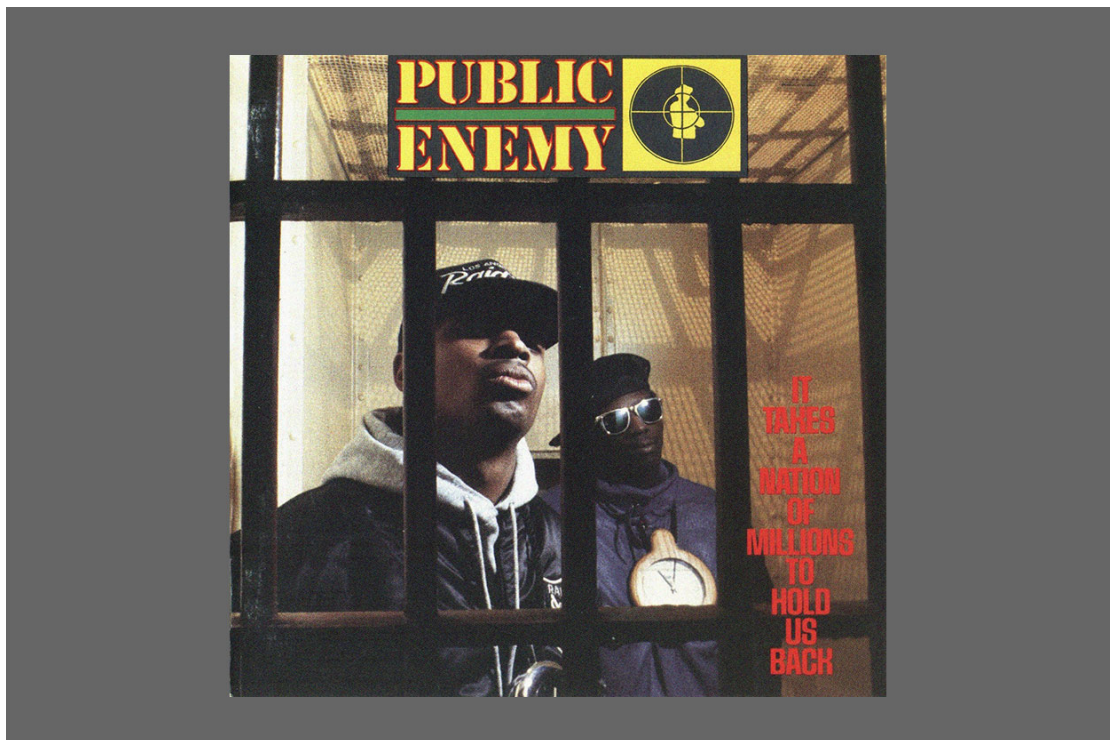


# Digging in the Epistemic Commons

*Stephen Wright*

Essay – March 26, 2007

**Using the ideas of Gabriel Tarde, Ludwig Wittgenstein and George Herbert Mead, writer and critic Stephen Wright reflects on the question of how, in a capitalist knowledge economy, to prevent intellectual property from being commodified and knowledge from becoming increasingly privatized.**



Public Enemy, *It Takes a Nation of Millions to Hold Us Back*, 1988.

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*The gentrye are all round, on each side they are found, Their wisdom's so profound, to cheat us of our ground Stand up now, Diggers all.*

*The Diggers' Song* Gerrard Winstanley and Leon Rosselson <sup>1</sup>

It is a perplexing anomaly of human anatomy that our ears are not equipped with shutters or lids of some description. We simply close our eyes and the visual field disappears, whereas we have to plug our ears with some makeshift stopper – like fingers – if we want to block out the ambient sound. This has contributed to the extraordinary epistemological privileges enjoyed by sight over the other senses, but also underscores the fact that we are in sound like fish in water. We are immersed in aural experience, which, on the basis of social and cultural criteria, we classify as noise, music, discourse and so on. However, we cannot but perceive sound and we often find ourselves humming a tune we didn't even know we were hearing in the mall, repeating an accent we heard in the street, an expression picked up on the car radio, a word overheard in the subway. Indeed, that is precisely how we learn foreign languages, just as it was how we learned our native language: by imitating what was out there, in a double and inseparable process of individuation and socialization. Sound is not 'out there' in the public sphere; we are in sound, and in the absence of 'earlids' to demarcate the threshold between the public and the private, it seems reasonable to assume that what we *hear* is the basic material of all our sonic creations, from discourse to music.

