

**Self-
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tion/
counter-
economic
strategies**

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Sternberg Press 



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This book is about the many approaches to the creation, dissemination and maintenance of alternative, 'bottom-up' models for social or economic organisation, and the practical and theoretical implications, consequences and possibilities of these self-organised structures.

The term self-organisation is borrowed from systems theory and the natural sciences, where it describes systems whose internal organisation tends to increase in complexity without being guided by an outside source. In recent years it has been used in relation to certain kinds of social groups or networks; in this context, the term does not have a strict definition, but broadly speaking it refers to groups that are independent of institutional or corporate structures, are non-hierarchical, open and operate participatory decision-making processes. The counter-economic strategies discussed here are radical alternatives to classical capitalist economic organisation that exploit, or have been produced by, the existing global economic system.

Writers from different fields have been invited to investigate these themes with reference to particular situations. The essays they have contributed discuss a wide cross-section of activity, from new approaches to intellectual property and impact of the free/open source software movement to political activism and the de facto self-organisation embodied in informal architecture and the so-called black economy. They represent diverse, and sometimes conflicting, viewpoints and interpretations.

Self-organisation/Counter-economic strategies is not a comprehensive overview or an attempt to unify these diverse interpretations. It is intended as a toolbox of ideas, situations and approaches, including both theoretical reflections and case-studies. In this spirit, we have also collected many short, practical examples of self-organised groups or strategies; the thematic index is intended to assist the reader in using the book from the point of view of their own area of interest.

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TEPITO: *a barrio* of artisans in light of global piracy

Alfonso Hernández

Translated by Hugo Hopping

The globalized market has generated radical inequality, and the longstanding crisis in the distribution of wealth and in employment opportunities has created new types of crime whose modalities are now being interpreted through what might be termed a realistic Criminology.

It is generally acknowledged that crime has four basic pillars:

1. the state and its agencies in the penal system;
2. those who commit crimes;
3. the victims;
4. the community and society.

These make up an overall structure through which we catch glimpses of the hidden levels of delinquency and gangsterism. Past definitions of federal crime, and similar provisions in common law, are now being replaced by legislation whose alleged purpose is to control “delinquency”. The state spends its time defining and categorizing new forbidden behaviors and illegal acts, and this new legislation is primarily used to frighten the social groups at which it is targeted.

A new police model is being structured along the lines of a military or counter-insurgency operation, weaving a fine net that only catches small fish. State policy fantasizes about a “secure Mexico” without trying to solve structural problems, and pretends to combat poverty by incriminating and persecuting the poor. At the same time, local artisans and family workshops have come under attack from the state and its institutions,

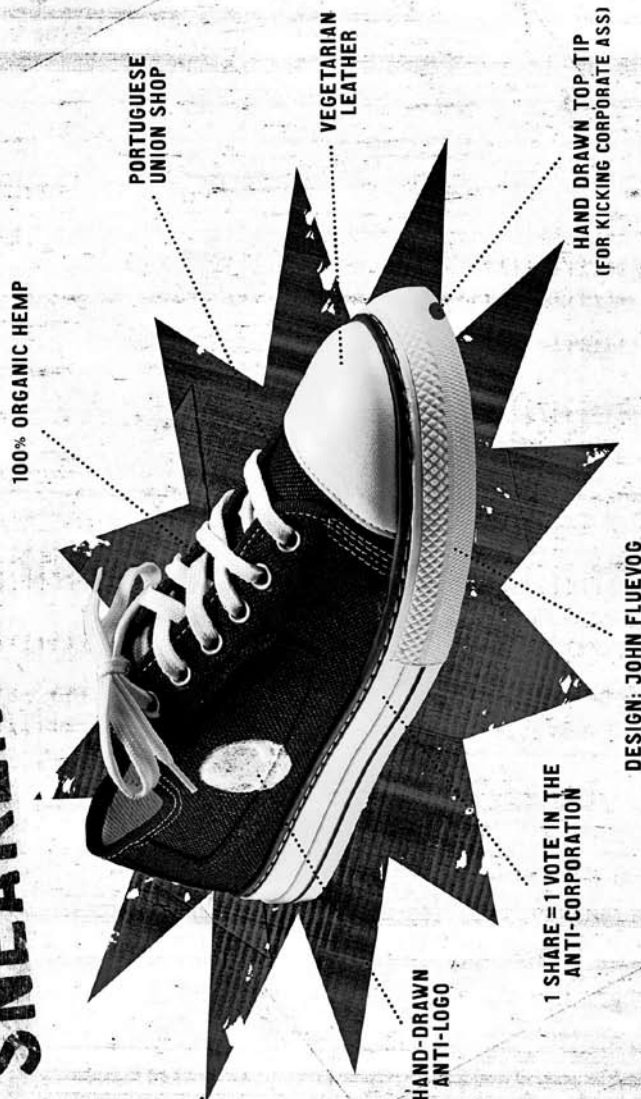
which have done away with trade apprenticeships in favor of promoting a Fordist assembly-line model of production.

With the liquidation of the welfare state the effects of economic inequality have increased, and the cumulative crisis has led to an increase in crime. It is a well-known fact that in every barrio forbidden activities are tolerated, even common, and that illegality has a level of community acceptance. The government has not met the needs of families or the community and so they have implemented, at street level, a new social fabric with a range of alternatives for self-employment and urban survival.

The intensification of private forms of economic sovereignty and labor autonomy rankles a bourgeoisie that was itself created by violence, since the process of “primitive accumulation of capital” came from criminal expropriations – a “capitalist gangsterism” that amassed wealth by means of theft, fraud and plunder. The mafia or the local banditry can be seen as substitutes for the State, preserving the organization and control of crime. Even though each local mafia has revived a certain backward approach to controlling its territory, when the process of police modernization is worn out or corrupted the mafia serves to reveal this neutralization of police activity, and with it the lack of institutional protection for those who make up its “cliente”.

In our society, the new poor understand that capital is coordinated globally and that unemployment is fragmented labor, while the crisis has led to the collapse of traditional trades. In this situation, those in search of new strategies for controlling crime have turned to bureaucratic solutions. The preoccupation is no longer with the social profile of individuals but rather the

ADBUSTERS' BLACKSPOT SNEAKER



The Black spot Sneaker

Description:

Ethical consumerism makes a bid for hipness; Adbusters start advertising.

Text:

The Blackspot Anticorporation and the Blackspot Shoes venture are projects of Adbusters Media Foundation.

Our mission is to establish a worldwide consumer cooperative and to reassert consumer sovereignty over capitalism. We hope this blackspot sneaker venture is the beginning of a new era in ethical, worker-friendly, environmentally friendly production in the shoe industry.

The Shoes – The classic Blackspot Sneaker and v2.0: The Unswoosher are both designed by John Fluevog, known for his cutting edge innovativeness and flair. The shoes comply with vegan standards, and are being monitored by Robin Webb of Vegetarian Shoes in the UK. Robin is an industry leader dedicated to the production of ethical footwear. Blackspots are sold only in independently owned retail stores worldwide.

We're using 100% organic hemp, which is processed with natural methods such as water retting, eliminating the need to use chemicals. The Blackspot Sneaker has a rubber sole and a toe cap that is 70% biodegradable, whereas The Unswoosher has a sole made from recovered car tires.

The Profits – Yes, Blackspot Shoes is a for-profit venture — we wouldn't have it any other way. (View the cost breakdown for v2.0: The Unswoosher.) Profits let us do what the shoe has always promised. For round one, we'll launch our TV campaign, and if any network refuses to sell us airtime, we'll haul them into court. Then, if this recycled-tire, organic-hemp Unswoosher really takes off as a new kind of cool in the sneaker industry, we'll use every penny of profit on kick-ass social campaigns and anti-corporate marketing. The best part is that it'll be up to the shareholders of The Blackspot Anticorporation to brainstorm and decide on how we do it. Do we go after McDonald's with spots on the Food Network?

Source:

www.adbusters.org/metaspot/corpo/blackspotshoes/info.php

For more information:

Adbusters, the mediafoundation: »We are a global network of artists, activists, writers, pranksters, students, educators and entrepreneurs who want to advance the new social activist movement of the information age. Our aim is to topple existing power structures and forge a major shift in the way we will live in the 21st century.«

www.adbusters.org

www.adbusters.org/metaspot/corpo/blackspotshoes

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Artist Pension Trust (APT) is the first product created specifically for emerging and mid-career artists to provide them with a long-term financial planning opportunity.

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Artist Pension Trust

Description:

An Investment Program Designed Specifically for Artists.

Text:

APT:London

Artist Pension Trust is a hybrid curatorial and financial organisation that makes it possible for artists to save their art works during the formative years of their career. This enables artists to benefit directly from the eventual sale of their works, and the works of their peers, at an appreciated value.

Over time the works will form a world-class collection, with each artist represented in depth. Participating artists will invest in themselves by adding one or two art works per year to the collection, until they have saved 20 works over a period of 20 years.

At an appropriate time in the future, these works will be returned to the market. At this point the work's appreciated secondary-market value will be realised. 40% of the net proceeds from the sale will be deposited directly into the savings account of the individual artist whose work has been sold. Another 40%, less some APT operating costs, will be shared equally between all of the artists in the trust. The remaining 20% will be retained by APT as a fee for the long-term management of the entire process.

APT is an innovative initiative conceived and developed by Mutual-Art, Inc, a financial services company formed with specialised expertise directed towards meeting the unique and unmet needs of the art world.

Source:

www.artistpensiontrust.org

For more information:

www.artistpensiontrust.org

June 2006 there are APT's in Bangkok, Berlin, Beijing, Istanbul, London, Los Angeles, Mexico City, Mumbai, New York, Sao Paulo.

characteristics of larger populations, and the objective of economic policy is not to change those characteristics too much but to neutralize their disturbing effect on the rest of society.

This situation leads to an attempt to control the informal economy and crime that combines logic with the practice of legal cost accounting by insurance companies. This assumes the reduction of risk with mercantile efficiency; the market begins to substitute itself for the political process, while private insurance companies begin to progressively take over the State, administering cost benefits to those who insure their goods and wellbeing.

We are facing a stage of capitalism in a phase of destructive reproduction of everything that stands in its way, in which the free market society (unfettered capitalism) now represents the pursuit of private gain that erodes and subordinates the popular economy. This phase has led the Mexican State to arm and standardize the police in an attempt to restrain that which it cannot control as a government.

This economic model generates a level of disparity that endangers the community's quality of life and spawns criminality. It foments fear, making people feel that delinquency and illegality are everywhere, and creates an uncertainty that shatters citizens' trust in one another.

If a nation's development is measured by its GNP (gross national product), then today the GCP (gross criminal product) measures criminal development, as it has permeated all levels of politics and of the economy; more and more there is evidence that a government does not always have power or the

ability to rule. Today one negotiates with the market and not with the State.

Consequently, the growth of any business, legal or otherwise, is conditioned by the new culture of massive consumerism, overwhelmingly based on profits at any price, where "impatient capitalism" has generated economic crime that has for some time displaced merchandise in certain previously unsuspected commercial niches.

The new market society is so intertwined with both legitimate and criminal interests that you can no longer tell which is which, although what is most evident is the geopolitics of the criminal market.

The people of Tepito understand that we have been branded with this criminal stigma, and in order to overcome it, we are freeing ourselves of it, through our own skilled artisanship and commercial barrio charisma.

The State is seeing control of its own territory slip away, which leads to a renewal of delinquent power among the groups that substitute for the State – groups that are taking over control where the State has been forced out, or where it has left vacant areas that it no longer considers crucial for the primary accumulation of capital. The upshot of this is that the breakdown in the control of crime goes beyond the problems of the victim and the community, since the ability of the modern global pirates to punish does not seem to have any limits or borders.

Chilangos, or the people of Mexico City, have been frightened by the smokescreen of what is happening in Tepito, but don't

realize that Mexico today is the Tepito of the world. Mexico is immersed in the global barbarism of savage capitalism, as it is overwhelmed by chinaderas* and drug dealing. The new geopolitics have legalized smuggling, modernized piracy, and cheapened drug addiction, which is why neighborhood banditry is barely a niche for anarchy in comparison with the sanctuary of impunity enjoyed by cartels and transnational mafias. Previously, rural bandits and urban gangsters fought against the local chief or landowner. They had no ideology of power and they did not aspire to use one. Today, however, modern crime is a punitive involution that seeks to wield power, inciting barbarism and terrorism. There is a resurgence of a modern repressive state that protects only the global mobility of capital, and covers up the geopolitics of criminal markets that continue to impoverish countries and trigger migration – from the countryside to the city and from one country to another.

Any similarity between local suffering and what we are experiencing at a national level is presented as pure coincidence, as the media reinforces the black legend of Tepito. Consequently, we feel the need to reveal why we rebel against those who at all cost want to make of our barrio bravo a social-economic laboratory of delinquency and drug dealing.

Just as national sovereignty is disappearing, the modern repressive state gerrymanders both the existing districts and the virtual ubiquity of Tepito, altering the economic equilibrium from within as well as from without.

It is hard to believe that piracy impoverishes commerce. Piracy creates controlled financial spaces for those who make their living, by milking the conflict between formal and informal trade

and the subsistence economies that surround it, without ever affecting the black market profitability that is financially administered by white-collar executives.

In this pitched battle against the barrio bravo, many of our youth have been corrupted, others have lost their lives, and many more have become prison fodder. Nevertheless, Tepito lives, risking everything, knowing that for a bastard you need a bastard and a half. Even the black sheep is a member of the family and charisma will put an end to the stigma.

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www.barriodetepito.com.mx

**Translator's note: Chinaderas is the nomenclature assigned to imported goods from China, usually those that are knock-offs or replicas of other branded commodities. It's a close variation of chinoiserie which was employed in the 17th and 18th century Anglo speaking world to all fine goods coming from China i.e. porcelain and silk and/or its influence upon domestic production of goods. But more likely, Chinaderas comes from direct word play with the word Chingaderas. Chinga the Mexican Spanish slang term for fuck, to fuck or fucking and compounded with deras, roughly meaning things, thus 'fucking things', and adding China into the word play comes off as 'fucking Chinese things'.*

The recovered factory movement in Argentina

Description:

Workers' self-management

Text:

In the wake of the 2001 economic crisis, about two hundred Argentine companies were "recovered" by their workers and turned into cooperatives. The proliferation of these "recoveries" has led to the formation of a recovered factory movement, which has ties to a diverse political network including Peronists on the left and right, anarchists and communists. [...]

As of 2005, about 15,000 Argentine workers run recovered factories.

Source:

www.en.wikipedia.org/wiki/Recovered_factory

Bruckman – Its workers have occupied this textile factory in the capital city since December 18, 2001. Since January 15 this year, they have put it into operation. Yuri, shop steward: 'The importance of this meeting is to give a step towards the unity of occupied factories, workers' struggles, popular assemblies, students, pickets... Unemployment is the hottest topic; we are the most affected.'

Zanon – 280 workers administer and run this ceramics factory, in the province of Neuquén. The factory has been occupied since October 2, 2001 and has been operating since February 2002. It is a symbol of the struggle for state-property under workers control. Raul Godoy, General Secretary of the Union of Ceramics Workers of Neuquén (SOECN): '1200 factories shut down in the last months, there are 160 that in one way or another workers have tried to save. This is the first step: the self-defence. We have an interesting debate over whether to form cooperatives, or to fight for state-property under worker's control... But there is one thing we are certain of, that we will get nowhere without struggle... either we fight or nothing will happen... With 60% of the population below the poverty line, if we don't change the most profound problems, if we don't get together in a common struggle, no matter what factory we have working, we are going to lose it all.'

Junin Clinic – The clinic is in the city of Cordoba, there are 35 workers. It has been occupied since May 2002 and offering health-care services to the community since June 13.

Rio Turbio – 1100 miners work in the Rio Turbio mine in Santa Cruz. Mendez, leader of ATE-Rio Turbio: 'We went and took over the Chamber of Representatives of Santa Cruz to demand that government take over the company... today we are going for



the last step, that is workers' control, the general control of the whole company, of the whole administration... We do not want any more workers out in the street. Today we continue fighting for our jobs.'

El Aguante – This cooperative is in northern Buenos Aires. The factory has been occupied since April 17. 'We advise the brothers who form cooperatives to continue fighting and to never isolate from other struggles. This is our desire and the mandate that I bring from the grassroots assembly we carried out in our factory to call for unity. We don't want to be underestimated, we are here because this meeting is really called by the workers...'

Tigre Supermarket – For 13 months, workers have occupied this supermarket in Rosario. The owners took off with 50 million dollars leaving 350 families out on the street. 'We want to tell the boss with great pride that after having walked all around Rosario blocking roads to keep up our struggle, yesterday September 6 at 9am, the brothers from Tigre began working...

From the powers that be, the only help we got was five brothers arrested and 200 eviction threats. This is why, with the eviction hanging over our heads, we decided to look for solidarity... at Tigre there is a Coordinator of neighborhood assemblies. All the social movements involved in the struggle, the students, the workers who suffer under treacherous bureaucracies that don't let them organize in their union, they are participating at Tigre. All that we are learning will let us move ahead.'

Cuyo Glassware – Located in the city of Rosario, the glassware factory had more than 300 workers. In February 2001, the company went bankrupt. From September 2, more than 100 workers installed a camp at the gates, demanding the immediate reopening of the plant.

'We are outside the plant, we have not occupied it yet, because the conflict was a year ago, the glass industry union have abandoned us just like all the rest. The brothers were scattered and with the passing of time... the camp began to bring the brothers back. There are many alternatives. The thing is we must debate the best outcome. Personally I think that the best is worker's control, but there are brothers who may not see this, then the key is to debate and to fight all together, as workers.'

CHILAVERTI – This printing plant has been occupied for the past 4 months in the capital city. The solidarity of assemblies, of social organizations and leftist political parties stopped the eviction attempt carried out last May.

Fricader – On May 21, 40 former employees occupied the refrigerating plant of the surroundings of General Roca, Rio Negro. The struggle for the re-opening of the plant continues.

Flexicoop – 'I come from Cordoba representing four companies that are in the same

situation and that have been recovered by workers... we want to bring a proposal: the unity of all the establishments who are fighting today and that are not here yet... If we are capable of unifying with all the rest who are fighting we can promote a project to legitimate those cooperatives so that they can start working... that is a step towards workers' control...'

Del Valle – This is a ceramics factory with 23 workers. They have put up an important struggle, over 5 months, with road blocks and protests, until they defeated the sackings. They are part of the Union of Ceramics Workers of Neuquén.

Source:

Extracts from a report of a meeting of factories under workers' administration, Buenos Aires, September 7th, 2002, Guillo Pistonesi, published in La Verdad Obrera #108.

For more information:

www.fasinpat.com.ar

www.obrerosdezanon.org

www.thetake.org

Image source:

Indymedia Argentina

The Right to Mary Sue

Anupam Chander and Madhavi Sunder

**‘Gee, golly, gosh,
gloriosky,’ thought
Mary Sue as she stepped
on the bridge of the Enter-
prise.**

**‘Here I am, the young-
est lieutenant in the fleet
– only fifteen and a half
years old.’**

**Captain Kirk came up
to her. ‘Oh, Lieutenant,
I love you madly. Will you
come to bed with me?’
‘Captain! I am not
that kind of girl!’**

**‘You’re right, and
I respect you for it. Here,
take over the
ship for a minute
while I go get
some coffee for us.’**

**Mr. Spock came
onto the bridge.
‘What are you doing in the
command seat, Lieuten-
ant?’**

‘The Captain told me to.’

**‘Flawlessly logical.
I admire your mind.’**

– Paula Smith, A Trekkie’s Tale (1974)[i]

Going where only men had gone before, Lieutenant Mary Sue took the helm of the Starship Enterprise, performing to acclaim and earning the Vulcan Order of Gallantry. This was, of course, fantasy, but doubly so. By 1974, no woman had commanded the Enterprise's bridge, according to the official Star Trek fantasy. Indeed, it would be 1987 before Captain Rachel Garrett would be seen, briefly, in charge of the Enterprise in a later Star Trek series.

Trekkie Paula Smith, however, was impatient. So she inserted the young Lieutenant Mary Sue into the Star Trek universe, not as communications officer, nurse, the voice of the onboard computer, or passing Kirk love-interest, but as commander. In so doing, Smith began the modern incarnation of an old phenomenon – retelling a canonical story to better represent oneself.

The name of her character has come to stand for all such characters in the universe of fan fiction.^[ii] Fan fiction spans all genres in popular culture, from anime to literature. In every work of fan literature, there is a Mary Sue: 'She fences with Methos and Duncan MacLeod; she saves the Enterprise, the Voyager, or the fabric of time and space; she fights with Jim Ellison in defense of Cascade; she battles evil in Sunnydale alongside Buffy Summers.'^[iii] According to Wikipedia, a 'Mary Sue' is 'a fictional character who is an idealized stand-in for the author, or for a story with such a character.'^[iv] A highly popular contemporary variant is the 'Sueification' of Hermione Granger in Harry Potter fan fiction, recasting the sidekick as leader or finding her a new romance, especially in Harry, Draco Malfoy or Ginny Weasley.

Wikipedia observes that 'Mary Sue' is a pejorative expression; such fan fiction is typically derided in fandom as narcissistic.^[v]

We dissent from this view. In this essay, we rehabilitate Mary Sue as a figure of subaltern critique and, indeed, empowerment. As exemplified by Lieutenant Mary Sue, she serves to contest popular media stereotypes of certain groups such as women, gays, and racial minorities. Where the popular media might show such groups as lacking agency or exhibiting other negative characteristics, Mary Sues are powerful, brave, beautiful and intrepid.

The phenomenon of rewriting the story to revalue your place in it is not simply an exercise in narcissism. Popular stereotypes have subtle yet important consequences for our social, political and economic relations. Before the World Wide Web, Mary Sue authors might have stashed what they penned in a drawer, distributed photocopies,^[vi] or, at most, published their work in an underground magazine. The emergence of the World Wide Web offers writers a relatively inexpensive and simple mass distribution vehicle. Posting a story to a fan fiction website is literally free, at least for those with access to the Internet.

Yet the law may treat Mary Sues as illegal art. Authors of Mary Sues may face copyright, trademark or publicity rights claims brought by the official owners of the popular work. In this essay, we argue that such authors should not readily 'cease and desist', as demanded by the official owners. While no court has yet squarely addressed the question, we suggest that Mary Sues may well be legal under existing law in certain circumstances. We also suggest that courts clarify the boundaries of permissible Mary Sues in order to avoid the chilling effect of legal threats to such speech.

Our essay proceeds in two parts. Part I explores the cultural



The Barefoot College

Description:

Education meets self-sufficiency in rural Rajasthan.

Text:

Promoting Self-Sufficiency in Rural India

The Barefoot College is a self-sustainable educational settlement spread over 80,000 square feet (about 7,500 square meters) in a rural area near Tilonia, Rajasthan, India. The college is entirely solar-electrified and roofs of its buildings are designed to collect rainwater; thus, the settlement is almost completely self-sufficient. The principle of self-sufficiency is supported by the combination of local knowledge and advanced technology in a region that has experienced an unreliable supply of power and water. The region has also gone through large-scale migration from rural to urban areas. The Barefoot College was founded in 1972 with the conviction that solutions to rural problems lie within the rural population. Through its commitment to education, the College encourages individual empowerment. The College shares its experience of developing self-reliance through the management of natural resources with neighboring rural communities as well as with other communities across the Indian subcontinent. The College also works internationally with communities in Afghanistan, Ethiopia, Sierra Leone, Kenya, Senegal, and elsewhere. Its members promote practical knowledge and skills rather than academic degrees; the emphasis here is on "learning by doing." The College views itself as an effective alternative to instructional models based on academically trained architects, doctors and educators. The entire College settlement was built by the non-academically trained Barefoot Architects.

Source:

www.barefootcollege.org and Marjetica Potrč

For more information:

www.barefootcollege.org

background against which Mary Sues are drawn. As we show, Mary Sues challenge a patriarchal, homophobic and racially stereotyped cultural landscape. They confront the traditional production of knowledge by reworking the canon to valorise women and marginalised communities. Mary Sues offer fundamental epistemological interventions in the reigning discourse. Part II examines the legal framework governing the making of Mary Sues, focusing on the law prevailing in the United States. We review copyright claims that may imperil Mary Sues. The skeptic will ask: Why not write your own original story rather than inserting yourself into a story written by someone else? We respond to this critique here.

I. Marry, Sue!

In 1966, when *Star Trek* debuted on television, it was groundbreaking. Its creator, Gene Roddenberry, 'envisaged a multi-racial and mixed-gender crew, based on his assumption that racial prejudice and sexism would not exist in the 23rd century.'^[vii] Lieutenant Uhura was the first African-American woman to be featured in a major television series.^[viii] Officer Sulu offered a rare Asian-American face outside a martial arts milieu.

But despite its aspirations, equality was not yet truly complete in Federation space. Uhura, of course, was relegated to serving as the communications officer. Women played secondary roles, often serving as episode-long love interests for the white male members of the crew. Uhura herself broke ground again when she participated in network television's likely first interracial kiss – with Captain Kirk, of course.^[ix] Same sex romantic relationships apparently did not survive into our future.

Women, gays and racial minorities have made major strides over four decades of television. *Star Trek*, too, evolved: In 1993, an African-American would command the space station in the *Star Trek* series *Deep Space Nine*. And, in 1995, more than two decades after Lieutenant Mary Sue, Captain Kathryn Janeway took command of the starship *Voyager* in the series of the same name.

Yet, while we may have come a long way, there is still a long way to go. Take American television – for those of us in the USA, a principal source of information about our world. A recent report by *Children Now* shows that male characters remain dominant, consistently outnumbering female characters by nearly two to one since 1999.^[x] Prime time television portrays 'a world in which women are significantly younger than their male counterparts and where older women are hard to find.'^[xi] Perhaps especially telling is the occupational differentiation of men and women: 'Male characters outnumbered female characters as attorneys (71% were male), executives/CEOs (80%), physicians (80%), law enforcement officers (82%), paramedics/firefighters (84%), elected/appointed officials (92%) and criminals (93%).'^[xii]

The racial divide on prime time television remains alarming, as the *Children Now* survey shows. While 40 percent of American youth aged 19 and under are children of color,^[xiii] nearly three-quarters of all prime time characters during the 2003–2004 television season were white. The racial diversity that does exist can be found mostly during the ten o'clock hour, when American children are least likely to be watching: 'The eight o'clock hour remained the least racially diverse hour in prime time with one in five shows (20%) featuring mixed

opening-credits casts.^[xiv] Latino characters are often cast in 'low-status occupations'.^[xv] Even when they were represented, Asian-American characters 'were far less likely than characters from other racial groups to appear in primary roles'.^[xvi] An earlier study by Children Now concluded that a youth watching prime time television would most likely see a 'world overwhelmingly populated by able-bodied, single, heterosexual, white, male adults under 40'.^[xvii] When minority groups are depicted in the media, they are generally stereotyped, with Asian women, for example, cast as 'China dolls' or 'dragon ladies' and Asian men denied any positive sexuality.^[xviii] Latinos are commonly depicted as 'criminals, buffoons, Latin lovers, or law enforcers'.^[xix]

Other popular media show similar disparities. Hollywood studios and other American media multinationals have globalised American television shows, and the fictional worlds envisioned therein now charm the real world's youth. Hollywood's global cultural hegemony translates Hollywood's prejudices to the world.

Psychological and sociological research reveals that media representations have economic consequences. Racial and gender stereotypes depicted in popular media impact children's perceptions of career paths. Children 'as young as five years of age learn to gender stereotype occupations based on the gender of a television role model'.^[xxi]

While the actress who played Lieutenant Uhuru in Star Trek, Nichelle Nichols, would later help recruit female and African-American astronauts,^[xxv] the results of one particular study are especially informative. Researcher Rebecca Bigler and her colleagues invented new, fictional occupations and presented various combinations of white and black persons in those

occupations to children. Poorer African-American children were less likely to aspire to jobs that had been depicted with white workers exclusively.^[xxiii] Bigler's research points out the potential for a vicious cycle:

African American children, especially those from disadvantaged backgrounds, may preferentially seek out low-status jobs in which minorities are well represented and thereby ensure that such jobs remain overpopulated by minorities, thus perpetuating the skewed models for new generations of poor African American children.^[xxiii]

Even limiting oneself to magazines written specifically for girls is no guarantee of an empowering experience. Reviewing Seventeen magazine, sociologist Kelley Massoni observes that 'men dominate its pages, as both subjects and job holders'.^[xxiv] This may not be surprising as such magazines are 'the products of companies often owned and controlled by elite men.' As for work, Massoni concludes: 'In the occupational world of Seventeen, Prince Charming still exists as the ultimate goal'.^[xxv]

The implicit instruction in these pages: 'Marry, Sue!'

It is not only what is depicted that is important. It is also what is omitted. Magazines for teenage girls, according to Massoni, 'overtly suggest, through content and pictures, how women should look, dress, and act; they more subtly suggest, through exclusion of pictures and content, what women should not do, be, or think'.^[xxvii]

Lieutenant Mary Sue and those Mary Sues that have followed in her wake appear against this backdrop. The fact that Mary



The Catherine Ferguson Academy

Description:

Farming in Downtown Detroit.

Text:

The Catherine Ferguson Academy is a secondary school for girls that serves teenage mothers and mothers-to-be. It is located in a derelict neighborhood in downtown Detroit, Michigan. The school sees education as the first step toward individual empowerment. Its science program revolves around a fully functioning on-site urban farm located behind the school. By taking care of the farm animals (such as sheep, goats, and horses), raising fruit trees, and cultivating fields, the students learn how to live in harmony with the land in a part of the city that became an urban void after the collapse of the local car-manufacturing economy. The CFA sets an example to others in an area where the once-densely-built city center has undergone extensive demolition. Today, downtown Detroit is a mix of abandoned buildings, empty lots, and still-occupied struggling buildings in which much of the infrastructure, such as public transportation, is unreliable. Where there were once lively urban neighborhoods, empty lots are today becoming fields. Indeed, satellite pictures show Detroit's inner city to be green. Urban farms, such as the one developed by the CFA, are examples of bottom-up initiatives — a strategy for survival in response to mismanaged municipal government.

Detroit presents a case study for the shrinking city, in which a major economy has collapsed and residents moved elsewhere. It also exemplifies both the shifting city and the segregated city, in which a once-vibrant urban center is now a rural district and the urban population has migrated to the suburbs. By far the greater part of this migration has been white, leaving the city center to the poorer segments of the African-American population. The CFA offers its neighbors a robust example of self-empowerment. The school shows that humanity, not economics, is the proper goal for a thriving community.

Source:

Marjetica Potrč

For more information:

CATHERINE FERGUSON ACADEMY

2750 Selden Street, Detroit, MI. 48208-2544

(313)596-4766 [phone]

(313)596-4773 [fax]



Sues are marked by relentlessly superlative qualities becomes more understandable against a popular culture that marginalises certain groups. Flattering self-insertion becomes a partial antidote to a media that neglect or marginalise. Self-empowerment requires that one recognises one's own potential, even if others do not. Overlooked for the principal role in the official canon, Mary Sue is no passive peripheral character: 'She does, not just simply exists. She slays, she runs a starship, she types, she wields a sword.'^[xxviii] Rewriting popular culture is a step towards breaking the cyclical reproduction of dominance.

Take three examples:

1. Kirk/Spock

Even though Star Trek envisioned a purportedly egalitarian future, the reality it posited was far from ideal. Just as Paula Smith introduced Lieutenant Mary Sue to make up for the absence of female leaders, early fan fiction writers often imagined same-sex romantic relationships among the ship's crew. Referenced often as 'K/S' for 'Kirk/Spock,' such same-sex pairings in fan fiction came to be known as 'slash.' Slash thus functions as a kind of Mary Sue, reflecting a desire to introduce homosexuality where it is omitted.

2. The Adventures of Hermione Granger

Some Harry Potter fan fiction gives center stage to Hermione Granger. Given that Hermione already is depicted with extraordinary, positive characteristics, it may have seemed unnecessary to rewrite her story. But the stories offer two twists on the official tale. First, they place Hermione at the center of the action. It becomes her story, not someone else's story in which she plays a part. Second, the stories often replace Ron Weasley as her romantic partner with Ginny Weasley, Draco Malfoy or especially Harry Potter. As one critic points out, the

last pairing is especially satisfying for some: 'As the Potter series' brilliant bookworm, Hermione is a role model for smart girls (and boys) who find themselves overshadowed by their flashier peers. There's a certain appeal to thinking that a young academic could couple with the hero of the wizarding world ...'[xxix]

3. Harry Potter in Kolkata

'Harry gets onto his Nimbus 2000 broom and zooms across to Calcutta at the invitation of young boy called Junto,' reads the text of an Indian tale, *Harry Potter Kolkataye – Harry Potter in Kolkata*.^[xxx] Written in Bengali, the book brings Harry Potter to Kolkata where he 'meets famous fictional characters from Bengali literature.'^[xxxi] Uttam Ghosh, the author, describes the story as a 'poor man's Potter', costing just 30 rupees – less than one US dollar. This is yet another variant of the Mary Sue. It introduces a young Indian boy into the Harry Potter legend and also a new environment – Kolkata – rather than Harry's familiar England. By situating Harry in Kolkata, it makes it easier to imagine the local street corner as a place of magic.

Some may see in *Harry Potter Kolkataye* the further insinuation of a foreign character into the imagination of Bengali youth, but this overlooks the power of popular media, which makes such foreign characters difficult to avoid even for the middle class Kolkata youth likely to buy the book.^[xxxii]

II. Suing Mary

Potter in Kolkata was quickly pulled. Copyright lawyers issued a cease and desist letter to the Indian publisher, who quickly complied. JK Rowling, however, has generally tolerated literally hundreds of thousands of other fan fiction stories (largely

non-commercial and web- rather than print-based) based on her characters, including stories that focus on Hermione. The owners of the Star Trek franchise contemplated legal action against Star Trek slash, but demurred because of strategic considerations.^[xxxiii]

What are the respective legal rights of the copyright owner of the official work and the author of the Mary Sue? If any of these cases had gone to court, who would have won?

United States law permits the copyright owner to claim not only his or her own stories, but also the characters in those stories.^[xxxiv] Thus, a fan fiction writer can pen stories employing such characters only if: 1) the copyright owner explicitly permits such fan fiction; 2) the copyright owner chooses not to pursue legal action against the fan fiction writer; or 3) the fan fiction constitutes fair use of the copyrighted work.

This third avenue allows fan fiction writers the freedom to create using existing creative worlds without needing the permission – either explicit or tacit – of the copyright owner. If a use is judged ‘fair’, then the copyright owner cannot bar it. Whether a use is fair depends on a number of factors, including the purpose of the work (including whether the use is commercial or not-for-profit) and whether the use injures the copyright owner’s market for his or her work. Whether a use is fair or not is left to the judgment of a court, interpreting a provision in the copyright statute, as well as a long case history.

The leading case defining the contours of fair use concerns a rap group’s reworking of an earlier song, ‘Oh, Pretty Woman’. In *Campbell v. Acuff-Rose Music, Inc.*, the owner of Roy

Orbison’s song sued the rap group 2 Live Crew for copyright infringement for their song ‘Pretty Woman’.^[xxxv] The Supreme Court reversed the trial court’s grant of summary judgment in favour of the copyright owner, holding that 2 Live Crew’s parody of the original might constitute fair use. Even the commercial nature of 2 Live Crew’s work did not defeat the group’s claim to making a fair use.

Justice Souter, writing for the Court, characterised 2 Live Crew’s version as a parody of the original:

[W]e think it fair to say that 2 Live Crew’s song reasonably could be perceived as commenting on the original or criticizing it, to some degree. 2 Live Crew juxtaposes the romantic musings of a man whose fantasy comes true, with degrading taunts, a bawdy demand for sex, and a sigh of relief from paternal responsibility. The later words can be taken as a comment on the naiveté of the original of an earlier day, as a rejection of its sentiment that ignores the ugliness of street life and the debasement that it signifies.^[xxxvi]

The Court observed that parodies transform the original, providing ‘social benefit, by shedding light on an earlier work, and, in the process, creating a new one.’^[xxxvii]

Similarly, Mary Sues comment on or criticise the original, while at the same time creating something new. They highlight the absence in the original of society’s marginal voices, the stereotyped actions or inactions of certain characters and the orthodoxy of social relationships in the original. In blunt fashion, Lieutenant Mary Sue beamed on board, finally bringing a leading woman character to the bridge and refusing Captain Kirk’s sexual advances.

Take the case of Alice Randall's reworking of Margaret Mitchell's literary classic *Gone With the Wind* (GWTW) to critique that novel's depiction of slavery and race in the Civil War-era. Randall's novel, *The Wind Done Gone* (TWDG), tells Mitchell's tale from the perspective of a black slave woman, Cynara, on the O'Hara plantation. The two novels' depictions of race and sex relations differ sharply, as characterised by Justice Souter:

In the world of GWTW, the white characters comprise a noble aristocracy whose idyllic existence is upset only by the intrusion of Yankee soldiers, and, eventually, by the liberation of the black slaves ... Mitchell describes how both blacks and whites were purportedly better off in the days of slavery: 'The more I see of emancipation the more criminal I think it is. It's just ruined the darkies,' says Scarlett O'Hara.... Free blacks are described as "creatures of small intelligence ... [l]ike monkeys or small children turned loose among treasured objects whose value is beyond their comprehension, they ran wild – either from perverse pleasure in destruction or simply because of their ignorance.'

It is clear within the first fifty pages of Cynara's fictional diary that Randall's work flips GWTW's traditional race roles, portrays powerful whites as stupid or feckless, and generally sets out to demystify GWTW and strip the romanticism from Mitchell's specific account of this period of our history ...

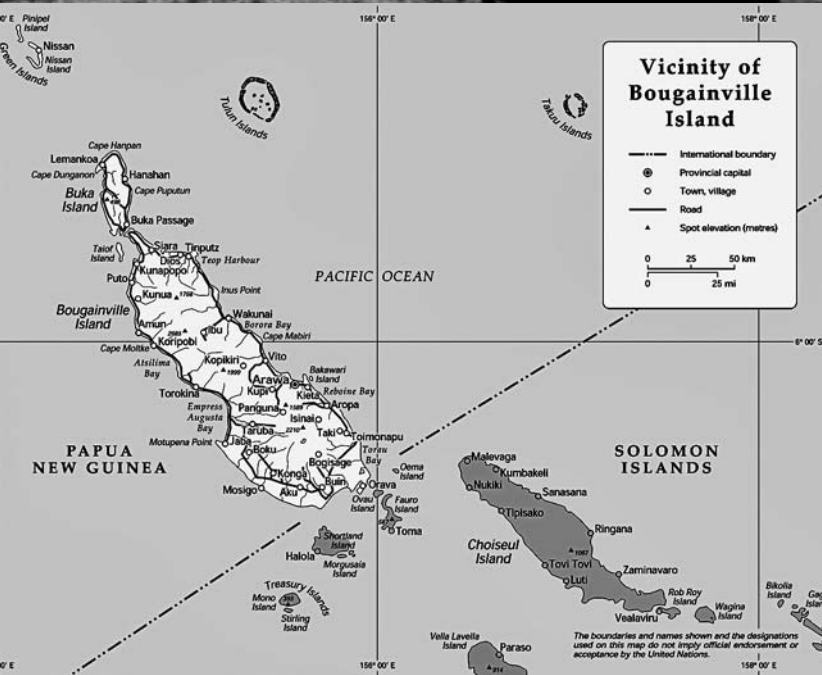
... In GWTW, Scarlett O'Hara often expresses disgust with and condescension towards blacks; in TWDG, Other, Scarlett's counterpart, is herself of mixed descent. In GWTW, Ashley Wilkes is the initial object of Scarlett's affection; in TWDG, he is homosexual ...^[xxxviii]

The copyright holders of the original work sued Randall's publisher. But the Circuit Court refused to enjoin Randall's book, holding that it was a parody of the original likely to constitute fair use.

The Sueification of the African-Americans in the story is unmistakable. As the Circuit Court noted, 'In TWDG, nearly every black character is given some redeeming quality – whether depth, wit, cunning, beauty, strength, or courage – that their GWTW analogues lacked.'^[xxxix]

While parodies may often constitute fair use, satires generally do not. Satires employ the original work 'as a vehicle for commenting on some individual or institution and on the work itself.'^[xi] As the Supreme Court explained in the *2 Live Crew* case: 'Parody needs to mimic an original to make its point, and so has some claim to use the creation of its victim's (or collective victims') imagination, whereas satire can stand on its own two feet and so requires justification for the very act of borrowing.'^[xii]

Even while Mary Sues may have strong footing to claim fair use in law, they can be criticised on other grounds. First, why rely upon the canon rather than simply write your own story from whole cloth? Second, why not require that the Mary Sue be licensed from the copyright owner? We respond to both critiques here.



The coconut Revolution

Description:

A documentary of a native people's remarkable victory over Western Colonial power. A Pacific island rose up in arms against giant mining corporation Rio Tinto Zinc (RTZ) – and won despite a military occupation and blockade.

Text:

When Rio Tinto Zinc (RTZ) decided to step up production at the Panguna Mine on the Pacific Island of Bougainville, they got more than they bargained for. The island's people were fed up with being used as pawns by the west. RTZ refused to compensate them, so the people decided it was time to put an end to outside interference in the island's affairs. To do this they forcibly closed down the mine.

The Papua New Guinea Army (PNGDF) were mobilised in an attempt to put down the rebellion. The newly formed Bougainville Revolutionary Army (BRA) began the fight with bows & arrows, and sticks & stones. Against a heavily armed adversary they still managed to retain control of most of their island. Realising they were beaten on the ground, the PNGDF imposed a gunboat blockade around Bougainville, in an attempt to strangle the BRA into submission. But the blockade seemed to have little or no effect.

With no shipments getting in or out of the island, how did new electricity networks spring up in BRA held territory? How were BRA troops able to drive around the island without any source of petrol or diesel?

What was happening within the blockade was an environmental and spiritual revolution. The ruins of the old Panguna mine were being recycled to supply the raw materials for the world's first eco-revolution.

Source:

www.cultureshop.org

For more information:

Directed: Dom Rotheroe, Produced by: Mike Chaimberlain, Sound by: Carlos Soto

Duration: 50 min, Year: 2001

www.eco-action.org

Critique #1: Why Not Write Your Own Entirely Original Story?

In *Campbell v. Acuff-Rose*, the Supreme Court indicated its distaste for someone who borrows someone else's copyrighted work merely 'to avoid the drudgery in working up something fresh.'^[xlii] Indeed, as the skeptic might ask: Why not simply write your own world? In a letter to her fans, this is precisely the advice of the writer Anne Rice:

I do not allow fan fiction. The characters are copyrighted. It upsets me terribly to even think about fan fiction with my characters. I advise my readers to write your own original stories with your own characters.^[xliii]

Both the preference for parody over satire and the penchant for entirely original stories turn on the underlying legal notion of substitutability. The critical legal inquiry is: Is there a viable substitute for the copyrighted work? Can the later writer license a copyrighted work, employ a public domain work, or invent a wholly original work as an alternative vehicle for expressing his or her critique? Paul Goldstein expresses his confidence that, for satire at least, such alternatives will be readily available: 'There will rarely be a shortage of works, including public domain works, that with some ingenuity can be made to serve as equally effective vehicles for the intended satire.'^[xiv]

But for Mary Sue fiction, there are no substitutes. It is not the absence of creative genius on the part of the later author that requires the utilisation of the earlier work. The earlier canon work has unique cultural power. While the canon work's

inventiveness or brilliance might have contributed to its current cultural status, it is the very popularity of the canon work that is the focus of the Mary Sue. Of course, by piggybacking on the canon work, the Mary Sue cannot guarantee itself a share in the original's popularity. Rather, for the author and a particular set of readers, the Mary Sue helps re-imagine the world by reworking the elements of popular culture.

