

iCommons LAB REPORT

Your window on the Commons

November/December 2007



kiyomi saitou



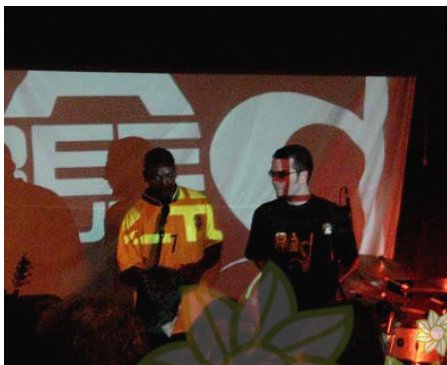
iCommons



loftwork

A year in pictures

Some 2007 highlights...



Free Culture Tour, April



Heather and Jimmy's 50 greatest parties



iHeritage, September



Wikipedia goes CC, December



Innovation Series, November



iSummit, Dubrovnik June



Open Education Declaration, September



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Dear global commoners

In my last letter for the year, I look back at 2007's biggest news, and what to look forward to in 2008.

2007 saw some major successes in the open education movement. The [Cape Town Open Education Declaration](#) was launched with the goal of accelerating the international effort to promote open resources, technology and teaching practices in education. Yale started an open courseware initiative; MIT Open CourseWare passed the 1,800 courses mark, and SELF (Sharing Knowledge about Free Software) – a project to develop premium training and educational materials about Free Software and Open Standards – was launched at events in the Netherlands, Sweden, Bulgaria, Argentina, Mexico, India and Spain.

On the issue of licence compatibility, Wikipedia Founder and iCommons Board Member, Jimmy Wales, announced a historic move by the Wikimedia Foundation that will give Wikipedia the right to choose to migrate to Creative Commons. The announcement was made at the fourth of 50 Parties that bring together Wikipedians, Creative Commons, iCommoners and other free culture lovers – this time in the San Francisco Bay Area.

In other major news of the year, Creative Commons was sued and then the lawsuit voluntarily dismissed by the plaintiffs of a lawsuit against Virgin Mobile. The plaintiffs are the parents of a student whose image in a CC-licensed photograph was used by Virgin Mobile in an advertising campaign and the photographer who took the original picture of the student and posted it on Flickr.

In one of the year's great CC stories, the Norddeutscher Rundfunk (NDR), a public radio and television broadcaster belonging to Germany's national broadcasting consortium ARD, announced that they would begin to use CC licences for some of their programs.

On the public domain front, audio book company, LibriVox released their 1,000th public domain audio book, and Access Copyright, The Canadian Copyright Licensing Agency and Creative Commons Canada – in partnership with Creative Commons Corporation – announced a ground-breaking project to create an online, globally searchable catalogue of published works that are in the Canadian public domain. Another major boon for the public domain came in September when COMMUNIA – coordinated by the NEXA Research Center for Internet and Society of the Politecnico of Torino – was launched as a three-year project funded by the

European Commission to conduct high-level policy discussion and strategic action on all issues related to the public domain in the digital environment.

But looking at the major news headlines doesn't do justice to the incredible work being done by the researchers, social entrepreneurs, bloggers, developers, artists and creators to broaden the world's critical understanding of how intellectual property should serve innovation, cultural understanding and equality throughout the world. This is especially true in the developing world – where resources for major projects by government, academia and social enterprises are limited, and where open content activists are often isolated and under-valued.

In January next year, as COMMUNIA meets in Torino, and Asia Commoners meet in Taipei, and iCommons volunteers meet in Johannesburg, lets start to think how to grow our understanding and celebration of such a diverse movement that connects us in a way that is historic and offers major opportunities for global solidarity.

Best wishes,

Heather

heather@icommons.org

Content

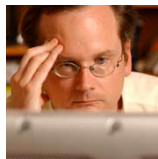
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Gogo's in the Christmas spirit

so here's a 'match the gifts' game...



