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INFORMATION WANTS TO BE FREE (BUT IS EVERYWHERE IN CHAINS)

Each new stage of private property creates a new axis of class conflict. If there are two axes of class conflict, two kinds of ruling class, two kinds of labor, why not a third? The new ruling class I call the vectoralist class. As private property advances from land to capital to information, property itself becomes more abstract. The property question, the basis of class, becomes the question asked everywhere, of everything. The hacker class arises out of the transformation of information into property, in the form of intellectual property, including patents, trademarks, copyright, publicity rights, and the moral right of authors. There is an essential difference between the hacker class and the vectoralist class. The vectoralist class produces nothing new. The hacker class includes anyone who creates new information, in any media.

Second nature v. third nature

Jamie Kirschenbaum joined the image production department of Electronic Arts (EA), a leading computer game firm, in 2003. In 2004 he filed a class action lawsuit against the company for failure to pay overtime. He claims Electronic Arts has him working 65 hours a week or more, sometimes coming in six or seven days. Crunching − as this kind of labor is labeled − used to happen around deadline time. Now it happens all the time, he claims. Every time is crunch time.

Crunches were once followed by periods of time off. EA wound back this down time, which was never formally codified, to a token two weeks per project. Kirschenbaum reports that his own promised comp time disappeared altogether. At this point, he said, 'he would be glad to enjoy a Labor Day without laboring, or eat a Fourth of July spread at some place other than his cubicle, pleasures he has not enjoyed for two years' (Stross 2004). All this for a lousy $60,000 dollar a year. Sure, there are stock options, but it's not as if they are ever going to net you much. And sure, there's the free ice cream. There's even a laundry service. But basically these amenities are there to keep EA employees crunching.

Troy Stolle labors not for Electronic Arts, but in the world it has created – the massively multi-player game *Ultima Online*. In that world he is a blacksmith called Nils Hansen, as well as two other characters, an archer and a magician. He 'purchased' property and put up a house for his characters. To pay for it, he has to work in the game as a blacksmith, making imaginary swords and chain mail to sell to other players. Over and over, he has to sit at his computer, click on the hillsides to mine ore, click on the forge to turn the ore into ingots, click again to turn the ingots into weapons, then click on the hills all over again. It's probably not all that different to what Jamie Kirshenbaum does, and the hours are also pretty long, except that Troy Stolle pays for the privilege.

Stolle does not own the means of making digital artifacts. He is not a major stockholder in Electronic Arts. So he has to labor within *Ultima Online* as a blacksmith to pay for the necessities of digital life. To pay for the necessities of actual life, including his *Ultima Online* subscription, Stolle works as a carpenter. As Julian Dibbell (2003) writes, 'Take a moment now to pause, step back, and consider just what was going on here: every day, month after month, a man was coming home from a full day of bone-jarringly repetitive work with hammer and nails to put in a full night of finger-numbingly repetitive work with 'hammer' and 'anvil' – and paying $9.95 per month for the privilege. Ask Stolle to make sense of this, and he has a ready answer: 'Well, it's not work if you enjoy it'. Which, of course, begs the question: Why would anyone enjoy it?'

Here are two vignettes from the life and times of what I call third nature. If second nature is the collective production of a built environment that creates a partial freedom from necessity (Stolle the carpenter), third nature is the collective production of a communication environment that tries to overcome the new necessities imposed by the class relations of second nature (Kirschenbaum the animator). And yet third nature often seems to do nothing more than reproduce the characteristics of second nature in a more abstract and pervasive form. On the one hand, Kirschenbaum labors night and day so that Stolle might labor night and day, producing and reproducing a world in which communication reproduces nothing but endless work and endless scarcity.

In my book *A Hacker Manifesto*, I tried to create a theory adequate to the labor and everyday life of this third nature, where every social process within second nature is doubled by a communication process, which does more than represent second nature, it controls it. This is how *A Hacker Manifesto* begins: 'A double spooks the world, the double of abstraction. The fortunes of states and armies, companies and communities depend on it'. Generalized abstraction is the key property of third nature, its distinctive contribution to world history.

And yet third nature perpetuates, if in somewhat altered form, a very familiar refrain: 'All classes fear this relentless abstraction of the world, on which their fortunes yet depend. All classes but one: the hacker class. We are the hackers of abstraction. We produce new concepts, new perceptions, new sensations, hacked out of raw data. Whatever code we hack, be it programming language, poetic language, math or music, curves or colorings, we are the abstracters of new worlds. Whether we come to represent ourselves as researchers or authors, artists or biologists, chemists or musicians, philosophers or programmers, each of these subjectivities is but a fragment of a class still becoming, bit by bit, aware of itself as such' (Wark 2004, p. 002).

Disco Marxism

The language of A Hacker Manifesto is in some part recognizably Marxist, although it may not always be clear which part. Marx is everywhere again, a canonic figure, particularly in the English speaking world. But whenever he reappears now, it is usually as someone with an answer, a statement, rather than someone with a problem or a question. 'People would be ready to accept the return of Marx or the return to Marx on the condition that a silence is maintained about Marx's injunction not just to decipher but to act . . .' (Derrida 1994, p. 32). Here might be one of Marx's questions that is elided, the question of a practice. There may be others.

