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What Does it Matter Who is Speaking? Authorship, Authority, and the Mashup

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This essay investigates the figure of the author and the concept of authorship in audio mashups and remixing. The analysis traces the development and functional aspects of this particular authority figure, entertains the recent crisis in authorship that has led to claims of the "death of the author," and investigates the way both aspects shape our understanding of and responses to the mashup. The objective of the investigation is not to provide an authoritative account that will decide things once and for all. Instead, it concludes with a more sophisticated understanding of how the question concerning authorship needs to be situated and deployed.

I have it on good authority that the title to this essay is not original. It is, in fact, derived from another text, Michel Foucault's "What is an Author?" But the question does not belong to him. He too appropriates its from another source: "Beckett nicely formulates the theme with which I would like to begin: 'What does it matter who is speaking, someone said, what does it matter who is speaking?'" (Foucalt 101). This attribution, however, does not necessarily resolve things. As Beckett articulates it, the question, which asks whether the identity of the speaker makes any difference, is itself something that is credited to and issued by an indeterminate source—a "someone" who remains unnamed and unidentified. In this seemingly innocent and direct question, therefore, one can hear an inquiry into authorship that puts the authority of the author in question in both what is asked about and how it is deployed. Or as Thomas Hunkeler writes concerning this passage, "the breach that opens up between the statement and its speaker(s) questions every notion of authority, originality or truth" (71).

The problems and complications that come to be released by this inquiry are not mere discursive tricks. They speak to an important issue concerning the figure of the author and the current configurations of authority in the networks of contemporary culture. Although initially deployed in the field of literary criticism, this subject is perhaps most evident in popular music, especially the recent innovations of digital remixing and mashup. Mashups are, as several scholars have pointed out (Gunderson, Gunkel, McLeod, Shiga, and Serazio), assembled from prefabricated materials that are plundering from the recordings of others. "They are," as Pete Rojas argues in an article for *Salon.com*, "all combining elements of other people's works in order to create new ones, in effect challenging the old model of authorship that presupposes that the building blocks of creativity should spill forth directly from the mind of the artist" (2). To complicate matters, these thoroughly derivative compositions are attributed not to an individual artist/musician but to pseudonymous sources with monikers like Freelance Hellraiser, DJ Danger Mouse, Girl Talk, and Go Home Productions. Like the pseudonyms employed by Søren Kierkegaard, these fabricated names not only deflect attribution but, as Mark Taylor writes of Kierkegaard's writings, "undermine the authority of the author for determining the significance of his own works" (1). And it does not stop there. The effect of this challenge to authority is not limited to the mashup composition but also reverberates through and affects the original material that was ripped off by the remix. As Kembrew McLeod argues, "mashups unknowingly follow the deconstructionist method, whereby a text is pried open, disassembled, and drained of the meanings intended by the author" (83). The mashup, therefore, is not merely a clever pop music phenomena but appears to contest, dispute, and violate every aspect of authorship. It is in the recombined material of the mashup, then, that the question "What does it matter who is speaking?" matters and becomes, as a jurist would say, material.

This essay does not so much attempt to resolve this question once and for all but endeavors to trace and understand its full impact and significance. Such an endeavor is *critical* in the strict, etymological sense of the word. In colloquial usage, the words "critique" and "criticism" typically have negative connotations, indicating a form of rudimentary fault-finding or judgmental evaluation. And the purpose of criticism, it is often argued, should be to identify such problems not for its own sake but in order to propose workable solutions and reparations. As Neil Postman aptly characterized it, "anyone who practices the art of cultural criticism must endure being asked, What is the solution to the problems you describe?" (181). There is, however, a more precise definition of the practice that is rooted in the tradition of critical inquiry. "A critique of any theoretical system," as Barbara Johnson characterizes it,

> is not an examination of its flaws and imperfections. It is not a set of criticisms designed to make the system better. It is an analysis that focuses on the grounds of that system's

> possibility. The critique reads backwards from what seems natural, obvious, self-evident, or universal, in order to show that these things have their history, their reasons for being the way they are, their effects on what follows from them, and that the starting point is not a given but a construct, usually blind to itself" (xv).

The following comprises this kind of operation. As such, it does not simply identify faults and imperfections with the figure of the author or the system of authorship within the networks of popular culture in order to propose some kind practical solution.[1] Instead, it "reads backwards from what seems natural, obvious, self-evident, or universal"—in this case, the figure of the author—in order to demonstrate that this particular configuration of authority has a history, is informed by a particular conceptual legacy, and has definite ideological effects on whatever follow from it. Admittedly this is a "philosophical" endeavor, and that is both deliberate and necessary. As the philosopher Slavoj Žižek argued in a recent issue of *Topoi*, "there are not only true or false solutions, there are also false questions. The task of philosophy is not to provide answers or solutions, but to submit to critical analysis the questions themselves, to make us see how the very way we perceive a problem is an obstacle to its solution" (137). The objective, therefore, is not to resolve the difficulties of authorship in the era of digital remixing and mashups but to demonstrate how the way we perceive this problem might itself already constitute a problem.

What is an Author?

This inquiry into authorship has proceeded as if we already knew and were convinced that we understood what is meant by the term "author." One should not, however, be too quick to decide these things, least something important be overlooked. I begin, therefore, with what appears to be a rather simple and obvious question—the question that serves as the title to Foucault's essay. Although asking "what is an author?" seems to be direct and uncomplicated, the inquiry and the possible responses to it are anything but simple. "The author," Roland Barthes writes, "is a modern figure, a product of our society in so far as, emerging from the Middle Ages with English empiricism, French rationalism and the personal faith of the Reformation, it discovered the prestige of the individual, of, as it is more nobly put, the 'human person'" (142-143). According to Barthes' argument, the author is not some naturally occurring phenomenon but is a figure that comes into being during the modern period in Europe. It is the correlate of a number of related intellectual and cultural developments, all of which center around what Foucault's essay terms a "privileged moment of *individualization* in the history of ideas" (101). Among these are the indubitable *cogito ergo sum* of Cartesian rationalism, the immediate individualized faith instituted by the

protestant reformation, and the concept of personal property as articulated in the work of Thomas Hobbes and John Locke and codified in English law. Prior to these modern and distinctly European innovations, Barthes contends, there were perhaps writers of texts but no "authors" as we currently understand the term. And like many theorists of his time, e.g. Marcel Mauss and Claude Levi-Straus, Barthes employs the critical foil provided by early twentieth-century anthropological discoveries: "In ethnographic societies the responsibility for a narrative is never assumed by a person but by a mediator, shaman or relator whose 'performance'—the mastery of the narrative code—may possibly be admired but never his 'genius'" (142). Outside of the experiences and traditions of European modernism, narratives have been successfully developed, performed, and accumulated without necessarily needing the figure of the author.