There are, of course, brilliant, entirely original texts that reflect an egalitarian worldview. Yet, for whatever reason, such texts have not yet attained the popular cultural status of a small set of iconic works. Popularity might arise through a grassroots, word-of-mouth groundswell, but it is more often carefully cultivated by media corporations. Such an effort requires a large capital investment, an investment out of reach of many marginalised communities. Even when popular alternatives emerge, they can often be co-opted by the dominant players. Take the alternative teenage girl magazine *Sassy*, which was purchased by *Teen* magazine, 'which first integrated it as a column and later phased it out completely.'^[xlv] *Teen* itself was later acquired and integrated into *Seventeen* magazine.^[xlvi]

Critique #2: Why Not License the Fan Fiction?

Copyright law assumes that copyright owners will be reluctant to license criticism of their work. The Supreme Court so stated in *Campbell v. Acuff-Rose*, bolstering the point with literary support: 'Yet the unlikelihood that creators of imaginative works will license critical reviews or lampoons of their own productions removes such uses from the very notion of

a potential licensing market. “People ask ... for criticism, but they only want praise.” (S. Maugham, *Of Human Bondage*).^[xlvii] The Court accordingly concluded that, if there is no derivative market for criticism, criticism of the original work cannot interfere with the potential market for the copyrighted work. This supports the conclusion that critique of the work itself will likely constitute fair use.

But some might argue that this is too pessimistic. If there’s a market for a work, then the copyright owner should seek to maximise his or her profit by exploiting it – even if it means tolerating criticism. (An alternative view is that rather than calling for fair use for criticism, any reluctance to license criticism should simply imply a compulsory license, requiring a royalty payment in lieu of a royalty-free use.) Bruce Keller and Rebecca Tushnet point out that DC Comics, the owner of Batman, Superman, and other superheroes, has licensed stories in which the heroes turn villainous.^[xlviii]

Two recent moves by corporate America suggest that ‘Official Mary Sues’ are not entirely unlikely. Marvel Enterprises, Inc. licensed an Indian version of Spider-Man, with the superhero donning a traditional Indian loincloth and sparring with the Green Goblin recast as a rakshasa, a demon from Hindu cosmology (see figure 1).

Figure 1:
Spider-Man India (by Jeevan J. Kang)



As the Indian publisher announces:

Spider-Man India interweaves the local customs, culture and mystery of modern India, with an eye to making Spider-Man's mythology more relevant to this particular audience. Readers of this series will not see the familiar Peter Parker of Queens under the classic Spider-Man mask, but rather a new hero – a young, Indian boy named Pavitr Prabhakar. As Spider-Man, Pavitr leaps around rickshaws and scooters in Indian streets, while swinging from monuments such as the Gateway of India and the Taj Mahal.^[xix]

Near the end of 2005, Disney announced that it would revise its most lucrative story, Winnie the Pooh, by replacing Christopher Robin with a 'red-haired six-year-old tomboy' girl.^[i] The reaction to Disney's announcement was mixed. Nicholas Tucker, author of *The Rough Guide to Children's Books*, 'thought the new character a huge error.' He continued, 'They're built around a boy who arrives and puts things right, like little boys do.'^[ii] Yet another scholar of children's literature doubts whether the absence of female characters in Winnie the Pooh has a deleterious effect: Kathleen Horning, who trains children's book librarians at the University of Wisconsin Madison, reports that, 'growing up, I had no problem relating to Christopher Robin. He almost had a non-specific gender.'^[iii]

Do these two major moves – involving what are likely to be the single most popular superhero in the world and the single most popular children's cartoon character – suggest that underground versions of popular culture are unnecessary?

The possibility of an official Mary Sue is inadequate for at least

three reasons. First, Disney's move comes after almost 80 years of the male-dominated Hundred Acre Wood; Spider-Man's new ethnicity comes after more than 40 years of a white-only superhero. It seems unreasonable to expect the world's women and minorities to wait patiently for each such move. Second, the official Mary Sue may still leave much to be desired in the characterisation of the newly represented group. Third, even where it expands the representation, it still leaves large omissions: we hazard to predict that the new tomboy girl will be white. Finally, the corporate masters of popular characters are unlikely to license the most disfavoured uses. For example, while DC Comics produced an alternative strip featuring an evil Batman, it issued a cease and desist letter to an artist depicting Batman and Robin as lovers (sometimes explicitly) (see figure 2).^[iv] An evil Batman, it seems, is more palatable than a gay one.

Figure 2.
Batman and Robin (by Mark Chamberlain)



In our own household, we have been unwilling to wait. A popsicle stick and glue help us recreate the popular images with which our daughter grows up.

Compare the following two figures:

Figure 3.
The Adventures of Christopher Robin (by Ernest H. Shepard)

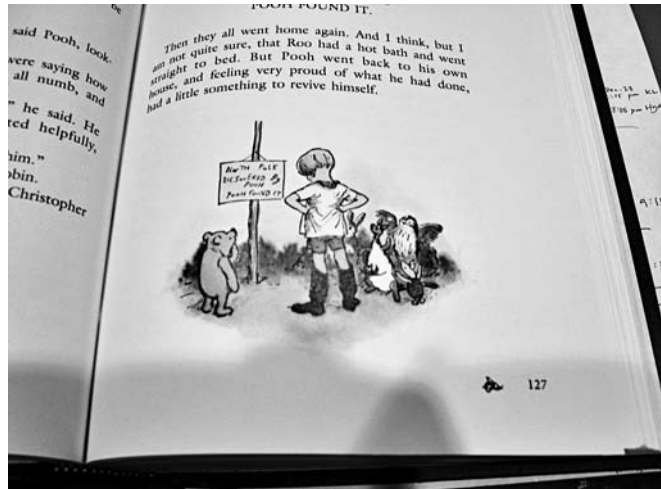
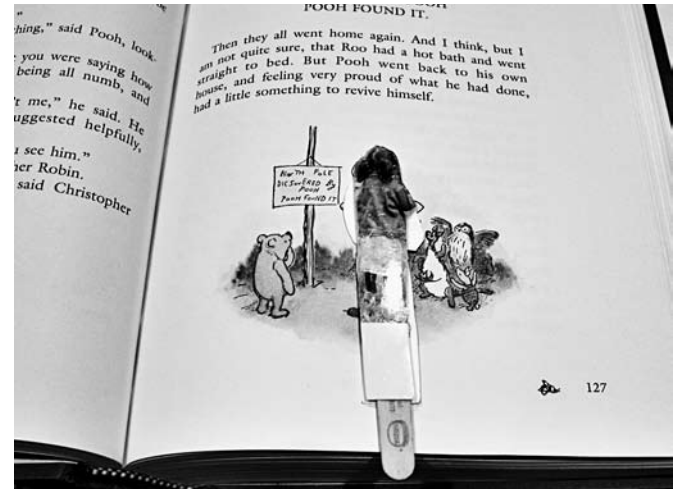


Figure 4.
The Adventures of Anoushka Chander (by Ernest H. Shepard, as modified by Anupam Chander)



III. Conclusion

Reworking the proprietary icons of our age offers one counter-economic strategy. Media stereotypes play an important role in educating people about the capacities of others. More sinister yet, they play an important role in educating us about our own capacities. Given a popular media that marginalises various segments of society, the act of reworking popular stories to assert one's own value is empowering. That act opens the path to new livelihoods and roles. Self-insertion thus changes popular meanings and redistributes profits. The act of copying can be simultaneously homage and subversion.

This paper draws upon a longer work in the California Law Review.

FOOTNOTES

- [i] Paula Smith, *A Trekkie's Tale* (1974), reprinted in Camille Bacon Smith, *Enterprising Women: Television Fandom and the Creation of Popular Myth* (University of Pennsylvania Press 1992) 94.
- [ii] Fan fiction is 'fiction written by people who enjoy a film, novel, television show or other media work, using the characters and situations developed in it and developing new plots in which to use these characters.' Wikipedia, *Fan Fiction*, http://en.wikipedia.org/wiki/Fan_fiction (last visited 11 December 2005).
- [iii] Pat Pfleger, *Too Good to be True: 150 Years of Mary Sue*, <http://www.merrycos.org/papers/MARYSUE.HTM> (dated 2001) (last visited 18 December 2005).
- [iv] Wikipedia, *Mary Sue*, at http://en.wikipedia.org/wiki/Mary_Sue_fanfiction (visited on 11 December 2005).
- [v] *Ibid.*
- [vi] See Bacon-Smith, *supra* note 1.
- [vii] Wikipedia, *Star Trek: The Original Series*, http://en.wikipedia.org/wiki/Star_Trek:_The_Original_Series (last visited 18 December 2005).
- [viii] Wikipedia, *Nichelle Nichols*, http://en.wikipedia.org/wiki/Nichelle_Nichols (last visited 18 December 2005).
- [ix] BBC, *Lt. Uhura*, <http://www.bbc.co.uk/cult/st/original/uhura.shtml> (the kiss 'essentially takes place off-screen, because of the network's concerns about upsetting viewers in the southern states') (last visited 18 December 2005).
- [x] Children Now, *Fall Colors: Prime Time Diversity Report 2003–2004*, (Children Now 2004) 11, available at http://publications.childrennow.org/publications/media/fallcolors_2003.cfm.
- [xi] *Ibid.*, 7.
- [xii] *Ibid.*, 8.
- [xiii] *Ibid.*, 1.
- [xiv] *Ibid.*, 4.
- [xv] *Ibid.*, 6.
- [xvi] *Ibid.*, 3. The Children Now report does not break down roles according to the intersection of race and gender.
- [xvii] Children Now, *Fall Colors: Prime Time Diversity Report, 2000–01* (Children Now 2001) 2.
- [xviii] See A Memo from MANAA to Hollywood: *Asian Stereotypes* (Media Action Network for Asian-Americans), available at <http://www.manaa.org/articles/stereo.html> (last visited 19 December 2005). See also David L. Eng, *Racial Castration: Managing Masculinity in Asian America* (2001) 15–19 (describing the feminisation of the Asian-American male in the US cultural imagination); Gina Marchetti, *Romance and the 'Yellow Peril'*, (1993) 2 (noting that Asian men are depicted as either 'rapists or asexual eunuch figures,' while Asian females are depicted as 'sexually available to the white hero'); Darrell Hamamoto, *Monitored Peril* (1994) 6–31 (discussing how racist images have been imposed upon Asian-Americans on television); Peter Kwan, *Invention, Inversion and Intervention: The Oriental Woman in M. Butterfly, The World of Suzie Wong, and The Adventures of Priscilla, Queen of the Desert*, 5 *Asian Law Journal* (1998) 99.
- [xix] Dana E. Mastro & Bradley S. Greenberg, *The Portrayal of Racial Minorities on Prime Time Television*, *Journal of Broadcasting & Electronic Media*, (Fall 2000) 690–1.
- [xx] Non-whites are specifically identified by race, while whiteness is assumed for all others. Keith Woods, *Harry Potter And The Imbalance of Race*, *PoynterOnline*, 15 July 2005, <http://www.poynter.org/column.asp?id=58&aid=85445> (visited 24 December 2005).
- [xxi] Mark Watson & Mary McMahon, *Children's career development: A research review from a learning perspective*, *Journal of Vocational Behaviour* 67 (2005) 119, 124 (citing S L O'Bryant & C R Corder-Bolz, *The effects of television on children's stereotyping of women's work roles*, *Journal of Vocational Behaviour* 12, (1978) 233).
- [xxii] Rebecca S. Bigler et al., *Race and the Workforce: Occupational Status, Aspirations, and Stereotyping Among African American Children*, *Developmental Psychology* 39 (2003) 572, 578. Interestingly, richer African-American children were more likely to aspire to jobs that they saw performed solely by whites or by both whites and blacks than by blacks exclusively.
- [xxiii] *Ibid.*
- [xxiv] Kelley Massoni, *Modeling Work: Occupational Messages in Seventeen Magazine*, *Gender and Society* 18, (2004) 47, 56–7.
- [xxv] *Ibid.*, 58.
- [xxvi] http://en.wikipedia.org/wiki/Nichelle_Nichols (last visited 19 December 2005).
- [xxvii] *Ibid.*, 49 (emphasis added).

- [xxviii] <http://www.merrycoz.org/papers/MARYSUE.HTM> (last visited 18 December 2005) (emphasis in original).
- [xxix] Neva Chonin, 'If you're an obsessed Harry Potter fan, Voldemort isn't the problem. It's Hermione versus Ginny', *San Francisco Chronicle*, 3 August 2005.
- [xxx] 'Potter translations withdrawn', May 1, 2003, http://www.news24.com/News24/Entertainment/Abroad/0,,2-1225-1243_1354257,00.html (last visited 18 December 2005).
- [xxxi] Manjira Majumdar, *When Harry Met Kali*. The news reports do not tell us whether the fictional characters from Bengali literature are now clearly out of copyright.
- [xxxii] Anupam Chander, *Whose Republic?*, 69 *University of Chicago Law Review* (2002) 1479.
- [xxxiii] According to an entry in Wikipedia at the end of 2005, 'uploading fanfictions based on works by the following authors is forbidden on FanFiction.Net': P. N. Elrod, Raymond Feist, Terry Goodkind, Laurell K. Hamilton, Robin Hobb, Dennis L. McKiernan, Robin McKinley, Irene Radford, Anne Rice, and Nora Roberts/J.D. Robb. Perhaps the proprietor of FanFiction.Net has previously received cease and desist letters from these authors' representatives or has otherwise learned that these authors do not tolerate fan fiction. Wikipedia, FanFiction.net, <http://en.wikipedia.org/wiki/Fanfiction.Net> (last visited Dec. 17, 2005).
- [xxxiv] Even the setting – the world created by a writer devoid of its specific characters – will likely be subject to copyright. Pupiling Hogwarts with newly invented characters is not enough to escape Rowling's copyright claim.
- [xxxv] *Campbell v. Acuff-Rose Music, Inc.*, 510 U.S. (1994) 569.
- [xxxvi] *Ibid.*, 583.
- [xxxvii] *Ibid.*, 579.
- [xxxviii] *SunTrust Bank v. Houghton Mifflin Co.*, 268 F.3d 1257 (11th Cir. 2001).
- [xxxix] *Ibid.*
- [xl] Paul Goldstein, 'Goldstein on Copyright' §12.2.1(b) (3rd ed., Aspen Publishers 2005).
- [xli] *Campbell*, 510 U.S., 580-81.
- [xlii] *Ibid.*, 580.
- [xliii] http://www.annerice.com/fa_writing_archive.htm (emphasis added).
- [xliv] Goldstein, *supra* note 40, §12.2.1(b).
- [xlv] Massoni, *supra* note 24, 50.
- [xlvi] *Ibid.*
- [xlvii] *Campbell*, 510 U.S., 592.
- [xlviii] Bruce P. Keller & Rebecca Tushnet, 'Even More Parodic Than the Real Thing: Parody Lawsuits Revisited', 94 *Trademark Reporter* (September–October 2004) 979, 996.
- [xlix] http://www.gothamcomics.com/spiderman_india/ (last visited 11 January 2006).
- [l] BBC News, 'New-look Pooh "has girl friend"', 9 December 2005, <http://news.bbc.co.uk/2/hi/entertainment/4512770.stm>.
- [ii] Will Pavia, 'My, Christopher Robin, you've changed', *The Times* (London), 9 December 2005, 5.
- [iii] Marco R. della Cava, 'Disney lets girl into Winnie's world', *USA Today*, 7 December 2005, 1D.
- [iiii] "'Gay Batman" Artist Gets "Cease & Desist,"' *Artnet.com* (18 August 2005), at <http://www.artnet.com/magazineus/news/artnetnews/artnetnews8-18-05.asp> (last visited 11 January 2006).
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The political action of the Landless Workers' Movement in Brazil

Bruno Konder Comparato

In a country of continental size such as Brazil, where most of the political parties are weak and regional in scope, one cannot overlook the significant role played by other political actors. This is particularly true when they make their presence felt at the national scale, as is the case with the Landless Workers' Movement – in Portuguese, 'Movimento dos Trabalhadores Sem Terra' or MST. Special attention is due to groups that represent an authentic novelty in the national political scene and that have achieved first class political status, even if none of their actions or organisational characteristics is original per se. The MST recombines and rearticulates known tactics and elements in new ways and shows a remarkable political ability in building alliances with various influential segments of civil society. We are dealing here with a new form of shaping and strengthening social claims, or, perhaps, with a new form of organising political action. Over the last decade, the MST has conquered an important political space in the Brazilian public scene. It has done so by contradicting a supposed tradition of passivity and anomie allegedly characteristic of common people in Brazil, and has succeeded in organising itself on a very large scale, gathering political influence and growing increasingly capable of challenging the status quo.

The MST originated from the convergence and merger of several popular movements centred on land struggles, organised around land occupations in the southern and southwestern states of Rio Grande do Sul, Santa Catarina, Paraná, São Paulo and Mato Grosso do Sul during the first half of the 1980s. Brazil was then going through a gradual democratisation process as the military regime established by the 1964 coup was drawing to a close. The combination of highly concentrated land ownership and the rapid modernisation of capital-intensive agriculture

led to rural unemployment, the expulsion of the poor from the large estates and a massive rural exodus to the 'favelas' and shanty-towns on the periphery of mid-sized or large cities. This tendency coincided with the breakdown of government-sponsored land settlement policies in the Amazon area during the military regime. It was against this background of crises and violent land conflicts that several different movements began to organise resistance and the struggle for peasants' rights.

The Movimento dos Trabalhadores Sem Terra was the direct result of those experiences which, at a certain point, converged to launch the Encruzilhada Natalino encampment in Ronda Alta, in the southernmost state of Rio Grande do Sul, birthplace of the Movement. Officially, it was founded in Cascavel in the state of Paraná, in 1984, during the 1st National Meeting of the Landless Rural Workers' Movement, which was attended by 80 representatives from 13 states.

The states of Rio Grande do Sul and Paraná pioneered the introduction of modern technology and capital-intensive farming methods, mainly for the production of soya and soya derivatives for export. At the same time, minifundia – the subdivision of land until individual plots are too small to be viable, often divided between sons as they are handed on to the next generation – is widespread in traditional areas that have been settled by Italian, German and Polish immigrants among others, and has been the major cause of emigration to neighbouring Paraguay and Rondonia and Mato Grosso in the Amazon since the 1960s. Thus, although violent conflict over land prevails along the shifting agricultural frontier at the periphery of the Amazonian rainforest, the political organisation of the land-struggle movement is mostly a phenomenon that was nurtured alongside modern agriculture, and developed in areas of strong European immigrant influence.

Two decades after its launch in 1984, the MST is present in 23 of the 26 Brazilian states and is capable of organising demonstrations in more than 20 state capitals simultaneously. By the latest evaluation, it engages more than 1.5 million people, or almost 1% of the population of Brazil. About 350,000 families have been settled on their own land, and another 80,000 live in encampments waiting for Government action.

The MST has become important for the economic life of the localities where it is present. The Movement has created about 400 associations in the fields of production, commercialisation and services; 49 Agricultural and Cattle-raising Cooperatives (CPA), which involve 2,299 families; 32 Service Cooperatives, with 11,174 direct partners; two Regional Commercialization Cooperatives and three Credit Cooperatives, with a total of 6,521 members. Additionally, 96 small and medium-sized co-operatives process fruit, vegetables, dairy products, grains, coffee, meat and sweets. All these MST economic enterprises generate employment, salary and profits that indirectly benefit about 700 small towns.

Another one of the MST's great achievements is education. Approximately 160,000 children attend classes from the 1st to the 4th grades in the 1,800 public elementary schools in the Movement's settlements, and the MST employs 3,900 teachers who have created a specific kind of pedagogy for its schools. The Escola Nacional Florestan Fernandes, a graduation school in agronomy created and managed by the Movement, was inaugurated near São Paulo in January 2005. With the help and collaboration of several universities, the MST has virtually eliminated illiteracy among teenagers and adults in the settlements, with much better rates than the similar literacy programs of the

federal government. Because of these impressive results, the Movement received two recognition awards from UNESCO.

As stated by João Pedro Stédile, one of the Movement's leaders, the MST's aim is to struggle against three barriers: the physical fences – the barbed-wire fences that enclose large estates and block any access to land; the barrier of lack of capital, that is, money to finance agriculture, the possibility of purchasing tractors and agricultural equipment in general; and, finally, the barrier of ignorance, meaning both the lack of modern agricultural technology and of knowledge of one's rights and the capacity to defend them.¹

Of course, the MST was not the first land-struggle movement in Brazilian history, which has seen many other episodes of peasant revolt. All the previous movements, however, remained circumscribed to the regions where they first emerged. The Peasant Leagues' action (Ligas Camponesas, in Portuguese) in the 1960s, for instance, was concentrated in the state of Pernambuco and its vicinity. The same happened with the historic Backland rebellion of Canudos, at the end of the nineteenth century, and with the so-called War of the Contestado, at the beginning of the twentieth century, which were restricted to Northeastern Bahia and Western Santa Catarina respectively. In addition, both in Canudos and in the Contestado, the rebels were animated by messianic and mystic inspirations, and aspired to return to a mythic past rather than to transform the conditions of the present. Another important distinction between the MST and all the previous land-struggle movements is that it identifies the federal government, and not the great landowners, as its principal target. The Movement's leaders know indeed that only the government has the means to



Copyshop

Description:

"IF VALUE, THEN COPY"

Text:

COPYSHOP is a place where you can photocopy everything from text to images. We use this name for a shop and information forum which will investigate the phenomenon of copying. In COPYSHOP you will find products that challenge intellectual property. They can be modified originals, improved copies, political anti-brands – or a SUPERCOPY as the new original. COPYSHOP will discuss the control of value in the same place where it is produced and distributed: the market. As an active player the function of COPYSHOP will be as an ordinary shop. Furthermore, COPYSHOP will function as a gathering point and network for a diverse group who share a critical view on intellectual property.

- 'Intellectual property is the oil of the 21st century' – Mark Getty, American businessman and grandson of the oil tycoon J. Paul Getty.
- 'There has never been a time in history when more of our "culture" was as "owned" as it is now. And yet there has never been a time when the concentration of power to control the uses of culture has been as unquestioningly accepted as it is now.' - Lawrence Lessig, lawyer and writer.

Intellectual property in the form of copyright, licences and patents has an increasing importance in society – it affects what we say, where we say it, and to whom we say it. The control of rights to ideas maintains the status quo within the current economic order. The last 10 to 20 years has seen an exponential rise in the range and scope of intellectual property, due to the economics of globalisation and to the spread of information technology. The fundamental legal concept is as follows: 'if value then right', or, to put it another way, 'where there is economic value there is intellectual property'. However, many successful alternatives to these dominant ideas have been proposed, and have led to effective strategies that subvert or bypass existing laws and conventions – the Free/Open Source Software movement and the development of the Linux operating system, for example, or the state-sanctioned infringement of intellectual property in Brazil that has enabled the production of affordable drugs for the treatment of HIV. We want to confront this development and produce, promote and sell products that challenge the concept 'If value then right'.

Source:

www.copy-shop.org

For more information:

COPYSHOP is initiated by Superflex and Copenhagen Brains

promote land reform, to create settlements, and to provide loans to small farmers on viable terms. Besides, the MST does not need the mediation of Congressional representatives in order to make their claims known to the President of the Republic and the other components of the Executive Branch, as its militants have frequently been received by the President and by Federal Ministers.

The MST's organisational structure is first characterised by a strong sense of hierarchy and discipline. In the encampments, married couples are separated from single people; the latter are divided according to gender. The singles have their own kitchen and are closely monitored. Guns and spirits are prohibited. Critics say these rules expose the conservative bias of the movement, proving that it is against modernity. Their leaders, however, simply explain that they are confronting strictly disciplined organisations such as the Army and the Military Police, so they must be disciplined too. Secondly, the MST has learned from the experiences of the previous land-struggle movements; power is divided between 21 national leaders and physical installations are dispersed throughout various localities. Besides power decentralisation, those leaders most often targeted are periodically replaced in order to avoid their elimination through arrest or, in the most extreme cases, assassination. Thirdly, there is a pedagogic process of education and ideological formation, along with the incorporation of new militants through collective work and the creation of family encampments.

Adversaries of the MST commonly make the mistake of believing that the movement is historically retrogressive and that its members form a group of people excluded from modern Brazilian society. The truth is, once rural workers join the movement,

they cease to be excluded and become a community of individuals newly included in society. This is why the militants are able to establish a dialogue with the government, or to make their ideas public in spite of the frequent criticism or open hostility from a considerable part of the media. Once they join, the MST militants acquire a new family, a job and a cause to fight for; in other words, they find a new meaning for their lives. In the words of Marlene, a militant from the state of Mato Grosso: 'The MST is a very good experience. Everything I know about today's Brazilian reality I learned at the movement. I owe everything I know to it. I will never forget it. Watching the families that were in need, that were starving in the cities, unemployed rural workers ... who are now living as I am, it is a great dream come true. We live in community; we have education for the kids, we have health. Health is the most important thing ...'¹² It is implicit in this testimony that what matters for the MST's members is not just the material conditions necessary for survival. Rather, the MST's greatest achievement is its capacity to offer people the minimal conditions to improve their own lives, to give them a new sense of personal dignity, to enable them to conduct their own struggle for improvement. From this perspective, social movements such as the MST play a role in political life that is very similar to that of the welfare state.

The MST's success in setting forth its ideas and positions is to a large extent due to its considerable political force. One can evaluate this capacity to influence political events by an indirect method: observing MST's presence in the daily coverage of national political developments by the Brazilian press. In a previous study, we counted the number of times the Movement was cited in editorials in the four principal Brazilian newspapers (Folha de S.Paulo, O Estado de S.Paulo, Jornal

do Brasil, O Globo).³ The results indicate the status that the MST attained in the Brazilian political scene over the second half of the 1990s. The MST is not, of course, the only landless workers' movement in Brazil; many similar movements are active, several of them inspired by the MST. A study by Bernardo Mançano Fernandes has shown that the MST was directly responsible for only one-third of land occupations in Brazil from 1996 to 1999, and represents approximately two-thirds of the encamped families recorded up to 1996.⁴ The other land-struggle movements, then, dispute the same political space as the MST. A day-to-day examination of political news coverage reveals, however, that the MST remains undoubtedly the principal actor in all matters related to agrarian reform and the main source of organised pressure upon the government. The MST is also the only landless workers' movement to have been accorded editorials in all four of the newspapers mentioned above. A comparison with the largest federation of workers' unions (Central Unica dos Trabalhadores or CUT), which has been considered, since its creation, a sort of trade-union arm of the Workers' Party (PT) and an important critic and adversary of several Federal Administrations before the PT came to power, shows that the MST's media presence is clearly on the rise. In 1995, for instance, the MST inspired 47 editorials, versus 98 for the CUT. Three years later, in 1997, the MST garnered 147 editorials, while the CUT had been reduced to 46. In 2000, the MST was the subject of 77 editorials, and the CUT only 17. These numbers show that in the period between 1995 and 2000, the MST was mentioned at least once a week in one of the four largest newspapers' editorials in Brazil.

In order to understand these numbers, we must recapitulate some key events related to the MST and the country's politics.

In 1995, Fernando Henrique Cardoso became President and seemed determined to dilute and weaken the movement through a massive settlement effort. Until that period, land settlements for agrarian reform purposes had averaged around 12,000 families per year. The Cardoso Administration's advisors estimated that they could settle approximately 280,000 families over the four years of Cardoso's first term. They figured out that if this plan could be realised, the agrarian question would no longer constitute a major governmental problem. They reckoned, in effect, that such a massive settlement policy would considerably erode the landless workers movements' potential to attract new adherents and that once most of the demands for agrarian reform had been met, the subject would lose much of its appeal and legitimacy in the eyes of the public. The proposed goals have been attained, and 287,539 families were settled during the first Cardoso Administration (1995–1998), according to official figures. What the official planners had not foreseen, however, was that the MST increased in strength and visibility in Brazilian society over this very same period.

On 17 April 1996, nineteen militants from the MST were shot and killed by the military police of the northern state of Pará while demonstrating on a road at Eldorado dos Carajás, in that state. The incident was televised and re-transmitted worldwide. The movement gained immediate publicity, prompting the government to monitor its actions with enhanced attention. In spite of this precedent, just one year later the government did not seriously consider the possibility that a march to Brasília organised by MST leaders between February and April 1997 would have much impact. Three columns of landless workers met in Brasília after the two-month march. The aim of the initiative was to pressure the government to receive MST leaders and



Counter-strike/ Self-organise

Description:

The Counter-strike project is an archive of films that document or fictionalise self-organised communities, along with a free, public presentation of the online multiplayer videogame Counter-strike.

Text:

The game Counter-strike began life as a mod for the commercial release Half-Life created by an informal group of hackers and gamers for their own entertainment and initially distributed for free. Counter-strike is an online, multiplayer, team game – in its commercially released form, one of the most popular, with up to 100,000 games taking place at any one time - that you can't play alone. Players form new teams from game to game, often playing alongside complete strangers that they will never meet, but with whom they must cooperate if they are to succeed. Counter-strike also plays out, in limited form, a scenario with a certain contemporary resonance, a conflict between 'terrorists' and 'counter-terrorists'.

The films range from Eisenstein's classic 'Strike', a fictionalised account of the failed Bolshevik revolution of 1905, through documentaries such as 'Christiania, you have my heart', that presents the hippy-anarchist enclave of Christiania in Copenhagen as a functioning, alternative social model, and 'The Coconut Revolution' that documents an uprising on the Pacific island of Bougainville, a rebellion at a mine owned by Rio Tinto Zinc that turned into an armed struggle between the newly formed Bougainville Revolutionary Army, and the state forces of Papua New Guinea. The films present a range of scenarios, from the optimistic to the disastrous, that show self-organisation as simply a method - a necessary response, a calculated strategy or the accidental outcome of a situation.

Source:

Will Bradley

For more information:

www.superflex.net/text/articles/counterstrike.shtml

The project was presented at the following venues:

- Superflex tools + counter-strike, Rooseum malmö., Sweden, 2002
- Counter-strike/ Self-organise, Museum of Contemporary Art Kiasma, Helsinki, Finland, 2003
- Social pudding, Rirkrit Tirvanija & Superflex, GFZK, Leipzig, Germany, 2003
- Arcadia, Govett - Brewster Art Gallery, New Zealand, 2003

The Diggers

Description:

Radical guerilla street theater group who realized their vision of a Free community in sixties San Francisco.

Text:

The Post-Competitive, Comparative Game of a Free City – Our state of awareness demands that we uplift our efforts from competitive game playing in the underground to the comparative roles of free families in free cities.

We must pool our resources and interact our energies to provide the freedom for our individual activities.

In each city of the world there is a loose competitive underground composed of groups whose aims overlap, conflict, and generally enervate the desired goal of autonomy. By now we all have guns, know how to use them, know our enemy, and are ready to defend. We know that we ain't gonna take no more shit. So it's about time we carried ourselves a little heavier and got down to the business of creating free cities within the urban environments of the western world.

Free Cities are composed of Free Families (e.g., in San Francisco: Diggers, Black Panthers, Provos, Mission Rebels and various revolutionist gangs and communes) who establish and maintain services that provide a base of freedom for autonomous groups to carry out their programs without having to hassle for food, printing facilities, transportation, mechanics, money, housing, working space, clothes, machinery, trucks, etc.

At this point in our revolution it is demanded that the families, communes, black organizations and gangs of every city in America coordinate and develop Free Cities where everything that is necessary can be obtained for free by those involved in the various activities of the individual clans. Every brother and sister should have what they need to do whatever needs to be done.

Free City – An outline... a beginning. Each service should be performed by a tight gang of brothers and sisters whose commitment should enable them to handle an overload of work with ability and enthusiasm. 'Tripsters' soon get bored, hopefully before they cause an economic strain.

Free City Switchboard/Information Center should coordinate all services, activities, and aid and direct assistance where it is most needed. Also provide a reference point for legal aid, housing, machinery, etc.; act as a mailing address for dislocated groups or individuals and guide random energies where they are most needed. (The work load usually prevents or should prevent the handling of messages from parents to their runaway children... that should be left up to the churches of the community.)

Free Food Storage and Distribution Center – Should hit every available source of free food—produce markets, farmers' markets, meat-packing plants, farms, dairies,



sheep and cattle ranches, agricultural colleges, and giant institutions (for the uneaten vats of food)—and fill up their trucks with the surplus by begging, borrowing, stealing, forming liaisons and communications with delivery drivers for the leftovers from their routes . . . best method is to work in two shifts: morning group picks up the foodstuffs and the afternoon shift delivers it to the list of Free Families and the poor peoples of the ghettos. Everyday. Hard work.

This gang should help people pool their welfare food stamps and get their old ladies or a group to open a free restaurant for people on the move and those who live on the streets. Giant scores should be stored in a garage-type warehouse equipped with freezers and its whereabouts known only to the Free Food Gang. This group should also set up and provide help for canning, preserving, bread baking, and feasts and anything and everything else that has to do with food.

Free City Garage and Mechanics – To repair and maintain all vehicles used in the various services. The responsibility for the necessary tools and parts needed in their work is entirely theirs and usually available by maintaining friendly relations with junkyards, giant automotive schools, and generally scrounging around those areas where auto equipment is easily obtained. The garage should be large enough and free of trippers who only create more work for the earnest mechanics.

Free City Bank and Treasury – This group should be responsible for raising money, making free money, paying rents, for gasoline, and any other necessary expenses of the Free City Families. They should also organize and create small rackets (cookie sales, etc.) for the poor kids of the ghettos and aid in the repair and maintenance of the machinery required in the performance of the various services.

Free City Legal Assistance – High-style, hard-nosed, top-class lawyers who are willing to defend the rights of the Free City and its services... no honky, liberal, bleeding-heart, guilt-ridden advocates of justice, but first-class case-winners... turn on the best lawyers who can set up airtight receivership for free money and property, and beat down the police harassment and brutality of your areas.

Free City Housing and Work Space – Rent or work deals with the urban gov't to take over spaces that have been abandoned for use as carpentry shops, garages, theaters, etc., rent whole houses, but don't let them turn into crash pads. Set up hotels for new arrivals or transients by working out deals with small hotel owners for free rooms in exchange for light housework, porter duties, etc. Big warehouses can be worked on by environmental artists and turned into giant free dance-fiesta-feast palaces.

A strong trio of serious business-oriented cats should develop this liberation of space within the cities and be able to work with the lawyers to make deals and outmaneuver urban bureaucracies and slum landlords... one of the main targets for space are the churches who are the holders of most real estate and they should be approached with a no-bullshit hard line.

Free City Stores and Workshops – Nothing in these stores should be throwaway items... space should be available for chicks to sew dresses, make pants to order, recut garments to fit, etc. The management should all be life-actors capable of turning bullshitters into mud. Important that these places are first class environments with no trace of salvation army/st. vinnie de paul charity rot. Everything groovy. Everything with style... must be first class. It's all free because it's yours!

Free Medical Thing – Should be established in all poverty areas and run by private physicians and free from any bureaucratic support. The Free City Bank should try to cover the expenses, and pharmaceutical houses should be hit for medical supplies, etc. Important that the doctors are brothers and do not ask to be salaried or are not out to make careers for themselves (witness Dr. David Smith of the Hippie Free Clinic in San Francisco who is far from a brother... very far).

Free City Hospital – Should be a house converted into bed space and preferably with a garden and used for convalescence and people whose minds have been blown or who have just been released from a state institution and who need the comfort and solace of their people rather than the cold alienated walls of an urban institution.

Free City Environmental and Design Gang – Gangs of artists from universities and art institutes should be turned on and helped in attacking the dank squalor of the slums and most of the Free City Family dwellings... paint landscapes on the sides of tenements... fiberglass stairwells... make crazy. Tight groups of good painters, sculptors, designers who comfortably construct environments for the community. Materials and equipment can be hustled from university projects and manufacturers, etc.

Free City Schools – Schools designed and run by different groups according to the consciousness of their Free Families (e.g., Black Man's Free School, Anarchist's Creative Arts School, etc.). The schools should utilize the space liberated for them by the Free City Space Gang.

Free City News and Communication Company – Providers of a daily newspaper, monthly magazine, free Gestetner and printing of notices for other groups and any special bulletins and propaganda for the various families of the Free City. The machinery should be kept in top condition and supplied by any of the various services. Paper can be scavenged at large mills and cut down to proper working size.

Free City Events... Festival Planning Committees – Usually involves several Families interacting to sponsor tours for the kids ... Balls, Happenings, Theatre, Dance, and spontaneous experiments in joy ... Park Events usually are best set up by hiring a 20-foot flatbed truck for the rock band to use as a stage and to transport their equipment; people should be advised by leaflets to bring food to exchange with their neighbors; banners, props, balloons, kites etc., should be handled by a committee;

an electrician should be around to run the generator and make sure that the PA systems work; hard work made easy by giving responsible people the tough jobs.

Cooperative Farms and Campsites – The farms should be run by experienced hands and the Free Land settled on by cottage industrial people who will send their wares into the Free City. The farms must produce vital food for the families... some free land that is no good for farming should be used as campsites and/or cabin areas for citizens who are in need of country leisure, as well as kids who could use a summer in the woods.

Scavenger Corps and Transport Gang – Is responsible for garbage collection and the picking up and delivery of items to the various services, as well as liberating anything they think useful for one project or another. They are to be responsible for the truck fleet and especially aware of the economic strain if trucks are misused by trippers.

Free City Tinkers and Gunsmiths, Etc. – Will repair and keep things going in the houses... experienced repairmen of all sorts, electricians, and carpenters. They should maintain a warehouse or working space for their outfit.

Free City Radio, TV and Computer Stations – Demand Free time on radio and TV stations; demand a Free City frequency to set up your own stations; rent computers to call the punches for the revolution or use them in any constructive way possible.

Source:

The Digger Papers, San Francisco 1968

For more information:

www.diggers.org

to reopen talks that had been interrupted after the Eldorado dos Carajás massacre. The result was a resounding success: on their arrival in Brasília, representatives of the demonstrators were received by the President of the Republic and also met the Presidents of the National Congress and of the Supreme Court of Justice; that is, all the most important authorities of the Executive, Legislative and Judicial branches.

The MST has been successful so far in gaining public sympathy thanks to the strict organisation and good discipline of its demonstrations. The majority of the Brazilian population lives, in fact, in urban areas (80%), against only about 20% in rural localities. Hence, the struggle for agrarian reform has to be fought and won in the cities, close to the majority of public opinion. This explains why the Movement attaches so much importance to launching demonstrations and meetings simultaneously in as many state capitals as possible. All the MST's initiatives – marches, land occupations, encampments – always have the nature of mass demonstrations because the Movement's leaders know that this is the best way to prevent their violent repression.

In spite of the systematic negative presentation of the MST by most of the media, it generally manages to obtain significant levels of reaction to its statements or actions and to reach large sectors of public opinion. The Movement's leaders have a keen sense of opportunity and know very well what kind of activities will catch the media's attention. For instance, in order to ensure adequate visibility in the media, land occupations are preferentially located near roads and highways for easy access. In the same spirit, the choice of government seats, bureaux of official agencies or bank offices for the organisation of temporary encampments guarantees that such protest acts

will certainly appear prominently in television news and in the newspapers. Occupations of government buildings or demonstrations in front of the rural property of former President Cardoso's family were successful examples of the MST's well-known talent for exploiting the media's hunger for spectacular news.

Demonstrations and urban occupations are realised in strategically chosen places so as to gain the highest possible visibility without disturbing the daily routine of the city or its inhabitants. From the point of view of the Movement's leaders, the goal is to make the population aware of the key questions related to agrarian reform, rather than to cause annoyance and trouble. In effect, militants only rarely block an avenue or prevent government employees from entering their workplaces.

As a strategy to win the sympathy of the urban population and to show solidarity among workers, the MST also supports typical urban struggles such as demonstrations for increasing minimum wages, demonstrations by teachers or public health employees for better working conditions, union strikes and even police officers' protests for better salaries. MST leaders' public statements in support of urban popular movements are sometimes interpreted by the press as evidence that the Movement is not sincerely interested in agrarian reform, but acts mainly in a revolutionary sense.

Public opinion polls taken over recent years show that the majority of the Brazilian population supports the MST and its goals. The support for agrarian reform varies between 80% and 94%, while approximately two-thirds of the population considers the MST a legitimate movement. Over the period of the

1997 march to Brasilia the movement's popularity reached its peak, with public support reaching 77%.

What particularly worries the Brazilian government is the difficulty of neutralising the ability of the MST to remain visible in the media. In effect, the Movement would have never become such a formidable opponent if it had adopted the institutionalised form of political opposition favoured by the established unions. The union organisation is not an attractive alternative to the Movement. Far from the MST imitating the unions, it is the latter that have begun to replicate the strategies adopted by the MST. Another alternative would be the parliamentary path, converting the organisation into a political party. Some analysts indeed argue that this is the likely future development of the Movement.

As noted above, an incontrovertible proof of the political force of the landless workers' movement is that it does not need, or does not want, to resort to the mediation of Congress to present its claims to the Executive branch.

Among the 513 members of the Brazilian House of Representatives, no more than ten openly defend the MST's interests. In contrast, nearly one-third of Representatives are committed to the defence of landowners' interests, often being big landowners themselves. On a recent occasion, landowners gave an additional proof of their overwhelming influence in Congress by approving an extremely biased report of the Congressional Inquiry Committee on Land Issues (CPMI). This committee had been created in 2003 with the aim of carrying out a broad evaluation and an impartial diagnosis of the Brazilian agrarian structure and reform process, as well as of the campaigns conducted both by the workers' and the landowners' movements.

Although its mandate was to identify the path to a reasonable solution to land problems, the majority of Committee members preferred to come down squarely on the side of criminalising landless workers' movements, particularly the MST, instead of proposing effective solutions to this long-lasting stalemate.

After two years of research, fact-finding visits to nine different states, 125 interviews, the inspection of 75,000 pages of documents, and the analysis of dozens of agreements entered into by the Federal Government with both workers' and landowners' bodies, the report released in 2005 concluded with the overly simplistic and unilateral interpretation that Brazilian agrarian problems were primarily related to the way federal resources had been distributed to entities connected with landless workers.

The approved report is completely silent as far as violence in rural areas is concerned, and ignores the high number of rural workers' assassinations and the illegal appropriation of public lands by greedy landowners. It makes no mention whatsoever of forced or enslaved labor or of the armed militias formed by some big landowners. The text is so blatantly reactionary as to recommend the approval of a law that would brand land occupations as heinous crimes and the actions of those who carry out occupations as terrorist acts.

