

Thoughts on Remix and the Remix Culture
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Note: These remarks were offered at the CGS Summer Workshop in response to Kirby Ferguson's presentation on Everything is a Remix. They were developed and set to paper as a script/set of notes to be read and not grammatically correct text to be published. They are being made available with that caveat in mind.

I hadn't thought about REMIX prior to hearing Kirby's presentation last year in Newcastle at the International Conference on Plagiarism, but it stuck with me such that in preparation for today I have spent time learning more about the topic. Thank heavens for Google!! If you search on the term **REMIX** many topics come up and I would like to now share some of those topics with you to help drive a discussion.

First, I sought a definition of remix so I turned to Wikipedia---which states--

“A remix is a song that has been edited to sound different from the original version. The person who remixed it might have changed the pitch of the singers' voice, changed the tempo and speed and made the song shorter or longer, or instead of hearing just one person singing they might have duplicated the voice to make it sound like two people are singing, or make the voice echo.”

I thought it was interesting that the definition was limited to music as it most definitely characterizes other media as we have seen from Kirby's presentation. It has been suggested that the rise of remix has been due to the introduction of more and more digital technologies which facilitate the creation of copies in a variety of media.

A good deal of what I read addressed how the internet is reshaping our culture and how people communicate. For example, the phrase Web 2.0 (the second iteration of the web) has been applied to how the web functions today...today the web and web tools encourage the sharing of information. Just think about it, at the beginning of the web, authors posted content to static webpages. We are all quite familiar with the phenomenon of occasionally experiencing a lull in the deluge of emails, phone calls etc. When this happens I sometimes turn to our Graduate School webpages to review them for currency. I don't know about you, but when I do this the pages unfortunately seem stale and out of date so I end up asking someone to update the content. This is fine for a while and then it seems stale again. Today pages tend to be updated more often through the use of news feeds, calendars, etc. In some cases a webpage depends on the involvement of multiple authors – and collaboration is emphasized. This is the concept of WIKIS and BLOGS which allow people to post, receive comments, revise, and have a dialog etc. Basically the web has become much more interactive and this enhanced functionality is contributing to the remix culture or perhaps the concept of remix is changing the web.

Many of the google “hits” I uncovered had to do with music and creating new sound tracks and songs through remix. For example, jazz has always been about improvisation and mixing notes and combinations of notes that have come before. I even found a WIKI page that described in detail how to create a musical remix. The link described remixing as a blast, a fun thing to do and a derivative art form. The page provided a step by step description for creating such a piece

of music including the kind of software programs that would be needed and how to export the finished product and make it available. At the end of the piece however, there is a WARNING that states –“ if you are remixing a song that you do not own the copyright of, do not distribute your song without permission from the owner. Serious actions may be taken by the artist, but they probably won’t unless your song becomes extremely popular.” !!!!

So, how do remix and the remix culture fit with our concepts of creativity, plagiarism, copyright, permissions, and fair use. All of these are topics which are important in higher education, especially the expectation that the goal of doctoral education is that student’s produce original research.

Some people suggest that while remix is creative it is not original. On the other hand good remixes generally transform original pieces into something that is new and transformative as Kirby has pointed out.

Perhaps the more important questions for us are when is it necessary and how to acknowledge the use of pieces/samples from previous work. This requires an understanding of COPYRIGHT LAW. I am not a lawyer and really do not know the ins and outs of copyright law, but here are the key points which resonated with me.

Copyright law gives the owners of copyright the right to reproduce work or authorize others to do so. For the most part it says that I should gain permission from the creator of a book, music, video, etc. to use any portion in whatever it is that I want to create. Some artists, writers etc. expect to be paid for the use of such material. There are some important exceptions when it is not necessary to gain permission and these are particularly relevant to us as educators. Fair use is one of these exceptions. The **Fair Use** doctrine says that it is fair to reproduce particular work for purposes of criticism, comment, news reporting, teaching, scholarship, and research.

So as educators and scholars we can use excerpts from books, music, film etc. for educational and scholarly purposes without needing to gain permission. If I understand the principle, fair use will generally not apply if the use is for commercial purposes. Issues of concern are how widely the work will be distributed or made available. Some cautions are appropriate as there are no hard and fast rules about how much of a work can be reproduced under the fair use doctrine. None of this frees us however, from the expectation that we credit the originators of the work we are using. In scholarly writing we are taught to give credit to our source materials through footnotes, citations, and references. Words that are taken verbatim from a previous document should be placed in quotes and referenced. In other media such as music and film, citations and footnotes would seem to be difficult though it is common to acknowledge source materials in credits at the end of films.

Plagiarism refers to the use of materials without giving proper credit.

