Culture After Work? Intellectual Property in Post-Scarcity Discourses

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Holly+ is a project from the musician and sound artist Holly Herndon and collaborator Mat Dryhurst, centered around a platformed 'voice model' that enables users to upload their own audio and have it sung back to them in Herndon's voice.1 As a tool for composition and sonic experimentation, *Holly+* is a product of machine learning and a deep neural network, an impressive contribution to the historical entanglement between music and technology. It is an excellent example of what Eric Hobsbawm (1998) saw as music's tendency (alongside, for instance, cinema) to lead the arts into new frontiers. However, technological questions are not the primary concern of this article. For while the modernity of the project (the inherent *logic of the new* that underpins a great deal of 'cutting-edge' computer music practice) is fascinating, it also raises questions of rights ownership and creative sovereignty. In other words, it presents an opportunity to think through the changing form of intellectual property, function, and standing in the context of cultural work under contemporary capitalism and recent attempts to imagine society otherwise.

Until the launch of *Holly+* in 2021, Herndon's voice was a scarce resource. On the one hand, her voice is the unique result of her physiology and embodied materiality. On the other, it was protected by artificial mechanisms such as copyright law and histories of legal precedent in recorded form.2 Adopting principles that stem from the 'free software' movement, including certain 'copyleft' and 'open source' practices, users can produce their own music using Herndon's voice theoretically in perpetuity (or for as long as the technology is maintained). Indeed, this might extend beyond the artist's lifetime, exploding the boundaries imposed by increasingly restrictive licensing technologies whose purpose is to impede modification and creative appropriation. In other words, *Holly+* might be conceived as an experiment in artistic and cultural 'post-scarcity,' at least from the perspective of this one detail; from the perspective of others, this may not be the case. But I will return to this example in the final section.

This article is concerned with culture *after* work, which is not to say a culture free from labor. In a rather straightforward sense, it follows a Bourdieuian concern with cultural production, situating cultural practice in the expanded social and economic conditions from which they are formed and where they circulate (Bourdieu, 1994). More specifically, I am interested in bringing the fields of cultural production to speculation on the future of work, which has been largely passed over in resurgent streams of the current discourse in favor of various service, platformed, low-skilled, and 'menial' forms of labor (low skilled and menial in the estimations of capitalism, that is). Recognizing this tendency is not to suggest that scholarly attention has been misplaced; the above are significant sites of struggle and have rightly been the subject of much humanistic and social scientific study. The decline of manufacturing and the unparalleled growth of service work demands rigorous social and political engagement. However, I want to understand this impact and the implications for the future through the specific lens of the cultural industries—whose workers no doubt engage in other precarious forms of work across the broad spectrum of the economy.

The last decade has seen the publication of numerous writings on post-work, post-capitalism, and post-scarcity that have been invariably linked to debates surrounding technological advances in machine learning, Artificial

Intelligence, automation, and other so-called 'smart machines' (Smith, 2020), the gig economy, cognitive labor, the digital economy, universal basic income, and platform capitalism. As others have highlighted, all of this is accumulating to such a degree that a nascent stage of what might be called 'post-work studies' has begun to emerge (Hester and Stronge, 2020). There is, of course, a longer history of thought and social struggle that underpins this concurrence of recent output—from Thomas More's *Utopia* to various socialist projects of the nineteenth and twentieth centuries—but I will not recall these genealogies here (see Benanav, 2021; Beech, 2019; Morris, 1993). Proclamations of 'work' that do not include 'the worker' as we currently know it abound, pointing to a future of increased leisure time where one might be free to pursue their passions without the worry of earning a living by selling their capacity to labor (a technocratic vision that does not match up to current reality, as Phil Jones (2021) has demonstrated). However, what about those for whom the designation 'work' is not so clear cut—where distinctions between work and life are blurred, but where unquantifiable amounts of labor have been devoted to honing a craft (Warne Thomas, 2021: 14)—such as the artist, designer, coder or musician? As W.E.B Du Bois (2003) once described, are those lines of work otherwise demarcated by 'spiritual values and social distinctions'?

