

# The Routledge Companion to Remix Studies



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# GOOD ARTISTS COPY; GREAT ARTISTS STEAL<sup>1</sup>

## Reflections on Cut-Copy-Paste Culture

*Stefan Sonvilla-Weiss*

Remix culture is highly dependent on the abundance of cultural production and access to media objects by a large community. From an economic and organizational perspective, cultural artifacts in the broadest sense need to be inexpensive, widely distributed and easily accessible. This basically means that the individual gains the right to work on the source material without becoming endangered by infringements of laws or taboos.

From a historical point of view the accumulated body of recorded works of human art and knowledge was first achieved through the expansion of the printing press, which laid the foundation for the development of early modern science in the seventeenth century. A new self-conception in dealing with texts arose from discernible naming of authors, printers, page numbers and publishing years. Hence texts could be clearly referenced, which in turn served as the basis for creating new knowledge through critical review and supplementation of information.

These interweaving processes of combining existing and new material became a major principle and coercive element in scientific argumentation. Scientific publications always selectively refer to other scholarly works from which new schools and discourses evolve. New findings and knowledge bear on individual yet reproducible empirical knowledge—a supposition that is still controversial to this day. The development of the printing press made possible the standardization and comparison of text production in a freer and more critical way, and the possibility of simply transferring, for instance, a loss-free quotation from one sign vehicle to another, enabled a very early form of remix culture. Many of the punctuation conventions we know derive from this period, for example, how a quotation can be modified so that it remains a direct quote while seamlessly fitting into a new text.

See [Chapter 41](#) for Kevin Atherton's discussion on combining existing and new video footage of himself, spanning decades, in what becomes a recombinatory installation of self-driven questions and answers.

In the late nineteenth century when the first reproduction of a photograph with a full tonal range in a newspaper was introduced, a new chapter in the mass diffusion of images

was opened. The newly developed reprographic technique allowed parallel printing of text and photographs that enhanced the qualitative and quantitative aspects of image reproduction in a flourishing printing culture.

Early experiments with direct-contact printing of objects placed on photographic plates, double exposures, and composite pictures made by darkroom masking were popular during the Victorian era. It was William Fox Talbot who, in 1834–35, first experimented with the light sensitivity of silver salts that allowed him to develop the first contact printing of objects—mostly ferns, leaves, lace and drawings—onto sensitized plates.

Talbot's pictures, which he called *photogenic drawings*, were rediscovered in the 1920s by artists such as Man Ray and László Moholy-Nagy, who further experimented with the photogram technique. During the late nineteenth century a variety of playful encounters with composite photographic portraits developed into a form of entertainment using newspapers. This early form of trick photography became extremely popular—comic postcards, photograph albums, screens, and military mementos all made use of the techniques of cutting out and reassembling photographic images.<sup>2</sup>

The rise of montage as a central element in modern art is, however, in comparison to postcards, less technically motivated; it is rather more understandable as an attempt to develop a new aesthetics that echoed the progressing subjectivization in industrialized cities in the late nineteenth and early twentieth centuries.<sup>3</sup>

The newly introduced form of real montage replaced the concept of linearity with simultaneity, velocity, and multiplicity of sequences of events, suggesting one of the core subjects in the twentieth century avant-garde: the extension of the human sensory apparatus by means of aleatoric and technologically enhanced artistic procedures in search of new areas of experiences, in which the borders between the so-called inner-world and outer-world would eventually dissolve (as depicted for example in Max Ernst's collages). Collage techniques as applied by the Surrealists are encounters between heterogeneous elements, attesting in their entirety to the incompatibility of the two worlds—"as beautiful as the random encounter between an umbrella and a sewing-machine upon a dissecting-table."<sup>4</sup> What unites diverse early modernist avant-garde manifestos is the desire to create an alternative model to the reality of the ordinary everyday to reach a state of absolute power of desire and dream.

Correspondingly, Eisenstein's famous quote "montage is conflict"<sup>5</sup> points to a conflict where new ideas emerge from the collision of the montage sequence (i.e., in synthesis) but where the new emerging ideas are not innate in any of the images of the edited sequence.

Using the example of Italian futurist painter and composer Luigi Russolo, who wrote the manifesto *The Art of Noises* (1916), we can see that the early twentieth century avant-garde challenged the whole faculty of human sensory experience. Russolo argued that the human ear has become accustomed to the speed, energy, and noise of the urban industrial soundscape and thus this new sonic palette requires a new approach to musical instrumentation and composition. He proposed a number of conclusions about how electronics and other technology would allow futurist musicians to "substitute for the limited variety of timbres that the orchestra possesses today the infinite variety of timbres in noises, reproduced with appropriate mechanisms."<sup>6</sup> Nevertheless it was an arduous path for Russolo to design and construct a number of noise-generating devices, and to assemble a noise orchestra to perform with them.

