

THESE ARE NOTES FROM THE TALK GIVEN AT DISCLOSURES,  
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Hacking Ideologies: The spectre of free information is haunting capitalism, but what's in it for us?

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If the Open Source movement was created to attract and include capitalists, what can be said of Free Software? Is there anything in it for those who dream of new egalitarian social orders? Sharing is great. Yet, IBM agrees. The spectre of free information is haunting capitalism, says Eben Moglen. What if that spectre wins, capitalists fail to assert control over it, and all that can be copied digitally becomes shared? Would that enable, or assist us in any way to establish an entirely different set of egalitarian social relations, based on new modes of production and consumption, coordinated by a different set of political institutions and organisational forms?

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I'm sending these notes to few people/mags/journals for peer reviews. Feedback/critique appreciated. If you're interested in passing this on to someone, feel free to do so. If you're interested in publishing any of this in any medium, let me know which bits are of interest to you, since most arguments in here are extremely condensed (a lot has been left out, especially on the notion of fictitious structure of reality that i'm working on) and in the process of being developed/corrected further, while at the same time some basics from the core debates are briefly presented for the sake of the context of the talk. Also, it's a quick/rough and expanded translation of the original written in croatian (for CLUC/DORS April 2008 conference in Zagreb/Croatia) called 'Free Software: emancipation of capital and dreamers of free cooperation'

toni

# Language of philosophy: why open and not free?

Toni Prug, [toni@irational.org](mailto:toni@irational.org)

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“The spectre of free information is facing capitalism” (Eben Moglen, 2007).

So, free, not open.

Social sciences are not sciences, but branches of philosophy. Since in sciences, we count and signify in predictable ways (Kant, 1988). A sign represents stability of the final outcome, and/or stability of the entire field and discourse to which it belongs to.

Sciences move the boundaries of possible and impossible. However, it is too early for this investigation to call them discourses.

Since not that long time ago, voice couldn't travel and phone was something of a miracle. Until recently, electricity couldn't travel without wires either. Now they both can. Through science, impossible loses its negation.

If we already know that something is im-possible, that means that we've already been aware of the potential of possibility. Construction of the word impossible confirms that.

Im-possible is negation of possible.

Impossible becomes possible when it stops being negated, when obstacles constructing the negation are removed.

It is similar with social sciences. Grouping and administering people didn't used to be possible in the form in which we live today, in nation states. Theoretical concepts through which states and nations have been formed made that possible.

However, there's a difference.

The nation state was not im-possible. It became im-possible only after the creation of the concept. Therefore, in this case social sciences have created a concept. A concept which is being negated today, in the form of European Union.

But where is the formula which, using symbols, like math, physics, or chemistry, guarantees with large percentage, or will total accuracy, that – with combination of given known elements into a certain structure, in the case of social sciences with the combination of institutions, laws and processes – we get the state?

Is not parallel creation of post national state Europe and nationally homogeneous states like Kosovo, and possibly Catalonia, or Basque country, telling us about how difficult it is to formulate the state same way natural sciences guarantee formulations of their own processes and results? Who could write down the formula for the Kosovo State? Or, for possible Catalonia in the making?

So, if we can't produce the state in the way science does. What about the key concepts used by the discourses of the state?

What does government of USA means by freedom?

And what do Richard Stallman and Eben Moglen think when they say freedom?

Fundamentals of the USA government's concept of freedom can be summarised in freedom of religion, speech, voting, assembling and difference of opinion government (2001).

Fundamentals of Free Software freedoms are (0) use of software for any reason, (1) examine how software works to be able to adapt it to personal needs

(access to source is pre-requisite), (2) redistribution copies to be able to help neighbour, (3) improve the software and publish it so that whole community benefits from it (again, access to source code prerequisite).

A quick comparison tells us that in the USA political version, community is that of religion and political - participation and debate.

Freedom of free software includes certain freedoms that are first part of the process of software use - Richard Stallman has insisted many times that freedom of consumers to do what they want, even to join the work on improving the software, is the most important issue at stake.

Still, those freedoms can be, and are, part of the process of production. And not just production of software itself, but large parts of automatization of work on the planet today, including consumption, management (administrative institutions) and participation in the community (state, associations).

There are no freedoms of such type in the USA's political definition of freedom. Use, modifications, creation, or the work itself, are not in any form part of USA's discourse of freedom.

