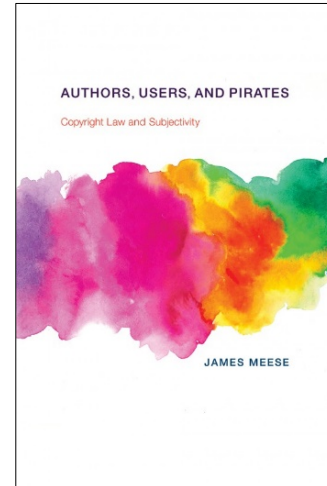James Meese, **Authors, Users, and Pirates: Copyright Law and Subjectivity**, Cambridge, MA: MIT Press, 2018, 227 pp., $35.00 (hardcover).

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In the study of mass media, there are always new debates over copyright law and its application to creators, users, and consumers. Currently, there are debates over the power of YouTube's algorithm for copyright infringement, with many creators feeling that anyone can stifle their channel and source of income (Wodinsky, 2019). Or there are concerns about the aggressive tactics that Disney uses to protect their intellectual property (IP), including those newly acquired in their acquisition of 20th Century Fox, especially when they have a history of locking content in a vault to create increased demand (Seitz, 2019). There also was a story that broke on Twitter about bots that crawl social media and instantly create T-shirt designs based on images that users comment on (with targeted phrasing, including "I would love to have that on a shirt"; Gerken, 2019).

James Meese's book, **Authors, Users, and Pirates: Copyright Law and Subjectivity**, is a primer and exploration of the nuances of these debates. As its main objective, this book proposes the triad of roles in debates about copyright within the media: the authors, users, and pirates. However, Meese argues that these three roles are interconnected, dependent on each other, with some individuals navigating multiple roles at once in their creation, consumption, and sharing of content. While these three roles are vital to the concept of copyright within the law of English-speaking countries—the focus of this book—Meese argues that they operate on a continuum rather than being isolated and uniform in their application.

With that thesis in mind, Meese's book effectively highlights the nuanced nature of copyright law as it pertains to media production, consumption, and distribution. This book goes for breadth in its discussion, with a likely audience of graduate students or perhaps upper-level undergraduates. It is interdisciplinary in its arguments and discussion, pulling from the social sciences, humanities, and communication, but most important, law literature. Despite being very theory driven and focusing on many high-level concepts of media ethics and law, it is still written in an accessible way. With these objectives—of broad theory, wide application, and outlining the spectrum of the three roles—Meese's book excels, which means that my qualms with the book merely come back to a different paradigm of deeper discussion and more concentrated conclusions.

Meese begins his book by discussing the history of copyright law within the United Kingdom, the United States, Canada, and Australia, beginning with the Statute of Anne in 1710. It passed in the United Kingdom and was the first time that authors were recognized as owners of their works (p. 22). Then Meese analyzes the case of *Gyles v. Wilcox* (1740) and how it set the stage for the discussions of the triad of roles in 20th-century copyright law. "The incoherence of copyright ultimately produces situations where use and

infringement are not always meaningfully distinguishable from authorship, particularly as authorship increasingly functions as a market device rather than a coherent category" (p. 36). The issues of copyright law emerge from the needs of capitalism and the production of entertainment media, with the rights of authors being the first dimension defined.

The next chapter then focuses on how the concept of fair use and the protections afforded to users emerged. This includes the laws and bills passed in the United Kingdom, such as the Imperial Copyright Act of 1911, the Copyright Act of 1956, and the Copyright, Designs, and Patents Act of 1988.

> If we reflect on these fair dealing exceptions, it becomes clear that a particular vision of the user is presented. Until a spate of reforms across various jurisdictions in the last few years . . . these exceptions largely assumed that the use of copyrighted content must carry a clear public benefit. (p. 42)

This argument is then carried into the example of the VCR and its impact on American audiences who were consuming copyrighted content on their televisions. This second phase in the history of copyright law then finds exceptions and limitations, solidifies the power of public domain, and argues for the rights of users in consuming media.