From Russolo's manifesto it took another 30 years, along with the invention of the tape recorder, to separate the sound object (*objet sonore*) from the body of sound (*corps sonore*)—a concept coined by the French composer and theoretician Pierre Schaeffer (1910–95). He is mainly recognized for his accomplishments in electronic and experimental music, notably in his role as the chief developer of an early form of avant-garde music known as *musique concrète*. Other than in classical music, which starts with an abstraction (i.e., musical notation), *musique concrète* refers to the use of sound as a primary compositional resource. Soon after, the core elements of sampling were introduced, such as loops, variable running speed and direction, multitracks, crossfades and cuts.

During the mid-1950s Brion Gysin and William Burroughs used so-called “cut-up techniques”—an aleatory literary technique in which a text is cut up and rearranged to create a new text. The quite obvious Dadaist precedent of this technique can be traced back to Tristan Tzara's generic instructions from the 1920s on how to create poems by shuffling the words of a newspaper article. Yet both Gysin and Burroughs were not so much interested in the individual subconscious than exploring the collective as a kind of parallel and expanded reality or, as Burroughs proposes, “When you cut into the present the future leaks out.”<sup>7</sup>

At about the same time, artists experimented with found footage from B-movies, newsreels, and promotional and educational films, whereby *A Movie* (1958) from American beat artist Bruce Conner became one of the aesthetically significant examples in the collage film genre. In his film the tragic and the absurd coexist within the same split-second, whereas the process of selection and combination of horizontal and vertical montage triggers narrative associations.

In contrast to the noncritical relationship between montage and commerce in American pop art, the Situationist International movement (1957–72) proposed the technique of *détournement*, which “turns expressions of the capitalist system and its media culture against itself.”<sup>8</sup> In *A User's Guide to Détournement* Guy Debord and Gil Wolman proposed that:

Any elements, no matter where they are taken from, can be used to make new combinations . . . The mutual interference of two worlds of feeling, or the juxtaposition of two independent expressions, supersedes the original elements and produces a synthetic organization of greater efficacy. Anything can be used.<sup>9</sup>

However, this programmatic take on radical appropriation involved a certain risk of entanglement in the self-imposed logics of artistic subcultures. It was only with the rise of the Internet and the multiplicity of digital information in various media formats that the structural conditions of the prevalent, dominant high culture and market-driven cultural industry were fundamentally altered.

### No Man Is an Island

In an attempt to systematize musical borrowing as a pervasive cultural phenomenon over centuries, Peter Burkholder<sup>10</sup> has delineated the field and outlined a tentative typology of procedures for using existing music in new works. In seeking to define and delimit the vast field of musical borrowing, Burkholder defines it broadly as “taking something from an existing piece of music and using it in a new piece.” Subsequently, the borrowed and reworked music must be sufficiently individual to be identifiable as coming from a particular work, rather than from a general repertoire.



Yet in order to distinguish the history of musical borrowing from the history of compositional and improvisational practice, Burkholder concludes that it is best to focus on borrowing from specific works and to consider allusion to general repertoires, or even to the styles of individual composers, as closely related but different phenomena. For example, it is impossible to trace every instance of stylistic allusion in Mozart's or Rachmaninoff's work, as it would require writing about virtually every one of his pieces.

Using the example of T. S. Eliot's<sup>11</sup> pertinent lines in his essay about Philip Massinger, a contemporary of William Shakespeare, he comes to the conclusion that, "Immature poets imitate; mature poets steal"—a statement which, ironically, has proven itself in various permutations such as Picasso's "Good artists copy; great artists steal" or Stravinsky's "Lesser artists borrow; great artists steal." Eliot's assertion to obliterate provenience expands as he continues: "A good poet will usually borrow from authors remote in time, or alien in language, or diverse in interest."

Coming back to current remix practices—which, by nature are inclined to these borrowings—Arewa<sup>12</sup> rather succinctly points out that the pervasive nature of borrowing in music suggests that more careful consideration needs to be given to the extent to which copying and borrowing have been, and can be, a source of innovation. Existing copyright frameworks need to recognize and incorporate musical borrowing by developing commercial practices and liability rule-based legal structures for music that uses existing works in its creation.

### Individuality to Collective Authorship

Descartes's *cogito ergo sum*—the certainty of one's own thinking as a priori knowledge of the world—emblematically gets to the heart of the bourgeois-liberal concept of subjectivity. Against this background, the philosophical models that emerged from introspection-based creativity subsequently laid the normative basis for the European concept of authors' rights. These notions were popularized by cliché ideas about artistic creation such as the struggle of the author with the blank sheet or the artist in front of the white canvas. No matter what the deconstruction of this everlasting myth has revealed, the cliché prevails, in this case as a crude form that will be shaped by the artist's innermost vision.