There is quite a bit of blog commentary out on the web addressing remix and plagiarism. Here is one and if I could figure out who posted it I would give them credit, but I couldn’t so here it is anyway---

“I have been seeing posts popping up discussing plagiarism and cheating. Quite frankly I've been avoiding them. To be honest to me as an artist / musician the notion of "original" is almost ridiculous. I don't think there are any ideas in this world, which are not built on other ideas. I think everybody copies and in fact copying is how we learn.

The really important thing for me is, if there is synthesis in a piece of art / work. I don't care if somebody (like I like to do) just puts a bunch of quotes together on a page, if the combination of these quotes trigger new thoughts and connections in the people who read them, in my opinion that is completely valid. Even if I am not explicit in making a conclusion and telling everybody what to think of it. For me if a new question emerges, that is synthesis enough.

There is only one thing I call plagiarism and that is not naming your sources.”

All of us are probably familiar with Turnitin. The company provides tools for the detection of plagiarism in writing and according to its webpage seeks to improve the student writing cycle by preventing plagiarism and encouraging good writing habits.

In a white paper on the plagiarism spectrum released by Turnitin, **Remix** is identified as one of 10 types of plagiarism. It is defined as “an act of paraphrasing from other sources and making content fit together seamlessly.” The term **Mashup** on the other hand is when a paper represents a mix of copied material from several different sources without proper citation. Although, Turnitin acknowledges that these two practices come in under the umbrella of plagiarism, neither is considered as particularly problematic or egregious. In fact Turnitin suggests that paraphrasing is a step in the writing learning process.

So to summarize, it appears that remix is very much a part of our culture today largely due to the impact of digital technologies and the internet. The ease with which it is now possible to make copies of everything from the written word, to audio, video, and picture files has facilitated this remix culture. One can discuss remix as a form of creativity and to what extent the results are original, but the aspect of remix which has gotten people in trouble is its conflict with COPYRIGHT LAWS. Lawrence Lessig, a professor at Harvard Law School, is quite outspoken on this topic and he has published his ideas in the book REMIX. The book is available for free under a Creative Commons license. There is also an excellent video posted on the Penn State website of a lecture that Lessig gave there a few years ago. In fact Penn State provides some excellent information and links to materials about copyright, fair use, and the creative commons. Lessig argues that copyright protection is important under some circumstances particularly in the commercial realm, but he also believes that it can stifle creativity, especially today when our young people are increasingly using digital technologies to express themselves. He suggests that copyright law does not comport with the remix culture because it is all about regulating the use of reproductions or copies. While this may be entirely appropriate in the commercial realm, he believes that it is problematic for the amateur realm and ultimately stifles creativity. Think of all of the amateur videos posted to YouTube that include musical backgrounds included without permission. Under current copyright laws, anyone with the intent to remix an existing work is liable for lawsuit because copyright laws protect the intellectual property of the work. According to Lessig copyright laws are proving to be ineffective at preventing sampling (as well as other

forms of piracy) of intellectual property and he thus argues that there needs to be a change in the current state of copyright laws to legalize the remix culture.

Lessig started the concept of the Creative Commons to enable writers, artists, and other producers of content to post materials and grant certain rights to others to use the materials without having to seek permission. The Creative Commons is a non-profit organization that facilitates the sharing and use of creativity and knowledge. The Creative Commons license works alongside copyright by providing the creator of materials the ability to grant certain rights of use without the user having to seek permission.

I have mentioned a lot of issues which you probably need to digest, but I can say that thinking about all of this has prompted me to re-consider what we are doing in terms of providing guidance to students about plagiarism, what constitutes good writing, copyright, and the doctrine of fair use...I have to ask - Are we doing a good job; can we improve what we are doing? By the way Lessig points out that plagiarism is not illegal. It may be unethical and it may violate rules that institutions in many cultures have about acknowledging ones sources, but it is not illegal. On the other hand violations of copyright are illegal.

I want to end with one last point regarding REMIX.

As a biologist I am struck by the notion that remix is all around us as part of the natural world. Remix is the very basis of life such that during the process of meiosis, genes are shuffled between the chromosomes in a pair. Through evolutionary time organisms have borrowed and recombined pieces from others without any help from scientists. Nucleic acids are the building blocks of life and are recombined over and over. There is much debate today about the field of synthetic biology which involves the combining of genetic parts from one or more different organisms into bacterial vehicles. By mixing these pieces in various combinations it is possible to get different outcomes, different products for example. I am not passing judgment on the ethics of synthetic biology, but only trying to draw attention to it as an example of the remix culture.

We have come a long way from our early days of cutting and pasting in kindergarten classes with paper and scissors. Digital technologies have truly transformed the art of cutting and pasting.

At this point I would welcome your thoughts on these topics.