Free Software has been accused many times of connection with the ideas of communism, explicit statements of Eben Moglen contributed to it.

However, not in a single point do Free Software freedoms include freedoms related to the worker's work in its totally, e.g. related to the relationship of work and means of production situated in time and space. Time and space are already completely out of the discourse of Free Software.

Similar like in the case of Lawrence Lessig's exclusion of category of time in order to constitute his concept of Free Culture (see my *The Mirror's Gonna Steal Your Soul*), Free Software doesn't deal with details like the necessity of time and space.

Since Free Software, Culture and Creative Commons are all constituted through discourses that exclude time and space, and thus exclude relations of production and ownership over time and property ...

subjectivity through which such discourses of freedom and commons are be-

ing constituted is that of the liberal political subject – subject whose private property can not be questioned, challenged. Separation between private and public is thus constitutive separation of the liberal discourse of freedom, separation without which Free Software, Culture and Creative Commons are not possible.

Let's not forget that in USA participation in the political life does not in any way include space and time, while the constitution of the state primarily deals with the state and public. Autonomy of the economy, where time and space are carved, determined, is not only not hindered, but it is actively strengthened by the political. It follows that it is consistent that discourses of freedom and commons in software and culture come from the state where the separation of public and private, of social and private, is inscribed into the political philosophy and constitution of the state.

That is why we can characterise those discourses as a sort of magic. Magic which – by what at the first seems an impossible move: exclusion of the most fundamental elements of existences – creates truth.

How come that we live in space and in time, but a discourse through which what we live becomes real excludes exactly the space and the time? How is such kind of operation possible?

Let's recall Miller's explanation of Lacan: "the truth is not exactitude, nor has it any existence apart from signs. These signs are no doubt fictions, organised into a discourse, but truth itself has fictional structure, being but the effect of discourse." (Miller, 1990, p.XXVII)

Lacan himself says that "a truth can not be separated from the effects of language" and "no truth can be localised, other than in the field in which it was spoken" (2007 p.62). In other words, we're not only born through the matter, since it isn't enough for us, but through language which employs and enjoys: "we are the beings of surplus jouissances, born through being used by the language" (p.66).

However, Lacan isn't the only one in connecting fiction, truth and discourse and inseparable elements of what we experience as reality:

"far from representing a dysfunction of the law's discursivity, fic-

tions merely push the limits of the very efficacy of a discourse, in narrative or performance, firmly established in 'its' reality. Classical jurists pretend to believe that fictions constitute an underestimated or unnatural reality, and that it is possible to bypass them, without deviations and artificial constructs, in order to grasp reality as it is. But, since reality is necessarily elusive, being nothing more than the product of conventional nomination, the fiction will appear not as a deficiency but rather as the manifestation of the nature of legal discourse" (Kerchove, 1993, p.160) quoted in (Vermeer-Kunzli, 2007, p.42)

In other words, almost mirroring Lacan's thesis, use of legal fiction confirms that truth and discourse as inseparable.

Ok than, but what does this tell us about the discourses that we're dealing with here. Few things.

First, it's perfectly logical that these discourses, these fictions and truths have been formed by two lawyers, Lawrence Lessig and Eben Moglen. The roots of legal system in England are based on fiction. For Pollard fiction was crucial mechanism for development of both early legal and government system in England. It served England so well to avoid revolutions and enable co-operation until mature enough national consciousness has appeared (1926 p.5).

Second. That what enabled the formation of the same is liberal subject who, through monopoly on its internal, publicly unreachable, private possession of time and space, represents axis of creativity in the capitalist discourse. Why capitalist now? Because it is precisely here that we can see where the surplus value is hidden, in which dark corners of the discourse it gets stored. Instead of technology, through automatization of work, serving all through the vast increase in disposable time, technology enslaves us to work longer hours than what savage used to do, longer than it took him with his most primitive tools (Marx, 1973, p.708-9).

Third. If we're dealing with a discourse which makes surplus value invisible by hiding in the insides the liberal subject, where does this much volunteerism, concentrated belief and contributed work come from?