In the highly specialized cultural industry (digital media art and business) of the twenty-first century, hardly anyone attempts to speak about the solitary work of the artist. Yet still, the concept of introspection as a source of creativity is maintained through either hierarchical organization or decision-making amalgamated in a single person, as, for example, the film director or producer (especially the film auteur). Precisely because these clichés are deemed inappropriate, cultural industries take advantage of them.

The practice of remix, implicitly or explicitly, pursues a different concept of creativity. It does not foreground the inwardness of the autonomous individual but rather the heterogeneity and excitement of a variety of different stakeholders whose ideas are brought out in synchronous, asynchronous, and serial forms of collaboration.

Synchronous forms of communication, for instance, are utilized by musicians for whom real-time encounters support spontaneous improvisation and dialog. At the beginning of such a process a mere loose framework exists to stimulate a kind of creative leeway eventually leading to an agreeable result. This, however, is no longer attributable to distinguishable contributions, but rather generated through vital interaction among

the participants. As a consequence, synchronous modes of communication and collaboration accommodate small groups that are flexible while using ubiquitous technologies. Wikipedia exemplifies an asynchronous form of collaborative communication. The main principle is quite simple: one person edits a media object created by another person, who in return reedits the newly generated version.

At any point in time there is only one version of the media object that is continuously worked upon by the community. The collective work of Wikipedia has become a reliable information resource built on the voluntary work of thousands of individuals whose contributions are reliant on peer review, version tracking, and chronological order.

### Serial Collaboration

A widely popular practice in cultural and artistic fields is the serial form of collaboration in which a piece of work emerges from successive elaboration by creative coworkers. This working method essentially differs from the reworking mode of existing media objects, as it foregrounds the creative and transformative process of adding something genuinely new to the existing. Transferring this collaborative form into remix practices enables both the producer of the source material and the remixer to act independently. In this sense collaboration works without spatial or temporal constraints, as the presence of the originator of the source material is no longer required.

Commonly, serial collaboration is less about enhancement of existing work than playful alterations and transformations. Although this operational mode occasionally privileges a distinctive idiosyncratic note of single authorship, the collaborative aspects continue to exist in analysis and dialog with the classics.

One of the first empirical studies on serial collaboration was conducted by Cheliotis and Yew<sup>13</sup> who investigated user behaviors in the ccMixter online community. The community had collectively produced an impressive 7,484 music items at the time of the data collection. This output has been considered quite respectable in regard to the relatively small size of the community and the fact that the production of a music sample or complete piece (even if it is a remix) is generally more time consuming than the taking of an amateur photograph or the creation (or editing) of a Wikipedia entry.

Another finding was that remixing accounts for more than half of the total production volume (3,982 items, or 53 percent), even if about 60 percent of all uploaded original music pieces (2,150 of 3,502) never get remixed. This is suggestive of the central role that reuse can play in digital media production. Interestingly samples that hold a strong degree of remix are less attractive as a base material for new pieces, probably because it is difficult to capture small parts that can be later used as samples. Thus, diverse forms of collaboration constitute an essential element of remix culture inasmuch as individuality is confronted with the collective. As a result, new forms of subjectivity arise. The polarity between predominantly twentieth century thinking of either individuality or collectivity is outdated; instead a single individuality emerges only in relation to other individualities. As an example, the various Wikipedia versions permit much more detailed access to individual entries composing the collectively authored article than acknowledgements in print publications would ever be able to do. Both individuality and collectivity are no longer the opposite: on the contrary, they form the basis of coevolving principles in networking culture.

## Everything Is Connected

Potentially everything could become connected with everything. However, the actual connections established and how they evolve need to be empirically demonstrated and they are therefore unpredictable. The reason for this structural openness is that the constituent elements of a remix and the character of the new piece are undetermined. In other words, the new piece is not just the aggregation of individual parts; rather it emerges through the specific characteristics of its components.

In montage theory this feature has not least been established by the film experiments of Lev Kuleshov (1899–1970) in the 1920s. The Russian avant-garde at that time was not solely interested in formal experiments with the potentialities of the film medium but also in search of corresponding artistic forms of expression in parallel with a radical reorganization—a novel montage of society.

Current remix practices, in contrast, are less politically motivated but rather correspond—in many cases probably unknowingly—with theoretical positions of a newly emerging anti-essentialism, represented for example by De Landa’s “Assemblage Theory” and Latour’s “Actor-Network-Theory.”

