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Is Free Culture Viable? An Answer From Evolutionary Psychology.

The emergence of digitally networked media, and in particular the Internet, where the marginal cost of reproducing cultural goods - such as a popular blockbuster movie, a newspaper article, or a long-forgotten 1940's blues record - has effectively become zero, has fueled a heated debate over the necessity of intellectual property and the forms copyright regimes are taking. While the music industry exclaims the need for a strict, exclusivity-based copyright regime, critics propagate "free culture" and the "copyleft", in which the exclusivity of copyright would be reduced or even abandoned.

Much of the discussion around intellectual property is based around the question which motivational pulls and pushes drive innovation and creation. As Balganesch (2009) points out, "[c]opyright law's principal justification today is the economic theory of creator incentives", which at its center is based on the assumption that financial gains are a powerful, and indeed necessary, incentive for creation and innovation. On the opposite, proponents of "free culture" have argued that economic incentives can have a negative impact of motivation and should be subordinate to intrinsic motivation (e.g. Lessig, 2002; Benkler, 2006). This paper will evaluate whether reciprocal altruism can be maintained in the virtual realm, providing a basis for copyright-free creation and exchange of cultural goods.

I. The Creative Commons

The term "commons" frequently refers to resources which lack excludability while being, and the same time, subtractable - i.e. access cannot be restricted, but overexploitation will deplete the resource - and are held under a common-property regime (Feeny et al., 1990). Typical examples for commons thus include parks, the

world's oceans, or toll-free highways. Under certain circumstances, these can - but do not have to - suffer from the "tragedy of the commons", in which groups of individuals trying to maximize on their own gains will destroy their shared resource (Hardin, 1968).

Creative commons, a term introduced by Lawrence Lessig (2002), differ from non-virtual commons in that they are not subtractable - one individual's use of a digital music file or an ebook does not limit any other individual's use of it. This is rooted in the fact that the cost of reproduction for these goods has become effectively zero, and the possible amount of copies nears infinity. Under the Creative Commons licenses developed by Lessig, creators can choose to make their works available for others to freely use and share with others, while having the option to keep up certain constraints, such as a ban on reselling or altering the original work, or an obligation to distribute eventual derivatives only under a compatible Creative Commons license.

II. Reciprocal Altruism

Reciprocal altruism is a concept first explored by Trivers (1971), who found that altruism between individuals can be naturally selected for if it takes the form of time-delayed discrete mutualism, i.e. aid is given to another individual in hopes for it to be returned later. Cartwright (2008) lists three necessary conditions for the occurrence of reciprocal altruism, which are that firstly, reciprocity should be granted; secondly, reciprocal altruists need the ability to recognize each other as well as to detect defectors not returning altruistic acts; and thirdly, a low "the ratio 'cost to donor/benefit to receiver'" so that reciprocal altruism is still feasible when reciprocation is uncertain.

Reciprocal altruism in the context of creative commons would translate into the willingness to make work available to the public for free - e.g. under a Creative Commons license - under the expectation to benefit from the free availability of other creators' output. But do the conditions named by Cartwright (2008) hold in the virtual realm?

The "networked information environment" (Benkler, 2006) enables more and more people to create and share their creations at increasingly lower costs, both in time and money. Lessig (2002), in particular, has argued that the ease of production and

reproduction in the digital age spurs a transition from a read-only culture in which cultural goods are mass produced and broadcasted to large, passive audiences to a "read/write culture", in which cultural production is increasingly distributed. However, recent findings seem to show that less people engage in active creation of content online than Lessig and others hoped (Mutsvairo, Columbus, & Klamroth, 2011).

Detecting free-riders in the virtual realm is hardly possible. Online communication is often anon- or pseudonymous, which makes identifying both reciprocators and defectors difficult. Moreover, the extent of the online community, which spans not hundreds, but billions of people, allows free-riders, once detected in one group, to easily switch elsewhere. However, Sunstein (2006) and others have shown that online communities such as Wikipedia to some extent manage to exclude non-cooperative individuals. However, these findings are focused on collective production, and might not easily be applied to the use of common-pool resources. In fact, it seems unlikely that free-riders can be punished when resources are not held by at least a vaguely defined community (as is Wikipedia).

The costs of creating content - be it music, videos, or text - have decreased with the introduction of digital consumer technologies which are widely available at least in the developed world. As Benkler (2006) points out, the marginal cost of creation has become close to zero, if time commitments are excluded: No or only little investment is needed to publish a blog or share videos on Youtube. At the same time, however, Benkler also finds that the drastically increased availability of online content means that its value is nearing zero. Especially when many similar alternatives are available, their marginal price nears zero. The cost to donor/benefit to receiver ratio thus seems to close in on zero, as both the cost of production and the prize of goods for each individual interaction decrease. At the same time, however, the overall benefit of having access to free cultural goods may be great (Balganesh, 2009).

III. Conclusion

Reciprocal altruism in the virtual sphere poses a new and perhaps unprecedented challenge. Never before have so many people been part of one community, and never

before has creating, distributing, and reproducing cultural goods been so easy. Using the conditions for reciprocal altruism listed by Cartwright (2008), it seems hard to maintain reciprocal altruism online. In particular, the fundamental structure of the Internet, being decentralized and enabling anonymous communication, proves to be an obstacle to the tracking and punishing of free-riders.

To assess whether creative commons are a viable concept from a motivational point of view, further insights are needed. In particular, it is necessary to study the reality of cooperative and defective behaviour online. Furthermore, other mechanisms than reciprocal altruism could provide incentives for creation and innovation, in particular sexual selection (Cartwright, 2008).

IV. Bibliography

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