

10 PARODY, PENALTY, AND PEDAGOGY

E. ASHLEY HALL, KATHIE GOSSETT,
AND ELIZABETH VINCELETTE

INTRODUCTION

Plagiarism has long been a central concern for the field of English and particularly for those of us specializing in rhetoric and composition. In some ways, this conversation can be traced back to traditional concerns in the field over authorship, invention, and the value placed on a writer's original contributions in a new text. But a central problem with starting a conversation about copyright from this point is that it foregrounds a reliance on the printed text and academic citation conventions in the equation of plagiarism with theft or copyright violation. With the turn to the visual in our field, and a large body of work emerging around multimedia and multimodal text, this frame is no longer appropriate in all instances. Recently, there has been a swell in the research and scholarship within the field arguing that copyright matters to literacy and to our work as compositionists (Logie, 1998, 2006; Rife, 2006, 2007; Westbrook, 2006, 2009). Like many of the scholars working in the field, we recognize that the way in which copyright matters is varied and contextual. The emergent focus on intellectual property represents a shift from research predominantly on plagiarism to a more expansive conception including the nexus of issues that arise with multimedia and multimodal composing. These contributions echo some possibilities and concerns from other fields such as legal studies, media studies, Web design, and information architecture, helping us push our thinking beyond the linear connection between copyright and plagiarism in our scholarship (DeVoss & Webb, 2008; Johnson-Eilola & Selber, 2007).

There seems to be a growing consensus that copyright matters ever more in this late age of print and the new media that comes with it. We agree, and we

accept this position as a starting point for this chapter. But, we also acknowledge that the ways in which copyright matters exist on a continuum representing the interests of diverse and often opposing parties in intricate and complex ways. By focusing on non-alphabetic text, we hope to illuminate one of the ways in which the context, materiality, and modes of composition all matter a great deal when our agenda is to explore copyright in meaningful ways that move beyond reductive oversimplifications, ones which assume that any time another person's work is used without proper academic citation or prior copyright clearance, it *must* be morally wrong, is likely legally inappropriate, or is at least academically prohibited. We think this is particularly true in the context of a multiliteracies pedagogy that accepts non-traditional texts circulating in Web 2.0 spaces as legitimate and valuable workspaces for analysis and production. Although we agree that copyright is important, we do not intend for this chapter to lament the immoral and unconscionable actions of students. Doing this would simply bolster the agenda and interests of certain powerful parties in the larger debate over copyright in a variety of legal and commercial contexts. It would also reinforce the very position we want to push against: that which insists on equating plagiarism in print with other modes of intertextual borrowing and sampling online without regard for the change in materialities and purpose. Moreover, simply lamenting the dangers involved with this type of composing would devalue some student work by implicitly deeming them illegitimate or outside the scope of our interest or inquiry, and perhaps even by implying that these texts are illegal.

Instead, we envision this chapter as one way of pushing the conversation forward by arguing that we should augment the scope of inquiry into copyright across our field by addressing online video in the context of YouTube. Doing this is a way of responding to the belief that "it is time for more of us in rhetoric and composition, and computers and writing specifically, to have a louder voice and a more persuasive say in the intellectual property debates going on in our culture and in our world" (DigiRhet, 2008). Yet, while this chapter is a response to this position, it is not simply an echo. We believe this is important because we see online video—especially on YouTube, as it is an increasing area of textual consumption and production by and for students—as remaining largely on the periphery of our field. Grounded in the widely held belief that writing is inherently social, this decision to focus specifically and exclusively on YouTube's content is sensitive to the ways students are engaging with and responding to their peers, their culture, and even corporate America in what is seen predominantly as a social or leisure activity. To accomplish this goal, we examine the interface of YouTube, a particular Web 2.0 site that provides the context through which we open the conversation about how copyright matters

to online video texts. Using the design of the interface to begin the conversation, we address online parody videos. We have chosen to focus on parody videos in particular because they foreground practices of sampling, remixing, and appropriation in the composing process. The meaning-making processes involved in understanding and constructing parody videos naturally rub against our traditional print-based notions of authorship and originality, thus inviting discussions related to copyright.

To help distinguish how context is critical to this endeavor, we define what we mean when we employ the term “Web 2.0” and why we believe YouTube qualifies as a Web 2.0 site. We explore how this context changes the conversation about copyright infringement—moving beyond theft and simple file sharing to a more nuanced understanding, revealing the complicated motives and decisions made in these spaces. We use the case study of “Condi Rice Raps,” a particular parody video, to examine parody as a genre of online video dependent on this nuance and complication to demonstrate the distinction between earlier appropriation practices that are highly publicized and criticized for being illicit. We also use this case study to illustrate what we see as a growing form of expression that intentionally relies on appropriation to recompose new meaning in online video.

Finally, we tie this phenomenon back to the central mission of producing powerful communicators capable of critically consuming a range of texts and producing texts in which the communicators move out of defensive postures concerning copyright and into roles in which they actively recognize the significance of their practices and thoughtfully engage in discourses that promote and promulgate the value of these practices. This ultimately allows us to respond to the call issued by DigiRhet (2008) to support technological literacies in our classes and help cultivate students who realize, understand, and value a wide range of digital composing strategies, who are sensitive to the ways in which copyright connects with these strategies, and who can articulate and communicate why these strategies are important, meaningful, and legal.