Forms of cultural work *do* feature in these writings, though in a more generalized, perhaps even idealized or romantic sense, in that new freedoms and visions of future societal organization call forth the reimagining of all types of labor. There is, however, a distinct lack of explicit engagement in recent literature in this area with musicians, artists, curators, and so on. Perhaps it is for a good reason since they are continually reproduced through contradictory practices. In older socialist and postcapitalist thought, artists and many other cultural workers symbolized the non-alienated worker *par excellence* (Beech, 2019: 4). Now, however, as critical theorist Benjamin Noys has put it, they are the *most* and *least* capitalist subjects—at once resisting while continually pursuing self-valorization through their practice (Noys, 2011: 1). What I argue in this article is that focusing on the particularities of cultural production, some important claims made by those contemporary theorists of the future of work are reinforced while allowing other problems to rise to the surface. When 'society regulates the general production' (Marx, 2000: n.p.) and we are no longer tied to demarcated spheres of activity to satisfy our material needs, what will become of culture and of the cultural worker?

I begin by reviewing some of the post-work literature, paying particular attention to *Aaron Benanav's Automation and the Future of Work* (2021), before turning to consider the question of culture more broadly within this discourse. I point out that culture and cultural practice do figure but largely—and without explication, problematically—in utopian visions of the future, in a world where alienated labor and scarcity have been rendered historical. This is problematic because it implicitly reinforces the notion that artistic and cultural work is not quite work in the same sense as is driving for a food courier platform, or fabricating components is for an automotive assembly line. Adopting Marxist cultural theorist McKenzie Wark's abstraction of the hacker class, cultural production is situated within an emerging form of capitalist social relations. I turn to consider the kind of private property that cultural producers predominantly deal in, namely intellectual property and products of the imagination (like compositions, paintings, concepts, source code, and so on). Admittedly, this article pursues a narrowed view of 'cultural production,' primarily conceived around artistic fields, and I acknowledge that cultural production refers to much more than this.3 Indeed, this article itself is an exercise in bringing together a couple of influential texts from recent years and is by no means exhaustive. However, the point is to raise the notion that, in the context of the resurgence discourse around post-work and post-scarcity, we must also reconceive legal technologies of artificial scarcity, such as restrictive intellectual property protections. To do so, there must be an orchestrated move away from an individualistic focus on rights-to-property (and the associated motivations for protecting cultural products, like the exploitation of IP) to a more socialized focus on the general intellect and the understanding that any inherent value of cultural products is historically and socially produced.

Post-work and post-scarcity society

Technological advancements will save us from the toils of work by doing it for us, but since there is no guarantee

of relinquishment from having to labor and live in a market-based economy, what will we do in its place? This is a rather crude formulation of a question posed by scholars working within the remit of a future without work, particularly where 'fully automated' processes and advanced robotics are taking over swathes of jobs in a variety of industries, leaving a growing number of workers to compete for dwindling opportunities in their wake (see Bastani, 2019; for an account of this trend, see also Jones, 2021:24). Opportunities that are nevertheless themselves poorly compensated, increasingly precarious, and rarely fulfilling—a set of conditions that defines a more general tendency towards 'sub-' or 'underemployment' that has been seeping into global economies since the 1970s, to which I'll return below (Jones, 2021:30; Benanav, 2021:56). Nevertheless, a great deal of post-work literature skews toward a vision of the future defined in many respects by social crises and mass 'technological unemployment' (Srnicek and Williams, 2015; Brynjolfsson and McAfee, 2014; Ford, 2015).

As social theorist Aaron Benanav asks in the opening of his book *Automation and the Future of Work*, providing something of a pastiche of those to whom he refers as the 'automation theorists':

> After all, what would human beings do in a largely automated future? Would we be able to adapt our institutions to realize the dream of human freedom that a new age of intelligent machines might make possible? Or would that dream turn out to be a nightmare of mass technological unemployment? (Benanav, 2021: ix)

Benanav's analysis is among the most direct of recent critiques leveled at this automated vision of the future, which he contends comes from a heterogeneous group of thinkers "from all points along the political spectrum" (2021: 5). The unifying force that underpins this otherwise inherently fractious or disjunctive automation discourse, Benanav argues, is a set of four principles or apparently deterministic truisms that emerge from the coming technological change. The first is that so-called technological unemployment—the absolute displacement of workers from their jobs by machines—is not only inevitable but already taking place at an alarming rate. Secondly, this creeping tendency will not slow and is a sign of a future dominated by full automation across the full compass of industry. Thirdly, rather than perceiving a workforce of automated machinery and computational organization as human liberation from alienated labor, the need to work to sustain ourselves and our lifestyles will remain intact and invariably lead to social disarray. And lastly, to moderate the crisis of unemployment, automation theorists of all stripes find the need to deploy a universal basic income (UBI) increasingly urgent (Benanav, 2021: 2–3). It is worth highlighting, however, that for various interest groups, instruments such as basic income are a means to radically different social and political ends (for an expanded discussion, see Standing, 2017; and in practice, Autonomy, 2021).

