

Creating a Web of Attribution in the Feminist Blogosphere

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Abstract

Through an examination of 143 women- and feminist-authored blogs and a review of the literature surrounding feminist perspectives of copyright, this paper seeks to demonstrate that a critical feminist perspective would be a valuable addition to the ongoing debates of copyright legislation. Current feminist perspectives primarily critique the law's privileging of the autonomous author-genius by citing women's historical participation in collaborative activities, deconstructing binaries based on that of creator/user, and citing the dialogic nature of cultural production. These theories might purport that feminists and women would emphasize information sharing over ownership as a response to formal copyright law. However, 38 % of the blogs expressed some type of copyright-protected status, indicating that creators in the digital realm seek to contribute to cultural production while at the same time retain authorial credit, made especially evident through the high rate of requests for attribution in future uses of the bloggers' works. A feminist perspective would be useful in helping future copyright legislation to negotiate these needs.

Introduction

Digital self-publishing is rapidly expanding to embrace authors from a variety of backgrounds, experiences, and identities, and especially those traditionally ignored, underserved by, or misrepresented in the mainstream media. Two such groups turning to digital media in search of expression and voice are women and feminists. As this electronic sphere gains in popularity, certain social norms are being created to regulate

behaviors and ensure that all are welcome to create, continuing intellectual progression. One such social norm involves copyright practices. As much publishing on the web relies heavily on the linking or quoting of others' creations or information, and because it is easier in the digital realm to copy and paste someone's work without the original creator's knowledge, norms are being created to ensure that works can be shared and that people can continue to create without fear that their works will be used unfairly. These norms are also created in reaction to formal copyright law. Such law protects works created by a single, autonomous author for economic gains, which are qualities many web publishers feel do not fit their creations. To ensure that voices will not be silenced when copyright law does expand to place additional formal restrictions upon digital works, it is essential that women's and feminists' practices and perspectives of authorial attribution, non-commercial creation, the breaking down of the boundary between author and user, and the close relationship of author and work are included in future legislative discussion.

Current copyright law in the United States embraces the idea that a single, autonomous author, free from influence or help by others, creates each potentially copyright-protected work. This concept emanates from the "heroic self-presentation of Romantic poets" (Woodmansee & Jaszi, 1994, p. 3) that developed some 200 years ago. While it is this romantic idea of autonomy that continues to inform legal arguments in favor of increasing copyright protections today, the "author" concept first came to the fore in the Statute of Anne of the 1700's (Jaszi, 1994, p. 32). This piece of English copyright legislation sought to protect capital gains of publishers and booksellers, not the writers themselves, in a world that was increasingly dominated by new printing technologies. Until 1750s Germany, the author "was still being represented as just one of the numerous craftsmen involved in the production of a book" (Woodmansee, 1994, p. 15), and only deemed an original creator when the economic status of those holding printing power were at stake. Edward Young's 1759 *Conjectures on Original Composition*, furthered by Wordsworth's *Essay, Supplementary to the Preface* of 1815, helped the concept of the Romantic author to emerge. It states, "Genius is the introduction of a new element into the intellectual universe: or, if that be not allowed, it is the application of powers in objects on which they had not before been exercised"

(Wordsworth, as quoted in Woodmansee, 2004, p. 16). The law parallels this notion that the author creates works in a sort of vacuum, without external influence.

Historical analyses of copyright legislation also closely examine the term "work" used in section 102 (a) of Title 17 U.S. Copyright Law (17 U.S.C.). Christopher May and Susan K. Sell paraphrase Peter Jaszi when they explain that the change in copyright law to this term of "work" implies an attachment of commodity to authorship, invoking the Lockean principle that "work should be rewarded with property" (May & Sell, 2006, p. 102. See also, Coombe, 1998, p. 219-220). In other words, mental "work" emanating from the individual, autonomous genius is to be acknowledged and privileged with protection leading to economic gains. This, of course, is the "intent" of the creation of current US copyright law. Article 1, section 8, clause 8 of the United States Constitution specifically states that copyright exists "To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries." As long as creators are given monetary or economic rewards for their pieces of mental and/or physical work, made possible by granting temporary sole ownership over that work to the creator, then he or she will continue to create, thereby contributing to the progress of culture. This progress is insured by the eventual release of these works into the public domain, where they become available for others to borrow from in order to produce their own creations.