Questioned about the unbalanced representation of agrarian interests in Congress, the MST leader, João Pedro Stédile, answered that the locus of the struggle for agrarian reform had moved from Congress to other sectors of society: Congress was the theatre of the movement's struggle during the period when the new constitution was in the process of being discussed and drafted, in 1986 and 1987.⁵ This is certainly true, but one could add that, after that very

particular historic moment marked by democratisation after 21 uninterrupted years of military rule, the conservative and far-right forces were better able to re-group and re-assert their traditional power in almost all sectors of Brazilian society. Since then, there has been a perceptible reaction against what those forces perceive as the 'excesses' of the so-called Citizen Constitution, in terms not only of agrarian reform but in relation to social rights in general. According to Stédile, Parliament is no more than the mirror of society's current correlation of forces, which implicitly admits that the agrarian reform movements have lost power since the Constitution was drafted. This correlation will only change if and when people are able to organise themselves in order to fight for their rights. 'Parliamentary work is necessary,' he adds, 'but the fundamental aspect is the organisation of the masses. All the profound changes in mankind's history were due to mass mobilisation of organised people.'

An important ally of the landless workers' cause is the Brazilian Catholic Church, especially the Land Pastoral Commission (CPT), whose help has been of great use because of its all-pervasive presence even in the most remote parts of Brazil, near the frontier areas where the majority of land conflicts occur. It enjoys, thus, a good position from which to accurately record the murders of rural workers and to denounce the murders publicly. Its logistical support has also been important, as during the march to Brasília, when the Catholic Church allowed marchers to stay overnight in churches and parochial houses all along the route and helped to feed and assist them. Another significant type of material support given by the Church is the financial aid obtained thanks to donations from international Christian organizations such as Misereor, Bilance, Icco, Heks and Christian Aid. According to some estimates, approximately

WHAT IF YOU COULD TAKE MUSIC AND CULTURE BACK FROM CORPORATIONS?

Brown Free Culture is a student group that's part of a new national movement to end homogenization of culture and restrictions on creativity. We support:

- Rational copyright law that encourages innovation.
- Free, open-source software.
- Ending corporate domination of music, art, and media.

And we're getting things done. This semester we will be making concrete plans to advance these goals and coordinating with the national student organization. You can be a leader in the fast growing college activism campaign in the world. Learn more about the issues and what we're working on at: FreeCulture.org

BE AT OUR FIRST MEETING

**Tuesday September 7 at 8pm
Sayles Hall, Room 201**

FreeCulture.org

Description:

An international student movement for free culture.

Text:

Free Culture Manifesto

The mission of the Free Culture movement is to build a bottom-up, participatory structure to society and culture, rather than a top-down, closed, proprietary structure. Through the democratizing power of digital technology and the Internet, we can place the tools of creation and distribution, communication and collaboration, teaching and learning into the hands of the common person – and with a truly active, connected, informed citizenry, injustice and oppression will slowly but surely vanish from the earth.

We believe that culture should be a two-way affair, about participation, not merely consumption. We will not be content to sit passively at the end of a one-way media tube. With the Internet and other advances, the technology exists for a new paradigm of creation, one where anyone can be an artist, and anyone can succeed, based not on their industry connections, but on their merit.

We refuse to accept a future of digital feudalism where we do not actually own the products we buy, but we are merely granted limited uses of them as long as we pay the rent. We must halt and reverse the recent radical expansion of intellectual property rights, which threaten to reach the point where they trump any and all other rights of the individual and society.

The freedom to build upon the past is necessary for creativity and innovation to thrive. We will use and promote our cultural heritage in the public domain. We will make, share, adapt, and promote open content. We will listen to free music, look at free art, watch free film, and read free books. All the while, we will contribute, discuss, annotate, critique, improve, improvise, remix, mutate, and add yet more ingredients into the free culture soup.

We will help everyone understand the value of our cultural wealth, promoting free software and the open-source model. We will resist repressive legislation which threatens our civil liberties and stifles innovation. We will oppose hardware-level monitoring devices that will prevent users from having control of their own machines and their own data.

We won't allow the content industry to cling to obsolete modes of distribution through bad legislation. We will be active participants in a free culture of connectivity and

production, made possible as it never was before by the Internet and digital technology, and we will fight to prevent this new potential from being locked down by corporate and legislative control. If we allow the bottom-up, participatory structure of the Internet to be twisted into a glorified cable TV service – if we allow the established paradigm of creation and distribution to reassert itself – then the window of opportunity opened by the Internet will have been closed, and we will have lost something beautiful, revolutionary, and irretrievable.

The future is in our hands; we must build a technological and cultural movement to defend the digital commons.

For more information:
www.freeculture.org/manifesto.php
www.freeculture.org

The movement is inspired by the book Free Culture by Lawrence Lessig
www.free-culture.cc

15% of the MST's resources come from this international solidarity network.

The political importance of the Church's support to the land reform cause led the Cardoso government to conduct a systematic campaign in the Vatican to defend the government's actions. The Land Reform Minister undertook five visits to the Vatican to that end.

There is, in conservative circles, a widespread fear that the MST may become a grave threat to Brazilian democracy. Those who are hostile to the movement argue that the MST's aspirations and goals may be legitimate, but the methods it uses to advance its cause – occupations of land or public buildings – are questionable because they clearly violate the law.

It is necessary to explain here the crucial difference between the terms 'invasion' and 'occupation'. The term 'invasion' belongs to the military vocabulary, and presumes an intention, on the invaders' part, to settle down on the land and to resist any attempt by owners or authorities to retake the conquered position. The term 'occupation' suggests, instead, a temporary action to prepare for an eventual and definitive settlement. It is not unintentionally that those who disapprove of the MST's actions refer to them as 'invasions' whereas the Movement's militants consider them merely 'occupations'.

From the Movement's point of view, when it occupies a public building or some other strategic place, it does so in order to draw society's attention to the violation of agreements entered into or promises made by the government, for instance, funds for settlements promised by the Administration but not released by the Ministry of Finance.

The logic that guides the MST's actions is to draw public attention to the situation of extreme poverty that affects the landless workers and to contrast it with the inadequate or inefficient exploitation of great expanses of land. Whenever the movement makes an encampment on a particular property, the objective is to denounce the lack of adequate exploitation of that land, or to point to irregularities that can be related to unpaid taxes, violations of environmental laws etc, in such a way that it places the landowner in debt to the federal government. In other words, what the movement's militants want from the government is due respect to the 'social function of the land', as defined in the Brazilian Constitution. On these grounds, the movement's leaders can say that the occupations are necessary, because they prove that the law is on their side. When they are summoned by the Judiciary's representatives to end their occupations, they do not resist. Even if they wanted to, they would have no means to resist, as they do not carry guns, in contrast to the Military Police and the Army, who are usually called to guarantee implementation of judicial orders.

It is no exaggeration to state that the MST represents an enormous advance in terms of its methods for raising the level of society's political conscience. When a group of landless workers pressures the government to settle the workers on land appropriate for agrarian reform and to release funds for the settlement, they are not asking for a favour, but claiming a Constitutional right. It is not a minor right, but the fundamental right to work, as stated in the 6th International Covenant on Economic and Social Rights, approved by the United Nations in 1966 and duly ratified by Brazil. This is the root of the radical form assumed by the MST's claims. In effect, it is perfectly possible to negotiate a salary rise or better working conditions

in a spirit of compromise and transaction, but nobody should be asked to renounce a fundamental right. Instead of representing a potential risk to Brazilian democracy, as some analysts say, the MST is a valuable factor towards strengthening democratic life since it underscores the central need to respect and actively defend fundamental rights. Thus, former President Fernando Henrique Cardoso was right when he emphasised, in a speech on the occasion of the sanctioning of the law that created the public land registry system, on 28 August 2001, 'the great cooperation provided by the MST for the change of Brazilian society, even when sometimes it has gone too far'.

In January 2003, Luís Inácio 'Lula' da Silva became President. Being a longtime friend of the MST, many hoped that land reform would take a decisive step ahead under his Administration. Nevertheless, he argued that the prevailing economic conditions did not allow the new Administration to fulfill all the landless workers' demands. The number of completed settlements has even been frustrating, in comparison with the previous Administration. Lula's Administration has chosen to privilege the provision of financial credits and the quality of settlements instead of opening new settlements in frontier areas where material conditions are an obstacle to success.

In conclusion, the MST does not occupy only land and public buildings, but also occupies ministerial meetings, presidential speeches, intelligence services reports, newspaper editorials, news headlines, Congressional debates, public opinion polls and official conversations between Brazil's President and the Pope. The MST's aim is not confined to the implementation of agrarian reform, but covers the discussion of public policies related in some way to agrarian questions, expressing,

for instance, the movement's opinion in relation to the use of genetically modified seeds, chemical farming and other matters that affect small-scale agriculture.

Agrarian reform cannot be separated from other relevant issues in terms of the values that ought to orient society's choices for the benefit of heightened welfare for the majority of the population, and for a more balanced and fair political, economic and social organisation of the country. It requires, as an MST militant stated, a fundamental revolution, a revolution that takes place inside our own minds. In this sense, what the MST basically does is provide the poor, the weak, the vulnerable, the landless, the homeless, those who lack everything but their human potential, with a powerful instrument to overcome difficulties through self-organisation. Its ultimate goal is admittedly to influence the reshaping of economic and social life according to the highest human priority – the empowerment of common people so that they become capable of improving and enriching their lives.

FOOTNOTES

- 1 Stedile, J P and B M Fernandes, *Brava Gente – A trajetória do MST e a luta pela terra no Brasil* (São Paulo: Fundação Perseu Abramo) 1999.
- 2 Santos A P, S L S Ribiero and J C S B Meihy, *Vozes da Marcha pela Terra* (São Paulo: Loyola) 1998.
- 3 Comparato, B K, *L'Action Politique des Sans-Terre au Brésil* (Paris: L'Harmattan) 2004.
- 4 Fernandes, B M, *A Formação do MST no Brasil* (Petrópolis: Vozes) 1999.
- 5 Comparato, B K, *L'Action Politique des Sans-Terre au Brésil* (Paris: L'Harmattan) 2004.



GYBO

Description:

Get Your Bootleg On, an internet message board for DJs and musicians who create 'bootlegs' or 'mash-ups' – new music created by mixing existing commercial tracks together. GYBO has moved and changed several times under the threat of legal action. The current version is at www.gybo-v3.co.uk

Text:

Topic: Legality of Mash-ups

djsxxxx Sun Jun 04, 2006 8:54 pm

- Hi all, need some help... I'm very confused with the whole "legality" of mashups. I used to enjoy creating them & I have made many over the past few years but since putting them on my website I recieved an email from the BPI (British Phonographic Industry) ordering me to remove them from my website & stop distributing my mashses & even 30 second samples of them which are of a poor quality like 96kbs!
- More to the point I am disappointed in the rules & regs & I wondered if there is any way around this sticky situation??

Mixxxxxxx Sun Jun 04, 2006 8:56 pm

- If the audio is protected by copyright, and you don't have the permission to use it, you're breaking the law. Simple as that.

Heaxxxxxxx Sun Jun 04, 2006 8:59 pm

- There is no legal precedent that differentiates bootlegs from any other copyright infringement. so no, it's entirely illegal – end of. whether they turn a blind eye, however, is another matter entirely. you've not been so lucky. i suggest closing down for a few months, and coming back quietly... with only two or three songs hosted at any one time.

djsxxxx Sun Jun 04, 2006 9:11 pm

- Hey ho, I guess that's the end of that then LOL.

Mixxxxxxx Sun Jun 04, 2006 9:17 pm

- It may be illegal, but so was DJ Danger Mouse's The Grey Album. And look what happened to him.

Marxxxxxx Sun Jun 04, 2006 9:35 pm

- What if you just rename the mp-3 with a non-existing extension ? The file itself will then be unreadable for any mediaplayer. Then the use of copyrighted material cannot be proven on the file you distribute.

Abexxxxxxx Sun Jun 04, 2006 10:12 pm

- Don't host the stuff on your website, or get a webhost that doesn't care, then ignore the BPI

dj_xxxxxx **Mon Jun 05, 2006 5:16 am**

- One of the problems is by having a ".co.uk" site. You could try hosting your files on Multiply or Musicbuilder, or if you're not keen on giving up the .co.uk domain, you can do something similar to what GYBO has done and just have links to the songs which are hosted elsewhere.

Socxxxxxxx **Mon Jun 05, 2006 12:32 pm**

- Nope. Cease & Desist means its a "NO" go

Dafxxxxxxx **Mon Jun 05, 2006 2:08 pm**

- Just to be annoying: Making a mashup is not illegal. For example, if you own two CDs, rip two songs, and mash them together – that's not illegal. Listening to the mashup you made for yourself is not illegal.
- However: – Distributing it is illegal (CDs, MP3s, etc.) when done in a method that is commercial (i.e. selling a CD or file) or can be distributed in mass numbers (such as an mp-3 download). In theory, making a tape for your pal and letting them listen to it isn't exactly illegal, but is questionable. Napster (ye olden days) tried to argue this loophole in the copyright/duplication issue to justify it back in the day.
- Playing it on Internet radio is illegal. At least in the US, the RIAA has passed laws that specifically outlaw "illegitimate" music from being aired across in Internet radio waves. The law wasn't intended to block home remixes and mashups, but by the letter of the law has done so. Even if you're playing your own mashup.
- There are some arguments in "fair use" such as protest, parody and freedom of expression. For example, if you mashup Green Day to protest their music for political purposes, chances are Warner wouldn't give you the rights to use their music to do the protest. So, there is some room for allowing a protest without permitting copyright holders to block your freedom of expression. However, justifying a realistically and legally valid protest against Green Day while mashing up their music is somewhat unrealistic.

Robxxxxxxx **Mon Jun 05, 2006 6:00 pm**

- Dafxxxxxxx wrote: Making a mashup is not illegal. For example, if you own two CDs, rip two songs, and mash them together – that's not illegal. Listening to the mashup you made for yourself is not illegal.
- Totally wrong. Even just ripping the tracks to start with is illegal. Rendering (consolidating, exporting, or whatever your software calls it) your mashup is illegal. Wherever you make a copy of something that is copyrighted, it's illegal – notwithstanding the usual exceptions for criticism, parody (US only), etc.
- Unless copyright law in the US is very much more different to copyright law in the UK that I'd previously understood...

- Dafxxxxxxx wrote: At least in the US, the RIAA has passed laws that specifically outlaw "illegitimate" music from being aired across in Internet radio waves.
- The RIAA can't pass laws! They're a group of record labels, not the government!

djsxxxx **Mon Jun 05, 2006 6:44 pm**

- Cheers everyone, I am interested on hearing all your views & opinions. I really don't want to give up just yet but I don't really feel like I have a choice anymore. I don't quite understand how others get away with it, I mean either I've been stitched up or I'm just extremely unlucky!
- I do have loads of great ideas for new mashes but I'm now afraid to make one, I mean i've been warned now & don't really fancy pushing my luck. To those of you who suggested hosting my files elsewhere surely if my name is on it I am still likely to get into trouble as they will know I am the one who started sharing it in the first place.
- All I want to do is express my feeling & share my passion for music by creating different rythms & vibes. Surely that's not too much to ask for if all I am gaining out of it is recognition?!?!
- Thanks for all the support peeps

Magxxxxxxx **Mon Jun 05, 2006 7:08 pm**

- DJ Spark, if theres one thing u must learn to do if yur gonna make mashes is... STICK IT TO THE MAN!

Pilxxxxxxx **Mon Jun 05, 2006 9:27 pm**

- If you want to keep your domain name – i see you got a good one, dont host anything on it-set up a divert to another host, which has your tunes on it, then you can piss them off get closed down etc to your hearts content. Ours isnt working at the mo cos we forgot to pay them.. ie wwwdotPilxxxxxxx dot tv but the tunes are on wwwdotscottcairo dot co dot uk/Pilxxxxxxx

tbxxxxxxx **Tue Jun 06, 2006 1:12 am**

- also host your domain at a separate domain host not your ISP or webhost. Might cost a little bit more (but you usually have to pay the hosting fees anyway so makes little odds, or could save money) but it's another target to hit and more likely that your domain won't go with your host if they pull the plug...dunno if the host can confiscate the domain but they definitely can't if it's another company.
- Paranoid? Me? Yep! But I have been C&D'd in the past.

Corxxxxxxx **Tue Jun 06, 2006 12:18 pm**

- Look on the bright side, at least you got a REAL C&D, and not a fake one.

Heaxxxxxxx **Tue Jun 06, 2006 12:33 pm**

- A couple of reasons why you may have been picked on: one of your tracks made

it "big" on the net. search to see if you've been massively blogged over a particular track. have a look at the amount of hits/bandwidth used lately – has there been a surge? Or you typed out and listed every component track and artist in your mashups, in which case, they don't need to do any research or hard work, they can just c&p your track information into a C&D and fire it off. easy pickings, innit.

djsxxxxx Tue Jun 06, 2006 3:47 pm

- Sounds like you guys defo know your stuff. To those of you who suggested using another host I wouldn't mind doing that, I'm just worried they could prosecute me or lock me up! lol.
- I mean to be honest I like my domain name but at the end of the day I'm not overly fussed if they took that away from me. What is the worst the BPI could do? For those of you who are interested in my previous work these include:

ATFC Vs Alice DeeJay – Better Bad Habit
Blu Cantrell & Sean Paul Vs Mary J. Blige – Breathe Affair
Aretha Franklin vs Michael Gray – Deeper Weekend Love
Kelis Vs C&C Music Factory – Everybody Dance To Milkshake!
Scissor Sisters vs Lipps Inc. – Funky/Gorgeous
20 Fingers Vs Paul Johnson – Get Down On My Short Dick
Basement Jaxx vs Shakedown – Gosh Night
Gwen Stefani vs Silicone Soul – Holla Right Back Girl
Madonna Vs Dannii Minogue – I Wanna Be A Star
Destiny's Child Vs Shapeshifters – Lola's Bug A Boo
Mariah Carey vs Robin S – Love Like That
Eminem Vs Stardust – Music Sounds Better Without Me
Gwen Stefani vs 2 Unlimited – No Waiting Limit
Beyonce vs Amerie – One Crazy Thing
Dannii Minogue vs Gina G – Ooh Ahh This Is It
Eminem Vs Darude – Shady Sandstorm
Britney Spears Vs Eurythmics – Slave Dreams
Onepatdeeva Vs Stonebridge – Take Onepatdeeva Away
Brandy & Monica Vs Aaliyah – The Boy Is Mine Again
Madonna vs ATB – Til Music Comes
Destiny's Child Vs Kelis – Trick Woman

mr.xxxxxxx Wed Jun 07, 2006 4:01 pm

- djspark wrote:
20 Fingers Vs Paul Johnson – Get Down On My Short Dick
Mariah Carey vs Robin S – Love Like That
Eminem Vs Stardust – Music Sounds Better Without Me
Gwen Stefani vs 2 Unlimited – No Waiting Limit
D*mn, I love these, especially "Love like that".. keeps me going all night

kinxxxxxxx Wed Jun 07, 2006 8:38 pm

- Whatever happened to good old fashioned rebelliousness?

Lanxxxxxxx Mon Jun 12, 2006 3:40 am

- Talking about "legality" in the context of the music industry is like talking about "nutrition" in the context of a cake shop.

For more information:

www.gybo-v3.co.uk

The architecture of innovation

By Lawrence Lessig

Every society has resources that are free and resources that are controlled. A free resource is one that anyone equally can take; a controlled resource one can take only with the permission of someone else. $E=MC^2$ is a free resource. You can take it and use it without the permission of the Einstein estate. 112 Mercer Street, Princeton, is a controlled resource. To sleep at 112 Mercer Street requires the permission of the Institute for Advanced Study.

A time is marked not so much by the ideas that are argued about, but by the ideas that are taken for granted. The character of an era hangs on what one need not question; the power in a particular moment runs with the notions that only the crazy would draw into doubt.

Sometimes that is just fine. I'm happy the question of infanticide is off the table; how extraordinarily tedious it would be if we regularly had to debate whether we wanted to be a democracy. In the language of computer programming, it is a great and valuable thing that certain ideals get compiled into social life. It is an advantage that everything need not at every moment be interpreted.

But sometimes a society gets stuck because of an idea it can't quite question, or dislodge. Sometimes the idea "sticks" the society. And when that happens, the hardest part of political action – the hardest part of changing an aspect of society – is to get people to see how this taken-for-granted idea might be wrong. To get people to believe that there might be something contestable about what seemed unquestionable, or even to get them to see that the story is more complex than they believed.

And so it is with us.

We live in an era when the idea of property is just such a thought, or better, just such a non-thought; when the importance and value of property is taken for granted; when it is impossible, or at least for us, very hard, to get anyone to entertain a view where property is not central; when to question the universality and inevitability of complete propertization is to mark yourself as an outsider. As an alien.

I don't mean the debate about commodification crystallized by feminism, or a debate about whether we conceive of social relations as a kind of property right. That is a fundamentally contested discourse, rich with possibility and profoundly important.

I mean something much more mundane and simple. I mean the question of property in resources. Or, more precisely, the question of whether resources should be controlled – or how they should be controlled.

For about this question, there is apparently no debate. As Yale University Professor Carol Rose puts it, we live in a time when the view is that “the whole world is best managed when divided among private owners.”¹ The most creative minds in public policy turn their attention to how best to divide resources up. The assumption is that well-divided resources will always work best.

We have this view – this taken-for-granted, background view – because for the last hundred years, we've debated a related question, and that debate has come to an end. For the last hundred years, the question exciting political philosophy has been which system of control works best. Should resources be controlled by the state, or controlled by the market? And this question, we all rightly believe, has been answered. In all but a few cases, for a wide range of reasons, we know this: that the market is a better tool for controlling resources than the state. That between the two, there is no real debate.

But this confidence obscures a distinct and more basic question. This certainty about the superiority of the market to the

state leads us to ignore an issue that comes before. Not the question of which system of control is best for any given resource, but instead the question – should a resource be subject to control at all. Not the market versus the state, but controlled versus free.

If communism versus capitalism was the struggle of the twentieth century, then control versus freedom will be the debate of the twenty-first century. If our question then was how best to control, our question now will become whether to control. What would a free resource give us that controlled resources do not? What is the value in avoiding systems of control?

Now, this is a hard question to ask at Duke. It's actually a hard question to ask anywhere, as it usually elicits a sheeplike stare among most in the audience. But it is particularly hard to ask here because here it's been asked, and answered, many times before.

The controlled versus free debate gets reborn within law in an essay about the public domain, penned by Professor David Lange.² The paradox between the controlled and the free is crystallized in the first great book of the information era, by one who has romantically denied the romance in authorship, Professor James Boyle.³ And the struggle to preserve internationally the space of the free in the core of science and the periphery has at its center the energy of Professor Jerome Reichman.⁴

And so here is the real struggle of one invited to Duke to speak of things learned from Duke: The exercise quickly feels less like a lecture, and more like an exam. At each moment I feel



FREE BEER

Description:

Free as in speech, not free as in beer.

Text:

FREE BEER is based on classic brewing traditions, but with added Guaraná for a natural energy boost. The recipe and branding elements of FREE BEER are published under a Creative Commons (Attribution-ShareAlike 2.5) license, which means that anyone can use the recipe to brew their own FREE BEER or create a derivative of the recipe. Anyone is free to earn money from FREE BEER, but they must publish the recipe under the same license and credit our work. All design and branding elements are also available to anyone who wishes to use them, and can be modified to suit, provided changes are published under the same license (Attribution-Share Alike)

FREE BEER is based on Vores Øl v1.0. The latest version, FREE BEER v3.0, is currently being produced in Denmark in collaboration with Skands Brewery.

Source:

www.freebeer.org

For more information:

www.creativecommons.org

www.bryggeriet-skands.dk

myself pulled to look up for correction or scoring; I sit spinning at my desk wondering whether there is anything new to say to a school that reminds us about how much of the old there is in everything new. And then, for a moment, I'm relieved by the thought that if I say nothing new, then you all will feel at least vindicated in your view of how little new there is in the work of any author, or at least this author.

But here's the way I want to take your arguments, and say something new. Put most abstractly, I want to translate your arguments into space; to place them within an architecture. And then to demonstrate the points you've already made through the machines we've come to know. Through the machines that have defined the potential for a kind of freedom that we, as a culture, have not known for a very long time.

Communication systems

Professor Yochai Benkler of New York University School of Law is a theorist of free communication who says to think about a system of communication divided among three layers.⁵ These layers interconnect; each depends upon the other; any communication depends upon all three.⁶

At the bottom of these three, there is the physical layer – the wires that connect the phones or the computers; the cable across which television might be broadcast; above that, the logical layer – the system that controls who gets access to what, or what gets to run where; and above that, the content layer – the stuff that gets said or written within any given system of communication.

Now, each of these layers in principle could be controlled or free. They would be free if they were organized in a commons – organized so that anyone could get access or equal terms, whether they had to pay (a fixed and neutral charge) or not. They would be controlled if they were the property of someone else – someone who had a right to exclude, or to decide whether to grant access based upon his or her own subjective reasons.

Depending on whether these layers are free, or are controlled, the communications system that gets built differs.

Consider four possibilities as we vary whether each of these layers is owned or free.

Speakers' Corner

Orators and loons gather every Sunday in Hyde Park's Speakers' Corner to rage about something or nothing at all. It has become a London tradition. It is a communication system organized in a specific way. The physical layer of this communication system (the park) is a commons; the logical layer (the language used) is also a commons. And the content layer (what these nuts say) is their own creation. It too is unowned. All three layers in this context are free; no one can exercise control over the kinds of communications that might happen here.

Madison Square Garden

New York City's arena, Madison Square Garden, is another place where people give speeches. But Madison Square Garden is owned. Only those who pay get to use the auditorium; and the Garden is not obligated to take all comers. The physical layer is therefore controlled. But like Speakers' Corner, both the logical layer of the language and

the content that gets uttered is not controlled in the context of the Garden. They too remain free.

The Telephone System

Before the breakup, the telephone system in the United States was a single-unitary system. The physical infrastructure of this system was owned by AT&T; so too was the logical infrastructure, which determined how and to whom you could connect. But what you said on an AT&T phone (within limits at least) was free: The content of the telephone conversations was not controlled, even if the physical and logical layer underneath were.

Cable TV

Finally, think of cable TV. Here the physical layer is owned in the form of the wires that run the content into your house. The logical layer is owned – only the cable companies get to decide what runs into your house. And the content layer is owned – the shows that get broadcast are copyrighted shows. All three layers are within the control of the cable TV company; no communications layer, in Professor Benkler's sense, remains free.

This then is the range. A communications system, and hence, a system for innovation, could be any of the four, or, of course, more than these four. But these four set the range that will best help us understand a very specific example: The Internet.

It is commonplace to think about the Internet as a kind of commons. It is less commonplace to actually have an idea what a commons is.⁷

By a commons I mean a resource that is free. Not necessarily

zero cost, but, if there is a cost, it is a neutrally imposed or equally imposed cost.

New York's Central Park is a commons:⁸ an extraordinary resource of peacefulness in the center of a city that is anything but; an escape and refuge that anyone can take and use without the permission of anyone else.

The public streets are a commons: on no one's schedule but your own, you enter the public streets, and go in any direction you wish. You can turn off of Broadway onto Fifty-second Street at any time, without a certificate or authorization from the government.

Fermat's Last Theorem is a commons: a challenge that anyone could pick up and complete, as Andrew Wiles, after a lifetime of struggle, did.

Open source, or free software, is a commons: the source code of Linux, for example, lies available for anyone to take, to use, to improve, to advance. No permission is necessary; no authorization may be required.

These are commons because they are within the reach of members of the relevant community without the permission of anyone else. They are resources that are protected by a liability rule rather than a property rule. Professor Reichman, for example, has suggested that some innovation be protected by a liability rule rather than a property rule.⁹ The point is not that no control is present, but rather that the kind of control is different from the control we grant to property.

The Internet is a communication system. It too has these three



Free Shop

Description:

Goods in an existing shop are free to take – at unannounced times.

Text:

Any merchandise the customer purchases is free.

Free shop takes place occasionally.

For more information:

More info www.superflex.net/projects/freeshop

The project was presented at the following venues:

- Nobody is an island, GAK, Bremen, Germany
- Happiness, Mori Art Museum, Tokyo, Japan
- The parallel action, public project in Cieszyn, Poland and Czech Republic

layers. At the bottom, the physical layer, are wires and computers, and wires linking computers. These resources are owned. The owners have complete control over what they do with their wires or computers, or wires linking computers. Property governs this layer.

On top of the physical layer is a logical layer – the protocols that make the Net run. These protocols are many, all chucked into a single box called TCP/IP. Their essence is a system for exchanging datagrams, but we miss something important about the system if we focus exclusively on the essence.

For at the core of this logical layer is a principle of network design. At the core of the Internet's design is an ideal called "end-to-end" (e2e). First articulated by network architects Jerome Saltzer, David Reed, and David Clark,¹⁰ e2e says to build the network so that intelligence rests in the ends, and the network itself remains simple. Simple networks, smart applications.

The reason for this design was simple. With e2e, innovation on the Internet didn't depend upon the network. New content or new applications could run regardless of whether the network knew about them. New content or new applications would run because the network simply took packets of data and moved them along. The fundamental feature of this network design was neutrality among packets. The network was simple, or "stupid," in David Isenberg's sense,¹¹ and the consequence of stupidity, at least among computers, is the inability to discriminate. Innovators thus knew that, if their ideas were wanted, the network would run them; that this network was architected never to allow anyone to decide what would be allowed.

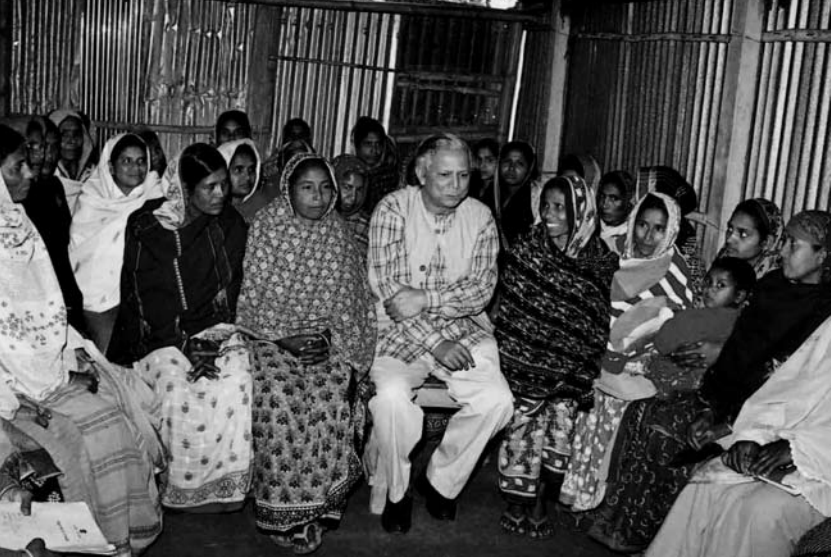
This means that this layer of this network – this feature of the network that distinguished it from all that had been built before – built this network into a commons. One was free to get access to this network and share its resources. The protocols were designed for sharing, not exclusive use. Discrimination, which lies at the heart of a property system, was not possible in e2e. This system was coded to be free. That was its nature.

Thus, on top of a physical layer that is controlled rests a logical layer that is free. And then, on top of this free layer is a content layer that is both free and controlled.

The free part is all of the content that effectively rests in the public domain. The facts, data, abandoned property, undiscovered theft – this is the content that is open for the taking and that is taken openly. But it also includes a part dedicated to be open: open source or free software, dedicated to be free.

This free resource does more than entertain, or build culture; this free resource teaches the world about how the Net functions, or is free. For example, every web page both displays and carries its source, so that its source can be copied and modified for different displays.

This free content coexists with content that is controlled. Software that is sold; digital content – music, movies, greeting cards – that is controlled. You can link to mp3.com and listen to music that is free; you can link to amazon.com and read a book that is controlled. The network doesn't care much about what linking occurs. It's neutral among the linking, and the result of this neutrality is a mix.



Grameen Bank

Description:

Microfinance initiative in Bangladesh, founded in 1974, and almost wholly owned by its borrowers.

Text:

Grameen Bank (GB) has reversed conventional banking practice by removing the need for collateral and created a banking system based on mutual trust, accountability, participation and creativity. GB provides credit to the poorest of the poor in rural Bangladesh, without any collateral. At GB, credit is a cost effective weapon to fight poverty and it serves as a catalyst in the over all development of socio-economic conditions of the poor who have been kept outside the banking orbit on the ground that they are poor and hence not bankable. Professor Muhammad Yunus, the founder of "Grameen Bank" and its Managing Director, reasoned that if financial resources can be made available to the poor people on terms and conditions that are appropriate and reasonable, "these millions of small people with their millions of small pursuits can add up to create the biggest development wonder."

Breaking the vicious cycle of poverty through microcredit

The Grameen Bank is based on the voluntary formation of small groups of five people to provide mutual, morally binding group guarantees in lieu of the collateral required by conventional banks. At first only two members of a group are allowed to apply for a loan. Depending on their performance in repayment the next two borrowers can then apply and, subsequently, the fifth member as well.

The assumption is that if individual borrowers are given access to credit, they will be able to identify and engage in viable income-generating activities – simple processing such as paddy husking, lime-making, manufacturing such as pottery, weaving, and garment sewing, storage and marketing and transport services. Women were initially given equal access to the schemes, and proved not only reliable borrowers but astute entrepreneurs. As a result, they have raised their status, lessened their dependency on their husbands and improved their homes and the nutritional standards of their children. Today over 90 percent of borrowers are women.

Intensive discipline, supervision, and servicing characterize the operations of the Grameen Bank, which are carried out by "Bicycle bankers" in branch units with considerable delegated authority. The rigorous selection of borrowers and their projects by these bank workers, the powerful peer pressure exerted on these individuals by the groups, and the repayment scheme based on 50 weekly installments, contribute to operational viability to the rural banking system designed for the poor. Savings have also been encouraged. Under the scheme, there is provision for 5 percent of loans to be credited to a group fund and Tk 5 is credited every week to the fund.

The success of this approach shows that a number of objections to lending to the poor can be overcome if careful supervision and management are provided. For

example, it had earlier been thought that the poor would not be able to find remunerative occupations. In fact, Grameen borrowers have successfully done so. It was thought that the poor would not be able to repay; in fact, repayment rates reached 97 percent. It was thought that poor rural women in particular were not bankable; in fact, they accounted for 94 percent of borrowers in early 1992. It was also thought that the poor cannot save; in fact, group savings have proven as successful as group lending. It was thought that rural power structures would make sure that such a bank failed; but the Grameen Bank has been able to expand rapidly. Indeed, from fewer than 15,000 borrowers in 1980, the membership had grown to nearly 100,000 by mid-1984. By the end of 1998, the number of branches in operation was 1128, with 2.34 million members (2.24 million of them women) in 38,957 villages. There are 66,581 centres of groups, of which 33,126 are women. Group savings have reached 7,853 million taka (approximately USD 162 million), out of which 7300 million taka (approximately USD 152 million) are saved by women.

It is estimated that the average household income of Grameen Bank members is about 50 percent higher than the target group in the control village, and 25 percent higher than the target group non-members in Grameen Bank villages. The landless have benefited most, followed by marginal landowners. This has resulted in a sharp reduction in the number of Grameen Bank members living below the poverty line, 20 percent compared to 56 percent for comparable non-Grameen Bank members. There has also been a shift from agricultural wage labour (considered to be socially inferior) to self-employment in petty trading. Such a shift in occupational patterns has an indirect positive effect on the employment and wages of other agricultural waged labourers. What started as an innovative local initiative, “a small bubble of hope”, has thus grown to the point where it has made an impact on poverty alleviation at the national level.

Source:

www.grameen-info.org

For more information:

www.grameen-info.org/bank/GBGlance.htm

This, then, is a picture of the complexity we call the Internet. At the bottom is a physical layer that is controlled; on top of it is a logical layer that is free; and on top of both is a content layer that mixes free and controlled.

This complexity builds a commons. And this commons has been the location of some of the most extraordinary innovation that we have seen. Not innovation in just the dotcom sense, but innovation in the ways humans interact, innovation in the ways that culture is spread, and most importantly, innovation in the ways in which culture gets built. The innovation of the Internet – built into its architecture – is an innovation in the ways in which culture gets made. Let the dotcom era flame out. It won't matter to this innovation one bit. The crucial feature of this new space is the low cost of digital creation, and the low costs of delivering what gets created.

Closing communication systems

Now I have dissected this commons into these layers to help us see more precisely just how it will be enclosed. So far my message has been fairly bright; but my brand is pessimism, and so we need a good dollop of darkness.

And the fact is, darkness here is not hard to find. For though we have just begun to see how this freedom functions, we are quickly coming to see how this freedom will be removed. These layers mixing the free and the controlled are quickly becoming layers that simply mix different kinds of control.

We are in the midst of a process by which, through law and

through technology, these features of this initial architecture are changing. Because we believe “the whole world is best managed when divided among private owners,”¹² we are changing the architecture of the Net to enable it to be divided and controlled; because we believe “the whole world is best managed when divided among private owners,” we are expanding and reinforcing control over content through IP law; because we believe, as our ideology says, we are remaking the Internet to fit this ideology. Without even pausing to understand it; without taking a moment to see how it might actually work; we are mapmakers who, upon finding that the city doesn't quite fit our map – an extra building here, and river we didn't expect there – proceed to remake the city to make sure it fits the map. Consider these remakings.

I said that the commons that fuels innovation is the commons that exists at the logical layer of the Net. This is the commons constituted by the principle of end-to-end; it is the commons that gets built by a set of protocols that don't discriminate. It is the neutral platform upon which innovation happens. And this neutrality is neutrality built into the code.

But this code is not given. The code governing a network is not fixed. The code that governs at one time could be replaced by a different code later on. And more importantly, there is nothing that forces people who connect to the Net to obey the neutrality of the net. There is no brand called “the Internet” that carries with it a set of assumptions about openness and balance; there is instead a basic set of protocols that anyone is free to supplement with protocols added on top.

Anyone is free to change it, and some important people are

changing it. One such example is the providers of broadband services.

As the Internet moves from the telephones (from modems and 28.8 or 56k connections) to broadband, to fast, always-on connections, the physical layer across which the Internet travels is different. The dominant technology today for serving this broadband content is cable.

Now, as cable converts to make itself open to the Internet, it is modifying the architecture of the Internet in an important way. While the essence of the commons of the Internet was neutrality and simplicity, the essence of what the broadband cable Internet will be is the power to discriminate in content and services. The aim of this form of Internet access will not be openness and neutral platforms; the aim of this form of Internet access will be control over the content that gets played.

For example: Cable companies make a great deal of money streaming video to television sets. That is the core of their legacy monopoly power. Some think it would be useful to stream video to computers. Cable companies were not eager to see this form of competition. So they imposed rules on broadband users – no more than ten minutes of streaming video could be contracted for at any time.¹³ When they were smart, they said they were worried about congestion. But when they were honest they said something different. Daniel Somers, of AT&T, said that the company didn't spend fifty-six billion dollars on a cable network “to have the blood sucked out of our vein[s].”¹⁴

Broadband providers will insist that this control is their right – that nothing should interfere with their right to layer onto the

free logical layer a system of control. And a budding line of First Amendment doctrine (embraced and pushed by judges in the United States Court of Appeals for the District of Columbia Circuit) strongly supports this claim.¹⁵

These cases are Blade-Runner-esque. Remember that one of the million amazing puzzles in that extraordinary film is the slow recognition that these machines are human. Well here too, with the cable system, it is the increasing recognition that these systems to deliver electricity are in fact First Amendment speakers. Wires plus a certain logic produce “the press”; and then into the mix comes the District of Columbia Circuit eager to bestow on this press long standing First Amendment power.

And hence we should expect, as the Internet moves to this broadband, that the rules governing the providers will be different. Unlike the telephone company, these providers will be allowed to discriminate; and discriminate, they will; and, when they do, this open feature of the Internet commons will be removed. Enclosed. Chopped up and sold off. With the consequence that innovation here will be different.

Controlling communication systems

That’s a change at the logical layer – or more precisely, a set of controls that gets layered on at the logical layer. But the changes are not just here. More dramatic, less justified, but more likely are changes at the content layer. These are the changes most remarked upon here. And hence these will be a bit easier to describe.

The content I want to focus on here is controlled by copyright law. Ideas, or, more properly, inventions, get controlled by patent law; context, or the expression of ideas, is regulated by copyright.

Copyright law has changed. Changed. In the sense that becoming an oak tree is a change of the acorn, modern copyright law is a change over the copyright law that was.

When the United States was formed, the Constitution gave Congress the power to grant “authors” exclusive rights for their “writings” for a “limited time” to – as the Constitution expressly states – “promote progress.”¹⁶ The Promote Progress Clause is unique in the Constitution’s enumeration of powers – every other clause leaves the purpose unspecified; only this clause specifies for what the power may be used.

The first federal copyright statute was enacted in 1790.¹⁷ That Act regulated the “printing” and “vending” of “map[s], chart[s] and . . . book[s]” for an initial term of fourteen years.¹⁸ While in principle anyone could violate the exclusive right to vend, in 1790, there were only 127 printing establishments in the United States.¹⁹ Copyright was not automatic; registration was required; most of the early registrations were for scientific or instructional texts. Between 1790 and 1799, 13,000 titles were published in America, but only 556 copyright registrations were filed.²⁰ More than 95% of published work therefore fell immediately into the public domain – including, of course, 100% of foreign work. Our outrage at Chinese piracy notwithstanding, we should not forget that until 1891, foreign copyrights were not protected in America.²¹ We were born, in other words, a pirate nation.²²

area merchants and service providers. But unlike US dollars when you spend an HOUR you know it is going to stay in our community, keep circulating, supporting our economy and maybe even end up right back in your pocket. And also unlike dollars this is your system. You can get to know the people who run the system (HOURS Board of Directors) as well as those business people that accept HOURS, and you can even help make the decisions which make the system run (by attending the Annual Meeting, electing and talking with members of the Board, or even running for a seat on the Board yourself).

How can I participate?

Ithaca HOURS Offers Business Loans at No Interest! Individuals or businesses who are members of Ithaca HOURS are eligible to apply for business loans. These loans are made in HOURS with an amazing rate of 0% interest.

Applicants for loans must submit a letter outlining the following:

1. The size of the business loan you are requesting
2. The way the HOURS will be spent (loans should be spent within six months of receipt)
3. How the applicant expects to be able to repay the loan
4. A proposed loan repayment schedule, at 0% interest, with repayment within one year
5. The name of the individual personally responsible for repaying the loan.
6. References

Loan applications will be evaluated on the completeness of the application; ability to repay the loan; ability to spend the HOURS in diverse ways within the community; and the extent to which the proposed activity will support or stimulate entrepreneurship and opportunity within the community, consistent with the mission of Ithaca HOURS.

If you have a business start-up or expansion idea please consider an Ithaca HOURS loan. You'll be helping yourself, and by putting more HOURS into circulation also the community.

You can send your loan application to <mailto:info@ithacahours.org> or mail it to Ithaca HOURS, PO Box 6731, Ithaca NY 14851.

