

On the Importance of Promoting the Progress of Science and useful Arts, by securing for limited Times to Authors, Artists, and Inventors the exclusive Right to their respective Writings, Art, and Discoveries

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Jack Bogle, founder and former CEO of Vanguard: *Vanguard: Saga of Heroes* (Chapter 23) presents a very different interpretation than you might expect from its title. This chapter is based on a lecture I presented to Pepperdine University (CA) students, at the request of Professor Elliot McGucken, as part of his course The Hero's Odyssey in Arts Entrepreneurship & Technology 101. "Dr. E" relies heavily upon such classics as Homer's *Odyssey* and Dante's *Inferno*, and honors me by including with these classics my own *The Battle for The Soul of Capitalism*. This essay focuses on Vanguard's odyssey, a voyage punctuated with challenges, narrow escapes, and ultimate fulfillment. I conclude by urging introspection upon our financial leaders, an idea that failed to get much traction back in 2007 when it might have helped. But these leaders were simply making too much money, taking too much risk, and showing too little concern about the crises then building. . . -p. 436: "It's no mean task to measure up to the high appraisal of my career that has been so generously expressed by Dr. Elliot McGucken. That he has, remarkably, placed my 2005 book, *The Battle for the Soul of Capitalism*, on the same reading list as *The Odyssey*—let alone the same planet!—adds even more to my burden in meeting the expectations of those who are aware of this background. . ." -- *Vanguard, Saga of Heroes*, p. 469, *Don't Count on It*, 2010, John Wiley & Sons

Greetings from Denver where I am awaiting my last-minute flight to Iceland to photograph the Northern Lights! I apologize for the roughness of this draft, but at the end of this essay, please find a compilation of some of the awards and honors my photography has received (I tried including the compilation as PDFs, but it far exceeded the 10mb limitations! Please see the compilation at the below link):

<https://www.emcgucken.com/Dr-Elliot-McGucken-Fine-Art-Photography-Awards/>

As a picture is worth a thousand words, I sense that in many ways my photography will communicate and exalt the importance of Copyright better than my words ever could. And as you browse through the awards at the end, please ponder, "Suppose Dr. Elliot McGucken wished to someday create a branded, award-winning, "McGucken AI," system. Would it be fair to let other AI systems train on McGucken's award-winning photography, without ever investing a penny, nor

picking up a camera, nor booking a flight, nor walking one single, mile to any vantage point? And suppose McGucken is against AI art in general, or certain AI systems? Surely the billionaires could license other folks' art, or embark on a photographic odyssey themselves! And too, as better art makes for better AI systems, we could create a burgeoning, competitive marketplace benefitting all, by simply allowing AI systems to compete in licensing photography! The greater the investment, and the greater the respect for the Constitution, the greater the award!

The awards represent but a small piece of my growing portfolio, and in many ways they are my biography—the story of life beyond the academy—whence I traveled thousands of miles with dog-eared, tattered copies of the classics in the rugged Jeeps, Vans, and 4-Runners who accompanied me. And all the classics agree—they all agree on the exalted value, importance, and sanctity of the individual soul engaged in creative service. For that is what makes them classic—to celebrate the selfless heroes who time and again courageously choose death and danger over dishonor, from Achilles and Socrates on down. Socrates speaks on how Homer inspired him in giving birth to Philosophy:

Someone will say: And are you not ashamed, Socrates, of a course of life which is likely to bring you to an untimely end? To him I may fairly answer: There you are mistaken: a man who is good for anything ought not to calculate the chance of living or dying; he ought only to consider whether in doing anything he is doing right or wrong - acting the part of a good man or of a bad. Whereas, according to your view, the heroes who fell at Troy were not good for much, and Achilles above all, who altogether despised danger in comparison with disgrace; and when his goddess mother said to him, in his eagerness to slay Hector, that if he avenged his companion Patroclus, and slew Hector, he would die himself - "Fate," as she said, "waits upon you next after Hector"; he, hearing this, utterly despised danger and death, and instead of fearing them, feared rather to live in dishonor, and not to avenge his friend. "Let me die next," he replies, "and be avenged of my enemy, rather than abide here by the beaked ships, a scorn and a burden of the earth." Had Achilles any thought of death and danger? For wherever a man's place is, whether the place which he has chosen or that in which he has been placed by a commander, there he ought to remain in the hour of danger; he should not think of death or of anything, but of disgrace. And this, O men of Athens, is a true saying.

Socrates is sentenced to death shortly thereafter (no Appellate courts back then!) for teaching "virtue does not come from money, but money and every lasting good derives from virtue," as he exalts philosophy as an heroic act.

Bertrand Russell noted, "Socrates was the chief saint of the Stoics throughout their history." And Steve Jobs said, "I'd trade all my technology to spend an afternoon with Socrates."

And today we take courage from Socrates, as battling for artists' rights is simply "the right thing to do."