But what if those sounds were somebody's private property? What if we had to hear them, but weren't allowed to play with them without paying user's fees? Wouldn't that be the end of folk music, a form of music based on reusing lyrics and music from previous works, incorporating it into new arrangements in keeping with changing contexts? Wouldn't that be the end of sound-based creation in general, inasmuch as it is about reacting to one's environment? In recent years, copyright law, and the assumptions about cultural ownership that inform it, have clamped down dramatically on the sonic 'commons'. Consider two symptomatic cases. In 1992, Island Records (the famous reggae label, ironically enough) in an example-making lawsuit, sued the group Negativland for enormous sums of money on behalf of the band U2, for using fragments of a U2 song in one of their songs. In the name of protecting U2's creative property, Negativland was driven to the verge of bankruptcy – making them into the extraordinary advocates of the creative commons, which they have subsequently become.<sup>2</sup> A still more telling point is

made by Public Enemy's Chuck D about how copyright law has utterly changed the way the group and other hip-hop artists make their music. In 1988, Public Enemy released *It Takes a Nation of Millions to Hold Us Back*, by any account one of the most innovative-sounding albums ever. It sounded like nothing before it – it was frontloaded with sirens and squeals and squawks that merely augmented the collaged backing tracks – which is ironic given that what they were rapping to was entirely composed from samples of what had been heard before. As Chuck D puts it, 'sampling basically comes from the fact that rap music is not music. It's rap over music.' Rappers would take the sounds from their saturated media environment and, with the help of emerging sampling technologies, rap over it. The group got a lot of attention for rapping about black nationalism but the piece 'Caught, Can I Get a Witness' deals directly with the looming 'criminalization' of digital sampling: 'Caught, now in court 'cause I stole a beat / This is a sampling sport / Mail from the courts and jail / Claims I stole the beats that I rail ... I found this mineral that I call a beat / I paid zero.' Chuck D argues that today it would be virtually impossible – or at least mind-bogglingly expensive – to make a record like *It Takes a Nation*, with its hundreds of samples, because by 1991, no one 'paid zero' for the sounds they sampled – they paid a lot. Yet that album changed significantly how we hear music. 'Corporations eventually found that hip-hop music was viable. It sold albums, which was the bread and butter of corporations. Since the corporations owned all the sounds, their lawyers began to search out people who illegally infringed upon their records.'<sup>3</sup> What, in the history of ideas, are the philosophical underpinnings and origins of the 'ownership' of sounds, ideas and other inventions? And what forms of historical opposition has it encountered?

### **The Invention to End All Invention**

It was the mercantile Venetians who came up with the idea of patenting inventions. In 1469, the Venetian Republic granted one of Gutenberg's assistants, to the exclusion of any other person, the privilege of making and operating a printing system using movable characters. The patent was bestowed for the term of his natural life, which, rather fortunately for print culture, turned out to be short. But as Pierre Papon observed, 'one can only imagine Europe's cultural backwardness if Gutenberg himself had sought to patent his invention.'<sup>4</sup> The notion of laying claim to the ownership of an invention has today become so widespread and self-evident that we may at first fail to appreciate just how staggering an innovation the patent system was in the history of private property. From today's perspective – faced as we are with literally *everything*, material and immaterial, becoming private property – it may appear to be just another logical step in an ongoing commercial process. Yet, it is no exaggeration to say that the innovation of the patent system was of an ontological order: though seemingly directed at the invention's objecthood (this machine, in this studio) what it really withheld from the public domain was the know-how required to build another one like it. It explicitly protected the brainchild by implicitly privatizing the brainpower. If only in incipient form, it made knowledge a commodity like any other. Or to put it differently, while seemingly laying claim to an external machine, it opened the way to the privatization of an internal machine, generically described today as intellectual property. There is some irony in the fact that the first invention to be patented was one whose purpose was so bound up with knowledge production on a mass scale.

Prior to the Venetians, tools like printing presses could have owners. But the knowledge needed to build them and operate them could no more be exclusively owned than the alphabets and the arrangements of letters and words which they were used to print. Whole realms of life eluded exclusive ownership. It would be anachronistic to say that these domains were held in common, though it is tempting to do so in light of the colossal expansion of private property over the past several centuries – through patents, copyrights and other legal instruments. To have said so at the time would have sounded as tautological as to say that the air we breathe, or the words we speak, are held in common, though of course today those domains too are prey to capitalism's structural imperative

for permanent expansion. From the perspective of capitalist accumulation, the patent system opened up a territory as vast as that of the New World, to which Europe would lay title several decades later; indeed one which is potentially vaster, for if horizontal – that is, geographical – expansion has attained global limits, there is no end yet in sight to the vertical expansion in the realms of knowledge.

