

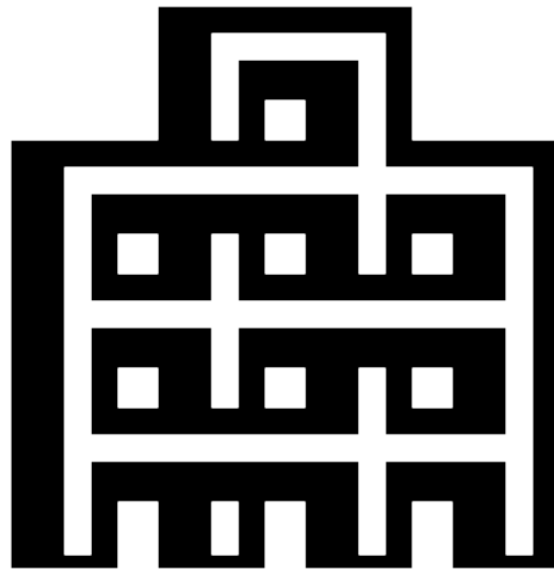
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Common, Rent, Sabotage

The Good, the Bad and the Ugly of Cognitive Capitalism

Lecture at Museo Nacional Centro de Arte Reina Sofia, Madrid
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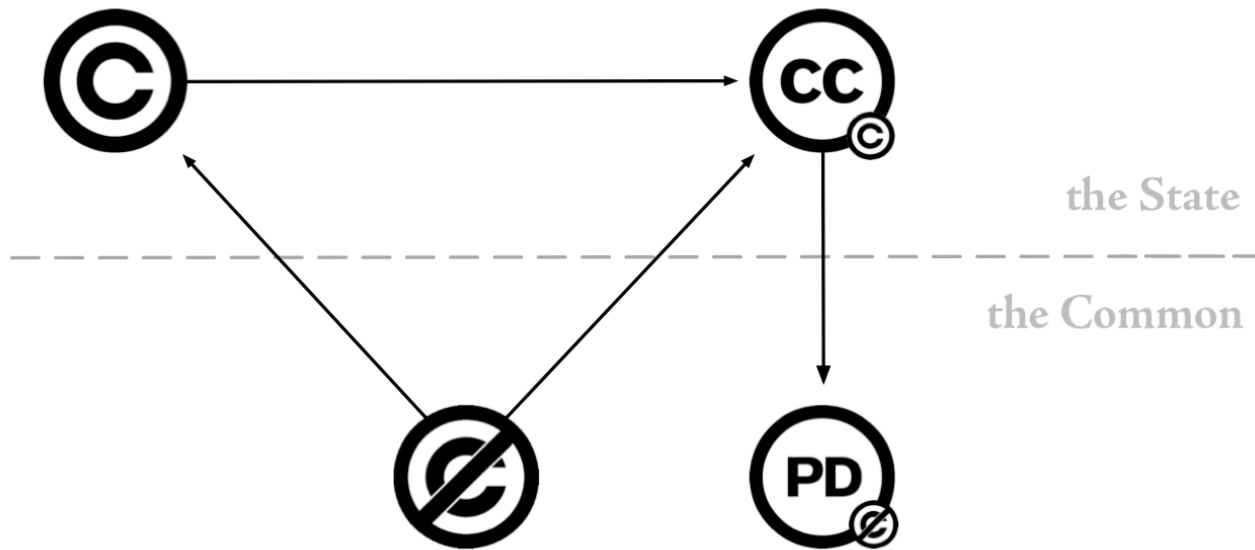
PRINTER-FRIENDLY NOTES AND SLIDES



There is no longer an outside

The commons are inside the space of capitalism — and conversely, capitalism survives inside the commons, especially the new cultural and ‘digital’ commons. New ‘commons industries’ have been shaped after the old cultural industries. That communication and knowledge are at the basis of post-Fordism is a lesson we were supposed to have learnt a long ago. In fact there are no virgin spaces that can escape the circuits of value. We live in the belly of a beast: there is no longer an *outside*, as we are used to say nowadays.