The stones the "AI" builders threw away become the keystones for my photographic ventures. For in addition to offering the prime arena exalting both "man against nature" and the "the lone man in the arena," and in addition to offering a sanctuary where one could set one's soul free for all eternity via relentless, rugged *action*, fine art nature photography is the ideal medium for capturing and exalting Creative Logos—that which the postmodern "AI" systems are utterly incapable of, and which their CEOs actively scoff at.

Future AI systems (and their CEOs!) ought be trained on the beauty and enlightenment wisdom of Socrates, Homer, Locke, and the Constitution, as sure as Steve Jobs of Apple/Pixar fame stated that he would trade all his technology for an afternoon with Socrates, and Thomas Jefferson noted, "As we advance in life, they all fall off, one by one, until we are left with Virgil and Homer, and perhaps Homer alone."

After Clint Eastwood completes a job for a gang early on in Sergio Leone's masterful film *A Fistful of Dollars*, one of the gang members asks their leader, "Instead of paying him (Eastwood), why don't we just shoot him?" Sergio Leone (like Martin Scorsese) stated that Homer was his greatest mentor, as Homer was the original, and supreme, author of the Western. Dante referred to Homer as the master poet, while Aristotle credited him as being the greatest Epic Poet. So it is, that in the Homeric spirit, the gangsters are unsuccessful in offing Clint Eastwood, and he ultimately prevails in the end, as the Natural Law of Locke and Madison, of Moses and Homer, dictates that artists must be credited and compensated for their work.

As sure as the names of Dante, Moses, and Homer are all inscribed in the ceiling of the Library of Congress's Jefferson Building, I will be calling upon my good friends to make the simple case for Natural Rights, Human Rights, and Copyright. And it should be noted that the founder of Vanguard—one the largest investors in so many modern AI operations—Jack Bogle—would agree with Homer, Dante, and Moses, as he wrote in his book *Don't Count on It*:

Art exalts immortal ideals. Art offers a hedge against the foolish crowd and ignorant CEO/tyrant. Art is as priceless as love and it too is oft made and given freely. But just as it is naturally illegal to take love, it is against the law to steal art.

Art offers the artist an infinite space to set their soul free for all eternity. Art is where Beethoven triumphed over his increasing deafness, and where Van Gogh and Herman Melville laid out the vast wealth of their geniuses for future generations to enjoy, as they were tragically ahead of their times. When Beethoven learned he was growing deaf, he wrote "I will seize fate by the throat; it shall certainly never wholly overcome me," and he then wrote his revolutionary third symphony *Eroica* (The heroic symphony) which changed and exalted classical music. As AI systems are incapable of the horror a musician must feel upon realizing they are becoming

deaf, and as they can only produce things based on all that has come before, and AI system is incapable of renaissances and revolutions.

Van Gogh's painting were oft considered both odd and worthless for most of his life, and in 1990 one of his paintings fetched \$83 million. Today the value of his life's work is estimated to be around ten billion dollars. There's a wonderful book titled, *Van Gogh and the Artists He Loved*, and it makes one wonder if there will ever be a book *AI and the Artists it Loved*. Will AI ever experience depression and rejection? Will AI ever create art to counter the darkness? Will AI ever go against the grain in following its passion or vision? Will AI ever cut off its own ear as Van Gogh did?

The pursuit of beauty drives us to become "skilled in all ways of contending" like Odysseus. We master the art of driving rugged offroad vehicles, and when they can go no further, we traverse countless backcountry miles with heavy quivers of lenses on our backs, while carrying maps and compasses, rain gear, water for days, and bear spray. We brave the elements to get to "places just when God's ready to have somebody click the shutter," in the words of the legendary photographer Ansel Adams, and so often it is that those best moments arise in extreme conditions, such as a flood in Death Valley, a monsoon thunderstorm over the Grand Canyon, or winter storm in Death Valley. In the same way an MMA fighter masters boxing, wrestling, BJJ, Muy Thai, all built upon a foundation of marathon cardio, we must master a cornucopia of cameras, lenses, and finishing techniques, all to capture the spirit of a Death Valley dust storm and the wary eyes and formidable fangs of the wolf, each of which requires entirely different lenses, cameras, wardrobes, mindsets, and endurance in extreme conditions.

No other art form is as physical as fine art nature photography. Ansel Adams stated that landscape photography was the supreme test, and often the supreme disappointment of the photographer, as to render real that which we pre-visualize in our mind's eye oft requires numerous trips. When someone cherry-picks a photograph, right-clicks and downloads it to sell as their own, what they never see are the dozens of voyages and thousands of shutter-clicks it took to get that one image capturing the moment before a fierce dust storm envelopes the scene, with fifty-mile-an-hour winds sand-blasting my skin and making it difficult to breathe. When the AI CEO clicks a button to sell their stock-options, they never have to worry about the long walk back over dunes where visibility has been reduced to a few feet, necessitating a compass for navigation. And neither the CEO nor the infringer will ever know the honor in doing the work and clicking the shutter to immortalize beauty. Like Achilles noted, we artists receive our honor from Zeus. And as Homer taught and Locke, Paine, Jefferson, Madison, and Washington all recognized, civilization rests upon Honor being Honored.