The realization that the patent system was less about objecthood than about harnessing the subjectivity behind it only emerged over a long period of time. But what intellectual property rights seek to codify gives some sense of the ontological paradigm shift implicit in the very idea of patents:

‘It had never been imagined that someone could, all alone, wrest from within himself a value that was not a thing. It had never been imagined that there existed a form of property that was not only immaterial but also inherent in the subject. It had never been imagined, for instance, that books were something other than tangible, material goods, which an author would yield to a bookseller who would, himself, sell them. Copyright was born of an unheard-of effort to wrest creation from the world of things, to make a value of the actual subject, thereby solving the squaring of the circle: although a work is not an object of property like another, it nevertheless belongs to its author who can exploit it.’<sup>5</sup>

Whatever else might be said about the patent system, it was indeed an extraordinary *invention* – every bit as historically consequential as any of the countless inventions to which it has been applied. However, its extraordinary success is due to its *imitation* by legislative bodies around the world. After all, if other powers had not imitated Venice’s invention, it would have had very little effect. This is an obvious but highly significant point, because invention is usually opposed to imitation. It certainly is in patent law. Imitation and invention stand opposed the way individuality is thought to stand opposed to sociality – though both these oppositions are fallacious, as I shall argue. For what is extraordinary is that the phenomenal success of patents (or any other invention) can only be explained by the imitation of the initial logic – sole ownership not merely of an object and its use, in this case, but of the knowledge and know-how necessary to produce that object and use it – and its application today to literally every field of knowledge production. The success of any invention – even the invention to end all invention, which is how one might describe the progressive emergence of the privatization of knowledge – depends on imitation if it is to endure over time. To better understand this relationship between invention and imitation, it is useful to consider the philosophy of Gabriel Tarde.

## The Powers of Imitation

‘Desubjectivizing the powers of the mind to reach the level of impersonal psychological forces, to reach the level of experience prior to any separation between object and subject, between the sensible and the intelligible: such is the fundamental operation of Tarde’s philosophy,’ writes Maurizio Lazzarato in a book which has been invaluable in rejuvenating the thinking of one of the founding figures of French sociology, whose work lay forgotten for nearly a century. <sup>6</sup> Tarde’s thought is founded on a strange dialectic of inventiveness and imitation. Typically, inventiveness is venerated as an expression of triumphant individual authorship whereas imitation is deprecated as mere copying; but instead of hierarchizing and opposing invention and imitation, Tarde saw them as the mutually reinforcing dynamics of any process of innovation. The social group, he wrote, is ‘any collection of beings who are in the throes of imitating one another or, without actually imitating one another at the moment, resemble one another such that their common traits are old copies of the same model.’ <sup>7</sup> Tarde refused to distinguish between conscious and unconscious imitation (*habitus*, accent, etcetera), arguing they were part of a single process. Indeed, imitation can take place at great distance – it is an expanding field, where groups and individuals imitate one another without any need for proximity in space and time, and most often without being aware of it. But imitation is not merely the manifestation of a social bond, it is the veritable engine of the spread of invention, and the reason that innovation – in art, in knowledge production, and so forth – is always collective and never ‘private.’

Imitation is the movement through which something is repeated and spreads. But it is at the same time the movement through which, in spreading and being repeated, it is differentiated both qualitatively and quantitatively. As it spreads, it is shared; imitation ceases to be unilateral and becomes reciprocal. There is nothing homogeneous or homogenizing about imitation, for the effect of its spreading is that, even as it generates imitative series, it multiplies the likelihood of their intersecting with one another, inventing other new objects, which themselves will generate new clusters of series. This differentiating process, paradoxically inherent to imitation, is precisely what Tarde refers to as *invention*. ‘An invention is, after all, merely the effect of a singular intersection of heterogeneous imitations’: <sup>8</sup> it is the moment where two series of imitations come together in a nexus characterized by an utterly new combination. So if invention can be defined as the product of imitation, they are both integral parts of a process of differentiation. But Tarde goes further, arguing that *an invention which is not imitated simply does not exist socially*. <sup>9</sup> Imitation is thus the framework from which, through incremental shifts, invention emerges. And in order for an invention to be imitated, it has to capture the attention of other minds, engage with them, release their desires, their beliefs, memories and hopes through a process of social communication. The inventor deprives no one of anything, quite the contrary; and the imitator appropriates what he or she copies without dispossessing anyone else.

