular culture. Intellectual property regulation is a good example of a cultural institution (broadly understood), which in current form ignores widespread practices of culture 2.0, and at the same time is impervious to any reform. Despite these doubts there are several good reasons for which cultural institutions

should enter into dialogue with culture 2.0. This culture is not an ideologically coherent replacement for culture 1.0, nor is it its enemy. Strong collective imaginaries and cultural norms, such as the hacker ethic or commons-based modes of production, are respected by a relatively small group of users. New culture is first and foremost a culture shaped by an utilitarian spirit tied to the affordances of digital technologies. Norms and practices are shaped by the degrees of cultural freedom that these technologies offer. Such culture is not fully free from exclusiveness (due to the broadly understood digital gap), but despite this it facilitates to a great extent the circulation of content, and of related meta-content (comments, reviews, but also remixes, adaptations and mash-ups). Thus, paradoxically, culture 2.0 fulfills the key goals of institutional cultural policy, based upon the concept of „participation” - even though it is understood differently. This common assumption is the reason why public institutions should not be afraid. Yet at the same time new cultural practices cannot simply be seen as a new interface for old content. Culture 2.0 is not shaped by the circulation of traditional, closed media content in new packaging, and inside new circuits. Just as it is not enough to install a blog in order to be a blogger, cultural institutions should not simply upload their collections to the Pirate Bay. The crucial step is the adoption of the logic, the virtues and the passions of culture 2.0 by these institutions.

Some measure of engagement by cultural institutions will be necessary if they are to remain in touch with new cultural practices. We are confident that many of their employees, especially the young, are already immersed in culture 2.0. But they are required to distinguish between „personal” practices, and official ones – which are still embedded in the logic of culture 1.0. Such engagement is also necessary with regard to public research and cultural statistics. The state is a strong voice in the public debate about the state of culture – and it is its responsibility to offer a view of culture more balanced than that of commercial intermediaries, based on their particular agendas.

Secondly, it is not true that in culture 2.0 intermediaries are no longer needed, or that individuals suffice in this role. Practices of culture 2.0 are often intermediated by commercial actors, especially Web 2.0 services: Google, Facebook, MySpace, Flickr, PirateBay. By becoming key intermediaries, these are the strongest actors shaping the new culture. Upon these online platforms, individual users and commercial entities, both amateur and professional creators and providers of content enter dynamic interactions, in which the respective roles and functions are constantly negotiated. Michel de Certeau’s distinction between strategies and tactics is no longer clearly cut between the strong and the weak, but used interchangeably. Business entities reach out to grassroots support, and empowered users, amateurs functioning on a professional basis, form their own strategies. The goals of these two types of actors are divergent, but they function in a symbiotic state, in a single online environment – which is shaped by the rules defined more likely by their commercial owner, than by public regulation.

A key role for the institutions is around the issue of regulation. Unfortunately, the very concept of top-down regulation is incompatible with the network logic of culture 2.0. And the traditional rule-making mechanisms are too slow in comparison with ongo-

ing social and cultural change. For this reason, new methods for drafting regulation are required – potentially drawing inspiration from collaborative production of content or agile development of software. Secondly, self-regulation of the culture 2.0 sector itself – with a strong involvement of users as key stakeholders – should become an important mechanism.

A useful model for such institutions might be the public networked institution, similar to public broadcasting. Yet the vision of a public, state-funded social networking site, for instance, seems neither realistic or beneficial. Much more important is an indirect presence, the provision of support for social production of such services, especially in the mode of commons-based peer production. Another key form of public involvement involves the provision of public content that can freely circulate in the digital circuit, offering a significant resource alongside commercial and amateur content.

Remediation of public cultural institutions by digital culture is already a fact – but the changes occurring within their spaces take place independently or even against them. Amateurs photograph museum collections and create their own online collections. Students work together at home with the help of digital tools not used in the formal educational process. Library visitors photograph parts of books which they cannot take home. What is required is a full and conscious opening of institutions to these practices. What would this mean for cultural policy?

CULTURAL POLICY: SHIFTING FROM HERITAGE TO COMMONS

First of all, it requires a bold step: an understanding that there is no longer a boundary dividing professional institutions and their staff from people who previously were their clients (to paraphrase Jay Rosen). Institutions must also accept the fact that practices developed in a de-institutionalized culture, sometimes even vulgar ones, can be applied to high culture as well. Librarians, museum staff and curators should follow the example of creators of mash-ups, distributed networks working on folksonomies or creators of pirate archives of culture. This requires abandoning the category of high culture, or the concept of a single, exclusive canon of culture and heritage, guarded by these institutions. They should also consider focusing less on the past (heritage) and more on the future.

Finally, a shift in terminology is required, from heritage to commons as a central concept of cultural policy. Seemingly these terms are equal. But the term heritage is overly burdened with connotations of a traditional, exclusive, high culture – so much that it is no longer a useful conceptual tool. The concept of the commons is on the other hand related to collaborative models for managing common goods, which are so very different from rules regulating access to heritage through intermediary public institutions. This new concept can help institutions redefine heritage as a resource that is common and alive, and gaining value through usage, and not archiving.

What does a new model for public institutions look like? First of all, it is not a simple process of “digitizing” institutions, by exchanging everything that is analogue with digital equivalents, and everything that’s stable with dynamic, network processes. It also does not entail a shift in institution’s subjects of interest – cultural practices from

the sphere of culture 2.0 apply just as well to high culture (the necessity of broadening the scope of public institutions so that they deal with content that is born digital is a different matter). What is needed are institutional innovations, cultural and social shifts among the staff, which will help them benefit from new technologies. Here, the model of commons-based peer production, proposed by Yochai Benkler, is a key institutional blueprint. This model, based upon the dual process of making content available and supporting social participation, increases the affordances of content, over which institutions have control or stewardship. This new model should regulate both the internal work of the institution, and its relations with external users. In this way, cultural institutions can become hybrids that draw what's best from culture 1.0 and culture 2.0.

An institutional model based on the concept of commons-based peer production is an interesting starting point for cultural policy. Firstly, by drawing upon the example of free software production it proves that commons-based participation can be successfully combined with commercial activities; and common good with commercial gain. Secondly, instead of a binary division between those participating and those excluded, it suggests a spectrum of different levels of engagement – and sees value even in passive consumption. Thirdly, it stresses the importance of modern regulation of intellectual property – which today hinders the institutional shift towards culture 2.0.

ALTERNATIVE SPACES

We formulate these proposals with a nagging feeling, that they are likely to be overly ambitious for public cultural institutions, that they go beyond their limits of adaptability. In a negative scenario, these institutions will become increasingly insular – especially when generational shift cuts into the user base of high culture. There is another approach, in which instead of transforming current institutions a new type of cultural institution is created. This assumes that just as cinematography has its movie halls and books have libraries, so digital culture requires an institution faithful to the values and goals of culture 2.0. This institution does not necessarily need to be virtual – especially in the light of the current shift in digital culture towards the mobile and the physical. At a grassroots level there is a host of new institutions being born: hackerspaces, medialabs, fablabs and co-working offices, to name just a few. They are the equivalent, in a digital society, of associations that appeared in parallel with the birth of modern states and societies, and modern media such as the newspaper.

But there seems no easy way to scale these new institutional models so that they could be transformed into mass, public institutions – as at their core they are based upon an idea of small, tightly knit groups networked with each other at a larger scale. Which is the direct opposite of a traditional public institution, which is very much like a traditional modern creator – functioning at best individually, and with a strong will to grow. The public equivalent of such innovative (and eccentric at the same time) spaces, built at a mass scale in the last decade, is the lifeless public computer lab or internet access point, based on a simple – and misguided – belief that access to digital tools makes an institution. For the new cultural institutions to proliferate, the very model of cultural policy would have to shift towards a networked one, which accepts the varied and organic nature of its elements.

NEW INTERMEDIARIES

While it would be an exaggeration to talk of the death of culture, the case is different with cultural intermediaries – who indeed can disappear, stop having a meaningful function when the cultural ecosystem changes under the influence of new technologies and new practices that are related to them. We believe that despite an ahierarchical model underpinning culture 2.0, the state has an important role to play in this sphere. And in order to do so, its institutions need to adapt to this new environment. An assumption that new intermediaries are fully autonomous from old public institutions would mean a retreat of the state from any cultural activity other than the one focusing on cultural elements that are related to the past, or even archaic. Today, the culture 2.0 ecosystem is overly dependent upon corporate actors, both with regard to the shape of regulation, and the adopted modes of practicing culture. If we wish to differentiate between cultural activity and shopping for content, new ways of thinking about cultural participation, and the institutions that intermeditate it, will be vital. ←

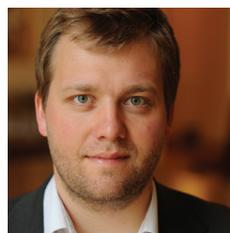


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SHARISM

NEW MODEL

FOR POLICY MAKING IN THE

NEW MEDIA AGE

ISAAC MAO

We are living in an age of rapid change and are confronted by more complexities than ever before. While at the centre of social change, cultural policies are facing huge challenges because the fixed format of policies is not effective in an ultra-dynamic new media world. By the time a policy is announced, it is already out of step with everyday reality. The term 'policy' itself needs to be redefined because policies are no longer viable as static text documents. Instead, policy-making should lead the e-culture movement by transiting itself into a dynamic process, allowing for public and even global participation and ongoing revisions, much like a Wikipedia article. The rise of civil society urges policy makers to adapt their approach to harness the power of cloud intelligence. Only such a change in mentality on the part of policy makers that learns from and incorporates the new media world will produce a new season of cultural blossoming on a global scale.

