Making, Remixing,
Saving, Stealing

19 May 2021
Consumption and creation
“Once encoded, copies of this new musical work could be duplicated at a very low cost. A new industry of ‘mechanical music’ thus began to spread across the country. For the first time in human history, with a player piano or a phonograph, ordinary citizens could access a wide range of music on demand. This was a power only kings had had before. Now everyone with an Edison or an Aeolian was a king.”

Lawrence Lessig, “Cultures of Our Past”
“The twentieth century was the first time in the history of human culture when popular culture had become professionalized, and when the people were taught to defer to the professional.”

Lawrence Lessig, “Cultures of Our Past”
“Sousa’s fear was that this RW [read/write] culture would disappear, be displaced by – to continue the geek-speak metaphor – an increasingly ‘Read/Only’ (‘RO’) culture: a culture less practiced in performance, or amateur creativity, and more comfortable (think: couch) with simple consumption.”

Lawrence Lessig, “Cultures of Our Past”
“As we look back at our history, the dominance of the radically different culture (and the culture of regulating culture) of the last forty years is likely to obscure the view of a much longer tradition that lived before it. That much longer tradition has value for us today.”

Lawrence Lessig, “Cultures of Our Past”
“I want to propose a theory and practice of a Deformed Humanities. A humanities born of broken, twisted things. And what is broken and twisted is also beautiful, and a bearer of knowledge. The Deformed Humanities is an origami crane – a piece of paper contorted into an object of startling insight and beauty.”

Mark Sample, “Notes towards a Deformed Humanities”
“This is an argument that Steve Ramsay makes in *Reading Machines*. Computers let us practice deformance quite easily, taking apart a text – say, by focusing on only the nouns in an epic poem or calculating the frequency of collocations between character names in a novels.”

Mark Sample, “Notes towards a Deformed Humanities”
Art and theft
THE COB GALLERY CORDIALLY INVITES YOU TO

JASON SHULMAN
PHOTOGRAPHS OF FILMS

PRIVATE VIEW 11TH MAY 6 - 9 PM
205 ROYAL COLLEGE STREET, LONDON, NW1 0SG

PANTAGIA STREET
RSVP@COBGALLERY.COM

THE COB GALLERY
Interview with Jason Shulman regarding Photographs of Films
“[After writing to the gallery,] I received 575 words about copyright in 10 contradictory bullet points…I could easily see the line that was being drawn: if Shulman’s work was created in ‘a different way’ than mine, then it would not violate copyright, and if it did not violate copyright, then the gallerist could see no reason not to continue the exhibition.”

Kevin L. Ferguson, “To Cite or to Steal?”
And, as Ferguson notes, 13 years earlier,
HITCHCOCK’S PSYCHO 2000

Averaged over 1 hour 50 minutes (entire film), 30 x 18 inches. Durahans, light box.

High Resolution Download
FLEMING'S THE WIZARD OF OZ 2001

Averaged over 1 hour 42 minutes (entire film), 24 x 18 inches. Duratrans, light box.
I'm utterly confused. If you had written the gallery to inform them how similar the work was to Jim Campbell’s, I would have understood. But that you claimed Shulman was infringing on your own work, when you are already infringing on Campbell’s – I don’t understand. Jim deserves all credit for this idea. You do not. What are you adding? You use words like ‘scientific’ and ‘scholarly’ to describe your approach. How is it? You’re making this technique sound more than it is. The idea is everything – the execution is trivial.

Put another way, you are borrowing someone else’s idea to average together movies someone else made. How do you think you have any claim to ownership?
“What has been will be again, 
what has been done will be done again; 
there is nothing new under the sun.”

Ecclesiastes 1:9 (NIV)
“Unlike Shulman’s strange secrecy [about how he makes his images]... for me it is important to share both the intellectual context as well as the specific nuts-and-bolts of my process, so that others can make use of my work. In this way, sharing my method not only satisfies the most basic requirement of ethical participation in humanistic culture – citation and the acknowledgment of other artists – but also reflects an awareness of a scientific tradition of reproducibility and an intellectual commitment to sharing knowledge freely.”

Kevin L. Ferguson, “To Cite or to Steal?”
“This tradition of reproducibility does not mean that art must be like science: reductionist, experimental, or empirical. Rather, it means that processes underlying the work should be made available to others, so that others may likewise experiment, expand, and engage with my practice. This is a core value of the digital humanities, particularly the tradition of deformance (Jerome McGann and Lisa Samuels), screwmeneutics (Stephen Ramsay), and weird DH (Mark Sample), all of which are centered on play and the use and reuse of other digital materials.”