It is on the basis of this dialectic of invention and imitation that Tarde’s theory of society, based upon what he calls ‘intercerebral co-operation’, can be appreciated. In opposition to the tenants of political economy, Tarde held that it is the co-operation between minds and its product, knowledge, which is at the very core of the productive process – and at the origin of the production of value. ‘Tarde’s surprising relevancy today,’ writes Maurizio Lazzarato, ‘lies in the fact that he identified the production of knowledge as a specific trait of modernity... . In making the production of knowledge the true production of modern society, he asserted the autonomy, the independence and the constitutive power of assembled minds and not the primacy of intellectual over manual labour.’ <sup>10</sup> This concept of knowledge production is only imaginable if productivity is defined through the association of powers of invention and imitation, replacing the opposition between forces with *co-operation*. Whereas the social sciences tend to define human action negatively, as based upon lack, absence, suffering, Tarde pointed to the intersubjective pleasure inherent

in collective action. Tarde's concept has sweeping consequences for collective knowledge production. As Lazzarato explains:

'Knowledge escapes the logic of rarity and economic measure for two basic reasons. Firstly, it is the production of a form of co-operation which is independent and autonomous from the division of labour. Collective linguistic patterns, communities of scholars, and of the sensitive, as well as public opinion result ontologically and historically from the action of assembled brains and not from the socialization of business and the market. Language, art, science, public opinion and affects all presuppose a common agency, which cannot be described by the logic of material production, as well as a form of co-ordination, which cannot be reduced to the market. Language, art, science, public opinion, affects are collective goods, indivisible and infinite, and consequently their measure can only be determined within the immanence of a collective agency, which, as we know, breaks down the alternative between the individual and the collective.'<sup>11</sup>

Thus for Tarde, knowledge production – including, explicitly, art production – is a collective endeavour. Any consumption of knowledge is, at one and the same time, production of new knowledge – an agreeably growth-yielding dialectic. Knowledge, Tarde believed rather optimistically, could never be reduced to a commodity and appropriated for the sole use of some owner. 'It can, rigorously speaking, be neither lent nor exchanged, since whoever possesses it does not give it up by communicating it to someone else. There is an act of emanation, and not alienation. It cannot be given, nor can it be stolen, for the same reason.'<sup>12</sup>

But how does this sit with the proliferating privatization of knowledge? What could possibly prevent the exclusive appropriation of intellectual property in a knowledge-based capitalist economy? Tarde's answer is simple: 'Basically, because that would imply the non-existence of an essential function of our mind: memory.'<sup>13</sup> On the social level, memory functions as a synonym of imitation. In other words, teaching someone something – disseminating knowledge – by no means requires that one forget or relinquish anything one knows, in order to concede it to the other party, as is the case in the exchange of commodities. Not only is memory not alienated in its various embodiments (books, films, exhibitions, but also in concepts and so on), but it musters them to augment its powers of differentiation. Once the genie is out of the bottle, there is no putting it back in. This simple argument is appealing because it underscores the ontological difference between knowledge objectified in a product and knowledge-production as an inherently collective and expanding process based on invention and imitation.

Tarde's confident assertions notwithstanding, it is difficult to see what could stop capitalism, impelled by the need for accumulation, from imposing an objective mode of co-ordination (market), regulation (intellectual property law) and organization (based on private property), and privatizing all new configurations of language, perhaps even neologisms, source codes for software, and so on, despite their co-operative makeup. Not in order to withhold them from public use, but on the contrary, to generate income from their use: to rent out knowledge, perhaps even words, on a pay-per-use basis. There is an interesting ongoing legal battle in Germany involving an online knowledge-production initiative, known as textz.com. As the collective's rather Tardian motto suggests – 'We are the & in Copy & Paste' – its purpose is to make freely available, in the common space of the Internet, texts of philosophical and literary interest, including the works of Kafka, Benjamin and Adorno. The group explicitly invites any like-minded people ('all you need is a \$50 scanner') to imitate their example. In keeping with the reasoning that disseminating knowledge deprives no one else of it, the collective posted two texts by Adorno – an act for which they were served notice by a bailiff that the Hamburg Foundation for the Advancement of Science and Culture was suing them for copyright infringement, and had obtained a preliminary injunction against them for 'damages' incurred through their illegally distributing works over which it held copyright. The law in this case is unambiguous: textz.com is in the wrong, and must either pay up or see its legal titleholder

face a sentence of up to two years in jail. The open letter addressed to the Foundation's director is worth quoting at some length – quite in keeping with the spirit of textz.com – because it is a strong statement of epistemic sovereignty in the face of legal fiction:

Threatening jail time for copying Adorno: that's where you have crossed the line that separates ordinary copyright cases from extraordinary tales of copyright madness... . As 'intellectual proprietor' of Theodor W. Adorno and Walter Benjamin, you should be aware of the power that still emanates from their works: a negative, dialectical, weak and historical power that stretches far beyond the reach of any court of law, and that is impossible to contain in any of your archives. 'Intellectually', Adorno and Benjamin will always escape becoming commodities, and their works, even in the form of the private property they have become, have a peculiar tendency to vanish the very moment you try to get hold of them.