In short, for many automation theorists, technological problems require technocratic solutions. Benanav and others are not so sure and are uneasy at the prospect of 'fixing' so-called problems of the market with yet more market-based solutions. There is an agreement, however, that the underlying issue of global capitalism is the system's inability to produce enough jobs for a growing reserve of potential labor. There is resolutely a crisis of labor, Benanav confirms (to which I will turn below), but while the automation theorists get the cause of the present crisis wrong, utopian visions of the future are required and necessary in order to bring about a future of collective social freedom.

For Benanav, rampant technological change and the subsequent displacement of workers by machines is not the problem. Tracking trends and broader tendencies from the nineteenth and twentieth centuries, he shows that the automation of processes and the introduction of new productivity-enhancing technologies have consistently led to job loss at a number of historical junctures and that automation discourse surfaces time and again in response (Benanav, 2021: 6, 8). Rather, the real driver of the labor crisis is a rampant and unceasing technical change in a deindustrialized context of secular stagnation marked in part by global material overcapacity. This is the so-called 'Age of Stagnation' (Das, 2016; Smith, 2020). In tracing this trajectory and extrapolating from it—slipping out of the timeline presented in the automation discourse into another (Benanav, 2019: 15)—Benanav necessarily arrives at both a different conceptualization of the current conjuncture (the capitalist present) and of the possible futures that might be brought into being (produced through social struggle). Indeed, the political utility of post-work's utopianism is

demonstrated through the latter, a version of which I will attempt in relation to cultural production in the final section of this article: it is "utopian thinking is here a tool for orientation and mobilization – a means of thinking outside the present" (Hester and Stronge, 2020).

Departing from the perspective of industrial transformation through robotized processes and automation, Benanav turns attention to the specificity of how the rise in global overcapacity has driven deindustrialization since the Second World War. In particular, through a series of technocratic alignments underpinned by political strategy in the postwar period, Benanav notes how the US—who, at that time, "hosted the most dynamic economy in the world, with the most advanced technologies" (Benanav, 2019: 26)—extended allegiances in the form of material support in raising the industrial manufacturing capacities of competitor nations such as Germany and Japan. This kind of 'export-led industrialization' (a mechanism through which a nation drives economic growth through exporting manufactured goods or raw materials) was largely successful for a number of decades. However, by the 1960s, what critical theorist Robert Brenner (2006: 74) called 'contradictions of internationalization' began to emerge; thus "rising manufacturing capacity across the globe quickly generated overcapacity, issuing in a 'long downturn' in manufacturing output growth rates" (Benanav, 2019: 26).

This economic downturn was marked by the saturation in global markets of manufactured goods, kicking into gear a slowdown of industrialization and a reduction in output growth and profitability that resulted in "deindustrialization in employment terms" (Benanav, 2019: 27). For Benanav, building on others such as Brenner, here lies the correct source of today's crisis of labor. In contrast to that which is credited in various accounts of automation theory, namely rampant technological change, the observable rise of global overcapacity beginning post-WW2 provides the foundation for our contemporary condition. This is felt and demonstrated in the present in the rise of what Nick Srnicek termed 'platform capitalism,' which emerged through increasingly risky investments in the context of the general deindustrialization of high-income economies, where investors are looking to maximize yields by turning to riskier assets like information and technology companies (Srnicek, 2015: 21, 27). But how do we move on from this impasse; where might we turn?