PROBLEMS AND CHALLENGES TO THE OLD POLICY-MAKING MODEL

The Internet has brought two significant changes to human existence. The first is enabling technologies to be layered so that they can function simultaneously and truly connect the entire world: any traditional industry can now be at the forefront of popularity by targeted use of Internet technology. The second change is the ability to connect our social identities in the physical world with the online world. Driven by such forces, policy makers have to contend with three major challenges: global connectivity, social media, and emergence.

From an economic perspective, globalisation is making inroads across the globe. And, like the connectivities between currencies and goods, the connectivities within social structures are also advancing at a rapid pace. A European artist could suddenly become popular in China merely because a couple of influential Twitter users happened to translate the artist's works into Chinese, which are then propagated to millions of Chinese Internet users. The ease with which information travels from one country to another therefore needs thorough investigation.

This will make independent national policies redundant. All kinds of decisions will have an international impact, and almost in real time, and this will not only affect traditional diplomatic relationships, but also increase the amount of grassroots reactions. Regional policy makers should therefore pay attention to these new virtual borders that supersede traditional sovereignty. This calls for international collaboration and more

openness within the policy-making process. The best practices in new policy making today will unavoidably be highly internationalised. For example, to increase their accessibility, policy documents should include multilingual explanations or at least instruct people how the documents can be read using machine translation. We are shifting into a new media world where we use grassroots media tools and are connected by social media. Any individual can suddenly be in the global spotlight. Policies require well-communicated methodologies, or should be communicated with the most prevalent and best supported formats. Increasingly, a policy is already outdated when it is announced, and some even provoke a flood of instant subversion from the stakeholders. These new stakeholders – from across the world – run the risk of being ignored. Sadly, whatever policy makers strive to do, their lengthy policy documents will not easily satisfy the needs and demands of our ever-changing society. It is important to remember that any individual now has media potential, and as an organised mass, could significantly influence public reactions. Another polar case against current policy-making practice is confronting people's ignorance. The wider public regards many policies as lacking credibility, with a consequent drastic downturn in public participation. People are fed up with lengthy documents and multi-tiered formats that they perceive as obstacles to participation. Policy makers are probably satisfied with this situation, since less public involvement also means fewer critical voices. The longer policies are developed without proper public discourse, the greater their chance of failure. The increase in multi-directional connectivities means that society as a whole becomes less predictable. By the time policy makers try to define a future vision, the situation they are addressing has changed dramatically, and the vision and the plan wither immediately: what is known as the 'Black Swan' effect. Observing such failures everywhere, policy makers now find themselves in a very difficult position. The paradox is that the more policy makers try to figure out future plans and strategies, the more likelihood there is of the policy being out of step with the real world. Failures are therefore inevitable across the board. The old model must be changed to address the challenges of the new media age.

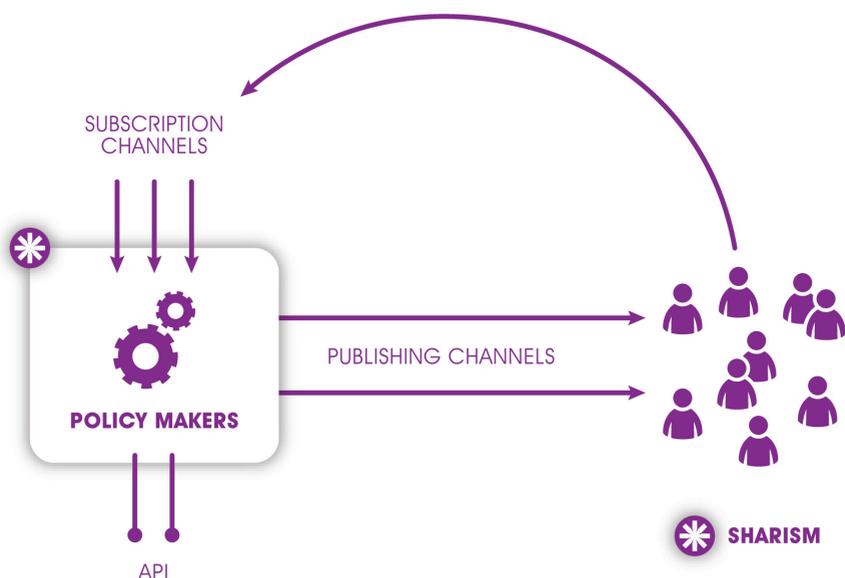
MODEL 2.0

In the age of new media, almost anyone can create valuable information or generate noise using a wide variety of simple tools. This is the reason why policy makers should use new methodologies to act more proactively. They need to be trained in 'Black Swan' sensibilities to collect more information from society, keep processes transparent, and change the format of policy documents. With such a shared approach, policy makers can adapt to the rapidly changing world and be ready to incorporate new philosophies and new methodologies.

NEW PHILOSOPHY: SHARISM

To tackle the problems with the current policy-making models, we need to adopt a new approach to ensure that policies are viable and sustainable. Sharism is a new philosophy that explains why sharing within trusted relationships can boost the credibility of an individual or an organisation and eventually generate profitability. The

key principle of Sharism is 'The more you share, the more you get'. It is a path to a new mode of thinking and a new economic model. Sharism involves ongoing discussions. Once the channels and paths for sharing are established, the process can begin. Whenever someone shares thoughts or ideas (sometimes re-shares), they can receive a variety of contributions from stakeholders, including from some constituencies that they never considered. These contributions, be they positive or negative, are helpful to achieving a final resolution. In a traditional timescale – a week, for example – such cycles can happen hundreds of times. Most of the issues that could be raised in the future can be tackled in advance with such an iterative process. Although this requires considerably more effort by policy makers, the results can be very encouraging.



The key component of Sharism is the 'Value-added Path' (VAP), which is very important to increasing the credibility of policy makers. Once shared, the information attached to their identity (either organisational or personal) will enter the realm of social sharing, where it can be accessed continuously. It can also be traced back to the original source. In this way the social capital of policy makers will start accumulating on an ongoing basis. The same VAP is applicable to participants in this process: because of their sharing, their network value increases along with the original sharers. Such returns, reflected in social/technological applications such as Blog, Twitter, Facebook, etc., dramatically boost the motivation to share and participate. These can be very useful tools to engage more people in the policy-making process. New media is not only about the technological, cultural and commercial implica-

tions, but also profoundly impacts on a new paradigm in society. As a philosophy relating to new social media, Sharism can play a very important role. Government agencies should adopt Sharism to make micro-content accessible to the public all the time. Instead of boasting about 'openness' for the past two decades, 'sharing' should be a fundamental principle in policy-making processes. Policy makers should understand that sharing should occur on a daily, even hourly, basis.

HARNESS CLOUD INTELLIGENCE

With ever more social formats supporting Sharism, a new social structure is emerging with more connectivities between human nodes. These are also the basis of global connectivity. This connectivity closely resembles the neural connections in the human brain. The billions of neurons in our brain can all process biochemical signals as a basic function; however, human intelligence actually emerged from the connections and information sharing between huge numbers of active neurons. This biological information network provides humans with intelligence, consciousness and reason. As Sharism suggests, we can harness the same power from the emerging brain-like structure of social interaction through new media.

Global citizens will be able to gain creative power by using this new philosophy in conjunction with technological advances in new media. Social creation will be vastly boosted and disseminated. Policy makers benefit from such creativity as well. Working with a proactive sharing process based on the spirit of Sharism, policy makers can utilise more tools to include the wider public in the sharing and distribution of policy-making processes. The basic information generated by users, known as web 2.0 content, needs an exit to generate more intelligent results, which is called 'Cloud Intelligence'. It also means that 'super intelligence' can emerge from clusters of information and the inevitable noise surrounding these. This requires complex distillation processes because the information is created by a crowd instead of by a select few. To enable this 'cloud intelligence' to become the key source of future policies, policy makers should simultaneously create new media channels, which could collectively be called 'policy media'. Policy media can take advantage of new media tools and technologies. A possible technical solution is to create multiple channels in social/ technological applications, including Wordpress, Twitter, Facebook, Youtube, Flickr, Google Buzz, Google Reader, iApp, etc. All these applications with redundancy-tolerant content publishing can be automated with RSS feeds flowing between them that reaches audiences with different media behaviour. Whenever there are policy changes and/or intermediate deliveries, they will be published on these channels in real time. In this way, policy makers will not rely on traditional media to publish very narrow band information that could be easily misinterpreted or criticised as non-transparent. Nonetheless, only maintaining a self-media platform is not enough; the policy-making process should include more human resources along the timeline. A successful social-media marketing programme run by policy makers can garner millions of comments and suggestions. The challenge is to summarise and filter that information to create an all-inclusive picture. There are many new ways to reach as many of the stakeholders as possible and bring together their ideas and visions. Some tools, such as Google Moderators, can help raise issues from large groups, and then define the most urgent and critical problems that have to be resolved.