According to the U.S. Copyright Office's website, "Only the author or those deriving their rights through the author can rightfully claim copyright" (U.S. Copyright Office, 2006). Copyright is extended to any "original" creation in "fixed form," with or without registration (17 U.S.C.). "Fixed" implies that the sign is closed and final, free from outside influence and existing independently of any future change or adaptation. Works produced by multiple individuals are protected only under the "Works of Joint Authorship" section of United States Code Title 17 (17 U.S.C. 201). This principle, however, does not acknowledge a creation produced and shared equally and collaboratively amongst individuals. Instead, "the co-author must contribute original expression that could stand alone as copyrightable subject matter" (American Bar Association, 2006, p. 7). Each part of a "joint work" must contain separable, independent,

fixed signs, each created by a single individual, which still invokes the concept of one individual author-genius per one creation.

Copyright and Feminism?

Feminist legal theory has hotly criticized copyright law's privileging of the autonomous author, though little is written on the subject compared to other traditional "women's" legal issues, such as sexual and employment discrimination, pornography, family law, reproductive health, and so on (See for example, Taylor, Rush, and Munro, 1999). Citing the historical participation of women in collaborative activities, the dialogic nature of cultural production, and the power structures inherent in an owner/owned binary, the writings on feminism and copyright primarily critique the notion of the individual, autonomous author privileged in copyright law. Ann Bartow suggests that women are more likely to participate in collaborate activities, such as quilting, knitting, or cooking, activities that produce domestic "works" not generally protected by Title 17, section 102(a) (Bartow, 2007). Additionally, this collaborative effort is ignored by the law's protection and sole recognition of the single, autonomous author. Bartow goes on to explain that women who seek copyright protection violate the feminine social norms of caring, sharing, and nurturing, therefore deterring women from seeking this protection (Bartow, 2007, p. 33). Craig furthers this when she states, "Employing the notions of dialogism and the relational self that have emerged from feminist scholarship...we can reimagine the author not as source, origin, or authority, but rather as participant and citizen" (2006, p. 234). But, as described, existing copyright law privileges and protects works that emanate from the single, autonomous individual, extending no thought, acknowledgement, or protection to the feminist notion of collaborative, relational or dialogic cultural production.

Feminist theory also deconstructs the binaries present in copyright doctrine, exposing patriarchal power structures. Dan L. Burk cites dualisms such as mind/body and nature/culture, (Burk, 2006) while Craig cites laborer/free-rider, creation/reproduction, and author/user (Craig, 2006). Each of these binaries holds the characteristic of one side being privileged over another, or one side being "inferior and feminized" (Burk, 2006, p. 11). For example, the most prevalent binary, author/user, is invoked to determine

infringement. The author is the creator, the sole owner of the work, and that who has control; the user, in any attempt to become involved with the piece, such as changing or borrowing from it, becomes an infringer and is punished by law. The user must separate him or herself from the author and his or her work, becoming an outside spectator rather than an active participant. Not only is this binary problematized by the assertion that culture, and therefore creation, works in a dialogic manner, but also in the fact that it is the public, the audience, or the user that makes a work economically viable or worthy of copyright protection (Zemer, 2007, p. 5-6). In other words, without the user or consumer, the author or creator would have no reason to call him or herself a unique, autonomous, author-genius under copyright protection.

