

Copy Rights: The Politics of Copying and Creativity

KEYWORDS: copyright, copyright policy, originality, music, digital single market

TYPE OF PUBLICATION: Journal article

SUGGESTED CITATION: Street, J., Negus, K. and Behr, A. (2018), 'Copy Rights: The Politics of Copying and Creativity', *Political Studies*, 66(1), pp. 63-80. Also available at: <http://journals.sagepub.com/doi/abs/10.1177/0032321717706012>

BACKGROUND

- Copyright has always been key to incentives and rewards within creative industries, but its importance has become even greater with digitalisation.
- This has been acknowledged by reports such as Hargreaves (2011) on 'Digital Opportunity' and the EU's Digital Single Market strategy, in which copyright reform is a major element.
- Typically, the study of copyright and its role in the creative industries has been the province of lawyers and economists. In this paper, we add the perspectives of political science and cultural studies, arguing copyright policy enshrines political values and ideologies, often encoded in notions of 'originality', 'creativity' and 'copying'.

METHODOLOGY

- The article concentrates on the music industry, and draws on policy statements from the EU and other governmental organisations, political parties, and additional interested parties.
- The article examines key copyright court cases (notably that involving 'Blurred Lines'), and reports on interviews with musicians, producers, managers and songwriters to elicit the experience and attitudes of practitioners.

KEY FINDINGS

- We conclude that copyright and copyright policy is political in the balance it strikes between individual rewards and ownership and collective benefits.
- The regulation of copyright, and the cases which resolve disputes about copyright, touch upon a range of political issues, include those of race.

POLICY ISSUES

- The experience of working musicians, and others within the industry, suggests there is a mismatch between copyright policy and the routine practices of those who are meant to be incentivised and protected by copyright policy.
- This is evident in the understanding of the creative process (and the idea of a sole author) and in the development of new techniques (such as sampling).

August 2017

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