By this time of year, Gogo is well into the Christmas spirit (and were you to construe this as that of the alcoholic variety you mightn't be far wrong - Gogo may be wise but she isn't perfect!) Gogo has been feverishly filling stockings for some of the iCommons community. However, after a long day of filling stockings, updating her status on Facebook and eating mince pies, Gogo is feeling pretty exhausted. As a result she simply can't remember which stocking is for which person. See if you can help her match the person to the correct stocking:



Lawrence Lessig

A patent for the 'go round' conference system



Heather Ford

A pirate eye-patch



Cory Doctorow

A new coat, less tattered, not torn



Lawrence Liang

A gold-trimmed vuvuzela



Vera Franz

A little sister



Mark Surman

100 active icommons.org nodes



Kerryn Mckay

A copy of *Around the world in 80 Days*



Daniela Faris

A fair-trade summit bag made of hemp



Tom Chance

\$ 2 million unrestricted funds towards the iSummit

Answers:

Larry Lessig: Donated his old coat, tattered and torn to the iCommons online auction. He deserves a new one.
Heather Ford: After a hectic year of raising funds for the annual iCommons Summit, a little help would be appreciated in the form of \$ 2 million to use however she sees fit.
Cory Doctorow: Recently published *Little Brother* deserves a standing ovation, or a little sister.
Lawrence Liang: Arguably the most eloquent of speakers around the subject of piracy, Lawrence deserves his very own pirate eye-patch.
Vera Franz: One of the most prolifically-travelled members of the donor community, Vera is always on the move. To see how it was done in the old days, we'll give her a copy of the book *Around the world in 80 Days* to read on her next plane journey.
Mark Surman: A fan of the 'go round' method wherein the group is encouraged to contribute to the discussion, we think Mark deserves to own the patent.
Kerryn Mckay: After all that blowing of the vuvuzela at this year's iSummit, Kerryn deserves a new pair of lips ... or a gold-trimmed vuvuzela.
Daniela Faris: After tirelessly updating the community on node activity every month, wouldn't it be wonderful if she came to work and discovered that there were 100 active nodes with busy forums, loads of participants and lots of interesting blog posts.
Tom Chance: Tom famously brought up the issue at the iSummit 2006 in Rio de Janeiro, that iCommons policies should be fair and ethical, and that this included all things even down to the bags that are produced for each year's summit. For this, we think he deserves to get a fair-trade bag made out of hemp, a natural fabric.



Andy Warhol: 1928-1987, by idealterna from flickr.com, CC BY-NC 2.0

Warhol is turning in his grave

by Cory Doctorow

An exhibition of pop art at London's National Portrait Gallery unwittingly celebrates a golden age before copyright was king.

The excellent programme for Pop Art Portraits, the current exhibition at London's National Portrait Gallery, has a lot to say about the pictures hanging on the walls and the diverse source material the artists used to produce their provocative works.

Apparently they cut up magazines, copied comic books, drew trademarked cartoon characters like Minnie Mouse, reproduced covers from *Time* magazine, made ironic use of a cartoon Charles Atlas, painted over iconic photos of James Dean and Elvis Presley - and that's just in the first of seven rooms.

The programme describes the aesthetic experience conjured up by these transmogrified icons of high and low culture. Celebrated pop artists including Larry Poons, Robert Rauschenberg and Andy Warhol created these images by nicking the work of others, without permission, and transforming it to make statements and evoke emotions never countenanced by the original creators.

Despite this, the programme does not say a word about copyright. Can you blame the authors? A treatise on the way that copyright and trademarks were - had to be - trammelled to make these works could fill volumes.

Reading the programme, you can only assume that the curators' message about copyright is that where free expression is concerned, the rights of the creators of the original source material must take a back seat to those of the pop artists.

There is, however, another message about copyright in the National Portrait Gallery: it is implicit in the "No Photography" signs prominently displayed throughout its rooms, including one by the entrance to the Pop Art Portraits exhibition.

These signs are not intended to protect the works from the deprecations of camera flashes (otherwise they would read "No Flash Photography"). No, the ban on pictures is meant to safeguard the copyright of the works hung on the walls

- a fact that every member of staff I asked instantly confirmed.

Indeed, it seems every square centimetre of the National Portrait Gallery is under some form of copyright. I wasn't even allowed to photograph the "No Photographs" sign. A member of staff explained that the typography and layout of the signs was itself copyrighted.

If true, presumably the same rules would prevent anyone from taking any pictures in any public place - unless you could somehow contrive to get a shot of Leicester Square without any writing, logos, architectural facades or images in it. Otherwise I doubt even Warhol could have got away with it.

So what's the message of the show? Is it a celebration of remix culture, revelling in the endless possibilities opened up by appropriating and reusing images without permission?

Or is it the epitaph on the tombstone of the sweet days before the UN set up the World Intellectual Property Organization and the ensuing mania for turning everything that can be sensed and recorded into someone's property?