In other words, if the liberal subject appropriates surplus value that we create, why do we feel so emancipated through its production, or use? Where does such popularity and idealisation of volunteer software production come from? What does attract us and leave us permanently fascinated? What do we hope for when we participate in discourses of free software, culture and creative commons? If those discourses remove surplus value from us ... Why do we make them, call them ours? Or, shall we turn to Lacan again: how do these discourses speak through us? What are the frequencies, which protocols, through which real liberal subjects speaks its truth through us? What are the truths through which the truth of capital speaks through us?

Lacan's discourse of the master may serve us to look at the wage labour from another angle: getting people to work is hard work; master never does it himself, instead: "He gives a sign, the master signifier, and everybody jumps." (2007 p.203).

Is it perhaps the choice of the direction of how something gets done and how it gets used that attracts us? Freedom to choose HOW? If the case was just the exhilaration induced by creation – Richard Stallman said many times that what attracted him to programming was the ability to check the outcome quickly (let's leave bugs aside for a moment) – how can we then explain the exhilaration of users?

How can we explain explosion of networked communities? Or tens of millions of free and open software users?

With all of the contradictions, regardless of Negri's refusal to follow worker struggles on the factory floor (see critiques by Sergio Bologna) and his instance on the need to re-conceptualize the communist subjectivity (Wright, 1996), a place to look for the inspiration and possible answers could be in the concept of socialised worker.

The question we ought to be asking is: Why do we joyfully create the means of own more effective subordination to the dictate of liberal state and capital?

Negri says the following:

"Ideological character of the idealistic aspect of capitalist strategies is more heavily emphasised the more pressing the need be-

comes to destroy the socialisation of work and the more this project becomes exclusive and attempts to constitute an antagonistic alternative”(1989 p.136)

In other words, if we can translate this correctly in the context we find ourselves today, we could say that new forms of socialised work are all forms of networked communities, from capitalist business projects like facebook, myspace, to mailing lists, chat channels, news groups of free software and culture, open source, hackers communities, peer2peer communities, etc.

Bigger the chance for us to use the socialised work for our own emancipation, bigger the need by capitalist to destroy the potential of an antagonistic alternative that our socialised work might have a chance to offer. Capitalism does this by strategy of idealisation of the same potential and new forms of socialised work. This strategy is a part of constant revolution of both means of material and social re-production that Marx spoke about.

If Negri and Marx were right on this, it also follows logically that idealisations are done through Free Software, Open Source and Creative Commons movements. In that case, the paradox is that while we're changing, partially socializing, the forms of production, we're at the same time joined together in destroying the potential of own emancipation and increase in disposable time that could be an outcome of socialised work and machine/computer/network automated production.

Negri continues:

“To say this is to say that the establishment by capital of hierarchical values increasingly represents a deficit of reality: here the capitalist project not longer mystifies the reality, but, observed closely, substitutes mystification for reality and thereby accentuates emptiness of the world. ... it is a moment of that abstraction which is opposed knowledge of reality. It is a function of command, and articulation of absurd, but efficient signifiers. Here the production of subjectivity has become the production of the inhuman. This is nazi aspect of capitalist ideology in the period of the socialised worker can not be underestimated.” (p.136)



A mistake he does here is small, but an important one. There is no mystification of reality. Reality is fictitious, it is truth in the discourse in which emerges. Let's make this clear, discourse is first, reality, or to be more precise, what we experience as reality, is its result. There is no real reality, all reality can be mystification, and all mystification can be reality, again, depending on the discourse in which they are spoken. Which is what Negri confirms when he points out emptiness of the world. However, production of inhuman suggests that there is a human which precedes human. But what is this previous men? I can't see him. If the world is empty, it is empty because we, his sculptures and servants, are ourselves empty too. Negri, like Lenin (Žižek, 2002, 179-180), has not abandoned concepts of reality and man - positive, fully graspable, aspects of determination. And if something is a potential on top of which we can build subjectivity through which we will institutionalise own control over our socialised and automated work, and hence increase drastically disposable time, that is precisely the empty subject, pure discourse through which by fiction the truth speaks.

