

Why copyright literacy is the key to unlocking our greatest privilege

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In a January *UKSG eNews* [editorial](#), my friend and partner in copyright literacy [Jane Secker](#) wrote about the fact that copyright is not a topic that librarians should associate with the concept of 'peril'. Drawing on the research that she and I have been doing into librarians' experiences of copyright, she explained that it can be a source of discomfort for some. However she also said that it was vital that librarians should be supported in getting to grips with copyright to help the individuals and communities they serve.

Being asked to write a responding editorial, I was drawn towards Jane's comments that copyright is an area filled with political and ideological tension, particularly for librarians and educators whose overriding mission is to make information available and accessible to all for the good of society. I suppose it would be fairly easy to write a piece following up on this decrying the manner in which copyright laws over the last 100 years have largely developed to support the vested interests of the commercial media and publishing industries. But rather than do this I thought I might take a step back and reflect on my own journey to where I am now and think about my changing relationship with copyright.

Like many of us I was first drawn towards the world of copyright because of the lure of heart-stopping excitement and unbridled glamour. As a musician looking for a paying job in the creative industries I joined copyright collecting society [PRS for Music](#) in 1999 (or the MCPS-PRS Alliance as it was then). Although it's true to say that I was working in the music industry, I must admit that it was more about maintaining databases than it was about hanging around backstage with rock stars. But the underlying purpose of the organisation made sense to me – it was about making sure composers and songwriters got paid when their songs were copied, sold or performed. The description of the organisation as "nerdy but vital" (Clay Harris, Financial Times, 19 September 2006) pretty much summed it up. During my time there I was interested in the development of copyright legislation and the agreements which underpinned the operation of the industry and the collective licensing bodies which represented rights holders *en masse*. However, even then I found much of it dry and difficult to get my head around.

After nearly ten years there it was time to move on and I had the incredible opportunity to work at the British Library as Copyright Assurance Manager. I wasn't really sure what to expect in the move from a commercial organisation to our national library but it was absolutely fascinating to see the impact of copyright on science and culture more broadly. Three years later I found myself moving to Canterbury at the same time as the University of Kent decided it wanted a new copyright officer, an unforeseen incidence of good fortune that has led me to where I am now.

During my time on this journey I've had the privilege to meet and work with a huge range of people from many different backgrounds and with many different perspectives on life. But one of the things that has most fascinated me is the binary distinction that is often drawn between the ideological positions of 'rights holders' and 'end users' in the copyright debate. It seems that depending on where you find yourself in the value chain or ecosystem (however you want to frame it) there is a tendency to align oneself with a particular 'camp'. Are you for information freedom, or for the enclosure of cultural materials for the benefit of private interests? Or alternatively, are you there to uphold the value of creators' rights, or do you want undermine the business models which allow authors to make a living in the well-meaning but misguided mission of providing universal access to all information? Of course these are impossible viewpoints to reconcile. These tensions are ultimately what copyright consists of. It is a relatively rigid system of restrictions and permissions that governs the very essence of human communication and meaning. Whilst in theory it regulates the creation and aesthetic/intellectual enjoyment of art and literature (in the broadest sense), it is in practice experienced in a multiplicity of contradictory and messy ways when it hits real world scenarios. In order to try to make sense of this frustrating complexity it's easy to take refuge in the reassuring clarity of communities that think and talk the same way you do.

So what's the answer? I've joked with Jane that we might try to get #hugarightsholder to start trending on Twitter (you can follow us on [@UKCopyrightLit](#)). Of course that's a bit glib, although if the mood takes you don't let me stop you – remember we're all rights holders and it's always good to spread the love. But I was inspired after reading this [RSA blog post](#) to consider the concept of palintonic leadership. That is, rather than wasting our energy on trying to find one particular model of political governance that will beat all others, why can't we accept that society is made up of these competing tendencies and create a new kind of leadership that accepts the validity of all of the existing models whilst also looking for new ones? After all aren't we all comprised of sometimes conflicting motivations, hopes and fears? We all want to be free, but similarly we all want to be looked after. I'm aware of the danger in saying that what happens at the micro level also goes at the macro level, but I think there's something in acknowledging that eradication of the more 'exploitative' tendencies in society might be akin to suggesting that as human beings we might be able to rid ourselves of the less palatable aspects of our own personalities.

So what does this all have to do with copyright, publishing and librarianship? Well firstly I want to reiterate the points that Jane made - an understanding of copyright in the 21st century is absolutely essential to how the information profession operates. The depth into which you might choose to go will depend on the requirements of your role, but in all cases I think it should go beyond simply learning 'the rules', towards accepting that it involves getting comfortable with ambiguity. I would also like to reiterate that copyright is inherently political. It is a law created in response to the first mass production information technology (the printing press) and its functions should always be re-examined to align it with the best that technology and humanity has to offer. And without the voice of the educator and the librarian in this mix we will certainly be poorer. However it is important not to forget that creators need to make a living and that entrepreneurial investment in creative works has and continues to contribute significantly the totality of human knowledge and artistic expression. So to support this rich, confusing and dynamic set of relationships we need an informed and empowered information community. Some may choose to be vocal advocates for copyright reform, others may prefer to focus on the task at hand. But all need to be aware of the tensions, and communicate effectively amongst themselves and their communities to avoid copyright being a barrier to education and research.

Ultimately things do need to change, even though sometimes it feels like we are stuck in a deadlock created by the tension between public and private interests. But I believe that if we think critically about [what copyright is](#) and [what it could be](#), we have the opportunity to create, not necessarily a consensus, but certainly to take advantage of the freedoms already available in our laws whilst also respecting the interests of others in society. To achieve this we need the whole of the information profession to be engaged and empowered. To bring together the copyright theorists and advocates

with the information practitioners and leaders to enable the conversations and fresh thinking required to breakthrough. To nurture the harmony that comes from accepting we are all connected, whilst realising that what might appear to be irreconcilable differences are in fact the very creative tensions which make the totality of human expression perhaps our greatest gift and privilege.



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