This is not a fatalistic and claustrophobic statement *à la page* of Lacanian philosophers, according to whom: *any act of resistance reinforces the logic of the system*. On the contrary this statement aims to challenge the logic of traditional political thought in order to open new vectors of conflict from *inside*.



First impasse: 'cultural commons' defined and defended by state copyright

In legal terms, there is no opposition between the copyright regime and the so-called 'creative commons'. A first impasse or contradiction is found right at the centre of the definition of these new cultural commons. Creative Commons licences, for instance, are technically based on the force of *copyright* law (as the Creative Commons Legal Code states clearly).

If somebody violates an artwork protected by a Creative Commons licence, a 'traditional' tribunal is meant to intervene. To defend the *commons* here we rely on the force of the *public*, on the *public force* — that is the State. This choice can be understood as a *tactical alliance* with the legal system of the modern State or as an attempt to define *new forms of institution*.

Nevertheless, this sort of 'alliance' must be clarified and debated further, if contemporary critical thought really wants to establish a *third actor* capable to escape the typical modern opposition between public and private, state and corporations — if we want to imagine *new institutions of the common*. The common does not stay in the middle between private and public, but it belongs to and it is produced on a completely different plane.

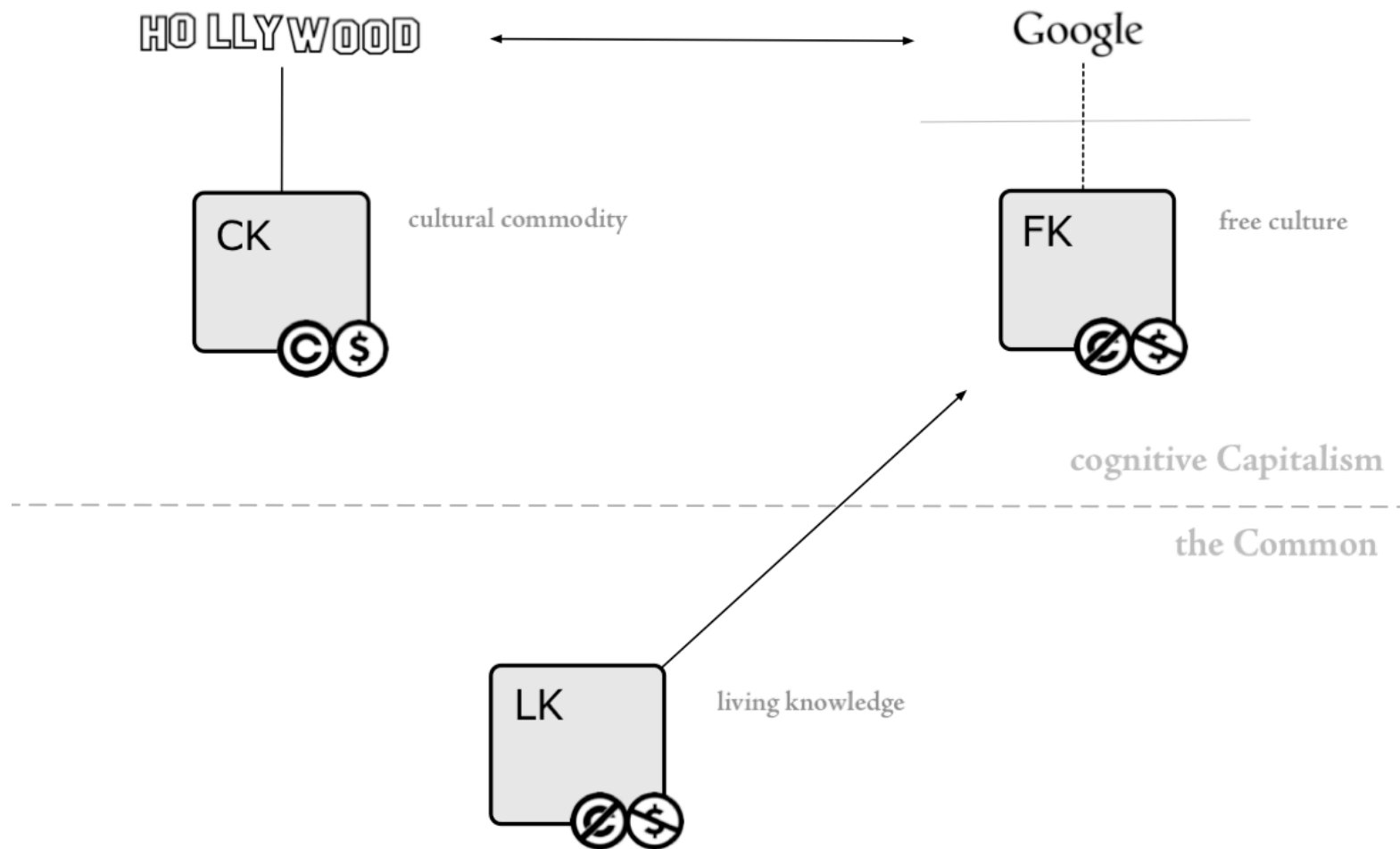
(Also the definition of Public Domain as advanced by the Creative Commons initiative within the US legal framework would deserve few words...)