There are many 'spirits of Marx', all heterogeneous to each other. There is a French Marx, a German Marx, an Italian Marx. He mutates and adapts to specific historical environments. The Marx whose spirit I want to channel I think of as an English Marx. This is the Marx who is a reader of Locke, Hume, Smith, Ricardo and Mill. It is the Marx, in short, whose project is a critique of political economy, and for whom property is a central category of thought, and a useful one, given its liminal status between the cultural-political and the techno-economic realms.

This is a Marx, also, for whom the tension between the economic and the political is a key question. As Slavoj Zizek writes: 'what all of the French (or French oriented) theories of the Political, from Balibar through Rancière and Badiou to Laclau and Mouffe, aim at is . . . the reduction of the sphere of economy . . . to an 'ontic' sphere deprived of ontological dignity' (Zizek 2005, p. 75). This might be the next problem in Marx that is commonly elided: the question of the relation of the economic and the political. It is not enough to suggest, rightly enough, that the political cannot be reduced to the economic. The reverse also is true.

Political or 'French' Marxism, as Zizek calls it, may only amount to that French Marxism that the English read as an antidote to their home-grown Cultural Studies (Raymond Williams, Stuart Hall). However, it is not that far

removed from English cultural studies' Marxism in the way that it has gradually stepped away from the problem of the relation of economic to political spheres. Both together might be considered as what Simon Critchley cheekily calls Disco Marxism, which is 'an approach that abandons the socio-economic dimensions by reducing all experience to modes of discourse, a gesture that politicizes Marxism at the price of leaving capitalism unquestioned' (Critchley 2005, 5:4). What is odd about Disco Marxism is that by collapsing difference into discourse, all differences are rendered functionally equivalent. This move in turn sets the stage either for the return of the Jacobin notion of the people, or for articulations of class to differences of race, gender, and sexuality, where each is an equivalent – discursive – kind of difference.

Critchley suggests that 'one might talk of a multiplication of class actors in society, of society being made up by an increasingly complex fabric of class identifications, rendered even more intricate by other sets of identifications, whether gender, ethnicity, sexual orientation or whatever' (Critchley 2005: 5:3). I want to frame this slightly differently. Disco Marxism doesn't know how to think the possibility of different kinds of difference. It also has less and less that is interesting to say about class – and certainly nothing to say about the class location from which it is itself produced. If one takes one's eye off the techno-economic process, one quickly finds oneself dancing to a hypnotic but somewhat repetitive Disco beat, in which capitalism becomes a ubiquitous but somewhat featureless environment.

It might not be so much that there is a 'multiplication of class actors'. The transformations in the class system might be relatively straightforward to map. It might be that with the emergence of third nature, the techno-economic now works in such a way as to disperse the experience of class throughout its terrain. We are living through a transformation of second nature into third nature, generated by and generative of a new terrain of class conflict, one that, moreover, creates a new space of possibility for the production of a new kind of commodity economy, but which also creates the possibility for something other than the commodity economy.

Immaterial labor v. factored labor?

Outside of Disco Marxism one might look instead to a kind of 'Techno Marxism', in which the techno-economic figures strongly, but not as a pre-discursive realm to which the political can be reduced. I will briefly consider the writings of Michael Hardt and Antonio Negri (hereafter Negri) and also of Arthur Kroker and Michael Weinstein (hereafter Kroker), which draw on Italian and German flavors of Marx respectively, and which work outside the limits of the Disco beat.

Negri argues for a new concept of labor, based on transformations in what constitutes its leading form, what he calls 'immaterial labor': 'Labor that creates immaterial products, such as knowledge, information, communication, a relationship or an emotional response' (Hardt & Negri 2004, p. 108). While not disputing the relentless persistence of agricultural and manufacturing labor, Negri argues that immaterial labor is now 'hegemonic in qualitative terms'. This labor is flexible, mobile, often precarious. It respects no division between work and leisure. It absorbs what was once 'women's work' − the maintenance of affective relationships − into wage labor.

Immaterial labor is highly social. Rather than being organized by capital, immaterial labor organizes itself. The products of immaterial labor, moreover, are social and common. It produces not so much products as relations. The property that results is also immaterial and highly social. '. . . [E]xploitation under the hegemony of immaterial labor is no longer primarily the expropriation of value measured by individual or collective labor time but rather the capture of value that is produced by cooperative labor and that becomes increasingly common through its circulation in social networks. The central forms of productive cooperation are no longer created by the capitalist as part of the project to organize labor but rather emerge from the productive energies of labor itself' (Hardt & Negri 2004, p. 113).

For Negri, the social character of immaterial labor comes into contradiction with its private property form, 'immaterial property'. 'When communication is the basis of production, then privatization immediately hinders creativity and productivity' (Hardt & Negri 2004, p. 185). Hence the complicated struggles over ownership of intellectual property, which try to assign to private individuals what is really produced in common.