In particular Latour’s quest for a flat ontology is deducible from the trivial fact that all things are objects. By using the example of a command-and-control war room<sup>14</sup>—the place where the commander sits—Latour’s principle of irreduction becomes plausible insofar as the commander’s strategic view is an illusion because it is constructed for her by various mediators (data analysts, information designers, as well as nonhumans such as the maps, computers, charts, and graphs). Despite their far-reaching impact and the mass of data compiled to give them a strategic view, the generals are part of the system and thus are unable to control it like any other being. This is a state of randomness and heterogeneity suggesting that nothing is reducible to anything else. As soon as you engage with a system, likewise, the representations become part of the system. Hence the map that attempts to represent the territory makes the difference.

De Landa distinguishes between “interiority” and “exteriority” in conceptualizing the components of a thing. Assemblage Theory presupposes that relations among the parts are contingent, and they can be extracted from one whole and inserted into another. As De Landa states:

These relations imply, first of all, that a component part of an assemblage may be detached from it and plugged into a different assemblage in which its interactions are different. In other words, the exteriority of relations implies a certain autonomy for the terms they relate.<sup>15</sup>

Another key aspect in De Landa’s theory is the equal importance of “micro” and “macro,” inferring that social reality is “multiscaled,” with assemblages existing at every level. With that said, synthesis is privileged over the fragment, provided that its components are in a permanent flux. As for cultural production, this would translate into equations such as synthesis = montage and fragment = remix. In montage techniques the composing elements always remain identifiable and recognizable, such as film cuts, whereas remix pursues granularity and heterogeneity of diverse elements that can be randomly recombined and recontextualized.

## The Birth of the Prosumer in Social Media

Cultural production in highly specialized modernity was a domain of experts who possessed the essential means of knowledge creation, production, and distribution. Most people were consumers whose cultural productive force was restricted to the private. This caused a natural division between the professional and the widespread amateur culture, along with its accompanying technological, economic, and juridical implications. The montage of early modernism began to confound these cultural norms yet without seriously shaking the societal order as a whole.

Only the mass distribution of networked computers advanced a paradigmatic shift in society. The newly introduced networked practices of distribution and productions, aka remix, suddenly opened up an unknown territory, which was for a long time governed by technological, economic, and juridical restrictions.

In the pursuit of the apparatus, from Freud's "prosthesis god" to McLuhan's "extension of men" to Mann's wearable computers, single user interaction has shifted into multiple user interaction on various platforms with either time-based (e.g., video sharing), image-based (e.g., photo sharing), text-based (e.g., blogs and wikis) or audio-based (e.g., podcasts) media. The driving force behind this global move towards self-expression, authenticity, and community building is rooted equally in human nature's inherent narcissism and the basic desire to belong to a specific group. Both extremes—idiosyncratic exposure and social networking—are phenomena that do not constitute media culture per se, but rather belong to a newly observed phenomenon in current Web 2.0 developments.

A new species, the social networker, has come into being. He/she is a multitasking information producer and manager, a multimedia artist and a homepage designer, an actor and a director of self-made videos, an editor and an author of his/her blog, a moderator and an administrator of a forum, to name only a few of the most prevalent characteristics. Social networkers select and publish their own information and put it straight from other networkers' flows directly into their own communities.

The traditional definition of the "user" thus loses its hitherto determinative character of information consumption and application usage. In this way, content that is created in one place can be dynamically posted and/or updated in multiple locations on the Web; for example photos can be shared from sites like Flickr to social sites like Facebook and MySpace. The interconnectivity of software applications and their users on the Web constitute an online literacy with which most teenagers and prosumers are familiar. Yet the impact of such a remarkable media revolution as that of Web 2.0 on individuals and society at large can only be fully understood in a media-historical context: understanding what and how communication media has transformed within the complex interplay of perceived needs, competitive and political pressures, and social and technological innovations.

Accordingly, two main characteristics drive social media. One dates back to Mark Granovetter's groundbreaking article "The Strength Of The Weak Ties" from 1973. Based on a study of job seekers, he discovered that finding a new position does not come through the strong ties (friends or relatives), but through the extended network of weak ties (in over 80 percent of cases). Similar observations can be made inside "social utility tools" (Facebook) that connect people with friends and others who work, study, and live around them. This so-called "long tail effect" also has implications for the producers of content, especially those whose products could not—for economic reasons—find a place

in pre-Internet information distribution channels controlled by book publishers, record companies, movie studios, and television networks. (We will come back to these economic implications shortly.) From the producers' standpoint, the long tail has made possible a flowering of creativity across all fields of human endeavor. One example of this surge can be witnessed on YouTube, where thousands of diverse videos—whose content, production value, or lack of popularity make them inappropriate for traditional television—are easily accessible to a wide range of viewers. From hair and makeup demonstrations to “fail” videos, a user can watch a video in nearly any niche subject area on the video sharing website.