In his discussion on Fukuyama's Factor X, and his notion of Kinder Egg, Žižek shows how Fukuyama's insistence on a single common entity in all humans, Factor X as he calls it, is false (2003 p.148-52). Instead, what we all share is an empty place, a void which enables the constitution of human subjectivity. We could risk claiming that had it not been for that void, had it not been for the absence of positively determined being, symbolic fiction would not have been able to assert its efficiency and human begins would not have developed any further than animals did. Open Source movement negates the concept of void at the centre of our subjectivity by asserting neutrality of their move justified with the claims of pragmatism, of insistence on engineering methodology alone, and on absence of any ethics. Clearly stated goal of their work was to attracting capital. What they thought will remain hidden, or what they haven't thought of at all, is that by attracting capital while insisting on absence of ethics, they not only inherited ethics of capitalism, they also confirmed Fukuyama's claim, and capitalism as the universal Factor X in all of us, as something that goes without saying. They naturalised the production of Free Software, turning it into Open Source whose nature is capitalism. Contrary to it, Free Software movement choose their own ethics explicitly, asserting their ability to determine own subjective fiction under which they operate, to which they submit. This assertion of ethics, definition of life in positive terms, is an important lesson to take from

Free Software.

Let's recall for a moment Žižek's discussion on freedom, from his *On Belief*:

Here, Lacan can be of some help: the Lacanian Master-Signifier designates precisely this hypnotic force of the symbolic injunction which relies only on its own act of enunciation - it is here that we encounter symbolic efficiency at its purest. The three ways of legitimising the exercise of authority (authoritarian, totalitarian, liberal) are nothing but three ways of covering up, of blinding us to the seductive power of the abyss of this empty call. In a way, liberalism is here even the worst of the three, since it NATURALISES the reasons for obedience into the subjects internal psychological structure. So the paradox is that liberal subjects are in a way those least free: they change the very opinion/perception of themselves, accepting what was IMPOSED on them as originating in their nature - they are even no longer AWARE of their subordination. (p.120)

Finally, Negri calls for a task which is clearly in front of us: "from resistance to appropriation, from re-appropriation to self-organisation" (p.137). The question is only how? Our problem today is "establishing autonomy of the political - not where the political is emancipated from the social, but where the political entirely and independently reassumes within itself the social" (p.146).

We can say that Free Software displaced some sort of politics into the social, with its ethical commands and insistence on them, and with the primacy of what matters for community and society as they see it over the quality of technology.

What we witnessed since the creation of Open Source are three steps of ideological regression of the political: from the social, through the ethical commands of Free Software, through Open Source, back to the invisible soul of liberal subject.

0. FORMERLY: sharing as part of the discourse of science (let's say before the rise of copyright in 1970s)

1. Free Software (FS): sharing as an imperative, as an ethics, through resistance to imposition of economic over the social. communal production (socialised workers) as a norm.
2. Open Source (OS)- sharing, but not necessarily, communal production as a choice.
3. TODAY: Open Source Intranets - sharing as a choice, but in closed corporate communities, see CollabNet (CoN).

We could represent it as a series of moves in the concepts of sharing:

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sharing by default
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|--> sharing self conscious, ethical commitment, (FS)
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      |--> sharing as an option, commitment to capital (OS)
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            |--> sharing in semi-closed communities (OS Intranets/CoN)

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Translating the same movements in political terms we get ...

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intellectual property not crucial frontline to ruling discourse
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|--> copyleft = self conscious, ethical, not-liberal (FS)
    | | |
    | | |--> liberal naturalization, "just do it" (OS)
    | |   |
    | |   |--> capitalist appropriation (OS/CoN)
    | |
    | |--> FUTURE? copyfarleft, worker owned production
    |
    |--> FUTURE? copying for the new subject (multitude?)

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This maps onto the development on World Wide Web.

BEGINNING: desire of scientific communities to share and be open, benefits can be appropriate by anyone.

TODAY: corporate communities and networks, desire of capital to morph socialized work into new communities with partially closed form, so that benefits of production are private (corporate, and not social).

FUTURE: Copyfarleft is an introduction of space and time, through the question of workers ownerships of the means of production (Kleiner, 2006).

However, is productive worker a subject through which we can assume battles for materially egalitarian emancipation of all? Or, do we need a new subjectivity? Has the concept of Marxist working class been spent? Is it the time, like Hardt/Negri did with Multitude, to concede defeat and think the im-possible?

Negri claims that in this battle for future, “Organisation is the basic and central element of the constitution of the subject” (p.147). To achieve this “reappropriation of antagonistic social nexus” is needed (p.149). Necessary condition of it is that “the productive too must be incorporated within the political” (p.150). We could say that this is what Free Software attempted to do, to displace the constitutive liberal boundary of social and private, by commanding a new ethics in the production, and thus by both rendering the boundary social/private visible and bringing it into the discourse. Boundary which Kleiner proposes to be pushed further, on the far left.