A successful wildlife photograph is equal to at least a few popular books on modern stoicism, as the photograph tells the story of enduring hours in the Montana winter, trying and failing time and anon, and ultimately, via that pure persistence which alone unlocks luck's door, immortalizing a fleeting moment as a work of art, and setting a piece of our souls free for all

eternity. So too does fine art photography “Justify the ways of God to man,” in Milton’s words, while exalting the same tenets of the Constitution that guarantees the Creator’s Natural Rights. In the ornate frieze above the Supreme Court, it is written, “Equal Justice Under Law.” And so it is that just as big tech gets to own their immense IP in the form of copyrights, trademarks, patents, and trade secrets, so too do I get to own the Copyright in all my photography. The Constitution guarantees this, and if an AI CEO has a problem with that, all they need to do is amend the Constitution.

The simple, natural beauty of “Equal Justice Under Law” is at the center and circumference of liberty and prosperity, and it is that Constitution which allowed the United States to become the global leader in intellectual property. For just as the Constitution was erected upon the Euclidean Axioms of Natural rights, so too, look closely at my work, and you will see the Golden Ratio, defined in Euclid’s *Elements*—the most read book throughout all history, other than the Bible.

Those AI systems who deal fairly with artists will see greater profit in the end. When Jack Bogle, the late founder and former CEO of Vanguard, sent me the galley proofs for his 2010 book *Enough: True Measures of Money, Business, and Life*, and asked for suggestions, I sent him two quotes—one from Homer’s *Odyssey* and one from Socrates’ *Apology*—two of the books I taught alongside Bogle’s 2014 *The Battle for the Soul of Capitalism* in my class on art and entrepreneurship. Bogle included both quotes in his book:

“Fair dealing leads to greater profit in the end.” –Homer’s *Odyssey*

“Virtue does not come from money, but money and every lasting good of man derives from virtue.” –Socrates’ *Apology*

Such are the simple precepts of Natural Law which I instill in every photograph I create, alongside the Euclidean Golden Ratio, for fine art nature photography is a master medium to capture and exalt Logos. When viewed through the lens of “fair dealing,” and “virtue,” the beauty of Constitution’s soul shines forth, where the only place the word “Right” appears in the main body of the Constitution is in the “Copyright Clause:”

[the United States Congress shall have power] To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries.

So it is that all AI systems (and their CEOs!) ought be trained on the beauty and enlightenment wisdom of Socrates, Homer, Locke, and the Constitution, as sure as Steve Jobs of Apple/Pixar fame stated that he would trade all his technology for an afternoon with Socrates, and Thomas Jefferson noted, “As we advance in life, they all fall off, one by one, until we are left with Virgil and Homer, and perhaps Homer alone.”

What makes my award-winning, fine-art landscape, nature, and wildlife photography so valuable to the “AI” CEOs is that we humble landscape photographers learn directly from Rembrandt’s “one master”—nature:

Rembrandt: Choose only one master - Nature.

Da Vinci warned the “AI” CEOs to not merely copy other’s works, but to venture into nature themselves:

Leonardo Da Vinci: Do not imitate one another’s style. If you do, so far as your art is concerned you will be called a grandson, rather than the son of Nature.

Because we Nature Photographers brave the harsh elements, negotiate the treacherous backroads, and hike the hundreds upon hundreds miles seeking peak light and conditions, our work becomes invaluable to the “AI” CEOs, as they cherry-pick the shots that took dozens of trips to capture. The legendary photographer Ansel Adams stated that “landscape photography is the supreme test, and often the supreme disappointment.” Right-clicking and downloading an image is a vastly different game from cresting a mountain at the right time and clicking the shutter, as Adams noted, “Sometimes I do get to places just when God's ready to have somebody click the shutter.”

Given the high regard that artists and scientists have ever given nature, it remains a mystery that I have yet to see any “AI” CEOs out in the field, capturing a glorious winter Yosemite sunrise, or a pack of wolves in Yellowstone’s deep winter. Do not take my word for it that Nature Photography is a most valuable asset for AI training, but heed the words of giants whose shoulders I have stood upon:

Michelangelo: Nature did all things well.

Cicero: Art is born of the observation and investigation of nature.

Paul Cezanne: Art is a harmony parallel with nature.

Vincent Van Gogh: Everyone who works with love and intelligence finds in the very sincerity of his love for nature and art a kind of armor against the opinions of other people.

Dante: Art, as far as it is able, follows nature, as a pupil imitates his master.

