NET ART AND PRO-COMMONS ACTIVISM[1]

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The space around us increasingly lacks areas that are not private, fenced or restricted. Common space in cities is usually limited to common transit spaces (highways, sidewalks, etc.) or has been replaced by places for meeting and socializing provided by shopping and leisure centres, scenarios where the shared, enthusiastic presence of thousands of people in their free time is a necessary condition for active commercial activity. What is public space today? That is one of the most relevant questions arising at present, a central theme of inquiry for all critical thought and especially for the most socially committed artistic proposals.

Unfortunately, the concept of "the commons" is often understood not as something that belongs to everyone but rather as something that belongs to no one and therefore is worthless, given that it lies outside the systems of appropriation and exchange that comprise market systems.

There can be no question that in a reconsideration of what the commons means nowadays, nothing has played a more influential role than the Free Software and Open Source movements. Faced with the oligopolies of the proprietary software industry, it was necessary to recover the cooperative, non-proprietary environment that characterized the development of software prior to the early 1970s. Richard Stallman's creation of the *Free Software Foundation* (1985) following AT&T's paralyzation of the *Unix* open source operating system and the establishment of the *GNU General Public License* have comprised the most significant initiatives in maintaining the principle of the commons in technological development. They spurred an entire current based on the inevitable identification of software (understood as a cultural code) and language, which found it inconceivable to *purchase the words of a language for exclusive use.*

We are currently witnesses to the beginning of a new era in working for the generation of a field of "the commons" in the context of networks. Now more than ever paths are being explored toward opening up, reusing and transferring both software and contents. And although contradictions do exist between the official ideology of Open Source culture and its actual practice[2], it is increasingly clear that the conviction is gaining force that the fundamental principles of action models set forth in the concept of "Free/Libre & Open Source Software" (FLOSS) are applicable to any service and even reach beyond the world of computers. This applicability involves the transformation of a certain production model into a highly distributable model, the possibility of using any asset, modifying and adapting that asset to one's own needs, distributing it freely, etc.

Certainly today there is great excitement as we see that some of the fundamentals of free and open source software can also be applied to the field of contents and data available on the Web, which brings us to the dawning of an emerging trend towards "free data" ("free" meaning both free of charge and freely available). This path, however, still has huge obstacles. The most significant one is that, at present, almost none of the large repositories of data generated by users on the most frequently used Web 2.0 platforms is easily reusable for forming other, different databases (although they may be reusable in technological terms, in almost all cases,

[1] This paper was written for the 4th International meeting "Inclusiva-net. P2P networks and processes". July 2009. Medialab-Prado, Madrid.

[2] See, for example, Eric S. Raymond, "The Cathedral and the Bazaar" (2006) [on-line] URL: http://www.catb.org/~esr/writings/cathedral-bazaar/homesteading/

that is strictly forbidden by the companies that manage those repositories). This is surely one of the great paradoxes of Web 2.0: the combination of public material as content and containers subject to the private domain.

NET.ART WORKS AS THE COMMONS

There is no question that artistic creations, like many other creative activities where the author's subjectivity is part of what is created, have great difficulty when the freedom and premises of free and open source software are applied to them. The most frequent limits are licences based on "some rights reserved", exclusively permitting some freedom in the use of these productions in a more or less free distribution of the work. It is clear that the inclusion of the freedom and premises that characterize free and open source software to the field of artistic creation signifies a radical questioning of the concept of authorship, brought into question time and again by the creative tendencies linked to digital remix strategies.

Regardless of the possible adaptation of the freedom and premises of FLOSS to the field of net.art, it cannot be denied that the emergence of manifestations of net.art in the mid-1990s constituted one of the events that most clearly placed artistic practices within the field of the production of "common goods". The immaterial nature of online work, fully accessible through the Internet from any location, is an extreme reclaiming of the identification of artistic proposals with "the commons". In opposition to this notion, various attempts at marketing net.art works which have been carried out by galleries and museums have shown a transfer of the context of the art-institution and the logic of its market to the Internet setting. However, it was also one of its most paradoxical representations. Selling or trying to sell a work of net.art means buying something that cannot be exchanged, which is inherently something that cannot be sold.

These attempts at imposing market systems continued the process already begun with the development of video art and subsequent artistic manifestations on CD-ROM. These attempts using media designed for mass distribution ended up being limited, paradoxically, to a small number of copies in limited editions[3]. This combination of a media-based artistic strategy and an anti-media social application comprised antimony that still plagues digital artistic manifestations. In this trend or its consent, the medium was considered solely in regard to its characteristics and linguistic or conceptual research potential, with no thought to the social dimension of its technical nature.