The status and function of this modern authority figure is characterized in explicit paternalistic terms. "The Author," Barthes writes, "is always conceived of as the past of his own book: book and author stand automatically on a single line divided into a before and an after. The Author is thought to nourish the book, which is to say that he exists before it, thinks, suffers, lives for it, is in the same relation of antecedence to his work as a father to his child" (145). This paternal configuration is not something that is unique to Barthes' essay but has its origins in the founding texts of the Western intellectual tradition. "The idea of a book as the author's child," Mark Rose argues, "dates back at least to Plato" (3) and is evident, for example, in the *Phaedrus*, where the written word is characterized as a wayward child, or what Jacques Derrida terms "the filial inscription" (84) and "the miserable son" (145). "And every word," Socrates explains, "when once it is written, is bandied about alike among those who understand and those who have no interest in it, and it knows not to whom to speak or not to speak; when ill-treated or unjustly reviled it always needs its father to help it; for it has no power to protect itself" (Plato 275d-e). This paternal structure, as Rose demonstrates, becomes wide spread during the European Renaissance, "when paternity quickly became the most common figure for expressing the relationship between an author and his works" (3). And the figure continues to exert conceptual pressure in contemporary copyright law, which, especially through the stipulations provided by the Berne Convention, recognize and seek to protect the "paternal rights" of authors (Strauss 507).

This obviously gendered configuration has at least two important and related consequences. First, this formulation seeds a method of criticism (what many literary theorists would consider to be the default mode) that has been called "the-man-and-his-work criticism" (Foucault 101). The modern literary canon, for example, is organized around particular individuals, most of them proverbial "dead white males," and their collected works or *oeuvre*. This concept is generalized in the Romantic figure of authorial genius, which was developed and theorized in Immanuel Kant's *Critique of Judgment*, where it is argued that "all fine art is the product of genius" (174). Second, and following from this, these

authority figures serve a very practical and useful function; they guarantee and insure significance. "To give a text an Author," Barthes writes, "is to impose a limit on that text, to furnish it with a final signified, to close the writing. Such a conception suits criticism very well, the latter then allotting itself the important task of discovering the Author beneath the work: when the Author has been found, the text is 'explained'" (147). The author comprises the principal mechanism of stability and significance in the production and circulation of written documents and other cultural products. The authoritative account of any work is, therefore, properly situated not in the material of the writing but in the original thoughts, intensions, and virtuosity of the individual artist who created it. Likewise, the task of the literary critic, or any attentive reading, is to penetrate the material surface of the work in order to ascertain the authorial voice behind the work and to comprehend what the author originally intended or meant to say by way of the work. Following this logic, modern critics and thinkers, like Descartes, conceived of the "reading of good books" as "having a conversation with the most distinguished men of past ages—indeed, a rehearsed conversation in which these authors reveal to us only the best of their thoughts" (22). This conceptualization of the work as a medium of personal expression or communication has a deep intellectual reach and well-established historical foothold. It is, for instance, informed by Aristotelian semiology, which characterized the written word as a derived symbol of mental experience (1, 16a, 3), and is theorized in the modern science of communication. Communication theory, which was formalized by Claude Shannon and Warren Weaver, defines communication as a dyadic process bounded, on one side, by an information source or sender and, on the other, by a receiver. These two participants are connected by a channel or medium through which messages selected by the sender are conveyed to the receiver (7–8). In this process, the primary task of receiver is to reconstitute the message that was intended by the sender and the effectiveness and efficiency of the message can be mathematically calculated by measuring to what extent the sender's intended meaning is adequately conveyed, reproduced, and understood.

Authorship and Popular Music

In music, this formulation of authorship is instituted and operationalized by the discipline of musicology, which develops in Germany and Austria in the late 19th century. Musicology typically identifies a piece of music by assigning it to a composer. For this reason, "historical work in musicology," as explained by David Brackett, "often takes the form of the 'life and works' of the historical composer, whose creative intentions are understood to underlie much of a work's meaning or are understood as background to the creation of musical works" (Music 127). Consequently, the discipline of musicology and the genre of European classical music are organized around the figure of particular musical geniuses—Mozart,

Handel, Chopin, Verdi, etc.—and their original scores, which are collected in a canonical and catalogued *opus*. In this particular system, other players, like arrangers, orchestral conductors, and instrumentalists, are relegated to the position of interpreters and intermediaries. In fact, the role of the conductor, arguably the leading figure of the modern symphony orchestra, is conceptualized in a way that affirms and supports the author-function of the composer. "Conductors have," Brydie-Leigh Bartleet writes, "been expected to submit to a composer's prominent position, and adhere to the idea that a score provides them with the necessary information to re-create the work faithfully and accurately. In other words, conductors have played a crucial role in upholding what Foucault calls the 'author-function'" (2).