Like scenario-based board games, engaging future users of policies in co-designing policies can make the process much more interesting. People who will use the policies can really participate in this 'game' in advance, and their input means that more alternatives and possibilities will be considered. The principle is: Share first, Collect second, Synthesise third, and eventually keep the ball rolling all the time.

POLICY MAKING AS 'DEVELOPING OPEN-SOURCE APPLICATIONS'

'When I open these half-baked marketing-style policy documents, I'm already bored,' complained a Hong Kong resident in a recent second-round public consultation on healthcare policy. People are overloaded with the barrage of information that is broadcast to them in this heavily commercialised world. They lose interest when reading lengthy and hollow policy documents, which frequently contain only a single piece of truly valuable information. In their efforts to reach a wider audience such as the business world, policy makers also try to make their documents more appealing with flashy but insubstantial content.

Indisputably, people today are switching to more readable and relevant content. Nobody can force them to accept, read and participate in these tedious policy documents. Policy makers should change their attitudes to policy document management by learning from the success of online media. Policy makers today can learn a great deal from Wikipedia and the many other successful similar projects. One of the important features of the Wikipedia platform is that it enables revision history. This history shows and links people from different areas so that they can participate asynchronously. It can also record discussions between contributors. The Wikipedia format is derived from the software industry. Such documents are very readable and clearly defined for average readers. Many such documents, W3C and RFC documents, for example, are much more user-friendly than political documents produced by authorities ranging from local governments to the UN.

Policy documents have never been well managed. There are always only two versions: zero and final. Policy-making has always been an internal process obscured from public view. Policy documents should follow the trend of the new media age, where beta versions are the norm.

We can learn from the many highly effective methodologies used by the software industry. In the same way that Wikipedia borrowed from software engineering, policy makers should also employ revision processes and bug-tracking systems.

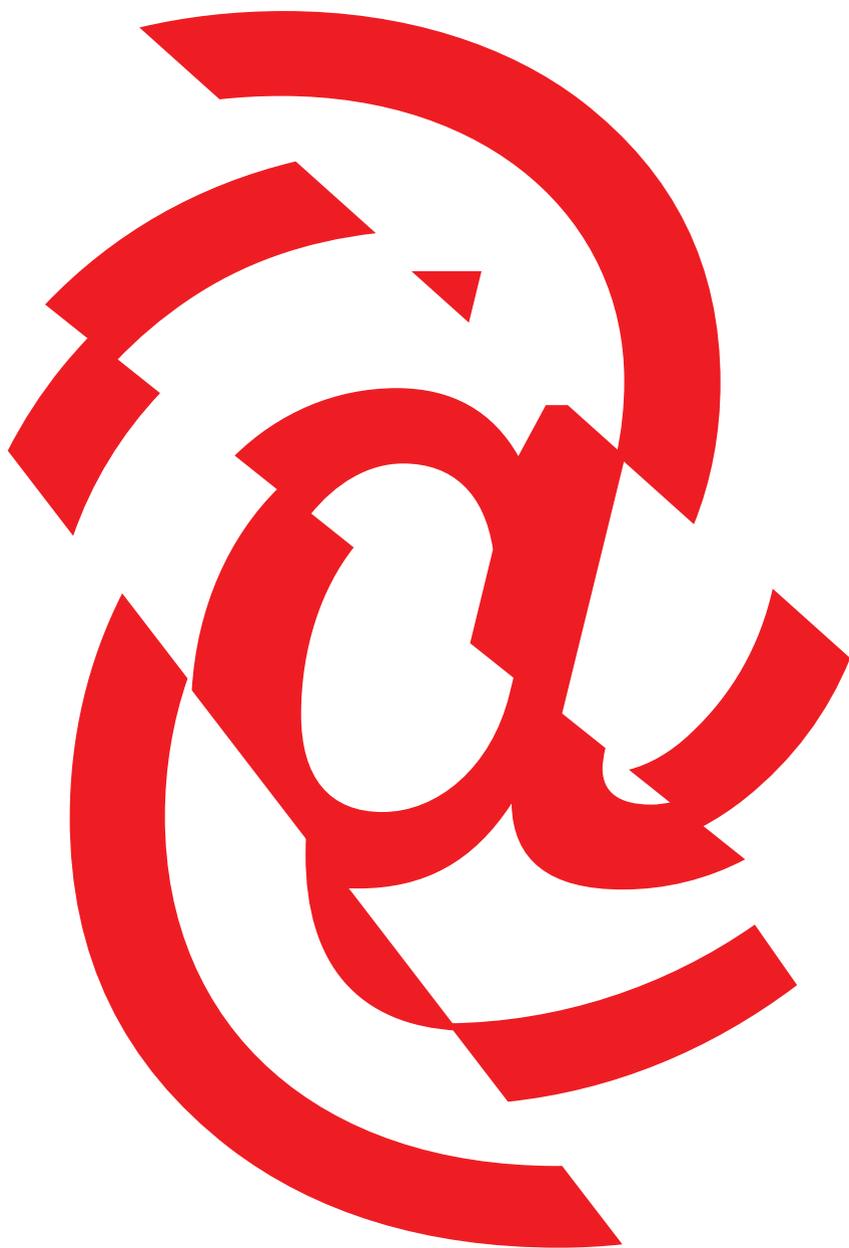
Besides utilising documentation management, policy makers should learn more about the very powerful API (Application Programming Interface) used by the software industry. When a policy is implemented, it should be as transparent as possible. The API model provides the public – especially people with technical skills or tools – with the opportunity to integrate policy-related data into a greater variety of presentation forms. Some governments, the United States, for example, have been conducting wide-scale experiments to open up their government data not only to the North American public, but also to the wider world so that anyone can reuse the data in creative ways. This kind of experiment can help most policy makers deal with the challenges outlined above and introduce a new realm of openness.

CONCLUSION

We are experiencing a massive convergence, not only of human beings, but also of different kinds of domains. Human connectivity has made the entire world into a social brain that is vastly more intelligent than a single human brain. Thus, an isolated policy-making process cannot really address complex situations that arise from such a broad arc of information. The best solution would be to adopt a new approach that enables the best collecting of social intelligence, to reach the cloud effect, and eventually foster beautiful resolutions so that the future can be mapped from the bottom up. ←



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FOUR SCHISMS IN NEW MEDIA AND CULTURAL POLICY

JAIME STAPLETON

1. INTRODUCTION

The following thoughts were inspired by an invitation to review over a decade's worth of publications by Virtueel Platform. The opportunity to give 'an opinion' is always welcome as it provides a space to think outside of academic protocols, to write in general terms and without footnotes. Virtueel Platform's invitation came a few months after I spoke at the European Cultural Industries Forum in Barcelona, a perplexing meeting, which was part of the consultation process for the EU Green Paper on the creative and cultural industries. The following thoughts have emerged from a growing sense, after Barcelona, that policy in this area is confused on fundamental issues. Other personal experiences at IGO level have also been dogged by the same sense of confused ideological claims and practical objectives. The same confusion pervades many responses to policy by political activists.

A shorter version of these thoughts were presented as part of a panel discussion organised by Virtueel Platform at ISEA, 2010. The analysis below focuses on different visions of capitalism that are currently at play in cultural and new media policy. Where appropriate, I have commented on views of the political left, but those views are not the principle subject of analysis.

Every policy document and meeting in this area attempts, knowingly or unknowingly, to negotiate four schisms. The principle reason policy makers have been unsuccessful in that negotiation is that the schisms I am about to describe are imagined as being between the political right and left. This misrecognition also bedevils critiques of policy. Therefore, before going any further, it is necessary to point out that schisms described below occur within capitalism, not in opposition to it.

2. A SCHISM BETWEEN CAPITALISM-AS-IDEOLOGY AND CAPITALISM-AS-PRACTICE

Analysis of the four schisms must be foregrounded with a general point. Since the crisis of 2008, there has been a growing recognition that capitalism is more at war with itself than generally believed. The political left has been altogether too ready to present capitalism as a singular entity (and often to present it as entirely

co-extensive with power). Recent work in economics has pointed to differences in American, European, Indian and Chinese capitalism, and other work in institutional economics has focussed on regional differences - for example, Peter Hall's *Varieties of Capitalism*.