So, the production has to be inside the social, and thus inside the political. This is the line on which emerging peer-to-peer economies will be challenged. Will they become part of the socialised work, part of the politicised sphere of economy, and thus breaking the logic of hegemonic rule of liberal separation of politics and economy, or will they remain in the discourse of the liberal?

To put it in other words of our problem of the liberal subjectivity, the lines drawn by law and the constitution of the state, lines between the private and social/public, or political and non-political, political and production(economy), ought to be moved first.

In the next two pages, shortcutting through equality of socialised work Negri arrives at communism. “right to revolution” and “victory that will require employment of new a terrible forms of violence ... We know that all this is necessary and yet we do not want it” (p.152).

This regression, shortcut down which Negri throws himself to finish the essay, can not be accepted. Since HOW, i repeat, HOW do we move from realizations of needs that Negri speaks prior to taking this shortcut, towards the praxis? And does this praxis has to be a revolution with new terrible forms of violence? Maybe, but not without arguments. It is here that Negri goes against Lukacs' suggestion that we should never romanticise illegality, nor give any special respect to legality (Lukács, 1971, *Legality and Illegality*). Law, like the state, are points of power, no more, no less. Hence, the violence on which the law and the state are formed are also in transition. To call for a new violence the way Negri does is assigning existing points of violence fixed position which they do not posses, in which they do not reside. But even if that was the case, if violence was a necessary ontology of the social (past and new), it is irresponsible, and lacks any context, to call for the violence in the way Negri does. Did we not see where attempts at certain sorts of violence led us in the past? Red brigades anyone? Mass imprisonment of left political activists, including, of course, Negri himself?

What i believe constitutes a key move forward, what we can use to continue Negri's thought, and do so without throwing ourselves down a rough and unknown road, is inclusion of space and time in all discourses, and especially into those which are constituted through the exclusion of these categories. In Negri's words: "As always, the problem of the definition of subjectivity concerns the basic issues of space, time and the metaphysical quality of substratum" (p.207).

In other words, there is no magic. Magic does not exist. Not in the liberal vision of space-time-free immaterial world, nor in free software and culture, nor in creative commons, nor in philosophy.

Each magic makes itself appear as magic by hiding the material price that it pays in order to assume the form of magic.

Dialectical materialism are processes through which we seek this material price paid through the appearance of magic. Žižek's story about the scene in the movie *Prestige*, told in his recent seminar (Žižek, 2008) at Birkbeck in London, communicates this point brilliantly: when a magician does the trick of a disappearing bird, by squashing the bird cage with a cloth, he pulls another bird underneath the cloth moments later, claiming that magic

has happened, that the bird is till miraculously alive! A small kid in the crowd refuses to believe it, and when magician approaches him and shows him an alive bird saying that nothing bad has happened, first thing the kid asks is: “what happened with the dead brother of a little bird”? In short: a child understand that there is no magic, and that whenever we think that the magic has taken place, there is a material price to be paid, in each act. What makes the trick seems magical is hiding of the material price: when magician walks away from the kid, we see him throwing the dead bird from his pocket in the bin.

So, who is the dead bird of our idealisation of liberal subjectivity, subjectivity through which the same idealisation is made possible?

I would dare to say that an easier option is to locate this dead bird in the character of a girl from Naomi Klein’s *No Logo*, girl who has no computer and has no knowledge of how to operate one, but who for a minimal pay assembles parts for latest IBM laptops. It is much harder to see the dead bird in ourselves, it’s hard to see what we might do, but what we don’t achieve, since the categories of space and time are given in advance by an unquestionable structure of ownership of matter and human capability for work and creation.

That what could be in us instead of our liberal subject, and isn’t, is our dead bird. Whether we want it, or not, we carry this death in us.

Let’s call it the unfulfilled possibility of material equality and emancipation of disposable time for all.

However, not all equalities are the same.

Today, precisely in submission to capital, in predisposition that we are equally available to it, we are, paradoxically equally in a position to be exploited (Ranciere 2006, p.19-21). Sets of right and regulation make sure that no is discriminated in assuming this starting position of equality for exploitation. This is why when Paul Gilroy mentions recently, in a new introduction to his book, that “Equality of opportunity is now a feature of every anodyne corporate mission statement but inequality is increasing” (2002 p.34), this apparent paradox is perfectly logical: the more equal we are in our availability to capital to exploit us, the more unequal we end up.