It is exactly this spirit of participation, cooperation and sharing that has fundamentally altered media perception, reception, and production. The shift from implicit (tacit knowledge) to explicit forms of knowledge sharing has paved the way for new forms of collective intelligence, which one pioneer, George Pór, defined as “the capacity of human communities to evolve towards higher order complexity and harmony, through such innovation mechanisms as differentiation and integration, competition and collaboration.”<sup>16</sup>

### **The Rise of the Professional Amateur?**

With the advent of mobile technologies, personal and mass communication amalgamated into a single medium, blurring the boundaries of the public and private domains. For example the “blogosphere” covers a broad range of individual and more publicly oriented formats. As a consequence, the hitherto traditional distinction between professional and amateur culture is no longer relevant.

Further, remix culture has unleashed a vast number of cultural producers, resulting in defragmented areas of cultural production. In other words, taking up Shirky's example<sup>17</sup> of car driving, to which he ascribes patterns similar to the social basis of cultural work: a few people do not care about it at all; many drive cars as a daily routine yet more or less unaffiliated; others make their living as bus or taxi drivers; some people consider car driving a highly charged normative issue (“Free driving for free citizens”); and others invest time and money to uplift their social status (veteran car clubs). From occasional drivers to F1 racing drivers, in between exists a wide spectrum of car driving in which professional drivers represent only a small fraction of all passionate ones and those in turn make up only a small subset of actual drivers. Despite the simplicity of learning to drive a car for most people, there are certain situations that require specialization and professionalization. A similar kind of differentiation can be attributed to the production and dissemination of media objects in cultural production. This is not something entirely new, since we all actively reproduce culture—if only in the example of coaffecting the rise and fall of temporary fashions. The essentially new is that all these different forms of cultural production converge in a joint medium, which at least technologically holds the potential for a comparable public and civil engagement.

The Internet brought with it hitherto unknown retail distribution mechanisms, which became popularized as the long tail by Chris Anderson,<sup>18</sup> who refers to Amazon, Apple, and Yahoo as examples of businesses applying this niche strategy. Unlike big box stores that sell large volumes of popular items with little diversity in stock, these online retailers realize significant profit by selling small volumes of hard-to-find items to customers around the world. The total sales of this large number of “nonhit items” is called “the

long tail.” Long tail strategies will arguably have long-lasting impact on culture and politics.

New technologies, particularly social media, enabled women to participate in the Arab Spring as organizers, journalists, and activists. Protesters used Facebook to mobilize supporters and organize events, and YouTube videos and Flickr photos gave the rest of the world visuals of the events during the uprisings. Twitter functioned as a live newsfeed for other domestic and international activists as well as international media organizations. Mobile phones, especially those with cameras and Internet access, served as a key tool for cyberactivists. One such prominent representative was Lina Ben Mhenni,<sup>19</sup> a blogger and Nobel Prize nominee, whose reporting from Tunisia’s rural areas helped drive the revolution and bring it to international attention.

Quite similar tendencies are observable in other areas. At an increasing rate documentaries are made by activists who search for authentic images. This phenomenon is not entirely new—due to cost-effectiveness, the 1980s were under the influence of a “camcorder revolution.” Even so, the revolution did not spark off due to limited distribution channels, and inaccessible supply chains clearly pose an obstacle in postproduction.

Concomitant with the disposability of material produced by others along with the resulting remix practices, novel and more complex forms of moviemaking emerged, not least because of easily accessible footage material. *Steal This Film*,<sup>20</sup> a film series (2006–08) produced by the League of Noble Peers, is a major account against intellectual property in favor of peer-to-peer (P2P) file sharing and was first released via the BitTorrent P2P protocol. The [first part](#), made by Swedish activists from The Pirate Bay, Piratbyrån—all of them quite influential for the central European Pirate Party movement—mostly includes interviews about the illegal confiscation of The Pirate Bay’s servers by the Swedish police and the political effects of this seizure. This 32-minute film attracted attention for its critical analysis of an alleged regulatory capture attempt performed by Hollywood film lobby groups to leverage economic sanctions by the United States government on Sweden through the World Trade Organization.

The premise of *Steal This Film: Part 2*,<sup>21</sup> which was released at the end of 2007, is that file sharing transforms the basic mechanism of how culture and information is distributed, with consequences as profound as the transformation brought about by the printing press. In an interesting interview taken from a 1972 documentary, Joseph Licklider, who was instrumental in funding the early work on the Arpanet, speaks about the need to invent a better system of information sharing than print because of the physical limitations of moving around paper. Strikingly, Licklider speaks in this small clip about information “sharing,” not distribution or the like.