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The 'legal code' of Creative Commons licences: "The work is protected by copyright"



Second impasse: 'free culture' supported by media monopolies

Aside from the impasse regarding the legal status of the new cultural commons, there is also an impasse related to the economic dimension of the digital commons. One of the main preoccupations of Creative Commons licences is, for instance, the 'non-commercial use' — in order to defend the cultural commons and users' creative labour by exploitation. Also here the opposition between *culture industries* and *free culture (industries)* is quite ephemeral.

In fact we are witnessing *a war between two regimes of capitalism*: the old corporations of intellectual property (such as Hollywood) and the new monopolies of meta-data and social networking (such as Google and Facebook), which maintain by the way nebulous positions on copyright issues. A sort of new 'capitalism without intellectual property' is emerging and supporting the *flows of free culture* produced by the *digital multitudes*.

Here, what is at stake is how to reveal the corporate accumulation of value based on the production of 'free culture'. This business model escapes the simple dimension of the digital networks and it is specific to a broader economic regime that is defined diversely as post-Fordism, knowledge economy or more recently as cognitive capitalism.

After looking at the legal and economic ecosystem surrounding the new cultural commons, we should focus again on the commons as a third actor. If the new cultural commons want to escape the typical modern opposition between public and private, they have to focus on their productive power, on their *living knowledge* before it is turned into a *legal object* or a *cognitive commodity*.

Rights

(c) (cc) (=) (\$)...

Value

{v} {k} ...



the Common

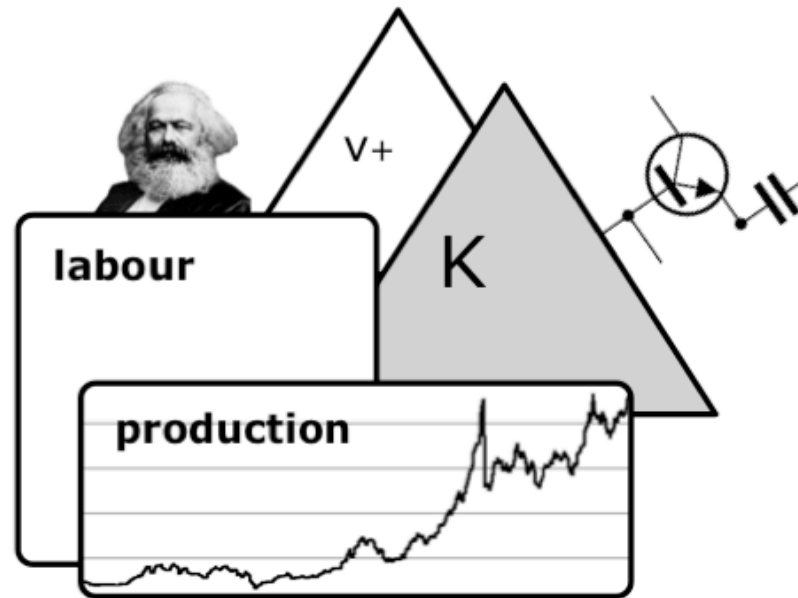
Production

[m] [c] [lab] [cog] ...