The celebrated figure of the author-composer, which functions quite well and almost without question in European classical music, has been significantly complicated by folk traditions and other popular musical forms, where the "composer" is not recognized as such nor authorized to serve this function. This has led critics and scholars as well as fans and record companies to fabricate other kinds of authority figures, most notably the singer-songwriter and the recording artist. "In the case of the singer-songwriter," Brackett writes, "the lead singer is responsible both for writing the song and for playing an instrument around which the accompaniment is based. In this category, the song's lyrics usually fall into the 'confessional' mode, appearing to reveal some aspects of the singer-songwriter's inner experience" (*Interpreting* 14). This figure is particularly useful and apparent in music journalism, where magazines, artist biographies, and newspaper interviews try to tease out and trace the connections between a song and the singer-songwriter's life experiences (*Interpreting* 14). Take for example, the 2006 *Rolling Stone* conversation with Bob Dylan. The article is titled (not surprisingly) "The Genius of Bob Dylan," and the text of the conversation seeks to exhibit and account for the unique individual and personal vision behind the music (Lethem 1). All of this is of course perfectly in sync with the literary precedent, which seeks an explanation for a work in the life experiences of the man (or woman) who created it. "The author," Barthes concludes,

> still reigns, in histories of literature, biographies of writers, interviews, magazines, as in the very consciousness of men of letters anxious to unite their person and their work through diaries and memoirs. The image of literature to be found in ordinary culture is tyrannically centered on the author, his person, his life, his tastes, his passions" (143).

Likewise the figure of the recording artist is not some naturally occurring phenomena but a socially constructed artifice that comes into being at a particular time for a particular purpose. Sound recording, especially of popular music, is often a collaborative and industrialized undertaking, and this

significantly complicates identification of the responsible authority. As Jacques Attali's *Noise* points out,

> in repetition, the entire production process of music is very different from representation, in which the musician remained the relative master of what he proposed for the listener. He alone decided what to do. Of course, as soon as sound technology started to play an important role in representation, the musician was no longer alone. But today, under repetition, the sound engineer determines the quality of the recording, and a large number of technicians construct and fashion the product delivered to the public" (105).

This "diffusion of authorship," as Steve Jones calls it (177), complicates matters, making it increasingly difficult to identify who exactly can be said to be the "author" of a recorded song. The figure of the recording artist was fabricated to respond to and address this problem. The proper name of a recording artist, like "Britney Spears" or "Lady Gaga," is not just the designation of an individual woman who possesses a particular vocal talent; it is also a commodity and corporate brand (Negus 178). The name serves to identify a product line, to facilitate its marketing and promotion, and to ensure the proper collection and distribution of revenue. As Will Straw explains,

> ideas of authorship are bound up with the commodity status of music in a variety of ways. It is not simply that the performer becomes the hook through which musical performances are given distinctiveness and marketed (as 'stars' have long served to differentiate films). Over the long term, the continuity of performer careers is seen as a way of bringing order to the musical marketplace by introducing a particular kind of predictability. The identities of performers help the music industries to plan the future, to see this future as a sequence of new releases that will build upon (and draw their intelligibility from) the activity of the past" (203).

This particular construction of authorship is officially recognized and validated by The National Academy of Recording Arts & Sciences, which, as the institutional sponsor of the Grammy awards, distributes recognitions not to the legal owners of recorded material, typically multinational corporations like EMI, Warner, or SONY, but to the "recording artist" who is considered (at least for the purpose of the award) to be the creator/originator of a particular piece of music or other recorded sound.[2]

These attempts to identify and situate authorship in popular music are significant. They not only indicate to what extent the modern figure of the author is still necessary and useful in contemporary culture but, more importantly, expose the metaphysical structure and functioning of this and similarly

constructed authority figures. Authors do not, Foucault argues,

> develop spontaneously as the attribution of discourse to an individual. It is, rather, the result of a complex operation which constructs a certain rational being that we call 'author.' Critics doubtless try to give this intelligible being a realistic status, by discerning, in the individual, a "deep" motive, a "creative power," or a "design"… Nevertheless, these aspects of an individual which we designate as making him an author are only a projection, in more or less psychologizing terms, of the operations that we force texts to undergo, the connections that we make, the traits that we establish as pertinent, the continuities that we recognize, or the exclusions that we practice (110).

The author, strictly speaking, does not predate and inform the work. Instead s/he is a presumed rational subject—literally something "thrown under"—fabricated and projected behind the text by the reader. Or as Thomas Schumacher describes it with regard to popular music, "the qualities that we would characterize as constituting the author of a musical piece are those which we choose to locate in the individual to whom authorship is attributed" (263). This formulation reverses the assumed causal relationship and temporal sequence. The figure of the author has been, following the paternalism initially seeded by Platonism, assumed to be the progenitor and antecedent of the text. An author, therefore, is thought to be some actual person who exists before and outside the work and expresses him/herself through the medium of the recorded material. This presumed antecedent, however, is only a retroactively constructed prequel that is assembled from the material and experiences of the work itself. In this way, the author has the status of the Real as it has been characterized by Žižek.[3] Initially the Real is assumed to be

> the impossible hard core which we cannot confront directly, but only through the lenses of a multitude of symbolic fictions, virtual formations. In a second move this very hard core is purely virtual, actually nonexistent, an X that can be reconstructed only retroactively, from the multitude of symbolic formations which are 'all there actually is'" (Žižek, *Parallax* 26).

In other words, the author is presumed to be the real person who stands outside the text, engenders its content, and remains, in many cases, inaccessible insofar as the progenitors of the "great works" are dead and gone. This presumed real thing, however, does not really exist but is a retroactively reconstructed fiction that is manufactured from an engagement with the work, which is all we really have at our

disposal. The figure of the author, therefore, is nothing more than an empty place that is subsequently filled in after the fact.[4]