Capitalism is generally capable of difference, but, sometimes, it is riven by schism. Take one example. In the 1940s the first forum to promote what we now "neo-liberalism", the Mont Perelin Society, argued over whether business people should be admitted to the club. A group within the society, led by Friedrich von Hayek, argued that actual businessmen might not be as committed to capitalism-as-ideology as were his group of right-wing, anti-communist zealots. To Hayek, the state itself, whether currently democratic or not, contained the seeds of totalitarianism. The principle of free markets provided the resistance to the evil of communism and fascism. But, capitalists themselves might not be so interested in principle. In practice they might see a cosy relation with the state as being in their interests and that of their shareholders. Capitalism-as-practice is not the same thing as capitalism-as-ideology. Thus its early years, the society that proclaimed the critical importance of capitalism, excluded practitioners of the art. Echoes of this schism reverberate today.

The schisms described below are similarly within capitalism. I have used the word schism because I do not wish to imply binary or dialectical oppositions, or shifts between different historical epochs. What I have outlined below are often vicious arguments that occur within a broad system of belief. In other words something akin to a religious schism – differences between bodies of thought and personal commitment, within, say, Roman Catholicism. We are not looking at oppositions, between say, good and evil, or capitalism and socialism. These are arguments part and parcel of the general hegemony of capitalism, not an alternative to it. Because this opinion piece is about new media policy, it is necessary to point out that I am not talking about discontinuities between: new technology and legal systems; or between fast-moving culture and slow moving law; or between corporate structures and free individuals; or old and new business models; or generational differences - between those who have grown up with the net and those who "just don't understand it" - those arguments have all been made by academics, corporate lobbyists, activists, and pundits. Rather the schisms here are endemic to economic theory, political ideology, business and cultural practice. Each arena has its own schism, and each has material, theoretical and ideological affects on cultural and new media policy.

3. A SCHISM IN ECONOMIC THEORY

The first schism is in economics. Its been going for about thirty years. At face value, it appears to be an academic argument over methodology within 'growth economics'. 'Classical' economists showed some interest in how growth occurred, but the question was largely sidelined by the 'marginalist revolution' of late 19th century, which shifted attention towards various kinds of 'equilibrium modelling'. In the 20th century, while economists remained argumentative, Lionel Robbin was able to describe economics as the science of "distributing scarce resources amongst com-

peting ends” – a vision of the totality of the science rooted in the marginalist perspective. For most of the 20th century, despite many theoretical developments, the question of growth remained sidelined, even in periods where marginalism, or “neo-classical” economics, was itself sidelined by Keynesianism.

But, since the 1980s, growth has been back on the agenda within economic theory. Ironically, it returned to fashion at about the same time that neo-classical economics began to dominate political discourse, under the guise of ‘neo-liberalism’. From the neo-classical perspective, growth is explained using what has become known as exogenous growth theory. The earliest work in this tradition was undertaken by Robert Solow and Trevor Swan in the 1950s. After much work in the field, Solow received the Nobel Prize in 1987. So, what is this theory and what are its problems?

Examining historical data for the United States, Solow and Swan noticed that periods of high savings correlated with higher growth rates and they built a model to explain the relationship. Exogenous modelling recognised the fact that technological improvement makes new capital more productive than ‘vintage’ capital, but the model does not explain how or why technology improves. In this kind of ‘static’ model, inputs of technology and labour are assumed to be ‘fixed’. Generally speaking, it is a model of growth that broadly correlates to political neo-liberalism. It is presumptively unsympathetic to state intervention in the economy, but sympathetic to market deregulation and free markets.

In the 1980s, a new school of growth theory emerged that challenged neo-classical orthodoxy. This school of thought attempted to account for why and how technology changes – it looks at the role of entrepreneurs and how ‘institutional’ differences affect growth. By ‘institutional’ economists mean differences in legal regimes, labour organisation, banking systems and the like.

The new work gathered under the banner of endogenous growth theory. Following Solow’s insight on the relative productivity of ‘fresh’ capital, the most important strand of theory examined the dynamics of technological change and the role legal regimes in that change. The most influential work was done by Paul Romer. Romer was building ‘regression models’ in an attempt to identify abnormal patterns of growth and recession. His innovation was to programme in a ‘price’ for technology into his models (rather than assuming technology as a fixed input). Romer showed (or appeared to show depending on your opinion) that patents were important drivers of growth.

Patents are regulatory devices created by the state. Contrary to the neo-classical impulse, endogenous theory therefore suggested a role for government in guiding economic performance. Since the late 80s, endogenous theory has become associated with a raft of interventionary measures including: intellectual property policy, industrial policy, subsidies, tax breaks and the strategic use of research & development and procurement strategies of various departments of government. Critically, this approach to policy has been enacted in parallel to more neo-classically orientated attempts to shrink the state and deregulate markets. The ‘era’ of neo-liberalism

is therefore rather less hegemonic than is often believed. It is built on a schism. From a strict neo-classical perspective, endogenous theory is worrying close to the kind of state intervention favoured by communists, socialists and Keynesians. The schism between exogenous and endogenous 'tribes' goes to the heart of contemporary capitalism, but it is more than an academic battle over methodology, or a confusion in government policy, it is a battle over ideology.

4. A SCHISM IN POLITICAL IDEOLOGY

The schism in growth theory revolves around attitudes to the state. Exogenous theory aims to prevent the state intervening in markets. Endogenous theory suggests that the state has an important role in facilitating growth. The different ideological orientations at work in methodology are also reflected in political applications. Each tribe in the growth schism is marked by historical experience. The exogenous tribe are the inheritors of a form of economic 'science' initially designed to fight the claims of Marxist and socialist economics – particularly the labour theory of value. Throughout the 20th century, neo-classicism has been shaped by its need to reject challenges to its world-view from communists in the old 'Eastern Bloc', democratic socialists in the 'West' and, within economics, from 'institutionalists' and Keynesians. Its identity is inextricably bound to the politics of Cold War. It remains presumptively suspicious of the state. In contrast, the endogenous tribe came to political prominence just as the Berlin Wall was crumbling and Francis Fukuyama's End of History thesis became popular. Its followers see no further historical progress beyond the development of the liberal state. The base orientation of these competing theories of growth is predicated on, and appeals to, different ideological attitudes towards the state. The competition here is not between capitalism and its others, but within capitalism. Exogenous theory correlates comfortably with a loose, free market ideology, and endogenous theory with a more regulated vision of capitalism. Broadly speaking both tribes come under the political banner of neo-liberalism, but, as indicated above, 'true' neo-liberals are also strict neo-classicists. Endogenous theory has been more attractive to politicians who were once Keynesians, or who were once on the political left, but whose faith was shattered by the economic convulsions of the late seventies and political collapses of the late eighties.

To put this into perspective, one needs to imagine the neo-liberal 'era', not as a monolith, but as comprising a spectrum of rightwing perspectives on political economy. In Europe and the US, on the 'left' of this right-wing spectrum one finds a pragmatic compound of ideas, an attempt to use both endogenous and exogenous models. As one moves to the right, the ideological mindset becomes clearer and adherence to endogenous theory declines. Here 'true' neo-liberals stick dogmatically to neo-classicism. As one moves further to the right, one encounters 'anarcho-capitalists' and so-called 'left libertarians', and, further to the right still, ultra-free-market, anti-state revolutionary 'agorists'. Along this spectrum one moves from confused pragmatism, to 'roll back the state', to 'the state is terror', to 'the state must be overthrown by a privately funded, free-market militia'. A few ideas unite the anti-pragmatists to the right of exogenous/endogenous compound. From 'true'

neo-liberals over to agorists on the extreme right there are common axioms: markets never fail; market delivers all individuals need, but their operation is distorted by state regulations, class, religion, cultures and ideas; society and culture are products of the market; democracy corrupts markets.

In short, the 'pragmatic' part of the spectrum is in schism with the 'purists', but is also in schism with itself. In the UK and the US, this pragmatic strand was closely associated with so-called 'Third Way' politicians. Parties that were 'post-socialist', such as New Labour in the UK, and post-Keynesian, such as the Clinton administrations in the US, made an uneasy attempt to meld deregulatory, free market impulses with endogenously-orientated policies. If the job of progressive government was no longer the 'redistribution of wealth' (advocated in very different ways by democratic socialists and revolutionary communists), and if the Keynesian 'mixed economy' model was bust, the new growth theory would fill the political vacuum. Rather than redistributing wealth, or ensuring a balance between public and private economies, the new job of government was to raise the rate of growth.

5. WHAT HAPPENED TO CULTURAL POLICY? ENDOGENOUS THEORY, INTELLECTUAL PROPERTY, THE KNOWLEDGE ECONOMY, THE CREATIVE INDUSTRIES

For the most part, in Europe and North America, the pragmatists have ruled the roost for twenty years. Many areas public policy – intellectual property, industrial and employment policy, science, education and cultural policy – are Janus-faced, looking to endogenous camp here, and to the exogenous camp there. But the pull to the right from purists has also helped muddy the picture. Nevertheless, it is clear that the endogenous tribe has had a huge impact in the area we are interested in here: cultural policy.