Immaterial labor has outgrown the property form in which it finds itself. 'Capitalist private property rights are based on the individual labor of the producer, but on the other hand capital continually introduces more collective and collaborative forms of production: the wealth produced collectively by the workers becomes the private property of the capitalist. This contradiction becomes increasingly extreme in the realm of immaterial labor and immaterial property' (Hardt & Negri 2004, p. 188).

Negri does not, however, spend much time on the peculiar qualities of communication as a form of labor. The growth of immaterial labor reconstitutes labor in general, forming the basis of the famous concept of the multitude, which is more a political than an economic category, and more a matter of what labor may become than of what it is. Negri's is an optimistic approach to the new qualities of labor, but not from the point of view of communication a particularly precise one.

Somewhat less optimistic is the work of Arthur Kroker (Kroker & Weinstein 1994). This may be because it focuses more on the transformations of the ruling class, rather than on those of labor. Kroker writes despairingly of

'the global consolidation of multinational corporations into branded electronic networks, not domiciled in a fixed geographical location, but representative only of a strategic node in the circulation of the digital circuit'. This produces what he calls 'Streamed capitalism . . . a dynamic vector populated by a global multitude of increasingly wired isolated individuals, driven forward by alternating currents of wealth and necessity' (Kroker 2004, p. 126).

For Kroker, the mutation brought about by communication within the production process creates less a new class politics from below than a new form of domination from above: '. . . [T]he politics of virtuality bring into existence a new class: a class with no previous collective identity. A virtual class which, forcibly breaking with the mode of (industrial) production, quickly aligns itself as the class representative of the digital commodity form. The virtual class is global, liquid, networked, controlling, and fungible in its technical labor skills, a specialist class of the digital nervous system' (Kroker 2004, p. 128).

But Kroker is as vague about the virtual class as Negri is about the multitude. He sees the virtual class as composed of the agents of digital finance, media and technology, but sometimes lumps in web designers and other kinds of labor − even if in Negri's terms it is immaterial labor.

Both Negri and Kroker dispense with the classic Marxist analysis of production. No more use value, exchange value and surplus value. For Kroker, 'the new mode of production − digital production − ushers in a qualitatively new historical epoch typified by knowledge-power not labor power, virtual-value not exchange-value' (Kroker 2004, p. 129) And yet both have a lingering suspicion that labor and class are indispensable categories.

Where Negri sees the new regime from the bottom up, Kroker sees it from the top down. He talks of 'factored labor', not immaterial labor, of 'our reduction to the inertia of the standing reserve' (Kroker 2004, p. 134). What for Negri is the self-organization of labor through its newfound communicability is for Kroker a deepening of the subordination of the body to the logic of commodification. They see the same thing, perhaps, but from opposite points of view, and drawing opposing conclusions. Far from pointing towards a new liberatory politics of the multitude, Kroker concludes that 'it may well be that the proleterianization of knowledge work is only about to begin' (Kroker 2004, p. 137).

One might reflect here on the experiences of Troy Stolle and Jamie Kirschenbaum. On the one hand, the EA employee, deprived of the immediate means of production by the industrialization of digital labor, find himself confronting the classic struggle around the length of the working day. On the other hand, for Stolle, even his formerly private time outside of labor takes the form of labor, a labor that he pays for, and which returns nothing but the value of recognition.

Both Negri and Kroker point to the growth of conflicts around intellectual property. Kroker: 'Intellectual property . . . is the motor force of the digital commodity form' (Kroker 2005, p. 134). 'The rising biopolitical productivity of the multitude is being undercut and blocked by the process of private appropriation' (Hardt & Negri 2004, p. 185). But I don't think either really grasps how extraordinary the extension of the private property form to the products of intellectual labor really is.

Hacker class v. vectoralist class

My thesis is not that labor has changed, nor that the ruling class has changed, but that there is both a new productive class and a new exploiting class. I think that intellectual property is a third stage in the abstraction of private property. First came the enclosure of the land, and the rise of an agricultural commodity economy; second came the formation of capital and the rise of a manufacturing commodity economy. I think we are now well within the rise of a third stage of the abstraction of property. So-called intellectual property, which presents itself as in continuity with the history of patent, copyright and trademark law, is really nothing of the sort. As Lawrence Lessig (2004) argues, it is a break with tradition. It is the project of turning these formerly negotiated rights into private property rights.

This new stage of private property creates a new axis of class conflict. We should remember that there have already been two previous axes of class conflict, not just one. First comes the conflict over the privatization of land. It turns peasants into farmers and feudal lords into what I would call a pastoralist class. Peasants and lords negotiated around local, traditional rights. What the lord expropriated was often in kind. But when farmers confront pastoralists, land has become the private property of the pastoralist class. Farmers are dispossessed of all traditional rights. They pay rent in cash rather than in kind.