WEB 2.0: FROM TEXT TO CONTEXT

Materiality and Variegated Composing Practices

Materiality matters, and in a range of ways (DeVoss & Porter, 2006; Hayles, 2000; Reid, 2007; Wysocki, 2004). It matters to writing in general, but it takes an even more central position of importance when our writing/composing bumps against copyright issues (DeVoss & Webb, 2008). Stealing is wrong;

there are few who would disagree with the moral, ethical, or legal validity of this claim, save for the minority who choose to defy our existing conventions and codes out of deliberate choice, basic necessity, or ignorance. Yet, despite our willingness to accept the importance of materiality to a host of composition questions, we tend to forget about it when it comes to copyright and new media, where we heavy-handedly equate many of the appropriation practices used in new media composition with outright plagiarism in a printed document. In other words, as we move beyond alphabetic text into the realm of sound, visual, and especially online video-composing practices in Web 2.0 spaces, we move from text to context. As rhetoricians comfortable and familiar with the importance of context, materiality (and, increasingly, immateriality) of new media compositions changes the nature of the debate we are engaged in concerning copyright.

We hold a basic assumption that one of our primary goals as rhetoric and composition specialists is to expand the literacies students bring to the classroom and to help develop new literacies in critical, analytical ways. Indeed, this tenet is central to a multiliteracies pedagogy that places value on the composing practices our students engage in outside of the standard curriculum, inviting them to bring these practices into the classroom as a way of expanding their existing literacies and giving them valuable strategies to return to their everyday discourse communities (Cope & Kalantzis, 2000; Selber, 2004). However, when some of these practices seem to cross the line between legal and illegal by involving copyrighted content in multimodal compositions distributed to large public audiences, we are presented with a set of unique challenges that force us to heighten our development of media literacy and technological literacy so we can respond appropriately and guide students responsibly. To cultivate a classroom of technoliterates, mere alphabetic literacy on our part is no longer sufficient. Instead, we need to be keenly aware of the nuances and subtleties involved in the variegated composing practices that we now encompass and facilitate in the composition classroom—ranging from the savvy and critical analysis of the texts circulating in popular online spaces to the production of multimodal texts that students can (and often will) circulate and make public in Web 2.0 settings.

The Digital Copyright War becomes Guerrilla Warfare

When we use Web 2.0 to describe YouTube, we do so with the awareness that this term is both new and disputed. Critics of using the term claim that the technologies and functionalities used on sites described as 2.0 have been around since the earliest days of the World Wide Web and, therefore, implies a

false sense of revision or versioning characteristic of software applications that use numerical naming conventions to distinguish more recent releases from earlier ones. The counter argument to this claim is that, although technically true that the functionality is not new, the uses of the spaces and sites are. Advocates of the term explain that there are two clearly different philosophies to architecting Web sites today; the philosophy described as Web 2.0 is fundamentally different from the one commonly found on Web sites in the late 1990s and early 2000s. What makes 2.0 sites different is that the site creators build the architecture and the interface but do not produce the content; instead, user-generated-content populates the sites. YouTube fits this model, as do many popular social-networking sites such as Facebook, and other types of media-sharing sites, such as Flickr and Delicious. This places Web 2.0 sites in square opposition to a traditional media Web site (think of *msn.com* or *cnn.com*) in which the company that owns and builds the site is also the primary producer of content for the site. In other words, the owners of a Web 2.0 site produce little-to-no original content, and instead depend entirely on users to upload and share files to produce content and aggregate an audience. This clear distinction between professional, corporate authorship of content on a traditional media Web site and the de-professionalized prosumer authorship of content on a user-generated site (Anderson, 2003; Jenkins, 2006) is the basis for our decision to adopt the term.

It is important to understand that when students engage in the diverse set of composing practices used to generate content for these sites, they often do so with a disregard for the fact that what they are doing is a contested form of composition. Certainly they don't call it this or discuss it in these terms. But more importantly, they don't conceive of it in the same ways that other interested parties do—namely the copyright holders and corporate entities interested in controlling the flows and uses of the material they own rights to. Perhaps this is the legacy we are left with in what Dànielle Nicole DeVoss and Jim Porter (2006) called the post-Napster era, a period recognizing the lasting effects of the values embodied in the file-sharing practices characteristic to Napster and other similar network spaces. It is possible that this logic was so quickly adopted that it became invisible in the same ways that the interface of Microsoft Word (and the social, economic, political, and cultural baggage that come with it) became invisible to us with constant use. After all, the original Napster application was only distributed to a mere 30 people by Shawn Fanning in 1999, but had been downloaded by 15,000 people within a week, culminating with an estimated 60–80 million users at the pinnacle and decisive period in 2001 when the site was shut down after being challenged for willful and knowing abetment of copyright infringement (DeVoss & Porter, 2006). The Napster

interface gave users the opportunity to “share” files across vast, open networks. The question remains: How many of the original 15,000 users really understood that they were violating copyright laws, and how many of them simply took advantage of the affordances of the interface?