The question of 'intellectual property' is not about whether the producers of creative works should be denied their right to material reproduction through their creative work... . The question of 'intellectual property' is about when it will finally be acknowledged that people have a universal right to the reappropriation of the means of production, that creative works – however privatized and commodified they may have become – are such a means of production, and their reproduction is a fundamental and fully legitimate form of knowledge production itself.

Even confronted with ... the state of permanent emergency and institutionalized panic that is the 'war against piracy', people have never ceased to copy, paste, modify, save, upload, download, print and share digital data. In the case of 'intellectual property', the power of the factual exceeds by far the power of the law. People are perfectly aware of the historical fact that no law is ever just given. Law is created through factual struggle, and is eroded through factual struggle. Thus, the critique of 'intellectual property' cannot remain individual, sporadic and theoretical – it has to become swarming, massively parallel and practical.

We are glad to announce that, effective today, every single work by Adorno and Benjamin that you claim as your 'intellectual property' has become part of the very public domain that had granted you these copyrights in the first place. Of course they will not be available instantly, and of course we will not publish them ourselves – but you can take our word that they will be out, in countless locations and formats, and that not even a legion of lawyers will manage to get them back. <sup>14</sup>

## Diggers All!

Though comparatively less serious than other legal battles around intellectual property (such as the WTO's insane demand that India conform to international law and pass legislation curtailing the production and export of affordable anti-retroviral drugs used to treat HIV), this issue is of interest because of its symbolic importance involving the works of the leading figure of the Frankfurt School. The issue is not about politicizing knowledge but about producing the political as knowledge. There are many examples of this kind, but among their common historical and intellectual antecedents is a somewhat forgotten moment in radical political history – one which was fundamental to the genealogy of all libertarian thought and practice with an emphasis on egalitarianism – that is, those movements in seventeenth-century England, at the time of the English revolution, ruthlessly crushed by Cromwell, but whose reputation has never ceased to inspire radicals, not least of all because of the groups' action-provoking names: the Levellers and the Diggers. The Levellers were formed first as a mass movement of anti-enclosure activists, generally acknowledged to be the first political group organized on principles of democratic self-government. The Diggers emerged several years later, calling themselves the 'True Levellers', their key demand being the 'free allowance to dig and labour the Commons'. Declaring the earth 'a common treasury', their spokesman, Gerrard Winstanley went further than the Levellers had dared, writing up a practical manifesto entitled *The True Levellers' Standard Advanced*. What gave the movement popular momentum was the widespread rural poverty and dispossession, as the gentry shored up its power and regulated land use by erecting enclosures on what had hitherto been common land. As Winstanley put it:

The earth was not made purposely for you, to be Lords of it, and we to be your Slaves, Servants, and Beggars; but it was made to be a common Livelihood to all, without respect of persons: And that your buying and selling of Land, and the Fruits of it, one to another, is The Cursed thing, and was brought in by War ... <sup>15</sup>

In 1649, forty or so Diggers and their families occupied a small area of common land at St. George's Hill, Surrey, and began to dig and cultivate it with vegetables. Their numbers more than doubled over the course of the year, but their activities did not go unnoticed by the local gentry, rival claimants to the common lands, who notified the Council of State that the Diggers 'had invited all to come in and help them, and promise them meat, drink, and clothes', and that the Diggers claimed that their number would be several thousand within ten days. 'It is feared they have some design in mind.' Indeed they had, though it was not to materialize. The Council of State explained the situation to Lord Fairfax, lord general of the army, along with a dispatch stating:

By the narrative enclosed your Lordship will be informed of what hath been made to this Council of a disorderly and tumultuous sort of people assembling themselves together not far from Oatlands, at a place called St. George's Hill; and although the pretence of their being there by them avowed may seem very ridiculous, *yet that conflux of people may be a beginning whence things of a great and more dangerous consequence may grow*.