Source:

www.ithacahours.org

For more information:

www.ithacahours.com

www.ithacahours.com/hourfamily.html

www.ithacahealth.org

Thus the law was slight, as was the actual scope of protection. Copyright did not protect derivative works; you could translate or adapt or abridge or set to song copyrighted works, without the permission of the author. The monopoly rights that the 1790 statute granted were essentially protections against pirate presses. The target of the regulation was the press that would take an American author's book and simply reproduce it without compensation to the original author. These pirate presses were to focus their energy on stealing from the British and French; Americans were to be exempted from the pirate trade.

Copyright has changed. It no longer is limited to maps, charts and books. It now touches practically any creative work reduced to a tangible form. It protects music, and performances, and architecture, and certain design. It protects machines written in words – we call that software – and words written on machines – we call that the Internet.

And it no longer protects these creative acts for an initial term of fourteen years. It protects these creative works for the life of the author plus seventy years²³ – which means, for example, in the case of Irving Berlin, a term that exceeds 140 years. It protects this work not contingently; not, that is, upon registration. It protects it, and all creative work, automatically – for a term that does not have to be renewed, for a life that exceeds the author's.

And it protects not just against pirate publishers. The scope of copyright now protects an extraordinarily broad derivative right. The right to translate, with some works, the right to perform, the right to adapt to a play, or make a movie – all these are rights that are now included within the originally sparse “exclusive right” that the original copyright act granted.

And finally, because it doesn't protect only against pirate publishers, because in 1909 the statute shifted its terms, to speak of "copies" and not printing,²⁴ and because the technology of copying has now exploded to cover just about anything anyone does with a computer, the reach of this regulation is no longer the 127 publishers that existed in 1790. The reach of this regulation on the right to speak extends to the 127 million Americans who today use computers. This tiny regulation of a tiny proportion of the extraordinary range of creative work in 1790 has morphed into this massive regulation of everyone who has any connection to the most trivial of creative authorship.

No doubt, and I certainly believe, much of the expanse in copyright over the past two hundred years was completely justified under a proper reading of the balance the framers meant to strike. Though they didn't protect music, it would be wrong for us not to protect music. I realize there are those on the other side – those who note that while our system of protection has produced Britney Spears and Madonna, the framers' system of nonprotection produced Beethoven, and maybe that means the framers were on to something – but I'm not on the side of free music if free music means artists don't get paid. In my view, the issue is not whether artists get paid; the issue is how. Congress has been correct in its efforts to extend rights to assure artists get paid, so as to assure a sufficient incentive to produce art.

Thus we should notice this expansion not so much to oppose it, but to recognize its inertia. Control is our direction, and our velocity has been set. Something big will have to happen if this inertia is to be checked. Something significant in the culture

must block it if the inevitable it promises – the inevitable of perfect control – is to be avoided.

Instead, something big has happened that has accelerated the push to perfect control. And paradoxically, that something big that will push copyright to perfect control is this architecture of freedom we call the Internet.

For before the Internet, in my humble view, there was little reason to worry about the emergence of control. I realize this is a controversial view here. Professor Lange was lamenting the commons long before any of us had linked with html.²⁵ Long before the name Hilary Rosen became a chatroom slur,²⁶ Professor Lange was building outrage at the tendency of IP lawyers to overreach. Indeed, in a passage from his *Reclaiming the Public Domain*, Professor Lange captures the essence of where we are now, with a style and authority that reminds one of Charles Black's account of *Brown v. Board of Education*.²⁷ Professor Lange tells us what we all know, but reminds us how the legal system makes it impossible to say what we know:

The defendants, of course, were obliged to take each of these claims seriously and to respond to them with earnest denials rooted firmly in law. But I am free to recognize them for the utter nonsense they are. Legitimate works deserve protection from real threats. But claims of this kind are so extravagant in relation to the reality from which in theory they ought to spring that one is tempted not merely to dismiss them as nonsense, but to suggest in addition that one day one of them ought to be made the subject of a serious counterclaim for punitive damages rooted in some sort of tort designed expressly for

the purpose, perhaps to be termed “unconscionable over-reaching.”²⁸

Thus the practice we can't escape seeing today is, of course, a practice that others have noticed from time immemorial. The extremes of the Recording Industry Association of America (RIAA) were not invented by the RIAA. Professor Lange retells in the same article the extraordinary story of Warner Brothers threatening the Marx Brothers when Groucho was considering a production to be titled “A Night in Casablanca.”²⁹ For, of course, Warner Brothers believed it owned the name “Casablanca,” which inspired Groucho to respond that he believed, since the Marx Brothers predated Warner Brothers, that he owned the word “Brothers” and that Warner had better back off.³⁰

Yet there is a difference in these blusterings of lawyers today, and the difference is in the code. Not in the code architected by East Coast coders – legislators in Washington – but in the code architected by West Coast coders – the code of software and the control built into it. The difference is that now, these systems of control can be built into an architecture that must recognize them; the encodings and control, as Professor Boyle puts it, following Michael Foucault, get inscribed into the wires.³¹ And, when this discipline gets encoded into the wires, then this discipline is bizarrely more important than when it is simply the overreaching of lawyers. Now the over-reaching of an e-book that says, “You can read this on a Windows machine, but not on a Macintosh,” is something more than bluster. It is a set of controls with the power of mathematics behind it – we call that encryption – and now these controls have the power of law to defend them – we call that the Digital Millennium Copyright Act.³²

This layer of control is new in the game; this layer is exploding and the law is expanding to back it up. And hence now, just at the moment that technology could enable a billion lifelike innovations, a billion iMacs crafting movies by remixing culture from the past, just at the moment when the technology could make real the idea captured in an Apple commercial – rip, mix, and burn, after all, as the commercial ends, it is your music – the technology is taking that freedom away. The very same iMac which Apple tries to sell with this picture of freedom – rip mix and burn – is encoded with software to handle DVDs that does not enable the ripping, mixing, or burning of Hollywood's movies. Try to rip, mix, and burn that stuff and the system will quickly crash. Control of that content has been encoded; and this system of “freedom” has been encoded to respect that control.

This is the conflict between two pictures of the future. One, the future of imperfect control at the content layer – music that gets ripped, mixed, and burned; the other, the future of perfect control – of DVDs that get ripped, mixed, and burned only as Jack Valenti, President and CEO of the Motion Picture Association of America, allows. And my bet is with the future of perfect control. For as well as an infrastructure that can have control layered onto it – the Internet – and as well as code that can build control into content – copyright management regimes – and as well as law that will back up the control that gets built into content that gets served across this infrastructure – the DMCA – the more important reason to bet on a future of control is culture. It isn't the West Coast code that will matter most; it isn't the East Coast code that will make the difference; the real issue is the culture, and its code; the real power is in a set of ideas that is still taken for granted.



GUARANÁ POWER

"A cowboy at a farm. This cowboy was trying to catch a bull but didn't know how to do it. Meanwhile the bull starts running towards him. The cowboy quickly opens a bottle of GUARANÁ POWER and drinks it. When the bull is about to poke him, the cowboy grabs the bull by the horns and throws it on the ground. All because he drank GUARANÁ POWER. It's really delicious."

Hever, Guaraná farmer, Maués, Brazil, 2004



GUARANÁ POWER

"There is a girl overwhelmed with her homework. She's been writing papers for hours and is exhausted. She takes a nap, wakes up and writes some more but there is still a lot to do. Her best friend arrives to pick her up all dressed up and ready to go out. She says she won't be able to go out, she needs to finish her homework. Her girlfriend offers her GUARANÁ POWER, she drinks it, finishes writing her paper right away, gets dressed and they go to their party. She wakes up next morning feeling great and since then she's never stopped drinking GUARANÁ POWER."

Suzana, Guaraná farmer, Maués, Brazil, 2004



Guaraná Power

Description:

For energy and empowerment.

Text:

GUARANÁ POWER is an energy softdrink produced by a guaraná farmers' cooperative from Maués in the Brazilian Amazon, in collaboration with The Power Foundation. The farmers have organised themselves in response to the activities of the multinational corporations [redacted] and [redacted], a cartel whose monopoly on the purchase of the raw material has driven the price of guaraná berries down 80%, while the cost of their products to the consumer has risen.

GUARANÁ POWER employs global brands and their strategies as raw material for a counter-economic position while reclaiming the original use of the Maués guaraná plant as a powerful natural tonic, not just a symbol.

GUARANÁ POWER contains original Maués guaraná for energy and empowerment.

For more information:

www.guaranapower.org

Conclusions

For this is what I spoke of at the start, and it is this that will define the end. Ideas that are taken for granted; that are unquestioned in this culture; that to question, would render you an alien; these ideas are the ideas that will make control the future.

For these ideas take for granted the property in intellectual property. These ideas have lost the distinction that our framers made clear – by speaking as they did, not of intellectual property, but of monopolies and exclusive rights. That's what a copyright or patent is – a government backed monopoly, not over a rivalrous or scarce resource like land or apples or heated homes, but over a nonrivalrous resource that the Enlightenment taught us should be shared among more than the Church. IP is not P, but this truth is lost on us.

And so deeply is it lost that we don't even notice the irony it produces. We speak of a commons as if it is only a tragedy; we recall the public domain as if it were simply an echo from some romantic past; we embrace, as Professor Rose says, the idea that the whole world is best managed when divided among private owners,³³ and we proceed to divide the world among private owners. Most Americans agree with the Walt Disney Corporation that Mickey Mouse is Disney's now and forever; they don't even notice the irony then when Disney can make millions off of Victor Hugo's creation, the Hunch Back of Notre Dame, or Sergei Prokofiev or Pocahontas. So invisible is public domain that we don't even see it when it is everywhere around; so invisible is the idea that the free might matter to creativity, that when it is enclosed, we are convinced this is progress.

Our future is this: the Free Speech Clause of the First Amendment will be read to entitle those who own the wires to change the logical layer and make it owned as well; the free competition principle of the Sherman Act will be read (by the same Circuit Court of Appeals, we might notice) to entitle the owner of the platform that most affects this logical layer (that one company whose name I have not uttered) to code that platform to discriminate as it wants; and the free culture that we have seen flourish in this commons built by the Internet will be captured and controlled again by those who control most of the content, and by those who succeed in Congress in expanding their control from the imperfect to the perfect. And this future of control will get built by an idea: that property is good, so more property is better. It will get sanctioned by a culture that has forgotten distinction, and that is so blinded by what it has forgotten that it does not even notice when the most extraordinary innovation that our culture has seen is built not on an architecture of perfect freedom; not in a world where every layer is in the commons, but also not on an architecture where control is the rule. Not, in other words, on an architecture where every layer is owned; but instead, on an architecture that mixes freedom and control, that built property within a commons, and that got its life from this mix of property and the commons.

At every layer, we are displacing the free with control, and the reasons for this displacing are not hard to see. This architecture of innovation that we call the Internet threatens the systems of control that thrived before there was such a thing as the Internet. And those whose interests are most threatened by this innovation have rallied to undermine what is special about it.

This is nothing new with the Internet. In his extraordinary work, The Prince, Niccolo Machiavelli had this to say about innovation:

Such an innovator has as enemies all the people who were doing well under the old order, and only halfhearted defenders in those who hope to profit from the new. This halfheartedness derives partly from fear of opponents who have the law on their side, and partly from human skepticism, since men don't really believe in anything new till they have solid experience of it.³⁴

We allow these changes; they don't just happen. We stand back as they occur; they don't happen in the night. We let them occur because most of us believe they should; that control is good, better control is better, and that these systems of control are ways to make sure the better comes from the good.

It is an attitude and blindness and a pathetic resignation that permits this change. So enamored we are with the invisible hand, so convinced we are of the genius of property, so blind we are to what makes innovation possible, that we allow the undoing of the most significant chance for something different than we have ever seen.

When I talk about this loss in other places, most don't really get it. They clap politely, and then they ask, What is innovation? You haven't defined the good in innovation. What do we lose when control is the norm? What really is to be gained from freedom?

These are people who can't imagine a world where culture is anything else but served on a platter. These are people for

whom the idea of cultural production is only ever associated with the state (as in China) or the corporation (as in a production department). These are people who can't imagine culture being reproduced and recreated by individuals, or by small groups working together, with a technology that enables a re-making of culture.

These are people who have not seen the films of Professor Lange's students; who have not read the politics in Professor Boyle's writings; who have not begun to understand the lesson of the harm to science taught by Professor Reichman.

These are people who have not been to Duke. And so I come to Duke to do little more than report on a war we are losing. Of a culture that can't see the potential that this architecture presents. Of a politics that scorns anyone who questions that übervision of perfect control.

The irony astounds. We win the cold war against state control so as to reentrench this system of control in the name of the market. We fight battles in the name of free speech, only to have those tools turned over to the arsenal of those who would control speech. We defend the ideal of property, and then confuse its limits, and extend its reach to a space none of our founders would ever have imagined.

We move through this moment of an architecture of innovation, to once again an architecture of control. Without notice; without resistance; without a question.

This, you may notice, is a contradiction in our tradition. You might be tempted to then repeat my favorite line from Professor

Boyle's book: "I have nothing against contradictions, some of my best friends are contradictions" ³⁵

This is a contradiction we should be against. Yet, we, Americans, are not.

FOOTNOTES

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This lecture was delivered as the inaugural Meredith and Kip Frey Lecture in Intellectual Property at Duke University School of Law on March 23, 2001.

1. Carol Rose, *The Comedy of the Commons: Custom, Commerce, and Inherently Public Property*, 53 U. CHI. L. REV. 711, 712 (1986).
2. David Lange, *Recognizing the Public Domain*, 44 LAW & CONTEMP. PROBS. 147 (Autumn 1981).
3. JAMES BOYLE, *SHAMANS, SOFTWARE, AND SPLEENS: LAW AND THE CONSTRUCTION OF THE INFORMATION SOCIETY* (1996).
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5. Yochai Benkler, *From Consumer to Users: Shifting the Deeper Structures of Regulation Toward Sustainable Commons and User Access*, 52 FED. COMM. L.J. 561, 562-63 (2000).
6. See LAWRENCE LESSIG, *THE FUTURE OF IDEAS: THE FATE OF THE COMMONS IN A CONNECTED WORLD* 23-26 (2001) (explaining the application of the layers approach to the Internet).
7. See generally id. (discussing the idea of the commons in intellectual property theory).
8. I used Central Park, Fermat's Last Theorem, and open source as examples of commons in an Address Before the First Amendment and the Media Symposium at the Fordham University School of Law on February 9, 1999. For the full text of this lecture, see Lawrence Lessig, *Commons and Code*, 9 FORDHAM INTELL. PROP. MEDIA & ENT. L.J. 405 (1999).
9. See generally Reichman, *Of Green Tulips*, supra note 4 (arguing that protecting small, subpatentable innovations with a liability rule rather than a property rule would yield a net benefit to society).
10. LESSIG, supra note 6, at 34-35.
11. Id. at 38. David Isenberg was an engineer at Bell Labs. He advocated "stupid" telephone networks, earning him great support on the web, but not from his employers. Id.
12. Rose, supra note 1, at 712.
13. LESSIG, supra note 6, at 156-59.
14. David Lieberman, *Media Giants' Net Change: Major Companies Establish Strong Foothold Online*, USA TODAY, Dec. 14, 1999, at B2.
15. See *Fox Television Stations, Inc., v. Federal Communications Commission and United States*, 280 F.3d 1027, 1045-47 (D.C. Cir. 2001) (accepting the argument that cable stations are speakers).
16. U.S. CONST. art. I, § 8.
17. Act of May 31, 1790, ch. 15, 1 Stat. 124 (repealed 1802).
18. Id. § 1, 1 Stat. at 124.
19. LESSIG, supra note 6, at 106.
20. Id.
21. Act of Mar. 3, 1891, ch. 565, § 13, 26 Stat. 1106, 1110.
22. I discussed the history of copyright law in the Melville V. Nimmer Memorial Lecture at UCLA on March 1, 2001. For the full text of this lecture, see Lawrence Lessig, *Copyright's First Amendment*, 48 UCLA L. REV. 1057 (2001).
23. 17 U.S.C. § 302 (2000).
24. Act of Mar. 4, 1909, Pub. L. No. 60-349, § 1, 35 Stat. 1075, 1075 (codified as amended at 17 U.S.C. § 101 (2000)).
25. Lange, supra note 2.
26. LESSIG, supra note 6, at 200. As president of RIAA, Hilary Rosen declared that the industry's objective was to limit venture capital such that content available on the Internet had been approved by the industry. Id.
27. Appellants' Reply Brief, *Brown v. Bd. of Educ.*, 347 U.S. 483 (1954).

- 28. Lange, *supra* note 2, at 166.
- 29. *Id.* at 172-73.
- 30. *Id.* at 173.
- 31. See James D. Boyle, Foucault in Cyberspace: Surveillance, Sovereignty, and Hardwire Censors, 66 U. CIN. L. REV. 177, 201-02 (1997) (describing how technological controls embedded in information could dictate information flow on the Internet); see also Albert Kovacs, Note, Quieting the Virtual Prison Riot: Why the Internet's Spirit of "Sharing" Must Be Broken, 51 DUKE L.J. 753, 769-85 (2001) (applying Foucault's analysis to music sharing on the Internet).
- 32. Pub. L. No. 105-304, 112 Stat. 2860 (1998) (codified at 17 U.S.C. §§ 1201-05, 1301-32 (2000)).
- 33. Rose, *supra* note 1, at 712.
- 34. NICCOLO MACHIAVELLI, *THE PRINCE* 17 (Robert M. Adams trans., W.W. Norton & Co., Inc. ed., 1992) (1513).
- 35. BOYLE, *supra* note 3, at 169.

Strategies of Transition: *Parallelism and Fragmentation in the Western Balkans and the European Union*

Marjetica Potrč

*Let me begin by quoting an article I read recently in
The Economist:*

Somalia does not spring to mind as a good place to do business, but in telecoms at least it has something to teach the world. A call from a Somali mobile phone is generally cheaper and clearer than a call from anywhere else in Africa. The trick is the lack of regulation. Somalia has had no government since 1991. It was cut off for a while, but then private mobile companies moved in and found that the collapsed state provided a curious competitive advantage.

No government means no state telecoms company to worry about, no corrupt ministry officials to pay off (there is no ministry), and the freedom to choose the best-value equipment. Taxes, payable to a tentative local authority or strongman, are seldom more than 5%, security is another 5% (more in Mogadishu), and customs duties are next to nothing. . . .

From a distance it looks like a free-market nirvana after The Economist's heart; but closer up it better resembles an armed oligarchy, capable of taking anything it wants at the point of a gun – even a Nokia handset.

Somalia may, to be sure, represent a worst-case scenario – the truly unregulated society – but even the highly regulated states of the European Union are to a certain degree irregular. Societies, after all, must constantly balance the formal with the informal. When a society undergoes economic and political change, informal structures come to the forefront and negotiations between the formal and the informal intensify. It was, indeed, the informal economy that helped rebuild Albanian society after the economic and political collapse of the 1990s. While the informal may be illustrated by reference to such concrete phenomena as the informal city, here I would like to draw attention to 'informal' strategies and tools of operation. In the cities of the Western Balkans, where I have recently spent quite a bit of time, the most striking strategies I have observed are parallelism and fragmentation.

Parallel cities, parallel economies and parallel governance are thriving in the Western Balkans. Today, parallel systems are firmly established here and generally work well side by side. Since the political changes of the 1990s, the territory of the Western Balkans has restructured itself as a conglomeration of distinct and highly inventive societies that do not compete with each other but rather exist in parallel. Not only have cities doubled in size by expanding into the suburbs in informal settlements, but also new cities have been laid on top of existing ones. These are parallel cities, which supplement what was already there. They do not oppose the past, but find new ways of using it. Within cities, self-segregation has become a mode of coexistence: in Prishtina, foreigners fence themselves off in separate residential enclaves, while the large-scale apartment-block neighborhoods that were once a showcase for the



Guerrilla Girls

Description:

Reinventing the "f" word: feminism!

Text:

We're a bunch of anonymous females who take the names of dead women artists as pseudonyms and appear in public wearing gorilla masks.

We have produced posters, stickers, books, printed projects, and actions that expose sexism and racism in politics, the art world, film and the culture at large.

We use humor to convey information, provoke discussion, and show that feminists can be funny. We wear gorilla masks to focus on the issues rather than our personalities. Dubbing ourselves the conscience of culture, we declare ourselves feminist counterparts to the mostly male tradition of anonymous do-gooders like Robin Hood, Batman, and the Lone Ranger. Our work has been passed around the world by kindred spirits who we are proud to have as supporters. It has also appeared in The New York Times, The Nation, Bitch and Bust; on TV and radio, including NPR, the BBC and CBC; and in countless art and feminist texts. The mystery surrounding our identities has attracted attention. We could be anyone; we are everywhere.

Because of our anonymity, we never say exactly how many we are. Many women have come in and out of the group over the years, but we've always been fairly small at any one time. Two of us, Kathe Kollwitz and Frida Kahlo, have been in the group since the beginning and, with other terrific members, have worked on almost every poster, book and project that has come out under the GG name.

Source:

www.guerrillagirls.com

For more information:

www.guerrillagirls.com

socialist state have become ghettos, housing people with low incomes. NGO's operate parallel to government institutions. The official currency of Kosovo is the euro. Today, Prishtina is ruled by three parallel administrations: Kosovar, Serbian and that of the United Nations. People say that no one really governs here, so individuals have become the smallest state. But are they citizens? Are they a society? Can we learn anything from the citizens of Prishtina?

During the 1990s, the Western Balkans underwent a rapid collapse. At the time, the region was extensively analysed and discussed. Later, however, interest died down, as if the region was just standing still, but this is hardly the case. Indeed, the Western Balkans have been on fast-forward. One might say, for example, that Tirana is a fast city while the cities of the European Union are slow. Perhaps, then, we can see the EU's future being played out in the cities of the Western Balkans. Has the region deteriorated into lawless states and oligarchies, or do we see here a new kind of democracy in the making, one different from that which was practised in the modernist state? In the previous century, both Western and Eastern Europe embraced the social state with its slogan, 'Equality and justice for all' – an ideal well visualized in modernist functional architecture. While modernism operates in a top-down way and thinks on the large scale, the cities and regions of the Western Balkans today celebrate, and are the product of, bottom-up initiatives. Informality reigns here, as do fragmentation, adaptability, and an emphasis on the local. The state of constant transition is accepted as a working model and a core gain. I would point out, too, that the informal consolidation of profits took off, once the formal regulations became outmoded and no longer reflected the reality.

Today, informality is itself transitional: What is now informal is becoming restructured and integrated in the society. In this respect, the informal structures show how much the citizens of the Western Balkans have contributed to complex dynamic systems such as government in building a new society. Today, informality, to some degree at least, foretells the values and organisational principles of the society of tomorrow – one that is currently still in the making but may eventually become a mainstream phenomenon.

On a very basic level, the restructuring of modernism is something EU cities share with their Western Balkan counterparts. Cities like Belgrade, Prishtina and Tirana illustrate not only the dissolution of the social state and the failure of modernist architecture and its now-degraded utopian public spaces, but they also, in the most blatant ways, showcase strategies that EU cities approach only timidly – strategies that include a new emphasis on privacy, security and locally based solutions, as well as a preference for small-scale growth. In all cities, one of the gains of economic and political restructuring has been the flourishing of small-scale organisations.

While no one in the Western Balkans is looking back at modernism, the EU is only now digesting the decline of modernism and the modernist social state. Consider, for example, the rejection last year of the EU Constitution by French and Dutch voters; this signaled a very clear desire to live in a more localised EU. In fact, the EU does operate along a paradigm in which the region serves to counterbalance the nation-state. Local emphasis means that more decisions are taken at the local level, bottom-up initiatives increase, and state and local institutions become more adaptable. Fragmentation and parallelism

– what I call ‘informal’ strategies – are, indeed, not only firmly ‘Balkan’; they are also already well-established EU strategies. In contrast to the United States, which is today a more or less well-integrated territory with a strong centralised government, Europe is dynamic, consisting of a number of parallel governing bodies, each of which defines a different overlapping territory; There is a Schengen Europe, a tax Europe, an EU-membership Europe, a NATO Europe, etc. As a geopolitical entity, Europe is constantly expanding, adding new states to the EU and creating expectations in other prospective new members. Inside its boundaries, the consequences of the slow dissolution of the social state and the ideology of multiculturalism can be seen in the development of smaller territories consolidated around ethnic or other kinds of communities. ‘Transition’ is accepted as a working model, with the result that a civil society quite different from the one envisioned by modernism is now emerging. The country I live in, Slovenia, is now part of the EU, but it seems clear that it will never have the same rights and obligations as the EU’s founding states. Slovenes may be equal, but in a different way.

An interesting parallel to the current situation can be seen in the Netherlands, where the social state is in slow but steady decline. What was once ‘multicultural Holland’ is now moving away from multiculturalism toward a society with ethnically and economically defined consolidated territories. Current trends include the migration of the ethnic Dutch from urban to rural areas. Cities, now labeled dangerous, are becoming negotiated territories between the remaining native and immigrant populations. By 2100, the ethnic Dutch are expected to be a minority within the present borders of the Netherlands. The concerns of the larger society are mirrored on the personal level by mid-

dle-class residents who, in pursuit of their own consolidated territories, move from cities into gated communities with clearly defined boundaries. Haverleij, a recent Vinex development in a rural area 100 kilometers from Rotterdam, presents a good example. On approximately 220 hectares of mostly untouched countryside, a number of separate gated communities have been built. These communities appropriate the aesthetic of a medieval fortress town, complete with moats – which shows, indeed, that if the ideology of modernism in architecture is today on the way out, the aesthetics of archetypal architecture is very much in. Fifty hectares of green landscape have been set aside for golf courses, one of the measures taken to preserve the idyllic green landscape. The winning formula here is a high-tech communications infrastructure combined with human-scale surroundings, privacy, safety and the control of natural resources.

Over the past year, while working on the project *Europe Lost and Found*, my co-curator, Kyong Park, and I have travelled several times to the cities of the Western Balkans. Most impressive in all the cities we visited was the booming construction industry. Take Tirana, for example: its skyline is that of an extremely vibrant city. Numerous additions – many are small, but some are bigger even than the original structures they are built on – compete with high-rises, individual houses, gated communities, and small, big and bigger businesses. All these phenomena co-exist with old socialist housing, which has been restructured and repainted, so its new face fits in with a confident, forward-looking society firmly grounded in the here and now.

A city reads like an open book. Architecture, after all, is the most immediate, most expressive, and most enduring record of the human condition. I believe that Tirana, Prishtina, Belgrade



Karlskrona2

Description:

The internet as a local network; self-organising a model of a real city.

Text:

The project was to create a digital copy of the city of Karlskrona in Sweden, called Karlskrona2, and was active for three years. This copy was accessible to the citizens of the city via the internet, where their avatars could interact with and among the streets and buildings of the city centre to create a virtual version of the structure and personal relationships in Karlskrona (the real city).

The project was intended as an experiment in using the internet as a local network rather than a global communication tool: To what extent will be a fulfilment of individual or collective fantasies? To what extent will it conform to the pattern of Karlskrona? What new possibilities does the internet's "free space" offer to an existing community? Karlskrona2 was a 'free space', in the sense of not having to obey the legal, economic or social rules of Karlskrona. At the same time, it was inhabited by at least part of the same community of individuals as the real city, bringing the challenge of virtual reality into the lives of neighbours and friends.

Karlskrona2 was initially a replica of the real world city but as the virtual citizens met and interacted things changed, buildings redefined their function, social hierarchies altered, laws were reconstituted and renewed. It was intended that the virtual Karlskrona be visible to the real city through a large-scale video projection in the main square, where citizens would gather in real space to follow the activities of their avatars and consider the divergences between Karlskrona and Karlskrona2; though this part of the project was never realised, Karlskrona2 is still perhaps a model that could be applied in other places and other situations.

source:

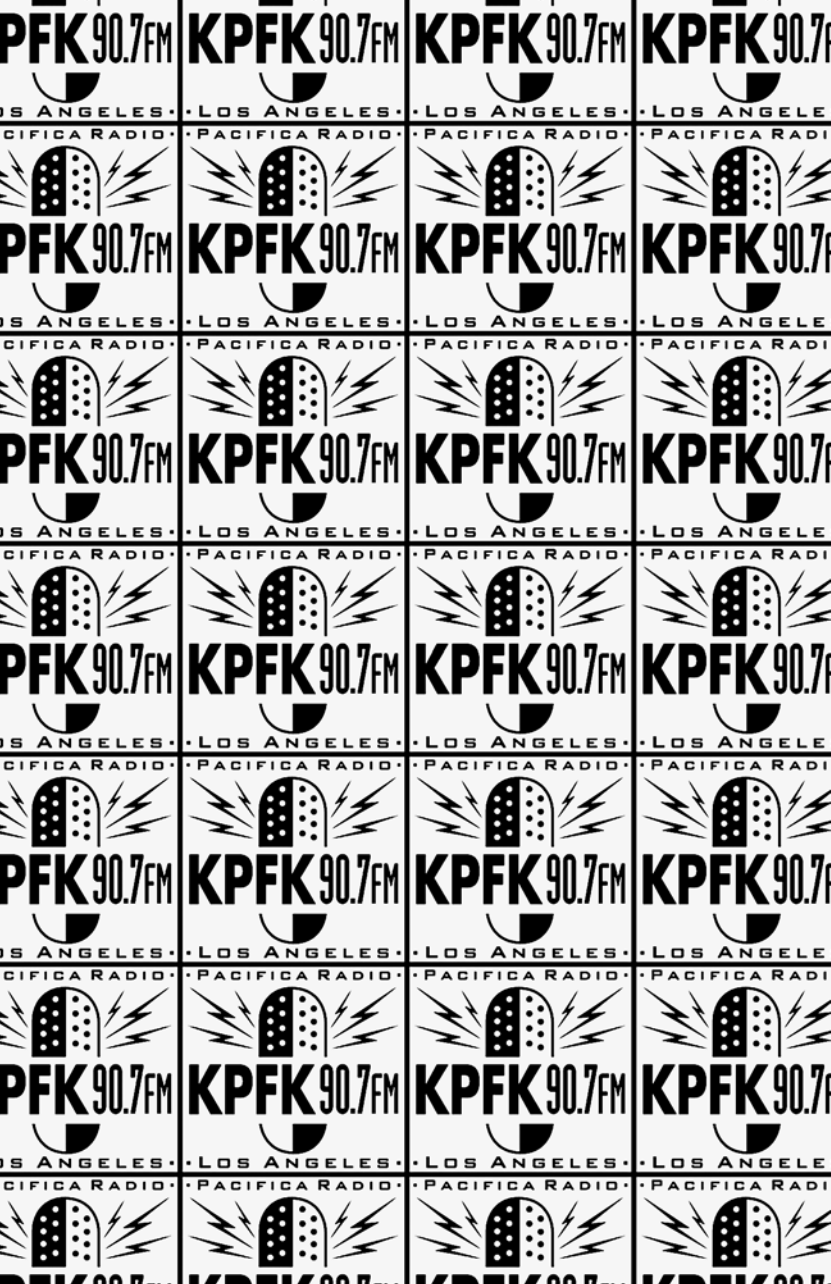
Will Bradley

For more information:

www.superflex.net/text/articles/karlskrona2.shtml

www.staff.hum.ku.dk/troelsd/yk2.htm

Karlskrona2 was developed in collaboration between Superflex and Rune Nielsen



KPFK and Pacifica Radio

Description:

Independent radio Station.

Text:

Mission Statement:

KPFK and Pacifica are founded upon a Mission Statement which to this day remains unique in radio broadcasting:

THE PACIFICA RADIO FOUNDATION MISSION STATEMENT

- 1 To establish a Foundation organized and operated exclusively for educational purposes no part of the net earnings of which inures to the benefit of any member of the Foundation.
- 2 To establish and operate for educational purposes, in such manner that the facilities involved shall be as nearly self-sustaining as possible, one or more radio broadcasting stations licensed by the Federal Communications Commission and subject in their operation to the regulatory actions of the Commission under the Communications Act of 1934, As Amended.
- 3 In radio broadcasting operations to encourage and provide outlets for the creative skills and energies of the community; to conduct classes and workshops in the writing and producing of drama; to establish awards and scholarships for creative writing; to offer performance facilities to amateur instrumentalists, choral groups, orchestral groups and music students; and to promote and aid other creative activities which will serve the cultural welfare of the community.
- 4 In radio broadcasting operations to engage in any activity that shall contribute to a lasting understanding between nations and between the individuals of all nations, races, creeds and colors; to gather and disseminate information on the causes of conflict between any and all of such groups; and through any and all means compatible with the purposes of this corporation to promote the study of political and economic problems and of the causes of religious, philosophical and racial antagonisms.
- 5 In radio broadcasting operations to promote the full distribution of public information; to obtain access to sources of news not commonly brought together in the same medium; and to employ such varied sources in the public presentation of accurate, objective, comprehensive news on all matters vitally affecting the community

Source:

www.kpfk.org

For more information:

90.7 FM Los Angeles | 98.7 FM Santa Barbara

and Sarajevo, often referred to as 'cities in crisis', are in fact just changing faster than the cities of the EU. Always more fragmented than EU cities, their faces today assert fragmentation on a grand scale. As architect Srdjan Jovanović Weiss observes, whereas in the EU 'fragmentation is a source of fear and instability', in the Balkans 'fragmentation is normal'.

One example of fragmentation is the striking reduction in the number of units considered ideal for a residential building. The socialist model of the apartment block complex housing up to 10,000 residents is being replaced by the urban villa, which houses approximately 15 families. Urban villas are home to small communities with similar cultural values and standards of living. Not unlike the urban villages of Haverleij, the emphasis is placed on personal values and concerns, such as privacy and security. A second example is the extreme personalisation of architectural styles. Urban villas display extremely ornate, richly diverse and highly accentuated façades. There is no single dominant style, but rather a multiplicity that expresses the individual owners' personal tastes, whether this is orientalism, modernism or historicism. Style here is emphasised to such a degree that it turns into kitsch; in the process, authenticity may be lost but hybridity is gained. A highly personalised style on a building's façade displays the self-assertion of the individual in a society that has experienced the dissolution of the social state. Here, aesthetics have become a battlefield: 'What is beautiful is what I personally consider to be good.'

The dramatic reduction in the number of units in a residential building and the extreme personalization of architectural styles testify to the 'centrifugal' forces of fragmentation. These, in short, illustrate the very meaning of the term 'balkanisation'.

Balkanisation used to be considered a negative, a byword for the breakup of unity and the undermining of the state. But the term has undergone some rethinking of late. Today, balkanisation can be seen as a counteraction to globalisation. By giving power to particles and group identities, by asserting bottom-up initiatives and self-rule, balkanisation becomes a potential force for democracy. More than anything, balkanisation is a source of difference. Fragmentary and decentralising tendencies lead to the pixelisation of society, greater local adaptability, and parallel states of existence.

If the façades of urban villas celebrate individual existence, they also reassert confidence in a society in the making, i.e., in transition. Over the last 15 years, more than half the cities in the Western Balkans have been self-built. In Prishtina and in Tirana, the informal economy – of which the greatest contribution comes from the construction industry – is larger than the formal economy. Whereas city authorities turned a blind eye to self-initiated construction during the large-scale migrations to cities in the 1990s, today the policy is to accept the facts on the ground and integrate informal constructions to make the city and the economy sustainable. Two examples come to mind: The top floors of some of most prominent high-rises in the Tirana city center, which were added without any legal permits, are in the process of being legalised (the construction can remain, provided that the owners pay for it after the fact). The municipality is negotiating not only with developers, but also with individuals whose houses make up the informal city on the outskirts of Tirana. The mayor went on public television with representatives of these settlements to discuss the infrastructural problems they faced, such as difficulties with the water and power supply and the sewage system.

Negotiations between formal and informal structures work well in Tirana. It appears that informal structures are being accepted as equal partners with the formal city. After all, the informal economy was a key factor in rebuilding a functional society after the formal economy and political structures collapsed in the 1990s. Tirana's example, however, is hardly universal. In the vast majority of cases, the sheer mass of informal structures does not guarantee any change in attitude on the part of the formal system, which continues to hold the reins of power in its own hands, keeping the informal structures on the margins while those who take part in such structures remain second-class citizens. To change policies vis-à-vis the informal means to acknowledge social change. For many people, informality remains a scary word. Though every economy includes a certain percentage of informal structures, the usual fear is that if these structures were to grow out of proportion, they could potentially overwhelm the 'regulated' society and bring about its downfall.

We tend to forget that regulation is itself a natural process. Take land laws, for example. One of the principal objectives behind the development of land laws is the equitable distribution of land. In South America, where the legacy of colonial history creates resistance to change, informal settlements may be understood as natural processes in the redistribution of land ownership. It is telling that one of the first policies of the current 'leftist' Chavista government in Venezuela was to start legalizing the informal city in Caracas. In Tirana, where informal constructions claim public land that had been nationalized during the socialist period, the strategy of after-the-fact legalizing of the illegal city happened 'naturally.'

Most people in Kosovo work outside the formal economy, in casual or unregistered employment. The construction industry accounts for a large part of the informal economy. The UN administration and local political institutions face the growing disenchantment of the citizens, who see the governing bodies as unresponsive to their concerns. There is a lack of clear perspective on resolving Kosovo's status and no clear policy on domestic issues. The economy is now trying to adapt to a future without reconstruction assistance. EU institutions have been and continue to be the largest donors, though the amount of aid has recently decreased. The postwar boom in Kosovo has gradually turned into a postwar crisis. The massive international support coming to the region after the war had an effect that was not unlike the striking of oil. But the initial economic boom did not generate a sustainable economy in Prishtina – which was something that Tirana managed to do through the help of the informal economy and without the large amount of foreign aid that Prishtina received. Other vital topics in Kosovo are security and the push for decentralisation. The desire to increase the number of municipalities on the same amount of territory presents more anxieties. Will Kosovo become a segregated society? Can a focus on the local be harmful?

In the case of Kosovo, the main problem is the lack of internationally recognised sovereignty. This makes it impossible for local government to tackle such fundamental challenges as privatisation and property laws. It also makes it impossible for Kosovo to be a partner on equal footing with the international community. Can we say that Kosovo is being treated as an 'informal nation' in the community of European nations?

Today, Kosovo's population is the youngest in Europe, while that of the EU is shrinking. These two facts alone create a crisis mentality. Is it possible to switch from a crisis mentality to thinking in terms of a state of constant transition? Without a doubt, in this regard the Western Balkans are way ahead of the EU. The region has not experienced true political and economic stability since the decline and collapse of the Ottoman and Habsburg empires; the cities of the Western Balkans have been in continuous transition since the late 19th century. They have adapted to the strategies of parallelism and fragmentation. Indeed, these strategies have created the dynamic territory we identify as the Western Balkans. Can the cities in EU member states, as well as in those countries currently planning to join the EU, learn from such 'Balkan' strategies? Can such informal strategies lead to a civil society different from the one envisioned by the modernist societies of the 20th century? I believe they can. We embrace and explore the state of transition because we are curious about what it looks like and how it works. But at heart, the state of transition fascinates us because we live it.

Independent media and self-organised culture in the US: *Situations* *and* *strategies*

Compiled and edited by

Martha Wallner and Will Bradley

Indymedia – Sasha Constanza-Chock

Free Speech Radio News – Adrienne Lauby

Electronic Intifada – Nigel Parry

Other Cinema (and A.T.A. Gallery) – Craig Baldwin

Temporary Services – Brett Bloom

To compile this section of the book, we invited a number of independent or community-based media and cultural organisations based in the US to respond to a short questionnaire about their activities. We were interested both in the day-to-day practicalities of creating and maintaining this kind of self-organised practice and in the underlying motivations and inspirations. The six questions we asked were:

> What are the aims of the project you are involved in?

> How is the project organised?

> How do you support the work financially and what impact does this have on your project?

> What do you feel you have achieved, and what are the problems you face?

> Are there any past projects/models which have inspired you?

> What are your hopes for the future?

We're grateful to all the contributors for providing a wealth of information, insight and inspiration. Their responses are presented here with minimal editing.

Indymedia

Sasha Constanza-Chock

> What are the aims of the project you are involved in?

I'll respond to these based on my involvement with the Indymedia network. Over the past few years I've worked to help organize temporary IMC's to cover mass mobilizations (Cancun, Miami FTAA), on collaborative documentary projects including the Miami Model (ftaaimc.org/miamimodel) and on various other autonomist media gatherings and projects. I also work with video.indymedia.org and occasionally on features for global IMC (www.indymedia.org), as well as publish to local IMC's (currently I find myself living in LA, so to LA Indymedia).

'Indymedia is a collective of independent media organizations and hundreds of journalists offering grassroots, non-corporate coverage. Indymedia is a democratic media outlet for the creation of radical, accurate, and passionate tellings of truth.'

The Indymedia video distribution network (video.indymedia.org) is an attempt to better coordinate sharing of video material throughout the Indymedia network and beyond. See the next question.

> How is the project organised?

The Indymedia network is organized in a kind of globally federated network of local collectives. Each local collective has a great deal of autonomy from the network, although all have to adhere to the basic Points of Unity.

Decision-making at both local and international levels happens



Ladyfest!

Description:

Ladyfest is for everyone!

Text:

What is Ladyfest?

Ladyfests are non-profit events organised mainly by women; they aim to showcase the talents of female artists and performers. The events are focused mainly on encouraging the talent of women and girls, but are open to everyone. Its roots are in the underground scene.

The first ever Ladyfest took place in Olympia, Washington in 2000. The following year similar events took place across the US (Ladyfest Midwest in Chicago and Ladyfest East in New York) and also in Glasgow, Scotland (Ladyfest Scotland).

For the following three years, grrls from the US and European countries also organized their own, and it looks like the trend is not over yet.

Ladyfest is also meant to be a place where visitors can discuss and take action on their views on topics such as mysoginism in the arts and beauty standards and others, attend shows by female performers, and can just have a good time in a space where they feel comfortable to be themselves.

Source:

www.ladyfesteurope.org/old/generalinfo.html

For more information:

www.ladyfesteurope.org

www.ladyfest.org

through consensus. The consensus process is different in different parts of the world and sometimes is more formal, sometimes looser, occasionally leads to splits and conflicts, but for the most part functions well and is a part of the Indymedia model and of prefigurative politics in general (build the new world we want within the rotting shell of the old ...)

When decisions have to happen that affect the whole network, they happen via delegates from all the locals. This is incredibly complicated by language since everything has to be translated into as many of the network's working languages as possible, which is a large number that keeps growing every few months ...

There is a (valid) critique of IMC process that is also a critique of the network in general, which is that it's internet-centric and therefore those with the most Internet access (personal computers, broadband connections, etc) have the most say. I would say that the truth of the critique for local IMC's varies wildly across the network nodes – some use the net mostly as a resource and kind of like a news wire to pull content down for local distro via papers, radio stations, leaflet, whatever works. Others have reverse priorities and almost do everything on the website, only occasionally doing offline projects. It depends on the IMC.

> How do you support the work financially and what impact does this have on your project?