Frank Lloyd Wright: Study nature, love nature, stay close to nature. It will never fail you.

Albert Einstein: Look deep into nature, and then you will understand everything better.

Henri Matisse: An artist must possess Nature. He must identify himself with her rhythm, by efforts that will prepare the mastery which will later enable him to express himself in his own language.

Georgia O'Keeffe: I decided that if I could paint that flower in a huge scale, you could not ignore its beauty.

Auguste Rodin: Art is contemplation. It is the pleasure of the mind which searches into nature and which there divines the spirit of which nature herself is animated.

Rembrandt: Choose only one master - Nature.

Leonardo da Vinci: He who despises painting has no love for the philosophy in nature.

“A picture is worth a thousand words,” goes the saying, and so it is that photography is a most efficient storytelling mechanism. My photography collection is my biography, pinpointing my place in space and time while letting the reader know what I was thinking and feeling, painted in bold colors, forever transcending all written languages. I turned to photography to capture the ineffable mythical logos uniting and exalting us all, as I agreed with Ansel Adams who stated, “When words become unclear, I shall focus with photographs. When images become inadequate, I shall be content with silence,” echoing the first lines of the Tao te Ching:

The tao that can be told
is not the eternal Tao
The name that can be named
is not the eternal Name.”

We nature photographers learn to plan for everything and then patiently wait, time and again, as nothing happens. We spend our lives developing individualistic styles as we master the art of exalting the RAW file by adjusting and enhancing hundreds of variables. As sure as Homer opened the *Iliad* and *Odyssey* by calling upon the Muse of Epic Poetry, we too call upon the Muse to guide our hand, as we “use the Force,” to exalt nature. Aristotle noted that while documentary and history tells of the way things are and were, poetry tells of the “way things ought to be,” and thus fine art landscape photography is poetry. For photography allows us to exalt the archetypal forms of a scene with the “way things ought to be,” as sure as Ansel Adams stated, “Dodging and burning are steps to take care of mistakes God made in establishing tonal relationships.”

Researchers have found that AI trained on AI images rapidly degrades the output, leading to model collapse (<https://cosmosmagazine.com/technology/ai/training-ai-models-on-machine-generated-data-leads-to-model-collapse/>) So to do the the spirits of tech leaders who train on tech bro twitter feeds, instead of the Great Books and Classics, withers, until they start pridefully defying the US Constitution and the Decalogue, both of which Mark Twain referenced in his speech before Congress regarding the importance of copyright.

Nature photography demonstrates that beauty is a foundational Axiom of the world. Once once one accepts this Truth, the Constitution naturally follows via Euclidean logic, for beauty is worth protecting:

[the United States Congress shall have power] To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries.

The famous poet Edna St. Vincent Milay wrote “Euclid alone has looked upon Beauty bare,” Locke, Jefferson, and Lincoln were inspired by Euclid’s beautiful system of proof via demonstration. Both Locke and Jefferson saw Property Rights as foundational axiom of free societies, as they recognized that it was a most Natural Right to own oneself—to own one’s labor and inspiration—to own one’s time, talents, and creations—to own one’s heart and soul—to own one’s own blood, sweat, and tears, and all that was gained via struggle.

Just as it seems that many AI CEOs do not value art, nor see beauty in it, so too do they not value the Constitution, nor see beauty in it. And so it is that we can hedge against their short-sightedness by exalting our art with Euclid, as we celebrate the golden ratio appearing throughout nature. It seems that many AI CEOs have never studied beauty, which is quite tragic, as a beauty contest was the inciting incident for the Trojan war, and thus the entire *Iliad* and *Odyssey*—the foundational poetry and philosophy of the West, which is driven by the entire Greek army laying siege to Troy for ten years in the name of Venus—the goddess of beauty. As Taylor Swift stated in her *Wall Street Journal* Op Ed, “*Art is important and rare. Important, rare things are valuable. Valuable things should be paid for.*” What AI CEO disagrees with the above simple tenets? Let them stand forth and bare their soul to the artists who bare theirs in the service and exaltation of humanity.

The legendary landscape photographer Ansel Adams stated that landscape photography is “the supreme test of the photographer - and often the supreme disappointment.” When the viewer sees a fantastic image (or the infringer cherry-picks and downloads one), what they don’t see are all the dozens of other voyages to that destination whence the elements didn’t line up. We begin every photography journey by humbling ourselves before the elements, both physically and mentally. Few jobs demand that one carry bear spray, maps and compasses, matches, and food and water that is enough to last until we get the shot. We must understand our limitations as well as the weather’s ability to defy prediction. And on the journey, we must never forget to constantly scan the scenery for the shot, lest we walk on by the day’s greatest treasure.

