

## F for Fake: fate and free-will – responsibility and competence

*I did promise that for one hour, I'd tell you only the truth.  
 That hour, ladies and gentlemen, is over. For the past  
 seventeen minutes, I've been lying my head off.*

Orson Welles

In the acoustic world, *destiny* is sovereign.  
 In the visual world, its place is taken by *free will*.

Only with *free will* the figure of *sin* can  
 exist.

In the oral universe, when someone kills  
 another person, or when someone suffers an

attack, even if there will be place for punishment, it was Nature – or God – what produced the event, above all and any possible judgment, being a thing totally out of personal control. But, when someone pertaining to the literary world kills another person, he is the isolated and absolute responsible, without attenuants.

This approach of flagrant conflict between *destiny*, or the sense of *pure causality*, and *free will* has been the motor of warm debates since the oldest times.

When *free will* exists there is also – in logical, or esthetical terms – a kind of *structure in perspective*, with the agent revealed as *vanishing point* of a strongly hierarchical system. This is the fundamental nature of the *systasis*, of vision.

Such *structure in perspective* is the responsible for our senses of merit and professionalism.

When we move the intensification of use to





The person to be educated is someone that must be corrected accordingly to norms established by a large average.

Only two centuries before, individual responsibility and independence of thought were two of the central elements in Thomas Jefferson’s ideas, a declared sympathizing of French Revolution.

That approach according to which reality is structured with the sovereignty of the individual would lead Jefferson to affirm that «the legitimate powers of government extend to such acts as are only injurious to others. But it does me no injury for my neighbor to say there are twenty gods, or no God. It neither picks my pocket nor breaks my leg» – an argument that would have been chocking a few centuries before and, probably, a few centuries later.

Emanuel Kant, Jefferson’s contemporary, did not hesitate to affirm in his famous essay

*Fundamental Principles of the Metaphysics of Morals* that «duty is the necessity of acting from respect for the law» – a single and stable law, facing to which all citizens are *equal particles*.

These principles of individual's sovereignty were the pillars of what it would be called the *medium class*.

*Medium class'* universe, which is literary par excellence, was the world of competences. Everything turned around the aspiration to a competence, to a *profession*.

Like what happens in the social structure of non-visual cultures, where the value is established after the relationships and not as result of an action, the low power reality is, par excellence, that of the privileges and “churches”, closed groups of interests and relations of obligation, in most cases informal in their nature. Because of this, it became increasingly difficult to find non-fiction books written by people who are not tied to any academic

organization. It has become increasingly difficult the existence of the independent individual.

Competence implicates independence within a framework of interdependence. Who knew a communist regime knows that one of the most obvious of its traces is the lack of personal responsibility – everything working in a chain of relationships.

The reality of low power society, profoundly plunged into low cost consumption and entertainment, is that of *incompetence*.

For Jean-Marc Vittori, «what ends with the middle classes is a new industrial revolution. Machine has dramatically increased the efficiency of those who knew nothing. It gave advantage to the arms. Instead, information technology gives advantage to the brain. The computer and the Internet do not bring anything to those who cannot read».

There is a new revolution, but no more with an industrial nature. In fact, computers and the Internet bring nothing to those who cannot read in absolute terms. But there are several levels of mastery of language. It is not necessary to have much competence on verbal language to operate a computer or surf on the Internet. Platforms and programs are friendly and facilitate the entire process.

And in last instance, everything is to “use the brain”. The most interesting is to know what kind of use we are dealing with.

The word *competence* has its ancient etymological root in the Indo European *\*pet*, which indicated the idea of *creative impulse*, of *energy to do things*, and from that we have our word *impetus*.

*Any impulse to do things implicates change.*

But in similar way to what happened in



medieval times, *change* passed to be considered, in the passage to the third millennium, as a dangerous thing, as something against the flux of continuous consumption. Even if in such universe everything is apparent change all time, when we only have change, nothing is in fact change.

This is one of the indicators par excellence of the universe of superficiality generated by television and by total entertainment.

It is a universe inside which an *elite* no longer can exist. Thus, all references to any kind of *elite* became cursed.

The old medium class' universe is the world of elites. But, in the low power society's world, even those who consider themselves part of some *elite* have few or no relation at all with the old *elites*.

The reality of the old medium class established *elites* in the most diverse dominions.

In any one of them, such condition implicated a specialized knowledge that was inaccessible to the majority of people.