This is another example of the mighty power of the discourse, in which, even a term like equality for all, can be used to justify, codify, institutionalise the logic of exploitation and reproduce class society. Through policy of equal opportunities Britain has attempted to inscribe availability to capital for all. No one is to be discriminated in one's capacity to be exploited. Still, we shouldn't forget that for many this position has been an unreachable point, for centuries. In the past, while whites were labourers, blacks were slaves. Today, while white French people are labourers and state constituents, French citizens of Arab origin are isolated in suburbs, discriminated from taking the position of a subject in a liberal capitalist economy. In other words, there are aspects in this liberal equality which are not to be forgotten, whose emancipatory potential is not to be simply dismissed, and whose advantages, and problems, we ought to, dialectically, in a materialist way, elevate beyond the horizon of equality set by the capital and the state. In short, to capitalist liberal equality of opportunity, we should say: yes, but that's not all, that's not enough - we demand and we take, more. Namely, inclusion of space and time into any hegemonic discourse.

It is in differences of concepts of freedom between USA politics and Free Software, and differences between Free Software and dialectical materialism, that we can see how when dealing with social concepts (like freedom) – in political science, or sociology – we can not speak of sciences.

There is no formula, sequence of signs, which guarantees freedom as an outcome. Since freedom as an outcome belongs to a discourse. And every discourse can have its own, different, concepts of freedom. When the aim itself is a moving target, analysis, and processes for implementation, can not be constructed starting from sciences.

Now, to return to the beginning of this text, following Kant, when we speak about social disciplines of intellectual work, we need to talk about branches of philosophy.

It follows from that, that when we speak about freedom, or openness, or any other attribute of the social body, either in totality or concerning individuals, in politics and in software, we have to base the speech in languages of philosophy and arts first. Only from such conceptually determined base can sciences help us to elevate it into the practice.

If the question of why open and not free would be useful, the key would be to talk first with the language of philosophy, following with languages of its branches, sociology, politics, anthropology ...

At the end, talking about openness using the language of philosophy only for a moment, it becomes clear that is precisely choice of the discourse, and the language itself within the frame of chosen discourse, that what defines first degree of openness.

That is the prerequisite, but not necessarily a predecessor, of free creation of truth, and of discourse through which such truth speaks.

It is precisely openness of Lacan's discourse, his readiness to confront each of his own meanings, to change them as the thought progresses, that makes his work a good candidate for thinking about a discourse of openness through which our speech of egalitarian emancipation of all can commence.

And what is the link between this presentation and art?

The link is the language, practice, and what's most important, truth of open subjectivity:

I-ya, I-ya  
I against I,  
Flesh of my flesh,  
And mind of my mind,  
Two of a kind but one won't survive,  
My images reflect in the enemies eye,  
And his images reflect in in mine the same time,

I-ya, I-ya,  
I against I,  
Flesh of my flesh,  
And mind of my mind,  
Two of a kind but one won't survive,

(Mos Def & Massive Attack, 2002)

There, i battle with myself. No need for an enemy that comes from outside.



Speaking through this language of streets and art, message is as clear as that of the philosophy. Talking about the same phenomena through the language of philosophy, Etienne Balibar says that every ruling ideology has to incorporate ideas those who oppose it. Following him, Žižek is correct to develop how ruling ideas are not the ideas of those who rule (1999 p.184-187).

To feel free, in the liberal sense, i first have to feel my own free will. But that free will, by excluding categories of space and time from the definition of my liberal subject, is only a will of partial choice of the master to whom i sell my knowledge and capacity to work. Yet, it is essential that i do feel, and act, as if i posses a free will, as if discourses do not speak through me, but i speak on my own, freely. This is an example of concept of freedom integrated into the discourse by the master, whereby, by feeling free, i deprive myself of the potential to construct freedom on my own terms. For, why would i strive to something that i already am, free? It is precisely this battle, battle of master to make me feel the way i would like to feel in the first place (in liberal discourse: free to choose, to speak, to be judged on merit), and my resistance to it, my resistance to define those desires on my own terms, that Mos Def and Massive Attack describe so vividly.