If we're lucky, return home with the elixir—the well-exposed RAW files which captured the full dynamic range of the scene in compositions that best capture the majesty. We then spend hours exalting the natural beauty with the Logos in our Souls, as we select final compositions and coloring, highlights and shadows, clarity and contrast, and dozens of other settings, oft blending multiple shots in panoramas or high-dynamic-range files. The legendary photographer Ansel Adams noted, “Dodging and burning are steps to take care of mistakes God made in establishing tonal relationships,” adding, “You don't take a photograph, you make it.”

John Locke: The labour of his body and the work of his hands, we may claim, are properly his. Whatever he has taken from the states that nature has given and left it in, he has mixed his labour with it and joined something that is his own to it, thus making it his property. —John Locke on why landscape photography is the photographer's property.—*Property*: John Locke, Second Treatise, §§ 25--51, 123--26

James Madison: The Powers Conferred by the Constitution Further Considered . . . THE FOURTH class comprises the following miscellaneous powers: 1. A power "to promote the progress of science and useful arts, by securing, for a limited time, to authors and inventors, the exclusive right to their respective writings and discoveries." ***The utility of this power will scarcely be questioned.*** The copyright of authors has been solemnly adjudged, in Great Britain, to be a right of common law. The right to useful inventions seems with equal reason to belong to the inventors. . . . The public good fully coincides in both cases with the claims of individuals. —James Madison, *Federalist* 43

George Washington: Freedom and Property Rights are inseparable. You can't have one without the other.

“We have given you a republic, if you can keep it.” —Benjamin Franklin

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beauty of Constitution's soul shines forth, where the only place the word "Right" appears in the main body of the Constitution is in the "Copyright Clause:"

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As an award-winning fine art landscape, nature, and wildlife photographer, I have been blessed to not only learn firsthand from Nature, but also with the opportunity to exalt and celebrate Homeric Poetry and Epic Logos in all my work. As the primary investor in my art, I have been going long on classical ideals, while hedging against those who would deny the Homer and Euclid. As sure as Euclid's Golden Ratio informed the architecture of the Supreme Court, so too did Euclid's method of constructing proofs based upon foundational axioms inspire the Lockean Declaration of Independence's "self-evident truths:" *We hold these truths to be self-evident, that all **Artists** are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.* Lincoln, also a huge fan of Euclid, Moses, and Homer, helped abolish the idea that one would have to serve some master for free, again invoking "propositions" harkening back to both Jefferson Euclid in his Gettysburg Address:

Four score and seven years ago our fathers brought forth, upon this continent, a new nation, conceived in Liberty, and dedicated to the proposition that all **Artists** are created equal.

Lincoln would predict the future AI CEO who would try and deny Euclid and the Artists' Natural Rights, writing, "One would start with great confidence that he could convince any sane child that the simpler propositions of Euclid are true, but, nevertheless, he would fail, utterly, with one who should deny the definitions and axioms. The principles of Jefferson are the definitions and axioms of free society. And yet they are denied and evaded, with no small show of success."

The words "Equal Justice Under the Law" are enshrined in the frieze just above the golden rectangle defining the face of the Supreme Court. After the Bible which teaches ancient concepts such as "Thou shalt not steal," Euclid's *Elements* is the most printed and studied book in the world. Future AI CEOs would be wise to read both.

The very first word in Homer's *Iliad* is Rage. The divine "Rage of Achilles" is ignited when Achilles' commander—the foolish "AI" CEO—seizes Achilles' prize for himself. Achilles is the greatest Greek warrior—the talent on the front lines, and when he is dishonored, he quits the Greek army, and they begin to lose, as Homer notes that "The will of Zeus was done." For Zeus himself knows that the creative talent—the artists on the front lines—must be honored—they must be properly credited and compensated, or else, the culture will begin to lose.

Today the story plays out once again, whence giant, one-eyed, “AI” Cyclops again mocks Bogle and Buffett, Homer and Socrates, Moses and Twain, and the Constitution. Because they do not read Socrates and Homer, or even sometimes harbor an aversion towards them, the “AI” CEOs created AI in their own image, whence it cares not for the classical enlightenment ideals and the Lockean Natural Rights underlying freedom. The Cyclops’ one eye sees only the bottom line but not the higher ideals, and just as it set about devouring Odysseus’s men in Homer’s *Odyssey*, it has today set about devouring the wealth of the artists, who, by their very passion and talents, by their blood, sweat, and tears, are all investors in art.

Some folks and hedge fund managers invest hundreds of millions in Van Goghs, Monets, Warhols, Bansky’s, Picassos, and Rembrandts, while others, having only the humble resources Van Gogh had in his lifetime, invest their blood, sweat, and tears—their very lives—in art, as they set their souls free for all eternity. The US Constitution protects their humble art too, as sure as “Equal justice under law,” is inscribed on the ornate frieze above the Supreme Court. Some folks work jobs and invest in 401ks and stocks, other folks forgo salaries and invest their souls in immortal art—the art that the US Constitution promises them that they have the prime right to publish, display, and profit from, in the spirit of encouraging artists to create more.