Another documentary on the same subject, *Good Copy, Bad Copy*,<sup>22</sup> released by Danish filmmakers in 2007, takes a global perspective, introducing two major non-Western cultural communities—“tecnobrega” from Brazil and the Nigerian film industry. Looking at Brazil and Nigeria, the movie’s core message suggests that whereas technological change might still originate from the West, cultural innovation is distributed much more broadly.

### The Pirate’s Dilemma<sup>23</sup>

In contrast to linearly organized division of labor in traditional cultural industries, remix culture emanates from intertwined temporal and organizational areas of production, consumption, and distribution. Technically speaking, this is particularly evident

in BitTorrent protocols, which inextricably link parallel occurring processes: that of downloading (consumption) and uploading (distribution). As a result, the boundaries between private usage and public distribution blur and clearly affect the distribution infrastructure. Millions of private transactions create—voluntarily or involuntarily—a competitive infrastructure, comparable with the professional versions of the same vendor.

The emergent file sharing scene at the beginning of the new millennium paved—more or less successfully—the way for a variety of global brands. Almost synonymously with the upcoming file sharing subculture, arose an individual using the pseudonym “aXXo”<sup>24</sup> (2005–09). He became popular for releasing commercial DVD movies on the Internet as free downloads. At that time he was public enemy number one for Hollywood executives, and to film fans around the world, he was a modern-day Robin Hood. The fragmentary character of remix unveils a striking analogy with BitTorrent’s file sharing principles: pieces of the downloading files are collected by seeking out segments of the film, album or application from every user’s computer. This “swarming” character makes downloading faster, as the more users share a particular file, the quicker the downloads will be completed.

Ordinary users may occasionally wonder where all these movies, games, and music come from. It turns out that—against general acceptance—the majority of illicit content available for download is not from consumer-bought entertainment products. On the contrary, film industry insiders, DVD factory workers and retail assistants branch off the forthcoming releases and pass them on to the scene’s so-called “release groups”<sup>25</sup> which are at the top of the piracy pyramid. These groups are composed of “rippers” responsible for loss-free file compression and specialization in a certain medium, film, and game genre. Once the copy is released it takes only a few hours to make it available for the average BitTorrent user on The Pirate Bay or Mininova.

Even as cyberculture brought with it early adopters and hackers pushing the envelope to the utmost extent, sooner or later their work was capitalized upon by commercial vendors. Contrarily to the first steps in open source businesses (“Give Away the Razor, Sell Razor Blades”<sup>26</sup>), Matt Mason’s euphemistic appraisal of pirates—“what they are actually doing is highlighting a better way for us to do things; they find gaps outside the market, and better ways for society to operate”<sup>27</sup>—quite obviously resembles the deadly embrace in the spider web. The same accounts for hackers who work for both sides, nourishing the economic spiral by means of fierce competition in the global market, something that can be cynically translated into: The only way to fight piracy is to legitimize and legalize new innovations by competing with pirates in the marketplace. As a consequence, originally subversive works and ideas are themselves appropriated by corporate business.

However, beyond the gray-zone of file sharing, the means of production and consumption converge in a very visible way in fan culture. Probably the most significant difference between a fan and consumer is that the identification of the fan with a whole cultural universe makes him/her feel a part of it. In his blog entry from 2007<sup>28</sup> Henry Jenkins points out that the industry overlooks the community aspect of users with their own traditions of participatory culture. In a similar vein, commercial enterprises consider “content” as something commodifiable and thus isolated from the social relations that surround its production and circulation. Fan culture, in contrast, builds on social networks of fans who have their own aesthetics, politics, and genre expectations. Jenkins continues that the noncommercial nature of fan culture is based on a gift economy, and



being free of commercial constraints, there is leeway to explore themes or experiment with structures and styles beyond the “mainstream” versions of these worlds.

### Reciprocity

The economic model based on existing copyright regulations relies on intertwined control, attribution, and compensation mechanisms that legitimate in great portions the model of cultural industries. Yet this assertion is also disputable, insofar as the widely ramified forms of cultural economy are by nature more comprehensive than the copyright-based industries. One example to back up this argument is the restricted claim of copyright holders on copied material for teaching and research purposes. In that case the authors are granted fees indirectly by collecting societies. However, it should be mentioned that these regulations exert an exceptional regulatory measure that does not question copyright per se, but instead deals with it in a more practical way.