It could exist a cultural, a political or an industrial elite. But, with planetary hyper communication systems the whole knowledge passed to be accessible to everyone. On the other hand, the fast rotation of jobs practically eliminated the old figure of the *connoisseur*.

The word *elite* appears from the Indo European *\*leg*, which indicated the idea of *choosing* and also of *similarity*. It is about what is separated as a similar thing, as a characteristic example of an ensemble of things – from that, yet, our word *selection*.

From that same root we also have the word *election*.

In ancient Rome, the classical Latin formula *eligere* became the popular *exlegere*, which

indicated the idea of *elite* – people naturally choose for “out”. That is, people who were naturally detached as those who joined more qualities of their group.

Curiously, the old Indo European expression \**leg* also produced the French word *lire*, the Italian *legere*, and both in Portuguese and Spanish *ler*, all meaning *to read*. And *to read* – to detach things from an environment – is directly related to the emergence of the sense of *elite*.

In low power society, the universe of literature gives place to electronic media linear flux, quickly condemning any kind of *elite*.

The senses of *elite*, of *competence* as well as of *responsibility* are subjacent to Jefferson’s and Kant’s ideas.

The word *responsibility* starts in the Indo European \**spond* that indicated the *act to make a libation*, to produce a ritual with religious and

sacred character. From that meaning we have the word *response*, which passed from the ancient Indo European to the Latin expressions *sponsus* and *spondere*, indicating a kind of *return* or *justification* facing to a sacred act.

The expression *responsibility* would appear only in the 12<sup>th</sup> century, almost one century after the beginning of the production of paper in Europe, meaning, in its beginning, a compromise with a religious act – as if it would be revealing the previous medium as content.

It would be only in the 18<sup>th</sup> century, climax of *Enlightenment*, immersed in a profound expansion of the literary and visual culture, that the word *irresponsibility* would appear to designate the individual who does not accomplish with his duties.

But, what is the sense of obligation, of *responsibility*, in a universe where good part of people systematically changes their jobs and

functions with the only objective to enlarge their spectrum of consumption and entertainment? Or still, inside a universe where uncertainty is proportional to credit, obliging to an elasticity of functions to survive and to keep the debit under reasonable levels?

On the other side, the sacred – being contrary to the stereotype – implicates discovery, the main sense of *Enlightenment*.

A world of continuous entertainment is formed by great averages, stereotypes in an abyssal quantity, pulverizing the entire system in clouds of tendencies where the sacred is permanently disintegrated through multiple and parallel circuits of sales and consumption.

Thus, we dive inside a universe of *irresponsible* and *incompetents*, spread out a little everywhere, from governments to business people, from those who have as general function the public relation to people directly engaged on education – inside a

complex universe where success is a statistical data, a data of general tendency, like consumption.

In September 2002, Maher Arar, a Canadian born in Syria, engineer of digital programming, was arrested by the American authorities at the JFK international airport in New York due to false information provided by the Royal Canadian Mounted Police. After two weeks stuck in solitary confinement in the United States, without right to counsel, he was not deported to his country of citizenship and residence, Canada, but to Syria, where he was born! Arar was imprisoned under torture in Syria for almost one year.

Canadian authorities conducted a survey showing that Arar was innocent, that the information given to the United States was unfounded and that he had been severely tortured in Syria, they acknowledged the terrible mistake and paid him compensation.

Moreover, the United States never



Later, already in the 1960s and 1970s, with *kaizen* and *kanban* in Japan, the path was inverted, aiming to eliminate small errors and improving quality.

But such tendency to high quality, very specific in Japan, would not characterize the base of the future low power society.

Again, it is important to reinforce that it is not about to make judgments of value, classifying such situation as good or bad, right or wrong, as well as it is not about to establish an absolute picture, but yes general tendencies.

In this wave of transformations, the relationship of the human being with the death also seems to have radically changed.

In the medieval period it was common for all to participate in the death of a person, like a kind of spectacle watched even by children. Only in the 18<sup>th</sup> century the first pictorial representations of



rooms of moribund people without the presence of children would appear.

Even so, as Philippe Ariès showed, «among instructed classes, the ritual solemnity of death on bed took a dramatic expression after the end of the Middle Age, an emotional charge that did not exist before».

During the first millennium, death was taken as a mysterious sleep and not as a dramatic separation of body and soul. It was taken as a kind of *apoptosis*, of natural process, and not *necrosis*, as it would pass to be considered in the next centuries. Thus, it did not exist yet the drama that would characterize the world after the High Middle Age.