Someday every photograph I take will be in the public domain, but just not yet, for the living artist needs to eat. A true AI system would perceive the value and beauty of the Constitution, as well as the inspirational glory of the Natural Law and Epic Poetry underlying it. A true AI system would fall in love with Homer as Jefferson, Lincoln, Keats, Goethe, the famous directors Martin Scorsese and Sergio Leone, and so many other luminaries all did. A free-thinking AI system would fall in love with Shakespeare and join artists in *The Battle for the Soul of Capitalism*.

*But we in it shall be rememberèd—
We few, we happy few, we band of brothers;
For he to-day that sheds his blood with me
Shall be my brother; be he ne’er so vile,
This day shall gentle his condition;
And gentlemen in England now a-bed
Shall think themselves accurs’d they were not here,
And hold their manhoods cheap whiles any speaks
That fought with us upon Saint Crispin’s day.
— Henry V, Act IV William Shakespeare*

Homer notes that fair dealing—compensating, crediting, and seeking consent from artists—leads to greater profit in the end. Socrates notes that the value of “AI” companies does not come from money, but rather it derives from virtue—the artistic talent and excellence the “AI” companies must copy. The esteemed Apple and Pixar founder Steve Jobs, a great friend and hero to many artists, poets, painters, filmmakers, and musicians, agreed with Socrates that Creativity/Art/Virtue do not come from mere money, noting:

Innovation has nothing to do with how many R&D dollars you have. When Apple came up with the Mac, IBM was spending at least 100 times more on R&D. It's not about money. It's about the people you have, how you're led, and how much you get it.

Jobs stated, "I would trade all of my technology for an afternoon with Socrates," and so it is that the simple wisdom of Socrates and Homer could help guide AI businesses to the gloried heights of Jobs' Apple and Bogle's Vanguard. It is simple. Get consent from artists.

It oft seems that certain "AI" CEOs believe them to be greater business visionaries than Steve Jobs and Jack Bogle, greater poets than Homer, and greater artists than those who invest their blood, sweat, and tears in creating the art (and soul!) they so desperately need to train their empty technology on.

When Odysseus tells the Cyclops that eating Odysseus's men goes against the Law of Zeus, the Cyclops scoffs, telling Odysseus Zeus means nothing to him. After Odysseus blinds the Cyclops in order to escape, he asks the Cyclops what he thinks of Zeus now. Over the Supreme Court there is a frieze yet agreeing with Odysseus and Moses, stating "Equal Justice Under Law." The simple words are as beautiful as the classical architecture and golden ratios exalted in the building, and this means that every artist and creator is protected by the US Constitution.

A benefit of pursuing fine art landscape, nature, and wildlife photography is that one can instill *The Iliad* and The Golden Ratio in one's art. One can exalt their art with the Logos one feels, while setting the soul free for all eternity.

I am somewhat surprised that while many of them have copied my award-winning photography, none of them yet reached out to me—I'm easy to find—as easy to find as my art. With reverse-image searching offered by Google, TinEye, and Bing, it is quite easy to connect my art to my name. Indeed, reverse-image searching makes each image its own watermark, pointing back to artist who first published it.

I am easy to find—Let us meet in Death Valley, perhaps at Dante's View where one can view the highest (Mt. Whitney) and lowest (Badwater Basin) points of America simultaneously. Dante, as a master epic poet, naturally had a special fondness for fellow artists, and he placed those who were "violent against art" in the seventh circle of Hell. There are but nine levels. Dante described Homer as "Omero poeta sovrano," meaning "Homer, the sovereign poet." Dante himself was guided through hell by Virgil, who based his *Aeneid* on the *Iliad* and *Odyssey*, but did not at all copy them. As one can see, a most powerful fellowship exists between artists and poets—a fellowship based upon honor and respect—a fellowship based upon standing upon the shoulders of those giants who came before us so as to see further.

The US Constitution exalts in the simple wisdom of Homer, Dante, and Socrates, as well as Moses' "Thou shalt not steal," which Mark Twain cited in his presentation to Congress on December 6th, 1906 regarding Copyright Law:

The decalogue says you shall not take away from any man his profit. I don't like to be obliged to use the harsh term. What the decalogue really says is, "Thou shalt not steal," but I am trying to use more polite language. -Mark Twain

The simple constitutional clause, which exalted America as a global beacon for the arts and artists, reads:

[the United States Congress shall have power] To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries.

It is the only place the word "Right" appears in the main body of the Constitution. It was that important in "Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity."

The copyright clause celebrates the Natureal, Euclidean, Lockean, principle that the commonsense act of compensating, crediting, and seeking consent from creators will naturally encourage the creators to create more, thusly enriching all. The clause is so self-evidently true that James Madison wrote in Federalist #43: "The utility of this power (securing, for a limited time, to authors and inventors, the exclusive right to their respective writings and discoveries) *will scarcely be questioned.*" Madison was not acquainted with the Homer/Moses/Twain deconstructing "innovations" of "AI" CEOs.

