THE PROGRESS
OF CONFUSION

KYLE REYNOLDS CONWAY
The Progress of Confusion 1.0

by: Kyle Reynolds Conway

♥ Copying is an act of love. Please copy and share.

Text © 2011 Kyle Reynolds Conway,
under a Creative Commons Attribution Share Alike (3.0) license.
http://kylerconway.wordpress.com/

Cover image © 2011 Erich Thielenhaus,
under a Creative Commons Attribution Share Alike (3.0) license.
https://theboomflash.wordpress.com/

Copyheart: http://copyheart.org/
Creative Commons: http://creativecommons.org/licenses/by-sa/3.0/
Dramatis Personae

REPRESENTATIVE
Representative of the People.

LOYBY
Lobbyist for an Industry.

TECHNOLOGY
A Technology Enthusiast.

PROFESSOR
A Professor.

ARTIST, MINISTER, COLLEGE STUDENT, MAILMAN, ATHLETE, AUDIENCE, MOTHER
All of us.

Sources

The first section, “The Public,” quotes heavily from the following interviews:

http://www.archive.org/details/QuestionCopyright.org_interviews_Chicago_2006
The Public

Fast transitions with light. Filmic. Various members of the public being interviewed individually by a camera. They are not in the same room with one another. Speaking to a camera. “WHAT IS COPYRIGHT?” is visible somewhere.

MOTHER
So nobody else steals what somebody originally created.

COLLEGE STUDENT
To ensure that works created are not used illegally, like, if someone comes up with an original idea or thought, or some sort of original work, that they should be credited for it always.

ATHLETE
Mainly so people don’t try to take other people’s ideas.

ARTIST
To protect the person who’s invented or has come up with the basic idea, so copyright is supposed to, basically give them, I guess ownership of it, the actual idea, or invention or whatever it is basically.

MINISTER
The right of the person who, actually I need think about that uh, the right of the person who created the copy, to benefit from it, and protect them.

MAILMAN
To provide a limited monopoly on a specific expression of ideas to encourage creativity, so that, um, you know, someone, in the short term, has an incentive to create something.

“PROTECTION FROM WHAT?” is clearly visible somewhere.
Well, protection from somebody else, maybe, uh, getting a hold of their idea and claiming it as their own. Uh, protection from, I guess, uh, I guess protection is the best word to use.

“How long has copyright existed? What is its history?”
is clearly visible somewhere.

ARTIST

I have no idea about that.

COLLEGE STUDENT

Uh, I would imagine that it probably came about in the early, uh, twentieth century. But that’s just a guess.

MINISTER

No clue. I suspect a long time, but I couldn’t begin to tell you.

ATHLETE

Oh, for cyring out loud. Um, I’ve seen books that, copyright goes back as far as... the... mid-thirties.

MAILMAN

Well, I, I mean I know that it’s in the constitution, that, that representative was supposed to enact laws, so, so I guess it goes at least that long.

“Do you know anyone who swaps copyrighted materials over the internet?” is clearly visible somewhere.

COLLEGE STUDENT

Yes.

ARTIST

No, most everybody I know does it the legal way. I couldn’t really tell you anybody that uh, off the top of my head, that I know downloads illegally, or steals music.
MINISTER
Absolutely.

MAILMAN
Absolutely! Sure. Absolutely. Tons of people! Everybody does it.

"HOW DO YOU FEEL ABOUT THIS FILESHARING?" is clearly visible somewhere.

MAILMAN
Uh, you know, honestly... I guess I have some mixed feelings about it because... on the one hand, the big media companies, I’d sure like to see them get screwed, and the idea that somehow they’re standing up for the artist is just hogwash, you know, since they’ve done everything they can to screw the artist all along, with, you know, curious accounting, and stuff like that. But at the same time, you know, I can see that if you were just a small or independant, it could, you know, run into, you know, problems.

COLLEGE STUDENT
I have mixed emotions about it, I mean I suppose, morally, I would think that, I think that it’s wrong, but... it’s, it’s one of those things that’s just like there.

ARTIST
I’m an artist myself, and if I were to create something I’d feel like I’d want to get paid for my work. I wouldn’t want it to be given away for free. You know, so I totally understand how a musician would feel if his or her music were being stolen or basically being given away for free when they could be getting paid.

MINISTER
I try to give credit to anybody, I use slides in my sermons, and I try to be very very careful and sensitive to it, but I know there are times when I am abusing the copyrights. That google search for images, I’ll tell you, it’s right there.

ATHLETE
Personally, I don’t, I don’t, I read the books. I don’t try and, uh, take someone’s idea, but, that’s just because of the way I was raised.
“ANY OTHER THOUGHTS OR COMMENTS ABOUT COPYRIGHT?”
is clearly visible somewhere.

MAILMAN

Things are shifting right now, and like media companies really don’t know how to handle it, and so they’re just trying to cling it down like “oh you can’t fileshare! You can’t do that!” When really I think what’s going to end up happening is how people make money off music is going to be really different in another ten years, you know, and it won’t be the CD for eighteen dollars.

COLLEGE STUDENT

Um, I think that copyright, I think that it’s really important, just for things like books and manuscripts and stuff. People like that don’t make a lot of money traditionally. Or there’s a lot of people who, um, try to be writers or musicians or whatever and don’t make a lot of money, and they actually do make something original. They should get credit for it.