An explicit illustration of this authorizing gesture can be found in recent innovations with recorded music, especially turntablism and the figure of the DJ. A DJ does not, it is typically argued, create anything new but simply samples, mixes, and remixes the music of others. As Fatboy Slim (aka Norman Quentin Cook) reports in Bill Brewster and Frank Broughton's historical account of the disk jockey, "when I started DJing, the DJ was just below glass collector in order of importance in a nightclub. …You were just the bloke who stood in the corner and put records on" (386). Despite this, the DJ has, at least since the mid-1990s, been turned into a "creative genius" and what Bill Herman calls "a musical author-god" (28). "He or she is invested with authorial credit for the music that comes out of the speakers, even if he or she did not compose a single record…Once an anonymous carrier of records, the DJ has ascended to be seen (and paid) as a superstar of the music industry" (Herman 31 and 36). This authorization of the DJ has been, as Herman's analysis demonstrates from a review of writings on and cultural artifacts associated with DJ culture, instituted by both fans, who now identify their own musical taste with the proper name of a DJ, and record companies, who have come to realize that this particular figure can be commercialized as a successful brand name and product line. The DJ, therefore, only becomes an author as a result of projections instituted by the consumers and distributors of dance music. The DJ does not spontaneously occupy a position of prior authority; s/he is assigned that position subsequently and retroactively. This is, it is important to note, not something that is unique to the figure of the DJ and that can be limited to this particular practice. Following Foucault's line of argument, we can say that the DJ is just the most recent manifestation of the way authorship has always been situated, instituted, and constructed. Consequently, the DJ is not some recent anomaly but demonstrates the manner by which the figure of the author, to return to Barthes' literary example, is not the producer of fiction but has always and already been a product of fiction.[5]

Death of the Author

The figure of the author, then, is not some eternal Platonic form but comprises a social construct that comes into existence at a particular time, for a particular purpose, and in service to a particular set of interests. And if this figure has a beginning, a point in time when it is initially deployed and authorized to occupy this place of authority, it also has an end, a point at which this particular configuration is no longer operative or useful. As Foucault explains:

> Although, since the eighteenth century, the author has played the role of the regulator of

> the fictive, a role quite characteristic of our era of industrial and bourgeois society, of individualism and private property, still given the historical modifications that are taking place, it does not seem necessary that the author function remain constant in form, complexity, and even in existence. I think that, as our society changes, at the very moment when it is in the process of changing, the author function will disappear" (119).

It is this disappearance and withdrawal of what had been the principal figure of literary authority that is announced and marked by Barthes' seemingly apocalyptic title, "The Death of the Author." What this phrase indicates is not the end-of-life of any one particular individual but the termination and closure of the figure of the author and the kind of criticism that had been organized around "the man-and-his-works" model. The signs of this ending are, according to Barthes' argument, already evident in modern literature. "Though the sway of the Author remains powerful, it goes without saying that certain writers have long since attempted to loosen it" (143). And as proof of this claim, his text supplies a litany of proper names: Mallarmé, Valéry, and Proust. These writers and their writings, it is argued, effectively questioned and undermined the customary status and authority that had been accorded the author.

The "death of the author," although initially announced in the material of modern literature, is particularly operative and evident in sound recording, where the techniques and technologies of sound reproduction have often been associated with absence and death. "In a classic 1878 article," John Durham Peters points out,

> Thomas Edison boasted of the phonograph's ability to reproduce sound waves 'with all their original characteristics at will, without the presence or consent of the original source, and after the lapse of any period of time.' It would be hard to find a clearer statement of the founding dreams of phonography… This is Socrates' lament of writing with a positive valence" (160).

For Socrates, the problem with the technology of writing is that the written word is cut off from the control and authority of its progenitor. Writing is, according to the Platonic text, a wayward and destitute child that is exposed to considerable abuse and misuse at the hands of others. According to Edison's statement, the nascent technology of sound recording reproduces this separation between original source and recorded product, but Edison, unlike Socrates, finds the absence of the authorizing agent to be a considerable advantage and opportunity. Cut off from the direct influence of its progenitor, a recording can accurately reproduce sound without the presence, consent, or control of the original author. And it is the passing away of this figure that supplies the test case and definitive illustration. "If there was,"

Jonathan Sterne writes, "a defining figure in early accounts of sound recording, it was the possibility of preserving the voice beyond the death of the speaker" (287). It is not surprising, therefore, that the Victor Talking Machine Company's famous trademark has often been associated with death. In this well-known image, Nipper the dog sits obediently before the horn of a gramophone, listening to "the sound of his master's voice." As Friedrich Kittler (69), Jonathan Sterne (302) and others have pointed out, the earliest versions of this image have the dog and the apparatus resting on top of a shiny surface that contemporaries took to be the lid of a coffin. Consequently, what attracts Nipper's undivided attention is the sound of "his dead master's voice." What is reproduced in the image of the trademark, then, is perhaps the most direct illustration and practical example of the death of the author.

Recording, whether in the form of words printed on paper, analog inscriptions on the surface of a vinyl disk, magnetic fields arranged on Mylar tape, or binary data encoded in mp3 or some other file format, is technically involved in authorial absence. For Barthes, this passing away or "removal of the author is not merely an historical fact or an act of writing; it utterly transforms the modern text " (144). And the effect of this transformation is not lost on researchers and scholars of popular culture.

> The author is dead and contemporary criticism has written the obituary. Once we recognize that every text—whether it be a novel, a painting, a poem, a symphony, or a TV show—is generated in and by a complex web of cultural, social, political, and formal conventions and expectations, it is irresponsible to continue to look at those texts in the simplistic way they used to be looked at. The old idea that the lone artist genius is the exclusive source of meaning, is no longer tenable in light of the critical theory developed in the past twenty years. To the extent that we cling to the notion of one work/one artist, we become blind to the complexities of how meaning is generated in works of art, and we confine our attention too readily to a specific canon (Thompson and Burns ix).