Here, Benanav charts a productive course. As I have recalled from some of his argumentation in *Automation and the Future of Work*, relying on technological advancement (alone) does not provide the conditions necessary for a post-work future or a post-scarcity society. This path leads to, and by the preference of many contemporary theorists of automation, a future that cannot escape market mechanisms like the implementation of some form of basic income. Where answers to society's problems are policy instruments like basic income, Benanav argues we are asking the wrong questions. Ultimately, the post-work literature has brought with it a sense that it is acceptable to theorize what comes *after* capitalism—to once again treat capitalism as a historically contingent mode of production, a stage of development that can and will pass. As cultural theorist McKenzie Wark has argued, this has seemingly not been the case among Marxist intellectuals for some time. Whether what comes after will be better or worse is yet to be determined (see Wark, 2019). In the positive: images of a world where one could pursue their passions freely, without the worry of exclusion by the market. In the negative: one in which inequality and power imbalance crashes on full-steam ahead; information and finance capitalists continue to drain zombie-workers (both formally and informally employed) of their mental capacity.

In the final chapter of his book, Benanav sketches in broad strokes his vision of a post-scarcity future, which is driven by a fundamental condition: the abolition of private property. This, of course, has interesting and complex ramifications for the domain of culture and all kinds of cultural and artistic production, not least when considering the status of legal forms of 'artificial scarcity' such as intellectual property rights (Rekret and Szadkowski, 2021), which I consider below. But first, it is useful to briefly outline Benanav's post-scarcity paradigm to situate cultural work more specifically.

‘Cultural production’ after work

Postcapitalist imaginaries today are difficult to come by (Wark, 2019; Fisher, 2009; Benanav, 2021: 81), perhaps more so than they were in the middle of the last century despite advances in so-called labor-reducing technologies—what Marxist art theorist Dave Beech describes as ‘technologies of rest.’ In part, as Benanav forcefully argues, this is owing to a lack of emancipatory tactics in favor of market-based solutions such as the unconditional circulation of money or even older projects such as central planning and full employment. One of the key threads running through *Automation and the Future of Work* is Benanav’s general admiration for the automation theorist’s outlook; peering beyond the capitalist machine and asking what comes next is a desirable and welcome position. Their fatal error is not their future focus, but the underlying assumption that full automation *will* succeed, that it *will* displace human labor, and the work that needs to be done *now* is that which will provide answers to the coming social crisis driven by technological unemployment. Benanav (2021: 82–84), on the other hand, reverses the logic by first asking what a just and free society might look like—one that is not defined by economic stagnation and gross underemployment—and then turning to questions of how it might be brought into existence through technological and other socially centered means.

“In a fully capacitated world,” in which everyone had access to free education, healthcare, and welfare, “everyone’s passions would be equally worthy of pursuit” (Benanav, 2021: 83). Just as other social theorists before him, including Marx, Benanav’s vision of post-scarcity is not projected into the future but is something that can be built in the present prior to the existence of the absolute automation of production or anything like artificial general intelligence is within reach. Conceived through the organizational principles of ‘freedom’ and ‘necessity,’ we can begin to rebuild social life—through a democratic organization, cooperative justice, and a collective unlearning of historically received and systematically conditioned (ideological) truths.

In the ‘realm of necessity,’ democratically ordered work-sharing would ensure that the basic needs of human reproduction are met. That is, a recognition that the material requirements that need to be met in order to ensure a decent quality of life, such as shelter, sustenance, energy, modes of communication and transportation, essential goods, and raw materials for future production, must continue to be tended to in a post-work future. In this respect, post-capitalism, post-scarcity, and post-work should not be understood as promises for a future free from labor. Rather, they should be conceived as starting points for a new social contract with work that empties out the alienation of the wage relation—which is how at least some automation theorists, such as Srnicek and Williams (2015: 85), have primarily conceived the concept of ‘work’ in their writings. A future of post-scarcity free from ‘work’ is primarily one built upon non-alienated labor (Beech, 2019).

Engaging in organized work-sharing geared towards community values will ensure that some in society don’t end up toiling away for their entire lives while others enjoy the fruits of their surplus. Reimagining the work of necessity would also depend (or prefigure) collapsing distinctions between those domains societally recognized as work and those that often go unnoticed or are invisible, such as unpaid caring and domestic duties (Benanav 2021: 87). For feminist theorists (not least those who are also invested in the post work project), this detail is of vital importance. Indeed, as feminist cultural theorist Helen Hester (2016) has argued, post-work theorization that does deal with the concept of work in this expanded sense does not adequately deal with the social problems it purports to address. The new processes of socially necessary reproductive work will also employ circular production and consumption methods, a further and necessary consideration that takes concerns of the drastically changing climate seriously. Though it is not offered in Benanav’s account, one would assume this circularity is not that of some mainstream ‘circular economy’ models, in which attempts are made to construct engines of sustainable growth—upholding and ultimately propping up a catastrophic capitalist logic of perpetual expansion (for a ‘post-growth’ critique of circular economy, see Valenzuela and Bohm, 2017).