Hectored by legal action and violence, by 1650 the Digger colony was dispersed – but like all socially useful inventions, it has been the object of ongoing, differentiating imitation. The movement was historically significant because it was the contemporaneous counterpoint to the possessive individualism as expressed in the political liberalism of Hobbes and Locke. And of course today, the Diggers' insistence on reclaiming the Commons has particularly acute relevance as initiatives such as the Creative Commons, CopyLeft dig in the knowledge commons. In researching this essay, I came across an artist collective called 'Nomoola', based in Hawaii, that among other projects, carried out an explicitly Digger-inspired initiative called 'Eating in Public'. <sup>16</sup> The group planted twenty papaya seedlings on public land – 'public' land, not 'common' land. As they explain, 'in

doing so, we broke the existing laws of the state that delineate this space as “public” and thereby set the terms for its use. Our act has two major purposes: one is to grow and share food; the other is to problematize the concept of “public” within public space.’ In a scrupulously well-documented and lively narrative, the group describes the challenges to their attempts at ‘commoning’ in a society where every legal provision has been made to prevent it. The papaya trees were eventually uprooted before they bore fruit, and the land fenced off. The group has subsequently shifted its strategy to another commons: the Internet, where they have set up FreeBay ([www.nomoola.com](http://www.nomoola.com)), an on-line service something like eBay, with the notable exception that everything is free – including papaya seedlings ...

### **Wittgenstein’s ‘No-Ownership Theory’**

In his own way, Ludwig Wittgenstein was something of a philosophical digger – though it seems strange to say so of such a socially awkward and solitary man, whose political sympathies were apparently staunchly Stalinist. But consider his lifelong opposition to the widespread use of the metaphor of ‘ownership’ in philosophical thought. From Descartes on, the political philosophy that accompanied the historical rise of the bourgeoisie made possessive individualism the very essence of freedom, human relations and the constitutive dynamic of society: the individual is free because he is the owner of his self and his actions, freeing him from dependency on the will of others; his freedom is based upon his possessions. This remains the mainstay of neoliberal ideology. Somewhat surprisingly, we find something akin to it in the philosophy of Bertrand Russell, for whom the ideal language of knowledge would necessarily be a *private language*.<sup>17</sup> It is of course not by chance that Wittgenstein was decidedly opposed to both the notion of an ideal language and that of a private language, for the dream of a private language is invariably based on the fact that it would enjoy a more direct, sincere and close correspondence to reality than common language. This was anathema to Wittgenstein’s user-based theory of language, which had no use for privileged knowledge, invariably based on the conventional distinction between immediate knowledge (Descartes’ ‘intuition’, Russell’s ‘knowledge by acquaintance’) and indirect, use-inferred knowledge. Wittgenstein definitively debunked the tenacious philosophical myth according to which there exists some sort of immediate ‘knowledge’ of our sensations, impressions and operations of our mind – a form of knowledge to which we are ‘privy’; a private, privileged form of knowledge both in the sense that we alone possess it to the exclusion of all others and in the sense that it constitutes the paradigm and basis for all other knowledge. Insofar as it constitutes ‘knowledge’ at all, Wittgenstein argued, it is something that is necessarily mediatized by the public use of language. For Wittgenstein’s refutation of a private language is disarmingly simple: how, in that case, could I possibly know what I mean?<sup>18</sup>

Prior to his user-grounded philosophy, in the early 1930s, Wittgenstein had considered other ways of refuting Cartesian dualism, including what Peter Strawson called his ‘no-ownership theory’ of the subject. Anticipating post-structuralism by a half century, Wittgenstein argued that knowledge production was, logically speaking, a completely anonymous activity: no one owned their thoughts any more than they owned the language that mediated them. As one of his students noted, Wittgenstein was in the habit of quoting with approval Lichtenberg’s remark that ‘Instead of saying “I think”, we should say “It thinks” (“it” being used the way it is in “It’s raining”).’<sup>19</sup> So who ‘owns’ thoughts if not the subject who articulates them? Does it not follow that they somehow circulate in an entirely informal collective trust?