The transformation of peasants into farmers and lords into pastoralists is still going on today. Class conflict over the privatization of land is still the dominant class struggle in much of Asia, Africa, and Latin America. But this class conflict finds itself intertwined with another, between capitalists and workers. So if we unpack the somewhat ahistorical category of 'capitalism', we find already two axes of class conflict, and four classes, forming alliances and negotiating with each other over the course of three centuries.

If there are two axes of class conflict, two kinds of ruling class, two kinds of labor − why not a third? I think Negri and Kroker are right to insist that something is changing, that the commodity form is mutating. Where I differ is in arguing not that labor has changed, or that there is a new kind of

potentially dominating class, but rather that there is a whole new axis of class conflict, which pits a new kind of ruling class against a new kind of productive class.

The new ruling class I call the vectoralist class rather than the virtual class. Unlike Kroker, I don't want to offer up the concept of the virtual to the enemy. Like Negri, I want to preserve a more strongly optimistic, forward looking critical theory. So: the vectoralist class, so called because they control the vectors along which information circulates. They own the means of realizing the value of information. Information emerges as a concept precisely because it can be quantified, valued and owned.

That the vectoralist class has replaced the capitalist class as the dominant exploiting class can be seen in the form that the leading corporations take. These firms divest themselves of their productive capacity, as this is no longer a source of power. They rely on a competing mass of capitalist contractors for the manufacture of their products. Their power lies principally in monopolizing intellectual property – patents, copyrights and trademarks – and the means of reproducing their value – the vectors of communication. The privatization of information becomes the dominant, rather than a subsidiary, aspect of commodified life. Klein: 'There is a certain logic to this progression: first, a select group of manufacturers transcend their connection to earthbound products, then, with marketing elevated as the pinnacle of their business, they attempt to alter marketing's social status as a commercial interruption and replace it with seamless integration' (Klein 2000, p. 35).

As private property advances from land to capital to information, property itself becomes more abstract. Capital as property frees land from its spatial fixity. Information as property frees capital from its fixity in a particular object. This abstraction of property makes property itself something amenable to accelerated innovation – and conflict. Class conflict fragments, but creeps into any and every relation that becomes a relation of property. The property question, the basis of class, becomes the question asked everywhere, of everything. If 'class' appears absent to the apologists of our time, it is not because it has become just another in a series of antagonisms and articulations, but on the contrary, because it has become the unacknowledged structuring principle of a third nature that organizes the play of identities as differences.

The hacker class arises out of the transformation of information into property, in the form of intellectual property, including patents, trademarks, copyright, publicity rights, and the moral right of authors. The vectoralist class goes out of its way to court the hacker class ideologically, to insist on the essential complementarity of the ownership of information and the production of new information. This might lead some – such as Kroker – to blur the distinction between the hacker class and the vectoralist class. One can

recognize the contours of this ideology in the fetishizing of the entrepreneur and of technology, where the whole question of labor is ignored, or sublimated into a discourse on 'creativity', of work as play, play as work. As Kirschenbaum's case makes clear, hackers and vectoralists are far from sharing a common interest.

There is an essential difference between the hacker class and the vectoralist class. The hacker hacks, producing new knowledge, new culture, new science – but does not own the means of realizing the value of what it creates. The vectoralist class produces nothing new. It's function is to render everything equivalent, to commodify the new. It owns the means of realizing the value of the new. The hacker ends up selling his or her labor, one way or another, to the vectoralist class. Intellectual property, while it is presented as the defense of the rights of producers of the new, is in actuality about maintaining the rights not of producers but of owners of information.

The hacker class includes anyone who creates new information, in any medium. It includes not only musicians, writers, and film makers, but also chemists, biologists, philosophers – anyone who produces new information – including Marxist or post-Marxist theorists. The products of hackers' labor may be even more differentiated than the products of workers' labor or farmers' labor, but the commodity form renders them equivalent. X words from my book are worth Y tunes from your album are worth Z amount of the royalties on your patent. To the vectoralist class, all these things are merely part of a portfolio of intellectual property that these days often accounts for a substantial part of the 'assets' of a company.

Information wants to be free

The hacker class makes new information; the vectoralist class turns it into private property. Information is a strange thing, as theologically subtle as the commodity was to Marx. It has a peculiar ontological property. Information is never immaterial. Information cannot *not* be embodied. It has no existence outside of the material. It is not an ideal or a ghost or a spirit. (Although it may give rise to these as mystifications . . .) And yet, information's relation to the material is radically contingent. This contingency is only now starting to be fully realized. The coming of the digital is the realization, in every sense of the word, of the arbitrary relation between information and its materiality, of which the arbitrary relation of signifier to signified is but a special case.

Everyday life confirms this. I could make you a copy of this text, and the information in it, or rather the potential for information in it, would then be on a CD in your possession. And yet, it would still be 'right here', on my hard drive. Now isn't that strange? My possession of information does not deprive

you of it. Whatever information is, it escapes the bounds of any particular materiality. That is its unique ontological promise, now fully realizable in the digital.