Does this show - paid for with public money, with some works that are themselves owned by public institutions - seek to inspire us to become 21st century pop artists, armed with cameraphones, websites and mixers, or is it supposed to inform us that our chance has passed and we'd best settle for a life as information serfs who can't even make free use of what our eyes see and our ears hear?

Perhaps, just perhaps, this is actually a Dadaist show masquerading as a pop art show. Perhaps the point is to titillate us with the delicious irony of celebrating copyright infringement while simultaneously taking the view that even the "No Photography" sign is a form of property not to be reproduced without the permission that can never be had.

This article was first published on the Guardian Unlimited website on 13 November. It is reproduced here with Doctorow's permission.

Arabic Digital Content: an update

by Anas Tawileh

When I wrote "The Growth of Arab Commons" last month, my primary intent was to reflect on what we have achieved over the past year and to pinpoint any challenges or obstacles that may need to be overcome for the Commons to achieve its aim for growth in the Arab world. Nevertheless, several trends seemed to have a prominent impact. The article concluded with a call to "combine the promotion of Creative Commons in the Arab world with the larger objective of increasing the development of digital content in the Arabic language".

Well, it does not happen much (at least for me), but it seems that someone was listening!

During The International Symposium on Computers & Arabic Language (ISCAL), held in Riyadh, Saudi Arabia from 10 to 12 November 2007, I delivered a keynote on Creative Commons and the strong link between their philosophical foundation and the sharing culture that dominates the social fabric in the Arab world. My aim was to attract attention to the urgent need to quickly embrace Creative Commons in the region and promote the development of open content in the Arabic language by emphasising the compatibility between Creative Commons and the belief and value systems in the Arab world.

Several researchers in the symposium also acknowledged the trends we observed during our reflection on the growth of Arab Commons. Issues such as the weak representation of the Arabic language on the Internet, the shallow nature of Arabic content currently available and the consumption rather than production of knowledge clearly depicts the need for orchestrated efforts to address the challenges and reverse the trends.

Surprisingly (and fortunately) enough, the last day of the symposium witnessed the launching of what can probably be termed the most ambitious initiative in the history of Arabic digital content: the King Abdullah Initiative for the Arabic Digital Content. This initiative aims to digitise a massive amount of content available in the Arabic language. This will of course raise many copyright issues that need to be addressed. Although most of the materials that will be digitised is already in the public domain, a significant portion is not, and appropriate arrangements for making this content available to the widest possible audience should be devised.

It is our hope that this initiative, along with our activities in promoting Creative Commons in the Arab world, will result in a considerable leap in the area of Arabic digital content and in contributing to the accelerated development of an inclusive knowledge society in the Arab world.

The South African media has never been particularly techno-savvy. Outside of the handful of specialised, niche publications, technology generally gets short shrift when it comes to column inches. Squashed into a couple of back pages, in-between the business and the sports sections, technology stories usually focus on gadgets, environmental stories and the continuing battles between Internet service providers. Very little of the content is produced locally, and even less of it is concerned with South African technology issues.

There is one technology story, however, that always manages to make the news sections of South African newspapers and it is piracy. And generally, wherever it is reported on, it is painted in the same light. From online music magazines to national daily papers, piracy is described as "...bad practice that is slowly but surely killing music", "theft" and a practice that "takes South African creativity for granted". These descriptions are used across the board, to describe any kind of piracy – be it of

Pirates are Terrorists. Who Knew?

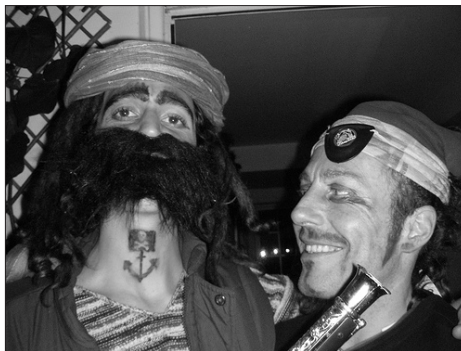
by Rebecca Kahn

software, music or films.

Most stories are hard news, concerned with busts of piracy rings, and recoveries of hauls of pirated goods. Very few stories that highlight the possibility of alternatives to traditional copyright, such as Creative Commons, or free software make it into the mainstream media. Very few South Africans know that these alternatives exist. There may be a good reason to this antipathy – the story of the South African songwriter Solomon Linda is familiar to anyone who has worked in the alternative copyright field – South Africans are, on the whole, very wary of losing what we see as "our" indigenous creativity being "taken away".