In reality, upon acquiring a net.art work, one actually acquires only the place where it is located (only the URL, as the indication of where it is stored can be commercially appropriated). In this sense, the situation is contrary to that of the possession of an object art work, whose characteristics are fundamentally comprised of the possibility of moving it around in space, all the possible benefits its owner could derive from the exclusive nature of its possession being dependent on that, as well as hiding it or enjoying it exclusively, commercial exchange, etc. As a result, the power held by the owner of a net.art work is limited to a paradoxically "counter-media" use of the medium. This, on occasions, took the form of restricted access to it, acting against the exclusive essence of the medium, which is interconnection and free, permanent, multiple and simultaneous access. However, with regard to the works carried out for the Web, the only

[3] Many of the most representative net.art artists' attempts to include their work in the art market are quite clear. A good example is the On & Off exhibit (2006) at the Bryce Wolkowitz gallery at which works were sold such as *ASCII History of Moving Images (Psycho)* (1999) by Vuk Cosic, described by the gallery as "Java applet, hard drive, monitor", in an edition of 4 copies, or the work by Olia Lialina and Dragan Espenschied titled *Online Newspaper (Wall Street Journal, Europe)* from 2004, composed of the following components: "Html file, hard drive, monitor", also in an edition of 4 copies.

concept of possession is understood as something identical to the common right to experience them.

THE CIRCULATION OF COMMON GOODS AS A WORK SUBJECT

If part of network art can be considered as one of the most radical forms in which artistic creation is identified with the creation of a commons, we should also remember that reflection on the sale of common goods and rights in the Network Society is seen as one of its major thematic cores, especially in recent years. A good of example of this is the project *Vote-Auction*[4] (2000) by UBERMORGEN.COM, which offered citizens with a right to vote in the 2000 US presidential election the option of selling their vote on the Internet to the highest bidder. This proposal, of selling that which cannot be sold, marketing something which is a non-transferable individual right, was a parody of the increasing approximation between democracy and capitalism that takes place in the Network Society, as well as a satire of the electoral industry, understood here as an essential factor in the consumer logic in democratic functioning.

There are also quite a few online projects on how to coordinate, organize and plan the activity of sharing (which in the digital field means that, by sharing, no one loses any of what they share) and that understand this type of practice as a specific type of politicized artistic production. Given their concern about how goods and capital circulate on the networks, many of these artistic-activist projects place a priority on a reflection on how common goods circulate, on the various possible types of common goods (an identification that is parallel to the Marxist one of different types of capital), as well as ways in which forming groups or associations is possible where sharing can take place or where the proliferation of the commons is feasible.

Precisely, another project by UBERMORGEN.COM, carried out with Alessandro Ludovico and Paolo Cirio, titled *GWEI - Google Will Eat Itself*[5] (2005), was about the more or less obvious processes of subjugation of all communicative dynamics in the network-system to the commercial interests of only a few companies. Based on Google's "AdSense" programme, this project served to criticize the system of commercial appropriation generalized on the Internet network by this US company. The idea was to turn its income system from advertising into a self-cannibalizing system; the money obtained through Google ads placed on a specific network of Web sites would be used to buy shares in Google, which would subsequently be transferred to their users[6]. Of course, the proposal was a parody; the estimated time it would take until all Google shares were acquired and transferred to the public domain of users of the application was over two hundred million years.

NET.ART AND "PEER TO PEER" PROCESSES

Clearly, given that for years many online activism proposals focused their efforts on the analysis of how exchanges are produced on the Web and on how common goods circulate, inevitably many of them soon devoted their main research to P2P (peer-to-peer) networks and the social dynamics they have generated.

Since the mid-1990s, the use of P2P networks (distributed networks comprised of nodes that function simultaneously as clients and servers) has skyrocketed. These communication networks

4 http://www.vote-auction.net
5 http://www.gwei.org
6 This transfer took place via GTTP Ltd. (Google To The People Public Company).

are among users, which makes many services they need available, such as many process cycles or large bandwidth or storage resources. In addition to enabling file sharing directly among multiple users, P2P networks make countless communication services possible. Some examples include: telephone communications, video conferencing, television, and even decentralized information distribution systems that escape censorship in a highly efficient way, such as *Freenet*), entertainment (multi-player games), and distributed computation (for example, P2P networks are used for projects such as *Tsunami Harddisk Detector*[7] by Michael Stadler), among many other possible services.