Under the pressure of current remix practices the knot of complex laws and regulations that emerged from copyright slowly but constantly dissolves. That does not necessarily implicate a decline of existing copyright regulations, but in view of the specific needs in the vast arena of cultural production, there is clearly demand for more adaptable and differentiated laws. The widely diffused free licensing practices (Creative Commons, GPL, etc.) have proliferated individual contributions, but at the same time lowered the level of control and perceptibility on individual authorship.

Going back to history, copyright too was a nonissue in the visual arts until recently. In 1921, Kurt Schwitters called his own brand of Dada “Merz,” derived from the logo of the German “Commerzbank,” which he had used in a collage painting. Artists who would do the equivalent today on the Web are at risk of being sued for copyright and trademark infringement. It is also true that even the best free software and open content license cannot protect you from legal claims of a third party against you. In other words, if you create, like Kurt Schwitters, an art movement called Merz based on the Commerzbank logo and published your Merz logo with an open content license, Commerzbank would still be able to sue you for trademark violation.

One of the advancements of the free software movement was to radically rework the very idea of the user. In sharp contrast to the passive consumer attitude in proprietary systems, the free software model builds on the idea of a user-as-producer. The user-producer is a concept that resonates with the digital experience and the freedom that current digital culture allows for ordinary people to become artists and producers. This model fundamentally challenges the traditional parameters of copyright law by moving away from the concept of “originality” of the work to recognize the value that various users contribute through their modifications and adaptations to an existing work. In this regard it is worth reconsidering the simplistic binary split of the original and the copy as something that does not diminish the value of the original, but instead look at copies as additions to the original.

In their manifesto “right2remix”<sup>29</sup> the promoters assert that “creative copying has become commonplace, the right to remix is a fundamental requirement for freedom of expression and free speech.” Consequently, three creative rights are formulated (ibid.):



- The right to change works during usage and to publish the results. (Transformative usage rights with lump-sum compensation, e.g., background music in mobile phone videos.)
- The right to create and to publish remixes of existing works. (Remix rights with lump-sum compensation, e.g., fake trailer for a TV series.)
- The right to commercialize remixes, in exchange for appropriate compensation. (Remix commercialization rights subject to compulsory licensing, e.g., selling music mashups on iTunes).

Among the many petitions and proposals to alter EU and national copyright regulations, the right2remix initiative seeks to redefine the boundaries of free usage, particularly in musical works. Here there is a need for the legalization of samples, which in the case of commercial use could be compensated using compulsory licensing models. Moreover, the “originality” of a work should be assessed independently from the question of whether the inspirational works are still recognizable.

Apart from the creative framework and the rewriting of digital culture via current remix practices, concerns raised about fair compensation are by far the most controversial and apparently unresolvable. On a European scale, there has been an ongoing discussion about the introduction of a “cultural flat rate”<sup>30</sup> (alternative compensating system), which is based on a blank media tax or levy for digital copyright holders. As a quid pro quo, the circulation of digital copies in file sharing networks for private use would then become legal.

One of the major objections against this one-size-fits-all concept is regardless of whether you download anything, you have to pay. More importantly, the number of file sharing activities will be taken as a basis for payouts and is thus prone to manipulation. If you, for example, know that your favorite artist will be paid in proportion to the number of times a song is downloaded, you will soon realize that you can support the artist by repeatedly downloading the same album.

It is often erroneously assumed that file sharing culture has negative impacts on artists’ revenues, but, on the contrary, artists are making more, and record companies less, money. Studies<sup>31</sup> on the music business revealed that during a decade when file sharing grew exponentially, revenues increased year by year for the cultural sector as a whole and for each individual segment such as film, music, or computer games. Consumer behavior shows that music fans spend more money going to live concerts and less to buy discs, which leaves more money for the creative people who actually make the music.

In conclusion, the coevolving cultural, economic, and technological implications in cut-copy-paste culture offer several parallel and reciprocal pathways of cultural and economic opportunities—in a process of coevolutionary feedback. Such ventures are embedded in community or culture rather than in business values. At the same time consumer-generated content has carved out new markets and business opportunities. “Web n+1” developments in the broadest sense must be regarded as enabling social technologies supporting the growth of consumer cocreation. Similar to the invention of printing, we are in another evolutionary step in the growth of knowledge, enabling people to cocreate in a “network of networks” which simultaneously holds—following the binary logic of digital culture—promises and risks.