That said though, we are happy consumers of other people's culture. Unlike Nigeria, the South African film industry is very small, and few local films make it onto either the big screen or the pirate DVD market.

In the news articles reporting on piracy, organisations like RiSA (The Recording Industry of South Africa), The South African Federation Against Copyright Theft (Safact), The Business Software Alliance (BSA) and RAPU (RiSA's anti-piracy unit) are often asked for quotes and comments. This is standard journalistic practice, and the comments made by these organisations generally reflect the wider sentiments around piracy the world over – but the way that these sentiments are aired in the press reflect a certain bias and there is rarely any examination of the wider issues around copyright and why piracy exists in the first place. The prices of legitimate goods are rarely compared with those of pirated ones. Nobody seems to have written about access to creativity – how cinema screens in townships are still a rarity while access to pirated DVDs is widespread, or how the price of music, even that which is locally produced, is, for most people, prohibitive. Debates around alternatives to copyright are rare, and alternative perspectives to piracy in the South African mainstream media are seldom aired.



pic by SirArmstrong from flickr.com, CC BY-NC-ND 2.0

In several cases, links are made between piracy and organised crime. This is not unusual – many of the debates around the world link crime and piracy. But how many make the link between piracy and international terrorism? The South African Recording Industry's Anti-Piracy Unit does. In an article on their website they say:

"...In South Africa the reality of organised crime was brought home recently (August 2005) when it was established that the man believed to have co-ordinated the London bombs of July 7th (which left 56 people dead) was found to have made his living selling CDs and DVDs at flea markets around Johannesburg. This is believed to be just the tip of an iceberg which links the profits made by music pirates to funding terrorist groups and activities and as such has seen the fight against music intensified..."

This statement was repeated and

In several cases, links are made between piracy and organised crime. This is not unusual – many of the debates around the world link crime and piracy.

referred to in several articles about piracy that appeared in the South African media.

International terrorism is an unpleasant and frightening reality. Piracy is also a reality. But to conflate the two instantly relegates the issue of piracy, the people who create pirated goods and the people who consume them, to the "unrepentant baddies" category, and negates any discussion or debate that could go on around the issue. It also taints any of the research, writing and discussion that does go on around piracy in other countries with the distasteful association with international terror.

One story that captures, for me, the contradictions that exist in the anti-piracy polemics in South Africa was published by Bizcommunity, a media and marketing magazine online. It profiled a project called Operation Dudula (dudula means 'eradicate' in isiZulu), which was spearheaded, by poet and performer Mzwakhe Mbuli, who is also known as 'The People's Poet'. The main aim of Operation Dudula was to eradicate the number of counterfeit cassettes, cds and DVDs flooding the South African market. Mbuli is quoted as saying: "The vision behind these concerts is to create a crime-free society," explains Mbuli. "If members of the public do not buy fake goods, they will render piracy unworkable, and artists will not be ripped off when they have worked so hard for their earnings." One of the ways in which the organisers of Operation Dudula decided to raise awareness for the project was to host a concert, featuring popular South African musicians. The concert was held in a venue in downtown Johannesburg, which, for many people who live in the townships, is hard to access at night, when public transport stops running. The cost of tickets for the concert? R100. To give a bit of perspective: anti-piracy messages are widely targeted at black audiences in South Africa. Average annual income for a black family in South Africa is R12 000 . So to spend R100 on a concert ticket would represent 10% of a family's monthly budget – which, anywhere in the world would be pretty steep. So it would seem that the anti-piracy message is not only being told in a very one-sided and biased way, but it's also not going out to the right people.

Click [HERE](#) to watch URBO - a South African cartoon which takes on piracy & DRM with the CopyStopBox story.

Web 2.0 in Brazil: The Overmundo Case

Paula Martini, FGV, Brazil

Many “web 2.0” websites are focused on technology. They use collaboration tools to talk about technology itself. Digg and Slashdot are two very visible and successful examples. However, how about using collaboration tools, to talk about culture instead? That is the challenge proposed by the Overmundo project in Brazil: a site not for geeks, but for anyone interested in disseminating local culture.