### **Epistemological Collaboration, Collaborative Epistemologies**

Invention requires a language – it can only take place against the relative stability of a

given syntax, grammar and vocabulary. Thus, because no inventor invents his or her own language, but merely brings about a (infinitesimal) transgression in the existent language, he or she is (at best) co-author of any innovation. Gabriel Tarde felt it was impossible to oppose the collective to the singular, the society to the individual, arguing that the singular is the collective *in petto* – that is, organized in keeping with the same multiplicity of relations – and the individual is ontologically inseparable from his or her social dimension. A human being is not a generically social being, but so to speak a society unto herself or himself. George Herbert Mead based his philosophy on a rather similar point. For Mead, identity formation occurs through the medium of linguistic communication, in a language which is always already there. And inasmuch as the subjectivity of one's own intentions, desires and feelings by no means eludes this medium, the agencies of the 'I' and the 'Me', or ego and superego, issue from the same process of socialization.<sup>20</sup> This is perhaps one of the keenest observations of twentieth-century social science, and Jürgen Habermas has placed it at the core of his theory of intersubjectivity. As he writes in his discussion of Mead, 'individuality is a socially produced phenomenon that is a result of the socialization process itself ... [T]he process of socialization is at the same time one of individuation.'<sup>21</sup> Put another way, intersubjectivity is not constituted by previously constituted subjectivities; it precedes subjectivity and constitutes its condition of possibility. We learn to speak a common language which predates us and which, whatever modest impact we may have upon it, is destined to outlive us. We are what we are in that language by observing how others interact with us and adjusting our relationship accordingly. In order to understand what someone means, I have to be familiar with the context-related conditions of validity of what they have said – and where could I possibly obtain such knowledge if not from the experience of the context itself? This, as we have seen, is Wittgenstein's central insight and the starting point for his use-theory of knowledge: I can understand the meaning of communicative acts only because they are embedded in contexts of action oriented to reaching understanding.

The embedded dynamics of understanding is the material that PUKAR (Partners for Urban Knowledge, Action and Research), a Mumbai-based, citizen-driven knowledge production network, has chosen to work with. The group is made up of researchers, artists and documentary filmmakers anxious to deploy their competence outside the constraints of academic institutions – whose methodologies and priorities are inevitably tied to funding structures like the World Bank – in order to look at research as a more democratic knowledge-production practice. The group engages in what might be described as *cognitive ecology*: 'There is a genuine crisis in the way in which knowledge is being produced,' says co-director Rahul Srivastava. 'The minute you begin to look at knowledge as a discrete category, it becomes important to contextualize. We need expert knowledge and conceptual tools, for concepts are useful fictions; but somehow we overlook their fictional quality. Knowledge is always grounded in a particular context and form of life. Many of PUKAR's projects concern the everyday negotiation of difference through translation in Mumbai's public sphere. Language is chock-full of embedded, pre-reflexive cultural knowledge, *common knowledge*, and we are interested in how Mumbai assembles its nine or so linguistic selves in going about its daily business.'<sup>22</sup> One might say that the group's collaborative epistemology is based on knowledge as a cluster concept – perhaps in the image of urban space itself. The films, workshops and sound projects the group has produced on 'street cosmopolitanism' are compelling – and urgent in the light of the explosion of inter-communal violence in the city several years ago.

But what is knowledge? And what is *common knowledge*? Part of the problem is that we speak of knowledge as if we could 'know' what it is removed from the realities of its producers; as if it were some sort of discrete essence or phenomenon that could be cordoned off from other competing activities like emotion, feeling, belief, and so on. But knowledge is never removed from the pragmatics of context, always already skewed by inequality, which makes knowledge a form of power, and conceptual knowledge often a

form of symbolic violence. All too often, what passes for knowledge actually ends up hindering or even thwarting genuine cognitive production by creating barriers to broader epistemological collaboration. Above all, though, as we have seen, knowledge production is not, and cannot be, a solitary activity. Wittgenstein's famous refutation of the idea of a private language also holds for knowledge as such, which is the very product of what Gabriel Tarde called 'intercerebral co-operation'. In our era so hell-bent on the privatization of knowledge, the harnessing of creativity, the instrumentalization of autonomy all in the name of producing consumerist subjectivity, this is a political issue. For either we accept that knowledge is collective, or we lose it altogether. Commodified knowledge is not really knowledge at all, any more than a strategic friendship is a friendship.