Information has then at least one very strange property. It can escape scarcity. And it is this property that makes it very troubling for that other kind of property – private property – which is all about the maintenance of scarcity. Information is what economists call a 'non-rivalrous good' – a term that is clearly an oxymoron. Information poses not only an intellectual challenge but an historical challenge to economic thought. The challenge is not only to think what else it could be, but to practice the production and reproduction of information otherwise.

The new ontological properties that information introduces into the world bring forth, as a reaction, new kinds of property relation in the legal sense – what we now call 'intellectual property' – another oxymoron. As I would understand it, intellectual property grows out of, but is distinct from, patents, copyrights and trademarks. Intellectual property is the tendency to turn socially negotiable rights into private property rights. The enormous ramping-up of intellectual property talk results from the contradiction between the newly realized potential of information to escape from scarcity and those with an interest in stuffing it back into the limits that scarcity and the commodity would impose.

The ontological property form of information is as socially produced as its legal property form. The question is how and why these two senses of 'property' have come into conflict. The question is why, if 'information wants to be free' in the ontological sense, it is 'everywhere in chains', in the legal sense (Wark 2004, p. 126). Coming from a certain mode of the Marxist tradition, I can't help but see the law as superstructural, as reactive, and most particularly as a terrain upon which class interests negotiate. In particular, I am interested in law as a terrain where successive ruling class interests manage the transition from one mode of production to another. This might sound rather 'vulgar', but perhaps in this case it is the reality of the situation that is vulgar, not the theory.

Where the capitalist class found it useful for information to remain relatively free, in the interests of the expansion of production and consumption as a whole, the vectoralist class insists in the enforcement of strict private property rights over information. One might gauge the relative strengths of these rival ruling classes by looking at the state of intellectual property law. One might gauge the preponderance of capitalist and vectoralist interest within a given firm by looking at its policies on the technical and legal enforcement of intellectual property law. One might gauge the place in the development process of a particular country by the way it responds to the demands from the overdeveloped world for the enforcement of international agreements on these 'rights'. In short: by extending the logic of class analysis, one can show how,

far from being relegated to the dustbin of history, class is alive and well in our times, even if in forms we have hardly begun to name.

We can account for the obsession with enforcing intellectual property law in class terms; it is in the interests of an emerging ruling class. We can account, then, for the ideologies of information as property also. James Boyle (1996) suggests that there is a tension between the idea of maximizing the 'efficiency' of the economy as a whole and producing 'incentives' for information creators/owners. To be 'vulgar': the shift from the former to the latter is the shift from capitalist to vectoralist thinking about the place of information in the economy, from peripheral to central. But what is striking is that despite legal and ideological coercion, information still wants to be free. Its legal properties clash with its ontological properties. So on the one hand, we see increasingly vigorous attempts to outlaw the free sharing of information; and on the other, we see the persistence of file sharing and piracy. How can we account for this tension?

This is the nexus where one might reinvent a kind of critical theory. A critical theory is one that thinks in terms not only of the actual but also of the virtual. The virtual could be thought of as the grounds of possibility, but the 'possible' in the most material sense. Where this critical theory might begin is by saying that perhaps what this tension over information signifies is that we have finally found the point where we can escape from material scarcity, and from all economies of scarcity. Perhaps we have found the one domain in which we could realize a certain 'utopian' promise: 'to each according to their needs; from each according to their abilities'.

That is what I believe. And I don't think I am alone. There is, as Marcel Mauss observed a long time ago, a latent class instinct that all the products of science and culture really ought to belong to the people as something held in common, indeed as what is common. Mauss: 'One likes to assert that they are the product of the collective mind as much as the individual mind. Everyone wishes them to fall into the public domain or join the general circulation of wealth as quickly as possible' (Mauss 1990, p. 67). The public is not 'pirating' anyone else's property. It simply does not recognize the new enclosures of information within private property as legitimate.

File sharing is a social movement in all but name. It rarely announces itself as a social movement, but then I don't think that is uncommon. Likewise, I think that the gift relation in culture and knowledge has been alive and well and resisting commodification for centuries. Only now it may finally have found an ally in the digital means for reproducing information, so that one's possession of it can be the possession of all. The technicity that makes possible the abstraction of information from its material substrate is not only calling into being something that can be captured by regimes of economic value or legal jurisdiction, but something that can escape them.

Which brings us back to the hacker class. If there is a gift exchange that is alive and well among the people, will the producers of information as property side with that people, or with the vectoralist class? That is the question for our times. This is what is at stake in the struggle between the principle that 'information wants to be free', and all that ideological talk about 'incentives' versus 'efficiencies' and other attempts to deny the radical ontological nature of information itself. The hacker class has a choice to make. Either it sides with the vectoralist class, or it realizes that intellectual property protects owners, not producers, of information. And who − in the long run − comes to own information? Those who own the means of production, the means of realizing its value. The ideological move is to blur this distinction between producer and owner, when in reality the hacker, like the worker or the farmer, has to sell the product of her or his labor to those who own the means of realizing its value.