The need for a new definition of the common

In this sense, we need a new *strong* definition of the common — a definition no longer simply based on the issue of *rights* and intellectual property but also on the issue of *economic value* and, more importantly, on the issue of *production* and *labour*. Who makes the commons? Who produces the commons?

The common is not a peaceful space: it is alive and it is productive and conflictive. It is a space of excess and surplus. What is advanced by the dominant hype is a pacified version of the 'common'.



The need for new conceptual grammar after the hegemony of the 'legalese'

We need a new political grammar and maybe a new symbolic language. We have to move beyond the legalese of Free Software and Creative Commons licences.






A first distinction that can be introduced is about paradigms that believe to establish spaces of pure autonomy (within capitalism) and paradigms that believe that there is no more an outside (resistance has to be *endogenous, indigenous, native*).

Since the rise of network culture and post-Seattle movements, critical thought and activism have tried to shape a new political grammar *from below*. How much of the *formal definition* of the cultural commons incarnate this *movement from below*? This is not a rhetorical question but an open question.

Creative Commons is an example of a *formal constitution* for the commons. Clearly, a big part of the *material constitution* of the commons is left apart. The commons are *living* and *productive*, not simply a matter of intellectual property and copyrights.

(Dmytri Kleiner's proposal of a new licence—*CopyFarLeft*—is an attempt to establish a stronger relation between the formal constitution and the material constitution of the common.)

A question for the so-called critical thought: how to make the formal constitution of the cultural commons even closer to their material constitution?

 <p><i>logos</i> digital zero entropy</p>	<p>Knowledge </p>	<p>↑ human-made ↓ immaterial material</p>
 <p><i>techne</i> mechanical controlled entropy</p>	<p>Industry ???</p>	
 <p><i>bios</i> biological negative entropy</p>	<p>Agriculture The commons</p>	<p>↑ natural ↓</p>
 <p><i>byle</i> mineral positive entropy</p>	<p>Energy ???</p>	