Kevin L. Ferguson, “To Cite or to Steal?”
Creation requires influence
“But because Shulman is ignorant of this tradition that examines cinema and duration, his work fails to contextualize motion pictures in a meaningful way or to engage with cinema itself beyond clichés”

Kevin L. Ferguson, “To Cite or to Steal?”
“In my unsuccessful efforts to negotiate my concerns of plagiarism with the Cob Gallery before the opening, I discovered that the aims and principles behind my scholarly aesthetic practice are at odds with the reality of the commercial art world.”

Kevin L. Ferguson, “To Cite or to Steal?”
“While the art world has its own tradition of theft and attribution, as part of the broader humanities, the art world today confronts a crisis of intellectual property, commerce, and new forms of dissemination.”

Kevin L. Ferguson, “To Cite or to Steal?”
Richard Prince’s Instagram Paintings Are Genius Trolling

By Jerry Saltz
Richard Prince, who has pushed the legal limits of artistic appropriation for decades, will continue to fight for his art in court. This week, a federal judge in New York refused to throw out a photographer’s lawsuit against Mr. Prince over Mr. Prince’s use of an image in an exhibition. The case will continue, and could set a precedent for how the fair-use doctrine relates to Instagram, the photo-sharing app.

In 2014, Mr. Prince presented an installation called “New Portraits” at the Gagosian Gallery, in which he printed various Instagram photos on large canvases, and added his own Instagram-style comments below them. The show led to a backlash, including from the photographer Donald Graham, whose photo “Rastafarian Smoking a Joint” was featured via a print from another user’s Instagram account. Mr. Graham first filed a cease-and-desist order against Mr. Prince, and then a lawsuit in 2015.

Mr. Prince, the Gagosian Gallery and the gallery’s owner, Larry Gagosian, asked the court to dismiss Mr. Graham’s case, arguing that Mr. Prince’s work was transformative. But on Tuesday, the United States District Judge Sidney H. Stein challenged that argument, writing that “there is no issue in execution of the
Emily Ratajkowski Is Selling an NFT at Christie’s

The artist Richard Prince appropriated her image for his work. Now she’s doubling back on it for one of her own.
“This may be in itself a new form of art,” Devins said. “Sort of like an image DJ. I may be thinking more outside the box than the artists who are just sitting there doodling. The bottom line is, I took something and made it real beautiful. [Mesfin] doesn’t know how to do what I did. To get it up on a wall.”

“I do move fast sometimes,” he added. “But it’s a sample. I’m a musician. It’s one sample that I didn’t clear ahead of time quite well enough.”

Adrienne Lafrance, “When a ‘Remix’ is Plain Ole Plagiarism”
THE BASIC ELEMENTS OF CREATIVITY

COPY

TRANSFORM

COMBINE
Saving and sharing
TECHNOLOGY

How Netflix Reverse-Engineered Hollywood

To understand how people look for movies, the video service created 76,897 micro-genres. We took the genre descriptions, broke them down to their key words … and built our own new-genre generator.

ALEXIS C. MADRIGAL  JANUARY 2, 2014
“If you use Netflix, you’ve probably wondered about the specific genres that it suggests to you. Some of them just seem so specific that it’s absurd. Emotional Fight-the-System Documentaries? Period Pieces About Royalty Based on Real Life? Foreign Satanic Stories from the 1980s?

“…Through a combination of elbow grease and spam-level repetition, we discovered that Netflix possesses not several hundred genres, or even several thousand, but 76,897 unique ways to describe types of movies.”

Emotional Independent Sports Movies
Spy Action & Adventure from the 1930s
Cult Evil Kid Horror Movies
Cult Sports Movies
Sentimental set in Europe Dramas from the 1970s
Visually-striking Foreign Nostalgic Dramas
Japanese Sports Movies
Gritty Discovery Channel Reality TV
Romantic Chinese Crime Movies
Mind-bending Cult Horror Movies from the 1980s
Dark Suspenseful Sci-Fi Horror Movies
Gritty Suspenseful Revenge Westerns
Violent Suspenseful Action & Adventure from the 1980s
Time Travel Movies starring William Hartnell
Romantic Indian Crime Dramas
Evil Kid Horror Movies
Visually-striking Goofy Action & Adventure
British set in Europe Sci-Fi & Fantasy from the 1960s
Dark Suspenseful Gangster Dramas
Critically-acclaimed Emotional Underdog Movies
periods, as well—from the 1980s, and so on—and references to children (“For Ages 8 to 10”).

Most intriguingly, there were the subjects, a complete list of which form a window unto the American soul:

As the hours ticked by, the Netflix grammar—how it pieced together the words to form comprehensible genres—began to become apparent as well.