Only rarely now does a policy maker use the phrase 'endogenous growth theory'. This is because a political programme has been extrapolated from the theory. The principle that governs the programme has been abstracted from Romer's work and embroidered by think tanks, journalists and policy makers. The logic goes like this. If patents are good for growth, other forms of intellectual property – copyrights, trademarks, trade secrets, design rights – must also be good. This narrative is now presented as historical fact: we live in a 'Knowledge Economy'. The political programme based on this narrative links rhetoric about growth to intellectual property, intellectual property to creativity, and creativity to education. It has spawned some highly dubious truisms: creativity is impossible without intellectual property; education aids creativity; education is synonymous with university degrees.

This intellectual property-focus has been central to UK cultural policy since 1997. But the idea has spread. It is increasingly found in many countries and is strongly present in the subordinate agencies of the UN, such as UNCTAD (where it is a strand of development economics), WIPO (where creative and cultural industries are treated in relation to intellectual property), and UNESCO (where it is making inroads into older visions of culture policy). To understand how this growth-orientated focus has changed the character of culture policy, it is necessary to recall some older principles.

From the late forties and up to the late nineties cultural policy was predicated on concepts of market failure, based in large part on Paul Samuelson's contributions to public goods theory and John Maynard Keynes's assertion that governments must sometimes step in to support shortfalls in private demand. Both theoretical positions recognised that markets were incapable, or periodically incapable, of providing certain goods that society deemed culturally important at an affordable price. Markets fail. And the state has a role in remedying that failure.

On these grounds, two tools were available to governments. They could indirectly intervene in the market to remedy insufficient supply of certain kinds of goods. The tool here was copyright. Copyright had been around for hundreds of years, during which time it had been conceived in many different ways. This view conceived it as a method of providing (limited) protection for private investment in cultural goods, particularly in what economists call 'information goods'. That is, goods that are non-rivalrous and non-exclusive. The other tool available to government was direct intervention or subsidy. This is typically used where there is either insufficient private demand, or where demand exists, but there are insufficient private resources to pay for the goods in question. (In the UK, the Arts Council was founded on this principle and it worth mentioning that Keynes its first, and arguably most influential, chairman.)

The principles that sustained this 'old' view have been gradually erased by the endogenously-inspired focus on intellectual property. This erasure began in the UK in the late 1990s with the arrival of the first 'New Labour' government. The old Department of Heritage was abolished and replaced by the Department of Culture Media and Sport (DCMS). This entity brought together policies towards heritage, culture, entertainment industries and sport. What linked these areas, it was suggested, was copyright. DCMS's first big idea was the Creative Industries; a 'new' industrial sector defined in relation to copyright.

As I have argued elsewhere, the result of this approach has been to bend direct intervention (subsidy) towards supporting businesses that already benefit from indirect intervention (copyright). Older ideas about market failure – insufficient supply or demand – have been increasingly sidelined. Under the new regime, intellectual property outputs have become the purpose of policy, rather than the tool of policy. Cultural policy is increasingly conceived of in terms of its contribution to growth, and since the late 90s, the frameworks of measuring the economic outputs of policy have become integral to the design of policy. The principle that once defined policy - that some cultural goods are critical to social welfare and the state must support their provision – has been subordinated to the drive for growth. Aggregate economic growth alone, it is believed, supplies all society's needs.

Currently then, cultural policy (if we can still call it that) would appear to dwell decisively on the endogenous side of the economic and ideological schism. But, there is a complicating factor. There was always a fine line between cultural policy and broadcast policy. Keynes originally envisaged the British Arts Council as a material extension of public broadcasting model established by the BBC. But, under the doc-

trine of the creative industries the line between cultural policy and media policy has become increasingly blurred. In effect, the creative industries agenda represents a media industries takeover of cultural policy. In the process, what remains of cultural policy has been dragged into a business war. Here, then is our third schism: business.

6. THE BUSINESS CORPORATE SCHISM

Like the economic and ideological schisms, the business schism centres on intellectual property. It is here that cultural policy and media policy (and attempts to regulate the internet) intersect.

It is ironic that the rise of endogenous-orientated policy has coincided with the rise of the internet. Policy triumphs – such as the Trade Related Aspect of Intellectual Property Agreement (TRIPs) of 1994 – occurred at the moment that worldwide web was becoming a consumer reality. Just as (some) policy makers began to advocate stronger copyright protection, large numbers of ordinary citizens began purchasing technology that allowed them to access cultural content in ways that circumvented those laws. Here then is the corporate schism.

On one side of this schism lies a pro-copyright nexus, which correlates pretty well to the broad definition of the creative industries. As far as intellectual property policy is concerned, this nexus appears to have the ear of most European governments. On the other side lies the copyright-sceptical nexus. Here a group of powerful business interests have good reason to be sceptical about strong copyright and effective enforcement. Some of these corporations, such as the internet service providers (ISPs), search engines and computer and mobile phone hardware manufactures are indirect beneficiaries of copyright infringement by their customers. Their businesses expand when copyright is weak or un-enforceable. For example, ISPs sell more “pipe”, manufactures sell faster machines with bigger memories, and search engines benefit from the aggregate growth in online activity. From a rather different perspective, the copyright-sceptical nexus also includes corporations that operate on Free and Open Source Software. The ‘open’ business models of these corporations are in direct competition with corporations that operate on a ‘proprietary’ business model.

Policy makers have to serve these different constituencies. Where there is direct competition within a particular business sub-sector, as there is in software, there is pressure to move regulatory boundaries. Obviously, Microsoft’s competitors would dearly love access to their source code. But, the most acute and interesting aspect of the schism relates to file-sharing, where the success of one nexus is at the cost of the other.

Political decision-making in this area is weak. Many policy makers instinctively recoil at the notion of arbitrating in market disputes. It is one thing to pursue policies for growth with one hand while deregulating with the other, but intervening in industrial disputes goes against the grain for policy makers weaned on ‘public choice theory’. Decisions made from the top down, it is argued, are no match for the billions of daily choices made by individual consumers in the marketplace. When it comes to deci-

sion making, the default setting is: “always back the markets”. But, the circumstances this schism presents are rare. Which market do you back – the pro-copyright nexus or the copyright-sceptical nexus? Which of your competing gut instincts do you follow – policies for regulated growth or for deregulation? Were this a schism within markets, for example between players in the creative industries or between players competing to supply broadband, the ‘normal rules’ would apply. But in a war between markets, simply backing the biggest wolf in the sheep pen won’t work. Policy makers are faced with having to think for themselves. The answers they come up with shape the borders between these different, but intersecting, markets. Billions of euros worth of business are created or destroyed by the decisions they make about copyright.

7. REVIEWING THE FIRST THREE SCHISMS: POLICY AND SCHIZOPHRENIA

Before describing the final schism it is necessary to review what has been said, and to suggest how the first three schisms relate to each other. The economic schism is ostensibly methodological, but it entails ideological assumptions that are wedded to different historical contexts. Economic perspectives hammered out in the cold war as a form of anti-communist resistance vie with a pragmatic, post cold war economics. The result is that many areas of national policy, including cultural and media policy, are Janus-faced. Encourage free markets with one hand (pleasing the exogenous tribe), but defend your country from the negative effects of free trade with the other hand (pleasing the endogenous tribe). In the era of globalisation, Europeans and North Americans can be both vehemently pro-free market and anti-state, while being simultaneously pragmatic and nationalistic, employing a panoply of regulatory devices – intellectual property rights, industrial policy, subsidies, tax breaks, research & development and procurement strategy, and cultural policy – to defend their interests. In many cases the conceptual direction of policy is characterised by confusion, fudge and indecision. Schisms are manifest between one branch of policy-making and another; between groups of policy makers; and, sometimes, even in the minds of individual policy makers. This incoherence is apparent in policy discussion of intellectual property.

8. OPPORTUNITIES FOR LOBBYING

That incoherence is facilitated by a theoretical problem with intellectual property. As every lawyer is aware, intellectual property has an identity problem. Is a copyright or a patent a property right? Or are they trade regulations? For the political right this is not so much a descriptive issue as an ideological issue. On the ‘left’ of the capitalist spectrum, copyright is seen as property right. As such, it must be upheld. As one moves further to the right of that spectrum, all forms of intellectual property look more like trade regulations. And, the further to the right you are, the less you like trade regulations. By the time you reach the libertarian and anarcho-capitalist right, intellectual property are an evil because the state itself is evil. Capitalism likes and dislikes intellectual property in degrees as one slides from left to right along this spectrum.

What is true for politicians ideologically is, of course, also true in boardrooms. But, boardrooms are also well aware of the practical opportunities this spectrum of belief presents. The different blocks of business seek to exploit those opportunities for their own ends. It is obvious that if your business relies on copyright production, management or exploitation you will seek the ear of policy makers – and lobbying has been intense. Endogenous theory - and its populist political cousin, the Knowledge Economy – have been critical ‘in points’ for lobbyists representing copyright businesses. But the other nexus has been no less busy in lobbying for free markets and greater laissez faire. They have also been particularly effective in creating anti-copy-right narrative to marshal consumer indignation over the ever-growing demands of copyright owners.

