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Copyright Madness

By Holger Kube Ventura & Sebastian Lütgert

Holger Kube Ventura talks to textz.com founder Sebastian Lütgert about intellectual property and the control society

Sebastian Lütgert, the owner and administrator of the online text archive Textz.com, has done more than most to demolish the respectability of 'the war on piracy'. This year he was arrested and fined €2,300 after being sued for Textz.com's publication of two texts by Adorno. The copyright holder's decision to employ such draconian measures to keep these renowned works of Marxian theory under lock and key could only leave them with egg on their institutional face. Here Lütgert looks beyond this localised case of copyright madness to the generalities of the control society which upholds it. An email interview by Holger Kube Ventura

HKV: Textz.com currently provides access to an archive of around 800 texts, mostly in English or German. It contains the essential works of media theory (for example Baudrillard, Benjamin, Godard, Kittler, Zizek), a lot of philosophy, social criticism and literature (e.g. Burroughs, Kafka, Proust, Poe, Garcia Marquez), as well as writings on pop culture and manifestos of the radical left. Empire, A Thousand Plateaux, The Satanic Verses and The Birth of Tragedy – it's a round-up of all the 'reference works' which have been topping the cultural science charts for years. Of course it is wonderful to be able to read and copy all these great works with a click of the mouse – but what kind of compilation are we dealing with here? The sum total of a lot of academic courses? Who puts the texts there, how are they selected and for what purpose?

SL: There are no explicit criteria for the selection of texts on Textz.com, and it is not its intention to propose a 'canon' with the sum total of these texts. I guess it is not concerned with individual texts, but rather with certain combinations: Kafka and Stallman, for example. These texts are usually stored and read in totally different departments. As a criterion, this approach would probably be called 'against separation'. Shouldn't the radical left be precisely reading 'in between the chairs' instead of working on the canon? Hardly anyone does this. Apart from that, there are also a few bestsellers; I think it is fine for Textz.com to be something like 'the guys who cracked Empire first'. Furthermore, everyone is invited to add something: no-one 'guides' this process, rather it follows the implicit meaning or assumptions of Textz.com.

HKV: In the site's statement of its concept – whose gesture reminds me of avant-garde manifestos and position papers of the political left – texts are described as 'executables', as something that can change a life. Is this potential already present in the combined 'reading-between-the-chairs', or does it only arise later, in the way Lyotard (who surprisingly is not represented in the archive) described it once: 'a text's potential: the transformation of these potential energies into something else: other texts, but also paintings, photos, filmic sequences, political action, decisions, erotic intuition, refusal to obey orders, economic initiatives'? (cited from *Dérive à Partir de Marx et Freud*, 1973) [– here translated from the German into English by translator]

SL: Yes, it is precisely what Lyotard describes here. And the statement's gesture reminds me of Marx, Engels, Deleuze, Guattari, Sun Microsystems, Bilwet, Johan Sjerpstra, Bruce Sterling, A.S. Ambulanz, Lou Reed, Ulrike Meinhof, Hitler, Bret Easton Ellis and Guy Debord. This concept is itself copied, collected and edited from many different places. This is why it gets a little too dense, and Lyotard naturally expresses 'executables' better. I will keep this in mind.

HKV: Side A of Textz.com, then, consists of ‘désirévolutions’. Does the B-Side relate to concrete political struggles? After all, it says in the ‘concept’ statement that intellectual property is piracy; a looting and a seizure of power over man, knowledge, and body. If Textz.com offers constructions of art and of knowledge for free, it not only ‘steals them back’, but exposes legislative order itself as an unnecessary construct. The texts are here! – without any rights, without money and without rule. Is Textz.com therefore also concerned to show the limits of the society of control and/or to uncover its vulnerability, or is this only a side effect?

SL: Websites are different from records in that they only have a front side (of course there is also a back side, but that would be the real environment, the social). On this one page it is first and foremost a matter of uncovering the limits of the societies of control; the texts might only be a side effect. It is about this seizure of power (probably not a good term since it bespeaks a pre-Foucauldian imagination). It is about this ‘war on piracy’, these rapacious, terroristic, totalitarian, but also inconsistent and contradictory attacks on people’s right to re-appropriate knowledge and body. And because this war is, among other things, also a test that repeatedly fails, we really can speak of the ‘limits of the societies of control’, even though it is still too early to concretely know about this.

HKV: You were recently threatened with fines and imprisonment, because the ‘owner’ of two texts by Adorno thought his copyright had been violated. Do you intend to provoke incidents like this or are such risks simply a by-product of being the ‘author’ of such an archive?

SL: No, I don’t really try to provoke this kind of thing. If I accept such risks then I do so not as author, but as ‘Admin-C’: simply because the domain is registered to my name.

HKV: Would you approve if someone was to copy Textz.com’s idea and entire archive, and then distribute it via another label? With such large-scale distribution and copying, wouldn’t the society of control be so overwhelmed that it could not keep up with its sanctions? But would this not require abandoning copyright, authorial distinction and in the final instance even all property?

SL: Yes, there are in fact a few people who mirror all of Textz.com – but without a label. The societies of control have no way of following these developments, they don’t even try any more. In the case of Textz.com, a consistent abandonment of copyright, authorship and property is more likely to lead to a withdrawal into anonymous file-sharing-networks (all the new texts on Textz.com tend to show up networks like this a few days after they were put up, even without my help). But Textz.com is of course also a five-letter dotcom, a logo and so forth and it does aim to be visible. This of course makes it identifiable.

HKV: The ‘Verwertungsgesellschaft Wort’ has existed in Germany since 1958 – today it represents around 260,000 authors and 6700 publishing houses. It acts as trustee with respect to copyright which individuals cannot deal with: it receives royalties from copy shops, universities etc., and pays the authors once a year (its 2001 turnover was 75 million euros). Do you think these kinds of proxy agencies have been superseded when it comes to rights? How should copyright and money ideally be connected?

SL: Something like a ‘Verwertungsgesellschaft Daten’ (for data) could be imagined, of course – i.e. institutions which distribute the money made from taxing the internet access of digital producers and circulators of data. In principle this might not be wrong, but discussions about how this should be put into practice make me feel sick. People who think of themselves as ‘net-civil-rights-activists’ are speculating over identifying authors of data through IDs or codes, which should be sent with every transmission. This is no less scary than ‘digital rights management’, it is in fact the precise same management. Furthermore the question about the ‘author’ of data – not only of texts, music, films, but also of disc images, e-mails, porn servers, bookmarks, cache-contents, coded whatever – is

increasingly idiotic. And many authors aren't even blessed with non-stop online access, bank account, legal action, biography etc. (all the things that homogenise European and North American authorial subjects). It is crazy and stupid to waste so much time asking how people can profit from the distribution of self-made immaterials, when the majority of people is excluded from the exchange of the most basic materials. So to answer your question: yes, it makes sense to call for the abolition of copyright while insisting that the main part of social production can no longer be conceptualised as (paid) work, but has long since taken place through much more autonomous forms of production, reproduction and distribution. So yes, of course: guaranteed income, Social Wage. We could start from there.

HKV: So let's start: to whom should Mute transfer the payment for the author of this text?

SL: I think it is okay for them to transfer the money to its authors (in this case, to you) – I certainly don't think that there is a need for some kind of intervention here. Maybe the 'content' should be paid, if it is a person. But the readers should also be paid for their productive, reproductive, whatever activity. Maybe it is time for Mute's readers to start a reader's union!

<http://www.textz.com>

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