Overmundo was built to solve a very clear problem: coverage of Brazilian culture, especially by the traditional media, has been focusing primarily the two major cities of the country, namely Rio de Janeiro and São Paulo. The majority of cultural scenes in the country are either ignored by traditional media or covered from the perspective of the two major cities, in many cases as something “exotic”. As a result, one of the most important characteristics of Brazil, its widespread cultural effervescence, ends up not being captured by anyone’s radar. This situation establishes an interesting “center/periphery” relation, in which two false worldviews collide: the one in the “center” (Rio de Janeiro and São Paulo), responsible for judging and describing all the cultural activities taking place everywhere else, and the “rest”, which is in practice deemed as incapable of narrating its own cultural scenes.

Enter the Overmundo Project

To cope with this problem, Overmundo was built both as a community and a software tool. Today it consists of the largest community of people in Brazil aimed at promoting a never-ending conversation about Brazilian culture, in all its complexity and geographical diversity. Individuals and groups from all over the country write articles, post pictures, films, music and texts describing their own places and communities, creating national visibility for cultural events and scenes all over the country. Before it was created, these possibilities seemed almost unimaginable.

The idea was to empower artists, journalists, bloggers, cultural groups and anyone at large to provide their own views of Brazilian culture, and also about cultural scenes in their own regions. At Overmundo, the community is king. It not only produces all the content, but it also decides what content to publish, and what content should gain more visibility. For achieving this goal,



Screenshot of overmundo.com.br

Overmundo was inspired by a broad range of “web 2.0” tools. These range from the Digg voting system, to Kuro5hin edit lines, Slashdot’s idea of “karma” and many others.

Overmundo managed to build a truly national and permanent conversation about Brazilian culture, involving all states and regions of the country. It has currently 29,000 active collaborators spread all over the country. The website is visited by approximately 30,000 unique visitors per day. The number of unique visitors has been growing at a consistent 20% rate every month, since the website was launched in March 2006.

Having been quoted as “a truly remarkable website dedicated to the arts and culture in Brazil” by Ethan Zucherman, one of the spearheads of cyberspace’s democratisation, in 2007 Overmundo also won the Golden Nica in the Digital Communities category, at the Prix Ars Electronica, possibly one of the most important arts & culture prizes in the world (previous recipients of the prize include Wikipedia, Creative Commons and Linus Torvalds). By the way, all content published at Overmundo is licensed under a Creative Commons licence – the standard licence adopted for all contributions to the website is the Attribution-Non Commercial-Share-Alike 2.5 licence.

From Overmundo to Overmedia

Overmundo has already been inspiring other initiatives inside and outside of Brazil to follow the same model. Since the technological infrastructure for Overmundo was primarily built from

scratch (and entirely licensed under the GNU-GPL licence), its code is free to be shared, modified and be used by other initiatives. Accordingly, any institution or individual can use the code to implement its own version of “Overmundo” (the software and its source code has been renamed “Overmedia”).

The first institution outside Brazil to use the code was iCommons. iCommons used parts of the Overmundo code to build a website open to decentralised contributions. A place for putting together and spreading projects dealing with free culture and access to knowledge all over the world.

Inside Brazil, several other institutions have been re-appropriating the model. A compelling example is the recently released National Public Safety Forum website. They use the collaborative model built by Overmundo, but not to talk about culture. Actually, the website is primarily used by police officers and other law enforcement authorities to talk about human rights and public safety policies, promoting a bottom-up exchange of ideas about important issues that include poverty, social exclusion, police violence and other difficult topics.

The system in a nutshell

Access to either iCommons and Overmundo website is totally open. Anyone can read all the content at the website at any time. In order to participate with comments, to publish content or to “vote” for any content at the website, it is necessary to register. Registration only requires the name or pseudonym of the person or institution, and a valid e-mail address.

...In the near future, it is possible that Overmundo becomes a constellation of websites, each one with its own community focused on a particular topic...

As mentioned above, the goal is to have 100% of the content being produced by the community and edited by the community. But then, how to achieve a quality control system?

The strategy was primarily inspired by Kuro5hin, and by a range of other tools and projects. Accordingly, every item that is contributed goes to the editing queue first. There, the item remains "quarantined" for 48 hours, where it is open to receive comments and suggestions from other users. During this period, any user can make suggestions and comments, and the author decides whether the item should be modified or not, according to the suggestions received. Only the author can modify the item though, which is different to the wiki model.

After the 48-hour period, the item goes to the voting queue. During this period, registered users can vote for the article to be published, if they liked it. The voting system is similar to Digg, but with relevant structural differences (the Overmundo website uses two different concepts: votes and "points").