In lobbying terms then, the schism in growth theory, the bickering tribes it inspires, and the confusion it creates, are extremely useful. A lobbyist for copyright owners is in luck if policy maker on the other side of the table has heard of endogenous growth theory or the Knowledge Economy. Alternatively, a lobbyist for an ISP is ideally looking for that policy maker to be a pug-faced, hard-line, free market troll. Often, there is just one person both lobbyists are trying to sway, and their mind is split between a pragmatic desire to increase growth and an ideological desire to shrink the state. The policy maker will be told by both groups that ‘jobs are at stake’ and that they had better a) ‘strengthen property rights’ or b) ‘take a more laissez faire attitude to regulation’. What the lobbyist actually means by the term ‘jobs’ is, of course, shareholder value - businesses aim to maximise profits, not costs.

8. THE CULTURAL SCHISM

Discussion of ‘policy and schizophrenia’ naturally brings us to the last schism. On the face of it this is straightforward. On one side stands the discourse of the creative industries. Opposition, or resistance, to this copyright-focussed view comes from what has become known as ‘Free Culture’. Like the schisms in economics, ideology and business, this conflict revolves around intellectual property. But, despite presentational claims to ‘opposition’ and ‘resistance’, the overwhelming majority of the arguments used by Free Culturalists come from within capitalism. We are looking at arguments about capitalism, not against capitalism. This was not always so. There were once anti-copyright arguments on the left. They still exist, but in the last ten years they have become a minority voice. To understand how this happened, and how objection and opposition to intellectual property became merely schism, we need to do some history.

THE OLD LEFTIST POLITICAL AND CULTURAL OBJECTIONS TO COPYRIGHT

In the last 25 years of the 20th century, there were two stands of anti-copyright sentiment, one political and one cultural. The ‘old’ political critique focussed on the expansion of copyright and patents into new areas - for example, software and living organisms - and also on the increasing length of copyright terms. In this short paper, treatment of these arguments can only be schematic.

The key issue for the left was intellectual property-as-property. The objections to expanding intellectual property were an extension of objections to property per se (i.e. 'moveable property'/commodities and 'real property'/land). Depending on where you were located on the leftist spectrum, you objected to either, the concept of property itself (anarcho-syndicalists and communists), or to the distribution of property amongst social classes (democratic socialists). That spectrum saw the expansion of intellectual property as a spreading of private power across the public sphere. Areas that had not been subject to private ownership - such as human genes - were suddenly brought into the property system. Leftist activists invoked a parallel with the English Land Enclosures - a great cause of the British left. Just as peasants had once been dispossessed of their customary rights to common land by acts of parliament, in our own time extensions to intellectual property law were carving up public knowledge and assigning it to private owners.

These political arguments were complemented by cultural critiques. Again, for reasons of space, the treatment of these arguments must be schematic. The objections to copyright were based on the facts of artistic practice and an ideological objection to the 'commodity form' of art. There were a number of sources for these objections. One source lay in Walter Benjamin's positioning of the potential of collage and film as revolutionary art forms, and, to a lesser extent, Theodore Adorno's critique of the Culture Industries. That trend of thinking passed from Frankfurt to Situationism and the notions of appropriation inherent in detournement. Another strand moved from Duchamp's Readymades to John Cage's compositional theory, to Fluxus and Mail Art where anti-author, anti-copyright sentiment were strong. A further strand moved from the appropriation of popular imagery by Pop artists. The final dish on this smorgasbord was served up by the attack on the 'commodity form' of art, enacted (mostly) by conceptual artists, under the general rubric of 'dematerialisation' - a line of thinking that dovetailed nicely with the New Left of the late 60s.

These appropriational and anti-commodity strands were brought together in the late 70s as 'appropriation art' - an art practice that deliberately infringed copyright. Appropriation was famously theorised by the leading critic of the era, Rosalind Krauss, who tied her influential definition of postmodernism to the end of copyright.

By the mid 1990s, these leftist cultural and political objections to copyright melded with widespread social concern about the spread of intellectual property. That concern was fuelled by the founding of the World Trade Organisation and one of its principle treaties TRIPs, or Trade Related Aspects of Intellectual Property agreement. The agreement brought intellectual property regimes to all members of the WTO, vastly increasing its international scope, and making it a primary target for anti-globalisation protesters. But there, strangely, the left's arguments peter out. In the last decade those anti-capitalist objections have been overlaid by another discourse.

THE RIGHT'S OBJECTION TO COPYRIGHT AND THE TRANSPOSITION TO CULTURAL DISCOURSE

This discourse has a long tradition. Anti-intellectual property sentiment on political right goes back to the 18th century. It remained strong in the early in the 19th century, and having died back, it re-emerged, pretty much intact, in the last decades of the 20th. The historical objection focussed mainly on patents, conceiving them as a trade regulation. For same reason, contemporary inheritors to this line of reasoning refuse to countenance the term intellectual property.

Again, for reasons of space, the treatment of this discourse must be schematic. The origin of this right wing objection to patent, and intellectual property generally, lies in English Free Trade liberalism. The objections developed from arguments against 'mercantilism' – or economic nationalism. Free Traders railed against every type of government interference in business be it taxation, tariffs, subsidies or government grants of monopoly. Patents, of course, fall into the last category. This stream of thinking was the bedrock of 18th and 19th century anti-patent agitation. In 18th century, organisations such Society for the Encouragement of Arts, Manufactures and Commerce (or 'Premium Society') were developed as a means to militate against patent law. The 'Society' offered cash premiums to inventors on condition they did not patent their inventions. It also offered premiums in the "American colonies" and, in the run up to the War of Independence, Americans developed their own institutions for the same purpose. At a higher level, the history of the United States itself is deeply entwined with debates about free trade. Independence was rooted in an argument about the right of the British state to tax the colonies (who were without representatives in the British parliament). Objections to state (i.e. Federal) intervention in the economy remain a significant cause of the American right today, as the contemporary 'Tea Party' makes clear.

In political theory, the Free Trade tradition with its objections to patents, tariffs and taxation, was the proving ground for a generation of American anti-state, anti-communist American writers in the 19th century such as Lysander Spooner and Benjamin Tucker. American writing of the period shares an anti-intervention, anti-socialist and anti-state rhetoric with contemporaneous English writers such as Herbert Spencer - who coined the phrase "survival of the fittest".

This largely 19th tradition of writing, with its ties to free market anarchism, bubbled below the surface for decades. Its re-emergence in recent times is largely due to the anti-state, anti-leftist, free market views that developed in the interwar period within the 'Austrian' and 'Chicago' schools of economics. This stream of neo-classical economics remained on the political margins for much of the 20th century, but from the 70s both schools have risen to political prominence. The Chicago School's big moment, was led by Milton Friedman, and came with the collapse of Keynesian economic policies towards the end of 70s. The Austrian School's moment, led by Murray Rothbard (an "Austrian" at New York University) came slightly earlier and largely on the activist fringe of mainstream politics.

Rothbard coined the terms “Anarcho-Capitalism” and “Left Libertarianism” to describe extreme right wing economic dogma. The principle recruiting ground for this hyper-capitalist view were anti-Vietnam War protesters and New Left activists of the late 60s and early 70s, who, like their counterparts on the far right, had developed a searing critique of state power. This ‘Austrian’ strand of free-market, anti-statism was taken up and developed by activists such as Karl Hess and Samuel Konkin, who nominally presented themselves as being on the left. Their views, and particularly Konkin’s criticism of copyright, fused Austrian thinking with the right-wing, anti-socialist libertarianism of 19th century America. In our own time, the main inheritors of this line on copyright are figures such as John Perry Barlow, who published a famous anti-copyright polemic in the early days of Wired magazine, and Richard Stallman. Many of the positions staked out by the Free Software movement fit easily into this tradition, but very uneasily into the arguments that come down from the left, such as the objection to property, the critical analyses of the Frankfurt School, and the cultural-political practices of Situationism, Fluxus, Conceptualism and appropriation art.

Here, finally, is where the change in the terms of the anti-copyright debate has occurred. Those leftist positions have been overrun by the critique developed by supporters of Free and Open Source Software (FOSS). The principle agent in shifting the grounds of anti-copyright debate in the cultural arena is the Creative Commons project, from which the ‘Free Culture’ movement has developed. The Creative Commons licensing system sought to imitate the General Public Licence (GPL) – the core contractual device of the FOSS movement. It was hoped that Creative Commons could do for culture what the GPL had done for software. In pursuing this technical-legal ‘solution’ to digital culture, the political and economic attitudes of the right wing anti-intellectual property critique have found a new home in cultural debate.