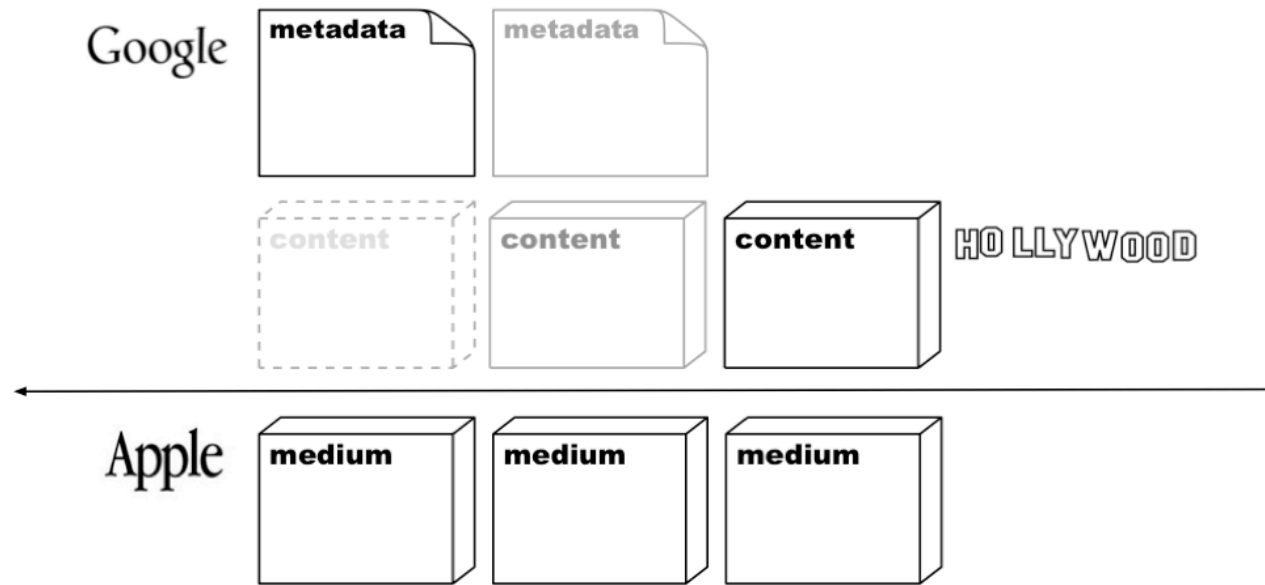
The four strata of the common

What are the commons made of? We usually define natural resources as commons: water, air, soil, etc. However we should be more interested in the *human-made commons*, as our life today is completely enslaved and machinized by labour market, financial capitalism and pervasive technologies. In the end, natural commons are constantly re-absorbed by capitalism.

At a closer look, amongst human-made commons we can distinguish between material and immaterial ones. Today attention is focused only on the immaterial ones: Creative commons and Free Software have become a hegemonic metaphor for everything. If we talk of the commons is indeed only thanks to the digital revolution. The zero-entropy regime of the digital made everything easier: first cooperation, but then also competition and monopoly.

Human-made commons are today defined only along their immaterial side. They are often defended for their non-productive and non-commercial nature. On the contrary, historically, the 'commons' were quite *productive spaces* of land: they provided fresh water, wood, vegetables and fruit, fodder for livestock, and so on.

To simplify we can say that there are 4 different strata of the commons. Value is produced today especially along the friction of the material and immaterial strata. Indeed, it is unlikely that the means of production will become communal. We can play with and produce as much 'free culture' as we want on the *information highways*, providing we are not interested into the *real economy*...



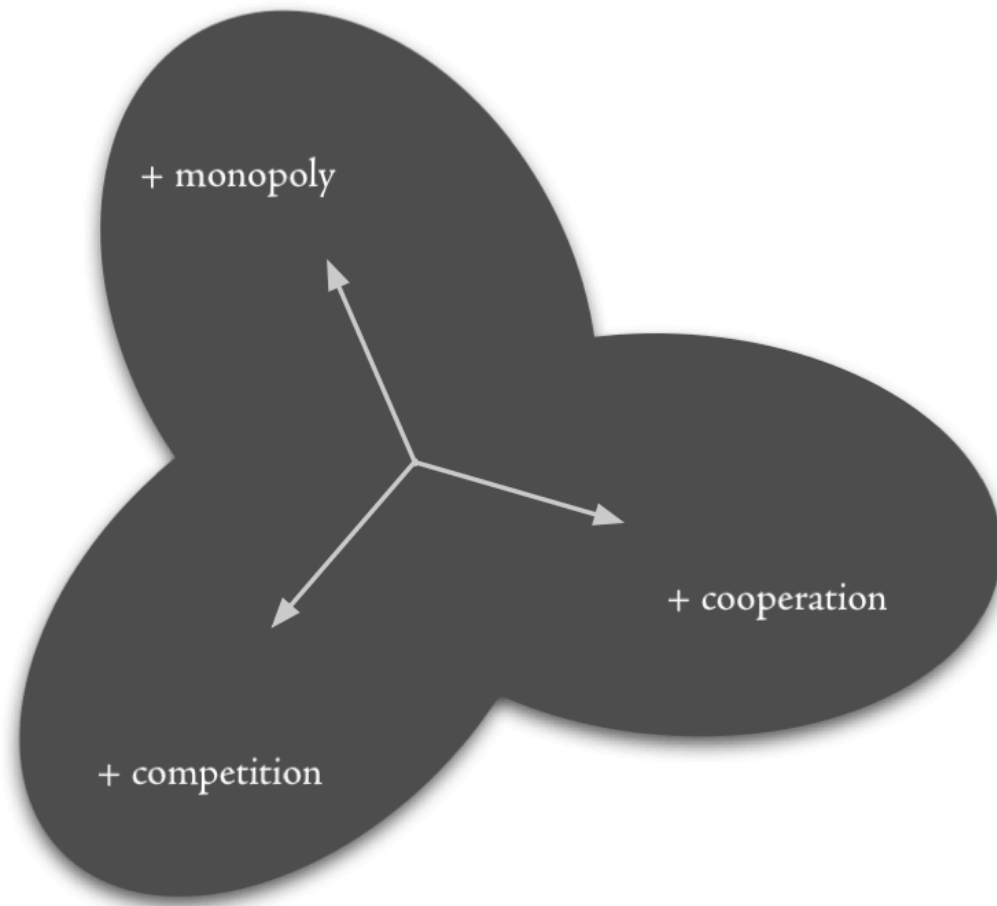
The parasitic economy of digital networks: cognitive and technological monopoly