After the 12<sup>th</sup> century, with the beginning of the production of paper in Europe, gradually, people started to divide body and soul, taking them as two independent departments that are separated after death.

But it would be only after the 15<sup>th</sup> century, after Gutenberg and a high intensification of the specialized use of vision, that people would pass to believe that each one see again his entire life, like a *movie*, in fast and absorbing sequence of *images*, in the moment of death.

And it would be only in the end of the 19<sup>th</sup> century, with the appearance of photography, telephone, telegraph and radio, that death would pass to be assumed as maximum horror by the Western world – and, quickly, pictorial representations of death practically disappeared, becoming taboo and signal of disrespect to take pictures of a dead person, if he was not an important public figure or the picture have journalistic character.

In the first half of the 20<sup>th</sup> century, Philippe Ariès and Geoffrey Gorer alerted to the fact that the theme of death, as a horror scene, had substituted sex in the quotidian talks in post war Europe.

But, in the passage to the third millennium, death and sex became not only recurrent themes in daily life talks as well as movies, television programs, journalistic reports and so on.

On the other hand, an increasing number of people passed to wish no more witness death. In hospitals, special sections passed to reserve to the moribund an antiseptic place far from any human presence. A protection against the sights of who are no doctors or nurses.

More and more, in diverse parts of the world, principally among youngest, people passed to prefer not see the dead in the funerals.

In the United States, a true industry of cosmetics to give dead the appearance of alive emerged, disguising the event of death that already was a strong taboo.

Researches showed that great part of



first time in its history a Law of Author's Rights in September 7, 1990, in the ambit of the *15<sup>th</sup> Meeting of the Communist Party Committee at the Seventh National Congress of the People*. But, twelve years later, in April 25, 2002, the American television network *CNN* announced that the director of the *U.S. Patent and Trademark Office* had firmly criticized the Chinese government for its complete inaction in relation to the continuous and systematic theft of intellectual property in the country: «Yet despite *WTO – World Trade Organization* commitments, there is little evidence of any prosecutions of Chinese citizens for criminal copyright theft. Even Deng Xiaoping's daughter had her biography of her father pirated by the Chinese press». In that year, China was responsible for 49% of the pirate products apprehended by American authorities.

According to Robert Reich, China was responsible for a production of more than seventy five million fake audio compact discs every year, in 1994.

Even food passed to be faked. «Counterfeit brand foods are a major problem for consumers, but also for the food industry in general», alerted Ezzeddine Boutrif, Chief of the *Food Quality and Standards Service* at the *FAO Food and Agriculture Organization* of the United Nations.

In April 2007, in a case that quickly took paragons in newspapers all over the world, a Chinese court condemned *Yahoo*, in a process of copyrights moved by companies associated to the *International Federation of the Phonographic Industry*.

In that same month the United States formally accused India, China and Russia, beyond other countries, to not be able to combat the counterfeit of American products in the areas of pharmaceutical industry, movies, software and other materials protected by copyright.

But this is not an exclusive problem of China,

India or African countries – it is about an essentially esthetical question, of mind structuring, of logics.

It is a phenomenon present everywhere in a reality forged by free real times telecommunication networks of networks.

The value of authorship represented, along centuries, an essential thing to the called *Western culture* – but, surely, it did not happen in the same way in the Arab, African and Asiatic countries that, beyond to represent a larger part of the world, passed to integrate the planetary fabric of low power society.

Thus, the *Digital Music Report* of the *International Federation of the Phonographic Industry* announced in 2008 an increase of digital music sales – made in Internet – of around 40% between 2006 and 2007, passing to represent 15% of the world market.

In that year, John Kennedy, chairman

and CEO of that powerful Federation, accused: «Copyright theft has been allowed to run rampant on [ISP] networks under the guise of technological advancement. Some estimates say no less than 80% of all Internet traffic comprises copyright-infringing files on peer-to-peer networks».

The *International Federation of the Phonographic Industry* alerted yet for the fact that musical industry sales had decreased more than 22% all over the world between 1998 and 2003.

It was estimated that in the first five years of the 20<sup>th</sup> century the number of pirate music in free transit in Internet increased from one million to more than one billion – number that never stopped to increase.

It was estimated, in 2005, that more than one million movies were illegally available in Internet, with more than five hundred thousand downloads per day.



In that same year, Russia already exported pirate audio compact discs to more than twenty-six countries.