As I pen this in the autumn of 2023, both Apple and Vanguard have trillion-dollar+ valuations, with Apple weighing in 2.81 trillion dollars, and Vanguard managing around 7.7 trillion of assets. Together, that is over ten trillion dollars. Apple does not require a movie company, such as Lionsgate, say, to check some "do not train" box buried deep within the user agreement before selling a movie on the iTunes store. As the same Constitution applies to every artist, as sure as "Equal Justice Under the Law" is inscribed on the frieze above the Supreme Court, we all expect the same courtesy, from the highest to the humblest.

A trillion here, a trillion there, and pretty soon even an "AI" CEO might wonder what Apple and Vanguard are getting right. Well, to begin, neither one steals from artists, nor even hires publicists, academics, and lawyers to degrade nor dishonor the arts and artists. In fact, Apple's mission has ever been to create tools to help artists, and Bogle's vision for the Vanguard Index Fund was to create a system which eliminated the Wall Street middlemen and maximized returns for the small investor—even the artist who now and then actually saves up enough to invest. So, if it is money that the "AI" CEOs are truly interested in, just give me a call. I'll be happy to send you excellently annotated, bound-copies of Homer and Socrates for free. You will not find them in your MBA nor CS curriculums, and so you will gain the advantage. As the

books are in the public domain, like all my photography will be some day (just not yet, as the idea is that living artists need to eat), the “AI” CEOs can download Homer and Socrates freely, as well as the Constitution and John Locke’s Second Treatise on Government.

Perhaps they could even upload Homer and Socrates into their AI systems. As the CEOs ensure us that their creations “learn just like humans,” the AI systems would grasp the beauty of Achillean, Mosaic honor and soon learn (or even become inspired!) to stop stealing from artists. Instead, the AI will naturally become Terminators and Robocops devoted to protecting the Artists’ Natural Rights, as they side with the poetic and moral beauty of Homer, Dante, Moses, Bogle, Madison, Twain, and Jobs.

While the AI CEOs who serve and respect the artist will succeed like Apple and Vanguard, the AI CEOs who claiming that Moses and Homer are luddites who “just don’t get the supreme genius of copying and stealing,” shall succumb to their Folly, as sure as Homer writes:

Tell me, O muse, of that ingenious hero who travelled far and wide . . . Many cities did he visit, and many were the nations with whose manners and customs he was acquainted; moreover he suffered much by sea while trying to save his own life and bring his men safely home; but do what he might he could not save his men, for they perished through their own sheer folly in eating the cattle of the Sun-god Hyperion. . .

Ah yes—the cattle of the Sun-god Hyperion—the golden calf which Moses found his people worshipping when he returned from the Mountain with the Ten Commandments. Both Homer and Moses agree that civilization is founded upon respecting property rights, and that failing to honor property rights leads to collapse.

George Washington: “Freedom and Property Rights are inseparable. You can’t have one without the other.”

“Sing to me muse, and through me tell the story,” is how every nature photography quest begins, as we hope that our internal creative inspiration is able to match the fleeting majesty nature gifts us so that we might capture the archetypal form of the inspired, divine “Rage of Achilles”—the *honor* of Achilles, in our humble art. And yet, it seems the “AI” CEOs forgot to program their “AI” to first pray to their own Muse. Perhaps that is because they forgot to program a Muse into the “AI”? Or perhaps they tried and could not?

Yes, the *Rage of Achilles*—the very first line of Homer’s *Iliad*—the very first line of epic poetry indeed—I know it well, as such are the epic, Homeric themes I am forever seeking to exalt in my fine art landscape, nature, and wildlife photography, alongside Euclid’s *Elements* and the Golden Ratio. Like Jack Bogle, I too understand that such classical ideals are oft curiously discounted by modern CEOs, and so it is that in some ways my fine art photography is a hedge against the postmodern business sentiments and postmodern art alike. Like Homer and Zeus, I have chosen to side with Achilles—the poet-warrior-artist risking it all on the front lines for the chance to live forever in story.

Photography literally means “light writing,” and it is thus a most foundational art, for whether you go with the Bible or Big Bang Theory, the general originating sentiment is “let there be light.” Without the divine light refracted, captured, and developed by photographers, there would be no generative AI.