The death of the author is not an isolated literary incident. It has significant consequences for the way we understand the creative process and its product. This means, from one perspective, that old and well-established ideas concerning the creation, understanding, and significance of a work are no longer (and perhaps never really were) tenable. In the absence of an author, "all discourses," as Foucault's essay concludes, "whatever their status, form, value, and whatever treatment to which they will be subjected, would then develop in the anonymity of a murmur. We would no longer hear the questions that have been rehashed for so long: Who really spoke? Is it really he and not someone else? With what authenticity or originality?" (119). With the passing of the author, therefore, the customary questions—

those inquiries that had served critical investigation so well for for so long—no longer operate or remain entirely useful. They are what Žižek would call "false questions" (137), and it would be both inaccurate and irresponsible to continue to investigate things in this fashion. From another perspective, however, this apparent loss can also be understood and credited as a significant advantage. Without the authorizing intention of an author who controls and regulates everything, the work is freed up for other opportunities, possibilities, and modes of inquiry. For Barthes, in particular, the death of the author also engenders a newly empowered figure of the reader: "Text is made of multiple writings, drawn from many cultures and entering into mutual relations of dialogue, parody, contestation, but there is one place where this multiplicity is focused and that place is the reader…A text's unity lies not in its origin but in its destination" (148). Describing things in this fashion sounds liberating and Barthes' text as well as those that capitalize on its insights often utilize a revolutionary rhetoric. George Landow's *Hypertext*, for instance, famously employed Barthes essay to argue for information democratization and a new power-sharing arrangement between the producers and consumers of textual data in the age of the personal computer and the Internet. And Bruce Sterling's digital remix "Death of the Author 2.0" issues something of a declaration of independence for the Internet "prosumer" or user-producer:

> The user-producer is a concept that speak to the digital experience and the freedoms that this digital culture allow for ordinary people to become artist and producer. This model fundamentally challenges the traditional assumptions of author, it moves away from the idea of the romantic notion of authorship, which saw authorship and cultural production as an isolated activity of a genius sitting and creating something out of nothing (Sterling 1).

The mashup is widely recognized as an artifact (if not the principal illustration) of this alternative configuration. In reworking the recorded material of others, the mashup challenges the usual assumptions of authorship and moves away from the romantic notion of artistic genius. First, mashups are composed entirely of material created by and plundered from others. There is, strictly speaking, nothing original or authentic in the material of a mashup. Everything—every note, every sound, every word—is derived and taken from another source. The resulting remix might comprise an impressive number of samples, like Girl Talk's *Feed the Animals* which "brims with 300 song snippets in just over 50 minutes" (Watercutter 1), but none of it can be considered original in the usual sense of the word. For this reason, a mashup cannot be credited as the unique expression of an individual author/genius who creates something out of nothing but is a derivative and parasitic practice situated in the recorded material of others. Second, in

recombining these derivied materials, mashups use recordings in ways that are not necessarily intended or authorized. Because recordings are, as both Socrates and Edison pointed out, orphans cut-off from and distributed beyond the authority of their progenitor (Cox and Warner 114), they can, for better or worse, be used and abused in ways that do not necessarily respect the integrity of the original. A mashup recomposition, like Go Home Production's "Girl Wants (to Say Goodbye to) Rock and Roll" layers the vocals from Christina Aguilera's song "What a Girl Wants" on top of the music track extracted from the Velvet Underground's "Rock and Roll," the third track from their 1970 album *Loaded.* This effort, which deliberately crosses and short circuits genre classification in popular music, not only does considerable violence to the individual songs, often stripping off a track or two and reworking their tempo and sequence, but in jamming them together makes these compositions say and do things that were not necessarily intended. Finally, these "creative efforts" (if they can even be called that) typically cannot be assigned or credited to an individual author insofar as the digital media pro-sumer often hides behind pseudonyms and collectives. Although this strategy may have been initially intended to deflect attempts to ascertain legal responsibility, it has the general effect of complicating and undermining the very concept of authorial intention. In this way, mashups resist being understood as the unique expression of an individual artist and appear to develop, as Foucault had described it, in the anonymity of a murmur.

Conclusions

In the end, it can be said, to reappropriate and repurpose that famous first line from *The Communist Manifesto*, that our age is haunted by a specter. This ghostly figure, that of the dead author, calls to us in an authoritative fatherly voice, like the spirit who addresses Hamlet at the beginning of Shakespeare's tragedy. What matters here, as demonstrated in the Elizabethan drama, is how one understands and responds to the voice of this paternal authority. We can, on the one hand, answer as Hamlet does. That is, we can interpret this ghostly figure as issuing a command for revenge. In this way, the authority of the father/author would be reasserted after his death and in his absence. On the other hand, we can, as it is said in colloquial English, "give up the ghost." We can follow the critical innovations instituted by Barthes' essay, let the author finally pass away and rot in the ground, and begin to conceive of writing and related endeavors otherwise. Either way there are clear advantages and attendant costs of which we need to be aware.

Responding to the ghost's desire for revenge is perhaps the easier of the two options. In reasserting the authority of the author, we call on and institute a recognizable, well-defined, and conventional precedent. Once such authority is restablished, we know what questions and problematics are important, what methods of investigation may be utilized, what evidence will count as appropriate,

and what outcomes are possible. Authority figures are exceedingly useful. They regulate semantic dissemination and dispersion, identify the place and proper limits of responsibility, and provide a standard metric for evaluation and judgment. This is precisely what has transpired in much of the history of popular music. Recording could have put an end to the author insofar as it, like writing, is a technology of absence, death, and dispersion. Despite this, fans, critics, distributors, musicians, and scholars have continually struggled to redefine and reestablish proper authority by locating the authorizing *auteur* of popular music. This endeavor is not necessarily incorrect; it serves a very useful and practical purpose. "This is important," as Gary Burns argues with respect to music video,

> "because one of the best ways to understand the arts is to examine works grouped according to who created them—the plays of Shakespeare, the films of Bergman, etc. Although auteurism certainly has its deficiencies, it nonetheless seems that one leaves out something very important if, in discussing a music video clip or group of clips, one does not devote some attention to who created the clip(s)" (175).