Hollywood and the 'creative industries' are often considered as the main economy of culture, and then as the first 'public enemy' of free culture and cultural commons.

However a new regime of accumulation has emerged and based itself on the monopoly of meta-data (see Google) or on the monopoly of the hardware infrastructure (see Apple or the telecoms that own the Internet infrastructure).

The material dimension of content and the regime of copyright itself are evaporating, and new monopolies—new global monopolies—are emerging above and below the layer of content and are replacing previous business models.

We need to reshape our theoretical and political tools to understand the new engines of 'cognitive capitalism'.



The dynamic and 'elastic' matrix of the digital

If we talk of the commons today is indeed only thanks to the digital revolution. The zero-entropy regime of the digital made everything easier: first cooperation, but then also competition and monopoly.

This digital matrix is 'elastic' and dynamic. We do not need to imagine a dark side: everything can be shaped and amplified by its liquid space. Cooperation, competition and monopoly proliferate along the same space — that is the same space of the new cultural commons.

Post-Fordism, hinging as it does upon the general intellect and the multitude, puts forth, in its own way, typical demands of communism (abolition of work, dissolution of the State, etc.). Post-Fordism is the communism of capital.

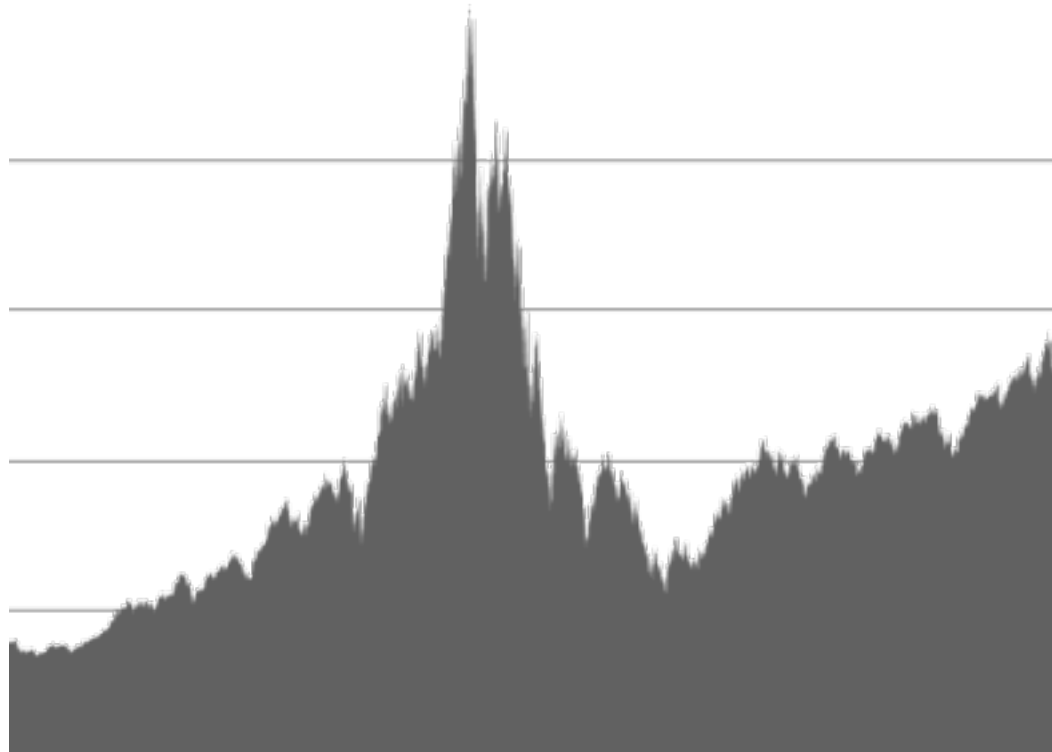
—Paolo Virno, *A Grammar of the Multitude*