MINISTER

I, I think it’s fairly meaningless to a lot of people. And I think I think it’s there for a good reason, now, I guess the question is does it need to be relooked at it, in the basis of the time and the technology that we have. And, do we need to be better educated, or do the laws need to be changed?
The Professor

PROFESSOR stands before classroom, giving a lecture.

PROFESSOR
So how many of you, my honorable students, violated copyright law today? I see a couple of hands lurking back in the shadows. Don’t worry. I’m not working for the industry. I’m not going to “name names.” I see more hands now. Good. Now, what would you say if I did this?

PROFESSOR raises hand.

PROFESSOR
Okay. Even more of you are raising your hands now. Good. Now, what would you say if I told you that every single one of you broke copyright law today? What if I told you that, by the letter of the law, every single one of you is a criminal? And even worse, what if I’m telling the truth? How many of you subscribe to an RSS feed? Watch news online? Read the newspaper or articles online? Look at pictures of your favorite bands? Maybe even read something that someone sent as a forward in an e-mail with cute kittens doing something with a piece of yarn? If you answered yes to any of those or you would have answered yes to anything like any of those, then you have quite normally and unknowingly violated copyright law already today, because the “copy right” is the right to make copies, and that’s how the internet works. That’s what computers do.

Someone’s phone “dings” with the sound of receiving information.

PROFESSOR
That smart phone in your pocket connected to twitter is making a copy of every message and putting it on your phone to display it to your eyes. So, one last time: how many of you have violated copyright law just today? Good. Now, don’t you think a law that makes everyone a criminal needs to be changed? How might we go about doing that?
The Representative

REPRESENTATIVE speaks to peers animatedly. Two huge pockets on either side of the body.

REPRESENTATIVE

I want to tell you a story about how lawmaking works. We’ve got all a bill in front of us, coming up for a vote, and we’re all going to have to decide which way to vote. We privilaged few are expected to know a lot about everything. We vote on health care, taxation, education, and a whole range of other issues – each with their own peculiarities and special considerations – and our job is to understand the issues as best we can in order to represent the people. And it is here that I get to my main point: technology. Technology has given us the tools to interact with the constituents we represent in new and exciting ways.

REPRESENTATIVE takes smart phone out of pocket.

REPRESENTATIVE

This tiny little device, more powerful computationally than anything used to send Americans to the moon, also connects us with our citizens in powerful ways. Ordinary citizens, whose opinions we must value in order to carry out our duties faithfully. For instance, on Twitter I just heard from Maggie Mulva...

LOBBY enters stage, drops a huge brick of cash into REPRESENTATIVE’s pocket, whispers into REPRESENTATIVE’s ear, hands them a one page flyer, and leaves.

REPRESENTATIVE

And this new technology is dangerous to democracy!

REPRESENTATIVE sets smartphone down on floor, removes giant, clown-like hammer from somewhere, and smashes smartphone to bits.

REPRESENTATIVE

Democracy cannot thrive with technology that threatens...
REPRESENTATIVE checks one page flyer.

REPRESENTATIVE
...the very core of our presently successful business practices. Piracy runs amok, destroying all that Americans hold dear. Our very ability to export intellectual property abroad is threatened. This is why I am introducing the...

REPRESENTATIVE checks one page flyer again.

REPRESENTATIVE
(Insert whatever bill threatens internet innovation this month) onto the floor at this time. This bill will remove key pieces of the burdensome legal process that normally stand in the way of prosecuting those Americans hellbent on destroying the American economy. The portions of the legal process that the lobby...

REPRESENTATIVE coughs, loudly.

REPRESENTATIVE
...That I, excuse me, I propose removing from the legal process: Proof, the concept of being innocent until proven guilty, and any judicial oversight. In addition, I propose that we de-fund other programs – education should clearly be on the table – in order to pay for this governmental protection of businesses threatened by the onslaught of technological innovation...

LOBBY enters and coughs loudly. REPRESENTATIVE rechecks his one page flyer.

REPRESENTATIVE
...excuse me again, not technological innovation, but technological terrorism in recent years. If the government doesn’t step up to protect these industries from their own customers, from our own constituents, from single mothers, the elderly, and any child with a laptop, we’ll be spitting on the American flag. I don’t think any of us here are interested in spitting on the American flag.

PROFESSOR, TECHNOLOGY, and PUBLIC enter from other side of the stage. PUBLIC places a single bill into REPRESENTATIVE’s pocket. PROFESSOR offers a book length printout of research on the subject at
It appears that there are...

LOBBY whistles, snaps fingers, and points to REPRESENTATIVE’s pocket containing the larger sum of money.

Having...

REPRESENTATIVE looks at PROFESSOR, TECHNOLOGY, and PUBLIC, then REPRESENTATIVE looks at the pockets. For a final time, REPRESENTATIVE looks at PROFESSOR, TECHNOLOGY, and PUBLIC: REPRESENTATIVE shrugs shoulders. Smart phone continues ding- ing.

We, the representatives of the People, must always listen to our constituents in order to serve them well and be reelected for our actions on their behalf. On behalf of the people I bring this bill to the floor, and I ask you to consider all the issues fully...
REPRESENTATIVE picks up PROFESSORS huge pile of papers. Smart phone is still dinging.

REPRESENTATIVE

...as I have, and vote for this bill.

Smart phone is dinging wildly now. REPRESENTATIVE tries to speak louder than the smart phone.

REPRESENTATIVE

Technology is dangerous!

REPRESENTATIVE smashes the new smartphone to silence.

REPRESENTATIVE

Without governmental regulation of, by, and for the People.

end of play