Additionally, the feminization and "othering" of one side of the binary parallels the claiming of copyright, patents, or ownership of non-Western and indigenous creations and knowledge. Written culture is copyright-protected, while oral culture is not; individual, original works are copyright-protected, while collaborative, culturally produced works are not. Additionally, Kembrew McLeod uses the example of "world music," stating that because these beats and songs are not "original" works by one individual, they are considered free reign under law (McLeod, 2001, p. 243-244). Those that have the education, writing and reading ability, and knowledge of copyright law are then able to use and therefore protect, for monetary gains, the uses of these beats in their own creations. The presence of the author/user binary, if Burk and McLeod are correct in their assertions that the latter side of the dichotomy is feminized or "otherized," leaves those that lack the access to knowledge of U.S. and international copyright law at a distinct economic disadvantage.

Some authors claim that a true feminist future for intellectual property law would be to greatly lessen its protections or to get rid of it all together. Bartow explains that "low protectionism" would benefit women as "authors, intermediaries, and consumers" (2007, p. 24). Women authors and creators could seek royalties and protection for their work without being seen as selfish or greedy; women intermediaries would be allowed to bring works together to "advance the cause of sisterhood;" and women consumers would benefit from having more works to choose from to borrow, reproduce, and distribute without fear of punishment. Deborah Halbert takes this a step further when she states that

"A feminist future would eliminate the law of intellectual property, which is too often used to halt creativity, and replace it with an understanding of the community in which one creates" (1999, p. 119). Thus, these theories imply that copyright law should move away from the privileging of the autonomous author-genius and towards an acknowledgement of the collaborative and relational nature of work creation and information exchange.

In The Blogosphere?

The weblog is a collaborative form of media that emphasizes dialogue and deconstructs the dualisms and binaries present in copyright law through prevalent sharing, quoting, and linking of information. Weblogs, or "blogs" as they are more commonly called, are emerging rapidly as a site of creation by women and feminists, among many others. Statistics from the UK's Guardian Unlimited include: "A recent estimate put the number of feminist blogs at 240,000, but, given that this posited the number of "active" worldwide blogs at 4m (some figures put it as high as 27.2m), and the proportion of women who are self-described feminists at 10% (a British survey this month produced a figure of 29%) the true figure could be much higher" (Cochrane, 2006. See also, Tobias, 2005). Many of these women and feminists are turning to the web based on the fact that their voices are being ignored or misrepresented in mainstream media. For example, the organizers the October 1997 Million Woman March, a gathering of primarily African-American women and men, turned to the Internet to spread information about their event (Everett, 2004). The organizers subverted the digital divide by relying on women that did have access to the Internet to print out and distribute information to those that did not, demonstrating the power of the Internet to mobilize women both onscreen and off. Virtually ignored by mainstream mass media, the event planners thrived in the Internet sphere through websites and weblogs, drawing hundreds of thousands of people and generating 21.7 million dollars for the city of Philadelphia. Bartow (2005) also explains that women, such as new and stay-at-home mothers, use the Internet to connect with one another in a relatively anonymous sphere. Needing a space of their own outside of mainstream media, where connections and relationships can be formed quickly and

cheaply across geographical and social boundaries, many women and feminists have turned to the blogosphere.

Blogging and self-publishing on the web can be used to illustrate feminist reaction to copyright (See also: Bartow, 2006). To start, the blog's hypertextual nature highlights the relational nature of information and cultural production (Burk, 2005). Meaning is not drawn solely from the article or posting itself, but is often gathered from external sources made evident through "weblinks." The ability of the reader to link separate pieces of already-existing information together in a sequence of his or her own choosing problematizes the boundaries of a "creation" and also the binary of creator and reader. In this sense, the reader becomes the creator, reminiscent of Barthes's "writerly" texts (Barthes, 1977). According to Sonia K. Katyal, the reader also becomes the writer in the creation of online slash fan fiction, texts that rework mainstream, copyright-protected published works (Katyal, 2006). Specifically, these texts re-imagine the heteronormative, leading male of the story as being involved in homoerotic relationships with other characters (the term "slash" coming from the "m/m" relationship). The high number of female authors appropriate and deconstruct male dominance, placing the characters in a relationship where the power balance is equal (male/male) rather than in the original text, where power is unequal (male/female). This action reworks the gender roles made rigid by the copyright-protected original works in an attempt to show the fluidity of gender, and therefore the fluidity between reader and creator (Katyal, 2006, pp. 485-486). In each of these cases - the event website, online slash fan fiction, and especially blogs - the boundaries between reader and author and even the boundaries surrounding each "autonomous" author are broken down through the reworking of texts and the heavy exchange and redistribution of information.