This is a huge question ... Again, local IMC's have autonomy over finances. In practice, none of the IMC websites runs ads; none of the radio stations linked to Indymedia run ads (that I know of); many of the print projects do choose to run ads from radical or progressive businesses (worker-owned coops for

example) in order to cover print costs. One-time mobilization costs (setting up a temporary IMC, transportation and equipments costs) are sometimes funded by funneling money from foundations or NGO's through IMC-connected individuals or spin-off radical media projects, but almost never through 'Indymedia'. Urbana Champaign IMC has 501(c)(3) [tax-exempt charitable] status and has served as fiscal sponsor for many projects, but that status itself has generated intense heated debate within the network based on some locals' belief that no IMC should be a legal entity with recognition from any State, let alone the US Government. Locally, UCIMC has been very successful at raising money, and last year they raised enough to purchase the US Post Office building (!)

There is a long-running debate in IMC over "valid" sources of funding. Some think everything must be voluntary or in-kind contributions, others point out that this privileges those with access to other income. Very few people have ever received wages for Indymedia work, but it has happened on occasion within particular local contexts.

There was a huge debate a couple years ago when the Ford Foundation offered a large grant to Indymedia, but Latin American IMC's insisted the money be rejected both on grounds of principled independence from private foundations, and specifically because of the history of the Ford company in Latin American politics.

> What do you feel you have achieved, and what are the problems you face?

Let me just say that there are lots of important critiques of Indymedia. White male, tech-centricity, questions of access,

the tyranny of structurelessness, etc. However, at the same time I, like many, continue to participate in the network because at its best moments it becomes a powerful example of “actually existing” radically-decentralized, autonomous from state and market, deeply globally interconnected, bottom-up communication network that walks the walk and produces intense, vibrant, passionate tellings of truth and circulation of struggles throughout the world.

More information:

www.indymedia.org

Free Speech Radio News

Adrienne Lauby

> What are the aims of the project you are involved in?

Free Speech Radio News (FSRN) has as its primary goal to produce a 30-minute Monday–Friday independent radio newscast. With a network of over 200 freelance reporters around the world, FSRN serves over 100 radio stations and a growing cadre of Internet outlets. FSRN aims to bring the world to the U.S. in first-hand reportage of every continent by independent reporters: coverage that CNN can only dream of. With a diversity of voices, in ethnicity, age and class, which outstrips every other news organization. FSRN aims to be the vanguard U.S. news source for the majority – those questioning wars on innocent people at home and abroad. Our over one million listeners include many without Internet access and we are proud to join National Native News as the only progressive daily news outlets for those forgotten by high-tech hype.

> How is the project organised?

FSRN is a multi-generational, multi-class, multi-race organization with many strong women of color in leadership. Reporters who achieve a minimum level of produced stories and all staff automatically become voting members of FSRN. Daily newscast decisions are made by editorial and production staff team members who work in constant communication throughout the day. Organizational decisions and priorities, including personnel, finance and hiring committee work, are set by a member-elected Steering Committee. Final responsibility and governance power rests with the elected board of directors as mandated by our by-laws and California non-profit law.

Our internal structure is flexible, porous and peer-driven. We attempt the fluidity and inclusiveness of volunteer-staffed non-profits, utilize the tools of corporate executives and demonstrate the cohesion of a winning basketball team. Our goal is an ongoing demonstration that individuals who work for a more equitable distribution of wealth and power do not have to make each other miserable along the way.

> How do you support the work financially and what impact does this have on your project?

Our work is supported by our affiliate stations (those who air our broadcast), occasional grants and by listeners who make regular donations. Individual stations not only include us in their budgets but also share working space and other organizational resources. This is particularly true of the Pacifica Foundation, which shares our history and whose five stations are among our largest affiliates.

There are many advantages in working so closely with affiliate stations, including the ability to share reporters and local understanding of important stories. Without them, especially the Pacifica Foundation, we could not maintain the basic quality and credibility of the newscast.

Our staff members currently work without health and other benefits, and the fee we offer reporters is not consistent with a living wage. We ask for difficult, nuanced work from our reporters and offer them peanuts in exchange. Because our finances severely limit our work, we have occasionally spent too much time chasing large amounts of money. Lately, we have pursued bulk mail and other methods to diversify and deepen our base of support.

> What do you feel you have achieved, and what are the problems you face?

The FSRN Newcast has raised the bar for radio news in the US in reporting from the news site and in the number of interviewees quoted. Other, more commercial, news programs have closed international bureaus and laid off foreign reporters. We have expanded and sought stories around the world from people who had first hand knowledge and experience. We are one of the few radio outlets to offer training and accept reports from individuals who are new to reporting. As a paid outlet for reporters in our affiliate station news departments, we've played a part in keeping local news alive in community radio.

Primarily, we have brought news that is censored and ignored in the US mainstream media to our listeners. We've covered movements such as the anti-death penalty, reparations, lesbian rights, prison activism, Native American sovereignty and environmental movements. We've covered issues like voter rights, anti-sterilization, immigration, attacks on the Americans with Disabilities Act, day laborers, sweatshops and union building, Zapatista demands for indigenous rights, Congress, the Supreme Court, Bush & Co, prostitute rights, forest activists, election reform, repression of Middle-East immigrant communities, Haiti, homeless people, GLBTI concerns, high stakes testing in schools, civil rights, torture and privacy encroachment, labor reform and much, much more. Each day, as we bend our hands and hearts to gathering and producing this news, we make the activists more visible, set alternative frame stories and give our listeners hard information they need to make daily democratic decisions.

It's a big challenge to operate a daily newscast – where many decisions must be made quickly – as a collective, which traditionally takes more time to discuss issues and bring everyone into decision-making. Finding sufficient funding is always a problem, since we serve a worldwide community that does not have deep pockets – or sometimes any pockets. Our desire to cover events around the world too often short circuits on our ability to reach out to more new reporters, offer more training and help with the necessary equipment.

> Are there any past projects/models which have inspired you?

We draw on 50 years of listener-sponsored radio, as exemplified by the US community radio network and the Pacifica Network. We have often been inspired at the annual Grassroots Radio Conferences by those who operate community radio stations with even fewer resources than our own and whose participants are committed to a healthy collective process. Individuals among us are inspired by many current and past movements, including worker collectives, utopian projects, indigenous communities and personal contact with anyone who ever translated a dream of a better world into concrete and useful activities.

> What are your hopes for the future?

We hope for long-term financial viability so we can pay a living wage and benefits to staff, and offer competitive compensation to reporters. We hope to continue and even increase our fighting role to take back media in the U.S. from corporate sponsors and journalists who become cozy with their powerful sources. We hope for a consistently outstanding newscast in terms of content, technical quality and timeliness. We'd like

to add production of a live broadcast, an early morning audio news package, and news headlines throughout the day. In the short term we hope to expand our coverage into new areas, including our current priorities in Asia, Africa and the US.

More information:

www.fsrn.org

LETS



LETS Winnipeg is a non-profit, co-operative community of Winnipeggers who collectively created and use an alternative form of economic exchange.

LETS members trade goods and services directly with one another using a virtual currency called "LETS dollars" instead of conventional federal currency (the paper and metal some people have in their pockets or banks).

Everyone has something to offer LETS Winnipeg, and LETS Winnipeg has something to offer you!

Visit www.letswinnipeg.com and start exchanging today.

WINNIPEG

LETSWINNIPEG.COM

LETS Systems

Description:

Alternative currencies and trading networks.

Text:

What is a LETS System?

A LETS System is a trading network supported by its own internal currency. It is self-regulating and allows its users to manage and issue their own 'money supply' within the boundaries of the network.

The key points include:

- co-operation: no-one owns the network.
- self-regulation: the network is controlled by its users.
- empowerment: all network users may 'issue' the 'internal currency'.
- money: money, as a means of exchange, is an integral feature.

LETS System recording services keep track of transactions and issue statements of LETS System trading.

Is a LETS System a type of barter system?

LETS Systems use their own type of 'money' – they are money systems.

Barter is a type of exchange where we swap goods and services without using money – I give you a loaf of bread and you give me two cabbages. You fix my car and I'll cook you dinner. But you may not like my cooking.....

Money overcomes the limitations of barter. I give you money for your goods and services and you can spend it elsewhere. In a LETS System you can use your account to buy what you want from one person and then sell what you can to another.

What does LETS stand for?

The word "LETS" was chosen to highlight an invitation (let's) and a culture of consent. LETS embodies the 'Law of Two Feet' – "If you like it, you walk in. If you don't, then you walk away".

Eric Frank Russell, the story writer, expressed this as "Freedom I will, Freedom I won't" – everybody has choices.

LETS supports trading which results in win-win outcomes. This is to be contrasted to the more coercive types of behaviour often seen in communities which are short of money – "I've got the money, so you have to work for me." In LETS, there is never any obligation to trade.

The use of LETS as an acronym was an afterthought. The most common rendering is 'Local Exchange Trading System'. However, we prefer to avoid the use of the word 'local', as it suggests a geographical emphasis, which can be misleading.

What is the basis of LETS?

LETS is based on the value of the individual within the community. This involves both freedoms and responsibilities. We can outline the main criteria:

- consent, nothing happens without it.
- no interest to be charged on account balances.
- common ownership, resulting in cost-of-service provision of support services.
- disclosure of information – to ensure the informed action of user

Source:

www.gmlets.u-net.com

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For more information:

www.gmlets.u-net.com

Image source:

www.letswinnipeg.com/hq.cfm

Electronic Intifada

Nigel Parry

> What are the aims of the project you are involved in?

The Electronic Intifada (EI) is a not-for-profit, independent on-line publication committed to comprehensive public education on the question of Palestine, the Israeli-Palestinian conflict, and the economic, political, legal, and human dimensions of Israel's 38-year occupation of Palestinian territories. EI is not alternative media; rather, EI is supplementary media. While "alternative news" websites have become increasingly popular since the mid-1990s, the fact is that to be true alternative media, one's content by definition needs to make other media redundant. Clearly, organisations such as EI, with limited resources and a small, primarily volunteer team of writers and researchers, are not in the position to replace or act as substitutes for large media organisations such as the BBC or the New York Times. We are, however, in a position to supplement existing media by offering differing analyses and by highlighting key sources of information from on the ground that do not usually get full reprints in the commercial media. The time and resources we do have are not therefore best employed in reporting on events that are already widely covered in the commercial media.

Launched on 23 February 2001 at electronicIntifada.net as a pioneering online resource for media analysis, criticism, and activism, EI has progressively expanded its scope into new arenas: reference materials, live reporting, editorials, arts coverage, and satire, with the aim of presenting an accessible, credible, and responsible Palestinian narrative of developments on the

ground to the American public and international community. Although EI addresses the prevailing pro-Israeli slant in US media coverage by offering information from a Palestinian perspective, our views on the conflict are based firmly on universal principles of international law and human rights conventions, and our reporting is built on a solid foundation of documented evidence and careful fact-checking.

> How is the project organised?

Four activists, Scotsman Nigel Parry, Diaspora Palestinians Ali Abunimah and Arjan El Fassed and American Laurie King collaborated over the Internet on the Electronic Intifada's development for five months before introducing the site.

On any day, most of the editing, illustrating, publishing, and promotional burden is carried by 2–3 people on a largely voluntary basis. EI undertakes research, and compiles and publishes reference material, commentary and analysis, personal journals from the frontlines of the conflict, media news and analysis. EI aims aspects of its information service at journalists and editors, activists – occasionally encouraging letters of concern – at students of the media, and researchers looking for reference material, and offers automatically updating streaming content via our “wire service for websites”, EI Wire.

The Electronic Intifada also welcomes unsolicited text and visual contributions from writers, photographers, multimedia content creators, and filmmakers to any of its content feeds. EI puts a high priority on well-written original analysis and reportage, contributions from people on the ground in Palestine.

> How do you support the work financially and what impact

does this have on your project?

EI is powered primarily by voluntary work from its four founders and a loose network of correspondents, technical people, and photographers around the world, including in Palestine, the US, Canada, and Europe. In addition, EI is funded by individual donors, mostly in the United States, 50% of whom are giving small amounts of \$25–\$100 to keep our project going, with a small scattering of occasional larger donors. Our annual budget in 2002 was just US \$39,000. In both 2003 and 2004, we spent \$50,000.

While our needs continue to grow, our entire budget could not pay the salary of a single foreign correspondent from a major news organisation! We are able to function on such a small budget because so much of the labour that goes in to EI is donated. We've made do at different times with the resources we have, beginning from a balance of zero in February 2001. Since then we've expanded as voluntary help and resources have allowed, but in truth, we could obviously be doing much more, with a higher quality, more consistently, if we had access to greater resources, which has periodically become frustrating. None of EI's founders or writers is able to work full time on EI as they have other jobs, and as the project has grown, there is an increased workload.

> What do you feel you have achieved, and what are the problems you face?

EI is recognised as a major web resource on Palestine, and has been able to make some contribution to the debate. We recognise the growing power of a global democratic society of informed, concerned, and activist individuals and groups. As the New York Times noted in a 16 February 2003 editorial the

day after the largest global anti-war demonstrations in human history: "There are two superpowers in the world again: the US and global public opinion."

It is EI's aim – and duty – to be part of this emerging democratic superpower by disseminating information blocked or ignored by the mainstream media, by analysing dimensions and corners of policy that mainstream media are hesitant to touch. EI will continue to inform people about the situation on the ground so that they have access to understanding the actual cost of the conflict for normal people, and have the tools to get past the demonisation that forms much of the media's Palestinian repertoire.

We have to make it a mainstream concern and the only way we can do that is by effectively communicating the realities at ground zero for Joe and Jane Palestinian to the American public. Nobody would sign off on the Israeli-Palestinian conflict if they knew what happened at ground zero, nobody. Only the most ardent and entrenched supporters of Israel.

If we could take people through the Star Trek transporter to Rafah during "Operation Rainbow" and give them five minutes to experience what that was like they would not sign on to the Israeli-Palestinian conflict.

So everything is a challenge of finding new ways to explore that. Many of the projects that EI wants to work on – we just can't do it. We're juggling too many plates at the moment and the only way we will ever break through that barrier is with more money. That's what it boils down to.

> What are your hopes for the future?

In relation to the site, EI would like to expand the scope of our coverage of on-the-ground events to a far greater degree, developing deeper links with organisations and skilled individuals on the ground. We would also like to offer wider coverage of the Palestinian community outside the country and our relationship with related organisations, as well as increasing the profile of the project. Our hope is that future funders and contributors will enable us to meet these goals. Specific goals include an increase of photographic, video and other multimedia on the site, and more regular and in-depth additions to all of the content sections on our site.

In the wider sense, there are things that are band-aids that cover the bleeding but what we also really need to do is stop the conflict so there is no bleeding, and the way to do that is we need to inform people what is happening. Total Information Awareness is something that EI – Electronic Intifada and its newer sister site Electronic Iraq – is very in favour of.

More information:

electronicintifada.net



The Land

Description:

Initiated in 1998, the land (more direct translation from Thai to English would be, the rice field) was the merging of ideas by different artists to cultivate a place of and for social engagement.

Text:

The land is located in proximity to the village of Sanpatong, a twenty minutes drive from the center of the provincial capital Chiang Mai. As some rice farmers are having difficult times in the area, due to the levels of floods and high water level, rice farming has not been very productive. Because of this, some rice fields in the area have been offered for development, as the rice farmers are looking to find better areas for the fields.

Though initially the action to acquire the rice fields were initiated by two artists from Thailand, the land was initiated with anonymity and with out the concept of ownership. The land was to be cultivated as an open space, though with certain intentions towards community, towards discussions and towards experimentation in other fields of thoughts.

The land and its topographical environment (landscape) as it now stands, was cultivated through the philosophy and argicultural technique of a Thai farmer by the name of Chaloui Kaewkong. The ideas around the cultivation of the topography which is 1/4 earth (mass) and 3/4 water (liquid), is based on the composition of the human body. As there is water around, an argiculture irrigation stream on the one side and a natural stream on the other, a series of ponds and pools were layed out in relation to the usage of water.

In the middle of the land lies two working rice fields, which is an on going realtionship to the initial rice field itself and a lose group of students from the University of Chiang Mai and the local village. Rice has been grown and harvested yearly, though initiated as an experimental project to grow and harvest rice year round (rather than seasonally), and the harvest which yields in approximation 1000 to 1500 kilograms are shared by all participants involved and to some families in the local village that has fallen ill from the AIDS epidemic. Presently these two fields have been the most active part of the usage of the land. As well, fruits trees and edible plants are dispersed in to the landscape, though awaiting, the fruits to be bared. Vegetables and diffrent assortments of salads and herbs will be planted as well.

There is no electricty or water, as it would be problematic, in terms of land development in the area. As it is not the intention to develop the land for any value intrinsic to land development, the lack of such ammenities, was a simple solution from such development. There will be development and experimentations to use natural renewable resources as sources for electric and gas. The artis group Superflex from Copenhagen have been developing their idea of the Supergas (a system utilising biomass, such as shiit, to produce gas), and they have been engaging in using the land as a lab



for the development of their biogas system. The gas produced will initially be used for the stoves in the kitchen, as well as lamps for light. Arthur Meyer an american artist from Chicago, has also been interested to develop a system for utilising solar power, as another source of energy to be stored and use. These projects will as well engage interested participation of the local village as well as students from the local schools and Universities. Water is not a problem, however, chemical pesticides and other such products have been introduced into the rice fields, which in turn feeds into the water streams and system. In the center of the land is an isolated pool of ground water, made from natural filtering of the ground content, however, tests will have to be made through out the year for any contaminations. As well various pools and ponds will be used for the farming of fishes, a project to be initiated by a young Thai artist Prachya Phintong.

Parallel to the land as lab for self sustainable environment, architectural ideas for living will be carried out along side the cultivation of the land. A gardeners house was build by the Thai artist Kamin Lerdchaiprasert, thought built out of practicality, it would be considered as his contribution to the idea. The gardeners houses houses, the gardener and his wife, as they tend to the land and managed the daily necessities. The kitchen, developed from a collaborative discussions between the artists Kamin Lerdchprasert, Superflex, Tobias Rehberger and Rirkrit Tiravanija. The kitchen was developed in two parts. Part one was the invitation of the artists Superflex, Rehberger and Tiravanija to participate in an exhibiton in Lisbon under the title, More works about buildings and food..., curated by Pedro Lapas. The artists decided that they would initiate a project which could intergrade and link their interests in the ideas around the exhibition. Superflex developed the system for production of biogas and the storage of biogas, where Rehberger designed the platform which activates the biogas which is connected to a gas lamp, designed as well by Rehburger, and the kitchen designed and to be used by Tiravanija. Following the exhibiton in Lisbon, the system developed for the exhibiton is then transfered to the land and to be installed in a structure designed and built by Kamin Lerdchaiprasert. Atilier Van Leishoup has also been engaged in to the idea of developing the toilet system, which would be linked to the production of biogas. The artist Philippe Perreno and architect Francios Roch, are presently developing an idea for which would be developed in to the central activity hall, a central location to be used as a workshop for various activities.

Surrounding the general spaces of the rice fields, kitchen, toilets, bathrooms and central hall, will be diffrent structures for living. Based on the commonly found meditation huts in buddist monastaries, these structures for living would be accomodations for meditation. Initiated not purely as structures to be designed and made by artists, most of the projects to date are being developed by artists. Starting with the Thai artist Mit Jai In, planting a circle of nursery teak plants, in time Jai In, intends to weave together the plant as it grows in to a basket which would be the platform for which he would live in. Tobias Rehberger, has design and build (almost to completion) a structure inspired by a plate of food from his native Schwabia. Tiravanija also almost complete structure is based on three sphear of needs; the lower floor or base floor

being the communal space with a fire place made with the idea of accomodating a gathering and exchanges, the second floor for reading and meditation and reflection of exchange, and the top floor for sleep. Structures in process are a structure by Alicia Farmis, the Billboard house, and a young Thai artist Angkrit. All structures are open to be used.

There is not a time limitation to the cultivation of the land, it is there to be used and can be used.

Source:

www.thelandfoundation.org/?About_the_land

For more information:

www.thelandfoundation.org

Other Cinema (and A.T.A. Gallery), San Francisco

Craig Baldwin

> What are the aims of the project you are involved in?

In the case of Other Cinema, our aims are to preserve and archive 'orphan films' (except in the case where we provide footage from those films for re-use in contemporary media artworks); to make our own series of 'experimental/collage-essay' documentaries; to produce screenings on a weekly basis of mostly experimental/personal non-fiction, but also agitational and journalistic documentaries, and experimental and underground (and occasionally animation and narrative) films, videos, and digital works, often in conjunction with installations and performances; and, finally, to curate and distribute on DVD (generally compilations of) personal/experimental documentaries/essays, and fine-art and media-archaeological pieces to an international audience.

In the case of Artists' Television Access Gallery, our aims are to encourage, educate, and enable the production and exhibition of local and regional media artwork, and serve as an art-resource for many and various community projects. 'ATA have also produced and cablecast a weekly Cable Access television program for over 20 years, continuously!'

> How is the project organised?

There are different levels. Other Cinema is a small group of 4-8 individuals, with me as the de facto central organizer, who meet a few times a week to do film research. We meet with the schools and present educational initiatives, and produce

our weekly screenings. Being so small, it is more benevolent despotism than consensus, but everyone works as a volunteer out of personal engagement with the project (no salaries) and anyone can drop out for long or short periods of time, if the project goes in a direction that ceases to be interesting. The distribution arm of OC – which is called Other Cinema Digital – is actually a for-profit corporation, though it is three years old and has never turned a profit! There is one paid employee, and decisions are made through a lot of argument – I guess one could call it consensus – and sometimes actual committee voting.

ATA operates by consensus, though from time to time they have probably voted. There is a board, but it is the staff that runs the day-to-day business on a volunteer basis, and there are certain tasks for certain staff members (and these tasks rotate). The staff has always been a pretty loose group – somewhere between 8 and 20 – and meetings are held every month, though there is a lot of internal decision-making going on as part of the day to day activity, and also though an email system accessible via website.

> How do you support the work financially and what impact does this have on your project?

In the case of Other Cinema, it is what is called in the US "earned revenues", that is, money tendered at the door for events (or the bar, or "found-footage" sales). It is more-or-less a 'break-even' affair; no one really does it for the money, but rather for a love of the art and politics of cinema. As to the financial impacts ... well, one might think that that kind of financing model would drive our projects towards the market place, but that hasn't really happened. It is a small storefront

and so only so many (80) people can fit in here anyway, so we can “afford” to continue with a “niche” aesthetic. So the budget is necessarily limited – that’s why it is called a microcinema and why we, in terms of programming, concentrate on shorter works, on smaller “formats”. ETL’s, publicity, and production costs are covered by means of the monies from the paying customers – \$5 a head.

ATA, on the other hand, has received grants in its 22 years, how many I couldn’t say exactly, but I would guess around 7–9. They also collect at the door from their occasional-event patrons, and, more than any other income stream, actually rent the gallery out to other event-producers in the region. The programming and hardware have stayed largely the same over two decades, though there has been a general shift towards the “mainstream” because the outside producers have gained such a presence. And never enough of a grant to build, say, a new theater, but always enough to stay the course. ATA originally had public funding for the so-called visual arts, but when that dried up they made up the lost income by moving to time-based media-art screenings (where people pay for seats), though the flat visual art display and installations have remained at the margins of ATA’s offerings.

> What do you feel you have achieved, and what are the problems you face?

Well, it would have to be a miracle for either organization to have survived in a very competitive area, in one of the most expensive cities in the world! The problems are certainly economic, that is with rent and bills, but also that the physical plant is seriously deteriorated (for example, right this very moment, April 4, 2006, our water heater is leaking all over our kitchen

floor, and no one – there are generally 3-5 people living in this larger “live-work” space – has been able to shower in three days. This is very typical). Our DSL line went down yesterday, and the 16mm and Super8 projectors have been broken for months. Because our rental status is “commercial”, the landlord is not responsible for fixing most of these problems. But the good thing is, the landlord lets us do what we want with the building, like building walls and lofts and having lots of people in the space four days a week.

Of course, beyond all that there are always psychological problems that we suffer as a group – it can be very claustrophobic, and there are a lot of contending ideas – there is a very diverse mix of people involved, with people from all over the world. It is also true (though many would not bring it up) that when you open your doors to volunteers, sometimes people get involved who are not so skilled, or psychologically stable for that matter. When everyone is just working on a volunteer basis and personal conflicts arise there can be personnel shifts, which can endanger continuity. Finally there is the “problem” of competition outside the venue – there are maybe a dozen other outfits offering competing programming and so it is often an effort to draw a sufficient audience to make the trouble worthwhile, especially with no advertising budget.

As to what we have achieved, well it won’t be counted in awards, though we have won maybe five, or grants or money. It sounds like a cliché, but it happens to be true: the mark of our success is our continual and ongoing outreach and engagement, to what has been all in all a very large audience indeed, arguably in the top ten in the western US for the type of programming provided. And for what it is worth, both Other



Mecca Cola

Description:

Cola wars for the 21st century.

Text:

The spirit which governed the creation of Mecca-Cola was to create a profit-making business which would help to relieve human suffering where action is still possible. The most intolerable and the most immediate suffering is that of the Palestinian people.

The Palestinian people are experiencing indifference and general complicity, these being the most wretched and the most contemptible acts of apartheid and Zionist fascism. But, as we are profoundly Moslem in spirit and in training, we can only adhere to our precepts, namely, give back the good that we have received in greater measure, but also spread good around oneself. It is for this reason that we have opted for the distribution of a share of the dividends in countries which have so generously welcomed us, and in the populations amongst whom we live.

Militant people who are experiencing financial difficulties often have no other alternative than to create profit-making activities to enable them to achieve their objectives, even though they did not start out as either traders or capitalists. One of the perversions of capitalism lies in the generation within oneself of the most brutal and the most inhumane part of oneself.

- 10% of net profits go to Palestinian children's charities
- 10% to local charity - NGO.

Slogan:

pas buvez stupide, buvez engagé (*no more drinking stupid, drink with commitment*).

Source:

www.mecca-cola.com

For more information:

www.mecca-cola.com

Cinema and ATA are well loved, and those kinds of communitarian feelings could really be considered an achievement. We have trained many, many people. We have certainly served as a catalyst for local political determinations.

> Are there any past projects/models which have inspired you?

Well, there are many; the things our sister galleries and alternative spaces and youth cultural centers were doing constituted a natural ground for our own operations. Some of those older ones have died off, but there are some newer – not as many have started up, maybe because it is just too prohibitively expensive here. Intersection for the Arts, Project One, Project Two, Project Artaud, cellSpace, the Luggage Store, RX gallery, the Lab, 80 Langton, New Langton Arts, Camerawork, Capp St Project, People's Cultural Center, La Pena, Epicenter, Klub Kommotion, the Offensive, Club Generic, SF Center for the Book, Club Foot, A.R.E., Jet Wave, Valencia Tool and Die and there are dozens more! Please understand that it was not a particular "organizational model" that served as a template, it was just more the presence and energy and strength of all those kindred groups, cultivating critical media audiences that we ourselves were all a part of, and then the opportunity arose for us to get an autonomous site.

> What are your hopes for the future?

It's hard to answer that question with a straight face; everybody here knows that there is no future ...

More information:

OTHER CINEMA

992 Valencia Street, San Francisco, CA 94110

www.othercinema.com

Temporary Services and Mess Hall, Chicago

Brett Bloom

> What are the aims of the project you are involved in?

I am involved in several initiatives – Temporary Services, Mess Hall, In the Field, Learning Group, The Library of Radiant Optimism for Lets, We-Make the World, and The Journal for Northeast Issues (Hamburg) – but will only focus on two in order to keep the replies as brief as I can. Each has its own set of concerns, some of which overlap.

Temporary Services offers art and our activities as a service to others. This means that we aren't focused on the production of objects or traditional forms of art expression, but rather that we are more concerned with the social contexts within which art is and can be embedded, and additionally how art can be used to open up all kinds of situations to new thinking and possibilities. We are also interested in compelling human creativity wherever we find it.

Mess Hall is an experimental cultural center. Nine of us established it in order to have a place where art and visual culture could be put into a broader dialog with other practices that both informed our work, but also represented other communities that we are active in. Mess Hall seeks to foster dialog among groups of thinkers, makers, doers that rarely intersect with the hope that more interesting practices, ideas and form of resistance (to the dominant culture) can emerge. We seek to establish alternate forms of exchange and are actively building a culture of generosity.

> How is the project organised?

Temporary Services is a group of three persons. We work in several different ways simultaneously: as artists, producers, organizers, curators, activists, designers and so on. We always develop consensus for the things we choose to work on. If we don't reach consensus, then something isn't done under the name of Temporary Services.

Mess Hall (MH) is in part an extension of Temporary Services, but is also a lot more in that it involves four other active members, and two at-large members. We call ourselves "key-holders". This started as a joke, but quickly took on a lot of meaning vis-à-vis how MH is organized. We are all involved in many things and the last thing we wanted was another group with another group process. We wanted to streamline MH's functions and make it as easy as possible for us to coordinate. To this end, we set up some basic rules that both encouraged group cohesion, but also provided for individual expression and dissent. The rules were: 1) If you have a key (are a key-holder) then the ultimate responsibility for things to happen at MH fell upon you. If no one wanted to organize anything, then nothing would happen. There would be no group pressure exerted on individuals to perform some productive role; 2) Everything at MH is free. No one should be asked to pay or make a donation for anything that happens at MH. MH is to be a place as free as possible from market-based forms of exchange and thinking – a safe place for other ways of being and doing; 3) Formal and informal rules can be broken by an individual if they are in the way of that individual having complete freedom to explore his/her ideas. The keyholders are the core group and organize most of the events, exhibitions, screenings, talks, and other things that happen at MH. They

are also the contact persons for those outside the group who want to use MH as a resource. We call MH an experimental cultural center. It is a place informed by visual culture, but is not a gallery. We have multiple constituencies interested in a wide range of topics and issues from food democracy and experimental urban planning, to radical cartography and sustainable design and ecology.

> How do you support the work financially and what impact does this have on your project?

Temporary Services gets small amounts of funding and commissions to produce our work, but we can't live off of this money. Each of us has to have income from other sources usually in the form of part or full time jobs. We refuse to take part in the commercial art market as it is anathema to our concerns and how we want our work to function in the world.

Mess Hall. The space MH inhabits was given to us for free. We provide everything at MH for free. We tap into the surpluses everyone has whether that is time, money, resources, skills and so on. When people start sharing these things on a larger scale, money is needed less and less. We do pay for the basic operation of MH out of our own pockets – and sometimes from money that comes in the form of donations, payments for lectures, small grants and so on. There is such a low-level economy that it is extremely easy for us to maintain the place and its community.

> What do you feel you have achieved, and what are the problems you face?

Temporary Services has been able to do so much more work than we ever thought we would and to insert a voice of dissent

and complication into the discourse around contemporary art practice in the US and elsewhere. We want to continue to build up our practice and its impact on others and our own lives. It is hard to maintain this kind of non-commercial, anti-authoritarian practice in the United States. You get worn out easily doing it. Having the strength to continue is often the most important thing.

Mess Hall has built up a unique, supportive culture and is a model for others on how to do the same thing. Things are going well now, but what we have built is so frail. We have made no plans for MH to continue should our free rent situation cease. I am not sure that MH should continue beyond its life in its current locale. The larger challenge is to ensure space for places like MH. This is a much bigger task and I don't know if the current MH crew will address it.

> Are there any past projects which have inspired you?

The Ex, HaHa, Group Material, General Idea, The Weathermen, MOVE, The Experimental Station, N55, WHW, Wochenklausur, The Jane Network, Axe Street Arena, PAD/D, Up against the wall motherfucker, Solvognen, The Situationists, Can Masdeu, The Steelyard, Fort Thunder, Sonic Youth, Funkadelic/Parliament, The Diggers, The Resource Center (Chicago), The Mad Housers, The Landless Movement of Brazil (MST), Free Radio Berkeley, The Empty Vessel Project, Women on Waves, The Farm, The Whole Earth Catalog, Zapatistas, Boing Boing, and many more I am not remembering at the moment.

> What are your hopes for the future?

I hope that Temporary Services will continue to work together until we are all in our 80's. I also hope that we find a better

way to sustain our work economically, but while maintaining our principles and the basic concerns that inform our work.

Mess Hall was started as a short-term experiment. None of us expected it to last or develop in the ways it has. It has completely surpassed our expectations and we hope it continues to develop and last for as long as it needs to. It has already encouraged many others to build their own places like MH. We would love to see a place like MH in every neighborhood of Chicago.

More information:

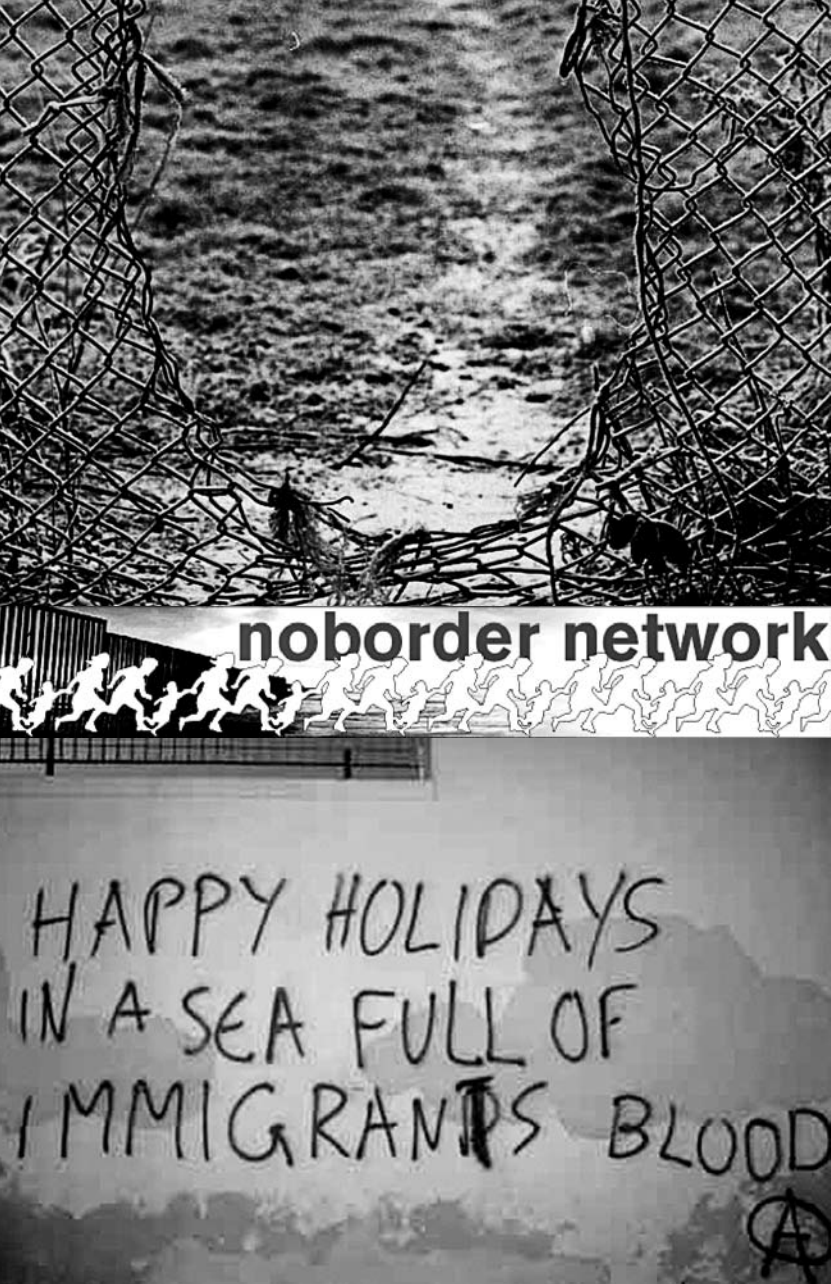
www.temporaryservices.org

www.messhall.org

www.inthefield.info

www.groupsandspaces.net

www.learningsite.info



The no border network

Description:

The Noborder network no longer exists – and is more active than ever.
'No-one is illegal'

Text:

The no border network is a tool for all groups and grassroots organizations who work on the questions of migrants and asylum seekers in order to struggle alongside with them for freedom of movement, for the freedom for all to stay in the place which they have chosen, against repression and the many controls which multiply the borders everywhere in all countries. This network is different from lobbying groups and NGOs because it is based on groups of grassroots activists and intends to stay so. The coordination between the groups is done through two meetings every year and a working list on e-mail.

The no border network is born of the convergence of campaigns in various European countries at the moment when undocumented foreigners had started to get self organized to get together and become visible to all (occupations, especially of churches, actions, demonstrations), to take their struggle in their own hands, in short to be autonomous. Freedom of movement, documents for all, abolish racist laws, no deportations were the main slogans of these sans-papiers.

The no border network was created in 1999. The European summit of Tampere in October 1999 was one more step toward the constitution of "corporation Europe" with its level of control adapted to the level of exploitation. Various European groups called for demonstrations against this summit, under the motto: "this actually means more controls, more arrests, more deportations". Actions and demonstrations took place in eight countries.

The first no border meeting took place in Amsterdam in December 1999. It's there that a mailing list was established. It enables many grass root groups, including out of Europe, to coordinate actions, to exchange information and to discuss about migrations and borders. Within the noborder network, we aim to work against all forms of exploitation and division, by working together to create new forms of collaboration and resistance. We aim to create a platform for exchange of information and experience among groups and individuals involved in different political struggles with an emancipatory anti-capitalist perspective. We also aim to work together with self organized groups of migrants. We aim to interconnect people working from different political practices and coming with different regional experiences.

Source:

www.noborder.org/about.php

For more information:

www.noborder.org/links.php – www.illegalit.mahost.org

Self- organisation: *A short story of a family tree*

Mika Hannula

Quite a long while ago a man called Aristotle claimed that human beings are social animals. Basically, what he meant was that our identities and realities are shaped and formed within a society, in transactions with other people and structures in the particular context – that is, where you happen to be right here right now, where you are from and how you relate to your background. It is an ongoing process that ultimately takes place simultaneously in connection with the past, present and future.

Quite some time later a man called Alasdair MacIntyre chose to interpret Aristotle's idea in a brand new way. In 1985, in his book, *After Virtue: A Study in Moral Theory*, MacIntyre extended the original idea with a remarkable invention, by stating that we humans are story-telling animals: who we are, how we are, where we happen to be, and whom we are with depend on what kind of coherent narrative of our search for a good life we seek to tell and maintain.

If we are able to accept the presuppositions outlined above, what kind of story is there to tell about the concept of self-organisation? Without doubt, it is a complex case with numerous plots and sub-plots, but its basic structure is rather clear. It is a narrative that includes and strongly entwines two evident and valid opposing sides and protagonists. In short, it is a story about what happens in a particular place among the people inhabiting it, and how these people have decided to organise and structure their society. The protagonists are therefore both the individuals and the society as an entity of activities. Remember that both sides are characteristically pluralistic in their content, and they define themselves in interaction and sometimes in juxtaposition with their counterparts.

What kind of a deal are we talking about between individuals and a society? In order to make the most effective point possible, I will present each side in its extreme version. Keeping this deliberate exaggeration in mind, we confront a version of individualism where there is no common ground among any of the persons involved. There is no society, there are no rules, there is no solidarity whatsoever. All that is left is a potential non-stop war of all against all.

Following this path illuminated in stark light and dramatic shadow, we get a second version of a society as a totality. This version is all about centrally defined and implemented views and visions in which a single individual has a minor and diminishing role to play. It is a vision of a society that has achieved total control of its parts and peoples. It is thoroughly planned, executing a purely rational agenda in a dynamic and technologically advanced fashion. It has become one, and at the same time, much more than just the sum of its parts.

Anything we can say about self-organisation takes place between these two extremes. Self-organisation as an abstract phenomenon is a meeting of different, often collaborative forces, but also conflicting desires, wishes and fears. It is a transaction, a kind of platform, or an intersection of flows of information, capital, attitudes, amusements, and yes, not to forget amazements. The directions of these flows depend on whether they stem from an individualist background (from the singular towards the general, or from the everyday grassroots level to the level of social structures) or from the society side (top-to-down model of interaction and influence). In what follows, I will mainly focus on the individualist aspects of self-organisation.



Open Source Ice Cream

Description:

It's ice cream. And it's open source.

Text:

Ice cream for Everyone

I4E are making their ice cream code available for you to use.

You'll notice that we give you quantities of ingredients as variables. This is to encourage diversity in ice cream; we hope that you use the code to make your own ice cream rather than just try to reproduce ours exactly. Once you've hit on a good version, we'd appreciate it if you'd mail us your new recipe – maybe just change the variables into constants.

Here's what we said in 1999:

"They said it couldn't be done, but we've revived the lost recipe of Wakefield's right-fl ice cream generales, the "Greco Brothers". Through careful study and months of reverse-engineering, we've managed to piece together a taste from the recent past: from popular memory, the peoples' ice cream; from before the days of dairy-glut and self-absorbed, luxury frozen fondant; the meeting of Italian and British popular-cultures. Locally made with whole ingredients and no preservatives or stabilizers, this ice cream defies the restrictive practices of corporate food empires, releasing ice cream's potential to speak from many and varied cultural contexts. So far, it's been made only in small batches; a secret let slip, spoonful by spoonful, to eager friends and family. But now it's time to go public..."

– Mark Greco & Simon Pope. October 1999

I4E Open Source Ice cream www.bak.spc.org/ice/open_source.html

Excerpts from interview with Mark Greco and Simon Pope:

What we got up to was more 'crack' than reverse engineering. We wanted to exploit a few flaws in manufactured ice cream – that it contains superfluous shit and is proprietary – but we also wanted to recover a lost (and inaccessible) recipe or 'source code'. Why does anyone crack third-party software? Probably because there's something in there that's annoying. Insulting even; like serial numbers or passwords. We like the "idea" of what commercial ice cream is – cheap, popular, social food – but can't stand what it "actually" is. Why is guar gum in there? Why the hell are flavour enhancers in there? We have the skills to crack third-party ice cream, but not to re-assemble it. We can't modify it in its native language or at the scale on which it is manufactured, so we aim to abstract the code so as to work with it at a domestic scale. We generated diagrams to help us understand the relationships between components, like some of the more arcane object oriented reverse engineering methodologies. We identified classes and the relationships between objects or ingredients. We generalised labelled ingredients into classes according to accepted formulations for commercial

ice creams: milkfat, milk solids-not-fat, sugar, stabilizers, emulsifiers and flavours; then looked at the objects in each class and their properties. We found that some classes were useful only in mass-produced ices. there's a surprise. Since we're making small batches of the stuff, we figured on cutting them out. We're left with ingredients that can be combined in different ways. The more sugar, the more 'bite' for example. Change the property of the milk by heating it for longer and you get a thicker, sweeter ice cream. What we've got is a generative machine: we can make infinite recombinations of a few key ingredients. It proves that there's no natural, ideal state for ice cream. No original to copy. We can make it any way we choose, (and so can you). But it just so happens the one we've chosen make at the moment is VERY close to Mark's lost family recipe...

It was was Richard Stallman who suggested we call it 'free'. This was after our first gig at the Foundry in Old Street, London, where 'free speech' was definitely influenced by the 'free beer'. We mentioned that we're going to invite people to extend the code base of the ice cream in whatever way they see fit – so that it became 'Open Source' in some way – but we bowed to Stallman, for obvious reasons, when he suggested "Not 'open source' ice cream; call it free". To paraphrase the FSF, "Free Ice cream" is a matter of liberty, not price."