## Notes

- 1 Quote often attributed to Pablo Picasso.
- 2 See Jennifer Valcke “Static Films and Moving Pictures: Montage in Avant-Garde Photography and Film,” PhD thesis (University of Edinburgh, 2009), 11.
- 3 A good example is the 1929 experimental silent documentary film *Man with a Movie Camera* by Russian director Dziga Vertov.
- 4 This famous line is from the sixth canto in Comte de Lautréaumont’s *The Song of Maldoror* (1868–69).
- 5 Sergei Eisenstein, from the “Cinematographic Principle and the Ideogram” (1929); trans. Jay Leyda, in Leyda, ed. *Film Form* (New York: Meridian Books, 1957), 37–40.
- 6 Christoph Cox and Daniel Warner, *Audio Culture: Readings in Modern Music* (London: Continuum International Publishing Group, 2004), 10–14.
- 7 “Origin and Theory of the Tape Cut-Ups” by William S. Burroughs. “Breakthrough” [http://activearchives.org/aaa/media/cache/ubu.artmob.ca/sound/burroughs\\_william/Break-Through/Burroughs-William-S\\_01-K-9.mp3/original.mp3](http://activearchives.org/aaa/media/cache/ubu.artmob.ca/sound/burroughs_william/Break-Through/Burroughs-William-S_01-K-9.mp3/original.mp3) (accessed October 2013).
- 8 D. Holt, *Cultural Strategy Using Innovative Ideologies to Build Breakthrough Brands* (Oxford: Oxford University Press, 2010), 252.
- 9 <http://www.bopsecrets.org/SI/detourn.htm> (accessed July 2014).
- 10 P. Burkholder (1994) “The uses of existing music: musical borrowing as a field,” <http://www.thefreelibrary.com/The+uses+of+existing+music%3a+musical+borrowing+as+a+field.-a015109065> (accessed October 2013).
- 11 T. S. Eliot ‘Philip Massinger’, in *The Sacred Wood* (1921) <http://www.bartleby.com/200/sw11.html> (accessed October 2013).
- 12 O. B. Arewa, “From J. C. Bach to Hip Hop: Musical Borrowing, Copyright and Cultural Context” (*North Carolina Law Review* 84, no. 2, 2006), 547–645.
- 13 G. Cheliotis and J. Yew, “An Analysis of the Social Structure of Remix Culture,” in J. M. Carroll (Ed.), *Proceedings of the Fourth International Conference on Communities and Technologies* (New York: ACM, 2009), 165–174.
- 14 Bruno Latour, “Why Has Critique Run out of Steam? From Matters of Fact to Matters of Concern,” *Critical Inquiry* 30 no. 2 (2003): 225–248.
- 15 Manuel De Landa, *A New Philosophy of Society: Assemblage Theory and Social Complexity* (London: Continuum, 2006), 10–11.
- 16 George Pór, “Collective Intelligence and Collective Leadership: Twin Paths to Beyond Chaos,” *Sprouts: Working Papers on Information Systems* 8 no. 2, (University of Amsterdam, Netherlands, 2008), 7.
- 17 Clay Shirky, *Here Comes Everybody: The Power of Organizing Without Organizations* (New York: Penguin, 2008), 57.
- 18 <http://www.wired.com/wired/archive/12.10/tail.html> (accessed October 2013).
- 19 <http://www.amazon.com/Tunisian-girl-bloggeuse-révolution-Mhenni/dp/2911939875> (accessed October 2013).
- 20 <http://www.stealthisfilm.com/Part1/> (accessed October 2013).
- 21 <http://www.stealthisfilm.com/Part2/> (accessed October 2013).
- 22 <http://www.goodcopybadcopy.net/> (accessed October 2013).
- 23 Cf. Matt Mason’s eponymous book *The Pirate’s Dilemma. How Youth Culture Is Reinventing Capitalism* (New York: Free Press, 2009).
- 24 <https://en.wikipedia.org/wiki/AXXo> (accessed October 2013).
- 25 <http://filesharefreak.com/2007/11/22/how-to-identify-tags-on-pirated-releases> (accessed October 2013).
- 26 Cf. Eric S. Raymond’s quote in “The Cathedral and the Bazaar,” <http://www.catb.org/~esr/writings/cathedral-bazaar/magic-cauldron/ar01s09.html#id2762651> (accessed October 2013).
- 27 <http://torrentfreak.com/the-pirates-dilemma-080108/> (accessed October 2013).
- 28 [http://henryjenkins.org/2007/05/transforming\\_fan\\_culture\\_into.html](http://henryjenkins.org/2007/05/transforming_fan_culture_into.html) (accessed October 2013).
- 29 <http://right2remix.org> (accessed October 2013).
- 30 See Volker Grassmuck’s “Inside Views: The World Is Going Flat(-Rate),” <http://www.ip-watch.org/2009/05/11/the-world-is-going-flat-rate/> (accessed October 2013).
- 31 <http://torrentfreak.com/artists-make-more-money-in-file-sharing-age-than-before-100914/> (accessed October 2013).

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