Meese then argues the relational authorship of creative practices such as songwriting and remix culture. This chapter delves deeply into the many examples of lawsuits of artists using copyrighted music, melodies, and samples from other artists. These examples—from "Blurred Lines," to "Oh Pretty Woman"— are used by Meese to show how copyright law evolved to protect revenue streams to creators. "As a number of detailed and carefully researched histories make clear, licensing arguably emerged in order to exploit a growing income stream and now even the smallest 'contribution' needs to be paid for" (p. 68). These lawsuits then are attempts by an original artist to gain revenue from their product, and to scare future artists into licensing instead of sampling.

Following is a discussion on the blend between author and user, and the law and practices surrounding fair use in technology. This chapter dives into YouTube in particular, discussing how many creators are media critics who analyze copyrighted material but insert their own commentary and analysis, suggesting that what they post is uniquely theirs.

> The cultural associations around users, authors, and pirates do not necessarily go away when we transplant these terms to law or to discussions around digital media more generally; indeed, they are more likely to be reinforced. (p. 108)

In fact, while digital media such as YouTube may muddy the waters of what a user and author are, they still carry the cultural connotations of what a user and creator really are. These creators are still framed as authors of content, and as media critics they are typically thought to be protected, while in reality they aren't (Wodinsky, 2019).

The next chapter then breaks down the notion of IP, censorship, and where digital platforms relate. Building on the controversy surrounding the SOPA and PIPA bills, Meese discusses how the pirate is a productive actor.

> There is a common presumption . . . that copyright is vitally necessary legal technology for any innovative sector populated by creative practitioners. Yet a number of highly creative fields are either not protected by copyright or essentially ignore copyright laws that do exist for their supposed protection. (p. 121)

If there is no copyright or legal protection, then there are no pirates. This is found in the productivity and creativity of some fields (such as fashion, comedy, food, and adult video) thatcontinue to produce content. This chapter also discusses some of the reasons that pirates engage in piracy, bringing to mind the example of *Game of Thrones* being the most pirated show in history due to its inaccessibility in the Global South.

The last chapter then discusses some of the legal avenues that owners and producers of media have used to combat and challenge piracy. Meese discusses in detail court cases such as *A&M, Inc. v. Napster, Inc*. and *Universal Music Australia Ltd. v. Sharman Networks Ltd.,* as well as the suits between iiNet (an Internet service provider in Australia) and the owners of *Dallas Buyers Club* (a Hollywood-produced movie). These cases and suits were meant to punish pirates through various means, including bankrupting peer-to-peer (P2P) file sharing websites such as Napster and Kazaa, and then an Internet service provider for allowing users to pirate their IP. Meese ends the chapter by arguing that piracy has dramatically decreased because of the rise in streaming services, with pirates being willing to pay a few dollars a month for unlimited access to the content they wanted.

> Considering the similarity, perhaps pirates were just under-served audiences all along, essentially users re-interpellated by industry and occasionally law while they waited for the music, film, and television industries to provide the types of services promised way back in the *Napster* case. (p. 153)

As a whole, this book discusses the various entanglements of ownership among the many who consume and produce media. This book is similar to other books on the subject, such as *Game After: A Cultural Study of Video Game Afterlife* by Raiford Guins (2014). While Guins focuses exclusively on the medium of games, both books engage with a nuanced approach to the issues surrounding copyright and creative works, with the debate of ownership among users, authors, and pirates.

As a textbook for graduate students, this book's introduction to the subject is broad and positivist in its framing. If forced to find weaknesses, it is the scope of the book neglecting to discuss salient issues related to piracy and media ownership, such has fleshing out the section on YouTube. This portion of the book was underdeveloped in comparison to the other examples, especially since YouTube is likely relatable to the intended audience and provides a microcosm of all of the issues and debates contained within Meese's book. This leads to the other weakness of the book, which is that many of the examples used are the same

ones in almost any media ethics course (Robin Thicke, Richard Prince, 2 Live Crew, etc.). In fact, there is a lot of discussion on music remixes, leading to a focus on this one medium at the expense of others.

Future research could investigate the differences between copyright law in English-speaking countries with those mentioned in this book as being divergent—Latin America or South Asia. Or a deeper dive into the continuum of user, author, or pirate, and with more discussion on how individuals fit multiple aspects of each role at the same time, such as a discussion of user authors that recreate or remix media content (other than music), or author pirates who rely on pirated content in their research process. However, as a whole, this book succeeds in its premise and is a good primer for the subject.

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