As those of us from the periphery know: commodification has always been global. 'Globalization' is nothing new − except perhaps to those in the overdeveloped world who have started to feel the effects of it only lately, with the breakdown of the Fordist or corporatist state and its attendant Keynsian class compromise between capital and labor. But I think that the rise of the vectoralist class gives us a handle on the form that the globalization of the commodity form took in the late twentieth century.

It is the vectoralist class that produces the means of establishing a global division of labor. It develops the vectoral production process, where information is separated from its material embodiment, thus allowing the materiality of production to be spatially separated from the information that governs its form. And so we end up with a new global division of labor, in which the old capitalist firms of the overdeveloped world mutate into vectoralist firms by shedding their productive capacity. Manufacturing becomes the specialty of the underdeveloped world; the overdeveloped world manages the brands, husbands the patents, and enforces the copyrights. Unequal exchange is no longer between a capitalist economy in the north and a pastoralist economy in the south; it is between a vectoralist economy in the north and a capitalist economy in the south. But the vectoral goes one better: it scrambles the once relatively homogenous economic spaces within various nation states. One can find the underdeveloped world now in Mississippi, and the overdeveloped world in Bangalore.

This process is complex and contradictory. The paradox of our times is that both the privatization of information, and the expansion of an informal commons, are happening at the same time. What might give us hope is the very fragility of the vectoralist position, which runs counter to the ontological properties of information itself, and can only protect its interests by a massive ramping up of the level of legal coercion. Where land lends itself to 'natural monopoly' and the extraction of rents, this process gets harder and harder as

property becomes more and more abstract. And now we arrive at the very brittle monopolies of the vectoral economy. The very means of producing and reproducing information that it creates are the forces of its own undoing.

There is an alternative model to both the absolute commodification of information and its piracy. (Piracy, after all, is merely the reversal of Proudhon's dictum 'property is theft' − it makes theft property.) The alternative is the gift economy. As John Frow (1997) has argued, rather than the gift being a pure, ideal, and harmonious state existing prior to the commodity, it is the commodity's necessary double. But I think that the coming of the digital opens up a new possibility for the gift to distance itself from the commodity. What one can create, on the internet, for example, is the abstract gift relation. If the traditional gift always involved a giver and a receiver who are known to each other, who obligate each other, the abstract gift involves no such particular obligation. When one gives information within the networks, the obligation one invokes is something common, not something particular. One invokes the gift as something abstract. This is the as yet unrealized potential of third nature.

This abstract sense of a gift economy seems to me to point towards an ethics − a hacker ethics − and also a hacker politics. If critical theory is to resist becoming merely hypocritical theory, it has to engage with its own means of production and distribution. A hacker politics is one of participating in, and endeavoring to create, both technically and culturally, abstract gift relations, within which information can not only want to be free, but can become free.

Spooky ontology v. the hauntology of the spectacle

> . . . how is intellectual resistance possible? Is it even desirable? Is resistance itself the most felicitous response to late capitalism? Is it not too reactive in the Nietzschian sense? Should we not, rather than opposing late capitalism reactively, seek to think through some kind of active affirmation of its enormously creative and destructive energy? Should we not, as traveling theorists and jet-set professors, try to ride the surf of late capitalism in some sort of parasitic low-wage parody of the deterrritorializing displacements of late capitalism, whose agents I sit next to on the aeroplane (he reads *Business Week*, I read Guy Debord), hoping that the enormously creative and destructive energy of late capitalism turns over into cyber-revolution?
>
> (Critchley 1999, p. 139)

A Hacker Manifesto offers a qualified yes to all of these questions, and tries to head off what Critchley quickly identifies as the dangers. First, this kind of

thinking is a vegetative fantasy, spun out of Deleuze and Guattari's collaborative work and spreading like crab grass around the internet. It's a kind of mania. There may be something to be said for mania, however, if one conceives of it as the repressed other of the gloomy quietude of much post or pseudo leftist thought. A little burst of mania might be an overdue corrective. I for one am tired of always 'resisting' everything.

'Philosophy begins in disappointment' (Critchley 2005, 1:1). One would traditionally say that it begins with wonder at what is. As a corrective, Critchley suggests that it begins with disappointment at what is not. But the third path is that it begin with a joy for what might be, for the possible. This is the mood of which *A Hacker Manifesto* partakes. And perhaps one has to have a little mania in order to have something to be disappointed about.

A mania for the 'active affirmation' of the commodity economy as an 'enormously creative and destructive energy' need not be economistic. It may be about a more productive reading of the notorious 'vulgar Marxist' diagram of a techno-economic base that determines its legal, political and cultural superstructures. Actually, I suspect that the rejection of any version of economic determination is the new vulgarity. The 'relative autonomy' of the political and cultural has become an absolute autonomy, fitting in all too neatly with the academic division of labor. This is why I want to return to the project of thinking base and superstructure together, as the site of a problem rather than a dogma. Critchley: 'What force does Marxism retain if we set to one side its materialist account of life, production, economy, praxis and history' (Critchley 1999, p. 148)?