All of these uses are legal. However, at present, the majority of the most popular P2P networks are utilized by users for illegal downloads of movies and music under copyright. Therefore, the applications of these networks and the anonymity they enable have many facets and purposes. Digital piracy is precisely the greatest threat posed by these networks and that is why their development, even for completely different uses, will be increasingly controlled and hindered. There is no question that since the beginning of this decade, we have witnessed continuous questioning of these networks from business and institutional circles that see them as the main instrument for carrying out infractions of intellectual property law. Moreover, when majority media mention P2P networks, they usually speak exclusively about these illegal practices, which implies their continual criminalization.

In this respect, a growing number of people think that instead of attempting to halt what seems to be an inevitable process, the efforts of businesses in the audiovisual sector should be directed at designing new business models in which P2P networks are seen as a new field offering possibilities and opportunities, not as a terrible threat. Thus, those who oppose the anti-piracy measures being taken in many countries affirm that the music industry is making a huge mistake by continuing to focus its business expectations on the sale of CDs. Trying to prevent the proliferation of copies of something so easily reproducible (once something has been digitalized, it will inevitably circulate over the Web) is an anachronistic standpoint based on the belief that business based on anti-Web logic is still possible, when the fact is that we are fully immersed in the Network Era. Nor should we forget that the problem of digital piracy is something that has its roots in the past. It is curious that many software companies who already suffered from massive piracy of their programmes prior to the appearance of P2P never did much to prevent the circulation of thousands of pirate copies of their products. In fact, on many occasions it has been stated that the almost complete dominance of Photoshop, for example, as compared to other graphic editors, would not have been possible if Adobe Systems Incorporated had not permitted the more or less secret use of its programme by people who were not willing or able to pay for it. In contrast to the logic of traditional capitalism, which consists of the sale of material goods whose value is based on scarcity, this proves that in cyber culture, the value of any digital good always increases with its distribution[8].

These issues are so relevant and up to date that their presence is continuous as a central theme in many artistic and digital activism practices on the Web. There is a large group of initiatives whose critical foundation can be exemplified in another project by UBERMORGEN.COM, Paolo Cirio and Alessandro Ludovico: *Amazon Noir*[9] (2006). This project aimed to get Amazon.com, the well-known online bookstore, to offer users complete volumes of books on sale, free of charge. This was achieved by an application designed for that purpose by the Firefox search engine, to

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[7] http://www.ninsight.at/tsunami/

8 See John Perry Barlow, "Vender vino sin botellas la economía de la mente en la Red Global", *El Paseante* n.27-28, Ediciones Siruela, Madrid, 1998.

9 http://www.amazon-noir.com/

be installed in each user's computer, which made it possible to transform the "Search inside the book" function that Amazon.com offered to all users on its Web site to "browse" through the book by using the search words chosen by the user. In this way, over 3,000 books were downloaded and distributed via P2P networks (Gnutella/G2, BitTorrent, FastTrack, ed2k) between April and October 2006. What is most interesting about this initiative is that the authors of this application did no more than enhance a service provided by Amazon.com bookstore itself. That is, a restrictive system was used and subverted to enable downloads of the complete work.

Another well-known project related to forms of piracy against Amazon.com is *Pirates of the Amazon*[10] (2008) created by two students at the Piet Zwart Institute of Rotterdam. It was also based on a Firefox application that enabled changing the Amazon.com page format on the user's search engine, by placing a button that read "Download 4 Free" over each product, CD, DVD or book for sale. The application included links in each button to "free" copies of each product available on The Pirate Bay[11]. Thus, it was possible to make purchases on Amazon.com without paying anything. This "add-on" did not download any files of its own, given that it was a simple interface between the Web pages of Amazon.com and The Pirate Bay, it being the user's choice whether to make the free (and illegal, according to the laws of many countries) download of the file.

In sum, as opposed to those who conceive of P2P networks as a way of democratizing access to cultural contents, others see them as merely swarms of users grouped together solely out of their interest in downloading films and music for free. However, those two positions take into account only a tiny part of the multitude and complexity of aspects at play in the dynamics inherent to peer-to-peer networks. Therefore, other perspectives must be included in this debate, which is at the forefront today, that make it possible to reflect more broadly on P2P networks, transcending mere diatribes as to the legality or illegality of the uses that can be made of them. The proposal would be to talk less about P2P networks and more about social and production processes based on the P2P network model.