Interestingly, though, it seems to be students who are the most implicitly aware of how the (im)materiality of the texts circulating in online spaces disconnects from our traditional conceptions of intellectual property and even authorship or invention. The materiality of earlier forms of artistic and intellectual labor—from bound manuscripts to painted portraits to sculpted stone statues—were largely one-of-a-kind objects and therefore existed as rivalrous goods as Lawrence Lessig (2001) used the term: *If I own the original, no one else can own it and I can easily control access to it*. This materiality helps to justify traditional copyright regulations that privilege the original work of a single creator and recognize the intentionality and effort related to manufacturing replicas of the artifact in question. The physical qualities of analog productions help maintain the battle lines between sides jousting over copyright and intellectual property in offline settings.

Yet, copyright is not synonymous with control; in fact, quite the opposite is true. One of the important purposes of copyright, as interpreted by Sandra Day O'Connor in the 1991 decision of *Feist Publications, Inc. v. Rural Telephone Service Co.*, is to spur progress in the arts and sciences by making possible new works based on another's “original expression.” Her decision explained that ideally copyright “encourages others to build freely upon the ideas and information conveyed by a work.” This notion of freely using others' content to create new works can be found readily in many Web 2.0 spaces where users can quickly and easily see, hear, experience, and then save, edit, and reuse digital texts. The inherent immateriality of digital texts and their concomitant affordances change a traditional text-based dynamic; physical manufacturing is no longer required, and the distribution of one copy or one thousand copies requires the same degree of skill and exertion, often without any loss of quality in comparison to the original (see Dornsife in this volume). The appropriation and remixing practices we see flourishing on Web 2.0 sites underscore both the difference in materiality and in context between these and other forms of composing that present copyright questions.

In the case of online video, then, as one form of new media that intersects the copyright debate, the ways composers go about building freely upon other people's work complicate our existing understandings and applications of copyright. Lev Manovich's (2002) definition of new media includes texts that are necessarily digital, existing as numeric representations that can be reproduced and manipulated freely and easily using the appropriate hardware and soft-

ware to interact with the files.¹ The infinite reproduction and manipulation of digital text, Manovich argued, forces us beyond the conception of the single-author-genius and into a new context in which the author participates inter/actively with the audience in meaning-making processes. This ultimately led him to propose that the logic of new media is in direct opposition to the logic of art in the romantic sense. This is a logic that seems instinctual, if albeit implicit, to the digital natives (Prensky, 2001; if we accept the term *natives*) of the post-Napster era and to the work they produce and circulate on Web 2.0 sites. Yet, despite the soundness of this bifurcated logic grounded in the materiality of the text, frequently the (attempted) application of copyright disavows this important distinction—insisting instead on the romantic conceptualization of the primacy of the original author (and thus often serving the agenda of powerful media elites). This is problematic when we recognize that copyright is not only important to us as educators because it is rhetorical; it is also important because it is highly contested in legal disputes that extend into the lives and spaces our students inhabit. Using the metaphor of war, DeVoss and Porter (2006) explained that the “cultural and ethical battles lines have been clearly drawn” (p. 185), situating the copyright “skirmishes” in this complicated and ongoing war as not just confined to courtrooms and boardrooms, but also on university campuses. This realization makes the case for exploring the relevance of YouTube videos to the copyright debate even more exigent for us. One important consideration that emerges is whether or not students realize their campus is a war zone, or that they are the perceived aggressors in this war—or even that they are participants in the war to begin with.

In the past (even the recent past), many appropriations of intellectual content, including those forms distributed over networks, required a cognizant and deliberate set of actions including the physical modification of pre-existing hardware and network connections typically configured by professional installers. Stealing cable is an example of this process. The tools required for this type of illicit activity are not sophisticated, but the sheer fact that one must explicitly choose to employ this set of tools to accomplish the task helps foreground the act of theft. It would be difficult to suggest that someone could get caught up in this type of theft without realizing it. But, as more and more Web sites such as YouTube remediate earlier media forms by creating hybrid spaces that combine the structure of a webpage, a message board, a blog, and television into a single integrated platform, user access to illegally posted copyrighted content increases. At the same moment, the steps a user must go through to access, appropriate, and reuse this content diminish. Further, casually browsing or searching YouTube can often and easily lead to the consumption of illegally posted copyrighted content. This concept of the (im)materiality of digital

works that can be easily and flawlessly reproduced and then distributed to large audiences is in part what leads DeVoss and Porter (2006) to describe the particular historical and cultural post-Napster moment as a “paradigm shift” (p. 188). In this transitional moment, we find that students’ ability to create, produce and distribute sophisticated new media texts in the form of YouTube videos incorporating other people’s original work is surpassing their awareness of the debate they are entering.

While this entire scope of activity invites a discussion concerning copyright and the violations and complications that arise as we witness the dominance of Web 2.0 sites, which increasingly rely on user-generated content, we composition instructors are particularly concerned with the instances when students engage in the illegal consumption and production of copyrighted content without a critical awareness of their actions. Therefore, it is this aspect of the larger conversation that we take up in the remainder of this chapter: Exploring the appropriation of copyrighted content in Web 2.0 spaces to re/compose and respond to both specific texts, and responding to larger discourses circulating in the popular sphere. We begin by interrogating the nature of the interface as it connects directly to both the consumption and production of texts in these spaces, in many ways structuring the very nature of the discourse that transpires on such sites.

THE INTERFACE

If YouTube’s users aren’t primarily trying to beat the system by watching videos for free that they should have to pay for, then what are they doing? How is this different from simply downloading music? And why does it matter to writing? Examining the interface of YouTube can help us answer these questions.