And what about art, is it knowledge? Most people would agree that art has a cognitive dimension, or that it can produce knowledge, but many would shy away from asserting that art actually is a form of knowledge. Art, too, is an experimental form of intercerebral co-operation, and it is explicitly and symbolically so in the case of collective production, when artists accept to work together. It is even more manifestly the case when artists collaborate outside of the framework of art, beyond the legitimating borders of the institutional art world, which partition art off from what analytical philosophers rather insolently call 'the mere real thing'. For in those cases, art must abandon its conventional pretences and get involved in working to produce knowledge. Autonomous knowledge production initiatives are cropping up in virtually every big city. PUKAR is one among several in Mumbai. In Buenos Aires, one finds the Mesa de Escrachas, in which the artist collectives such as the Grupo de Arte Callejero, Grupo Etcetera and the Taller Popular de Serigrafia are actively involved.<sup>23</sup> The Universite Tangente founded by Bureau d'études in Paris is another.<sup>24</sup> But the academic overtones of 'university' are misleading, because the type of knowledge at issue is not academic, and is unconstrained by academic protocol, compromise, methodology and hierarchy. When one actually looks at the forms of knowledge being generated, one realizes the extent to which cognitive emotion and experimental epistemology is inherent to this kind of initiative. In some way, these deep-digging knowledge-producing initiatives stand in relation to the mainstream art world the way the Diggers did to nascent possessive individualism. Do the Diggers' demands for the abolition of monopolies and great landowners – of Private Enclosure, Wealth and Privilege, as Winstanley starkly put it – not resonate in contemporary demands for limits upon media concentration, surveillance technology and impunity for the happy few? The digging continues.

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## Footnotes

1. See [http://www.diggers.org/english\\_diggers.htm#leve](http://www.diggers.org/english_diggers.htm#leve).
2. See their impromptu interview with U2 frontman The Edge on their website <http://www.negativland.com/edge.html>.
3. Kembrew McLeod, 'How Copyright Law Changed Hip Hop. An Interview with Public Enemy's Chuck D and Hank Shocklee', [http://www.stayfreemagazine.org/archives/20/public\\_enemy.html](http://www.stayfreemagazine.org/archives/20/public_enemy.html).
4. Pierre Papon, *Le Temps des ruptures* (Paris: Fayard, 2004).
5. Bernard Edelman, *L'Adieu aux arts* (Paris: Aubier, 2001), 70.
6. Maurizio Lazzarato, *Puissances de l'invention* (Paris: Les Empêcheurs de penser en rond, 2002), 128.
7. Gabriel Tarde, *Les Lois de l'imitation* (Paris: Les Empêcheurs de penser en rond, 2001), 128.
8. missing
9. 'An invention which is not distributed, which is not imitated, has no value whatsoever.' Lazzarato, op. cit. (note 6), 42.
10. Ibid., 22; 19.
11. Ibid., 149.
12. Gabriel Tarde, *Psychologie économique* (Paris: Le Empêcheurs de penser en rond, 2002), 379.
13. Ibid., 292.
14. [http://textz.com/adorno/open\\_letter.txt](http://textz.com/adorno/open_letter.txt). The full statement is available on the group's website – as are, of course, all the other texts which they have thoughtfully put there. The interview published by the *Tageszeitung* with the Institute's director is a bracing example of elitist betrayal of enlightenment values. <http://www.taz.de/pt/2004/03/04/a0172.nf/text>.
15. The manifesto, and other Digger pamphlets by Winstanley, are available online: <http://www.tlio.demon.co.uk/diggers.htm#True>.
16. See <http://www.nomoola.com/diggers/index.html>.
17. 'A logically perfect language ... would be to a very great extent the private property of a single speaker.' Bertrand Russell, *Logic and Knowledge, Essays 1901-1950* (London: Allen & Unwin, 1956), 198.
18. For more on Wittgenstein's deconstruction of philosophy's private dreams, see Jacques Bouveresse, *Le Mythe de l'intériorité* (Paris: Minuit, 1987).
19. G. E. Moore, *Philosophical Papers* (London: Allen & Unwin, 1959), 309.
20. See George Herbert Mead, *Mind, Self, and Society* (Chicago: University of Chicago Press, 1962), 175 ff.
21. Jürgen Habermas, *The Theory of Communicative Action*, vol. 2, trans. Thomas McCarthy (Boston : Beacon Press, 1989), 58.
22. Interview with the author, Mumbai, 15 February 2005. See the PUKAR website: [www.pukar.org.in](http://www.pukar.org.in)
23. An *escrache* is a sort of collective performance, drawing attention to the ongoing presence in Buenos Aires' residential neighbourhoods of those who, in one capacity or another, took part in the murderous activities of the military government between 1976 and 1983. These actions, where the production of memory and knowledge is inseparable from the production of form, seek to constitute a sort of social memory and a popular understanding at the neighbourhood level of how the dictatorship actually functioned, so as to prevent its re-emergence. For a more in-depth discussion, see my 'The Delicate Essence of Artistic Collaboration', in *Third Text*, no. 71, November 2004.
24. See <http://utangente.free.fr/>.

## Tags

Capitalism, Commons, Public Domain

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