Therefore, what is proposed is to broaden the terms of discussion with special emphasis on the huge social potentials of the systems and processes in networks based on P2P structures, looking at their capacity to consolidate voluntary social organization forms to develop participatory social processes and collective cooperation in networks in all areas of human activities.

Certainly, there are many hugely interesting elements that characterize P2P networks and are perfectly applicable to the development of forms of social and productive relations both in and out of the Web. Firstly, the lack of a specific structure of P2P networks makes them immensely adaptable and flexible. Order in them arises not out of organizational development but rather from a permanent mixture in an intensely alive chaos motivated by each participant's actions in generating dynamics of exchange and production of contents. And we must remember that structures close to the transition to chaos are usually very fertile for the generation of fruitful changes and evolution on all levels of culture.

We must also mention some of the most significant elements of the P2P model: the fact that there is no a priori selection for participation. As stated by Michel Bauwens, "The capacity to cooperate

10 http://www.pirates-of-the-amazon.com
11 http://thepiratebay.org/

is verified in the process of cooperation itself"[12], given that validation is provided by the community in this type of organization model, where participants are filtered "a posteriori". This does not mean that the P2P network model has no hierarchy, but rather that it is formed by flexible hierarchies based on merit, which is also always considered as a necessary catalyst for participation[13]. The P2P philosophy depends to a large extent on a meritocracy system that awards the most privileges and the fastest access to more content to those who share the most (the BitTorrent protocol, for example, is based on this principle; the system awards those who share the most, making the highest number of connections to download nodes available to them).

P2P networks have mechanisms for their operation that are ideally based on social relations that make publicly available a set of what are considered universally common goods, resources that are not subject to price or market systems. However, the fact that the production model based on P2P architectures is not based on economic compensation does not mean that the model turns its back on the market. It proposes the possibility of an economy whose central axis is principles of the commons, in an attempt to reduce the dominance of proprietary strategies. If supply and demand is the major motivating component of the market economy, here the motivations are quite varied and different. The result of peer-to-peer production is a collective good, the commons. Therefore, "losing" something can only be understood in this context as remaining outside of any possible exchange relationship.

Undoubtedly, the GPL licence, open source initiatives and Creative Commons constitute some of the fundamental conditions of production forms based on P2P networks. These possibilities are gaining significance in relation to concepts such as "P2P production", "P2P property" or "P2P governance".

We must also remember that P2P networks make it possible to regulate interactions among participants which do not, however, restrict the heterogeneity of their members. That is why the P2P theory has unity in diversity as its core theme, which could also be called "a Post-Enlightenment universalism"[14].

The P2P model leads toward a reformed market that opens up new ways of determining the value of things. It arises out of the need for alternative systems in many areas in which the logic of economic exchange based on that of the market is either not suitable or completely inappropriate, as inferred by the possibility of paying for ideas with other ideas, for example. It is very important to point out that P2P economies are based on the value of the use of things. The intention is to make the value of use freely accessible universally (a value that must emerge without the intermediation of companies or corporate agents of production or distribution).

It must be made very clear that the P2P model consists of creating and sharing common goods, not in turning what belongs to someone else into common goods. If the piracy operating on P2P networks is circulated as a common good, that is, something that belongs to us all, but was not conceived as such, then that "commons" is created by illegally freeing a private good. This process -regardless of whether it is illegal or desirable, or not- should not be considered an example of the P2P action model. The social and productive model based on the structure of

12 According to Michel Bauwens, "The capacity to cooperate is verified in the process of cooperation itself. Thus, projects are open to all comers provided they have the necessary skills to contribute to a project. These skills are verified, and communally validated, in the process of production itself" in "The Political Economy of Peer Production" (2005), in *C-Theory*, [on-line] URL: http://www.ctheory.net/articles.aspx?id=499 [Retrieved: 2 November 2007].
13 Ibid.
14 See Michel Bauwens, "Peer to Peer and Human Evolution" [on-line] URL: http://p2pfoundation.net/Manifesto [Retrieved: 2 November 2007].

P2P networks does not consist of this. Its ways of producing the commons must always be based on free and open production, not on acts of liberating what has not been liberated by its authors or owners.