In 1994, long before YouTube was conceived, Cynthia Selfe and Richard Selfe argued that the interfaces we invite into the classroom are often politically motivated whether we realize and accept it or not.² Therefore, if we choose to invite online video into the classroom as part of a multiliteracies pedagogy, we must examine how the interface can be used to reveal seemingly seamless embedded political or legal assumptions related to copyright. Selfe and Selfe’s work urges rigorous reflection on our uses of interfaces in composition classrooms and how these uses can produce a range of outcomes spanning from reification of existing power distributions to renegotiation of such structures. Selfe and Selfe suggest that considering the role of the Web 2.0 interface and related metaphors might offer us a more critical and reflective understanding

of how informed decisions about selection and use of particular interfaces can help us enact and articulate the forms of social change required to engage with copyright issues. To employ the interface in this manner, we must make visible some of the dominant features of the interface itself that have become so familiar to many Web users who see certain icons and buttons repeated so ubiquitously that they have become invisible.³ Then, once we have made these elements visible, we must develop technoliterate strategies to translate awareness into action that promotes and protects the values that support our copyright agenda by making informed choices about the features embodied in the interface.

Although YouTube isn't exactly a social-networking site in the same way as Facebook or MySpace, it does borrow from the conventions of this genre and situating it as such helps to foreground the social nature of the practices the site fosters. Users create accounts, entering personal information into form fields to represent themselves to the public and to connect with other users. Users don't simply post, share, and consume files on YouTube for personal use; they circulate these texts in social practices, interacting with them in multiple ways presented within (and authorized by) the interface. These social practices are an important facet of the site that helps to distinguish it from other file-sharing sites such as Napster or LimeWire. Moreover, the idea that the texts circulating on YouTube are social in nature helps us link the composing practices users are engaged in back to our widely held belief in the field of rhetoric and composition that all writing—even user-generated videos posted and shared on YouTube—is inherently social.

YouTube could be used for the illegal file-sharing activities that have captivated corporate attention and media coverage and that situated Napster users as villains who pirated copyrighted music and threatened the massive enterprises of the recording industries with their illicit behavior. But, importantly, that is not what happens most of the time on YouTube. Yes, YouTube has been challenged for acting as a facilitator of widespread copyright infringement from national and international corporations claiming damages. As we mentioned earlier, one need not look too long or hard to find copyrighted content illegally posted to the site. However, the motivations, practices, and uses of this copyrighted content is often distinctly different from other forms of appropriation in other spaces, which have typically formed the basis of concerns over pirating and plagiarism. As Johndan Johnson-Eilola and Stuart Selber (2007) persuasively argued, not all forms of appropriation are equal, nor are they all illicit; Johnson-Eilola and Selber cite as a primary example our academic peer-to-peer file-sharing of syllabi and plagiarism policies. Asserting that some forms of appropriation and reuse are consensual and understood practices in certain discourse communities such as Web design and architecture, Johnson-Eilola

and Selber's claims can help us identify the agenda behind certain aspects of YouTube's interface.

It would be logical to assume that the same threats Napster (supposedly) presented to the music recording industry by allowing users to download copyrighted music for free would be repeated with television shows and perhaps even full-length movies on a file-sharing site devoted to video. And some of the copyright suits brought against YouTube certainly rely on the extension of this line of reasoning. Yet examining key elements of the interface reveal that this is not the primary agenda of the site; the maximum length of a video uploaded to YouTube is 10 minutes, significantly shorter than either a movie or television show. If YouTube's intention was to facilitate distribution of entire television shows, the minimum time limit on a video would have to be at least 20 minutes (the typical length of a half-hour television show, minus commercials). YouTube's interface also reveals a logic informed by the cultural values of the post-Napster era; every video plays on a page that presents the user with various ways to redistribute the content, with sharing features such as emailing a link, sharing via Facebook and Twitter, and embed code so that the video can be separated from the original context of YouTube itself and be integrated into a blog post or other web page. If we accept that the design of an interface can and often does contain metaphors that embody cultural values and, therefore, can be seen as advancing particular agendas, relying on Selfe and Selfe's (1994) observation that, "in general, computer interfaces present reality as framed in the perspective of modern capitalism, thus, orienting technology along an existing axis of class privilege" (p. 486), then we can understand these affordances as communicating a willing consent to share and circulate *freely* the content appearing on YouTube. This would seem to be in line with the logic Justice Sandra Day O'Connor articulated in her important 1991 decision, and also with the tendencies of the post-Napster generation of digital natives, liking interaction with texts of all sorts, including online videos they watch and make.

INTERFACING THE SOCIAL AND CONTEXTUAL

These interface characteristics can help us establish a clear connection between the interface of YouTube and issues related to copyright. Users who post videos to YouTube are inserting their content into a setting that allows others to quickly and easily circulate the content in a variety of ways and contexts. The very decision to post video content to YouTube reveals a new cultural logic,

one that says “go ahead, take my video and post it to your blog, put it on your Facebook wall.”