Despite its efficacy, however, these efforts have both theoretical and practical complications. Theoretically they risk logical consistency. They attempt to occupy a kind of in-between or indeterminate position that, on the one hand, affirms the "death of the author" but, on the other hand, continues to employ and rely on the authority that this figure represents. These endeavors deploy a curious gesture that Larry David has identified as the "having just said that" escape clause. This maneuver, introduced in the final episode of the 2009 season of *Curb Your Enthusiasm* (HBO), allows one to issue and maintain what appears to be incompatible propositions. We know auteurism has its deficiencies. We have read Barthes and understand that the author is a social construct whose time has come. We therefore no longer blindly believe in the unquestioned authority customarily granted this modern authority figure. Having just said that, however, we still find this figure to be useful and effective for understanding artistic works and their meaning. This approach, it turns out, is a variant of Blaise Pascal's wager argument: although the existence of God, the ultimate authority figure and author of all things, cannot be proven rationally, it still makes sense to maintain belief in His existence because of the potential benefits for doing so (66-67). Or to put it in distinctly Nietzschean terms, God is dead, but we still find some practical ultility in "exhibiting his shadow" and behaving accordingly (Nietzsche 167).[6] The logical falacy that is involve in these gestures has been called, by Jürgen Habermas, a "performative contradiction" (80). What this designates, to put it in formalistic terms, is the fact that what one states and acknowledges as true is immediately, or even subsequently, contradicted and betrayed by what one does. It has been over forty

years since the publication of "The Death of the Author," and no one, it seems, disputes the general impact and significance of Barthes' powerful obituary for this modern authority figure. And yet, despite all this, the author does not rest in peace. He is continually reanimated and resuscitated, often times by those of us who know better and in such a way that threatens to undermine and may even contradict our own efforts and endeavors. We recognize, for example, that recording techniques and technology render the identity of the author indeterminate and diffuse, yet we continue to nominate someone—the composer, the singer songwriter, the record producer, the DJ, etc.—to occupy and fill out this empty position. We affirm that innovative practices like turntablism and mashup deconstruct the authority of the author, yet we lament the fact that such endeavors produce results that are less than original and often lacking in authenticity (McLeod 86; Gunkel 502). Unfortunately what we know and say about the figure of the author is often times at odds, if not in direct conflict, with what we do with it.

At the same time, and despite its supposed usefulness, this reanimated authority figure also comes with considerable practical consequences. Once a work is assigned to such an authority, meaning and significance are, as Barthes had pointed out, locked down and secured. From that point on, what can and cannot be done with a particular text, whether written or otherwise, is prescribed and carefully regulated. The author is granted authoritarian control over the text and whoever can tap into and mobilize this figure is able to manipulate its distribution, use, and understanding. The mashup in particular has been subject to considerable efforts at this kind of reauthorization, and these endeavors have been deployed not only by its detractors but also by advocates and fans. Critics of the mashup have, quite understandably, employed the figure of the author not only to define and defend the integrity of the original material that comes to be ripped-off and recombined but also to identify the individual(s) who can be held responsible for fabricating these unauthorized remixes. Cease and desist letters, which are one of the main enforcement mechanism of contemporary intellectual property law, need to identify a transgressor and to have an addresse. They need, as Foucault had demonstrated, to name somebody as the responsible party. In these cases, then, it definitely matters who is speaking. Perhaps more surprising, however, is the fact that similar efforts have been deployed by those who champion the mashup and would seek to contest these measures. In fact, these oppositional voices often mobilize and justify their cause by deploying the same arguments and authorities. Although the mashup has been celebrated as a revolutionary art form that challenges traditional configurations of authorship and the institution of authority in popular culture, advocates often seek to attribute these artifacts to individual innovators. As John Shiga demonstrates,

> "by 2002, mash-up culture furnished its own set of 'star remixers.' Popular unauthorized mash-ups like Freelance Hellraiser's 'A Stroke of Genius' (Christina Aguilera's vocals

> from 'Genie in a Bottle' layered on top of The Stokes' guitars from 'Hard to Explain') gained the attention of *Newsweek*, *The New York Times*, and other major news publications. A few mash-up stars, such as Freelance Hellraiser, Danger Mouse, and Go Home Productions, have positions within the official music industry, working as DJs, musicians, and producers" (94).

This authorization of the "mashup star" is not something that is limited to fans, journalists, and the music industry. Mashup pro-sumers have also sought to establish their brand name, employing the traditional medium of the magazine/newspaper interview to establish and assert their individual authority. "People can," Girl Talk's Gregg Gillis stated in an interview with *Pitchfork*, "judge me on whatever level they think but I've always tried to make my own songs. They're blatantly sample based but I tried to make them so that you'd listen and think, 'Oh, that's that Girl Talk song,' as opposed to just a DJ mix" (Dombal). And Freelance Hellraiser has (in a rather ironic, if not contradictory, gesture) criticized copycats of his own mashups, arguing that these derivative works often circulate "without giving credit to the people who came up with the original idea" (McLeod 86). For fans, practicianers, and advocates, then, it also matters who is speaking. And with friends like these, who needs enemies.

For these reasons, giving up the ghost may be a more promising prospect. Doing so, however, has at least two important consequences. First, it calls for a reconfiguration of accepted models of textual production and creativity. Once the figure of the author becomes destabilized, a text, whether written or otherwise, can no longer be restricted to and understood as *expression*—literally the "pressing out" of someone's inner thoughts, experiences, and desires. It therefore no longer matters *who* is speaking; texts are assembled and function otherwise. "The text," Barthes writes, "is a tissue of quotations drawn from the innumerable centers of culture… the writer can only imitate a gesture that is always anterior, never original. His only power is to mix writings, to counter the ones with the others, in such a way as never to rest on any one of them" (146). Understood in this fashion, the *scripteur*, one of the names substituted for what had been previously termed "author," is a literary DJ, mixing and remixing scripts that are drawn from an already available cache of prefabricated textual samples, and the resulting product is a kind of collage or mashup of these diverse and derived elements. Consequently, the mashup is not an anomoly but constitutes a new model of textual production and artistic practice. Instead of being a recent aberration and significant problem for popular music, the mashup provides a persuasive illustration and functional example of an alternative configuration of artistic creativity after the passing of the figure of the author.