Thus, the artistic-activist proposals which reflect on the P2P model use as an argument the emancipatory potential of certain aspects immanent in the connected mob, especially as related to the principles of "panarchy" and network government, showing a large variety of work lines related to the immobilization assumptions of the economic colonization of telecommunications networks. For example, some recent proposals like *don-x-change* (2009) by Laura Bey, that aim to show the social possibilities of P2P networks and processes, point to the ideals on which these networks are based: free cooperation among peers, equality among participants, placing or forming goods considered commons in circulation, the participation and communication of many to many, etc., revealing the affirmation of P2P logic as a political programme of its own. Bey's project shows very clearly that the P2P model consists of non-reciprocal community participation[15], that is, P2P is not a system of reciprocity. Indeed, in the P2P model, each person contributes and receives, not in terms of equality but rather each contributes according to his or her abilities and wishes, and takes according to his or her needs[16]. This work by Bey, a fictional programme for the Gnutella2 network, uses a subtle display of metaphors and language games with the user, to show the need for users of P2P networks and protocols to be more than mere swarms of persons whose only common interest is each person's own interest in downloading films or music. Certainly, P2P networks must reach a stage of real community, in which participants manage to consolidate forms of voluntary social organization, where the goods placed in circulation act intensely as mediators for specific social relations, and do not only satisfy common interests or needs.

Other projects focused on P2P dynamics are centred on what Alan Page Fiske presented in *Structures of Social Life*[17] as a universal grammar of human relations. These forms of exchange that have co-existed historically over thousands of years, although some always prevailed over others. The point was to try to show how some of them are being reactivated or intensified today, characterized as new and in other terms, such as the social and productive model based on P2P logics. The irony characteristic of some projects, such as *P2P Applied* (2009) by Rene Zangl, suggests interesting ideas about how to recover on digital networks some of the exchange forms that constituted the essential bases in anthropological studies since their beginning. Some of the fundamental notions on which they operate are: plays of equality (I should give something of equal value for what I have received to maintain the same status); systems inherent to price (exchange of the same value); communal sharing (donation to form part of a collective resource; and so on.

Explorations of what is called "commons-based peer production"[18], "open manufacturing", or "wikinomics"[19] are recurring features of many new projects of network art. On occasions, these explorations are specified in a production model based on the cooperation of autonomous agents, the coordination of the creative energy of a huge number of people, joining the efforts and enjoyment of a multitude of singularities, in which each of the members has different abilities,

15 http://www.p2pfoundation.net/index.php/3.4_Placing_P2P_in_an_intersubjective_typology> [Retrieved: 2 November 2007].
16 Michel Bauwens, "The Political Economy of Peer Production", Cit.
17 Alan Page Fiske, *Structures of Social Life: The Four Elementary Forms of Human Relations*, New York, Free Press Macmillan, 1991.
18 See Yochai Benkler, "Coase's Penguin, or Linux and the Nature of the Firm", [on-line] URL http://www.benkler.org/CoasesPenguin.html
19 See Don Tapscott and Anthony D. Williams, *Wikinomics: La Nueva Economía de las Multitudes inteligentes (Wikinomics: The New Economy of Intelligent Crowds)*, Paidós, Barcelona, 2009.

quite diverse knowledge, different "properties" that are added together and creatively complement the others'. Projects such as Perry Bard's work titled *Man With a Movie Camera: The Global Remake*[20] *(*2008), a collaborative development of a recreation of the well-known film made by Vertov in 1929, are good examples of this type of extreme approach to "open work".

The range of network art proposals operating on the dynamics of the P2P model also included those initiatives specifically focused on concrete uses of P2P networks and clients, two lines of work that have barely been developed. The first consists of projects using P2P networks as the only possible context for the existence of the work, in which the work is subject to the operating dynamics of the Web. Good examples of this work line are the video projects carried out since 2006 by Anders Weberg[21] , which exist only as long as other users share them on P2P networks, or those projects whose main axis for reflection are specific actions in the use of these networks, which occurs in works like *N.A.G. Network Auralization for Gnutella*[22] (2003) by Jason Freeman, centred in the file search process on the Gnutella network.

The second is much more developed at present, composed of projects that study alternate forms of surfing and visualizing data flows on these networks. These initiatives are proposals for the development of interfaces that are completely different from the usual ones, such as *Minitasking*[23] (2002), a free client to search the Gnutella network, or *Torrent Raiders*[24] (2007) by Aaron Meyers, a project based on dynamic visualizations of BitTorrent users' activity which, through aesthetics much like a video games arcade, brings up interesting questions related to privacy, surveillance and piracy on P2P networks.

20 http://dziga.perrybard.net/
21 http://www.p2p-art.com/
22 http://www.turbulence.org/Works/freeman/
23 http://minitasking.com
24 http://www.torrentraiders.com/