Turning to the broader organization and arrangement of the interface, several key features reveal that each video is at once social and contextual. The video player is certainly the dominant feature on the page, attracting the viewer’s attention with the sound and motion that begin to play as soon as the page loads. But all around the player are design elements that put the video into context. The box to the right of the video indicates the date the video was posted and provides the username of the author along with a textual description of the video. Below are two containers that put the video into context by displaying the thumbnail image, title, and number of views in two categories: 1) “other videos posted by this user” and 2) “related videos” or videos posted by other users identified algorithmically by YouTube as similar. These features of the interface are also important to authorship and the establishment of ethos on a site where a user’s identity can be (and often is) concealed and where peer review of material is informal. As such, the number of times a video is played, its appearance on YouTube’s “featured” list, and the frequency and content of responses from other users become a measure of credibility. This underlying logic is in stark contrast to print-based academic traditions where an author uses a bibliography to build credibility, or when a writer uses citation conventions to “showcase the author’s knowledge of related texts and to allow the author to speak to those texts he or she embraces or rejects” (Hess, 2006, p. 284). Therefore, when average users load Michael Wesch’s video “A Vision of Students Today,” for example, even if they don’t know who “mwesch” is, they can see that he has nine other videos that appear in the “more from: mwesch” container on the page. In addition, they can easily see that the top video has received over 10.9 million plays (as of June 2010). This gives viewers a good idea—even if they don’t know that Wesch is a well-known professor at Kansas State University—that mwesch is an active participant on the site and that he creates very popular videos, thereby giving him higher credibility than other less active or less popular users. The viewer can also discern that mwesch’s videos are very effective at sparking conversation. This observation highlights a number of other key interface elements and returns us to the issue of copyright.

INTERFACING COPYRIGHT

The commentary section below the video is the space where conversation transpires in the form of alphabetic text posted as comments and video respons-

es. The video mentioned above, for example, has received 8,859 text comments and 75 video responses to date (June 2010). The 500 maximum character limit imposed on the text comments can, arguably, limit complications related to copyright matters. The video responses, however, are a different matter; instead of using a bibliography to account for an awareness of the ongoing conversation to which a composer is responding, the video functionality affords users the opportunity to respond in a high-context fashion, reliant on the ability of other users to understand the site and the connection between the source video and the response. This aspect of the interface design, then, reinforces the notion that a new and different cultural logic is at play throughout the site, one that, in many ways, opposes the systems and conventions we are comfortable and familiar with when working with print sources.

One particular scenario in which complications related to copyright come to the forefront is when the response video takes the form of parody; parody provides a lens for us to look at the connections between authorship and copyright because parody demands the use of someone else's original content in the creation of new meaning. Using this lens affords a way to engage students in the serious treatment of these concepts. Moving these issues to the center of our pedagogy pushes us into a new and sometimes uncomfortable space, especially when it comes to teaching argumentation strategies, but it is precisely this move where we see the most opportunity.

PARODY, AUTHORSHIP, AND PEDAGOGY

Definitions of parody and authorship inform our stance on copyright and parody video. Student inclinations to seek out and consume parodic content provides an ideal gateway for delving into working with source texts to understand how authors and composers of parody alter an original work when they create a new, and often subversive, message. Parody “both legitimizes and subverts that which it parodies” (Hutcheon, 1989, p. 117) because it requires the deconstruction of existing texts and (re)construction of new ones. This inherent duality of purpose is exactly why parody is so valuable. It requires us to acknowledge texts as separate and distinct, while at the same time it requires us to understand that the existence of an intertextual relationship; the parody is an offspring of the original, but it is still intrinsically tied to it. This inseparable relationship between the two texts situates parody squarely in the center of the ongoing debate surrounding intellectual property when remixed and repurposed content is used to create a new work. Parody videos manifest a form of multimodal pastiche, reflecting infinite possibilities of reflexivity and repro-

duction—the same qualities that cause parodies in general to conflict with notions of copyright and ownership, especially when we are uncertain about how much copying is “too much.”

Using parody helps us reframe the conversation by moving away from traditional and simplistic treatments of copyright that equate it solely with plagiarism; the classroom can become a transformative space where students can be “social critics” (Selber, 2004, p. 95). Instead of being passively engaged with the texts picked for them by instructors or publishers, in which they may have little-to-no interest, students bring their experiences with popular video into the classroom, positioning themselves as stakeholders in the selection of course content. Ultimately, this leads to a higher level of engagement with copyright and its relevance to students’ everyday lives. Rather than simply laughing at a funny parody video, students can begin to uncover how the composer made it funny and then use this newfound understanding to create complex arguments that take the form of parodic social criticism. This moves us into the realm of an activist pedagogy concerned with copyright.

Invoking Awareness Rather than Inciting Fear

Instead of being taught that copyright is a cut-and-dry issue that positions copyright holders as the interested and powerful parties in the debate, students can take a more informed and active role by questioning their positions in relation to the copyright holders, their multimodal composing practices mediating this encounter. All too often, we feel, copyright is understated or oversimplified in most of our existing pedagogical texts and approaches (see Westbrook in this volume, for an analysis of copyright-related textbook content). There is certainly a tremendous amount of effort and capital expended by corporate entities interested in perpetuating or advancing this tone concerning copyright. And our campuses are not immune to the influence of corporate giants who would rather terrify students about what might happen to them if they are caught using copyrighted material inappropriately than educate them on how to use content effectively and legally. On our campus, for example, there are mouse pads in most of the computer labs with reminders about illegal downloading and appropriation of copyrighted content. The intent of these reminders is to invoke awareness and even fear in students. Fear is not a productive pedagogical approach when dealing with issues as complicated and nuanced as copyright and fair use, especially in this particular historical moment, when many of the rules about how these practices and policies relate to multimodal composing remain largely undecided in both legal and academic realms.

