

Saturday, July 16. 2005

Free Culture

I finished Lawrence Lessig's Free Culture last night, and I think I have a new purpose in life.

Ok, so maybe that's a little strong.

The idea of the book is that media companies today are (a) bigger and more consolidated than in the past; and (b) have deeper and longer copyright protection than ever before. The combination of these two things, Lessig claims, will vastly reduce the ability of the citizens of this country to freely produce creative work because large portions of creative work are, in fact, based upon the work of the past. With mammoth corporations zealously protecting their copyright using squads of lawyers, people will have trouble accessing, much less using, culture from the past.

Lessig's arguments are convincing and tailored to appeal to both those on the left and the right. He sometimes comes off as the ultimate free marketeer and sometimes as a big-government liberal. Whichever side he's arguing from, though, he makes his case well that big media has successfully lobbied Congress to pass laws that do not fit in America's tradition of "free culture." Many of his points revolve around the fact that the justice system in the United States vastly favors those who can pay lawyers for hours and hours of work, to the point that in many cases, justice can not be served at all. The bullying of alleged file sharers by the RIAA ("You might win if you fight us in court, but it'll cost more money in legal fees than you have, so we'll just settle for taking your entire life's savings.") is one such example.

Whether or not I end up working in intellectual property (and the book has definitely pushed me in that direction), there are implications here for any area of law. Will I be able to do what I think is right and still make a living? How often, and to what degree, will I be forced to compromise my own values because they conflict with those of my client? How can I avoid such situations? These aren't questions I have answers to, and I'm not sure anybody else does, either.

EDIT: (Cross-posted at Non Compos Mentis)

Posted by jason in Books, Non-Fiction, Personal, Reading at 15:22