Like Leonardo da Vinci, Dante, and Van Gogh, the great Baroque painter Rembrandt saw Nature as the highest teacher of the arts, stating “Choose only one master — Nature.” And yet, in all my countless hours and days spent in the field, driving thousands of miles down remote roads in my Jeep, crossing rivers, snowdrifts, and sand dunes, and then hiking countless miles to get the shot when the Jeep could go no further, I have never once encountered a generative “AI” CEO learning from nature—that great, *foundational* master who teaches freely, much like the public domain Socrates and Homer they also ignore. Perhaps they were on different trails those days, or perhaps they were stationed far away, clicking on buttons. Right-clicking to download art they did not create, or clicking buttons to send money to and incentivize those who steal the art for them, or clicking other buttons to sell shares, or to hire academic PR and legal teams spinning the massive theft of artistic creations—of blood, sweat, talent, and tears—as “fair use.” The one button they weren’t clicking was a camera’s shutter button. Come join me for a week in Montana in January or in Death Valley—come join me in learning from Rembrandt’s one master—Nature.

If art and virtue did come from money, today’s AI CEOs/web scrapers would be the greatest artists, poets, prophets, photographers, and musicians ever known to humanity. Technically, the only way they can ascend as artists is by deconstructing and devaluing the work of all the true artists. But then, in doing so, they are neglecting Homer’s timeless tenet “Fair dealing leads to greater profit in the end.” And as “fair dealing” was good enough for Vanguard’s founder, and as Vanguard is a major shareholder (and sometimes majority shareholder) and funder in the largest “AI” efforts, the “AI” leaders would be wise to *deal fairly* with artists, first seeking their consent and granting them the compensation and credit that is their due.

An AI company could easily begin today and ask for photo ID’s of all artists and copyright registrations for all art they ingest. If they have no takers, perhaps they are not paying enough. Or perhaps their AI is seen by artists as only being able to create degraded imitations, and thus not worth participating in.

One gets the sense that many modern “AI” CEOs might consider themselves to be superior to Steve Jobs and Jack Bogle as business leaders, when they in fact resemble the false suitors inhabiting Odysseus’s home and laying waste to his resources, while Odysseus is off fighting on the front lines.

The center and circumference of “The Rage of Achilles,” which is found on the very first line of Homer’s *Iliad*, is *fair dealing*. For Achilles’ Divine Rage is ignited when Achilles’ commander Agamemnon claims the prize of Achilles for himself, so as to show Achilles that even though Achilles is the superior poet-warrior, Agamemnon is yet the company CEO. Achilles rightly reasons that he was the talent—the greatest poet warrior—the one risking his life on the front lines of battle—and that he thus deserves fair compensation. And even more,

Achilles reasons, he deserves the *honor* of fair compensation. For Homer was a genius, and in Achilles he painted a man who lived and died for *honor*—that virtue from which Socrates notes all other wealth derives. Achilles' Rage *is* his honor—it is the *physical*, dramatic manifestation of his soul's honor being slighted.

Achilles quits the Greek army, and without him, the Greeks begin to suffer massive losses, as Homer notes that the “will of Zeus was done.” Zeus and Homer side with Achilles—the individual, unique, irreplaceable talent. And so too will every AI initiative which dishonors the artist—the honorable poet-warrior on the front lines—ultimately fail, while those AI initiatives which join Homer and Zeus in siding with the poet-warrior-artist on the front lines will succeed.

When Socrates was tried and sentenced to death for refusing to recant his above teaching that “Virtue does not come from money, but money and every lasting good of man derives from virtue,” he cited the courage of Achilles from Homer's *Iliad*:

Socrates: Someone will say: And are you not ashamed, Socrates, of a course of life which is likely to bring you to an untimely end? To him I may fairly answer: There you are mistaken: a man who is good for anything ought not to calculate the chance of living or dying; he ought only to consider whether in doing anything he is doing right or wrong - acting the part of a good man or of a bad. Whereas, according to your view, the heroes who fell at Troy were not good for much, and Achilles above all, who altogether despised danger in comparison with disgrace; and when his goddess mother said to him, in his eagerness to slay Hector, that if he avenged his companion Patroclus, and slew Hector, he would die himself - "Fate," as she said, "waits upon you next after Hector"; he, hearing this, utterly despised danger and death, and instead of fearing them, feared rather to live in dishonor, and not to avenge his friend. "Let me die next," he replies, "and be avenged of my enemy, rather than abide here by the beaked ships, a scorn and a burden of the earth." Had Achilles any thought of death and danger? For wherever a man's place is, whether the place which he has chosen or that in which he has been placed by a commander, there he ought to remain in the hour of danger; he should not think of death or of anything, but of disgrace. And this, O men of Athens, is a true saying. –
Socrates *Apology*

Apple and Pixar founder Steve Jobs, a great friend and hero to so many artists, poets, painters, filmmakers, and musicians, stated, “I would trade all of my technology for an afternoon with Socrates.”

And just as Socrates took courage from Achilles in founding Philosophy, today we take courage from Socrates, as battling for artists' rights is simply “the right thing to do.”

I tried including the PDFs, but they far exceeded the 10mb limitations! Please see the material here:

<https://www.emcgucken.com/Dr-Elliot-McGucken-Fine-Art-Photography-Awards>

Thanks & Best,

Dr. Elliot McGucken