It's not that you don't have to pay for it, because we DO accept donations, but this type of ice cream is YOURS. This is Ice Cream for Everyone! A social food, rather than a insular, expensive self-indulgence. Stop watching Ally McBeal. Get out there and make ice cream.

Source:

www.bak.spc.org/ice/nettime_interview.html

For more information:

The project ran from 1999 until going into hibernation in 2003. it could return at any moment.

www.bak.spc.org/ice/nettime_interview.html

* I4E homepage and links at www.bak.spc.org/ice

* a review by Jamie King at: www.bak.spc.org/ice/ninfo01.html

* original 'mission statement': www.bak.spc.org/ice/introduction.html

* richard stallman quote at www.bak.spc.org/ice/foundry.html

* ice cream recipe as code: www.bak.spc.org/ice/open_source.html

Before trying to analyse what self-organisation is, might be, and even ought to be, I need to clarify the possible motivations behind it. As in any action that tries to achieve something different than what came before it, or different to the current situation, it is based on a need to change something – whatever that something is. What we have is a need to participate, to articulate a new version of that very same something.

I have referred to 'something' so often because we have to pay close attention to this something which is not yet there; or, in fact, it is there but just as a promise, a potential site or situation. In other words, that something is the content of self-organisation. However, that something is not neutral, it is not natural, it is not given and it is not absolute. It is always and constantly contested, constructed and questioned. It is a self-correcting and self-reflective process during which each participant and the whole in its heterogeneous self are shaped in an ongoing interaction, an unceasing give and take, push and pull.

As an abstract phenomenon, self-organisation is a so-called third space (Vadén & Hannula). It is a peculiar concentration of time and energy in a particular place where the interests of the participants in that context are debated, constituted, defined, clarified and defended. It does not belong to either A or B, but is constructed spontaneously through the interaction between A and B. It is a meeting point at which both sides have found the capacity to listen to each other on the other's terms. It is based on acknowledging interaction that seeks to negotiate a sustainable compromise for existing alongside one another, not as a unity, but in a plurality. It is an attitude

that philosophers describe as an anti-essentialist sentiment with the understanding of co-existence of plural worlds. There cannot be full translation between plural worlds. There is certainly a weak incommensurability between different versions, but, at the same time, these versions share similar enough perceptions. They share enough to be comprehensible and recognizable, allowing and even cherishing cross-dwelling between various worlds and positions (Spinoza & Dreyfus). When these different worlds manage to co-exist they form an unstable but significant site called the third space. It is a transitory and always evolving place that presupposes something that is not always easy to fulfill or sustain: a principle of non-violence. It also requires an attitude that might be even harder to fulfill: mutual respect and recognition of each other's credible views and positions.

There is another word we can use that most of us have learned to recognise when discussing the relations between individuals and a society. 'Civil society' is what we label self-organisation as a sum of many self-organising activities within a larger frame of a society and its histories. In a civil society, we have players and participants that have already self-organised into more or less stable structures. There are organisations such as Amnesty International, various kinds of labour unions and NGO's, or many types of specific interest collectives for issues like faith, sexuality or outdoor activities, which materialise in wildly different forms, from sport clubs via Gay Pride parades to Reclaim the Streets protests.

In terms of Western democracies based on free and fair voting, the structural principles of checks and balances, and rights and guarantees between different parts of government (law,

police, parliament), the two main questions to ask regarding civil society are:

1. How do we activate and empower individuals and collectives?
2. In our post-industrial Western democracies, why is the domain of civil society so passive and, in the end, so incredibly under-used?

We can obviously debate whether these two questions, in fact, are the most important ones or not, but let us continue with them for the sake of argument. I will first tackle the latter one and then return later on to the question of activating potential participants in a civil society.

Why is civil society so under-used? Why so gray and sad? Why so utterly phlegmatic? The answer has two sides, which not so surprisingly are tightly interwoven. One clear reason is a general passivity and apathy of the public that comprises the possible participants in the civil society. It is very difficult to observe a great deal of activity or percolating pressure to find a vehicle by which to break into the public domain. Granted, there is increasing activity within the large scale of public media, but it is predominantly focussed on various kinds of entertainment, not critical perspectives and articulation of alternatives. Then again, we can quite correctly wonder about the reason behind this overwhelming passivity. The classic claim is that people have become alienated. That might be so, but it certainly begs the question: alienated from what?

One way to answer this is to point to the second part of the main framing question: Civil society's public sphere is so under-used primarily because of the decreasing possibilities

and openings it seems to offer. The current situation in most of Western publicly- and privately-owned media is not a very encouraging or pretty sight. Instead of lively and challenging public discourse, we have a litany of complaints that unfortunately are more often true than not. We face a media reality that a) instrumentalises issues for its own ends, b) intentionally flattens the themes it covers, c) tends to present themes that can be dealt with ease and speed, d) looks for scandals, e) denies room for content and produces pre-locked up views, and f) lacks the will and ability for constructive criticism. The overall result is a public sphere that is no longer a place for debate, but a huge space for consumption.

Thus, the alienation is not from any kind of a true self, a true set of real values, or the 'truthful past', but it is connected to the horizon of open and potential chances to affect your daily life and the degree and relevance with which you are able to participate in discussions within the public sphere. The diminishing chances are due mainly to the one-sidedness of mass media output and, self-evidently, input. The well-known driving forces are higher profits and higher levels of viewers, which support the consequence of more of the same kind of mainstream production. The strange – and, in the end – perverse part of the development relates to how and why public broadcasting companies have chosen to follow the examples and aims of the private sector.

However, it would be childish to blame market forces for the sad sound of ongoing boogie within the public sphere. While witnessing the accelerating conglomeration of media production, distribution and ownership, we have another phenomenon that undermines the prospects of a larger, commonly compre-

hended public sphere: the acknowledged fragmentation of contemporary societies and publics into specific segments. This in itself does not deny the possibility of a common denominator, but it makes it much harder to achieve and conceptualise it.

So far, so good, I guess – relatively speaking. We have a somewhat plausible though obviously abstract idea of civil society that aims high. It strives for a democratic egalitarian society that searches for adequate forms of self-empowerment and self-management, inter-public coordination of aims and values, and open and transparent political accountability. We have also arrived at a definition of a public sphere that stands for a network of communication that creates a particular social space. It is a space in the widest sense of the word. It creates a space, as in a discourse, that has both spatial and mental aspects. Civil society is shaped in these interactions within the public sphere. And yes, self-organisation is one of the means to activate these processes.

Examples of meaningful and constructive self-organisation are readily available. Deliberately picking up examples from different fields, we can briefly focus on three:

1. Israeli pilots refusing to bomb Palestine versus Israeli soldiers refusing to participate in the withdrawal from the Gaza Strip

This is a highly controversial and politicised matter that deserves careful attention. We have a situation within the Israeli military structure, which in itself is far from transparent and clear, regarding officers with reservist status who refuse to take part in campaigns directed at preventive strikes aimed at militants in Palestinian areas and camps (Süddeutsche Zeitung



OpenStreetMap

Description:

OpenStreetMap is (or is almost) a free editable map of the whole world. It is still being created.

Text:

The project was started because most maps you think of as free actually have legal or technical restrictions on their use, holding back people from using them in creative, productive or unexpected ways.

OpenStreetMap has created an online editing interface to allow anyone to contribute to the map. The editor allows you to upload, share and trace your GPS tracks on top of free aerial and satellite imagery. The data created can then be used for free in lots of different ways that often aren't possible with commercial mapping.

Why make OpenStreetMap? – Geographical data (geodata) is not free in many parts of the world, including the United Kingdom and much of Europe. Generally these places have given the task of mapping to various government agencies who in return get to make money by selling the data back to you and me. The USA is the only major counter-example where due to copyright restrictions on the government, they have to give it away free.

If you live in one of these countries, then your taxes pay for the mapping and then you have to pay again to get a copy of it.

The data you get doesn't change much over time, in general. Roads don't tend to get bored and move around. You can usually navigate in many areas with any post-war or more recent maps.

The data you get contains lies, or easter eggs, to catch out anyone copying it. These Easter eggs take the form of fake or missing streets, or features like churches and schools that don't in fact exist. If you make a map using their data, they can say "ah-ha! Gotcha!" from looking if you also copied these fake pieces of map. The map may also just be incorrect because for example you bought it a year ago and a path has been dug up in your local park since, or someone just made a mistake.

If you accept all of this then you still can't do anything with the data but photocopy it. In lots of places that's illegal too if you go beyond your fair use (or fair dealing) rights. You can't correct a street name, or add the pub/bar over the road, or use the data in a computer program without paying a lot of money. More money than you probably have. What about sending it to a friend, enclosing it in an invitation or posting it on a notice board? A lot of these are less legal than you might think.

Advances in technology like cheap GPS units mean you can now create your own maps, in collaboration with others and have none of the restrictions outlined above. The ability to do so allows you to regain a little bit of the community you live in – if you can't map it you can't describe it.

Why don't you just use Google Maps/whoever for your data? – Short answer: Because that data is copyrighted and owned by people like the Ordnance Survey. Google/whoever just license it. If we used it, we'd have to pay for it.

– Long answer: Most hackers around the world are familiar with the difference between “free as in beer” and “free as in speech”. Google Maps are free as in beer, not as in speech.

If your project's mapping needs can be served simply by using the Google Maps API, all to the good. But that's not true of every project. We need a free dataset which will enable programmers, social activists, cartographers and the like to fulfil their plans without being limited either by Google's API or by their Terms of Service.

How can I get involved? – There are lots of ways to contribute to the Openstreetmap project. If you have a GPS unit you can use it to collect data and use our online tools to add the data to our collection. If you don't have a GPS unit you can still help.

Source:

www.openstreetmap.org

For more information:

www.openstreetmap.org

26 September 2003). Then again, we witness almost the opposite wish within the same framework regarding reservist soldiers, often influenced by an Orthodox reading of Judaism, who refuse to take part in the planned withdrawal from the occupied areas of Gaza (Süddeutsche Zeitung 8-9 January 2005).

2. Car-free Helsinki Action Day Spring 2004

This is a rather common example that bears a resemblance to many other similar activities in many other places. It is an action motivated by an evidently credible need to lower the number of private cars going in and out of the city centre. The reasons are not only of an aesthetic nature, but based on air quality and the level of harmful particles in the air. Thus, we have a problem, and a strong motivation and vast sympathy for the event. However, the result was a funny mix of suave ignorance and impotent protest. Cars went in and out without even noticing the special theme of the day. In other words, it did not materialise at all. It was a one-off event that was not very well planned or communicated to all potential participants. Seen from another angle, there was not enough credible motivation – either out of goodwill or in response to the threat.

3. Ideological tendencies in the Catholic Church

Here we find many cases that exemplify how an extremely influential and important part of the civil society – religion or religious authority – is strongly shaping the public sphere. It is an extreme case again, but definitely worth noting. We have preaching by a known conservative Cardinal from Cologne, Joachim Meisner, at the feast of Epiphany in 2005, in which he focusses on the theme of mass killings. He makes a considerably long arch of

comparison starting from the act of Herod murdering the children of Bethlehem, continuing to the execution of millions of people by the machinery of both Stalin and Hitler, and ending up with the contemporary case of the daily murders of millions of unborn aborted babies (See, *Süddeutsche Zeitung* 8-9 January 2005). Needless to say, our dear Cardinal's views are very provocative, but at the same time, very powerful. He shapes an agenda by appealing for action, and yes, self-organisation – against something and for something else.

* * *

These examples highlight the open-ended outcome of participation within a public sphere that creates the state and situation of a civil society. It has to be acknowledged that while the open site of civil society can indeed function as a place for empowerment and enlightenment, it can just as well be a framework for authoritative opinions and especially for the production of the processes of normalisation.

The serious point is that the public sphere ought to be seen as open, easily usable and as adaptable as possible. This openness deliberately and necessarily results in the lack of an *a priori* guarantee of the quality of discourse or the values of the participating voices. Open society is, and has to be, in itself a typical myth like Pandora's Box – it must be opened, but its possible short-comings must also be recognised.

But hold on, what are these dangers? In one sense, it is a so-called pseudo-problem that only turns into an actual one if and when there is a lack of open and transparent positioning and situated opinions and knowledge – which unfortunately can often be the case. I am referring to lazy and cynical relativism

or even more cynical impotence resulting from the inability to state your views and make clear what you support and stand for, what you oppose and why. We need arguments, and recognition of our responsibility for the input of alternative content to fill concepts of such central matters as love, hate, gardening and marriage counseling.

That said, let us get back on the main track and return to the question of how to activate and empower individuals and collectives. Once again, we are talking about how to participate in the endlessly spinning carousel on which the content of concepts and acts are shaped, maintained and renewed.

Another word for the carousel is a discourse – an entity that functions like an umbrella under which we can and have to pay attention to rules, habits, interpretations, values, aims, wishes, and fears relating to a given site and situation. And when we pay attention to these inter-linked aspects of the discourse, we are continuously shaping an agenda within that given discourse – an agenda about the inherent priorities of the set-up, and thus, about the power to define, which again cannot and should not ever be denied. Priorities are required, but they cannot be solid or fully settled, but constantly debated and rearranged.

Thus, a civil society depends on the discourse that emerges and goes on within its frame. It is a version of civil society that has two core criteria: quality of discourse and quantity of participation in the discourses (Habermas). These discourses set up a platform, a kind of network of widely varying voices and communities which each in their own way get together to debate and define the ways in which things are organised and achieved.

Now I think we have reached a point where we can claim to agree upon the definition of civil society described above, and we can also agree that it is an entity and a process currently very much both missing and needed in our daily reality. What is left is to wonder how to achieve and construct it?

What follows is a strategic distinction between two possible roads that can be followed when trying to articulate a version of how. It must be stressed that here this how is not understood in the sense of urging you to do this or that and not to do this and that, but as a how of what exactly are the driving forces, motivations, world views and attitudes behind and within your active participation. In other words, what I am describing here is the extent to which all of our presuppositions color and affect the outcome of our acts.

The first model is the classical version of a liberal civil society, and the second model can be seen as a critical development of it. This means that both versions still definitely require each other's help. They are in the same game, and even if they are not coherently playing together, they are at least usually playing towards the same goal. Both strategies and sets of attitudes are looking for the means to move away from the culture of consumption that is currently the dominant element in the public sphere, towards an intelligent, content-driven self-critical, tolerant and warmly ironic version of a truly discursive and pluralistic public sphere.

Classical version of civil society

This idea is based on the following aims:

1. It is accessible enough to all who want to participate in it
2. It is conducted in a non-violent and rational manner
3. It is based on peer-to-peer dialogue
4. It is based on the suspension of status during the argument

What this all adds up to is a version of civil society that is strongly shaped through the wish to achieve, at the end of the process, a consensus that serves as the legitimate 'truth' of that given discourse. This scheme presupposes the desire, willingness and ability of the participants to take part in equal enough ways in the processes of intersubjective argumentation. It refers to the famous ideal speech situation constructed by Jürgen Habermas in his *Philosophical Discourse of Modernity*, in which rationality means that the best argument wins on the merits of its argumentative powers, and that the argument cannot be based on position, background, religion, money, power etc.

To make the point clear, this stance is very close to the values of the Enlightenment: truth, progress, universal justice, perpetual peace, shared human interests and mutual understanding – aims that hardly anyone can be against as abstract notions, but aims that materialised through history in brutal ways that have seriously tainted – smelling of realpolitik, blood and money – their credibility.

Description:

"Sharing is Caring"

Text:

Piratgruppen was founded in September 2004 in support of those who continue to freely copy and distribute culture in the face of the prevailing copyright legislation. The purpose of Piratgruppen as a group is therefore not to provide or engage in the free sharing of culture, as there already exists a mass-movement of millions of people who are actively doing this. Our purpose is to represent the view and interests of file-sharers in the public debate, dominated by the interests of the cultural industry, and where we are often portrayed as parasites and criminal pirates.

For a long time the Anti Piracy Group, who consist of, and represent the interests of the industry, were the only ones heard in the public debate. Guarding their profit interests, they are attempting to criminalize sharing, and prohibit the new possibilities of distributing culture and knowledge that the digital revolution has given rise to. There is a conflict over the ownership and distribution of culture and knowledge and we want to make this conflict visible.

However, our contribution to the file-sharing movement is not just in the political debate. One of our aims is to continuously develop and spread the practice of file-sharing through technical support forums on our website and by making user-guides to file-sharing programs. As our main ambition is a democratization of access to culture and knowledge, technical support is important to ensure that everyone can access, and keep up with the technological development.

The current Copyright legislation is the greatest threat to file-sharing, as the Anti Pirate Group has sent out hundreds of legal claims to filesnarers, The Digital Legal Aid was founded in order to help those who are stuck in the legal grey-zones of the intellectual property system. Denmark is one of the countries that has been hit the hardest by the legal crusade of the cultural industry, with legal claims running up to 200.000 euro. So far the Digital Legal Aid Foundation has paid 5-6000 euro to help file-sharers with court cases.

Vidensdeling.nu (Knowledgesharing now!) is another project that we have initiated in which students are encouraged to digitize and share the expensive books on their reading lists. In this way file-sharing becomes a way for students to create a digital library resource, circumventing the costs and control of large publishers. So far, the campaign has resulted in books being shared on The Pirate Bay. The publishing companies have responded by joining the entertainment industry in their desperate hunt down of file-sharers.

For more information:

www.piratgruppen.org – www.piratbyran.org – www.bittorrent.org
www.vidensdeling.nu – www2.piratpartiet.se/the_pirate_party



Alternative version based on pluralistic realities

This is based on the following aims:

1. Knowledge is power, and no kind of power is neutral.
2. All knowledge is produced and constructed.
3. All knowledge is meaningful only as situated knowledge though the transparent articulation of its background, history, hidden agenda and possible unwanted consequences.
4. Civil society aims in non-violent ways to shape a common ground for an ethically sound and respectful encounter. This encounter is based on tolerance, compassion, mutual respect, reciprocal recognition, and sympathetic insight.
5. One presupposition for all kinds of encounters has to be a plurality of views and values that leads by necessity to certain misunderstandings that need to be negotiated.
6. The aim is NOT an over-arching consensus, but a negotiated and agreed compromise that can be characterized as reasonable disagreement (John Rawls) and/or as a loving conflict (Karl Jaspers).
7. Pluralism and acceptance of inherent misunderstanding does not lead to a politics of antagonism, but towards the politics of agonism (Chantal Mouffe).
8. Instead of avoiding the use of difficult and complex symbols, concepts and logos, we need to steal them back and provide alternative definitions of words such as democracy, self-organisation, fun and failure. Thus, it is not about the act of getting rid of the logo, but about the attitude of making and shaping those symbols so they are based on your views, wants and values. Thus, instead of no logo, we need more particular and well articulated logos.

Here the characteristic values are close to a particular critical hermeneutic version of postmodernism: incommensurable language games, narrative differends, conflicting ideologies, rival concepts of truth, justice and progress, alterity, otherness and heterogeneity.

However, it is very important to draw a line between a cynical postmodernism that falls down the stairs of self-negating relativism and a kind of postmodernism that is based on plurality and tolerance, that is only possible and accountable if and when it is transparently grounded to a position – the necessity of the situated self. Thus, the choice of this writer is the pluralistic version, but only if and when it is contextually grounded (Vadén & Hannula).

To sum up this preliminary and unfortunately brief description of the short story of the family tree of a concept of self-organisation, it has to be underlined that the choice presented above is not between left wing or right wing positions and policies, it is not about an either-or scheme, but about nuances, scales and interpretations. It is about self-reflexivity – the ability to constantly question the litany of what, who, why etc., while participating in shaping the content of the discourses within a civil society. This implies an attitude that allows the benefit of the doubt without succumbing to its pressure. What we need is the willingness and ability to accept a reasonable level of uncertainty in the process in order to keep the story alive and kicking.

However, at the end of the day, things are not looking that gloomy. We tend to forget that we already do have something specific that helps us along the road: We have, indeed,

a direction for the story. We want to shape a critical, active and pluralist version of a civil society, a site and situation of loving conflict where we can feel for and feel with. We know what we want, but we are not so sure how to get there. We are uncertain that what we think in theory would in fact function in practice. We cannot know for sure before we try it. It is a never-ending process of small, tentative and wobbling steps, a story of trials and errors during which we just have to find – following the late soul singer Curtis Mayfield, who definitely knew what he was talking about – enough hope and courage to keep on keeping on. And to do so day in, day out.

Closing in, and returning to Aristotle, it is a process during which we try to aim at a moving target called the concept of a good life – a good life that is spent looking for the good life. A life as a story and a journey that has to get its kicks and pleasures, its desires and delusions, not via arriving somewhere, but while enjoying the long and hard ride towards something somewhere out there.

A brief afterword

This essay draws on and comments on a wide range of sources and areas of knowledge production. My main influences, for good or worse, have been writers such as Alasdair MacIntyre, Michel Foucault, Jürgen Habermas and Michael Hardt. This text deals with a huge theme and a debate that has both amazingly deep roots and long corridors full of books written about it. My aim was not to say something significantly new. Instead, this essay serves as a focussed and deliberately condensed articulation of self-organisation as an invitation to think with. It is, if anything, a beginning of a beginning. Nothing more, nothing less.

Literature

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Communities of the Question or Who Wants to Know?¹

Susan Kelly

¹ John Mowitt, July 12th, 2003, 13.45. This was one of the final questions posed as part of The Open Interview of the City of Leeds... and Lunch conducted by Janna Graham and Susan Kelly in conjunction with the University of Leeds warp:woof conference on aurality and the voice.

A community of the question, of initiative, of absolute initiality, but also a threatened community, in which the decision has not yet found the language it has decided to speak, is not yet sure of its own possibility within the community. A community of the question about the possibility of the question.

(Derrida 80)

The concept of self-organisation sets into motion several crucial and inseparable questions. What is the 'self' that constitutes *and* seemingly generates self-organisation? What is the nature of the collective or community produced in this way and how might a mode of self-organisation encounter other forms of organisation? Does it take any specific form? This essay will necessarily proceed from the level of the micro by working through two recent and ongoing projects that I have been involved with: *What is to be Done?* (The Lenin Museum, Tampere Finland; The Krasnoyarsk Museum Centre and other venues, 2003–04) and *The Open Interview* (Toronto, New York, Dubrovnik, and Leeds, 2003). Both projects used specific tools to gather, assemble and circulate questions and questioners, responses and respondents. Organising this essay around these projects will set up a framework of concrete practices through which to trace what I believe are the central issues at stake in the concept of self-organisation – that is, the question of community and potential forms of political organisation.

The responses to *What is to be Done?* ostensibly work on a macro-level, speaking to and questioning the current global political situation. Many of the responses grapple with how one might go about even addressing the question, where one might begin to resist and ask how useful current organisational forms and political structures are anymore. Although these are large and grand questions, the actual process of thinking about what is to be done and constructing a response to a particular and situated call, undoes a certain distinction between thinking and doing often ascribed to the very question 'what is to be done?' Tracing the processes of responding in this project, in parallel with the responses themselves, points to the necessity of addressing the question of political organisation not only through



Raging Grannies

Description:

Grannies say: WATCH US RAGE!

Text:

Let us be clear about the Grannies. We are totally non-violent, believe in only peaceful protest (with lots of laughter), work for the 'many not the few' (motto of the old Mechanics' Institute) and see our work as the spreading green branches of a great tree, rising up to provide shelter and nourishment for those who will come after us.

Grannies are best equipped to make public, corrupt things that have been hidden (often for profit). Local toxic waste sites that no-one seems prepared to tackle, asbestos sites employing young people desperate for work, nuclear waste products being dumped outside an uninformed small town, laws that affect an entire community, passed quickly with no opportunity for study. The list goes on.

The pitfalls in grannying can include acting on unverified information, crediting rumours as fact, impatience in putting forward an agenda, getting caught up in a movement without understanding the whole picture, believing conspiracy theories.

The delights of grannying include: Dressing like innocent little old ladies so we can get close to our 'target', writing songs from old favourites that skewer modern wrongs, satirizing evil-doing in public and getting everyone singing about it, watching a wrong back down and turn tail and run, sharing a history with other women who know who they are and what they're about. Grannying is the least understood yet most powerful weapon we have. Sometimes, looking back, we can see grannying was the only thing that could have met the need.

From the most ancient times, the strong, wise, older women were the ones who advised, mediated and fought for what was right. Belief in the Disir or Divine Grandmothers, the Mothers of Time, is ancient and runs through all societies.

What an inheritance. And what a history of trouble-raising when not listened to. Even in our times, we grannies have raised a few mountains, caused a few floods.

What do you need to be a granny? A sense of humour and an ability both the be objective and to compromise when working with others. Willingness to make noise. An open heart to learn something new. No singing ability. Passion. Joy. Delight. No colour sense, obviously. A friendly disposition. Kindness. Scientific curiosity can't hurt. Maybe a sense of history and our place in it. There is so much more to be written on being agranny by those yet to come.

Rose DeShaw, Kingston Raging Grannies

Source:

www.geocities.com/raginggrannies & www.raginggrannies.com

For more information:

www.geocities.com/raginggrannies & www.raginggrannies.com

the 'content' of the responses, but also through an examination of the activity brought about by the structure of the project itself. Structures of questioning and responding and how they might de-stabilise, open out and re-organise subjectivity itself is explored in much more detail through the relay of *The Open Interview*. Through a conversation between these two projects, this essay contends that larger questions of political organisation and concepts of self-organisation cannot be addressed without an examination of the notion of subjectivity at work in collectivity. This essay endeavours to rewind the discrete and decisive subject who might know what is to be done alone, in order to disassemble and potentially re-organise 'a community of the question'.

Proceeding from a notion of self-organisation demands a certain shift in logic. In order to maintain the question throughout this enquiry it is first necessary to flip the 'question of community' to a more immanent tracing of 'the community of the question'. For if the community of the question is predicated on unsettling the subject and reconfiguring the 'I-you-we' of the interview, is it possible to separate a situation in which the question is not always already answered from the mode and structures through which the question is maintained? In other words, by proposing a community of the question, the maintenance of the potentiality inherent in the question cannot be separated from a re-thinking of organisational modes and structures through which the question is supported. Drawing on the work of Jean-Luc Nancy, the following pages will structurally and theoretically document and trace the community of the question and related issues of thought, action, organisation and potentiality.

What is to be Done? Questions for the 21st Century

What is to be done is the question that is not being asked today. We remember Lenin because his revolution succeeded. How many failed? The potential cost of not asking 'what is to be done?' is a period of bloody and ineffective rebellions, some of them deeply reactionary. Neither is invoking Seattle much help. The protests against our current mode of globalization are a sign and a slogan, but not an organizing principle. And waiting for a Messiah will only waste time. What we face instead is the hard work, the collective work of theorizing possibilities that are inherent in our current conjuncture and possible ways to proceed. The only thing worse than picking the wrong moment would be missing the right one, and it may come sooner than we think.

Nicholas Brown and Imre Szeman

USA and Canada, October 30th, 2002

Vote always the coalition, Swedish national party or at least the Green Party. Do not let Jäätteenmäki be the prime minister.

An unknown greatness

Tampere, Finland, March 2003

I must say that the question has me totally flummoxed. I mean, what IS to be done? Who knows? I sure don't, and I have enough life experience to not be so presumptuous as to think that I do. Really, I feel completely humbled. I can't think of an answer that doesn't sound reductionist, arrogant, inept, glib, self-righteous or otherwise grossly inadequate.

Pat Maniscalco

New York, Tue, December 3rd, 2002, 2:24pm

The anti-imperialist people's front must be activated. As an organization it

already exists in Finland under the title 'Muutosvoimat Suomi rp' (Forces for Change in Finland). The Communists participate in this organization. By all forces we must strive for uniting the communist movement of Finland.

Heikki Sipilä

Helsinki, 1 Feb 2003

To me, Lenin has always been the example for making revolution, vast, cataclysmic change through force rather than by incremental legal reforms. His views will always echo in the young, the desperate and in the most deprived peoples because they have the least to lose and the most to gain. I think more people are willing to choose violent revolution these days because events of the last few decades have proven the rich are getting richer without any effective restraint on their accumulation. The collapse of Enron and WorldCom in the United States, especially after they raped the people of California and India with one-sided contracts, purchased with political bribes, shows more clearly than ever, Capitalism is Organized Crime. Lenin and Marxists are being vindicated as correct, despite the anti-democratic (to say the least) practices of Stalin. Personally, I am a fan of the non-violent, democratic revolution that brought about a non-racial republic in South Africa.

Ann Schneider Sat

September 7th, 2002, 8:18pm, Brooklyn, New York, USA

The lowest limit of taxable income is to be lifted to 850 euros per month. A minimum wage law would guarantee at least 1000 euros per month. Move to a working day of 6 hours without lowering the income level. Everybody must have the right to proper and fairly priced living. Speculation is to be prevented by returning to rationing rents and the arava-system. These are some quick thoughts on a Thursday afternoon, February 6th 2003, a defender of the small man, Herkku Hermesniemi from Nokia and a thought in his head.

Herkku Hermesniemi

March 2003, Nokia, Finland

What kind of question is 'what is to be done'? So often it is seen to mark the moment when thought is over and action must proceed – a question that punctuates and firmly separates the realm of thought from the realm of action. It is a question that is so huge, so impossible to even contemplate. It is a question on everyone's lips, a question posed to philosophers and theorists who seemingly 'think' too much and do little. This question becomes one that embodies so many of these knots of theory and practice, of thought and action and the way to organise their relationship. Theories of self-organisation and singularity, however, maintain a different logic of thought-action. This logic deems inseparable the reasons *why* one might organise (thought) and *how* one might go about organising (action). Embedded in many notions of self-organisation is a critique of the idea that the way one knows what it is right to think and therefore do, is separate from the structures that produce questions and 'knowing' subjects. Consequently, a notion of self-organisation pushes against rational political programmes that separate political goals and issues from the more immanent practices of communities. This archive of responses to the grand question of what is to be done, then, becomes an unlikely locus for a sometimes implicit discussion of the subject and community, how such subjects would even be able to ask the question 'what is to be done?' in a meaningful way, and where in their lives such thoughts and actions could be articulated.

First the question should move from the passive to the positive - to 'What do we do?' even to 'What are we doing?' Lenin could use the passive form, he could assume an army of followers moving along the reasonably well mapped-out road of socialism. Having neither armies nor road nowadays, the passive question indicates nothing more than armchair theorising. From Where I Stand. I stand in a kitchen; in a 50 metre range there's at

least a hundred people - in their kitchens, saunas, living rooms. I know next-to-none of them, they hardly know each other. From where I stand in Finland my relationship to the global south is next-to-nonexistent. There's next-to-no solidarity, community, even common interest. Really the main connection I have with the rest of the world is mediated from above, and is based on their exploitation. No-one's expecting our 'leaders' to change this - our elites that profit from the divisions and exploitations we have. Any positive change will have to come from below, from us. We have trouble even to answer the question - Who are 'We'? At the most, we're only capable of reacting to the changes imposed from outside, above... and rarely even that. So we can't answer the question - 'what do we do?' - can't even deal with it in any meaningful way until we build these axis of community and of solidarity from ourselves, through our lives, concomitant with our work. A lot of folks understand this, it's the motivation behind a lot of this otherwise annoying political lifestyle - the need we have to build a community. The reason for the mass international protests and Indymedias and fair trade movements - connecting, outside the elites. Building structures in which we can communicate and ask these questions - not just of myself or yourself, but to a society of others. For the moment, what we do is to build these structures and structure ourselves within them. Build these relationships within our lives so that we'll be able to ask this question in a meaningful way - What's to be done?

David Landy

Tampere, Finland, 21 May 2002

... But before we can reconsider OUR dreams, shouldn't WE also reconsider "we" and "universality" so that there is room for other dreams, other visions? Can there be "we" without exclusion? If in fact there is a Left left, there has to be debate about the shared grounds, the grounds for alliances and differences. What can an alliance be or look like today? What is the place of alliance within a political platform, which invites difference and diversity? How can it be managed, orchestrated, or realized?

Rene Gabri

New York, January 2003

Construct alliances, networks between different individuals and groups who, which are interested in actualizing other modes of life outside capitalist norms. At the same time encourage dissent, refusal when this is strategically appropriate. Thirdly, look closely at your own subjectivity - how is it being produced? How might you creatively remake it? What constitutes a revolutionary subject?

Simon O'Sullivan

3 November 2002, 11:06, London

In May 2002, one hundred years after the publication of the original book, Stephen Morton and I dispatched Lenin's question, 'What is to be done?' from Tampere, Finland. The question was framed through a series of short statements that referred to the current state of global politics, the possible relevance of Lenin's thought to questions of anti-imperialism and organisational strategies today and to the site of the Lenin Museum and Lenin's history in Finland. Through emails, letters, conversations and meetings we gathered over a hundred responses to the question, which were transferred to yellow time cards and displayed in old factory time-card holders at the Lenin Museum in Tampere. The exhibition lasted three months and during this time an area was set up where more responses could be written and added to the archive. In addition, a series of four documentaries put together by Florian Schneider in 2002 and collectively entitled *What is to be Done? A World to Invent*, was played continuously. An evening screening of Oliver Ressler's *Disobedienti* (2001) was also held as the basis for a workshop and discussion of the responses and the issues addressed within both videos. At the end of the exhibition in Tampere there were over two hundred responses, mainly from Europe, Russia and the Americas, including museum visitors, artists, activists, politicians, union representatives, political

scientists, philosophers, friends and all kinds of people unknown to us who often used the exhibition as a forum to articulate their concerns about the current 'war on terror', the war in Iraq and what might be done to intervene. At the time of writing this piece, the archive is already three times the size it was at the Lenin Museum, as it continues in public institutions in Germany, Lithuania and Krasnoyarsk, Siberia. The responses have also been the subject of a recent 'International LunchTime Summit' organised by 16Beaver Group in twenty-four cities around the world.

In what is to be done, Lenin puts forward a definition, a new concept of politics. He wants as a point of departure not the State of Power, but a revolutionary consciousness. The party has to be the result of the organisation of that consciousness. We have to look at Lenin's path. The party form is now impracticable. But the necessity of organising a political subjectivity outside any submission to the rules of the state remains. We especially must completely criticise electoral democracy. We need to invent a politics without parties, which would be submissive to the discipline of concrete political processes.

Alain Badiou

Paris, March 2003

So, the 21st century Left need have no identity, no head office, leadership, or fixed territory. Participants need agree only on a manner of collective decision-making, which values breadth of participation and is biased toward operating by consent, minimising coercion. Such a mode of collective decision-making encourages self-defence, and tends to block the formation of conventional armies and policing. It disabuses the group of any aspiration to exercise power, whether over a territory, a people, or an epoch. Zones of this kind are a way forward.

Kathy Kang

Sydney, Wed, 20 Nov 2002

Gilles Deleuze reminds us that rather than first criticise a concept we must look at the question for which it might be trying to provide an answer or a use. As a project concerned with questions and answers, questioning and maintaining the question, we must then ask to what question or field of questions might the concept of self-organisation be the answer? Given that many responses in the archive dealt with forms of political organisation, one could easily conclude that the concept of self-organisation might indeed be one of the answers to the question 'what is to be done?' but this too might short-circuit the enquiry. While keeping in mind these large questions of forms of political organisation, I propose to linger on the question of 'what are we doing?' a little longer, retain a fidelity to the exchanges gathered and continue to trace this community of the question.

It is useless and counterproductive today, in my view, to force political struggles into the traditional two part conceptual framework, as either distributed and spontaneous, on the one hand, or centralized and organized, on the other. This view assumes that the only way to organize political struggles is under hierarchical leadership. On the contrary, the most interesting political struggles emerging today, from the Zapatistas to the movements of Seattle and Genova, are organized in new ways, ways that constantly refuse hierarchy and leadership. The network form is often used to try to name this new organizational structure as is the slogan the movement of movements. In order to follow Lenin, we must then move beyond Lenin and apply his organizational genius to our own reality. We must specifically realize the powerful forms of political organization that are emerging today and work to further their struggles.

Michael Hardt

USA, February 17th, 2003

One should have patience to read more Lenin and try to understand how

he can be adapted to the situation today. When global capitalism/ imperialism has monopolized the situation today, opponents should find new forms for co-operation.

Aimo Minkinen

Tampere, Finland, 21st, 2003

Proclamations from above will provide no answers. Revolutionaries working inside the new movement alongside thousands of other activists, however can play a key role. The effective organisation of the revolutionary minority inside and among the movement of the majority is the very essence of Leninism. This is why Lenin insisted on a clandestine professional organisation in 1902 and on the opening up of the Bolshevik party only 3 years later. The revolution of 1905 changed the conditions radically and socialist organisation had to change accordingly. Only through the conscious organisation of revolutionaries, agitating and arguing and fighting within the class and the wider social movements can we hope to avoid further defeat and realise what Marx himself termed, the beginning of real human history.

Tim Robinson

Oslo, 2 February 2003

Remember that Lenin said: Authority poisons everybody, who takes authority on himself. Democracy is but one form of state, and we Marxists are opposed to all and every kind of state. So long as the state exists there is no freedom. When there is freedom, there will be no state.

Richard G. Bunker, Jr.

USA Wed, Oct 23rd, 2002, 7:45pm

The right way to interpret this question of Lenin is to see it as posing the question which is in fact the constitutive question of politics itself: the question of strategy. How do we go about getting what we want? The great weakness of contemporary anti-capitalism is its constitutive

inability to address this issue. The fact is that Seattle and Genoa did not demonstrate that capitalism can be resisted, only that it can be protested. Resisting capitals global drive to subject all social relations to the logic of the market, requires that we never lose sight of this central of Lenin's observations: without attention to the question of strategy, no political project can succeed. Without an understanding of the need to build popular coalitions which will challenge and modify the identities of all their participants, radicalism can only be, in Lenin's famous phrase, 'an infantile disorder'.

Jeremy Gilbert

London, February 2003

'Perhaps, though, we know one thing at least: "What is to be done?" means for us: how to make a world for which all is not already done (played out, finished, enshrined in a destiny), nor still entirely to do (in the future for always future tomorrow)' (Nancy 157). For Nancy, what is important about asking 'what is to be done?' is this sense of the now, the sense in which the subject's present-tense and continuous invention of a world is precisely not a 'measuring out of equal amounts of submission and revolt' (Nancy 157). Inventions never have prior models and so their horizons can never be contained within what already exists. An inherent sense of potentiality is therefore contained within the question, and the experience of trying to answer that question for many becomes a sometimes frustrating and anxiety-making wrestling match with that very horizon. Covering the walls of the Lenin Museum and the temporary study within the Krasnoyarsk Museum is evidence of those wrestling matches, musings and inscriptions of a particular potentiality. Here is a partial archive of futurity, of thought about a future in which the question is not always already answered. If, as Agamben says, the potential character of thought renders its experience

always an experience of a common power, then what might the nature of that commonality be? (Agamben 8) Both Brown and Szeman, and Nancy warn of the futility of always referring to a tomorrow or of only waiting for a Messiah. The sense of potentiality cannot then, be solely temporal, but must also be an immanent inscription of an open and unfinished community.

Global capitalism is made possible by union-busters of many stripes. Our labor unions are busted, certainly, but so are our civic unions, our social unions, even our familial unions are burst asunder, eroded by the cold, rushing currents of capital. We are not workers, members of communities, friends or family—we are but so many venture capitalists deprived of funds. It is impossible to build unity with the tools of capital. It is impossible to build a community, a friendship, a family within its confines. It is impossible to see work except in terms of profit. Yet this is precisely what is to be done. Our community has been taken from us because it is our most dangerous weapon. The overwhelming beauty of Seattle or Genoa is the recognition of the strength of these bonds, even after so many years of assault. When Lenin asked, 'What is to be done?', his answer was predictable: 'everything'. Now we must ask, 'where do communities form?'. The answer is 'everywhere'. Capitalism has given us the tools to form more intimate and active communities, but we must take up those tools, and use them as weapons. Each one of us must hold on to her neighbor with one hand and capital's throat with the other. 'Not in my town' will become 'not in my region', 'not in my country', 'not in my world'. It is impossible, yes—but only when we use capitalism's definition of 'possible'.

Samuel Butler

*Northampton, Massachusetts, USA. Age 22,
"White American intellectual with agrarian roots"*

Capitalism is holy to the capitalists so it cannot be dismissed by the realities of capitalism. Capitalism is in the position of God in the world

it has created. Infallible. Therefore we must create the basis for a new world order. Most of all we must break the western way of thinking 'I have rights'.

Elina Keskitalo

Oulu, Finland, Tuesday, 4 February 2003, 19:37

There is no inevitability as long as there is a willingness to contemplate what is happening.

Don McGregor

Montreal Canada, January 31st, 2003

If, as speculated earlier, notions of self-organisation imply that *how* one might know what it is right to think, cannot be separated from the structures from which the questions, issues and actions emanate, a singular unfinished notion of the subject emerges in place of the fully pre-constituted individual. Singularity in this sense refers to a concept of being that is always many, yet incomplete and can communicate, share, link together and organise through a different set of constellations. Thinking about 'what is to be done?' or understanding the world is therefore not a rationalised, separate activity carried out by a discrete individual, but more of an embedded process of thought and communication. In line with the shift from thinking 'what is to be done?' to a tracing of 'what do we do?' Nancy considers how we might 'act in such a way that this world is a world able to open itself up to its own uncertainty as such?' (Nancy 158). The 'self' that acts, that generates self-organisation and is *itself* organised, must be a singular subject – one capable of maintaining a question without horizon, capable of communication, of community along different lines of both fracture and alliance. Is this an opening into Badiou or O'Sullivan's (political) subjectivity?



Reclaim the Streets

Description:

Direct action in public space.

Text:

Reclaim the Streets (RTS) is a group of people with a collective ideal of community ownership of public spaces. It has been characterised as a resistance movement to the corporate forces of globalisation, and, more significantly, as a form of opposition to the car as the dominant mode of transport.

Reclaim the Streets often stage non-violent direct action street reclaiming events such as the 'invasion' of a major road, highway or freeway to stage a party. While this may obstruct the regular users of these spaces such as car drivers and public bus riders, the philosophy of Reclaim the Streets is that it is vehicle traffic, not pedestrians who are causing the obstruction, and that by occupying the road they are in fact opening up public space. RTS events are usually spectacular and colourful, with dancing, sand pits for kids to play in, free food and music. All these allow a Temporary Autonomous Zone. The style of the parties in many places has been influenced by the rave scene in the UK.

Reclaim the Streets events have also been known to be followed by the subsequent arrival and confusion of police officers and drivers. Sometimes the parties produce enough noise to drown out the sound of the jackhammers which have been used to dig up sections of roads, and plant over them with sod.

Reclaim the Streets is also used to denote such types of political action, regardless of their actual relation to the RTS movement.

Source:

www.en.wikipedia.org/wiki/Reclaim_the_streets

For more information:

www.critical-mass.org

www.afribike.org

Image source:

www.rts.gn.apc.org



reclaim the streets		
repetitive beats	no cops	
no cars	street-rave	
widerstand hat keine wahl!		
27-9-98 14:00 Uhr		
treffpunkt: tacheles : berlin		
oranienburger strasse 53-56		
www.gn.apc.org/rts/		

Resist and never submit. Keep faith and argue for the superior morality and humanity of communism. It is not the end of history Mr. Fukuyama.
Tiocfaidh ár Lá.

Dáithí M.