Reticence to action regarding copyright pedagogy certainly exists; this reticence became starkly apparent in a course discussion focusing on intellectual property, copyright, and fair use in a spring 2009 graduate pedagogy seminar at Old Dominion University. During the discussion, the students, all of whom had experience teaching composition at the secondary or post-secondary level, willingly acknowledged that when copyright does come up in their classrooms, they either shy away from the conversation with a sense that copyright and fair use issues are too complex and legalistic for them to delve into, or they treat them in a prescriptive manner by issuing a set of rules and consequences (usually related to grade penalties if the rules are broken). Unfortunately, these prescriptions were based on little more than hearsay and word-of-mouth guidelines (e.g., students could sample up to 30 seconds of video or audio material and still be “legal”). This is a critical moment—one in which our professional responsibilities, as scholars, preclude us from simply ignoring the gravity of these issues or assuming that our classrooms are insulated from their reach. Students will encounter more and more of these remixed texts; we must equip students with the literacy and agency to manipulate the technologically saturated landscape they will continue to encounter on a perpetual and daily basis.

Composing as Technoliterates

Moving from a broad and theoretically based inquiry about new media authorship to a more specific investigation focused on a particular author’s choices when composing a video affords a prime opportunity for using parody videos as a scaffold for student learning. The requisite assemblage of original and borrowed or imitated content inherent to the parody genre allows for a rich exploration of concepts related to fair use and copyright. When we move into the area of using a new genre and a new medium, such as parody videos on YouTube, matters become complicated; this complication, however, is a positive outcome. If our end goal is to invest students with the agency to participate in copyright debates and to produce media for digital spaces, the fact that matters remain unsettled might compel them even further, especially if they embrace their position as interested stakeholders with the potential to help shape the outcome of popular composing practices and the legal acceptance of these practices. This is what we envision as the embodiment of technoliteracy—composers who make choices intentionally and grounded in purposeful decisions about the rhetorical efficacy of those choices to (re)use copyrighted content parodically, as social criticism, and who have the capacity to respond to challenges about the legality of their choices. But even for

those rhetoric and composition instructors who accept this as an ideal position for students, the jump from discussing use and citation conventions of traditional print texts to online parody videos may at first seem like a chasm too wide to span. This is a challenge, certainly, but not one that is impossible to accomplish.

ANNE FRANCES WYSOCKI, MEET CONDI RAPS

Using existing and effective pedagogical approaches can help us in creating this bridge. The turn to the visual and acceptance of new media, multimedia, and multimodal compositions as legitimate artifacts for study in our field has laid the foundation for our work with parody videos on YouTube. This recent, but rich, tradition has offered us many possibilities and points of departure. We find that using Anne Frances Wysocki's (2004) rhetorical approach for working with new media texts is particularly effective. Writing in 2004, before YouTube even existed, Wysocki anticipated many of the potentials realized on the site including "more, larger and smoother video to watch and analyze on screen" (p. 136). And while her approach—intended to cover a wide range of new media texts ranging from webpages to computer games—does not address YouTube directly as the focal site for analysis, we find that many of Wysocki's techniques support our work. We envision our application of her approach as a model that can be adapted for use with other videos, other Web 2.0 platforms, or for other purposes related to working with online video. As such, we offer a case study of a particular parody video, "Condi Rice Raps" (volgkarate, 2007), illustrating how the approach might be effectively applied in an analysis of a parody video.

EXAMINING VIDEO AND AUDIO

For an effective close reading of multimodal texts, Wysocki suggested that we break the text into parts. She provides a framework for how to do this in a series of steps, beginning with the visual:

1. Name the visual elements in the text. (This might include static images, video clips, or moving textual titles or static frames of text).
2. Name the designed relationships among those elements.

3. Consider how the elements and relations connect with different audiences, contexts, and arguments. (p. 137)

These steps can then be repeated with the audio parts of the video:

1. Name the auditory elements in the text. (This might include distinct sounds, a music track, vocals that are sung, spoken or rapped, or any combination of these elements).
2. Name the designed relationships among those elements.
3. Consider how the elements and relations connect with different audiences, contexts, and arguments.

Wysocki underscored the importance of including sound in the analysis process by suggesting we watch “MTV without the music to hone your sense of what sound and visual strategies bring to texts together and separately” (p. 137). The “Condi Rice Raps” video, which draws from the MTV tradition by using Fergi’s song “Fergalicious” as the basis for the parody, is a prime example of this concept in action. Watching the video with muted sound changes the viewing experience entirely and significantly impacts viewers’ ability to recognize the video as a parody. For example, while watching the video on mute, viewers can detect that the visual part of the video contains multiple layers, some sampled and some original, but because viewers can’t hear the dialogue or the music, there is little else to help them figure out that what they are seeing is the intro to a parody video using C-SPAN footage and a popular song/music video as social criticism of a political leader. Turning the sound back on, just nine seconds into the video, drum beats are audible, layered over the audio tracks that mash C-SPAN audio with original audio spoken or rapped by actors.