Feminist theory might purport that women and feminist bloggers would not seek copyright protection for their works. Blogs are highly collaborative efforts, relying on information from external sources (news media, other individuals) to create meaning, and encouraging readers to add to the creation by posting comments. This is in stark contrast to the concept of the autonomous author as sole creator in copyright law, so bloggers might not see their blogs as created by a single person and therefore worthy of or needing protection. Additionally, rejecting copyright protection might align itself with feminist

activity, subverting hierarchical patriarchal power by emphasizing and encouraging collaborative creation. The statistics on this subject are very telling regarding the ways that women and feminists view and practice copyright in the blogosphere, and these data can then be used to inform copyright legislation in general.

Methodology and Research Questions

This research focused on samples from two feminist "blogrolls," noting there are many from which to choose. The first was from "Feminist Blogs" (Feminist Blogs, 2007). Each of the 53 blogs listed was examined, excluding nine that were unavailable and therefore not counted in the results. The other sample comes from the "Feminist Blogs US" blogroll listed on the blog "Laurelin in the Rain" (Laurelin in the Rain, 2007). A total of 34 blogs were listed. Two were unavailable and five were duplicated from the first blogroll, and were therefore not included in the results. The two blogrolls together produced a sample total of 71 blogs. For my second set I sampled blogs listed in the "Women Bloggers Webring" (Women Bloggers Webring, 2007). Sampling from this site gave an idea of the copyright practices of women that blog as "women" but not specifically feminists. From the 295 blogs listed, I examined every fourth blog, beginning with the first listed. All were available, and none were duplicates of the feminist blogs, which gave a sample of 72 blogs. Notably, IRB approval was not sought, after consultation with the board administrator, who excluded blogs from the realm of reviewable human subjects research.

The following questions were considered when surveying the blogs: What types of copyright protections do women and feminists seek? Is a copyright protection symbol/statement or link to said symbol/statement present on the initial homepage? If yes, what type of copyright protection? If the blog is licensed under Creative Commons (or another similar license), what type, and what are the aspects of each license? If a self-authored copyright statement is present, what are the main elements or protections?

Results and Discussion

Of 143 blogs surveyed, 55 had some type of copyright statement or a link to it present on the homepage, while 88 did not. These data can be further broken down into women's and

feminists' blogs. Women-authored blogs expressed copyright-protected status in 31 out of 72 instances, while feminist blogs expressed it in 24 of 71 instances.

The types of copyright-protection notification varied greatly over the blogs. Simply using a copyright symbol (©) with a statement of the creator's name, blog's name, and/or year was the most popular form of copyright-protected notification in each of the two sets of blogs. Just a few examples include:

©2005- 2007 LIFE WITH HEATHENS AND JCB - ALL RIGHTS RESERVED.
ANY UNAUTHORISED COPYING, REPUBLISHING, OR USE WILL
INFRINGE COPYRIGHT" (Life With Heathens, 2007)

ALL CONTENT © 2004, 2005, 2006 IT'S MINE! ALL MINE! (Suburban
Lesbian, 2007)

([Copyright](#)) © 1992-2007 The Insane One (aka Teli). Please don't steal my stuff.
 Validate my [XHTML](#) // [CSS](#) at your own risk. Other disclaimers coming soon...
(Mild Insanity, 2004).