Ireland, 28 February 2003, 9:10

How do we resist the possibility that groups not central to global and national power will be ignored unless they become the same? These people may not be heard at all, or they may only be heard if they speak in a way the powerful speak and lose their situatedness, lose what they want to say embedded in how they speak. How do we recognise that difference is something we make not something that exists immutably without our presence and activity? What is to be done? How can we develop different public spaces where people from or in diverse groups can speak and be heard by themselves and by others? Finding out questions is part of the answer, so

- go have a cup of tea with a friend
- go have a cup of tea with someone you don't understand
- go have a cup of tea with an enemy

Lynette Hunter

Leeds, UK, 2003

Destroy the silence. Be ready to stand up for yourself and other people despite the overwhelming resistance you will face. Allow yourself to change Try.

Ninni Sandelius

Tampere, Finland, 26 March 2003, 14:45

Truly it seems that there is only one thing, no matter how thoroughly Christian this sounds. People should become less selfish.

Annina

Tampere, Finland, 2 April, 19:30

On a global level its hard to imagine changing things, on a local level its hard to change things, what can be done is based on what can I do? What can we do? Expose hypocrisy, question moral inadequacies, allow truth to be visible. Keep your own council, build as best as you can, keep feminist and ecological, technological, developed, alive and progressive. It lies in the details of our expressions and love for ourselves in relation to the world.

Sally Chapman

Glasgow, Mon, 23 Dec 2002, 12:23

Hunter and Landy speak of building public spaces and structures in which to structure oneself and within which different kinds of subjectivities and communities can be developed through listening and communication. Here, I will continue to call this a community of the question, a spacing of singularities that maintain the possibility of asking not only the question 'what is to be done?' but of maintaining the immanent potentiality of the question itself.

The Open Interview... and Lunch

Question from Susan

Question to Laura

Why do you think you talk too much, why is that a bad thing?

Answer from Laura

Because, I think you can learn more from listening. Most times I think my story is more interesting than theirs and I can't wait for them to shut up. It's a bad thing, I'm trying to get away from it. I'm living with this guy called Paul who's quite philosophical. He's doing a Masters in Landscape Architecture and been to all these self-development groups. And he's learned so much. He sits and listens contently and he's such a problem solver, he'll sit and listen to your problem and he'll have an answer for it. He'll look at it from a different perspective, so I want to get better at listening, definitely.

Question from Susan

Question to Laura

But do you think sometimes that maybe you just have a lot to say?

Answer from Laura

Yeah, I do, yeah. But is it relevant? I mean you've got to siphon out the good shit from the bad shit. It's self-discipline. I have a lot of self-discipline in some areas of my life, but in others I'm absolutely shit. Like really, really crap. Like I have to learn to hold back. No, you don't have to give 110% to people when you first meet them and let them get to know you instead of going, this is me, this is me, I want you to like me, love me, love me. Most people want people to like them and they're frightened to do certain things because

they want people to like them, and I've got to get past that. Once you get past that you're in a different league.

Question from Susan

Question to Laura

But what's relevant?

Answer from Laura

Well, it depends on the situation and who you're talking to. I sometimes know that I've just got to shut the fuck up. I'm doing sociology at university so I'm quite deep like that.

Question from Susan

Question to Laura

What are you interested in doing with the degree?

Answer from Laura

Well I know I just can't sit in an office. I've just done some office work at Leeds University, helping with the student recruitment when open day was on, and although it was alright, I just can't do that and I just don't know what I'm going to do with my life. I'm quite sporty, I do bobsleigh. I just have no idea. I haven't had a job this year, been bumming around Uni. I've just lost my drive from what I had two years ago. I feel a bit lethargic in general in life and I've just got to get myself kicked up the arse and I have no idea what I'm going to do after my degree.

Question from Laura

Question to Open

And so, that's my question. What am I going to do with my life? I'm doing a sociology degree, I talk a lot and fast, I'm pretty clever if you ask me and I'm sporty. And I don't want an office job, but have you seen *The Silence of the Lambs*? Have you seen Clarice Starling? I want to be something like that, man. Do some kind of criminology stuff, I don't know, but I've been so lazy I've just gone out and got pissed and

I've got to stop doing that, it's doing my head in. There's so much more. I want to be more cultural as well. Now do I piss off?

Answer from Mr. K. Benjamin

Well Laura, what I think you should do, you should do something involving sports, preferably with the hand-capped people cos she'd get more benefit out of that and something with sports cos she says she likes sports and then she could talk to them, if they've got any problems in their lives, cos she talks a lot, so she could be a counsellor, to advise people on what to do with their lives. She might be able to sort them out cos she thinks she's quite brainy. She says she's lethargic, so she should do sports and be around people who are doing lots of sports activities. That will help her to get more enthusiastic to do other things. Basically that's about it really.

Question from Mr. K. Benjamin

Question to People of Leeds

I would like to know if anyone would give me a job. I'm a hard worker, enthusiastic, reliable, I'd like a job what's interesting. Not just stuck in an office or stuck in a rut, something that gets you round and about meeting different people. I like meeting people. And I'd just like to know if you could give us a job or help me to find a job, a good job? That's it.

Answer from Nick (in response to Laura)

I think that she should join the circus. There's plenty to do, she won't get bored. She won't get a chance to go out drinking and I think it would bring her much happiness.

In February 2003, Peter Lasch and Janna Graham launched the first *The Open Interview ... and Lunch* between *Fuse* magazine in Toronto and the 16Beaver Collective in New York

(and elsewhere). *The Open Interview* is an experiment with the interview and the structures it employs: call and response, question and answer, speaker and listener. Initiated originally via a three-day e-mail, and eventually manifesting itself as a set of cards published with the 'Democracies' issue of *Fuse* magazine, a simple game structure replaced the conventional 'I-You-interviewer-interviewee' relationship. The rules state:

- Someone asks a question.
- Someone answers, and asks another question.
- Questions and Answers circulate.
- We have lunch.

The Open Interview continued for three days in audio format outside the Town Hall in Leeds, UK in July 2003. This time an interview booth was set up between a conference taking place in the Town Hall (warp:woof on aurality, textuality and the voice), and the street and square outside. Janna Graham and I opened the interview by recording and filing questions directed sometimes to people we knew at the conference, people who worked in the Town Hall that might pass by, or open questions directed to anyone who cared to answer. Questions were picked up intermittently by passers-by and conference delegates and answers were recorded back onto the same tapes. Further questions were generated by the answerers. Through answering the question and posing another one, questions and answers circulated among passers-by and conference participants and a taped audio archive began to amass. Improvised categories were established (Hot Air, What is to be Done, Voice-Accent-Opera: On Loving Barbara Engh, No Further Questions, Questions to the Dead etc) and archived on the metal racks. The booth became a space of relay where the

roles of the interviewer and interviewee were passed around the conference and the street over three days.

Question from Nick

Question to Open

Will I find happiness as a travelling marketing man?

Answer from Lee Crosby

My answer would be No to that. Why? Well, happiness is not to be found, not to be come upon really. To ask is not to have. So to me the guy is trapped by his own life and his responsibility and that's what's keeping him busy. I don't know what else to say. You can't acquire happiness; it's spontaneous. Through my eyes, what I've seen of the world, someone who has got this that the other, it looks like they are doing well in life, but well in what? That's what I'd like to ask. They can run a life, have a home and a shelter, but that ain't life. In my eyes, communication with people, even in sales in anything, is a kind of manipulation in order to sell things to people, because they need to earn a living. People are so cold. You can sit on a bus and everybody's off in their own little world, there's not much compassion for people – it's not about joining this religion or that, cos its creating wars. Being able to sit down with people, get on a level. I believe we're all intelligent individual people and have all got gifts. And to me, fear's been a big element in my life, I've acted on that. Fear to me is, is like say, a snake is going to come and pound on me, I act instantly, so that's a natural impulse and I act. But fears I mean like, oh, I must get a job, I'm told to get a job, if I don't then I've got no money, I've got no roof over my head. I've got to have this that the other, and that all breeds fears. Oh, I must be successful at this, I must be successful at that. And to me it's

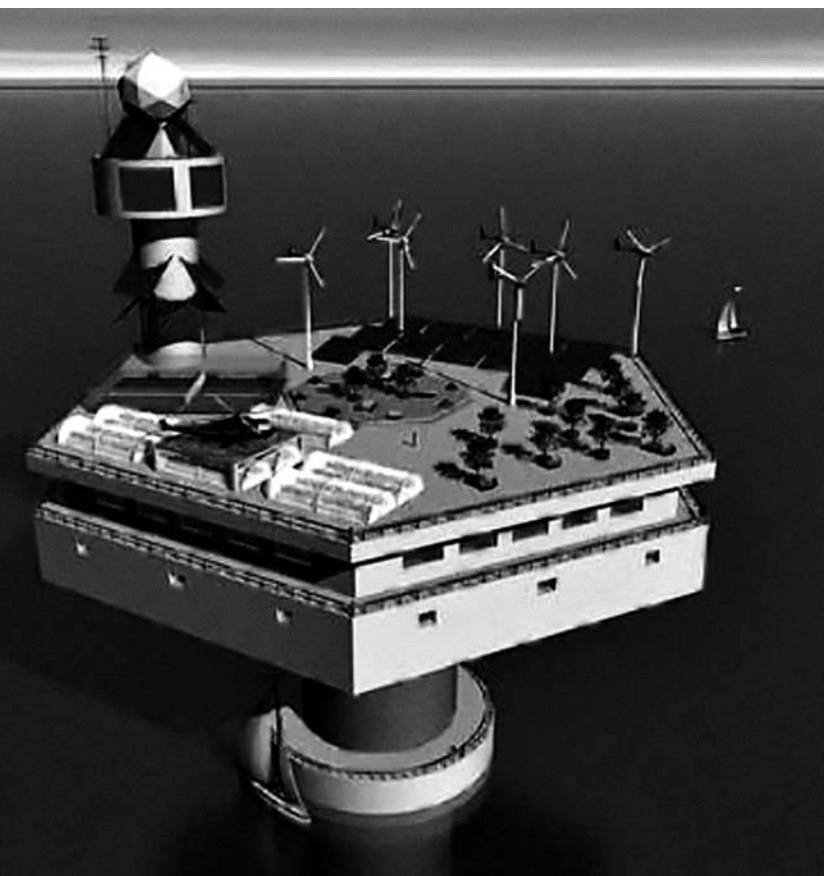
the wrong education, we've not sat down and discussed it. Everyone's too busy. Through education they try to say read a book and concentrate on one thing. To me that's just another form of an escape. At the end of the day I'm looking for where I'm not governed by anything. Cos even though I'm here I'm governed by something – my conditioning, how society is. From the age of 15, you get a national insurance number through your door and you have to pay taxes. Our conditioning – it's like desire is a big one. Life is about pleasure and pain, but these little desires. Like I might go off and see that car over there and think, oh, I want that. And my little desire goes and my desire says, yeah, let's have that car, how can I get that car. I want to sit in it and ride it cos I've got a feeling there. I believe that the brain, you've got a natural energy that's in there, and you've got all those conditions that break that energy down so that you don't walk in this world with no thoughts at all. They're still mine, that's what the key of life is.

Question from Lee

Question to Open

The question I'd like to ask: What is love? What is love? Undevoured love, as in love, not this domination and possession, but what is love?

The Open Interview booth in Leeds started off in a three-metre square of wood-effect tables covered by a white garden gazebo. The gazebo twisted and blew away up Calverley Street by day two. Inside the Town Hall a conference called *warp: woof* proceeded to investigate sound, the voice and textuality. At the tables (*The Open Interview Booth*), there were comings and goings, lots of wind and an almost constant sound of sirens from the nearby hospital. Lining the tables were old flat



Seastead

Description:

The Seasteading Project aims to build sovereign, self-sufficient floating platforms, thus creating new territory on the oceans.

Text:

"Seasteading" means to create permanent dwellings on the ocean – homesteading the high seas. Like the pioneers of old, seasteaders will be driven towards the next frontier by their adventurous spirits and desire for freedom. Building sovereign real estate will let them experiment with a variety of different social, political, legal, and economic systems, which is currently very difficult. This research into the basic elements of how societies can be organized will increase our collective wisdom and benefit everyone.

Starting your own country on the ocean may sound like a strange idea, but there have been hundreds of nation-founding groups and ventures over the past half-century, many of which were marine-based. Unfortunately, the people involved tend to be at best idealistic, and at worst cranks and scam artists. Few of these ventures even got off the ground. Of those that did, almost all were impractical and failed dismally (with a tiny number of notable exceptions).

In contrast, our philosophy is to be pragmatic, focusing on realistic methods instead of visions that are inspiring but impossible. We combine proven technologies rather than trying to invent new ones. We'd rather start with something small and real than grand and imaginary. We expect most residents to be part-time at the beginning, rather than dropping their entire life to jump onboard such a speculative venture. While this common-sense approach may seem pretty obvious, it is unfortunately quite rare, which is why we think that our project has a decent chance of succeeding where so many others have failed.

Settling this new frontier requires structures designed specifically for the marine environment. We think the best design is the "birds and fish" approach. Nothing lives on the surface of the water because it's too unstable. Sea creatures either live below the waves (fish), or fly above them (birds). Our seastead design is based on these two safe areas: Well below the water's surface is a flotation hull, containing air to make the structure float and ballast to keep it stable. Well above the crests of the largest anticipated waves is a multi-level platform where the residents live. (Its lowest deck is a safety hull which can support the entire structure in an emergency, or during certain maneuvers). Connecting the two is a hollow vertical tube, called a spar. Unlike a boat, this structure is massive and has little connection to the waves, so it won't bob or sway, even in major storms.

Electricity comes from a combination of solar, wind, wave, and diesel generators. Water is provided by captured rainwater, solar distillation, and reverse osmosis. Food consists of hydroponically grown fruits and vegetables, aquaponic fish and algae, and high density gardens. Self-sufficiency will be closely related to how far the seastead

expects to be from land, progressing from initial Baysteads and Coaststeads to eventual Deepseasteads.

Currently, we are completing our basic background research. Then we will finish designing the first habitable version, called Baystead, with about ten thousand square feet of area (preliminary work has been done). Using this design, we'll build a tub-sized model, then a pool-sized model, and finally the full-sized structure, which we plan to locate in the sheltered waters of the San Francisco Bay. This will let us test the technology and become familiar with it, as well as serving as a demonstration and publicity piece. Interested people can take tours to learn more about our project and technologies.

Once Baystead is built and occupied, we'll begin planning and designing the first sovereign seastead. It'll be big enough for around a hundred residents. While a few enthusiasts will sign up to live there full time, we expect most participants to buy timeshares enabling them to spend a few weeks a year on board. This will give us a much broader base of people to draw from.

When enough deposits have been made and contracts signed with residents, construction on Seastead I will begin. Once the first sovereign seastead has been built, the hardest part of the work has been done, and the movement can take off on its own steam. With an operating Seastead demonstrating that seasteading is technologically, financially, and politically feasible, interest will continue to grow. More platforms will be built and connected into larger groups.

As seacities develop, the seaconomy will grow, and seasteading can become a full-time way of life for an increasing number of people. They'll experiment with a variety of governing systems, and the most successful will be emulated. We don't expect to create the perfect society, but we do think we can achieve a significant improvement, a freer and more adaptable form of life.

Source:

www.seastead.org

For more information:

"Buy land — they're not making it any more" (attributed to Mark Twain)

www.seastead.org

www.sealandgov.com

www.havenco.com

www.en.wikipedia.org/wiki/micronations

tape recorders that could play and record, and flat metal racks to stack tapes in. Lists of 'question from: question to: answer from;' were made on the tape covers. The tapes were archived on the racks and pulled out again when passers-by wanted to listen, answer and ask another question, or people who had questions directed specifically towards them wanted to continue a thread. In this process orchestrated by Janna Graham and I, tapes occasionally took their own direction for a while, while we came up with improvised, temporary archival categories. People came to record answers and questions in two ways: Curiosity brought many people by, seeking explanations for what was going on and often listening to the tapes that had been recorded so far. They would then sometimes add their own answers and a further question. There were also small cards the size of business cards that said 'Dear _____, There is a question waiting for you at the Open Interview Booth', which could be surreptitiously or otherwise handed to someone you had left a direct question for. Upon direct interpellation, the addressee could rarely resist coming to find out what had been asked and who had asked it. The rule stated that upon answering, another question must be generated, and so the tapes went on. The booth became a space of relay, a place to come and pick up and drop off, or a space to hang around chatting and listening with headphones. There were always several questions left hanging on different tapes, and so as well as being spectators of sorts listening to what other people said, listeners always had an entry point where they could answer or start a new thread with a new question.

Answer from Laura

(in response to her responses and to the question 'what is love?')

I must say I found your answer really interesting. We are all

trapped in our own fears and at the minute I'm jobless and have hardly any money. I'm trapped in the fear that nothing will kick off for me. Another year at Uni, I still haven't got any money and I'm trying to get away for the summer and I feel that I won't be able to get away...

What is love? Well, its never having to say you're sorry, cos you love and accept the other person so much that you just accept them, that's what I believe. Anyway, thank you.

Answer from Steph

You know how people forget, like in relationships, people act as two consumers in a unit. A lot of people pick a partner a bit like a complement to themselves, like a co-consumer. They aren't willing to relate to each other, they stand as an enhanced consumer unit and the love that's directed is not outwards, it's self-love, it's really not very effective. Love comes from the relation with another, of difference. It was Schlegel who said that, when you love someone you stop wanting to know them, it's the quality of misunderstanding is what being in love is, what sustains it, the acceptance of a misunderstanding. So, that's what we're aiming for, not a politics of efficiency, a togetherness among people who don't quite fit together. I think a lot of multiculturalism is based on the fact that we might melt together, form a one, a more perfect union. Union isn't about the perfection of union, but about different value of perfection. About the affection expressed towards imperfection perhaps. Those questions about the politics, that isn't about a solution, but about an accommodation, towards traditions that exist now. The process becomes the object not the solution...

Question from Steph

Question to Janna

Do you think of yourself as a conduit, like a public switch-

board for people in a sense?

Answer from Janna

It's something I've been thinking about today a lot, cos I don't necessarily see my voice as a switchboard, but I asked Susan today, 'what is the agent of contingency?' If all agents are contingent what are the agents of those contingencies? That's where I care about situating myself where the bonds in relationships are very difficult, they are not easy bonds. Like when you try and bring an academic community into a community of people who are walking the streets for whatever reason, going to work, unemployed, homeless whatever. Those are very dissonant voices, they don't meet each other on any kind of common ground, I mean they might but they don't, in the context of this kind of conference. But what are you when you're that agent, a transmitter or whatever, and what is it to feel the tension of that dissonance, how do you articulate it, talk about it, what is it to be that? That's something I'm very interested in. I wouldn't be so bold as to say, oh we're the transmitters, we transmit one knowledge to another, because I don't think they are separate, but they are articulated ... [tape runs out]

An exchange of sorts takes place and the questions move around. Something gets passed around and relayed, but it is messy and unsystematic, with plenty of breaks and dead-ends. Sometimes the answerers struggle or cannot ask another question, they must be persuaded, cajoled and charmed; our voices creep in again. Yet generating another question is key. X hears that someone has left him a question. He feels flattered, addressed, like maybe someone actually listened to his paper if he is a conference speaker, or at least as if someone cares. This makes him think carefully about the answer, to try

and answer it in the spirit of genuine interest with which the question has been asked. He reflects carefully on the question and comes up with an answer. Having been addressed so directly and spent some concentrated time with a microphone reflecting on his own personal and particular take on the issue at hand, he must suddenly open it out again. This obligation to generate another question (X said he would play) – in the spirit of genuine interest, wondering to whom, if anyone, about what, if anything – often immediately opens out and sometimes de-centres that reflective voice. He (questioner) asked me (addressee) a question and now I (questioner) must ask someone, anyone (new addressee) a question, who may potentially ask me (potential addressee x 2) a question again (which would be nice), or at least have to generate a related question. I wonder what that would be, what question my addressee would ask. This is often the process, within the structure of the booth and the many listening and recording devices, through which the question is carried on. This structuring of relations is important because, as Derrida states, questioning itself doesn't make for an ethics of thought. Nancy adds that 'the obligation is more simply, more modestly, one of maintaining [garder] the question, as a question' (Nancy 38). If the structure set up by *The Open Interview* lays some kind of preliminary ground or mechanism for exchange and connection, how important is this shifting of the 'I-you-we' to maintaining the question?

Question from Patricia

Question to Open

An open question, because I haven't heard anybody speak yet and so I don't know who to direct it to ... but um... To people delivering papers here, or maybe to the people in Leeds. I guess the question is ... em. One question I had is

... where in your body do you feel your voice? And another way, do you recognize ... I've met people who have made an effort not to sound like they're from Brooklyn. And I even notice now that I'm getting older that I'm sounding more Brooklyn, because I'm not controlling it as much anymore, I know people who have chosen a different voice, a more controlled voice ... so I have this unformulated question that ... em ... the idea that, is there a voice that you know is your real voice, and a voice that you know is your sort of, em ... controlled voice, and when did you start to create a controlled voice?

Answer from Cherie

Em ... My name is Cherie and I have no idea where my voice comes from. I don't know about that question. Can't answer that one. The other one is ... where voice comes from or something? In terms of accents ... hmm ... I don't know what to say, I guess. I wouldn't have thought that my accent would change at all, but I have noticed that every time I say 'Canada' it sounds strange to me, and I don't know that if it's cos I'm not used to saying I'm from Canada, because I haven't travelled very much, or because I'm saying 'Canada' differently. I don't know. I don't know if that answers that question, but it's one thing I've been aware of accents, anyway ... and also, it's interesting that you should mention New York, cos there was a guy on the platform at Thornton Heath who gave me directions, he works for the transit commission here, and I had a whole conversation with him, and I didn't even notice that his accent was not English and I think that's because a North American accent sounds natural to me, and even though I'm in England, I didn't even question the fact that his accent was not English and when I finally, I was getting on the train he asked,



Seedy Sunday

Description:

Sociable agriculture.

Text:

An untold number of crop varieties have become extinct since the onset of industrial agriculture in the last 50 or so years and the only way to reverse this trend is for the existing heritage varieties to be spread and grown as widely as possible. As well as being important in order to preserve the diversity of nature, swapping seeds also plays a crucial role in reclaiming control over the food chain from large seed companies. Profit in the seed business relies on customers coming back year after year, which has led to the development of various hybrid seeds specifically designed to become sterile after one season to serve the business interests of seed companies.

This commercial attitude towards seed has shown itself to be fundamentally unsustainable and is totally contradictory to the spirit of seed-swapping which regards the cycle of life from seed to plant to seed as a precious gift of nature, to be shared with everyone. Seedy Sunday also hopes to promote social diversity so that people of all ages and backgrounds can come together to discuss their crops and much more, enabling connections to be made between growers in the local community so that people can work together on ensuring their own food security.

Organise your own seedy sunday

You probably already swap seeds with your neighbour, but how about swapping with your whole community? Seed swapping connects and sustains the local gardening network. It offers gardeners old and new a chance to grow their own food and to try different varieties thus keeping out heritage vegetables from extinction. It gives gardeners a chance to share knowledge and seed that has adapted to local conditions.

It's not that difficult to organise your own seed swap.

When is up to you. We have gone for February because that is when a lot of people are thinking about what they are going to grow this season. It could easily take place in the Autumn or later in the Spring.

Seeds can come from all sorts of sources. Talk to your local council's parks and gardens department, stores, garden or allotment societies or clubs and just ask. If you don't ask you don't get. We wrote to local and not so local seed companies. Ask us as well as we may have spare seed to send you.

Source:

www.seedysunday.org

For more information:

www.seedysunday.org / www.vshiva.net

www.en.wikipedia.org/wiki/Biopiracy

'Where are you from?' and he said he was from New York – and I thought he was asking me if I was from New York, and I said, 'I'm from Canada' and he was actually telling me he was from New York and I hadn't even noticed that his accent sounded strange. It didn't sound strange to me, an English accent sounds strange to me. [Sirens]

Question from Cherie

Question to Open

Do you think about the sound of your own voice?

Answer from Johnny

Johnny Maguire. I was just asking her if she was French ... cos there's a lot of French in Canada ... an awful lot of French there ... like in New Orleans ... that's where the Cajuns come from, you know what I mean? My mother and father ... I was born in Kent in the south of England. Because I'm a travelling man ... we travelled around England, Scotland, Wales, not Ireland, because my wife ... I've been to Ireland, yeah, but what I'm trying to say is ... my wife's English, my children are English so that's why I'm here ... I class myself as an Irish travelling man ... because that's what I am ... all belonging to me was that, even my children, you ask them what they are, they'll say the same, cos they speak the same as me. See now my language is different in Irish, it's what you call 'cant'. You're a country person. If you're not a traveller you're classed as a country person. Even though you could be raised in the city that's what you'd be. I speak mostly English, even over here we speak mostly English, we only speak our language among ourselves, if we don't want someone to know what we're talking about. But mostly among ourselves we speak English, the Queen's English as they call it, like in Ireland, most of the language is English, isn't it. Unless they come from

a small community, like the little Aran Islands. I never want my children to lose my language.

Answer from Lynn Turner

My name is Lynn Turner and I am not Australian. Let me stay that one more time: I am not Australian, callers. Ever since I moved to the South, home of many more home counties accents, so many people, especially employers, academics, I think it's a code, something that's not modulating a home counties accent perfectly, there's some kind of chink, some kind of other rhythm. I think I once called it a peasant twang. So the code is, instead of where do you come from ... it's 'Are you Australian?' So soon, I will make it up and say, 'yes I am', and give myself a whole other life, fictional history. My parents have fairly country Sussex accents. Typical of people of who have flattened out, into a more quote-unquote 'well-spoken' accent, is when they speak on the phone to their parents, you start speaking differently and you're the other person in the room. My friend Cheryl, her voice is quite posh, but on the phone she went into the very, very rounded Welsh ... and you could have conversations with her while she was on the phone and she would switch between the two without helping it.

Question from Lynn Turner

Question to Open

When you lose your accent, where does it go?

Answer from Paul Bowman

Right, an accent is a trace without a presence.

Question from Paul Bowman

Question to Open

Em, how can I get rid of my hangover? OK ...

Answer from Janna Graham

I have some Advil.

Question from Janna Graham

Question to Paul Bowman

Would you like some?

Answer from Paul Bowman

I'm going to stick with coffee and tuna sandwiches for the time being.

16 Beaver collective was invited to somehow represent what 'we/they' do in an exhibition in Weimar, Germany entitled 'Get Rid of Yourself'. The exhibition was all about collective and collaborative practices and contained few proper names other than those of the 'collectives' involved. 'Getting rid of yourself' for the sake of a collective isn't perhaps as straightforward as the sacrificial syntax would make it appear. Landy's proposition in his response to 'what is to be done?' of 'creating structures and structuring yourself within them' remains a central concern for any project of self-organisation. Getting rid of yourself in *The Open Interview* is an agreement to take up temporary positions, to open out the question through de-centring the answer, a taking apart and constant re-configuration, guided by the question. The voice organises, is organised, is passed around, and like the accent, sometimes gets de-centred and dislocated.

Question from Janna

Question to Paul Bowman

So interviewing is a way of mapping that out, but also bringing them into conversation with each other?

What's your investment in your interviewees and what's their investment in you and their own practices?

Answer from Paul

I think people like to talk about themselves (yourself included – Janna). No, yeah ... well in a way you're always talking

about yourself if Derrida's right, in a sense all you can do, even if your talking about whatever, you're always talking about yourself. But what I've always wanted to do is get an essay or a statement or a proposition, no matter how shit, actually the shitter the better. Then send that statement to someone else to get them to write an essay on it and then send it to someone else. Or do an interview and then play it to someone else and get it going that way. But I don't think people like to be put under that kind of pressure. Say right, here is a discrete interview, not about you but about that thing that you, instead of right X, Y said this. You've got all sorts of different friendships and loyalties ... Tricky.

[ASIDE: e-mail whilst writing this essay]

Question from Susan

Question to Janna Graham and Peter Lasch

How the hell should I go about citing authors in this piece?

Answer from Janna

The Open Interview is particularly perplexing on the question of authors, given the number of authors that were involved in both iterations of the project ... anyone who asked, answered, and possibly even those who were asked and didn't answer were authors in some way. This kind of authorship is generative and generous, it finds its roots in both friendship (and the kind of handing over of one's air-time to another) and ego (an interest in putting one's voice or thought to record). I wonder if there would be a way of replicating this in the diagram – a way of keeping the interview moving, to acknowledge those who have been involved and be hospitable to new authors?

Answer from Peter

Agree mostly with Janna and couldn't phrase it better. As usual, I like to think of what we're doing in terms of games.

There is a tricky balance when you ask someone if they want to play. Too much respect for authorial origins can ruin any kind of game. As concerns me, you can cite me or not cite me, I'm fine with both. When I work collaboratively, I start with the assumption that the gesture comes with a certain willingness to give up control and this is the strength of it. However, we all know that art is basically a big vanity tournament, so I would assume the safest thing is to let the list grow. To me, the growing list of authors is aesthetically pleasing, politically relevant, socially welcoming, and it also has the added advantage of scaring away the *ridiculum vitae* folk who are somewhat disappointed by not finding their big bold name on the publication's heading. A phrase I find appealing and not too restrictive is the idea of an individual or a group 'initiating something'. 'Conceived, invented, designed', runs the danger of closing things off and adding the language of baby-making and capitalism to a process which only works if its social. Have you read Levinas' 'Proper Names'?

As with the invitation to 16Beaver to replicate 'what we do', the process of writing about *The Open Interview* can never be anything more than a staging, a tracing, perhaps a (re)-configuration of some of the voices, re-enacted with a certain fidelity to the process itself. The 'material', the voices, questions and responses are organised partly according to the logic of what is said and partly in accordance with the structures and devices through which they speak.

Question from X

Question to Open + Adrian Rifkin

How long can you hold your breath?

Answer from Susan, Lynn, Janna and Jen

OK, this is Susan, Lynn, Janna and Jen, holding or breaths ... 1,2,3 ... oh crap, start over.

OK, this is take two on holding our breath: Susan, Jen, Lynn, Janna ... 1,2,3 ... (Laughs)

What's that sound? (Laughs). There's a lot of hot air on this hot air tape. We're going to try one more time. Have you got the stopwatch Susan? OK ...

Answer from Adrian Rifkin

Answer to your question is not long. A generic answer to a generic question, about something that which in fact cannot be measured, about something that has no specific length, although has relative length, although some people can do it for longer than others. There's a piece that Cornelius Cardory wrote for John Tilbury called 'VoloSolo', in which the instruction is to play it as fast as possible and of course as fast as possible has no length at all. So these are related problems.

Question from Adrian Rifkin

Question to Julian Hammond

How much do you love Elvis? This in a sense is vengeance for the questions just asked to me – how long can you hold your breath. So how much do you love Elvis?

Answer from Julian

This is Julian answering Adrian's question. How much do I love Elvis? I think that I love Elvis more than it would take for me to contain the breath to say how much I love Elvis and that I also love him more than there are not enough words to express. What or how my love is of Elvis. It's not as simple as saying, 'there are not words enough'. It is that all the words put together would not fully circumscribe how I love Elvis, how much I love Elvis. So, the short answer is a lot.

Question from Julian Hammond

Question to John Mowitt

Once music gets inside the head, having gone underneath the skin or inside the ear, where does it travel to and does it ever end up anywhere?

Answer from John Mowitt

Um ... I mean the issue of the destination of a piece of music of a piece of sound is as complicated as the theme of destination in relation to the problem of the letter, of the signifier, of the chain of signification. Whether understood linguistically or not, as you know, part of the medium of communication. Can I, and it seems to me many interesting things, this neurobiological work being done of cognition and sound retention and whatnot, that it has developed a kind of model for thinking about destination that places at its very centre a lack, an absence, a hole, that porous figure we have discussed the other day. In any case I think that what that belies is a sense in which the precision of location, of the where sound goes that even in the most precise description of the organ of reception has to include there a certain kind of acknowledgement that any possibility of construal of the location of the destination is flawed, is limited in a decisive way. Now the issue is really that the effect of the modelling of how to explain this or, are we really trying to say that sound travels towards what Freud called the navel of the dream – the point at which the body and the mind are so knotted that you can't figure out what destination even means, at that point?

Question from John Mowitt

Question to Open

This is one for everyone. I promised I would ask it, so I should and it is: Who wants to Know?

For Nancy, community is a space of singularities and I's who are always others. In Walter Benjamin's essay 'The Storyteller', the concern for communication and for communicability itself is articulated through the scene of storytelling, a particular situation in which knowledge is passed on in a complex and embedded relay across time and space. Taking Johann Hebel's stories as an example, Benjamin traces the role of 'the righteous man' as it occurs in various stories. In each case, no one is up to this role, and so it gets passed around. This passing around of the role opens a space that implicates the listener, as the righteous man potentially encounters himself as someone else. For Benjamin, as for Nancy, there would seem to be an ethics associated with the shifting pronoun, where communication, communicability and ultimately community can only be predicated on this particular shifting subject-in-relation. The 'I who is always another' and the process of bumping into yourself as someone else (or indeed, meeting yourself coming back), is a de-centring, perhaps even a singularising process, that can only happen when there is a different notion of the self at work – and when there is more than one. Benjamin's figure of the storyteller becomes a mode through which he can address what he considers to be crucial issues of the communicability of experience and the passing on of history itself. In the scene of storytelling, a form of knowledge is embedded through a sense of duty, fidelity and ultimately, ethics.

John Mowitt's question in the title of this essay, 'Who wants to know?' echoes Gayatri Spivak's assertion that politics is never a question of who will speak, but of who will listen. The limitations of this voluntary relation between listener and speaker are clear in 'The Storyteller' and in Mowitt's own paper delivered at the *warp:woof* conference. Mowitt refers to Benjamin's essay

on Marcel Proust, where the 'woof' of forgetting and the 'warp' of remembering are related to the work of involuntary memory. Mowitt contends that when considering the social production of critical consciousness, experiences that may be politicisable, are only so through their structural character, not through voluntary decisions to make them so: 'Experience becomes politicisable [...] not as a result of a decision to bring it about' (Mowitt, 2003). For Proust (and Mowitt) there is a collective latent in all enduring experiences. Enduring experiences leave traces in the present in the form of involuntary memories. So, rather than the decisive production of a consciousness that can be politically deployed, for Benjamin, this memory is the locus of what is politicisable. These observations may then speak to a notion of collectivity, where a shared structure of thought and knowing is embedded in relations not between discrete individuals, but between the singularities and I's who are always others.

The answer to the question, 'Who wants to know?' then, could never be a simple list of 'concerned listeners' or a delineation of why it would be right and proper for certain people to know or be told certain things. The answer would have to practise a response on the level of the structural, where the relationship between speakers and listeners is re-organised and where an altered concept of knowledge is in operation to a degree where Mowitt's question would no longer make sense. *The Open Interview* plays in a modest way with these structures of knowledge, desire and the roles and subjectivities of the 'who' that addresses and is addressed. The concrete process of generating another question from an answer produces open structures of potential community where the response of the respondent is inextricably linked to a broader responsibility and

fidelity to a community of listeners and speakers interested in maintaining the question. Altering the situations and structures within which communication can take place, as well as working with an altered notion of the 'self' must be central to an ethics of community in which the question can be maintained, or at least, is not always already answered. This is what is tentatively proposed as a *community of the question*.

In a critique of *Empire*, Oliver Marchart's essay 'The Crossed Place of the Political Party' states that theories of self-organisation and transversality in no way address the central question of contemporary political movements: the problem of the *form of organisation*. The grammar of Marchart's argument, 'the collective *must be organised*' works to bolster his contention that the multitude cannot spontaneously become politically organised. Marchart argues that what is to be done, is to 'search for new (organisational) forms of progressive de-individualisation.' The community of the question would rarely use such grammar or place such questions of organisation on the outside. However, it would also be wary of overly organised models of organisation that elide the production of structures and agents of contingency. Yet Marchart's larger point about the political relevance and efficacy of self-organisation as a form of contemporary political organisation is crucial. It is clear is that unless forms of political organisation take on board a grammar of organisation that doesn't rely on a kind of voluntarism, and doesn't separate grander political questions from the micropolitics of collective selves, they are likely to remain weak alternatives and weak opponents of dominant political forms.



Superchannel/ Tenantspin

Description:

"I'M NO PAXMAN OR KILROY, BUT I'M DOING IT"

Steve Thomas, Childwall, Tenants Presenter

Text:

Tenantspin is a webcast channel with live chat-room facility that enables excluded citizens to partake in democratic and cultural processes. It was developed and produced by the tenants in Liverpool's oldest tower block, Coronation Court – a high-rise social housing project whose residents, mostly over 50 years old were trained in studio management and the technical aspects of production.

Started as a six-month project in 1999 it is still running and has built up an online archive of unmediated one-hour cultural and political discussions that challenge and confront questions of social exclusion, e-democracy, top-down culture and cross-generational debate. Tenantspin webcasts hour – long shows once a week, looking at issues such as rent increases, resident participation and technology, landlords, demolition, the built environment, high rise living, regeneration and beans on toast.

Source:

www.tenantspin.org/about/about_tenantspin.htm

For more information:

www.superchannel.org/Home/Profile/Channels/SPIN/

www.tenantspin.org/

Tenantspin is co-managed by FACT (Foundation for Art & Creative Technology), Liverpool Housing Action Trust and Arena Housing Association, and was created in conjunction with the Danish artists' group Superflex (www.superflex.net) Sean Treadway and the Superchannel community (www.superchannel.org).

Digital promises. The future of information societies and two types of social organisation.

Tere Vadén

Abstract Different types of volunteer organisations working in and through the Internet have been seen as new forms of social self-organisation and self-management that result in new political possibilities and agendas. Likewise, the nature of digital information as a non-scarce resource has lent information societies a radically different nature from previous social formations. However, given the current forms of economic production and corporate markets, the liberating and democratic potential of digital information is counteracted by the concentration of media ownership, as well as by policy, legislation, and the development of proprietary forms of technology. The notion of “intellectual property” produces artificial scarcity where digital technology could remove it. This tension between the proprietary and non-proprietary aspects of the information society can be analysed by looking at two types of knowledge creations: organisational and disorganisational. While organisational knowledge work can benefit from a notion of “intellectual property”, disorganisational knowledge work is disrupted if not destroyed by proprietary barriers on information. This is unfortunate if and when the crucial innovations and ethical potential of the information society are connected to disorganisational communities, even though the organisational type is more visible and better represented in the traditional structures of society.

Keywords: disorganisations, free software, information society, intellectual property, knowledge creation, utopia.

The digital information society and postmodern philosophy

The concept of the digital contains a plethora of hopes and fears. A new way of “digital being” is thought to prompt the need for new digital ontologies and epistemologies, while resulting in novel ethical dilemmas. Correspondingly, on the level of social organisation, the digital is seen as a torchbearer of new forms of organisation that have radical political implications. Volunteer hacker organisations, free and open source software communities, varying applications of the open source model in other areas (Wikipedia, open source democracy, open source curricula, etc.), and the organisation of various civil activities through the Internet have been seen, on one hand, to provide new blood for the Habermasian ideal of democratic communication. On the other hand, they are also seen as completely new forms of civic self-organisation and self-management (for hacker communities and theories of them, see Castells 1996, Himanen 2000, DiBona et al. 1999). While looking for examples of the new multitudes that they advocate as the basic self-organising models of future politics, Michael Hardt and Antonio Negri (2004, p. 301ff) turn to free and open source communities and related activities. When the self-organisational nature of hacker communities is combined with the observation that digital code is not inherently a scarce resource but can be readily copied and distributed with close to zero cost, we get a cybercommunist utopia, in which volunteer organisations are able to manage themselves in a post-scarcity economy (see, for instance, the discussions in Žižek 2001, 2004).

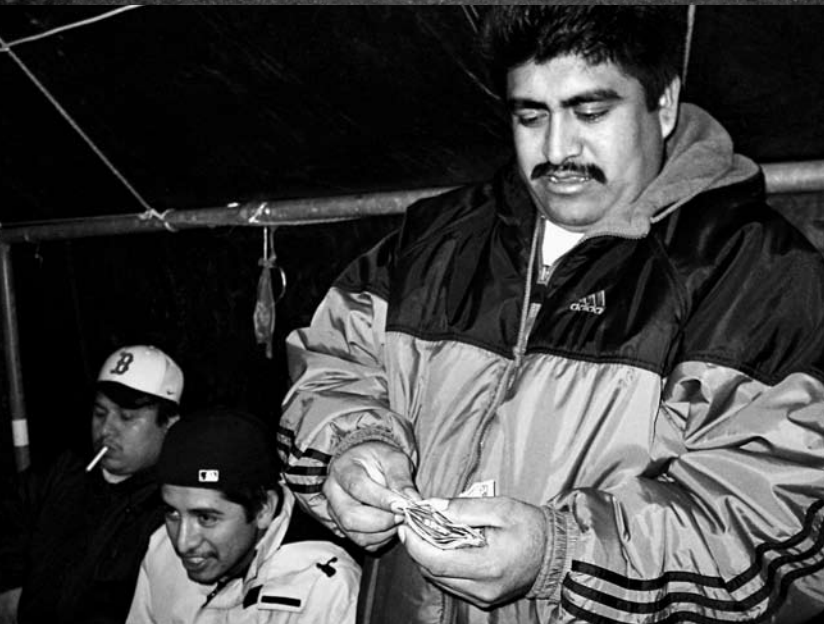
The so-called information society necessitates a restructuring of modes of production, including the set of beliefs that

accompany or sustain the necessary social and economic structures. One of the cornerstones of this set of beliefs is the “cybernetic” idea, which claims that some kind of information or code is the basic ontological level that guarantees both the explanation and control of all phenomena. This cybernetic ideal includes, among others, the beliefs that the functions of a computer are based on code, that human thinking is basically some sort of information processing – maybe of a self-organizing kind – and that the structure of biological organisms is, in the last instance, based on code, or DNA. Aspects of human life are understood and operationalised as if they were ultimately information processing according to a codified system of representations. Thus, thinking is seen as the processing of representations according to the abstracted form of the representations. The form and function of a biological organism supposedly reside in the DNA code and the ways it is “read”. Even social skills and coping in the world are thought to be included in practises and agreements that can be formally represented. “Cybernetics” in this sense is not only a scientific way of looking at the world and explaining phenomena as if they were basically algorithmic, it is also an economic and social principle of organisation.

If, and as, information and knowledge are quickly gaining importance as the means and ends of production in the information society, it is becoming clear that the cybernetic ideal is closely coupled with the ownership of information and concepts such as “intellectual property”. These ideas are pertinent in a world in which economic production is dependent on intangibles. The concept of “intellectual property” has been employed as a way of controlling and colonising the new production; it is essentially used to widen digital divides. Two things are needed

to sustain this process: first, a belief in the existence of code – a belief that “code” is the right description of the functions of biological, technological, social or psychological systems. Second, a belief that the code can and should be owned – that it should be treated as property. This double-bind creates an increasingly commodified society.