In order to be finally published at the website, the article must reach a voting threshold. Once this is achieved, the item gets posted (if it's not posted, the article will still be searchable and available on the author's profile). From then on, the article can continue to be voted for, moving to the top and eventually reaching the front page of the website. The points given by the votes are deducted over time, allowing new stories to get to the front page if the community decides so by voting.

The Overmundo template also uses a system of "karma", by which users can earn 'reputation' points at the website. Votes given by users with higher "karmas" will have more weight than those given by users with smaller karmas, which translates as slightly higher editorial power.

The Future

The success of Overmundo in Brazil is leading to the possibility of expansion. One project is to create new communities to discuss other themes that go beyond culture itself. This has been a growing demand on the part of the existing Overmundo community itself. In the near future, it is possible for Overmundo to become a constellation of websites, each one with its own community focused on a particular topic, and dealing with different issues, but always using a collaborative process. Stay tuned.

A Christmas Copyright Carol

This month, *iCommons'* resident copyright columnist, **Tobias Schonwetter**, provides historic proof that free publishing eventually pays off while high-protectionist copyright regimes for developing countries appear counter productive.

Once upon a time, a relatively young and unknown British author wrote a wonderful and touching book, based on what he later described as his carol philosophy, about Christmas time. According to this philosophy, Christmas holidays are "a good time: a kind, forgiving, charitable, pleasant time: the only time I know of in the long calendar of the year, when men and women seem by one consent to open their shut-up hearts freely, and to think of other people below them as if they really were fellow-passengers to the grave, and not another race of creatures bound on other journeys". The British author called his book *A Christmas Carol* and by now, most of you will probably know that the author I am referring to is Charles Dickens.

Without a doubt, Charles Dickens has significantly influenced the way we celebrate Christmas today with his book. In what appears like a very different chapter of my life, I had the opportunity to play Tiny Tim's part for a couple of years around Christmas time when *A Christmas Carol* was staged in one of the bigger theatres in my home town of Hamburg and I like to believe that the story itself as well as the reasons leading to its widespread circulation have had an impact on my approach to copyright law which I disseminate via this column every single month.

This needs further explanation. The storyline of the book is of course outstanding, both back in 1843 when it was first published and today. It conveys essential values such as altruistic compassion as well as the rejection of stinginess and excessive selfishness. Moreover, it pinpoints how intimately the past, the present and the future are related: if we learn from the past to make the right decisions today we can positively influence our future.

But it was not the intriguing storyline alone which resulted in the book becoming such a worldwide success. Rather, the book was ingeniously "marketed". While readers in more affluent countries had to pay a higher price for the book right away, copies of the same book were (sometimes under a slightly different title though) sold in less developed countries for a fraction of this price. In the United States, for instance, *A Christmas Ghost Story* cost only a few cents a piece at the end of 1843 while in England the equivalent of US\$ 2.50 was charged. Of course, the author would not profit significantly from such cheap sales in



the developing countries at first. However, if he had asked for a higher price at this time no one would have been able to afford the book in any case - so he did not really lose anything either. On the contrary, the "strategy" surely contributed to the development of less affluent countries by way of helping to create a reading culture which eventually led to an improved level of education of the population. In the United States, Charles Dickens gained and confirmed such a solid reputation for being an extraordinarily gifted writer because of the widespread distribution of his book that he was widely celebrated during his North American reading tours. Eventually, this reputation resulted in better profits from his subsequent books which were published in the United States only a few decades later, after the United States had reached a considerably higher level of development and when people were able to pay a higher price over there.

Yet, there is a regrettable twist to the above Charles Dickens' success story. Charles Dickens was a vociferous advocate for a stronger copyright protection regime and the outlined ingenious "marketing strategy" was by no means his own decision but was forced upon him by the circumstances. The books that were distributed for little money in the United States were in fact pirated copies of his work and Charles Dickens went to great lengths to fight as well as publicly denounce this piracy. It could very well be argued that by doing so, he acted in contradiction to the very principles of charity and altruism that he had based his *Christmas Carol* upon.

This short historical digression highlights that unfortunately we are still fighting more or less the same battles in the field of copyright law that were fought more than 150 years ago! Then and today the often intertwined issues of piracy and develop-

ment are at the forefront of the discussion. Yet, two important conclusions can be drawn from Charles Dickens' experiences.