A Creative Commons license, explained below, was the second-most popular form of notification in each blog set, while a copyright symbol and a further, self-authored statement was the third most popular in each blog set. In five instances in the feminist blogs, a Creative Commons license was combined with a copyright symbol; this occurred only once in the women-authored blogs. The women-authored blogs also included one instance of Creative Commons combined with Copyscape, and also one instance of Copyscape by itself (Copyscape, 2007).

Creative Commons deserves further explanation, as it is increasingly defining copyright practices in the digital realm. This licensing website allows a creator to choose one of six "Some Rights Reserved" licenses comprised of any combination of four restrictions: Attribution, Noncommercial, No Derivatives, and Share Alike (Creative Commons, 2007). A banner is situated in a visible place on the license-holder's webpage, and clicking on it will bring the reader/user to the actual terms of the license, both in "everyday" speak and also in legal terms. A June 2006 estimate put the number of

Creative Commons licensed webpages at 140 million - but of the 12 billion sites on the web, this accounts for only 1.2% (Lastowka, 2007, pp. 80-81). This percentage, however, is far less than that of the women's and feminist blogs examined. Creative Commons licenses were present in 22 out of 55 blogs total (10 of the women's blogs and 12 of the feminists' blogs), or 40% of the time, demonstrating that women and feminists use Creative Commons on a far more regular basis than the general web population. Lawrence Lessig, one of the founders of Creative Commons, makes clear in his text *Free Culture* that these licenses are not built in an effort to work against existing copyright law, but instead to "make it easier for authors and creators to exercise their rights more flexibly and cheaply" (Lessig, 2004, p. 286). The idea is to allow works to be used and distributed by others as long as the original author's wishes are respected. This circulates more works in the creative sphere, relying on a level of trust between creator and user that all conditions are met.

In the survey of the distribution of specific chosen restrictions found in both the blogs' Creative Commons licenses and self-authored copyright statements, each restriction was counted once, and as most of the licenses and self-authored statements have more than one restriction, some blogs were counted more than once. The first, Attribution, is included as a default in every Creative Commons license and so was only counted when it occurred on its own. This feature went into effect in 2004 when it was discovered that 97% of Creative Commons license holders had included it as one of their chosen restrictions (Lastowka, 2007, p. 80). Attribution also occurs at a high rate in the self-authored statements of both women's and feminists' blogs: 6 out of the 9 blogs, or 67% of the time. It was trumped only by "Permission" (a user must gain permission from a creator before reuse), which occurred in 7 of the 9 blogs, or at a rate of 78%. Permission is also built into all Creative Commons licenses, and so was not counted as a separate factor in these instances.

The high rate of requests for attribution and permission (both in the self-authored statements and as they are built into the Creative Commons licenses) seems very much in line with feminist action: to foster relationships, display connectivity in creative endeavours, and dismantle hierarchies of knowledge-holding by citing where a piece of information came from. Requesting that one's work is cited in subsequent creations can

also be seen as a way of building or gaining social capital in what Lastowka calls a "social reputation market" (Lastowka, 2007, p. 43). Rather than seeking monetary gains for their works, creators instead seek social gains. The more their name is out there, the more the readers, users and general audience will include them in social groups and networks, ask them to produce more information, and in general provide them with a wider social circle (whether that be in person or over the Internet), rather than providing monetary gains. Again, this would seem to embrace relationships and social mindsets - creators are looking for an increase in their interactions with others and to hold a place in this web of social and creative production. Additionally, it quite explicitly breaks down the binary of author/user, emphasizing that the work was produced with the help of external forces and will continue to inform more works in the future.