With the basic needs of society taken care of (a project that will be continually in the making), human beings will have the freedom of both mind and body to engage in whatever pleases them. “For most people,” Benanav writes

(2021: 91), "this would be the first time in their lives that they could enter truly voluntary agreements—without the gun to their heads of a pervasive material insecurity." Federations of housemakers, marine technicians, chefs, collectives of textile professionals, or neuroscientists will assemble to tackle social problems liberated from the cycle of capital accumulation and profit. While Benanav's thought experiment does not detail how any of this might work in practice—indeed, such a project falls outside the book's scope—a renewed sense of possibility is fostered that does not depend on the coming technological revolution (or, perhaps, apocalypse). The present state of affairs is ready to be reassembled; post-scarcity futures are possible, but they must be socially constructed.

In a basic sense, it is from within the 'realm of freedom' that questions of culture and the artifacts of cultural production (as we might tacitly understand that phrase today) come into view most clearly. With more time and increased mental and physical capacity, people would be free to follow their passions, which for some will have been repressed by the everyday churn of work. Others will ignite new interests, maybe even return to artistic practices lost to the incessant logic of 24/7 capitalist temporalities (which have their own artistic imaginaries, see Crary, 2013). Where cultural and creative concerns arise at all in recent accounts of post-work, it is in this idealized domain where time is no longer scarce and socially necessary labor time is not the measure of humanity: "Learning a musical instrument, reading literature, socializing with friends and playing sports all involve varying degrees of effort – *but these are things that we freely choose to do,*" write Srnicek and Williams (2015: 85, emphasis added). But is this necessarily the case?

My point is not that those theorizing post-work relegate concerns of artistic and cultural production to the category of leisure, to be taken up when humanity has extra time. But rather, that activities such as 'consuming music' and 'reading literature' rely on globally distributed forms of alienated labor. To take some recent examples from music studies, for instance, sociologist Kyle Devine (2019) has recently demonstrated the global *political ecology* of musical reproduction in relation to three staple commodities that have undergirded its reproduction since around the turn of the twentieth century. Through empirical engagement with popular music formats, such as the shellac disc, cassette tapes, CDs, and data files, he has shown that musical work of the past decade has and continues to mobilize a highly racialized and gendered labor force that also consistently engages in ecologically damaging practices.

Furthermore, these cultural acts—now on the part of the consumer—also enter into the 'realm of necessity' and play an important function in the work of 'social reproduction' and the possibility of 'collective flourishing' (Hesmondhalgh, 2013). That is, something as everyday or ordinary as listening to music has the potential to contribute to our well-being or sets us up to deal with the challenges of a new workday (under current conditions, at least). Drawing both from the 'praxis turn' in sociology and historical materialism, social theorist and musicologist Eric Drott (2019) argues that, under the right conditions, music consumption can be effective in terms of its therapeutic properties. With sound studies theorist Marie Thompson (2020), he has written on the salience of music's care-function in response to the coronavirus pandemic, highlighting its ability to foster connection. As Thompson and Drott (2020: n.p.) highlight, however, these tendencies are co-opted by capital in a variety of ways; it is another 'cheap' solution to the crisis of care and social reproduction.

Cultural production, therefore, brings complex issues to the surface when imagining a future of post-work and post-scarcity. Indeed, there are also questions surrounding potential internal transformations in the categories of 'culture,' 'art,' and 'leisure' in a world without 'work' in relation to which they are partly defined. Addressing all these issues highlighted above in the context of post-work, and inevitably many more, will be vital to society's reimagining, and their organization outside of the profit motive will constitute important future projects (not least for this author). However, this momentous task will not be reconciled here. For the remainder of this article, I will consider other concerns that center around the social, legal, and moral status of intellectual property—one of the paradigms contemporary cultural producers operate within most directly—which is to follow Benanav's lead in recognizing the most significant dimension of conceiving social life after the passing of alienated labor. In doing so, I tentatively point towards some tendencies within digital culture under capitalism that will be developed and challenged in later work.

Intellectual property after artificial scarcity?