From a position on the critical left, it is hard to see how an ‘open’ approach to innovation, such as that pursued by IBM (who put about billion dollars a year into Linux and have an open innovation pool containing approximately five hundred patents), is less capitalistic than the ‘closed’ proprietary system operated by a corporation like Microsoft. From a cultural position, it is even harder to see why culture itself should be aligned to a particular innovation model of capitalism – that of IBM in preference to Microsoft. Nevertheless, the Free Culture arguments developed on the back on FOSS and Creative Commons have had a significant, instrumentalising effect on contemporary cultural discourse. The introduction into cultural discourse of certain terms and soft ideology has, to an extent, paralleled the instrumentalising effect of creative industries policy. Terms such as ‘collaboration’ and ‘sharing’ are pictured as vital social activities of the digital era. These terms have superficial associations with older, left-orientated terms. Collaborative activity sounds a bit like ‘collectivity’, ‘organised labour’ and ‘class’. Sharing sounds a bit like ‘community’, or ‘redistribution’ (of wealth). But, in fact, these terms grew from the transactional-legal norms established by the contractual obligations of the GPL.

In organisational terms, ‘collaboration’ refers to the way the supply chains of FOSS businesses operate. This production model views the labour of writing software as a

series of economic inputs. To ensure that production is friction free (i.e. efficient), the statutory rights attached to each individual labour input are waived by use of contract (the GPL). In organisational terms, this means that the various parts of the same supply chain can be 'shared' by different businesses. Where some information goods are concerned, such as software, this is said to have general economic advantages. The fact that one company makes a consumer product available using that supply chain, does not present another company from doing so. In theory, the result is a more competitive, or 'free', model of capitalism. More practically, IBM believes this innovation model cuts their R&D costs by two thirds. But, the fact that the copyrights created by individual workers operate differently from a 'proprietary' model (where those rights are assigned to the parent company via an employment contract) does not make the FOSS model less capitalistic. Were that so, the shareholders of IBM would presumably revolt. It is merely a different organisational form of capitalism.

When this industrial form of organisation is applied to culture, as it is in 'open' licenses such as Creative Commons, culture is instrumentalised in a new way. To understand how, one has to remember that, in the contractual model described above, labour is regarded simply as an input into a supply chain. Each unit of input is significant insofar as it is a part of the supply chain. 'Open licensing' applies the same system to culture. Each unit of cultural labour is simply an input to a supply chain. Its significance lies only in it being an input. Put another way, this contractual system assumes each cultural expression is significant only as a material input into further cultural expressions. In this radically reductive view of culture, what is said, what is expressed, is irrelevant. The significance of human expressions lies in their containment within the productive system and their specific utility as productive inputs. Here then, the Free Cultural view of expressive labour mimics the neo-classical view of all labour: an input unit, a commodity stripped of history, class, gender, geography and culture, stripped of all 'extraneous' human qualities, and significant only insofar as it is measurable and useful in productive terms.

But this begs an important cultural question. When the FOSS model is applied in industry, labour inputs into the common supply chain result in a variety of different consumer products. But, if cultural expressions are just inputs, significant only as raw material for other expressions, where is the product? This is a puzzle, as, in distinction to supply chains in software, we are used to particular cultural expressions having meaning(s) in themselves – one might even suggest that that is their purpose.

To explain the Creative Commons system, Laurence Lessig is fond of invoking Isaac Newton's aphorism that he could see so far because he stood on the shoulders of giants. By which Lessig means that each new work of culture builds in multitudinous ways on what went before. But, in fact, that truism is different from the actual implication of the Free Culture model, which is that x's expression is only important because y can reuse it in their expression. But, culturally speaking, the 'what went before' is just not important because of what came after. What came after, what is here now, is just not important because of what can be made from it in the future. Expressions and concepts are important in their own time, on their own terms, and for a multi-

tude of reasons. Had that not been true of the cultural works that went before, it is highly unlikely we would know of them now, thus building on them in the future would be impossible.

The peculiarity of the Free Cultural 'remix' model then is that it reduces culture to the dynamics of neo-classical economic models: x's expression or concept is only important because y can reuse it in theirs; x's labour is only important because of what y uses it for, and so on. As with neo-classical theory more generally, the category of 'human' is reduced to that of 'labour', and the value of labour defined in relation to the part it plays in the system of production. That general model is abstracted from a practical perspective available only to those who manage a particular productive model. In a widget factory for example, the factory manager is uninterested in the private existence of the employee: beliefs, religion, culture etc are irrelevant. Each worker is important only because of the part they play in supply chain. Providing they continue to stamp out widgets at the desired rate, everything else that makes them human is irrelevant. Neo-classicism moves from that particular perspective towards a general explanation the economy, an explanation that can only work if one limits the concept of human existence to what is conceivable in terms of business calculus.

The Free Cultural model parallels the reductions necessary to make neo-classical models operate. Because the Free Culture model is derived from supply chain theory, the conceptualisation of labour, and as a consequence of expression, have to be extremely limited. The expressions made by artists (whether they work on their own or in groups) have no meaning or value in their own terms – any more than, in neo-classical economics, humans (as individuals or social classes) have meaning and value in their own terms. Significance lies only in being an input into the productive system.

So, to return to the cultural question posed above, if each input of labour, or each expression, has no meaning or value on its own terms, what product does this 'supply chain of cultural labour' culminate in? The answer is that, although each separate input is without independent function, in networked terms they form a supply chain that feeds the web. In this thought model, human expression is stripped of its own purpose, and culture is put to work on another purpose: serving the business interests of those who, in one way or another, sell consumers access to the web. The 'supply chain of culture' culminates in the 'product' sold to consumers by ISPs, Search Engines and hardware and software manufacturers.

9. METHODS OF SUBDUING AND SUBORDINATING CULTURE

As indicated above, the principle problem with the creative industries discourse is that it subdues culture, subordinating it to a politically-driven focus on economic growth. That instrumentalisation is paralleled in the Free Culture model. But here culture is subdued and subordinated by a different mechanism. In both cases, the notion that cultural artefacts might have their own function is disregarded. Culture is

merely a tool by which different kinds of corporation grow their businesses. The difference between the models of subordination is political and economic. In creative industries policy, growth is defined by its relation to the political-economic imperatives of those who govern nation states, and is theoretically confined to the borders of those states. For the Free Culture 'opposition' growth is defined by the fluid, multi-national borders of corporations and the requirements of their shareholders.

Despite the distinctly free market orientation of Free Culture, it has found a measure of support on the political left. The softer end of the leftist spectrum is encouraged by terms like 'collaboration' and 'sharing', and the harder end by the radical political orientations of Free Software. To some extent, and it is a highly confused extent, the anti-statist flavour of those right-orientated arguments appears sympathetic to those attracted to the 'autonomist' position represented by Hardt and Negri. But it is also important to remember that the purpose of the 'Anarcho-Capitalist/Left-Libertarian' movement of the late 60s (where so many of these political arguments began) was precisely to convert those on the hard left to the right.

10. CAPITALISM JUST WANTS TO BE FREE

The dialectical opposition to creative industries policy purportedly offered by Free Culture turns out to be not opposition, but another schism within capitalism. The Janus-faced identity of intellectual property should be remembered here. Depending on where you stand on the capitalist political spectrum, copyright appears as either a property right or a trade regulation. The further you slide to the right, the less it looks like property and the more it looks like a barrier to trade imposed by the state. The more to the right you are, the more copyright appears as a 'distortion' caused by an external force, that, by dint of being external to the market, is itself illegitimate. It is therefore possible to gauge the political orientation of Free Culturalists by their arguments.

Lessig's famous description of Free Culture – "not free as in free beer, but free as in free speech, free markets, free trade, free enterprise, free will, free elections" – is a clear attempt to make democracy itself appear coextensive with the economic policies of neo-liberalism. Indeed, imperial wars have been fought using a similarly reductive vision of 'democracy' – the only thing his list specifically rejects is the redistribution of beer (i.e. 'free beer'), which would be tantamount to socialism. Culture is thus aligned to the limited vision of democracy commensurate with neo-liberalism. Less direct political arguments such as: copyright is an imposition that 'distorts' the flow of information; copyright is the state intervening in people's lives; are common in Free Culture discourse. From time to time, sentiments drawn from the 'law & economics' movement (itself a development of Chicago economics) crop up, such as the notion that the law must work with, not against, markets. There is a similar focus in economic arguments: market efficiency frameworks of analysis are put forward as opposed to ethical frameworks; there is a constant referencing of the 'zero marginal cost of a copy' argument; a general attempt to move away from righteous moral and political outrage over the enclosure of the commons to arguments about ac-

cess to the commons; an attempt to elide differences in arguments about the historical English commons, the commons as a political metaphor, and arguments about 'common pool resources' in economic theory; a general attempt to reduce arguments about the provision of 'public goods' generally to the category of 'information goods' and 'information goods' to the 'open source' business model; a constant chatter about 'new business models' – as though the job of the critical left was to find solutions to the problems of capitalist business. There is, I think, a difference between objecting to commodification and searching for business models that allow capitalism to further shrink the regulatory role of the state.