First, Charles Dickens' individual (financial) success as a poet eventually rested significantly on his fame to which the widespread unauthorised copying of his earlier books had surely contributed. Hence, even predominantly self-serving creators should strive to achieve at least initially a wide dissemination of their works regardless of whether they make money from that or not. In fact, an ever increasing number of creators seems to adopt such a long-term strategy in recent times for which CC licences are perfectly suited. However, too many creators still continue to stick to the traditional statutory copyright regimes which, beyond dispute, hamper the dissemination of works.

Secondly, and on a more general note, it is noteworthy that the approach of first creating a market in less developed countries by way of distributing cheap materials and (at the most) a subsequent strengthening of intellectual property protection by degrees has already proven successful in history, e.g. in the U.S. Against this backdrop, the present strategy of developed countries to immediately impose high protectionist copyright regimes on less and least developed countries by means of Free Trade Agreements and the like becomes highly questionable. Proponents of such a strategy argue that a heightened level of copyright protection is also in the interest of developing countries because it is an additional incentive for domestic creators as well as a positive signal to potential foreign investors. However, whether or not these advantages for developing countries really outweigh the tremendous disadvantages and costs which are associated with increased copyright protection is disputable at best. To me, advocating for a further strengthening of copyright protection in order to achieve economic, cultural and educational goals appears like putting the cart before the horse with very uncertain prospects of success.

Charles Dickens' book *A Christmas Carol* communicated the message that we should learn from past experiences and make the right decisions today based on these experiences to build a better future. Let's take him at his word and let us learn from a past which has shown so clearly that giving something away for free can certainly result in individual financial success at last and that a precipitous strengthening of copyright laws around the world is altogether unnecessary. Given his own view on copyright protection, Charles Dickens would arguably contest my interpretation of his experiences here. But we all know that even a genius can be mistaken once in a while. Merry Christmas!

This column is dedicated to the memory of Professor Mike Larkin (University of Cape Town).

Schmatler and Waldhead's last laugh

Applying open source collaboration models to other creative endeavours

As we sit down to pen this final article in our series on "why people share their creative works" we can't help but get misty-eyed while we look back on our achievements over the past months (although this could also be due to the squinting caused by a new pair of bifocals Schmatler recently purchased). In some ways it was a sad year - our very own Larry Lessig hung up his coat and, if the picture above can be believed and it really is him, forgot to put on much else (while holding up a print-out from one of his famous keynote presentations).

Back to reality. This series was the result of some light prodding by the lovely ladies at iCommons who asked us ageing technocrats if we could try shed some light on the reasons for people sharing their works based on our centuries of experience in the software world. We agreed to write "a couple" of articles, having no idea that this would turn into a series of seven plus a podcast created over a period of nine months in four countries, winning us many accolades (Waldhead's grand-daughter voted for an article of ours on the site once, nothing to do with the inheritance surely), thousands of screaming teenage fans, and even breaking a couple of elementary school teachers' hearts along the way. So to end things off we are going to summarise our earlier discussions and also look at a few factors which didn't have enough depth or backing research to deserve full-length articles of their own. Of course this is just a ploy for us to keep on writing.

Our initial name for this series had the rather racy title "dare to share" but we binned this in preference of the far more professional sounding "applying open source collaboration models to other creative endeavours." The general idea remained the same - we wanted to find out why perfectly reasonable people would share their creations with others? Our first article introduced these ideas and laid out the framework for the series. We then started off in earnest by looking at the fact that many people enjoy creating things (like knitted scarves) just for the sake of creating them, while others make stuff because they actually need it themselves (like spy-cameras to install in your neighbour's bedroom), and don't mind giving the results away (no, you can't have the pictures!)

To make sure nobody (least of all ourselves) nodded off we then made sure



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we got some long overdue naked ass on the iCommons website as we looked at people sharing their work in order to shamelessly self promote themselves and get noticed. One could argue that this desire for attention runs deep in many humans (and this is indeed the subject of psychological theories from the venerable Mr. Freud and many others) and underpins much of our creativity. Its not the happiest thought - that people create and share in order to draw attention to themselves, but if the end result is good and benefits others, is it really so bad? Continuing in this dark analytical vein we looked at another very powerful motivator for most human beings - cold, hard cash. Even though not everyone might like to admit it, a good reason to create things can be that someone pays you, allowing you in turn to pay for the rent, child support, divorce lawyers, and general expenses that come with our sex, drugs and rock'n'roll lifestyles.