This reconfiguration, however, immediately and quite understandably bumps up against and challenges the concept of plagiarism, which has, as the Critical Art Ensemble (CAE) points out, always been "considered an evil in the cultural world" (83). Derived from a Latin noun designating kidnapping, which is quite literally a violation of paternal authority, plagiarism is commonly defined (in that seemingly boundless fount of plagiarism, *Wikipedia*) "as the wrongful appropriation, close imitation, or purloining and publication, of another author's language, thoughts, ideas, or expressions, and the representation of them as one's own original work" (1). CAE, however, argues for an alternative and competing view: "At present, new conditions have emerged that once again make plagiarism an acceptable, even crucial strategy for textual production. This is the age of the recombinant" (84). Paul D. Miller, aka DJ Spooky that Subliminal Kid, has identified a similar line of argument in Ralph Waldo Emerson's "Originality and Quotation": "Our debt to tradition through reading and conversation is so massive, our protest so rare and insignificant—and this commonly on the ground of other reading or hearing—that in large sense, one would say there is no pure originality. All minds quote. Old and new make the warp and woof of every moment. There is no thread that is not a twist of these two strands" (Miller 68). In this passage sampled from Emerson's text and woven into the texture of Miller's book, one finds the description of an alternative understanding of artistic production, one that does not vest authority in the original genius of the author and his/her creation *ex nihilio* but locates the creative endeavor within a network of pre-established textual relations such that creativity is a matter of drawing on, reconfiguring, and repurposing remade materials that are already at hand and in circulation. Consequently, following Straw's suggestion,

> we might consider Brian Eno's claim that creativity now operates at the macro-level of whole genres, not at the micro-levels of individual artists. In place of 'genius,' Eno awkwardly suggests, we must speak of "scenius," in which it is the entire scene (of deep house music or electronica) which is the creative force, producing collective movement in particular directions and leaving individual contributions to that movement to be seen as minor and transitory. In the words of McKenzie Wark, we might profitably see acts of creation within these niches as "moves in an informational landscape" rather than the full-blown gestures typically associated with other genres and other times (206-207).

Conceptualized in this fashion, creative endeavors and artistic performances are not the unique expressions of an individual genius but are the product of "scenius" channeled by particular gestures and interventions situated within the available networks of culture. The artist formerly known as author,

therefore, does not, in the image of the divine creator, produce something out of nothing. S/he is always and already responding to the scene or culture in which one already finds oneself and is, for this reason, responsible only for the manner, method, and means of that particular response. Consequently, the process is less a matter of creating *ex nihilio* and more so, as Gregg Gilles describes it in an interview with *Pitchfork*, something like engineering (Dombal).

Second, this reconceptualization of the process of artistic production also has a complementary effect on the understanding of reception and consumption. "Once the Author is removed," Barthes writes, "the claim to decipher a text becomes quite futile" (147). After the withdrawal of the figure of the author, interpretation can no longer be conceptualized as an attempt to ascertain the animating intentions of a creative genius who it is assumed comes before the text, fully comprehends it meaning, and endeavors to transmit this information to others. The interpretive endeavor is more "superficial," involving the seeking out and tracing of surface tensions evident within the texture of the work itself. "In the multiplicity of writing," Barthes argues, "everything is to be disentangled, nothing deciphered; the structure can be followed, 'run' (like the thread of a stocking) at every point and at every level, but there is nothing beneath: the space of writing is to be ranged over, not pierced; writing ceaselessly posits meaning ceaselessly to evaporate it, carrying out a systematic exemption of meaning" (147). Accordingly the objective of the reader, listener, or viewer is not to unearth and decode some secret meaning situated outside of and just below the surface of the text, but to engage with the material of the text itself, to disentangle and trace out its various threads, and to evaluate the resulting combinations, contradictions, and resonances. There is, then, as Jacques Derrida famously wrote, "nothing outside the text" (35-36). Contrary to communication theory, what a text is and what it means is not found in the animating intentions of its paternal author but is to be discovered and examined within the material of the message itself. The meaning of Girl Talk's *Feed the Animals* (2007), for example, is not to be found somewhere in the profound message intended by Gregg Gillis who assembled the celebrated remix. Instead of probing the piece for deep psychological data and revealing messages, critical efforts, like that exemplified by *Wired* magazine's "Mashup DJ Girl Talk Deconstructs Samples From *Feed the Animals*," endeavor to disentangle and follow the different elements that make up the composition (Watercutter 1). The objective, therefore, is not to unearth the profound intentions of the author but "to analyze the work through its structure, its architecture, its intrinsic form, and the play of its internal relationships" (Foucault 103). In other words, it does not matter who is speaking. Who the author is or what s/he had wanted or intended to say is effectively immaterial. What matters is what has been said, and what we—the reader, listener, viewer, user, etc.—do with it. But don't take my word for it. Who am I? What does it matter who is speaking?

Notes

[1] In providing this qualification I do not wish to impugn or otherwise dismiss the more practical efforts to resolve questions of authority and authorship in the digital era. These questions (and their possible responses) are certainly an important and matter for creative artists, media consumers, publishers, law makers, intellectual property attorneys, etc. What I do intend to point out, however, is that these practical endeavors often proceed and are pursued without a full understanding and appreciation of the legacy, logic, and consequences of the concepts they already mobilize and employ. The critical project, therefore, is an important preliminary or prolegomena to these kinds of subsequent investigations, and it is supplied in order to assist those engaged in these practical efforts to understand the conceptual framework and foundation that already structures and regulates the conflicts and debates they endeavor to address. To proceed without engaging in such a critical preliminary is, as recognized by Immanuel Kant (arguably one of the principal figures in the history of critical thinking), not only to grope blindly after often ill-conceived solutions to possibly misdiagnosed ailments but to risk reproducing in a supposedly new and original solution the very problem that one hoped to repair in the first place.

