Review Article

Remix: Making Art and Commerce Thrive in the Hybrid Economy

Lawrence Lessig. New York: Penguin Press, 2008, pp. 352. ISBN 978-1594201721.

Research over the last decade seems to suggest that young people are cheating in epidemic proportions, but are they? Perhaps a cheater is a cheater, and the point of this article is simply too off-the-wall to fathom, but might it be that young people are not cheating when they “mash” together other people’s work to form their own?

For older generations, cheating is pretty easy to understand, if you use something someone else has written in your paper – you are plagiarizing; and, plagiarizing is cheating. But young people have a different relationship with media than those of us who are older have even considered. They are especially “aggressive” with media from the Internet, and their use of this Internet media shapes their ideas about what is right and wrong.

According to Lawrence Lessig’s (2008) book *Remix: Making Art and Commerce Thrive in the Hybrid Economy*, young people are creative in different ways and understand copyright differently than other generations. Lessig, a professor of law at Stanford Law School and the founder of the Center for Internet and Society, believes copyright was designed for a radically different technological age, but in today’s digital world copyright inhibits the creation of art, culture, and individual expression. As a parent, he saw how “copyright wars” affected his children and he came to believe that “criminalizing an entire generation” seemed a high a price to pay a copyright system created a generation ago (p. xviii).

To explain the media, Lessig borrows two components from how CDRs can be used: R/O (Read Only) and R/W (Read/Write). When Lessig describes how digital culture generates new activities and how these activities work economically, he is especially concerned with social activities such as playing, hobbies, and conversations and asks how digital technology has changed them. Read-Only (RO) culture is professionally produced, hierarchical, and characterized by control. RO culture allows amateurs to consume “tokens of culture” (music, movies) but not adapt them. But R/W culture allows people to create, participate, and “re-mix” products that become improvisations of other people’s work. R/W includes, for example, someone videoing herself singing karaoke and posting that video on YouTube. Obviously, R/O products mean money for producers, and business is ready to use copyright as a plank one should walk to pay for the “piracy” of “property.”

But today’s youth are both technologically clever and anxious to share personal “re-mixes” with others. They are, according to R/O owners, thieves. But Lessig notes that, rather than stealing, an ever-creative youth population is simply shaping media for its own social purposes. Perhaps this seems to be splitting hairs, but for Lessig the matter is one of efficacy and creativity. Older generations have accepted R/O culture for what producers say it should be—information to be consumed but not reshaped; in other words, without possibility

of dialogue. As an older generation, we might aspire to create culture and own intellectual property, but basically such cultural forms (like movies or music) belong to those in the culture business, and we tend to see those people as extremely talented.

But the young don't share this deferential attitude. They powerfully shape R/W culture and think nothing of using another's idea to fit their needs for immediately sharing—hence the growth of blogs and text-messaging. Forty years ago Wikipedia, Google, and Amazon were unheard of and inconceivable. Most young people watched Batman on one three “channels,” and grew up echoing this narrow culture. This made sense to people who saw themselves as consumers, but not active creators. Today, television offers literally hundreds of channels and the chance of shaping people's viewing habits is a practical issue for advertisers.

In *Remix*, Lessig hopes the 21st Century, driven by digital technologies, will allow a playful remixing and revival of R/W culture. For him, remixing is a move towards a healthier grassroots democracy that allows more people to have a voice because it allows “amateurs” technological literacy once only available to professionals. Lessig further believes the Internet can “democratize” culture by allowing young people to use the Internet in creatively social ways to download music, share photos, post videos of favorite people, watch movie trailers, or play interactive games.

It is not that Lessig doesn't see problems when youth manipulate the Internet, but these problems are less about copyright than they are about safety. For example, when a young person remixes a song—someone, somewhere is tracking it. Given life in the 21st century, we can only suspect that the person doing the tracking is intelligent, though perhaps not ethical, and is strategizing about how to use the information covertly being watched and counted. Although such covert activities are problems, Lessig's question is more fundamental: how does the law monitor and control our digital life? Lessig's question is worth attention: Why are we criminalizing a generation of youth for being creative with new technologies?