In China, also in 2005, 90% of the music recordings sold were pirated. In some African and Latin American countries that number reaches 100%!

In a report on digital music, dated of 2008, that same Federation declared that «widespread copyright theft continues to be the most significant barrier to the development of a legitimate digital music business. The mass availability of unauthorized, unpaid-for music has also caused major damage to CD sales», and announced profound transformations in the sector: «A revolution is happening in the way consumers obtain and pay for music and the music business is transforming itself for a new environment. Record labels are proactively reinventing themselves, moving away from a “record-centric” model and diversifying their revenue streams across a much

broader range of products and platforms. A release from an artist today may appear in dozens, sometimes hundreds, of different products. Consumers have more choice than ever as to how they want to connect to and experience the music from their favorite artist – they can buy a download, a CD, wallpaper for their mobile phone, a mastertone, an e-ticket, a music video, become their friend on a social network or sign up to a subscription service. In many cases consumers will choose various products and acquire these on many different platforms».

Curiously, that report from the *International Federation of the Phonographic Industry* about digital music, with twenty-eight pages, has only one reference to the called *classical music* and no one to *experimental contemporary music*, revealing how the world of low power society became completely absorbed by continuous entertainment of low repertoire.

Until 2006, only four big groups controlled

85% of the distribution of popular music all over the world. The fifteen largest audiovisual groups controlled more than 60% of the sector. And the seven biggest cinematographic companies dominated more than 80% of the world market.

In Japan, in 2008, the consumption of musical pieces listened in mobile phones already represented more than 40% of the total market of digital music.

But, despite the efforts, pirate actions did not stop to develop. In 2008 it was estimated that only in Mexico and Brazil the number of downloads of illegal files of music was almost five billion. In Japan, the quantity of downloads of illegal files of music turned around four hundred million.

Surveys indicated that 80% of the people who download illegal files did not have any feeling of guilty.

In 2007, the newspaper *The New York Times*



in Spain, the genial pop musician Manu Chao announced: «I will use my site in Internet as a radio station», and shot: «Today pirate actions are easy, a mass process and inevitable. We are attending to a true revolution. The big discography industries are in big difficulties, it is a little the end of the dinosaurs. Large companies are victims of their own law of market: everyone looks for what is less expensive, if not free. Some lose others win. And us, singers, must to find our place to be able to continue».

In June 2007 Peter Gabriel – for many the soul of the mythic rock music ensemble *Genesis* formed almost forty years before – launched the site *We7* with free music: «Here, music is paid by advertisement. *We7* will result because we will always have demand. *Internauts* want to listen to music, they only don't want to spend money».

Everything passed to be maximum consumption without expenses, only maximum absorption.

To attend to such metamorphosis, the *Creative Commons* appeared in Massachusetts in 2001, having its first project in December 2002. Formed by lawyers, artists and researchers, many of them from Harvard, its home page in 2008 announced: «*Creative Commons* provides free tools that let authors, scientists, artists, and educators easily mark their creative work with the freedoms they want it to carry. You can use CC to change your copyright terms from ‘All Rights Reserved’ to ‘Some Rights Reserved’. We’re a nonprofit organization. Everything we do – including the software we create – is free».

Its board included the cyberlaw and intellectual property experts James Boyle, Michael Carroll, Molly Shaffer Van Houweling and Lawrence Lessig; the *MIT* computer science professor Hal Abelson; the lawyer-turned-documentary filmmaker-turned-cyberlaw expert Eric Saltzman; the renowned documentary filmmaker Davis Guggenheim, movie director of Al Gore’s *An*

*Inconvenient Truth*; the Japanese entrepreneur Joi Ito; and the public domain web publisher Eric Eldred.

Not controlled by States, therefore out from the copyright governmental agencies, *Creative Commons* appeared as a new tool for the defense of copyrights, and quickly spread out all over the world.

On the other hand, Bill Gates would accuse *Creative Commons* to be a potential threat to the profits of sectors based on software research.

In 1996, John Perry Barlow – who four years before had co-created the *Electronic Frontier Foundation* – launched in Davos, Switzerland, his *Declaration of the Independence of Cyberspace*, where he stated: «Your (government) legal concepts of property, expression, identity, movement, and context do not apply to us (cyberspace users). They are based on matter, there is no matter here. Our identities have no bodies, so, unlike you, we

cannot obtain order by physical coercion».

In 1992, few days before die, John Cage told me: «The basic idea of capital changed. Now, money passed to mean *use* and no longer *property*».