For their part, policy makers fail to understand these arguments. Free Culture arguments seek a more efficient capitalism, not an alternative to it. To paraphrase Stewart Brand: "capitalism just wants to be free." Free of the regulatory burden of the state. Free of the state. But, policy makers frequently mistake the ideological shape of these arguments and their political origin. They mistake them as arguments of the left. But, even when leftists repeat these arguments, the words in their mouths remain those of the right. Neo-liberals would be far more likely to accept these arguments if they recognised them for what they are, arguments from the 'purist' end of the capitalist spectrum, rather than resistance to capitalism.

11. CONCLUSION

Let me review the arguments presented here. First we have a schism in the methodologies for explaining economic growth. That schism revolves around the role of the state and its regulatory capacity, particularly with respect to intellectual property. The second schism, in political ideology, relates to the affects the first schism has on political groups and on policy development. Here too, the debate centres on attitudes to the state and its regulations, in particular intellectual property. The third schism, between groups of corporate interest, centres on intellectual property, particularly copyright. The parties to this schism are able to extract value from the confusion created by the first two schisms. Finally, we have a cultural schism. At face value, this appears to be, or is presented as, a dialectical battle between capitalism and some alternative to it. This too centres on attitudes to the state and its regulatory power, and in particular intellectual property, and especially copyright. But here, as we have seen, what at first sight appears to be an opposition between state-regulated capitalism (creative industries) and some alternative to it (Free Culture) is, on analysis, a schism within capitalism. Here the arguments against intellectual property are remarkably sympathetic to the arguments used by copyright-sceptical nexus in the business schism, and to anti-state, laissez faire, free market position in the ideological schism, and to the endogenous side of the growth theory debate.

There is always a danger of making too much sense, of drawing conclusions too tightly, of being too polemical. Nevertheless the degree to which these schisms overlap is remarkable. What has not been covered here are the views of those who genuinely believe FOSS and 'social media' are capable of a leftist orientation. Those people do exist. There are still left-orientated cultural thinkers who venture into this terrain. A few

from the old political left still step up to the plate on the property issue. But these voices are a minority. The schisms analysed above are now the dominant discourse.

The analysis presented here is not a defence of intellectual property as it stands. Nor is it in defence of the unchecked power of the state. Nor, indeed, is it a criticism of open source as an innovation model or of open copyright licenses (I use a Creative Commons license on my own website). It is possible to be sceptical of many claims presented by intellectual property owners, and in favour of many reforms that have been tabled, while remaining critical of the dominant frameworks in which reform is presented.

The dominant discourse plays down the fact that many problems of intellectual property are, simply, problems of capitalism. Its framework seeks to fix debate within certain parameters and to prevent it from spreading to other areas of political economy and culture. To understand the limitations it imposes, a comparison with another form of property is useful. Culture feeds not just on itself – books, music, artworks, performances and movies – it is inextricably intertwined with how we occupy and relate to land. If intellectual property is a problem for political economy and for culture – as Free Culturalists suggest – the distribution of ‘real’ property must also be a problem. Take the example of the United Kingdom, which has a population of approximately fifty nine million and a land mass of approximately sixty million acres. There are approximately 25 million households, but a mere 189,000 thousand households own sixty percent of the land. Put another way, less than one percent of families own nearly two thirds of the land. The structural inequalities of this distribution are eye watering, yet land monopolies, which have a far, far greater influence on our daily lives, social relations, economies and, of course, culture, are outside the dominant discourse. The effect of the framework is to contain questions of culture and political economy to the ‘regulatory problems created by the state’.

Therefore identifying exactly what the ‘problem’ is with intellectual property is, and establishing a critical context for that problem, is fundamental to any critique. The framework in which we think, and in which reforms are considered, is critical as those frameworks led us to additional conclusions on other issues. With respect to frameworks then, there is a final observation to make. This is the problem of ‘creativity’.

The narratives of the creative industries and Free Culture have reframed the terms of cultural discourse. Both sides of the schism assert that creativity is a basic human capacity, but the narratives disagree over the role of the state. Creative industries doctrine imagines that the legal-regulatory capacities of the state are crucial in nurturing creativity, whereas Free Culturalists argue creativity is impeded by state intervention. This insistence on ‘creativity’ decisively shifts the framework of cultural discourse and the critique of copyright.

The old critique of copyright called into question the very possibility of a creativity that resulted in ‘original’ works of art. If we could not create original art works, it followed that a property system, ostensibly based on originality, was a sham. The new framework is completely different. We have moved from a critique of arts implication in the

property system to a discussion of the way the state represses creativity. That marks both an ideological shift to the right and a decisive alteration in the terms of reference from art to creativity. That shift is devastating for older views of cultural policy.

The focus on intellectual property-driven growth has changed character and purpose of cultural policy as we have seen. The creative industries doctrine has been accompanied by a rhetoric of universal creativity, which is now presumed to be the common denominator of all forms of intellectual property. But, a capacity every human possesses cannot be in short supply. The rhetoric of creativity thus moves the justification for copyright well away from old ideas of market failure, but also opens it up to a new question. If creativity cannot suffer from shortages of supply, how can it be so weak as to require state protection? This point is frequently made by Free Culturalists. On this basis they argue copyright is a sham, a mere excuse for the state to create economic monopolies. From that perspective, they conclude that state intervention itself causes problems in supply by restricting 'creative reuse' or remixing of existing cultural expressions.

Here then, the schism over creativity, like all the others, revolves around attitudes to the state. The dynamic of this schism has very negative implications for art practices that exist at a remove from the free market, those still in receipt of subsidy. If culture really revolves around creativity rather than art, and from that we conclude copyright is absurd and should be abolished, we must also conclude that cultural subsidies, Arts Councils and Cultural Ministries should also be abolished. This is the Free Culture conclusion.

The creative industries discourse of creativity thus proves to be a poor defence of copyright and, in its Free Culture formulation, creativity opens its supporters on the left – who traditionally supported cultural subsidy – to conclusions about intervention the right have consistently maintained.

Fortunately for the left, there is a flaw in the discourse of creativity pursued by both sides of the cultural schism. Neither copyright (indirect intervention) nor cultural subsidy (direct intervention) developed in relation to creativity. Historically, copyright developed to support market failures in the supply of certain physical items: books and other printed material, such musical scores, maps and single leaf images. Indirect intervention forestalled competition between publishers, enabling a greater diversity of material to be brought to market and the public. It took centuries for the author to be placed at the centre of the law. The existence of an author, and most importantly, 'creative capacity', is not a necessary pre-requisite for the existence of copyright (which is why the 'critique of authorship' is an ineffectual method for undoing copyright). Nor did cultural subsidy, or direct intervention, come into existence in relation to 'creativity'. It developed in relation to certain kinds of art, where demand for cultural items existed, but could not be met with cultural works at a socially sustainable price. Subsidy supported artistic and cultural work, but creativity was nowhere in the discussion. In both cases the state intervened in the markets for knowledge works or art on the basis that the free market is congenitally incapable of providing sufficient diversity of goods for the public benefit at a price the public can afford.

Here then is fundamental problem with the current discourse of creativity. The old vision of cultural policy took it for granted that social needs outstrip the capacities of the market mechanism. Society and culture were larger than markets and ultimately subordinated markets to their rule. The creativity framework leads debate to the right, away from the idea that social and cultural values exist outside of the market. 'Creativity' is merely a general productive resource (a labour input) for various kinds of economic output - society and culture simply serve the market.

This strikingly reductive concept, bandied about in everyday speech, deserves far more critical scrutiny. We should remember the claim to be 'creative' is often little more than a claim to identity. 'Western' identity is predicated on claims to creativity, improvement and progress. But, David Edgerton has pointed out that while 'we' claim to be surrounded by rapid shifts in technology and innovation, the genuinely new, the genuinely radical, is actually very rare. The building we sit in, the table we rest on, the chair beneath us, our clothes, the road and city outside – are ancient technologies. Many new technologies merely substitute for older methods of achieving the same effect. Overestimating the newness of technology and the importance of innovation is part of how we, as 'westerners', define ourselves in relation to the 'other'. It is easier to claim to have improved and progressed than to actually improve and progress. Similarly, the mantels of originality and genius were claimed for many Modernist artists, but as Rosalind Krauss pointed out, such claims are hard to prove. Creativity is a pleasing idea, and, like our other beliefs, it is something we would like to be true of ourselves. However, the more complex and difficult concept of art is a better starting point for cultural analysis and policy. The basic historical and political fact that markets are a part of society, and subject to its rule, is a more complex and difficult starting point for political and economic analysis. Both the concept and the fact resist reduction to economic calculus, and point to a complexity that cannot be subdued and subordinated by economic analysis. ←



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This book examines the changing nature of the cultural sector in relation to electronic and digital technology and the consequences for policy.

It is based on an international meeting on 'Barriers to Transition' held in Dortmund in 2010 on the occasion of the ISEA conference and is the latest in a series of documents by Virtueel Platform, the Netherlands Sector Institute for Electronic Culture, that examine international cultural policy in relation to new media.

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