Lessig's earlier book, *Free Culture*, called for a looser, less paranoid copyright that re-defines what should be allowed. He supports “remixing” as an art form and believes digital culture must balance commerce and community using more subtle governance. He believes the legal definition of copyright should be wrestled from the small group of people whose monetary interests work to keep the general public from becoming creators themselves. To him, a redefinition of copyright is only common sense and benefits both corporation and consumer. Lessig notes that the legal applications of copyright are less important than knowing how a younger generation understands its own creative processes, not set by the owners of patents and machines created within idea and philosophies from the past.

Why might all this be important when we think about how our young write papers? Schools employ the earlier generation's idea about what cheating—specifically defining what plagiarism is. But Lessig's *Remix* suggests that this definition is archaic, one-sided, and creatively limiting. Lessig reminds us that two realities bump into each other to shape what intellectual property might mean

to young people. First, new tools allow the creative to improvise upon another's work. Second, young people have grown up within a remix society and believe in and practice a remix philosophy. They do not cower to authority, have high expectations, and feel entitled to more than their parents and grandparents. They are less humble in the presence of those who make money by limiting creativity in a R/O society. Finally, they understand differences between original art and a copy—or remix—differently.

Lessig believes R/W culture offers us more than R/O culture because it asks more of us. R/W culture invites dialogue and, where R/W culture is common, citizens develop an empowering knowledge that both informs and entertains. Although Lessig's work is more about entertainment, we cannot overlook the fact that young people create knowledge by remixing. This knowledge creation is as true with school essays as it is with Internet music. When students write school essays, they might forage on the Internet – cutting information from here and there, and reshaping/remixing that information into new ideas and thoughts. For Lessig, this process is more about improvisation than cheating and he notes that we become more active participants in the creation of our culture as we remix it. The end, to him, is that we grow more empowered and democratic as we shape our culture.

Lessig implies that the Digital Age has transformed us all; but by “us” he mostly means it has mostly transformed young people. At the very least, Lessig's work makes us reconsider how the tools we use shape us, how we might build a stronger culture using these tools, and how our abilities to use these tools enable us to gain cultural power and control. Lessig implies that we might all become creators and suggests that we who sit in judgment of the activities of youth could, if we tried, come to better understand and embrace the logic of youth that imitates and remixes as a high form of social “flattery.”

Lessig's fusion of R/O and R/W into a hybrid culture asks us to rethink old rules – including the rules of copyright. For him, what our young do with R/W culture levels the playing field. Could it be that plagiarism laws are hypersensitive responses meant to “protect” artists in financial but not ethical ways? Is plagiarism defined in a way that allows a small group of people to hold onto old ways of peddling and charging for its creations? Lessig argues that copyright is archaic, less than effective, stifles creativity, and has become a tool used to financially protect corporations who believe young people steal, re-mix, or “mash” products they should buy. Might the same be true of plagiarism for school papers?

In fact, Lessig argues that the way young people “break” copyright laws actually helps enact the values society should prize – values that help our young become creative and collaborative people. Young people, with no hint of guilt, download music and use videos to create a remixed artistic culture. Lessig the lawyer reminds us that no law prohibits a writer from quoting another work to make a new point and believes the same should also work in the digital world. At the heart Lessig's *Remix* is a hybrid concept that blends traditional commercial enterprise with the Internet-friendly ethos of a sharing community.

Copyright is at once both protective regulation and monopoly. Copyright is meant to protect the “expression of ideas” — for example, the words and phrases

in a student paper — but not ideas themselves. People cannot “own” ideas, but they do own their own creative expressions. R/O culture makes us all consumers of someone else’s culture; R/W culture allows participation from more people. Current copyright law favors R/O culture, controls the right to make copies, and requires permission for every use so that control trumps cultural creativity. Copyright law, to Lessig, smothers R/W culture.

When students go to the Internet and cut and paste bits of other people’s papers, is there a chance they see themselves as remixing in the same way they might remix music or photos? Or are all these activities stealing? Perhaps students simply are lawless cheaters who should be punished for theft. But, for Lessig the issue is more complex, and he suggests that we should at least consider the complexity.

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