Commonplace

5 Things with Peter B. Kaufman, MIT Open Learning and author of The New Enlightenment and the Fight to Free Knowledge

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What if information science were like the other sciences? That is, what if there were branches of information science, and each branch could teach us something, explain something, something really relevant and new?

We could teach the **Physics of Intellectual Property**, for example. Here, we'd profess that, like the laws of motion first articulated by Isaac Newton in the 1700s, human creations also have laws of motion, that ownership of ideas and creations ultimately fall, like apples fall, into the public domain.

Newton was sitting in the garden of his childhood home (he was home from Cambridge University, which had closed due to the 1665 bubonic plague), watching fruit about to fall from his trees onto the ground. And he wondered, as a friend of his later told us:

"Why sh[oul]d that apple always descend perpendicularly to the ground [...] Why sh[oul]d it not go sideways, or upwards? But constantly to the Earth's centre? Assuredly the reason is, that the Earth draws it. There must be a drawing power in matter. And the sum of the drawing power in the matter of the Earth must be in the Earth's centre, not in any side of the Earth. Therefore does this apple fall perpendicularly or towards the centre? If matter thus draws matter; it must be proportion of its quantity. Therefore the apple draws the Earth, as well as the Earth draws the apple."¹

The first copyright law, the Statute of Anne, articulated first in the 1700s as well and named after the British queen, posited "a durational limit on patent and copyright protection," indicating that the state of nature, the final resting place, of an idea is actually in the Commons. Thus does law describe the almost physical phenomenon of virtually all works of the mind falling – "falling" – into the public domain. Ever since the earliest days of patent and copyright law, the scholars tell us, framers have "recognized the importance of the public domain. By providing that patents and copyrights could only be granted 'for limited Times,' they ensured that all patented inventions and copyrighted works of authorship would enter the public domain at the end of that limited period."² A full appreciation of this phenomenon is written into the

law – from the very first copyright law across the pond to the laws that currently govern our media, technology, and freedom of expression.

Newtonian Principia for intellectual property thus would suggest that the natural laws of gravity for ideas and inventions require any and all of them eventually – some sooner than others, but all, eventually – to fall, drift, settle, end up, crash into . . . the public domain. The common good, in other words, is where these things ultimately arrive, by intent, by social design, by gravity, even with today's intricate systems of private licenses and contracts.

One day, who knows, a grad student in the discipline might actually draft a formula free of the arbitrary time dimensions legislated by private interests, such that the proper pull of our public domain might be explained. Perhaps it would be a formula like Newton's law of universal gravitation —

$$F_{gravity} = G \frac{Mm}{r^2}$$

— where, irrespective of the form of the creative act (song, photo, poem, play, book, film, drawing, tapestry), there is some math that predicts when every act becomes fully part of our free common heritage. Intellectual property, as we call it, is not meant to be private, except for a term, and then it's meant to be public forever.

We could teach about the **Chemistry of Information**. What if, alongside a Newtonian Philosophiæ Naturalis Principia Mathematica for IP rights, there were also a periodical table of facts that explained to us in detail the essential properties of verifiable and shareable information?

We know something about our noble gases, inert chemicals, and the stability of isotopes; we know something of counting protons and neutrons in the physical world; we know of 94 elements occurring naturally in our universe and of 24 synthesized in laboratories. We know of the carbon groups and the nitrogen groups, the fluorine groups and the lithium groups, and more.

What if we could classify nuggets of information the same way, according to their verifiability, quotability, shareability, and ability to interact with others; their age; their ownership; their licenses and the history of their use?

What is the atomic structure of information? Can we predict the behavior of facts when they collide with untruths in nature? Mendacity may deserve its own Mendeleev.

There would be lectures and seminars available also in the **Biology of Truth**. With lab periods! Inject a truthful statement into a society built on lies and watch what happens!

The great Czechoslovak dissident author and then president Václav Havel knew this branch of information science well. Havel wrote of truth as a “virus,” something that can “slowly spread through the tissue of the life of lies,” gradually causing it to disintegrate.

Hard to read that now, for sure, but back then he was referring to a society – Czechoslovakia, Poland, Russia, the whole bloc – in which everyone was living the lie, rather than living in truth. The “crust presented by the life of lies is made of strange stuff,” Havel wrote.

As long as it seals off hermetically the entire society, it appears to be made of stone. But the moment someone breaks through in one place, when one person cries out, “The emperor is naked!” — when a single person breaks the rules of the game, thus exposing it as a game — everything suddenly appears in another light and the whole crust seems then to be made of a tissue on the point of tearing and disintegrating uncontrollably.

He wrote of truth as a “bacteriological weapon,” one that a single civilian could use “to disarm an entire division.”³ Lessons from this course of study would propel everyone to share verifiable information everywhere as often as possible, and to assign the most liberal licenses to publishing the same. Because medicine kept in bottles and vials does far less good than medicine injected into the bodies of the infected.

We also would welcome specialists in the **Astronomy of Knowledge**. Take “AstroKnow 404” and you can trace the connections between an idea or a phrase or an image or a piece of music, from the first time it was published to the last time it was quoted, cited, used, or remixed. You could see constellations of wisdom for the first time – how knowledge institutions connect with one another – the bright relationship

of the Metropolitan Museum to Mauritshuis and the Hermitage and back to the Smithsonian and Library of Congress – then also the weaker, fainter shapes farther out. . . .

Also take our class in the **Geology of Ignorance**, “IgnoGeo (Level 2),” where we’ll do field work running expeditions to dig through the sediment of lies and misinformation, to explore and explain the igneous core of bad ideas and falsehoods, yuck, yuck, and yuck. Plenty of layers of ignorance to dig through. No auditing.

And bring a change of clothing.

Anyway, bell’s ringing. **Five things** to think about.

— Peter B. Kaufman

Read Peter's new book: [The New Enlightenment and the Fight to Free Knowledge](#) (Seven Stories Press)

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Footnotes

1. William Stukely, *Memoirs of Sir Isaac Newton’s Life* (London: 1752), online at The Newton Project, September 2004, <http://www.newtonproject.ox.ac.uk/view/texts/normalized/OTHE00001>. ↵
2. Tyler T. Ochoa, *Origins and Meanings of the Public Domain*, 28 U. Dayton L. Rev. 215 (2002), online at Santa Clara Digital Law Commons, <https://digitalcommons.law.scu.edu/facpubs/80/>; James Boyle, *The Public Domain: Enclosing the Commons of the Mind* (New Haven, CT: Yale University Press, 2005), <https://thepublicdomain.org/thepublicdomain1.pdf>; and Lawrence Lessig,

The Future of Ideas: The Fate of the Commons in a Connected World (New York: Random House, 2001), http://www.the-future-of-ideas.com/download/lessig_FOI.pdf. ↵

3. Václav Havel, “The Power of the Powerless” in Havel, Living in Truth: Twenty-Two Essays Published on the Occasion of the Award of the Erasmus Prize to Václav Havel ed. Jan Vladislav (London: Faber and Faber, 1987). ↵