

# Book Review: Viral Spiral: How the Commoners Built a Digital Republic of Their Own

Published April 8, 2009 Book Reviews 1 Comment

*Viral Spiral: How the Commoners Built a Digital Republic of Their Own*, By David Bollier  
2008 / The New Press (New York), 310 pages with Index, hardcover

The Internet today is controlled chaos: user-generated content on Web 2.0 platforms, blogs by citizen-journalists, social networks such as Facebook and Twitter, the photo-sharing community of Flickr, digital remixes of music and videos, wikis, open-access journals, and e-books. The Web has been transformed and a new cultural movement — known as “Free Culture” or “the commons” — is underway. Members of the Free Culture movement (commoners) value collaboration, share intellectual property, are self-directed, and resourceful. Yet these trailblazing individuals are simultaneously entrepreneurial and well-aware of traditional market forces. In *Viral Spiral: How the Commoners Built a Digital Republic of Their Own*, David Bollier argues that these values and behaviors are “history-making,” creating a “new species of citizenship in modern life” and over time “this citizenship and the culture that it is fostering are likely to be a politically transforming force.” This text is highly recommended for any law library’s collection.

“Viral spiral” refers to the rapid, dynamic, and serendipitous proliferation and transformation of emerging ideas and innovations on the Internet into the foundation for later new, but referential innovations. In *Viral Spiral*, Bollier chronicles the roots of the Free Software Movement, the inception of Creative Commons, and digital commons. Bollier then documents the revelatory impact on social communication and modes of human interaction as well as posits changes to democratic culture and citizenship. He skillfully articulates the legal and social arguments that promoted the founding of the commons, the Free Culture Movement, and Creative Commons, a now-viable alternative to traditional copyright where creators designate the desired attribution for their creative works so that others may access and use the works more freely.

Bollier’s comprehensive history begins in the late 1970s with emergence of the Free Software Movement, and continues with Lawrence Lessig’s constitutional copyright infringement test case, *Eldred v. Ascroft*, 537 U.S. 186 (2003), and encompasses the present, where open source and open access are becoming commonplace. As an intellectual history, Bollier’s book explores central themes, litigation strategies, and explains how Creative Commons licenses became “cool” and symbolic of a heterogeneous and global community of scholars, activists, artists, and coders. Bollier also elucidates the roles and personalities of the movement’s foot soldiers, legal scholars, coders, and members of the creative class who worked to first build arguments and technical systems to challenge copyright laws and then used the same open platforms and systems.

In making his argument and documenting the history of the digital republic, Bollier draws important parallels. For instance, he compares the digital commons to a gift economy. This is a fitting analogy and underscores the values of the commons: collaboration, innovation, transparency, nonhierarchical, public-spirited, and liberating. Open culture is also widespread, moving into the mainstream, and global. Bollier shows how Creative Commons licensing, open access publishing, and Web 2.0 tools for collaboration are creating new business models — and a market for the same — in the fields of science, art, education, and industry. Bollier provides a balanced history of the free culture movement and an insightful and logical thesis about the wider impact that this movement will have on democracy, citizenship, and all aspects of culture. He also reflects on the inherent tensions in building a grassroots movement while simultaneously

creating usable technology and alternatives to traditional licenses.

This text serves as a practical primer for understanding how the contemporary, digital culture movement emerged and transformed. It also provides an examination of the legal arguments challenging existing copyright law as well as the law's stifling effects on culture, creativity, the spread of ideas, and its potential to quash the viral spiral of the Free Culture Movement. For instance, Bollier points out that the problems posed by orphan works, any expression which is still protected under copyright for which the owner cannot be located and therefore the work languishes, unable to be used in any way, persist. Yet, Bollier envisions the possibilities of industry, art, and education flourishing without the barriers presented by copyright laws: "Free culture exists. It exists to the extent that people practice its ideals." A more general audience of Internet users can embrace Bollier's analysis, arguments, and historical perspective as tracing the roots of the Free Culture Movement responsible for Web technology and open source platforms that currently populate the Internet. Free Culture activists and commoners can embrace this text for the same reasons. They can also appreciate Bollier's perspective, as an activist in his own right who practices the values and principles of the commons. For example, *Viral Spiral* carries a Creative Commons license and is available as a free, e-book from the Creative Commons Web site.

Julie Graves Krishnaswami is faculty research services librarian at City University of New York School of Law (CUNY).

## **1 Response to "Book Review: Viral Spiral: How the Commoners Built a Digital Republic of Their Own"**

1 **David Bollier** April 8, 2009 at 9:43 pm

Thanks for the review...but a small correction: The subtitle is "How the Commoners Built a Digital Republic of Their Own."

Reply

u