If a movie was both romantic and Oscar-winning, Oscar-winning always went
What AntConc can do, essentially, is turn a bunch of text into data that can be manipulated. It can count the number of times each word appears in the mass of text that forms Netflix’s database, for example.

So, it becomes trivial to create a list of the top 10 ways that Netflix likes to describe movies in their personalized genres.

![Netflick's Favorite Adjectives Chart]

Or you can have it count the appearance of all 3-word phrases that begin with “from” and that could output the top decades in Netflix genres, with the 1980s rightfully and secondly on top. When you’re looking for an ‘80s movie, nothing else will do, you know?
Or you can have it count the appearance of all 3-word phrases that begin with "from" and that would output the top decades in Netflix genres, with the 1980s rightfully and expectedly on top. When you're looking for an '80s movie, nothing else will do, you know?

Netflix's Favorite Time Periods

<table>
<thead>
<tr>
<th>Time Period</th>
<th>Number of Genres</th>
</tr>
</thead>
<tbody>
<tr>
<td>The 1980s</td>
<td>4,500</td>
</tr>
<tr>
<td>The 1970s</td>
<td>3,000</td>
</tr>
<tr>
<td>The 1960s</td>
<td>2,500</td>
</tr>
<tr>
<td>The 1950s</td>
<td>2,000</td>
</tr>
<tr>
<td>The 1940s</td>
<td>1,500</td>
</tr>
<tr>
<td>The 1930s</td>
<td>1,000</td>
</tr>
<tr>
<td>The 1920s</td>
<td>500</td>
</tr>
<tr>
<td>The 1910s</td>
<td>0</td>
</tr>
</tbody>
</table>

Searching for phrases beginning with "Set in" I found all the locations mentioned in the diagram.
By searching for phrases beginning with "Set in" I found all the locations mentioned in genres:

![Graph showing Netflix's Favorite Locations]

By searching for phrases beginning with "For;" I created a list of the age-specific genre descriptions. Netflix has content "for kids" generally, as well as for ages 0 to 2, 0 to 4, 2 to 4, 4 to 8, 8 to 10, 8 to 12, and 11 to 12.

I took all of this data about Netflix's vocabulary and I created one large...
How Netflix Reverse Engineered Hollywood

To understand how people look for movies, the video service created 76,897 micro-genres. We took the genre descriptions, broke them down to their key words, ... and built our own new-genre generator.

ALEXIS C. MADRIGAL | JAN 2 2014, 11:58 AM ET

The Atlantic’s Netflix-Genre Generator

Vampire Sci-Fi Movies For Hopeless Romantics

CREATE A GENRE: Gonzo (ultraviolence genres) Hollywood (film-making cliches) Netflix (mimicking their style)

If you use Netflix, you've probably wondered about the specific genres that it suggests to you. Some of them just seem so specific that it's absurd. Emotional Fight-the-System Documentaries? Period Pieces About Royalty Based on Real Life? Foreign Satanic Stories from the 1980s?

If Netflix can show such tiny slices of cinema to any given user, and they have 40 million... how vast did their set of "personalized genres" need to be to describe the entire food universe?
While the internet is a much more unpredictable environment to build an archive out of, the principles of librarianship remain the same. Humans stockpile and organize information to conquer time, says Kari Kraus of the University of Maryland. And librarians will continuously work to come up with new ways to preserve our digital history.

“I like to think of collection as a service,” Rabina says. Just because information may be free now, it doesn’t mean it’ll be free forever, she says. “If you don't collect, it's going to disappear.”
Around the same time that Mesfin published the animation, Devins launched a crowdfunding campaign to raise money for a large mural that would depict Michelle Obama in the neighborhood where she grew up—"to give today’s children someone they can literally look up to," he said on his funding website at the time. Back then, he’d never even seen Mesfin’s design, he told me. He ended up raising $11,735, according to the site. Here’s the mural that Devins eventually installed:

Chicago’s South Side really has no chill... pic.twitter.com/z7PSZA8X6g
--- #FreeBresha (@prisonculture) April 21, 2017

Devins told me that he understands why Mesfin was upset, but also dismissed her concerns as old-fashioned and misdirected. "I was working in my capacity as an urban planner,” he said. “Of course if I was claiming to be an artist, and then I took some other work off the internet and represented it as my own, of course that’s something an artist would be upset about and I understand that. I make no claims on the work.”
No tweet for you.
GifCities

The GeoCities Animated GIF Search Engine

from the Internet Archive

GifCities is a special project of the Internet Archive to celebrate 20 years of preserving the web. Internet Archive is a non-profit digital library of millions of free books, movies, software, music, websites, and more. Please donate to help us in our efforts to provide “Universal Access to All Knowledge” including GIFs.