Reimagining cultural work in a world of post-scarcity would be to do away with intellectual property laws in their current form, which largely functions in the interest of a bourgeois rentier class who derive value from owning and controlling artificially scarce legal entities protected by instruments such as patents, trademarks, and copyrights (see Christophers 2020). While in countries like the United Kingdom, IP protections such as copyright are automatically bestowed to creators of literary, musical, software, or filmic works—at least once concepts and ideas are made demonstrably tangible (CDPA, 1988)—what matters most is ownership. Ownership is what cultural producers often lose or sign away in order to engage in various forms of work as it is currently understood. Whether it is tech workers at the largest digital social platforms, precariously employed academics at universities across the world, or consultants at a creative agency, claims over IP often fall to the employer and are legally secured through employment contracts. In the music industry, it is common practice for artists to sign over rights to master recordings (and often much more) to major corporations who exploit them as they wish, often reinforcing unfavorable conditions and structures of renumeration for the artists—the seemingly perpetual desire to chase down a record deal anyway is what sociologist David Arditi (2020) calls the "ideology of getting signed." So while cultural producers deal in "information [of their own making] that has enough novelty to be recognizable as intellectual property," they are often not free to access, control or meaningfully intervene in the social lives of said property (Wark, 2019: 13; on the social lives of commodities, see Appadurai, 1986).

In her own contribution to postcapitalist discourse, cultural theorist McKenzie Wark understands the relationship between owners and producers of various types of information as constitutive of a new set of social relations. In *Capital is Dead: Is This Something Worse?* Wark (2019: 7) turns attention to what she argues has been the impasse of *the genteel* Marxist theory of the past few decades, which is a general submission to the capitalist system as an endemic social order. Rather than reading the specificity of the present as another addition to the capitalist order of things, Wark asks if it isn't the case that a new mode of production is emerging—a question that has been met with much criticism (see Steven, 2021). In posing such a question, however, Wark does not think that older capitalist relations are not constantly expanding as surely as the universe but that something else is also occurring that coexists with prior modes of production.

Wark proposes two abstract class categories that ultimately describe the social implications of another abstraction in IP: a set of procedures and precedents that reify products of the imagination to transferable private property. The 'hacker' class refers to "everyone who produces new information out of old information, and not just people who code for a living' but who do not own 'the means to realize its value'" (Wark, 2019: 13, 14). In this case, hackers are a much broader cohort of people than artistic and cultural workers alone. However, those involved in the broad array of cultural production perform a vital role in the constitution of this informational social relation—not least in the context of unending consumption upon which many of the dominant platforms rely in the context of the global digital political economy. Those who own the infrastructure of digital communications and who consequently dominate flows of IP on a planetary scale, Wark terms the 'vectoralist' class. Without tracing the development of the hacker and the vectoralist too closely here, the categories themselves are significant in that they frame the present conditions of IP and cultural production along the lines of class, through which it becomes more clear to see "a common class interest in all kinds of information making, whether in the sciences, technology, media, culture, or art." (Wark, 2019: 13–14) Such a conception is central in order to bring about the future Benanav envisions, and it is along these lines that artistic and cultural producers must wage their war on the current state of private property rights that serve individualistic ends. This will not be a simple task and requires a radically expanded concept of IP that is premised on the material production of sociality. In other words, we must understand "intellectual property as a site of struggle" (Rekret and Szadkowski, 2021: 1567).

One potential resource for this reconfiguration might be appropriated from arguments made in favor of basic income. Though I have stated Benanav's discomfort with market-based solutions such as a UBI to solve the problems

of capitalist society at large, there is sound logic behind the theoretical defense of basic income that applies here that does not necessarily import the practical rollout of basic income.4 As Guy Standing (2017: 25–26) writes in defense of the implementation of basic income as a form of social justice, "society's wealth is collective in character; our incomes and wealth today are due far more to the efforts and achievements of past generations than to anything we may do ourselves." Might our cultural forms be conceived in the same way? Widespread recognition of the historical and social basis for the construction of ideas, concepts, artistic materials, cultural artifacts and so on would undercut claims over the sovereignty of the individual, whether a singular person or a corporation. As political theorists Paul Rekret and Krystian Szadkowski (2021) have noted, the pillaging of the 'knowledge commons' under the logic of capitalist exclusivity is not dissimilar to the colonialist appropriation of common lands—the point being that what now may appear like natural phenomena are deeply historical and are not exempt from the struggles of reclamation and transformation under what Benanav refers to as the domain of freedom.