This preference of social over monetary gain is emphasized by the high rate of "Non-commercial" usage restrictions. This occurred in 4 of the 9 self-authored statements, or 44% of the time, and it was listed as a restriction in 16 of 22 Creative Commons licenses, or 73% of the time. The non-commercial restriction states that a person may print out or use a creator's work, but may not sell or profit from it. This, combined with the high use of the attribution restriction, indicates that creators are trying to protect their potential social gains, not their economic gains. It could also indicate the creator's wishes to contribute only intellectually, and not capitalistically, to the intellectual growth of society. This non-commercial restriction could also be seen in terms of the cultural shift to create works via the internet. This type of information creation and distribution does not require a publisher, instead only requiring a person with access, skills, and the desire to speak. Capitalistic gains for a publisher do not even come into play in this sphere. This, combined with the fact that access to most of the content on the web is free, could be seen as the creators' reclaiming of copyright protection from publishers.

However, bloggers made no indication that they themselves would not use their works in an economic manner. For example, excerpts from Darkdaughta's copyright statement are as follows (Darkdaughta, 2005):

our worlds converge more often than you think. so, unless you want to see me staring at you from a seat in the audience at a conference/panel/symposium you've organized to discuss power, oppression, co-optation, legitimacy, knowledge or some such other drivel, as you spit my words back at me, do not selfishly mine my intellectual and creative resources for your own economic well-being and stability.

same fyi for paid community organizers who are working against oppressive odds in professional environments where the sort of work i do, facilitation/education/dissemination of thought through spoken and written word, is becoming de-skilled, whittled down to under-paid work divested of any purpose beyond seeing to the programming needs of middle[activist]management who report to academic, government and foundational funding sources.

...folks were translating info, ideas, energies this cash poor, working class woman with intellect was offering into cash making opportunities for themselves inside community and they weren't at all interested in sharing what they were cookin' up with me!

Similarly, Bonni at bonni.net states on her blog (Hall, 2007):

Content and design [copyright ©](#) Bonni Hall, 2000-2007. All rights reserved. No unauthorized use or reproduction is permitted. It's not that I don't love you. It's just that I don't want you to plagiarize my original writings or take my graphics or layout, which I worked very hard to produce. Thanks for understanding.

If you like my graphics, allow me to say that I am, among other things, a [professional web graphic designer](#) and would be more than happy to make a website template or graphics set for you of your very own, and I'm pretty darned affordable.

Each of these women make explicit that they worked hard on their content, and they do not want anyone else to receive monetary gains based on this work. However, this does not mean that the women are opposed to making money from their work. Bonni is a

graphic designer who posts material on the web - she still embraces the monetary gains of copyright while sharing the looks, but not use, of these graphics with others. Darkdaughta is opposed to the forces ("academic, governmental, foundational funding") that get in the way of paying creators what they are due (Darkdaughta, 2005). Interestingly, Bonni Hall at bonni.net seems to conform to Bartow's theory that women that seek protection might feel they are breaking the feminine caring and nurturing social norms by claiming ownership. Bonni states, "It's not that I don't love you" and "Thanks for understanding," as though she is apologizing for protecting her works (Hall, 2007). In either case, the women do not make explicit that they are opposed to monetary gains for themselves, but are instead opposed to others using their works to do so. The women lose out on social credit as well as monetary credit when others use their works for commercial purposes.

Interestingly, though, of the 22 Creative Commons-licensed blogs, only a one license-holder had an "Attribution Only" license. This is very telling in terms of women's and feminists' views regarding ownership and use of others' works. As all of the other blogs besides one had further restrictions, it demonstrates that these creators not only want to be acknowledged for their works, but also want to exercise control over the present and future uses of their creations. After the single "Attribution Only" license, Share Alike was the least common restriction found among Creative Commons license holders, held by nine of the 22 license-holders. This is distributed fairly evenly between women's and feminists' blogs, with 5 occurring in the women's blogs and 4 in the feminist blogs. Share Alike requires individuals using licensed content to then license those derivative works under the same restrictions, meant to ensure the continuation of information sharing and the creative furthering of culture. This is similar in the Attribution sense, as it ensures that the connections between pieces of information are made known from derivation to derivation, creating a web.