When I battle against I, what i strike against, what i hit, what i need to break, is the transparency of images of myself which master-I constructs for me to assume. The enemy is the-Idiot-i, one who can't distinguish the master-i from the other. When something is transparent, we can't notice what is it made of, what is its structure, or texture. Hence, this transparent sense of freedom is what needs to be broken, taken apart. In this sense, freedoms of Free Software deceive us, by allowing liberal subjectivity to remain transparent, invisible, by allowing it to remain a smooth operator.

A key point in this battle is the following: as long as the master, structurally, through laws, state, but first and foremost through our understanding of who we are, through our transparently assumed free liberal subject, has at its disposal our time and space, as long ownership of time and space remains within the category of private, out of reach of all of us who create, attempts of liberal subjects for egalitarian emancipation of all are doomed to fail. Because they are being fought on master's terms. And as long that is the case, all we can get is more freedom and openness in the sense which master defined for us. Sense which we transparently experience as a set of free willed

options. Sense through which we remain subordinates. This is the sour truth of sweet sounding liberal discourses of freedom and openness.

Therefore, it is our task to think why are categories of freedom and openness so strongly beloved in some discourses of US and UK economies and politics. Or, why was creation of Open Source needed in order to bring capital into the production of Free Software under its own terms. What did Free Software's discourse of freedom prevent that Open Source enabled?

However, let's say that Open Source never happened, and that development continued under Free Software. Richard Stallman says that it is fundamental to have the freedom to communicate with other people, and freedom to create and live in communities. These freedoms are for Stallman more important than the quality of software. I agree.

But let's recall what did Christopher Spehr (2003) said about the free cooperation. In capitalism, cooperation is imposed, since we have to sell our labour. According to Spehr, there are three aspects of free cooperation which should always be taken into account if the cooperation is to be free:

First: cooperation can be questioned by anyone. There can be no sacred rules that can not be rejected, or which can not be negotiated.

Second: rules for cooperation can be changed using the primary material force of rejection of cooperation.

Third: price of rejection of cooperation has to be affordable to all. That means that no one's existence will be put in question if he/she does not cooperate.

Spehr concludes that the main question of cooperation is the question of property. Since as soon as everyone is not guaranteed basic material existence, cooperation will be imposed, forced upon us.

In the language of this text, as long as space and time are excluded from the discourses through which we understand ourselves as ourselves, through which my "I against I" gets formulated, no aspect of free cooperation is possible.

If we supplement it with the language of Negri's politics of subversion, we can say that as long as socialised worker doesn't socialise space and time, until lines of separation of private and common are not radically displaced from their current positions set and defended by the state and capital, nothing will happen with our desire for free cooperation.

Until then, our cooperation will remain largely forced, capitalist.

Freedom and community that Richard Stallman talks about can be thought only when, and if, we interweave categories of time and space into Free Software. Especially that of disposable time, time that remains after labour selling and basic life administration. The same goes for the shelter, living space which we typically pay of all our working lives. Necessary space whose cost, price, forces us to accept imposed cooperation, without much negotiation or objection.

Some of the ways to proceed on space are reading Lefebvre's *Production of Space* (1991), and most importantly history, like that of Linebaugh (2008), and here mentioned discourses of technology through each other.

Finally, let's remember that Lacan was kicked out of the association of psychoanalysts through an excruciating process which lasted for years. Speaking of it at the time, he insisted that the idea of practice out of institutions as freedom and emancipation is a wrong one. There is no innocent community which functions outside, free from structure and norms. Institution can never be just a totality in which all the battles are predetermined and already scripted. Unconscious can not be privatised (Copjec 1990, p.50-52).

And before we conclude, back to our starting question ...

... so, open or free?

What philosophy, especially era that started with Kant, has thought us, is that, in such form, questions are at best irrelevant, at worst ideological normalisations placing our dominant subjectivity, liberal one, at the centre of discussed concepts. If the subject and subjectivity are by default empty, if the structure of reality is fictitious, and as such it appears through discourses and truths that emerge within them, how can we then avoid pure relativism of subjects confined to their own stories, their own realities?