[2] The difference between "legal owner" and "author" points to a curious wrinkle in modern copyright law called the "work for hire" doctrine. This early 20th century modification, which was first articulated in the 1909 US statute, allows for the transfer of copyright by means of a contractual agreement whereby an employer, like a recording company, can assume ownership of a work by paying its creator for his or her efforts. According to this practice, authorship can be assigned to a corporate entity, what Peter Jaszi calls an "author-in-law," that often has little or nothing to do with the actual creation of the work (34). "With works made for hire," John Strohm's investigation points out, "the author is determined not by who actually composed by piece of music or directed the film, but rather by the employment status of the parties or the identity of the party commissioning the work" (135). Under the stipulations provided by the work for hire doctrine, an author, the individual who is legally defined as the originator or maker (Strohm 133), does not have title to the work and is, therefore, not considered to be its legal author. To make matters more complex, it is only US law that recognizes corporate entities as legal authors, and the idea of "corporate authorship is at odds with the concept of moral rights of authors (*Le Droit Moral de l'Auteur*) embraced by the European countries" and outlined in the Berne Convention (Strohm 137). Consequently, the work for hire doctrine, which was initially introduced by the recording industry in order to resolve debates and questions concerning

authorship, does not necessarily clarify the identity of the author but introduces legal complications that have the effect of muddying the water, making it considerably difficult to decide who exactly is speaking through the medium of the recording. The term "recording artist," which R. Serge Denisoff and John Bridges argue remains "one of the least examined aspects of the music industry" (132), is no less problematic. This is because "critics have," as Jesse Walker points out, "long debated who 'creates' a pop record: the artist listed on the sleeve, the producer behind the scenes, the composer in the wings, or the sometimes anonymous studio employees who actually play the music" (57). And this persistent undecidability becomes particularly evident in moments of crisis, like the Milli Vanilli scandal. In 1990, the pop duo Milli Vanilli was awarded the Best New Artist Grammy for 1989. The award was rescinded, however, when it was revealed that the two individuals who had been identified as the "recording artists" did not actually create the music that had been recorded on their award-winning record. The larger point to be drawn from all this is that new terms and concepts like the "work for hire doctrine" or "recording artist" do not necessarily resolve the difficulties they were intended to address but often perpetuate and even exacerbate the problem.

[3] Slavoj Žižek, who *The New York Times* called "the Elvis of cultural theory," is arguably the most popular and widely read contemporary intellectual. Despite his prolific literary output since the publication of *The Sublime Object of Ideology* in 1989, his ongoing engagement with cinema and popular media, a reputable co-authored book on opera, and published articles on the Slovenian rock band Laibach, Žižek is still somewhat unfamiliar to scholars and students in the field of popular music studies. This is, of course, not the place to provide a general introduction to Žižek's work or to trace its possible applications to the study of popular music and society. Instead, I refer interested readers to the following introductory texts: *Žižek!* a documentary film by Astra Taylor (Zeitgeist Films, 2006), Slavoj Žižek and Glyn Daly's *Conversations with Žižek* (Cambridge, UK: Polity Press, 2004), Paul Taylor's *Žižek and the Media* (Cambridge, UK: Polity Press, 2010) and the *International Journal of Žižek Studies* available online at http://zizekstudies.org

[4] Perhaps the best example of this is the poet Homer, who it is now thought was not some real person but the name of a subject position occupied by what was, we think, a plurality of individual contributors.

[5] This inversion is also evident in modern legal practices. As Foucault's investigation points out, the author was, in France especially, a figure of "penal appropriation" (108). "Texts, books, and discourses really began to have authors (other than mythical, 'sacralized' and 'sacralizing' figures) to the extent that authors became subject to punishment, that is, to the extent that discourses could be transgressive" (108). In other words, texts are initially organized under the figure of author in order for the authorities (governments or the church) to identify who was to be held responsible for a statement so that one would know who can be questioned, indicted, and punished for a published transgression. It was, for instance, because Galileo had been condemned and placed under house arrest by church authorities for his publication of a treatise supporting the Copernican model of the solar system that René Descartes decided both to withdraw what would have been his first book, *Le Monde*, and published *The Discourse on Method* anonymously, that is, without any indication of his role as its author. In England and its break-away North American colonies, the author was situated as the responsible party in a new kind of property law called copyright. "The distinguishing characteristic of the modern author," Mark Rose writes, "is that he is a proprietor, that he is conceived as the originator and therefore the owner of a special kind of commodity, the 'work.' And a crucial institutional embodiment of the author-work relation is copyright, which not only makes possible the profitable publishing of books but also, by endowing it with legal reality, produces and affirms the very identity of the author as author" (54). The legal concept of copyright, therefore, assigns ownership to a literary work by identifying the author as its legitimate owner and proprietor. This concept was, as Rose's essay points out, introduced in 18th century London not out of some idealistic dedication to the concept of artistic genius, but in response to a specific technological innovation that had permitted the free circulation and proliferation of textual documents—the printing press. As Sven Birkerts *Eulogy* explains, "the idea of individual authorship—that one person would create an original work and have historical title to it—did not really become entrenched in the public mind until print superseded orality as the basis of cultural communication" (159). As a result of these early legal negotiations, the figure of the author eventually becomes the organizing principle in contemporary copyright law. According to Strohm's demonstration, "the concept of 'authorship,' which is rooted in the text of the Copyright Clause of the [US] Constitution, functions as a legal term of art in copyright doctrine, with copyright ownership vesting initially in the author of the work. In *Burrow-Giles Lithographic Co. v. Sarony* the U.S. Supreme Court identified the Constitutional definition of 'author' to be 'he to whom anything owes its origin; originator; maker" (133).

[6] Not to flog a dead horse, but we can also give this a more contemporary and secular characterization by considering the figure of Santa Clause. At some point, children (especially in North America and those parts of the world affected by it intellectual and cultural influence) begin to doubt the existence of Santa Clause and his sole authority for determining who's been naughty and who's been nice. Despite this ontological fact, however, they continue to maintain belief in Jolly Old Saint Nick, because doing so has a certain practical utility and very real benefits.

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