A mania for 'cyber revolution', need not be a theodicy, but it might be a about a phase-shift in history, a transformation of the plane upon which everyday, eventful life happens. I'm not the only one who has intuited this phase shift. To call this 'late capitalism' still presupposes that what's imminent is early-something-else. I just want to shift the emphasis from what is passing to what is emerging, and give it new names − even if this is just a mania that happens when one reads Guy Debord at high altitudes.

So: *A Hacker Manifesto*, which, among other things, is a reading of Guy Debord and Gilles Deleuze, and through them a reading of Marx. Why Debord? He seems to me, to borrow a phrase, a sort of 'untranscended horizon' of thought. His is the most vigorous version of what Critchley (2005, 1:3) calls an 'active nihilism', offering a complete overturning of commodity fetishism in terms of an ontology of human needs. Not the least of his virtues is that he was never in the least tempted by Stalinism, Trotskyism, or Maoism. As a 'traveling theorist', he hitchhiked. He observed early that 'one cannot go into exile in a unified world' (Debord 1998, p. 47). This is an intimation of what I would call third nature.

Debord offers in extreme form one of the three modes in which, according to Ernesto Laclau, the Marxist tradition splits. This first mode is 'ontological',

and stresses the reconciliation of society with itself once distorted representa-
tions are overcome. The second mode is 'ethical'. It weakens the ontological
dimension and subsumes it under a regulative ethical idea. History becomes
contingent; class as the agent of transformation disappears. One can see
something of Derrida and Critchley in this mode. The third mode is perhaps
'aesthetic', and can be traced to Sorel and Gramsci. As Laclau writes, 'the
anchoring of social representations in the ontological bedrock starts dissolving'
(Laclau 1996, p. 80). Laclau belongs to this mode – Disco Marxism.

But what if one were to rethink the ontological not as something outside of
representation, to which it can be reduced, but rather to think an ontology of
the image – an ontology of 'information' and its expression? This might be
one way to read Deleuze and Guattari's *Anti-Oedipus*. They do not attack
representation in order to reduce it to an ontology that is 'pre-deconstructive'.
Rather, it is an ontology of the production of signs. Perhaps, to vary
Critchley's terms, theirs is a constructivist nihilism, which attempts to detach
itself from the ruling values rather than overturn them, to make possible the
construction of an ontology of human possibilities, via 'concepts that are
aerolites rather than commercial products' (Deleuze & Guattari 1994, p. 11).
Anti-Oedipus takes the Nietzschian wager that 'perhaps the flows are not yet
deterritorialized enough, not decoded enough . . .', that perhaps it is possible
'to go further', and that 'the truth is that we haven't seen anything yet'
(Deleuze & Guattari 1984, p. 239). In this mode, Marx's problem is not the
end of history, or a theodicy of reconciling flesh and spirit, substance and sign.
It is rather the problem of the phase-shift. When does history jump from one
plane of possibility to another?

Perhaps it takes a moment of pure mania to entertain this possibility, but
there it is. Maybe the phase-shift to third nature opens up a certain virtuality, a
certain new relation between materiality and the information that spooks it.
Maybe it's possible to construct something other than the commodity economy
on the terrain of third nature. Maybe it's already happening. Indeed, *A Hacker
Manifesto* is not one of those theory-books with a vague 'what is to be done?'
conclusion. The practice exists. It's all already being done. It's just a question
of identifying the new forces for social change, of producing an analysis that
shows what they have in common. This is the antidote to the disappointment
some feel about how seemingly impervious the commodity economy is to any
challenge. Critchley: 'If someone found a way of overcoming capitalism, then
some corporation would buy the copyright and the distribution rights'
(Critchley 2005, 5:4). I know the feeling – but I don't think it's inevitable,
and the invocation of intellectual property here contains the 'question' that
precedes this 'answer'.

'A double spooks the world, the double of abstraction'. One might be
reminded here not just of Marx's specter, but of Derrida's remarkable
'hauntological' reading of Marx. For Derrida, Marx combines a hauntology of

'spectral simulacrum' with an ontology that Derrida has the chutzpah to describe as 'pre-deconstructive' (Derrida 1994, p. 170). As Critchley (1999, p. 150) says of Derrida's reading, 'The specter is the apparition of the inapparent'. It is that which escapes the act of apprehension. This is the properly Derridean Marx, and one that could be set to work most productively. As Critchley (1999, p. 149) remarks, 'one might link the logic of spectrality to the logic of hegemony; that is, if one renounces – as one must – the communist eschatological 'a-theodicy' of the economic contradictions of capitalism inevitably culminating in revolution, then politics and political-cultural-ideological hegemonization is indispensable to the possibility of radical change'. Here Critchley gestures towards linking Derrida to Laclau's third Marxian mode.

But perhaps that's not the only tack one can take. Perhaps the first mode is not as exhausted as Laclau would have us believe. Perhaps the other question might be one of how the current techno-economic regime produces this spectral difference. And perhaps, rather than a one-sided abandoning of the base/super metaphor, one might put it to work also. One thing we can say about Disco Marxism is that it does not really move past the base/superstructure metaphor. It hides from it in the superstructures. Perhaps its time to rethink the relation, via a border concept – the concept of property.