The further subsumption of cultural practice under the logic of financial capital (see Wark, 2016; 2017) and, among other things, the emergence of novel digital art forms and practices such as Non-Fungible Tokens (NFTs), is perhaps paradigmatic of the opposite tendency. Further claims to authenticity and asset ownership, mediated and securitized through decentralized systems designed for crypto-financial transactions, drive us further away from commonistic understandings of cultural artifacts and the debt owed to the development of artistic and cultural knowledges forged by previous generations. This is especially so in the cases where artworks functions like a financial asset. Privileging private ownership over increasingly speculative assets is not a desirable future nor one that coheres with Benanav's post-work utopia that is lying dormant (though increasingly far away in the context of the digital cultural economy) in the capabilities of the present.

Recall Herndon's *Holly+* project, which offers an interesting case study that simultaneously embodies certain qualities of the logic described above but which is problematized in others. As I described in the article's opening, users of the voice model are encouraged to modify and share their new artworks through copyleft licensing—an alternative to copyright that permits the creation of derivative work for non-commercial endeavors. But there is another dimension to the project's governance that problematizes our ability to hold it up as an exemplar of a more social(ized) approach to the production and circulation of intellectual property.

Management of the rights to the voice model itself is currently overseen by a community of 'friends, family, collaborators and supporters' who comprise the *Holly+* DAO, a 'decentralized autonomous organization.'5 DAOs have emerged over the past decade as models for collective digital ownership of an enterprise or venture, negating the centralization of decision-making characteristics of VC firms and corporate boards while recording activities on a blockchain for perpetuity. The DAO overseeing the Holly+ project makes decisions around "licens[ing] out the official use of Herndon's voice to approved artists, meaning that each creation can be traced back to its original source," (Sojit Pejcha, 2022) as well as minting new NFTs for sale via the project's digital auction house. While this is not the place for a detailed engagement with the idea of DAOs, they illustrate an interesting shift in artistic and cultural work by repositioning the function of IP, especially when placed in the historical context of music production and consumption. To join the *Holly+* DAO, would-be members must first purchase a community token, which grants access to the token-holder to contribute to the governance of *Holly+* IP while entitling them 'to a cut of profits from resales of those works in perpetuity' (Herndon, 2021).

The 'community building' dimension of this project and others like it is, in principle, a task that coheres with Benanav's call to freedom and necessity, where stewards collectively oversee and undertake the practicalities of management that is reminiscent of a federated or guild-like-logic of organization. However, the interconnected financial and technological barriers to entry drives us perhaps even further away from a post-scarcity future than the business-as-usual of the contemporary creative and cultural industries. More directly, as a project such as *Holly+* demonstrates, while there is a general liberalization in the approach to derivative *works* produced through the voice model than copyright generally permits, artificial scarcity is reintroduced in the structure of the community itself.

Decentered or otherwise, there is a certain discomfort in the pay-to-play or pay-to-govern model of tokenized communities that evokes Wark's vectoralist class. Democratizing the governance, storage, and ownership of the work of artists, musicians, and cultural producers of all kinds is not a revolution in the structure of IP. Rather, it is an exercise in the management of information, as with other speculative assets under capital, the owners of which hope will generate surplus value.

The inherent contradiction at the center of *Holly+* is not novel, however, and should not be restricted to either digital projects that are native to the organizational models of the so-called 'new internet' or other newer forms of production or consumption. Rather, it has characterized the capitalist music and cultural industries for the past century. In its current form, music represents both the best and the worst of what we can be. As Noys (2011, 2) has reminded us, the paradox of the artist has been reconciled in Marxist terms by the notion that the least capitalist subject is also the most capitalist subject and vice versa: "the one most subjected to capitalism is in the position of the one who prefigures the exit from capitalism." While it is to be seen whether digital projects like *Holly+* can transform use and access to musical material to the same extent that is pushing the technological boundaries of artistic production, I heed the stark warning that the artist often "run[s] ahead of capitalism, but only to prefigure it, to capture it in advance, at the level of art. In this way, the self-valorization of the artist, their act of creation, anticipates new modes of capitalism's self-valorization" (Noys, 2011: 4).6