Paolo Virno: The communism of capital

To describe this new relation between the sphere of culture and the sphere of material economy, it may be useful to refer to a text by David Harvey titled the ‘The art of rent’, translated and published as ‘El arte de la Renta’ by Ediciones MACBA in 2005. In this essay Harvey underlines the economic relation between urban gentrification and *collective symbolic capital* specifically in the case of Barcelona.

In the school of Italian post-operaismo, similarly, a new understanding of rent emerged recently. Within cognitive capitalism the leading business model is said to be based on *rent* rather than *profit*. Carlo Vercellone is used to say: ‘The rent is the new profit’.

In the above quote, Paolo Virno underlines how the collective production of knowledge—the Marxian *general intellect*—is a crucial part of contemporary means of production. In another catchy definition: ‘post-Fordism is the communism of capital’.



The sabotage of value by financial markets (or, the speculative rent)

If rent is becoming the dominant model of the knowledge economy, which should be the political response? In my book *Animal Spirits: A Bestiary of the Commons*, I advance the idea that: if the other side of the commons is the anonymous and impersonal dimension of the rent, the other side of the rent is precisely the sabotage of value — the sabotage of rent.

Here sabotage is not understood as the ‘classical’ *physical* sabotage of a machine but as ‘sabotage of value’. This sabotage is the sabotage that is performed every day by stock markets, for instance. The dot-com crash in 2000 or more recently the subprime mortgage crisis are examples of a destruction of value on a massive scale. *Where has all that value gone?*

The sabotage of value is only political gesture left to the multitudes confronting the anonymous and impersonal new regime of rent.