"No Derivatives" was the second most-common chosen restriction, occurring in 10 of 22 cases. What is so interesting about this number is the uneven distribution between women's and feminists' blogs. This restriction occurred 7 times in feminist blogs, and only 3 in women's. The restriction in itself is the most interesting of the four as well, as it calls for the most protection. Users are free to read and distribute this information all that they want, but they are not allowed to make any sort of derivation of

that work, even if attribution is given. This, like current copyright law, keeps the creation a fixed sign, belonging to a single author. What is even more interesting is that this comes up more often in the feminist blogs. Halbert (1999), for example, seems to support the act of appropriation as a feminist way of resistance against rigid copyright laws. To allow others to create works based on your own would be to explicitly break down the binaries of reader/creator, allowing information to transform itself and evolve as each next person consumes it. Perhaps the feminist "No Derivatives" ratio is higher because these blogs involve a more activist tone, or are created with a strict purpose in mind to convey a very specific message that the creators do not want altered or misrepresented. Additionally, as feminism has not always been well received in any society around the world, perhaps these feminists are trying to protect their works from being parodied, slandered, or the like. If either of these is true, then the social reputation factor comes into play once again. No Derivatives is in place to protect the integrity of these politically charged and sometimes emotionally sensitive messages, thereby protecting the social well-being of the creator.

Feminist legal theorists of intellectual property and copyright law might claim that women would not want to assert copyright protections over their works, that they would want to emphasize and participate in collaborative efforts, and that their practices do not fit well with the patriarchally-structured binaries inherent in copyright doctrine. 38% of the blog sample, however, would argue to the contrary. These women seek protection for the integrity of their works, and they want to be able to claim these creations as their own. They include their name on the blog with a copyright symbol; they license protections under Creative Commons; or they author their own restrictions regarding uses of their works. While 38% is not quite half of the sample, it is still a substantial number worth heeding. What should be emphasized in these women's and feminists' practices is the prominence on the blog of the name of the copyright holder (for example, the © plus the person's or blog's name) and more importantly, the high rates of attribution and noncommercial restrictions placed upon present and future uses of these blogs.

Copyright law does not privilege, protect, or recognize these elements. First, the changes in the 1976 revision made all works in tangible, fixed form protected, with or

without the presence of a copyright symbol, and one does not have to formally register their work with the copyright office for it to be protected by law (17 USC). 38% of women and feminist bloggers, however, decided to affix some form of notice of copyright-protected status, indicating that these bloggers do in fact desire a claim to individual authorship. The relative anonymity that can occur in the digital realm and the lack of need to affix a copyright symbol or authorial information to a work can make it impossible to attribute a work in the first place. By affixing a copyright symbol and statement, these authors are exercising their attribution rights. In addition, they are preventing "orphan works," or those copyrighted works that hold little economic value but are still protected, and whose authors cannot be found to gain permission to release these into the public domain for creative use by others (U.S. Copyright Office, 2007, "Orphan Works"). To affix a statement of authorship to a work is, on one hand claiming ownership over the work, but also, if indirectly, helping to avert the orphan works crisis by making it easier to track down authors to ensure future usage of these works.

Copyright law does not fully protect the right of attribution, or what Roberta Rosenthal Kwall refers to as a "moral right," explaining that copyright law protects only "pecuniary" and not "personal" interests of the author-creator (2002, p. 989). Attribution rights are only found in VARA (Visual Artists Rights Act of 1990), DMCA (Digital Millennium Copyright Act of 1998), and section 43(a) of the Lanham Act (Lanham Act, 15 U.S.C. 22). VARA prevents "modifications and misattributions of certain works of visual art" (Kwall, 2002, p. 987). DMCA contains "anti-circumvention provisions to protect the integrity of the digital protections that enclose and encode those works" - in other words, rights metadata cannot legally be removed or bypassed for use and distribution (Lastowka, 2007, p. 45). The Lanham Act prevents "false designation of origin" (Kwall, 2002, p. 988). However, VARA only protects attribution rights in certain works of visual art, not all creations (Kwall, 2002, p. 994); even with the DMCA piracy and illegal downloading runs rampant (Lastowka, 2007, p. 46); and it is often difficult to determine if the "false designation of origin" cited in the Lanham Act was an intentional act or if consumers were simply confused between brands (Kwall, 2002, p. 1026). Additionally, section 106 of U.S. Title 17, that which protects the rights of authors, makes no mention of a right to demand attribution (Kwall, 2002, p. 996), and Fair Use section

