

FINDING THE TELL

Comments after the fact by George Neely, Emeritus Professor of the Salvage

tell In poker, a player's *tell* gives information only about the player's assessment of his own cards. (from Wikipedia)

tell an artificial mound containing the remains of a settlement, a small hill or tumulus, from the Arabic, "tall" for "hillock" (paraphrased from *The Random House Dictionary of the English Language, 1967*)

So I'm wandering across the bumpy terrain of the *New York Times*, each bump a remnant of past settlements about how to *mean* when relying on your own assessment of how things seem as you bump into the assessments of others. Here's one.

"Senator Patrick J. Leahy, Democrat of Vermont and author (of) the Protect IP Act, accused opponents Tuesday of trying to 'stoke fear' through tactics like the Wikipedia blackout. 'Protecting foreign criminals from liability rather than protecting American copyright holders and intellectual property developers is irresponsible, will cost American jobs, and is just wrong . . .'" (NYT 20120118 p.A3)

"Most people in the tech world agree that the problem of piracy needs to be addressed. But they say their main concern is that the tech industry had little input on the language of the legislation, which is still in flux and so broadly worded that it is not entirely clear how Internet businesses will be affected. Big Internet companies say the bills could prevent entire Web sites from appearing in search results—even if the sites operate legally and most content creators want their videos or music to appear there.

"It shouldn't apply to U.S. Web sites, but any company with a server overseas or a domain name overseas could be at risk,' said Andrew McLaughlin, vice president at Tumblr, a popular blogging service." (NYT 20120118 p.A3)

What subsequently became apparent about this and other controversies of this period was their value as a *feint* or *miscue*. The parties differ only in emphasis. From the viewpoint of a screenwriter or social media programmer of the time, the question of fair return for work did not concern protection for intellectual property. For such creators, a regular wage and shaky promise of an IPO share would have sufficed. Loftier concerns about other domains or the Future of the Arts were left to corporate spokesmen. My conclusion, based on industry documents of the century following this controversy, is that, like other artificially bifurcated disputes, the controversy was well managed to draw attention away from the settled aim of corporate actors on both sides to brand individual efforts with corporate logos and centralize power. By this point in the universal emergence, however, the decentralization of power and the release of individual creative energies had already begun. This footnote, this small hill of contrived controversy, barely rises from the great slope to the later emergence.