While the desire for attention and money could both be construed as rather selfish reasons for sharing creativity, our next article looked at improving one's self and one's works due to the feedback loops that sharing creates. Seen through our cynical spectacles, this is also a rather selfish reason for sharing, but somehow self-improvement just sounds less bad. We briefly touched on the notion of improving on the works themselves by allowing people to take each other's creations and modify them, transforming them into something better (and if not better, at least different). Moving closer to the light we then considered altruism and with the help of Joi Ito went off on a philosophical tangent to propose that some people create, share and collaborate because it is a way to attain happiness (rather than satisfaction - although we don't see anything wrong with that either, occasionally, and under



strict medical supervision in our case). One could argue that this is the big idea behind volunteer work sponsored by organisations such as GeekCorps and Mark Shuttleworth's philanthropic forays into the world of education and development as people feel like they should "give something back" to the community. There were a couple of other ideas that we scribbled down in our original outline for the series which didn't ever become real articles. Ideology and politics came up again and again - the free software world is a shining example of such libertarian shenanigans as Richard Stallman and the Free Software Foundation who helped start an entire movement of developers writing code in strict accordance with their ideological beliefs. While some might write these people off as a lunatic fringe, they have contributed a huge amount of software that is in use by millions of people all over the world (often without them knowing it) so the power of an ideology as a factor motivating creativity should not be underestimated. This applies just as strongly to other forms of creativity - there are many examples of musicians, film makers, photographers and others whose work pushes a strong political or ideological message.

Guilt as a motivating factor is also something to think about although extending this past software is a bit of a stretch (and Bill Gates hasn't done nearly enough to redeem himself for Windows 3.1). The idea here is that at some point software developers might feel a bit bad making a living off taking bits of other people's code and cobbling them together and presenting them to their managers as the fruit of weeks of hard work while they were actually playing World of Warcraft. After a while this guilt builds up and when they get the opportunity, they donate some of the improvements they have made to the

original code back to the community. We are not sure whether this applies more broadly (or just to Waldhead's nephew who lives in London) - will someone who listens to a pirated piece of music or watches a bootlegged DVD they "found" on the street feel motivated to record a song or make a movie and share them back as a form of penance? Schmatler thinks not, but then he is the one individual in the whole world who has never given back anything, to anyone.

So for now, it's over to you dear readers - can you think of a motivating factor that we didn't cover? What, besides a blaring alarm clock or a nagging partner, gets you out of bed in the morning to create things? We'd love to know and welcome comments that we can sarcastically reply to below. That just about sums it up for this time but don't worry, unlike Mr. Lessig, we are not hanging up our moth-eaten coats (or even auctioning them off). Although it might come as a disappointment to some of you, we are not leaving the Creative Commons movement just yet as we have plenty more in store and, as long as our pacemakers keep on ticking, we'll be back in top form with some new columns next year. To answer the obvious question - what motivates us to share our work with you lot? The answer is simple of course, all of the above (and we also do quite like those naughty letters we receive from the iConvent in Johannesburg, keep them coming girls!)

"I liked that last number."

"Why?"

"Because it was the last number."

Your hosts,

Schmatler and Waldhead

On the cover this month



This month's cover is created by [Kiyomi Saito](#), courtesy of [Loftwork](#) in Japan.

The theme for this month's cover is 'gifts for the commons'. As December is the season for giving, the iCommons staff thought we'd dedicate a few items to the people and organisations working tirelessly all year round to make the Internet a freer and happier place. In the pile of gifts you'll see a big bag of money, for unlimited funding for all commoners to do the projects they'd like to do, no strings attached! You'll see laptop and network connection, to make sure we are always connected, and a pile of gingerbread men, symbolising volunteers who give of their time to make projects and events become realities. You'll also notice an aeroplane cushion and tray of food for all the commoners who travel around the world - we hope that 2008 brings you luxury as you spread the word about free culture around the globe!

We wish you all a happy festive season and a prosperous 2008!



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Incubated by Creative Commons, iCommons is an organisation with a broad vision to develop a united

global commons front by collaborating with open content, access to knowledge, open access publishing and free culture communities around the world.

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Interested in being a **columnist/blogger/contributor/translator** of the iCommons Lab Report? Contact iCommons Lab Report Editor, Daniela Faris at daniela@icommmons.org

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