The Pirate Bay

The sabotage of cognitive rent by digital networks

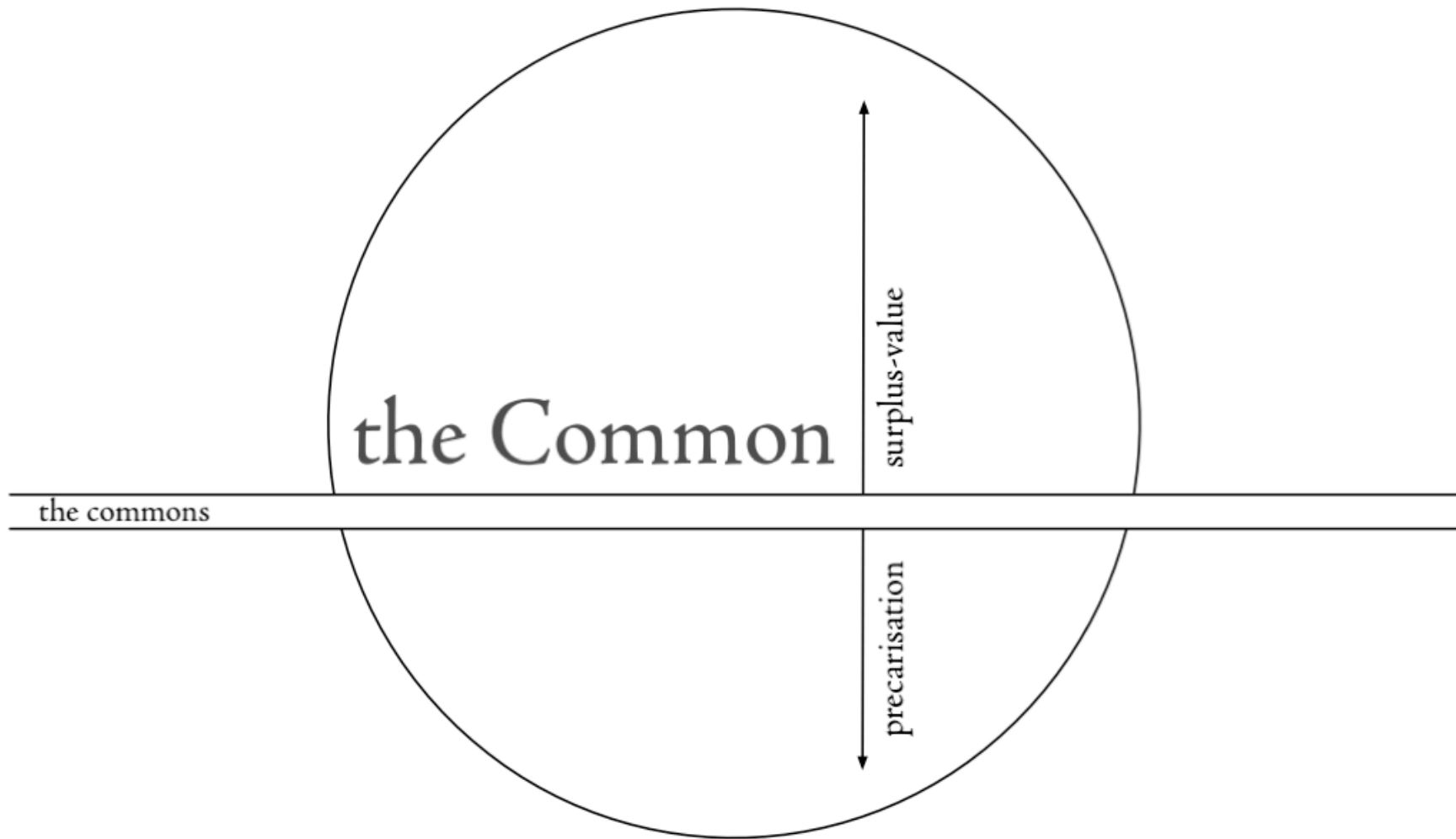
Let's have a look at the real economy of the digital commons. What is the first economic effect of peer-to-peer networks, for instance? The first economic effect is the sabotage of the copyright revenues of global media conglomerates.

Why do we defend them? Just for the sake of 'knowledge sharing', 'freedom of access', 'net neutrality', 'innovation and creativity', etc. etc.? What is the real force behind this phenomenon? My idea is that—unconsciously—we support these practices as they represent a sabotage of cognitive and speculative rent on a massive scale.

For sure it is not a very brave form of activism: typing on a keyboard and spending the whole night waiting the end of a download sounds like *armchair activism*.

However, I advance the idea that the target of knowledge sharing and peer-to-peer networks is the regime of rent rather than the copyright regime.

As financial markets teach us, sabotage of value is not a destructive gesture. On the contrary, it is a positive gesture, a gesture that produces value for somebody else. In this sense, the political horizon is to invent new form of social redistribution of wealth and social income.



The common after the commons

The horizontal space of the commons is crossed by the vertical line of value. On one side surplus value is produced exploiting the commons of knowledge — on the other side a massive *precarisation* of labour conditions and *declassement* is the material result of this exploitation.

The common has to reclaim the whole space of value production.