When all three audio elements work in unison with the visual elements, it is clear that the whole composition is an entertaining critique of former Secretary of State Condoleezza Rice. Without the sound, viewers must watch 24 seconds of material that combines sampled and original video footage until the first indicator of the music video genre appears in the form of actors dancing in front of a marquee reading “Condoleezza.” Viewers familiar with the “Fergalicious” video would finally be able to recognize the parody, but not until much later than is possible when the audio and visual parts are played simultaneously.

Going through this process makes apparent the deliberate and rhetorical changes the author employed when composing the parody. Using Wysocki’s



Figure 1: “Condi Rice Raps” video begins with CSPAN footage depicting Senator Barbara Boxer.



Figure 2: Senator Barbara Boxer is quickly replaced with the Condoleezza parody figure.



Figure 3: “Condoleeza” marquee.

(2004) framework helps viewers move from passive roles of consumers to active roles as investigators. Instead of simply smiling or laughing at the unusual depiction of a serious political figure who assumes the role of a highly sexualized rap artist in the video, viewers may be prompted to ask more specific questions about the author’s choices when selecting specific elements and arranging them in a particular fashion. For example, when analyzing the audio elements of “Condi Rice Raps,” the music is easily recognized as “Fergalicious” because the underlying audio track has been sampled from the song, but, importantly, it is not taken wholesale. Listening closely reveals that small fragments of the original music are cut, and then looped in a way that resembles the original so that it can be recognized, but is still different from the original in both its arrangement and composition. Once again, issues of copyright demand questions about the legality of these appropriation practices. Without remixing the audio in this way, the parody might still be funny, but it would not be able to rely on the “Fergalicious” video as strongly for the basis of the parody and it may be less effective as a result. Therefore, it is possible to conclude that the decisions made by the author in this instance were rhetorically sound and strategic towards the creation of a specific parodic argument.

ANALYZING COMPLEX LAYERS

Ordinarily, if our only purpose was to be entertained by a particular video such as the one we have chosen to study, we might notice the layers occasionally, but our focus would be on the complete whole—the different parts blended together working as a unified text. This is precisely the author’s intention. The audience must be able to recognize the video as a parody and therefore be able to pick up on the references to the original. Yet, to be effective, the audience must also be able to easily identify the differences, the elements that have been modified to create a new meaning in the act of social critique. These modifications might exist in any or all of the layers and they might occur in sequence or simultaneously. Therefore, using Wysocki’s (2004) approach—which requires viewers to slow down or pause the video during analysis and examine each layer independently—can help shed light on the myriad choices the author made to construct each of the layers and better understand how each of the layers plays an essential role in the formation of a larger argument that says something new, funny, and critical. This approach can also help viewers classify the elements found in each layer into one of two very important categories: original and borrowed/remixed.⁴ We see tremendous value in completing a rhetorical reading/viewing when analyzing parody videos because of their complexity and intentional blending of elements, layers, and modes. Using a series of worksheets or rubrics during this analytic process can be helpful; we have included several in the appendix. This type of analysis can help students gain a deeper understanding of parody and copyright by rhetorically analyzing the decisions authors make when composing parody videos and the implications these decisions have for copyright matters.

Composing as Technoliterates

Once the analytical foundation has been established, students will have a strong basis upon which they can build when moving from analytic work into production. As students participate with increasing frequency in Web 2.0 publishing outside of the classroom, they insert themselves into spaces that may appear harmless and safe. However, as the “peers” or “friends” comprising social networks grow to include politicians, artists, and corporations, students may quickly find themselves in adversarial encounters *vis-à-vis* these copyright holders, who may feel their rights have been infringed. In such instances, the battlefield, to borrow a metaphor often applied to the copyright debate by legal scholars such as Jessica Litman (2001), is extremely uneven. However, students who can draw from the theoretical understanding they have developed when

studying other composers and use it to articulate why their choices are rhetorically effective, strategic, and, most importantly, *legal* will find themselves in a much better position than others who lack this ability.

To achieve this, activities that build upon the analysis techniques adapted from Wysocki (2004) can be used to help students as they begin to plan, organize and produce their own parody videos. One approach would be to ask students to find a video they feel invites a strong response based on the elements they can now easily identify and track when critically viewing online videos. Allowing students to choose their own videos rather than prescribing a single video for the entire class encourages further investment in the student-as-stakeholder role. Starting from this motivated position, students can begin to work with their source, making decisions about what to sample and what to leave out with a new-found emphasis on the rhetorical nature of these decisions. Then, students might be required to decide how much of the original needs to be altered and what other visual and audio elements they need to complete these alterations. As they search for and collect these elements, they can re-use the rubrics (included in the appendix of this chapter) to help them keep track of their sources and their decision-making process about why each source was chosen and how it is rhetorically effective in the larger composition. This process of moving back and forth between analysis and production and writing and video breaks down the often assumed bifurcation between these two activities. As Maria Lovett, James Purdy, Kathie Gossett, Carrie Lamanna, and Joseph Squier (2010) argued, “writing and video can serve to reinforce and strengthen an overarching intellectual journey whose end result is video, but whose process is writing-intensive. The goal [here] is to present video production and writing as a creative and intellectually rigorous symbiotic process” (p. 288). Armed with scholarly analytic methods and grounded in rigorous investigation and purposeful production, students become composers with agency to navigate a broad range of composing contexts while making informed decisions during their research and composing processes.