107 does not have a requirement to attribute in the works that are used and distributed (Lastowka, 2007, p. 84).

Copyright infringement liability still occurs when the author of a plagiarized work is revealed - the infringement lies not in lack of attribution, but in the actual act of plagiarizing (Kwall, 2002, p. 998). The law makes little, if any attempt to protect the personal reputation rights of an author, instead punishing those who simply participate in the act of plagiarizing, whether attribution was given or not. This relates to the high rate of chosen non-commercial restrictions in women's and feminists' blogs. One can still make money copying and distributing the works of others, which comes back to copyright law's original existence to protect the economic gains of the publisher, not the personal gains of the author. Creative Commons licenses and self-authored statements remove the power of hierarchical publishing companies to claim distribution rights and economic ownership of a work, therefore returning all rights back to the creator. This restriction also adds an additional safeguard to one's works so that those works will not be used improperly in the economic sphere.

Self-publishing in the digital realm is on the rise, and takes the form of blogs, fan fiction, personal web sites, posting one's academic articles, and the like. Feminists, women, and others marginalized by mainstream media that have access to the Internet are especially turning to the web as a means of support, expression, and mobilization. Within this sphere, copyright norms are being created and exercised regarding how one protects and allows for the use of their creations. Specifically, those who provide a statement of copyright protection or licensing on their page provide the name of the author or blog and/or request that those who use the work provide attribution on any derivations or distributions. These actions signify a return of copyrights from the publisher to the author, forging a stronger connection between work and author and therefore facilitating stronger relationships between reader and creator. The requirement of attribution and the embracing of copyrights by women in the digital sphere can be seen as an attempt to strike a balance between protection of the integrity of one's work and also the desire to contribute to the progression of cultural knowledge. The call for attribution is forming a web of information production, demonstrating the connections between each piece of

produced work while providing for social gains and reputation in the form of authorial naming.

Conclusions

Feminists and women's rights activists have struggled for the rights of women and others outside of mainstream conceptions of gender for a number of years. To reject notions of ownership of a work would also be to deny agency to these women and feminists - agency that activists have fought to bring to the forefront for generations. Attribution is a way of bringing these two sides of the copyright binary together - it allows one to retain control over his or her creation and therefore obtain social gains while at the same time emphasizing the collaborative nature of knowledge production and the forging of social relationships. While many of the authors of texts on feminist perspectives of copyright call for a change in the law to embrace traditional "women's" collaborative works such as quilting or cooking, the feminist focus should instead work to negotiate the author/user binary so that shared knowledge production is encouraged and the rights of authorial ownership and attribution are ensured.

Creation in the blogosphere depends heavily on the linking and quoting of others' information and the subsequent trust that proper attribution will be given. As copyright law continues to expand to place more and more restrictions upon the uses of copyrighted works, authors of creations not falling under the category of a legally protected work - those that rely on collaboration, sharing, and a strong relationship between creator and reader to exist - threaten to be silenced. While it is true that creators will still want to profit from their works, it is essential, in this digital world lacking hierarchical publishing companies, that copyright law extend to provide moral or personal rights to authors in addition to economic rights. A feminist perspective would be essential in helping this legislation come to fruition. Feminist- and women-authored blogs provide a look into just a small segment of the intellectual property systems being developed outside of and in response to formal copyright law. Future research should aim to uncover additional examples of this type of information exchange so that they may be used in the development of a more creator- and user-balanced legal system.

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