Conclusion

Artistic and cultural production have historically relied upon what legal theorist Joanna Demers (2006: 7) calls 'transformative appropriation' for their development. Transformative appropriation—where artists sample, reference, translate or otherwise borrow from others—is more often than not carried out in solidarity or homage and has facilitated creative innovation, significant breakthroughs in the evolution of artistic practice, and the development of materials (Demers, 2006: 4). Such practices are becoming increasingly difficult to manage in the context of an overly litigious cultural industry and the emergence of technologies such as the NFT and tokenized communities that function as private property on steroids, and the full implications for art and cultural production will largely remain unknown. Projects like *Holly+* are gesturing towards more open conditions of artistic creation, but in the tokenization of community, an individualized logic of property rights surfaces elsewhere (in governance). What the concept of transformative appropriation underlines, however, is the collectivist and social nature of not only artistic and cultural labor but the foundation of all knowledge-based production. The history of knowledge held in common and the historical development of available materials (to strike an Adornian note) are central to social reconfigurations and future understandings of the relevance of intellectual property rights after the end of alienated work. When decentralized, artificial scarcity is consigned to the dustbin of history. 'Intellectual property' as a socialized concept must privilege *making* over *having*, *owning*, or *governing* and non-proprietary forms of creative laboring in order to be fit for purpose in post-alienated-work futures.

This article has not attempted to reconcile the position of cultural or artistic production within the context of post-work 'studies.' Rather, with it, I have raised important questions for thinking through the contradictions of creative forms of labor in recent theoretical visions that point toward a future society freed from the toils of alienated work and artificial scarcity under capital. Whether such a future comes about as a result of technocratic planning and automation, or, perhaps more desirably, the socialization of existing means and technological capacity is to be seen. As a fierce and critically rigorous argument for the latter, Benanav's *Automation and the Future of Work* is certainly productive as a means through which 'post-scarcity' can be brought to the fore of discourse in many fields and disciplines. Benanav's historical analysis in the book's early chapters offers a grounded theory of the present conditions. However, the final more speculative chapters that take up the categories of 'freedom' and 'necessity' sparked the line of thought to which this paper has given initial form. But once society is restructured around freedom to pursue one's passions and the (rightly) continued organization of necessary work, the question of cultural production will remain.

The intellectual property protections, such as copyright, that underpin the commercial cultural industries must be radically reconceived in the context of post-work and post-scarcity. In Wark's parlance, the waking nightmare for hackers under the logic of contemporary capitalism is the perpetual need to make-material novel products of the imagination—content for streaming, the code that underpins the streaming service, and so on—while watching their compensation dwindle away. In a society premised on the extension of freedom and necessity, the hacker's work might not take on a different form but will be organized in the pursuit of dramatically different ends. While capital wants to pay nothing for its inputs (like songs on a streaming platform) and charge high rents for its outputs (through mechanisms like subscription packages), *socialized* intellectual property will be oriented toward social reproduction and self-fulfillment, acknowledging the legacy of creative workers of the past and the historically determined material with which cultural products are formed. Culture after work, in this sense, will still require work and commitment—maybe even more so than now—but perhaps it'll be carried out under conditions of our own making.

Endnotes

1 For more information on the project, see Herndon (2021).

2 See, for example, Midler vs. Ford Motor Co (1988) and Waits vs. Frito-Lay (1992). Herndon (2021) highlights this legal precedent in an introductory text on the project.

3 And indeed, that 'cultural production' may not be the most appropriate framing for a radically reconceived theory of art and cultural work after capital. See, for example, O'Connor (2022).

4 Though a basic income trial for artists in Ireland is due to launch in the first quarter of 2022. See 'Ireland to Launch Basic Income Program for Artists', Artforum. Available at: https://www.artforum.com/news/ireland-to-launch-universal-basic-income-program-for-artists-87612.

5 Herndon explained the launch of the DAO in a 2021 Twitter thread, see: https://twitter.com/hollyherndon/status/1415347696039301121.

6 In any case, this is a developing position, and interesting perspectives constantly surface in what is a fast-moving environment (especially in the practices of digital practitioners). Readers are encouraged to read Dryhurst's essay "Feasible Abundance and the Shock of the Nude" (2022), in which he proposes the irresistible concept of feasible abundance, which stands in contrast to arguments around digital scarcity and formats such as the NFT. Feasible abundance refers to the concurrent condition of satisfying the artist's financial recuperation with a potentially infinite audience's freedom to engage with a work of art.

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