CONCLUSION

If students have a sound understanding of how parody works, and that the choices made in remixing content to produce a parody are deliberate and rhetorical, they will be better positioned to intelligently engage with a copyright holder who might challenge their composing practices, whether they are created for an academic assignment or for sheer entertainment as part of their leisure activities in a peer-to-peer online environment, such as YouTube.

We encourage using this approach even when working with a wider range of new media compositions—whether understanding parody and copyright in the context of online video are central learning goals or not. Neither social criticism itself nor parody as a form of social criticism is new—but the shapes, forms, and practices of parody as social criticism found on YouTube powerfully demonstrate the expansion of multimodal composing practices in popular culture. Integrating online video into the composition curriculum under a multiliteracies framework allows a deeper understanding of the author–text–audience relationship. It also fulfils an appeal issued by Johnson-Eilola (2004), who observed that “despite the realization that our culture increasingly values texts that are broken down, rearranged, recombined, we rarely teach forms of writing that support such production” (p. 209). We view the analysis and production of parody videos like those found on YouTube as a ripe opportunity for this endeavor—an ambitious process involving risk and care. We believe such work is valuable and even necessary as a means of expanding literacy in ways that are relevant to the lived experiences of students. At the moment, when many of our familiar print-based conventions are beginning to fail us, we must be prepared to negotiate murky boundaries carefully, often with little or no legal or academic framework delineating the rules of engagement. We believe that the field can no longer abdicate this responsibility; doing so would be a disservice to students that could lead to the devaluation of their work with unnecessary restrictions and penalties hampering their creative and intellectual expressions of social criticism.

NOTES

1. We recognize that Manovich’s definition of new media has been criticized as being too narrow, with Wysocki as one of his primary challengers contending that new media does not have to be digital. We accept that this is an ongoing debate, but choose to incorporate Manovich’s definition to help draw the contrast between copyright applied to unique material artifacts and copyright applied to digital compositions.

2. Within the virtual space represented by these interfaces, and elsewhere within computer systems, the values of our culture—ideological, political, economic, educational—are mapped both implicitly and explicitly, constituting a complex set of material relations among culture, technology, and technology users. In effect, interfaces are cultural maps of computer systems, and as Denis Wood (1992) pointed out, such maps are never ideologically innocent or inert.

3. See Selfe and Selfe (1994) for a discussion of how the borders represented in interfaces have become so familiar that they have become invisible; also see Manovich (2002) for a discussion of how particular interfaces and the metaphors they use have become so familiar that they have also become invisible.

4. Wysocki did not include this classification step in her initial approach because her focus was much broader and not concerned specifically with parody or copyright. Because ours is, we propose this addition that illustrates how an existing rhetorical approach can easily be scaffolded and applied to working with online parody videos.

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APPENDIX

Rubric for Video Analysis

Video Title: _____

User/Author Name: _____

Visual Elements, Relationships among Elements, and Audience			
<i>Name each visual element that you see and classify each one as original or borrowed.</i>		<i>Classification</i>	
		Original	Borrowed
Element 1:			
Element 2:			
Element 3:			
Element 4:			
Element 5:			
<i>Review the classifications you made above. For each item you marked as borrowed, explain why you think the author would make that change to form a parodic argument.</i>			
Element 1:			
Element 2:			
Element 3:			
Element 4:			
Element 5:			

Audio Elements, Relationships among Elements, and Audience			
<i>Name each audio element that you hear and classify each one as original or borrowed.</i>		<i>Classification</i>	
		Original	Borrowed
Element 1:			
Element 2:			
Element 3:			
Element 4:			
Element 5:			
<i>Review the classifications you made above. For each item you marked as borrowed, explain why you think the author would make that change to form a parodic argument.</i>			
Element 1:			
Element 2:			
Element 3:			
Element 4:			
Element 5:			

Relationships between Audio, Visual, and Peripheral Elements and Audience	
<i>Descriptors</i>	
Title	What implications does the title have? What expectation does it create? How do the visual elements conform to or disrupt the expectations set by the title?
Rationale	Does the video offer a rationale for its content or design, either in the video or in an introduction or other information on the web page?
Genre	Do the design elements of the video suggest a particular genre? Does it copy a certain genre, like a music video or comedy skit? Which of the YouTube categories has the author chosen to use to categorize the video? How do the tags the author has added relate to the chosen category?

<i>Authorship</i>	
Institutional, individual, etc.	Is there one author or multiple authors? Was the video directed by a university, company, or other organization? Does the author identify him/herself? If so, how?
Contact information	Does the author provide an email address and/or other contact information?
Ethos	How does the author establish credibility? What else gives this author credibility (e.g., number of views for the video, number of times video has been “favorited,” number of sites linking to this video, etc.)?
<i>Content</i>	
Emphasis	Is the emphasis on one text or many? Is the emphasis on the context or content of documents, or on both?
Theoretical approach	Is there an overt theoretical point of view, such as feminist, Marxist, or postcolonial? How can you tell? Does the video directly state its theoretical stance?
<i>Audience</i>	
Intended audience	Can you determine who the intended audience is? How?
Intertextuality	What source texts would the audience have to be familiar with to understand the parody? Why is this important?
Interactivity	Is this video a response to another video? Does the author invite a response from viewers? Has the video generated any textual or video responses?

Adapted from Anne Frances Wysocki (2004).