It is essential to note that these processes and the concepts behind them – “code”, “digital”, “property” – are historically and socially contingent. The kind of information society that is to come depends in part on how these concepts are understood and employed. One of the most prominent themes in 20th century philosophy viewed technology not as a neutral tool but as inherently interest-laden. The interesting questions about technology, including information technology, can only be formed when the structures of power are analysed, in combination with the insight that technology is not one thing; it is not one identifiable whole with a lasting essence or drive leading to particular formations of society. “The same” kind of technology with its forms and uses may benefit this group of people today, and another group of people or “form of life” tomorrow. So the questions become more concrete: what formations of power, community, subjectivity, etc. do particular uses of technology support, need, presuppose or undermine?



The Sixth Section

Description:

A documentary about Mexican immigrants organizing across borders.

Text:

Mexican immigrants Organizing Across Borders

Alex Rivera's *The Sixth Section* tells a contemporary story that reveals a new perspective on Mexican migrant labor life. Rivera and co-producer Bernardo Ruiz followed José García, a young man from the small Mexican town of Boqueron. García decided to leave to support his wife and family, coming to the U.S. hidden in the trunk of a car. Once here, he moved to Newburgh, New York, and found much more than a job – he saw that he could use his own labor in America to relieve the stark poverty of his hometown.

In Newburgh, García began speaking to others about an idea – eventually over 300 people from Boqueron settled there – and soon they formed Grupo Unión, a “hometown association,” dedicated to raising dollars in America and using the money to revitalize their hometown in Mexico. With so many people from Boqueron now transplanted to Newburgh, they refer to themselves as the “sixth section” because Boqueron itself is divided into five sections, or neighborhoods. In Newburgh, these men work long, hard hours in construction, at restaurants, driving taxis and other primarily low-paying jobs. Yet they meet once a week and carefully count out the \$10, \$20 or \$30 each hands over to José García, the Grupo Unión treasurer. It usually adds up to about \$200 or \$300 each week.

What may be most surprising for North Americans is just how much Boqueron's “sixth section” has managed to accomplish. They brought electricity to the town in time for the 21st century – something neither the Mexican government nor international aid programs accomplished. They built a cafeteria for the kindergarten and bought an ambulance for the town, driving it 3,000 miles to Boqueron. And in an astounding boost for the town's morale, the men in Newburgh funded the building of a 2,000-seat baseball stadium in Boqueron.

Boqueron's Grupo Unión is not an isolated instance. It is one of at least a thousand “hometown associations” involving not only Mexicans, but workers from the Philippines, China, Italy, and from all over the world. The self-directed social action of these groups is one of globalization's unanticipated effects.

Source:

www.sixthsection.com

For more information:

Director & producer: Alex Rivera / Co-producer: Bernardo Ruiz / Duration, 26 min

Photo credit:

Rodolfo Valtierra / Alex Rivera



The Topfree Equal Rights Association

Description:

The Topfree Equal Rights Association (TERA) helps women who encounter difficulty going without tops in public places in Canada and the USA, and informs the public on this issue.

Text:

This website is intended as an information resource. It should interest women (and men) who understand – or want to understand – that women's breasts are just fine, and in no way indecent, obscene, dangerous, or some other version of bad, any more than men's are.

In most jurisdictions in North America, explicit sexual activity in public view is illegal. That is not involved here! If men may decide to have exposed breasts without it, so may women.

If women act on this understanding by innocuously having uncovered breasts in public, they are usually criticized, ridiculed, and hassled, and may be fined or jailed. Their experiences tell quite the story, which is gradually unfolding on this site and similar ones.

Our basic claim is that women deserve equal rights. We do not suggest that women or men should go about with bare breasts. That is every individual's decision. We do believe that since men may choose to do so in many situations, women must also be able to at least in the same situations. Without penalty of any kind.

Women pay severely for North America's leering punishment of their breasts. Many find themselves the object of unwanted and unwarranted attention from men in positions of power over them. Many have debilitating body image problems, hating the breasts on their own, unique bodies. Many undergo hazardous cosmetic surgery to conform to some non-existent standard. To please others, many wear bras that confine and hurt and may be harmful. Many are afraid to breastfeed, especially with others present.

Why do many women want to let their breasts out of the prison our society has put them in? They want to be comfortable. They want the convenience. They want to further their well-being. They want ownership and control of their own breasts.

They deserve equal treatment under the law.

If you think that the issue of exposed breasts is trivial, or you disagree with the above, have a look around this site. You may change your mind.

Source:

www.tera.ca/#Purpose

For more information:

www.tera.ca

Digital information as a resource

As a property of information processing, digitality is created by different technological means (electrical, optical, magnetic, etc.), but can facilitate the (almost) perfect copying and (almost) unlimited distribution of the information content. The reproduction, copying and distribution of digital information, or “code”, are substantially different from the reproduction, copying and distribution of analogue information, such as the printed page or a speech. The crucial point is not only that copying and redistribution of digital information is much more precise, it is also much less expensive compared to analogue information. The quick development and distribution of digital technology promises to deliver digital information to any place at any time. This is at the root of the great democratic potential of digital technology and the key to cybercommunist utopia. However, the existing structures of production and corporate logic are based on a market in which digital content is a scarce commodity whose distribution can be controlled to guarantee a continuous revenue stream.

Consequently, many properties of new technology that are marketed as improvements, are, in effect, diminishing the inherent potentials of digital technology. Digital information is often not treated as an abundant, unlimited resource, but as a product or limited asset. As digital technology itself does not produce the necessary scarcity, it has to be maintained through other means. Attempts to limit the potential of digital technology and diminishing digital resources fall under the following groups:

1. Philosophical, ideological

- cybernetics
- the ontological or epistemological codification of theories about properties of nature (information, genetic code, thinking, etc.)

2. Social, cultural

- the notion of property
- practices of “intellectual” property
- forms of distribution

3. Economic

- concentration of media ownership
- international trade agreements (WIPO, WTO, etc.)

4. Legal

- “intellectual property” law, copyrights, trademarks, patents (DMCA, EUCD)
- laws controlling information security

4. Technological

- copy-protection and other “digital rights management” schemes
- preferred content
- non-standard architectures, interfaces, and formats
- “trusted computing”

Arguments for the degradation of technology are often based on the nature of profit-creation mechanisms in a market economy. Recently, however, arguments based on information security have gained more prominence. Increasingly, cybercrime and the threat of terrorism are used as grounds for the artificial scarcity of digital resources and less effective technology. Political arguments for scarcity have also been found. The unlimited, scarcity-removing potential of digital technology was hailed by Ronald Reagan in his speech at London's Guildhall (June 14, 1989): "Technology will make it increasingly difficult for the state to control the information its people receive ... The Goliath of totalitarianism will be brought down by the David of the microchip" (cited in Kalathil & Boas 2001). However, such optimism has been notably cooled by recent developments. For instance, authoritarian regimes have found innovative and effective technological and social ways of limiting digital resources (Kalathil & Boas 2001).

Here, as elsewhere, the very structure of technology – its architecture – is politically relevant. According to an old anecdote recounted by Lessig (2004), there was a hidden plan in the Napoleonic reconstruction of Paris. While the official argument in favour of wide boulevards was presented in terms of health, public safety and aesthetics, the boulevards also allowed for the top military technology of the time – cannon fire – to effectively clear any roadblocks erected by revolutionary crowds – the prominent street-fighting technology of the time. While we are currently living through the gestation period of digital boulevards, we should be very careful in thinking about the political and social consequences presented by different architectural-technological models.

Along with the ontological and epistemological questions, digital information processing raises ethical questions on a global scale, not least because of the commodification of code (intellectual property rights, information patents, patents on DNA, copyrights on immaterial assets etc.) (For a review of current legal and social developments, see Drahos & Braithwaite 2002). The commodification of code and, consequently, of knowledge, needs two preconditions: a sustained belief in the existence of "code", in which information content can be expressed, transferred and identified, and a system of ownership for this code. In this sense, the first condition is not only comprised of a scientific view of the world and explanations of phenomena as if they were in the last instance algorithmic; it is also an economic and social principle of organisation. "Code" is a scientific entity (a theoretical term, if you wish) with an epistemology and ontology of its own, but also a governmental and juridical concept invested with economic and political interests. It is becoming clear that the first condition is closely coupled to the second condition of social-legal settings for the ownership of code. "Intellectual property" as a concept is a way of controlling and organising – in the Taylorist sense – the new type of production. Copyright legislation and laws concerning other so-called immaterial rights are being changed at a rapid pace. This trend is most marked in the US, but the EU is following close behind. According to Lessig, "Never before have so few owned so much a part of intellectual property" (Lessig 2002, see also Lessig 2001). These words, intentionally or not, have a familiar ring.

The hypothesis is, then, that what was called "commodification of code" above is a combination of two information technological interests: 1) the belief in a functioning layer of code (to be



UBUNTU

Description:

Ubuntu is a complete Linux-based operating system, freely available with both community and professional support.

Text:

The Ubuntu community is built on the ideas enshrined in the Ubuntu Philosophy: that software should be available free of charge, that software tools should be usable by people in their local language and despite any disabilities, and that people should have the freedom to customise and alter their software in whatever way they see fit.

These freedoms make Ubuntu fundamentally different from traditional proprietary software: not only are the tools you need available free of charge, you have the right to modify your software until it works the way you want it to.

Ubuntu is suitable for both desktop and server use. The current Ubuntu release supports PC (Intel x86), 64-bit PC (AMD64) and PowerPC (Apple iBook and Powerbook, G4 and G5) architectures.

Ubuntu includes more than 16,000 pieces of software, but the core desktop installation fits on a single CD. Ubuntu covers every standard desktop application from word processing and spreadsheet applications to web server software and programming tools.

Source:

www.ubuntu.com

For more information:

www.ubuntu.com

www.edubuntu.org

"Ubuntu" is an ancient African word, meaning "humanity to others"

separated from the physical setting) and 2) the set-up of a system of ownership for the code. If this is the case, two ways of counteracting the development of an increasingly asymmetrical information society present themselves. The straightforward stance is to accept the existence of code – to believe in it, and act accordingly, to defend it as a way of understanding the world – but at the same time to insist that the ownership of code leads to blatant contradictions, not to speak of social injustice and economic imbalance. One of the ensuing contradictions is perhaps most evident in the case of scientific knowledge, which receives its special status and credibility from the very fact that it is not owned; knowledge becomes scientific only through the open and free critique of the scientific community. To quote Jacques Derrida: “[...] in a scientific text [...] the value of the utterance is separated, or cuts itself off, from the name of the author without essential risk, and, indeed, must be able to do so in order to lay claim to objectivity” (2002, p. 47). As a speech act, a scientific text has to be distinguished from the person or persons who “sign” it, otherwise we are not dealing with a text that can assume the special characteristics, authority and allowances acceded to a scientific text. This has been and still is largely the way in which scientific information and knowledge are severed from a concept of private property that is dependent on the link between a person and an entity. The author – the one who “signs” science – is the scientific community. A particular way of speaking or a particular type of speech act – that of scientific texts – creates a community and a way of appropriating knowledge that is different from the case of private property.

A similar device for co-operating without the intrusion of private property has been developed in the case of computer software.

The so-called free software is built by a community of share-and-share alike: the goal is to develop software that the user is free to use, modify and redistribute provided that the same freedoms are transferred. In this sense the ideal is close to the ideal of science. For this purpose the movement needs a legal and social tool, one that uses the copyright claim set on a piece of software for community building rather than private property building. This tool, developed by Richard M. Stallman and his co-workers, is often colloquially called “copyleft”. The copyright statement in question gives the user the right to modify and redistribute (the modified version of) the software provided that the right is also transferred (Stallman 2002). This viral nature of the “copyleft” copyright protects the information and knowledge amassed in the software from becoming closed by ownership. The knowledge is appropriated to the common control of the community.

In the cases of both science and free software, the goal and the prerequisite is a community of sharing based on a common set of values and practices. Both can be seen as ways of acting, or power-structures, which are instrumental in creating an information society that contradicts the trends of seeing everything as code and setting up a system of ownership for code. As such, the practices of these communities also demonstrate that digital information processing, or any other technology, does not force us to accept the commodification of code.

The second way to resist the development of an increasingly asymmetric information society is to direct our attention to the first condition – the process of seeing the most salient features of the world as code and, especially, to the peculiar kind of existence of code (see Vadén 2004). With a certain rhetorical

turn, it could be claimed that “the digital” – the belief in the existence of something perfectly repeatable and media-independent that can be owned and operationalised – takes part in producing the truth of the existence of a disembodied and self-identical self (making things like AI, transhumanism and genetic perfectibility facts of the present or the future). At the same time, this set of beliefs, this Foucaultian episteme, shows its own limits. Unique processes – those connected to particular causal chains such as human physical interactions, feelings or trees – cannot even be digitalised in principle. They are not “code”, at least not self-inclusive, formalisable and calculable code. One has to ask at least the following questions: what if the non-digitalisable processes include processes of knowledge that are vital to the information societies? What if the appropriation of the digital into the scheme of private property requires social formations that are repressive?

Two types of organisation in the information society

One of the most interesting debates around the ownership of information has been centred on computer software, not least because software provides extreme examples of both the proprietary and non-proprietary forms of relating to code. On one hand, we have the ideas and corresponding practices according to which pieces of computer software are identifiable works that are owned by their authors. Through this, we get the proprietary system in which the owners of software, typically software companies, give the user the right to use the software under certain conditions specified in the end user license agreements. On the other hand are the ideas and practices according to which computer software is algorithmic in the sense that it cannot be owned – it is created in the interaction of a body of individuals and organisations and signed in the sense of “the author who discovered something” rather than “the author who owns something”. These extremes are exemplified on the level of computer operating systems, in which the dominant Microsoft Windows system is the purest example of a proprietary system, while the GNU/Linux system may be the most well known example of a non-proprietary system.

The main economic-cum-social argument for the ownership of software or code is, of course, that only the economic incentive of property and wealth can guarantee the prosperity of a society. Arguments for the freedom of software are similar to arguments for the freedom of science: the speed of development, the trustworthiness of the software and the availability of code are all improved by the non-proprietary nature of software, and,

at the same time, the values of co-operation and sharing are encouraged.

The question can be investigated from the point of view of knowledge work and production. Both the development of proprietary software in software companies and the development of free software in volunteer hacker organisations are certainly instances of knowledge-intensive work, resulting in goods that are digital information. But the contexts, including the underlying ethical, social and political ideas, are divergent. These sets of beliefs are not uniform, to be sure, but they do result in different views of the information society.

Software development in a big software company is organised and institutionalised, more or less like a Taylorist enterprise. The knowledge production happens in an organisation with its structure, aims and functions. Such knowledge production has been studied extensively, e.g. in view of the types of implicit and explicit knowledge circulating in the organisation (see Nonaka & Takeuchi 1995). To use a definition by the sociologist Scott Lash (2002), the functions of an organisation are structured through norms and the power legitimised by those norms. An organisation like this is hierarchical, with the ensuing channels of command and division of labour.

In contrast, the development of free software of the GNU/Linux type happens in a widely distributed and non-institutional manner in a global volunteer community co-operating mainly through the Internet. This kind of knowledge creation is not like that of the organisational type. Rather, using Lash's terminology, the free/open source software community is a disorganisation based not on norms and rules but on shared

values. Lash illustrates the difference between an organisation and a disorganisation in relation to the difference between a church and a sect. The function of a church is typically based on a certain hierarchy – a set of norms and legitimised uses of power – whereas a sect is formed around a set of shared beliefs, convictions or visions, often exemplified by a charismatic leader. The difference is crystallised in the operative force: in an organisation, people are controlled and commanded by the use of legitimate power, whereas in a disorganisation people can only be controlled and persuaded through the use of physical or non-physical violence. A disorganisation is formed around a set of shared values, therefore the leader (the guru, in the case of Linux, Linus Torvalds) can control it by saying what is right and what is wrong, what works and what doesn't, even though he does not have any legal normative power. Even if a disorganisation is non-institutional and informal, it is not by any means chaotic. It can be much more tightly controlled and “organised” than an organisation, because the appropriation of resources does not obey the normativised compartments of an organisation. A sect, a movement or a tribe can function in a very controlled, effective and rational manner. This is one of the elements of free and open source software development that has surprised and continues to surprise economic theory: according to received economic wisdom there is no real incentive for the volunteers to contribute to free software development.

Against this background the question of ownership of intellectual property (in this case software) can be seen in detail. Software development in a company or organisation can benefit from the fact that pieces of information, knowledge and code are seen as property. The ownership of code not only creates

an economic motivation, it provides a tool for the streamlining, rationalising and economising of the organisational structure, and measures for effectiveness and information flows, etc. The proprietarisation and commodification of intangible, abstract code is therefore a real asset to organisational knowledge creation. This also creates an ontological pull: it is good to believe in the independent existence of code. Knowledge creation in organisations gains when code is appropriated along the lines of private property – when it is commodified and controlled through digital rights management.

In contrast, knowledge creation in a disorganisation is at the very least disturbed and at worst destroyed if code is the property of owners. In the GNU/Linux community, the developers take part out of their own will – they “scratch their own itch” – and the systematised and self-managed sharing of information guarantees that their work contributes to a growing, common body of knowledge. The participants can contribute only in so far as the flow of information is not controlled by ownership. The underlying values forming the community include a belief in the freedom of information and a passion for improved information technology. A disorganisation is typically self-organising: the functions of the disorganisation are based on informal and non-institutional co-operation and sharing, which cannot be compartmentalised by decree or rationalised by use of power. The shared values are embedded in the functions of the disorganisation, and those functions are at the same time the goal of the disorganisation. Disorganisations, like self-organised wholes in general, work as finalities; therefore they do not, in general, benefit from the introduction of external goals. The proprietarisation of information and knowledge is harmful to knowledge creation in disorganisations. The harm

to knowledge creation is done if we believe in the existence of code and assign a proprietary system of ownership to code.

From the point of view of the information society, it is crucial to recognise the existence of these two types of knowledge work and their different preconditions. A bias is produced by the fact that the visibility of these two processes is different. Organisational knowledge creation is organised in the sense of its own effective lobby and representative system, while disorganisational knowledge creation relies on more underhanded methods of social and political influence. This bias is all the more unfortunate if there is reason to believe that information societies are increasingly dependent on disorganisations. This is the economic-political side of the issue, however, which cannot be separated from the ethical one. A society in which knowledge is asymmetrically divided and fragmented is less effective, less innovative and less equal and democratic than one in which knowledge is considered non-proprietary.

The fact remains that even hackers have to eat something non-digital and, consequently, the utopia of post-scarcity societies is unattainable. While disorganisational self-organisation as such might not be new, the resurrection of collective knowledge creation and effective self-management exemplified by the hacker communities provide concrete examples of utopia-in-action. They also point out that information society always needs to be viewed in the plural, as information societies that overlap and exist in the banal everyday acts that negotiate the tensions between conflicting political agendas.

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UKK – Young art workers, Denmark

Description:

UKK, Young Art Workers, is an organization for younger artists and art workers in Denmark.

Text:

The organization was formed in the summer of 2002, as an outcome of the protests against the newly elected ultra right wing government and its policies. Since gaining power in the November 2001 elections, the right wing government has targeted contemporary art among other areas in the Danish society such as environmental protection, education, immigration and human rights with economic cut backs and political restrictions. The cut backs directed at the arts sector particularly hit young and experimental art, as well as international exchanges and efforts. One of the reasons this was possible, even relatively easy, was due to the fact that no other organizations spoke on the behalf of those working in this field. As such, UKK was also formed in opposition to the existing artists associations and the royal artists guild and their conservative, elitist policies and agendas.

UKK thus have a dual aim; at once directed outward towards the political field and the media, and inwards towards the organization and structure of the art world and its institutions. UKK aims for a more dynamic and open field for contemporary art, and is the only organization to include two groups of art workers, artists as well as critics/curators in an effort to bridge the traditional gap between practice and theory, between production and mediation. The organization focuses on the rights and working conditions of contemporary, younger art workers, with a delimitation of 15 years of professional life. As opposed to other organizations, membership in UKK shall be gained through purely nominal rather than aesthetic grounds: anyone working professionally within contemporary art shall be accepted in order to represent the field in its broadest, rather than narrowest, elitist sense. UKK also represents students at academies and universities.

The organization will work towards the following goals:

- A more open and transparent structure in the Danish art system.
- The development of an art system that include experimental art, new media and international exchange.
- A broader and more enhanced debate on contemporary art and its placement, both on the art scene and in the general public sphere.
- More exhibitions of contemporary and experimental art in museums and public institutions.
- Equality between men and women in positions at institutions, as well as in collections and exhibitions in the institutions.
- Representation of UKK in public and ministerial committees and councils that pertains to contemporary art.

- The establishment of an Institute for Contemporary Art in Denmark, with equal focus on and funding for research, production and exhibition.
- The establishment of fixed rates and minimum wages for artists exhibiting at institutions and for freelance curators working for institutions.
- A larger and fairer representation of contemporary art in mass media.
- The establishment of an unemployment fund and rate for artists.

Source:

www.ukk.dk

For more information:

www.ukk.dk

Guaraná Power

Will Bradley

Guaraná Power is a commercially manufactured and marketed soft drink produced by an organisation calling itself the Power Foundation, but the Guaraná Power project as a whole is the result of a specific combination of groups, ideas, strategies and economic and legal conditions, and its potential implications are far wider and more complex than the simple creation of yet another brand of soda might suggest.

At the centre of the project is an alliance between the COAIMA cooperative, a self-organised group of Amazonian farmers looking for a way to secure their livelihood in the face of corporate manipulation of the market for their produce, and Superflex, a group of Danish artists interested in both the creation of conceptual and practical tools for community empowerment, and practical strategies for non-exploitative exchange in the current global economy.

Background

Guaraná is a vine – technically a woody liana – that can be persuaded to grow as a bush on open land. The plant is originally native to the Maués region of Brazil, and the fruit, a red berry, has long been harvested by the local indigenous people, the Maué-Sataré, for its medicinal and energy-giving properties. The word guaraná itself comes from the local language and means ‘like eyes’, because the clusters of ripe fruit split open on the vine to reveal dark brown stones surrounded by white pith. The caffeine-packed berries form the basis of Brazil’s most popular soft drinks – Brazil is one of the few countries on the planet where Coca-Cola is not the market leader – and guaraná is farmed commercially by small producers who sell to the big soda manufacturers. Recently, however, the multinational corporations that buy most of the guaraná have, through mergers and mutual agreements, effectively formed a cartel and no longer compete for the crop. Consequently, according to the local farmers, the price paid to the producers has dropped from \$25/kilo to \$4/kilo in only four years, wrecking the local economy and the livelihoods of the farmers, while the price of the products the corporations sell has remained the same or risen. The corporations – AmBev, an affiliate of Dutch food giant Wessanen formed out of the merger of Brazilian drinks manufacturers Antarctica and Brahma, and PepsiCo, who have signed a mutual distribution deal with AmBev – have also established a small plantation of their own, which functions as a veiled threat to the local producers: accept the situation, or we will expand and put you out of business completely.



The Weather Underground

Description:

"Hello, I'm going to read a declaration of a state of war...within the next 14 days we will attack a symbol or institution of American injustice."

– *Bernardine Dohrn*

Text:

In October 1969 hundreds of young people, clad in football helmets and wielding lead pipes, marched through an upscale Chicago shopping district, pummeling parked cars and smashing shop windows in their path.

This was the first demonstration of the Weather Underground's "Days of Rage." Outraged by the Vietnam War and racism in America, the organization waged a low-level war against the U.S. government through much of the 1970s, bombing the Capitol building, breaking Timothy Leary out of prison, and evading one of the largest FBI manhunts in history.

The Weather Underground is a feature-length documentary that explores the rise and fall of this radical movement, as former members speak candidly about the idealistic passion that drove them to "bring the war home" and the trajectory that placed them on the FBI's most wanted list..

Source:

www.upstatefilms.org/weather/main.html

For more information:

Directed, Sam Green, co-director & producer Bill Siegel, producer Carrie Lozano

Duration: 50 min, Year: 2001

Photo credit: David Fenton

COAIMA, Superflex, and Guaraná Power

Superflex were invited by NIFCA (the Nordic Institute for Contemporary Art), the São Paulo-based foundation Extra Arte, and the Amazonian government to travel to Brazil and explore the possibility of producing some kind of contemporary art project in the Amazon region. This open-ended invitation evolved after much investigation and discussion with various organisations in the region, particularly the Institute for the Protection of the Amazon Environment (Instituto de Proteção Ambiental do Amazonas or IPAAM), into the intention to travel to Maués where the mayor, Sidney Leite, had a reputation as an educationalist and a pro-active reformer. Over the course of their first three weeks in Maués, Superflex were introduced to the situation facing the local farmers, and to the COAIMA cooperative, newly formed in response to the actions of the multinationals. Their initial conversations led to the organisation of a two-day workshop to explore possible strategies for the cooperative's future.

COAIMA and the corporations share a mutual antagonism, and the workshop participants raised two contradictory points. First, in order to escape from the corporate monopoly on the raw material they were growing, it was necessary to find a way to produce a secondary product that could be sold in a different market, perhaps even competing directly with the corporate brands. Second, the community has no capital and no access to manufacturing equipment or distribution mechanisms to make this possible – as one of the participants pointed out, 'all we have is guaraná'. So the workshop began to focus on ways of resolving this contradiction.

From the point of view of the Western artists, a different dilemma also presents itself. What are our responsibilities in this situation? Are we here to produce a project that will have some metaphorical resonance in the European art world? Are we here to advance an ideological activist agenda, or as some kind of international social workers? Of course, it's not possible for a small cooperative, with few resources and no capital, to compete directly with a multinational corporation, and one answer to some of the questions raised by this situation is that effective competition in the global marketplace is not, or should not be, the aim – ethical consumerism is a contradiction in terms, and efforts towards real change should be aimed at creating situations of conflict in which the possibility of a new, humane social and political order is clearly opposed to the prevailing system. These considerations are real, and vital, but in the context of a debate amongst a group of Amazonian farmers primarily concerned with basic economic survival, they were also quickly reevaluated on pragmatic terms.

Superflex presented themselves as simply one voice amongst many and, once it was established that they could not offer any instant financial salvation, this was just what they were. However, their presence undoubtedly functioned as a catalyst for the discussions that took place. At the workshop, members of the cooperative presented a variety of local products for discussion, from chocolates and soft drinks to sculptures of guaraná fruit made out of powdered guaraná, energy-hit potions for long-distance truckers and guaraná ice-cream. Superflex offered, as a potential model, the phenomenon of 'Mecca Cola' – a brand of cola created by a French company that donates a percentage of profits to Palestinian charities with the slogan 'Pas buvez stupide, buvez engagé' ('Don't drink stupid, drink

with commitment'). The assembled participants selected certain proposals for development, and decided to reconvene later in the week once these had been worked on further.

The second workshop session involved the presentation of several prototype products, along with ideas for how they might be marketed. The recipes ranged from guaraná and ginger sweets to all kinds of energy-giving soft drinks, but the example of Mecca Cola also proved to be a powerful inspiration. Chocolate bars were branded 'Maués Bars' as opposed to 'Mars Bars', and flavoured with cupuassu, an Amazonian fruit whose intense, indescribable flavour is little-known elsewhere; various drinks were proposed including 'Amazonia' as an adaptation of 'Antarctica', AmBev's main guaraná drink product (suggested by Paolo Levi, one of the cooperative's main organisers), 'Mauéscafé' against 'Nescafé' as a breakfast wake-up, and 'PepSim' ('EnergyYes' in Portuguese, a Superflex proposal) against Pepsi cola. These last three were all the more interesting because they were purely 'conceptual' marketing suggestions, with no existing local product behind them, yet they were among the most popular proposals.

Further research led to the conclusion that soft-drink manufacturing was the easiest way for the cooperative to translate their raw material into a saleable product without having to build a factory of their own. It was also quickly realised that Paolo Levi's suggestion of a subversion of the Antarctica brand offered, in addition, an effective way to publicise COAIMA's situation in relation to AmBev, and after some further organisational effort on the part of Superflex, the final product was developed in collaboration with the small Danish manufacturer Soebogaard.

The Guaraná Power label uses the same red, green and black colour scheme and shapes as the Antarctica label, but with a heavy black bar over the space where the corporate logo would normally be. The label makes it clear that that product is not from AmBev but is 'real Maués guaraná for energy and empowerment'. The whole is superimposed on a photo of members of the COIAMA cooperative, and a short text on the back of the bottle reads, with the names of the corporations also blacked out:

GUARANÁ POWER is an energy softdrink produced by a guaraná farmers' cooperative from Maués in the Brazilian Amazon, in collaboration with The Power Foundation. The farmers have organised themselves in response to the activities of the multinational corporations [REDACTED] and [REDACTED], a cartel whose monopoly-like position on the purchase of the raw material has driven the price of guaraná berries down 80%, while the cost of their products to the consumer has risen. GUARANÁ POWER employs global brands and their strategies as raw material for a counter-economic position while reclaiming the original use of the Maués guaraná plant as a powerful natural tonic, not just a symbol. GUARANÁ POWER contains original Maués guaraná for energy and empowerment.

Guaraná Power as art

Superflex have presented documentation of the Guaraná Power project, and the Guaraná Power drink, at art institutions and international biennials, and the project has been discussed and critiqued in terms of the recently-formed but often retrospectively-applied category of 'social practice'. How is it possible

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Version 1.2, November 2002

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to describe such a complex set of social and economic relationships as art? And, perhaps more importantly, why present it this way at all?

Since the early 1970s it has been impossible to describe the category of art in formal terms. Once the Readymade, conceptual art, instruction works, works that need not be made, artists' personal actions or social interactions etc., had become part of the mainstream discourse of art, there was no way back. Numerous efforts have been made in the intervening years to preserve a qualitative distinction between art and non-art, from attempts to create theories of aesthetics that incorporate everyday social interaction to simple categorical assertions of the role of the artist, but all have so far been defeated by the range and complexity of the activities that continue to be successfully claimed by artists as their practice. What remains is not a definition, but a context – roughly speaking, if it's made by people claiming to be artists, and even more so if it can be discussed in terms of the history of art, and is sponsored by an art institution, then we must at least consider the possibility that it's art. Historically, external social conditions have determined the form of art practice as much as have the innovations of artists themselves. Now the debate over the nature of art has, to a large extent, been replaced by a marketplace in which all forms or definitions of art are equally available, and the buyers – whether they are public or private galleries, corporate collectors or state commissioners – are free to select those that best serve their interests.

Relatively strong state support for the arts is a feature of many European economies, but there is currently a general move towards increasing ideological instrumentalisation of state

funding. Or rather, the ideology is changing, from a social-democratic vision of a 'healthy' society nurtured on accessible state-supported culture filled with nutritious values, to neo-liberal models in which all available mechanisms of social control, including culture, are waiting to be mobilised as increasing inequality gives rise to increasing disorder, and to so-called third way ideologies, under which the 'culture industries' are set the impossible threefold task of driving economic growth, presenting a chic international PR image and combating what is euphemistically known as 'social exclusion'. In this transitional phase arts funding in many European states represents a genuine loophole, a real throwback to social democratic thinking. All the signs are that this period is drawing rapidly to a close – for one relevant example, NIFCA, which funded both this publication and the initial phase of what became Guaraná Power, is currently being wound up – but for a brief time it has remained possible for artists in certain European countries to use state money to pursue projects that examine or actively critique the particular political and economic direction the state itself is taking. At the same time, the emphasis on using cultural funding to directly address wider social problems – rather than as a source of aspirational values – is too recent to have created the culture it is ultimately designed to support and, alongside the cooption of artists to validate property development and in lieu of social services, is giving space to more radical ideas.

The recent emergence of 'social practice' as a relatively well-defined artistic category is due, in part at least, to this transitional situation, which is itself a product of external changes. In the art world, the radical experiments of earlier decades have become formalised and found institutional acceptance perhaps just in time for artists to use this acceptance to contribute to a

wider reinvention of activist strategies for social change. While the art market is, at least in financial terms, stronger than ever, and state attempts to instrumentalise culture become more sophisticated, it is still possible to turn the situation around and use the art world itself as a tool – a source of funding, of publicity, of critical reaction, of political access, and of defence for radical ideas in the terms of the liberal philosophy that justifies Modern Western culture.

Both the research phase and the first production run of *Guaraná Power* were funded by state-run art institutions; initial publicity for the project as art generated mainstream coverage in the Danish media; a planned future launch in Brazil will be facilitated by arts organisations there but has already attracted interest from a variety of other groups, and a certain amount of mainstream political support. And, although it may or may not become an issue in the case of *Guaraná Power*, Superflex are in the process of fighting an intellectual property case relating to another project on the grounds of fair use for artistic expression.

Guaraná Power and self-organisation

Social self-organisation of the kind that is the subject of this book is far from a new phenomenon; the resurgence of critical interest in non-hierarchical or genuinely participatory forms of – particularly political or labour – organisation can be seen as a response to the way that the institutionalisation of the resistance to capitalism in hierarchical mass movements over the twentieth century has culminated in a political accommodation that continually seeks to restore an imaginary status quo.

It is also clear that globalisation – not of trade, which is not substantially more global in nature than it was a hundred years ago – but of industrial capitalist rather than older imperialist forms of exploitation, and of the transmission of information and of forms of organisation, has given unprecedented common cause to international labour struggles while also creating a need to understand the specific or local nature of particular conditions and issues.

The trade union movement has its roots in both radical, internationalist political organisation in the nineteenth century and in older protectionist guilds that served only their members' interests; modern trade unionism is a hybrid of these two strands. In contemporary Western practice this can be seen in the way that, though national labour unions collectively resist any attempt to dismantle certain hard-won concessions on basic rights and conditions, they tend not to oppose a neo-liberal consensus that sidelines prospects for political or social change in the face of the perceived threat of cheap labour in low wage, low rights economies elsewhere. Leaving aside the spectacular doublethink required to constitute the threat as coming from 'cheap labour' rather than from vast, structural imbalances in global power and the exploitation this enables, the prevalence of this apparently pragmatic protectionism is a real consequence of, paradoxically, both the weakened position of Western labour movements in the contemporary global economy and their historical success at claiming a share of the wealth generated by Western power.

It is against this background that the alternative of 'self-organisation' is often discussed. In situations of conflict too specific, too fluid, too isolated or too volatile for traditional union

involvement – alliances of ‘illegal’ workers, moments of solidarity amongst freelance specialists, movements that arise where workers’ organisation is legally prohibited – self-organisation is often the only viable mode of resistance, a last resort of those with little left to lose. In other situations – such as the vigorous cooperative movement in Brazil, for example – the opposite tensions can sometimes arise, with cooperatives accused of protectionism and exclusionism by unionised workers in similar, non-cooperatively run enterprises.

The paradox is that the specific, local nature of most of these instances of workers’ self-organisation means that they are focused on specific, local battles – often for the same basic rights that the traditional unions still to some extent defend – and consequently their radicalism is ultimately isolated and contained, leaving them, pragmatically, in the same situation as the traditional labour movement as a whole.

One thing that makes the Guaraná Power project interesting, from the point of view of this discussion of self-organisation, is that the structure of COAIMA – a local, small-scale cooperative, with shared aims and a non-hierarchical decision-making process – has made possible a course of action that could not have been imagined either under the auspices of a traditional union, or, conversely, without some form of collective organisation. Though it would be overly romantic to see the project as presenting a real challenge to the corporations whose activities led to its conception, the directness of the strategy employed requires a commitment and carries a risk that could not otherwise have been contemplated. The small scale and non-bureaucratic structure of COAIMA also facilitated the development of the strategy itself. Discussions could take place

in one large room with all members involved and free to speak, question, interject, or present their own proposals.

Of course, there is an obvious tension within any organisation that aspires to represent its members or their interests, between the interests or desires of individual members and the ability of the organisation to function, to define itself or to make and act upon collective decisions. Even within the small organisation of COAIMA there have been dissenting voices, individuals who are unhappy with the consensus to the extent of deciding to withdraw their participation, and it is at this point that it becomes clear that the ideal of self-organisation cannot be an end in itself.

Intellectual property and the economics of Guaraná Power

What makes the Guaraná Power project particularly interesting is its potential to generate conflict, to identify and contest a site in the capitalist economic system in which corporate power and the international legal system that supports it goes largely unquestioned. For this reason, the economic counter-strategy underlying the Guaraná Power project carries a very real element of risk for all those involved.

The threat of conventional fair trade to corporate economics remains marginal – fair-trade goods account for only around 0.01% of world trade – and the economic model is predicated on the premium prices paid by concerned but affluent consumers. The subsidised subversion of a brand identity to publicise a particular case of exploitation is an altogether different matter.



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tion of goods. Potlatch!: reappropriate and make circulate, satisfy the desires and necessities of your loved ones. Have people over for YOMANGO dinners. Steal this book!

6. The market offers us a false alternative, a false liberty to choose between one way to spend our money or another. Your hopes and dreams, be them of one brand or another, almost always benefit the same guy. YOMANGO affirms the real alternative: It's either MONEY or YOMANGO!
7. YOMANGO turns the mall into a playground. These supposed public spaces, where the market commercializes, regulates and controls our basic wish to live shared experiences, these human antfarms that cross leisure and culture. YOMANGO breaks out of the aisles and defies dreary routines.
8. YOMANGO is with you in every daily gesture you make. It's with you during your best moments. Those that don't cost money. YOMANGO systematizes daily acts. In Barcelona, the YOMANGO franchise held civil disobedience workshops adapted to the YOMANGO lifestyle, as well as workshops where imaginative and useful tools were produced. Also, encounters, discussions, dinners, parties, all for the public to enjoy.
9. YOMANGO is a franchise you can form wherever you want. The YOMANGO style is an open ended process, generating tools, prototypes and dynamics which flow and proliferate, waiting to be reappropriated and to circulate. A brand name that's everyone's. That is born from and for the commons. Remember: YOMANGO, only in your closest multinational.
10. YOMANGO.
You want it? You got it.

Source:
www.yomango.net

For more information:
www.yomango.net

Image source:
www.yomango.net

The orthodox view is that strong, identifiable brands are a corporation's greatest and most durable asset. In fact, brand values – the premium companies can charge customers for a recognised product – and brand loyalty are falling away in almost every market (for example, five years ago Sony could charge an average 44% more than their competitors; now their edge is down to 16%) and, in practice, brand infringement cases – as distinct from straight up brand piracy – are costly and difficult to win. Coca-Cola settled out of court with UK supermarket Sainsbury's in the nineties when the supermarket produced its own 'Classic Cola' in a red can with white script lettering, and the only concession actually made was a change in the typeface. It took McDonald's fourteen years to win a case against the Big Mak burger company in the Philippines, and in fact Big Mak successfully appealed against the initial decision. Even once the case was finally decided in their favour, McDonalds received a settlement of less than \$8000. None of this has discouraged corporations from freely using the threat of legal action, and with it the astronomical cost of legal defence, to defend their trademark territory.

Around 100,000 bottles of Guaraná Power soda have been produced to date – it has become a cult drink in Denmark, generated national publicity and is now even distributed to convenience stores where it sits alongside the corporate brands – but AmBev's annual sales total around 15,000 times this amount. AmBev's lawyers have nonetheless begun to demand changes to the Guaraná Power label and publicity material. Anupam Chander, Professor of Law at University of California Davis, believes that there is a strong case, under existing international law and precedent, for believing that a legal challenge from the multinational would fail. His argument is that the labels are

distinct enough that purchasers could not confuse Guaraná Power with AmBev's Anarctica soda, and that the clear assertions of the differences between Guaraná Power and Antarctica printed on the label mean that Antarctica's identity is not 'diluted' – confusion and dilution of trademarks being the two main infringements protected by international treaties. In addition, he puts forward the defense of 'fair use', a caveat of intellectual property law that allows the use of copyright material for the purposes of criticism, parody, comment, news reporting, teaching, scholarship or research.

Unfortunately, the resources to fight this particular legal battle are probably out of reach of the Power Foundation, which plans to launch Guaraná Power in Brazil in the not-too-distant future. However, the strategy employed so far of blacking-out the legally problematic parts of the design and the associated text seems to offer a way to maintain technical compliance with the lawyer's demands while keeping the associated conflict in public view and COAIMA out of the firing line. How far this game can be played out of court, and without risk to the cooperative, remains to be seen, but success remains a real possibility. Certainly few, if any, similar projects have contemplated such direct engagement on a comparable scale.

One final consideration is that the current level of Guaraná Power production, or rather the revenue that this production generates, is not yet sufficient to support the members of COAIMA, who must still sell to the corporations and remain in a difficult situation. If this aim – the original and primary aim of the enterprise, to generate a living for the farmers that is at least equivalent to that which they had just a few years ago – is to be realised, notwithstanding the fact that the Power

Foundation is a non-profit organisation and that COAIMA is a cooperative, the Guaraná Power product must reach a far larger market. Coincidentally, the Brazilian soft drinks market is one of the biggest on the planet.

Contributors

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Lawrence Lessig is a professor of law at Stanford Law School and founder of the school's Center for Internet and Society. He is the author of *Free Culture* (2004), *The Future of Ideas* (2001) and *Code and Other Laws of Cyberspace* (1999). He chairs the Creative Commons project, and serves on the board of the Free Software Foundation, the Electronic Frontier Foundation, the Public Library of Science, and Public Knowledge.

Madhavi Sunder is a professor of law at the University of California, Davis, where she specializes in intellectual property, international law, and cultural studies. Her work has appeared in the *Yale Law Journal*, *Stanford Law Review*, and *California Law Review*.

Marjetica Potrč is a Ljubljana-based artist and architect. Her work has been featured in exhibitions throughout Europe and the Americas, including *Skulptur Projekte* in Muenster, Germany (1997) and *The Structure of Survival* at the Venice Biennial (2003), as well as in solo shows at the Guggenheim Museum in New York (2001) and the MIT List Visual Arts Center in Cambridge, Massachusetts (2004).

Martha Wallner is the National Grassroots Coordinator for the U.S.-based Media & Democracy Coalition. She lives in Berkeley, California.

Mika Hannula is Professor for Art in Public Space at the Academy of Fine Arts, Helsinki. His recent publications include *Everything or Nothing*, *Critical Theory*, *Contemporary Art and Visual Culture* (Academy of Fine Arts 2005). With Branislav Dimitrijevic he recently curated the exhibition *Situated Self - Confused, Compassionate and Conflictual*, at the Contemporary Art Museum, Belgrade, and the City Art Museum, Helsinki, 2005.

Tere Vadén is currently directing the Open Source Research Group at the Hypermedia Laboratory of the University of Tampere, where he is a professor. With Mika Hannula, he is the author of *Rock The Boat: Localized Ethics, the Situated Self, and Particularism in Contemporary Art* (Salon Verlag, 2003).

Susan Kelly is an artist and writer, born in Ireland in 1975. Her practice experiments with forms of rhetoric, communication, movement and intervention in the context of artistic and political practice. Recent projects have been shown at the Lenin Museum, Tampere, Finland, Project Arts Centre Dublin, the Prague Biennial, National Centre for Contemporary Art, St. Petersburg, Amorph Festival of Performance Art, Helsinki, Mercer Union, Toronto, pm Gallery, Zagreb and Art in General, New York. She has published articles in *Public Culture*, *The Journal of Visual Cultures* and *Social and Cultural Geography*. Kelly is currently a lecturer in Fine Art and PhD candidate at Goldsmiths College, London.

Will Bradley writes about contemporary art for various publications including *Frieze* and *Afterall*. He is currently Visiting Curator at the California College of Arts in San Francisco.