The private property form is something that belongs strictly neither to the techno-economic base nor to the political, legal, and cultural superstructures. It is space of translation of one language – of price and profit, of wages and loss – into another – of cases and precedents, of statutes and the police. It is a border to watch if one wants to understand how new class relations can emerge. On the one side, one follows the money; on the other, one follows the law.

What is happening to the private property form is the transformation of information into private property, a process which consolidates the legal standing of an emergent ruling class, on the one side, and provides the relations within which new forces of production can be harnessed, on the other. On the one side, a logic of hegemony, perhaps. On the other, a logic of production which proffers new class positions which may or may not negotiate and align in new ways.

The transformation of information into private property is a new codification of the 'spectral' – of information. It generates a new producing class, the hacker class, producers of the new, of what is captured by intellectual property. They are the class who makes the 'difference which makes a difference' (Bateson 2000, p. 459). It doesn't matter that culturally chemists may have nothing in common with musicians or programmers or philosophers. The property form of intellectual property renders what we all produce equivalent.

Intellectual property produces a new ruling class – the vectoralist class, which owns the means of realizing the value of what the hacker class produces. And sometimes not much more. According to *Business Week*, vectoralist firms not only outsource the extraction of raw materials and the production of the manufactured article, but are even outsourcing design, using the vectoral networks to drive down the value of the hacker's labor. 'Who will ultimately profit most from this outsourcing of innovation isn't clear. The early evidence suggests that today's Western titans can remain leaders by orchestrating global innovation networks . . . . What is clear is that an army of in-house engineers no longer means a company can control its fate. Instead, the winners will be those most adept at marshalling creativity and skills . . . around the world' (Engardio & Einhorn 2005, p. 94).

The vectoralist firm, in other words, may control copyrights, key patents, a recognizable brand, and the logistical means of managing the vectors along which information is transformed into materiality. It may dispense with pretty much all else. That might describe Viacom or Nike, Merck or Sony. It's happening across industry sectors, and its effects are felt in both the underdeveloped world and what Paul Gilroy calls the overdeveloped world as well.

So far one might think this is a grim story, where commodification may change form, but if anything proliferates. Even if one concedes that there are new classes forming around a new property form, the experience of class seems if anything to become so dispersed and microscopic as to seem invisible. And yet: the transformation of information into property has one peculiarity to it, and this is at the core of *A Hacker Manifesto*. It lacks all necessity. Information, unlike land or capital, knows no scarcity. The property form has become so abstract that its ambition is to encompass the very thing that escapes it.

Now, you might ask: why speak of information and not of discourse or language, or for that matter, the spectral? This brings us back to the techno-economic. 'Information' arises out of a double movement. On the one side, the technics of the digital produce information as a concept at the same time as they liberate it from any particular embodiment in a given material form. Once information is digital, its relation to materiality becomes contingent, arbitrary. It has to take a material form, and yet it can always exceed any embodiment. On the other side, this production of information makes it available for commodification, but only to the extent that it can be reduced to its identity to an object and assigned as a possession to a subject. The legal 'superstructure' here has to intervene directly to create the conditions for the commodity regime to extend itself into the digital domain.

Isn't information always embodied, contextual, relational? If we are trained as humanists or social sciences, we're likely to insist on this, as a kind of nervous tic. But what exactly is it that is embodied, contextual, relational?

That's the spooky part – information per se, about which we know very little, even though it is now thoroughly contained within the legal form of property and commodity, authorship and ownership.

And yet it keeps escaping. Fire up your laptop, find a broadband connection and suck down the latest festival of explosions and car chases from Hollywood. Rip your CDs and share them with your friends. Plagiarize a few term papers while you are at it. Electronic Arts – a vectoralist firm if ever there was one – ended up offering overtime to employees like Kirschenbaum, but not because of legal action. A letter from 'E. A. Spouse', which detailed the difficulties of living with someone who worked the punishing hours the company demanded, appeared on the internet, and circulated – and circulated – bringing to bear on the company the kind of very weak but very distributed power that third nature makes possible (Richel 2005). Third nature is a world of networking, which makes possible new forms of commodity economy, but also new forms of what Geert Lovink (2005) calls 'notworking' – new modes of association.

This leaves us with one last question from Marx – the question of organization, of forms of association. It may not be a question of having to invent anything here. Perhaps hackers do not lack for modes of organization, as the E. A. Spouse example might suggest. Perhaps it's no longer just a question of 'workers of the world unite!' Perhaps a hacker politics is more a question of 'workings of the world untied' (Wark 2004, p. 006). The alternative to a hacker ethics, a hacker politics, is all too clear in the case of Troy Stolle: that we labor within a world in which information is reduced to scarcity, and we pay for the privilege of the recognition that comes from acquiring something that, in this world of absolute property, another cannot have.

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