First of all, let's accept that there are dominant discourses. The degree of dominance varies. The problem with our dominant liberal capitalist discourse today is precisely that its dominance is transparent, omnipresent to the extent that we don't see it any more - it magically appears everywhere, with no need for it to be made explicit. Since axiomatic discourse is an effective way out of this, it is no surprise that we could read Richard Stallman as a follower of Kant, who posed freedom as an idea whose axiomatic reality can not be obliterated: "One can not provide nor prove objective reality for any idea but for the idea of freedom; and this is the case because freedom is the condition of the moral law, whose reality is an axiom" (1988 p.98).

That is why it matters that Free Software sets its own freedoms as axioms. Even though time and space are still not present in these. To render the discourse visible, to disturb its transparency, is an achievement in itself.

Since it is discourses through which we speak, or which speak through us, that determine the actual meaning of any concept of openness, or freedom – What does matter, and what we should be asking and investigating, is whether there is anything in those discourses of openness and freedom in technology and culture which could be a contribution toward materially egalitarian emancipation for all?

Or, are there obstacles in those concepts that are hindering such emancipation from being developed?

If "The most developed machinery forces worker to work longer than the savage does, or than he himself did with the simplest, crudest tools" and if "The measure of wealth is the not any longer, in any way, labour time, but rather disposable time." (Marx, 1973, p.708-9) should we not ask ourselves over and over how come that the automatization that machines bring do not contribute to reduction in the time we spend under the command of wage labour, and how come our disposable time hasn't increased drastically?

Given that commodities are designed to break, fall apart and be replaced regularly, words from the Family Guy cartoon: "You don't own your possessions, your possessions own you." ring true.

In this discourse which deprives us of disposable time, in the exploding abundance of things, without any positively determined alternatives to it, we cease

to be subjects, but mere means by which the cycle of things is sustained.

What could disturb that cycle could be production based on quality, extension of longevity-use-value of commodities. That could translate into less need to sell our labour, since commodities wouldn't last a year, or two, but five, ten, or more. On the level of society, it would mean that we would need to produce a lot less, which also means a reduction in energy needs required to sustain life. But, for some reason, no political force dares to make such sort of arguments, including anti-capitalist movements. The old Left wants work for all under whatever they consider good conditions, precariats (see precarious workers in Japan) want not to be precariats but proper full-time permanent employees, while unions would like to administer the smooth running of such wage labour monster machine for all. If we look at the core Free Software projects, is not insistence on quality, on the best solution, insistence on tough debates through which solutions are discussed, a step into a direction in which a product, software, will not break down? Or, is that only possible because most Free Software is also free or charge, and thus there's no reason for it to break, to force us to update. But on the contrary, updates and improvements are sent to us daily. The problem we have here is precisely the appearance of the magical break with the logic of commodity circulation which deprives us of time. Since, how do we account for this break? Does it really make a difference in fundamental material relations which guide our life?

Why not ask simple, naive, questions like these: do new communication and computation technologies, free software, open source, creative commons contribute to having more disposable time? Better working conditions? Easier access to a shelter/home? More affordable education and health care? Redistribution of wealth, in order for the other demands to be met? Participation through new forms of self-governance? Global solidarity? Displacement of control of world resource from the hands of few power centres?

And if the answer is no, then we have to ask the following: what is it in the discourses of new technologies that fails us, that, regardless of its, and our, contribution to the improved/automated material production and administration of life, doesn't give us back the benefits in the shape of easier access to food, shelter, and hence less wage labour, and more disposable time? Are we, like Žižek suggest, as liberal subjects, unaware of our submission, least

free of all?

When Steve Wright used Tronti's words to warn Negri of the danger of being caught in own self-referential discourse, he quoted the following: "A discourse which grows upon itself carries the mortal danger of verifying itself always and only through the successive passages of its own formal logic" (Wright, 1996)

This is precisely what happens with Open Source, Creative Commons, and to large extent with Free Software too: they end up being verified by the formal logic of own invisible, liberal capitalist, discourses. It is introduction of antagonisms, that are patched up, hidden away, through idealizations performed by these discourses, that is the task of a communist, materialist critical thought. And only when pseudo-sciences like sociology and politics recognize themselves as necessarily constituted as branches of philosophy, can their work become useful for battling our master-I.

But let's have no illusions, for the Idiot-I never goes away. It merely changes the master along which it operates.

The question is though, are we capable of overcoming the master which makes our experience of free willed subjects appear so transparently real?

And how do we break with an appearance so appealing, yet so fundamental for the mechanisms through which we accept submission with so little resistance?

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