**ANALYSING MEDIA CHANGE**

Assessing the impact of media technology is challenging. The media has complex and far-reaching implications for peoples’ lives. The rate of technological development means that change often occurs quickly. The implications of this change quickly become accepted as normal or natural by-products of media use. Given the dynamic and disruptive nature of new media, the following framework is a useful way to consider the impact media technology has on peoples’ lives while avoiding any superficial moral panic. The framework asks you to consider new media in terms of industry, culture, economy, audience, government, ethics, society. You can remember these factors with the acronym ICEAGES.

**INDUSTRY**

Technology drives the way the mass media operates, produces texts and reaches audiences. In the last two decades, technology has changed the news media irrevocably. The rise of the internet has challenged traditional print publications, gouging circulation and sales figures. In response, newspapers have moved online and explored other sources of revenue including pay walls, online advertising and sponsorship. Traditional newspapers have also started providing more than just news stories, often including video and audio content in their stories. The internet has also fundamentally changed the way audiences get news and information. When considering the impact that new technology might have on established industries, always pay attention to the way it a ects media production and distribution.

**CULTURE**

New technology invariably redefines art and entertainment, providing new opportunities for self- expression. The widespread adoption of DVDs, for example, allowed audiences to ‘binge watch’ entire seasons of television at once. Alongside the development of cable channels in the USA, this technology led to the rise of long-form storytelling and acclaimed television dramas like *The Sopranos* and *The Wire*. New media technology has also led to a creative and cultural revolution that has put the means of production into the hands of audiences. With little more than a mobile phone and internet connection, ordinary people now have the ability to create lm that can be distributed to millions. When analysing the impact of new media forms, always consider how these new platforms and technologies allow people to create, consume and share culture.

**ECONOMY**

The dynamic and disruptive potential of new media technology is evident in the economic changes that have occurred in recent years. New media technologies have presented economic opportunities and challenges for existing industries. At the turn of the century, the music industry was faced with the challenge of dealing with digital downloads. Increasing internet speed and peer- to-peer le sharing meant that people were able to easily pirate and share music with each other. While this proved challenging for the record industry, it provided unsigned artists with a way to circumvent the industry and share music directly with fans. While the rise of music streaming was initially regarded as a threat to the music industry, profits from streaming services have surged.

At the end of 2016, record company Warner Music reported a $3.25 billion pro t, their highest in eight years. Almost a third of the profits came from streaming services such as Spotify and Apple Music. Always consider the economic possibilities of new media and the challenges it might pose to existing businesses.

**AUDIENCE**

Before the turn of the century, large corporations who operated in the traditional forms of television, radio and print dominated the mass media. Audiences were largely consumers of this material. The rise of the internet and the falling cost of technology has significantly changed the relationship between media and audiences. Audiences now have the potential to create and share their own content, challenging a paradigm that has existed since the advent

of the printing press. When you are reflecting on the implications of new media, always consider how it changes the way audiences consume, create and communicate.

**GOVERNMENT**

Governments often struggle to keep up with technological change. New media technology often presents legal and regulatory problems for governments. In Australia, for example, the rise of online app stores and video-sharing sites has challenged the system of traditional media regulation. The Classification Board has traditionally provided ratings for all video games. However, the overwhelming number of video games now available means that the government has been forced to

explore other options for classifying content, including international, industry-based age-rating systems. Similarly the development of new media forms often challenges

regulations that governments might have regarding media ownership and operation. Digital media also provides new opportunities for online activism, changing the very nature of our democracy. When addressing the change occurring thanks to new media technology, always consider its legal, regulatory and political implications.

**ETHICS**

Ethics are the moral principles that guide behaviour. Because new media changes the way that people interact, it invariably poses ethical challenges for audiences and industry. Large corporations, such as Facebook and Google, encounter ethical issues regarding their operation, including their responsibility to curb bullying and hate speech, respect the privacy of users and monitor the accuracy of news. Audiences themselves face similar ethical issues, including their treatment of other users, sharing inappropriate content and the construction of their online identities. When thinking about new media technology, always consider the ethical issues that might arise.

**SOCIETY**

Media technology is integral to the way audiences communicate and socialise. Social networking platforms such as Facebook, Twitter, Instagram and Reddit provide opportunities for people to connect with others and form online communities. The introduction of new hardware and software will continue to influence the way people interact with each other. When thinking about a new media platform or technology, consider how it changes the way audiences communicate, interact and socialise.

**Copyright and change**

**The media is a multibillion-dollar industry. It makes sense that laws have developed to protect the work of creative individuals. Copyright laws, intellectual property, remixing, mashing up and sharing are areas of significant contention and change.**

**COPYRIGHT LAWS**

The question of how intellectual property can be protected when copying and sharing les via the internet is a relatively easy exercise poses a significant challenge for copyright laws.

In his book *Free Culture* academic and attorney Lawrence Lessig argues that copyright laws exist largely to protect existing industries and do not bene t creativity:

The burden of this law now vastly outweighs any original benefit-certainly as it a effects non commercial creativity, and increasingly as it affects commercial creativity as well ... the law’s role is less and less to support creativity, and more and more to protect certain industries against competition. Just at the time digital technology could unleash an extraordinary range of commercial and non commercial creativity, the law burdens this creativity with insanely complex and vague rules and with the threat of obscenely severe penalties.

**DIGITAL RIGHTS MANAGEMENT**

Digital rights management (DRM) is a way to control the way digital les are used. Most platforms that sell or stream digital content use DRM to restrict unauthorised copying of digital works. DRM encrypts les to prevent them from being duplicated or accessed on other formats. For example, a song that has been purchased on one platform may be restricted so that it can only be played on that platform or associated device.

While companies are keen to use DRM to protect their intellectual property, this sort of encryption has its share of critics. Cory Doctorow, digital rights activist and author, argues that DRM is a threat to security, privacy, public rights and innovation and has been to the detriment of artists and freedom of speech. In 2015, Doctorow and the Electronic Frontiers Foundation joined forces to seek to put an end to DRM and the legal structures that support it. They argued that the success of an information society depends on digital content being accessible. They explained that DRM

locks information behind electronic barriers and hinders the development of a rich public domain of information that can be used by educators, researchers and people around the world.

**THE ARGUMENT IN FAVOUR OF COPYRIGHT**

Established and highly pro table industries have argued in favour of existing copyright laws to protect the work of artists and the revenue that follows towards these industries. At the 2014 Australian International Movie Convention, actor John Jarrat argued passionately about piracy and its impact on Australian lm:

It’s fatal at the moment and it’s going to kill the Australian lm industry—there’s no doubt about that—very, very shortly and within the next few years. There’s a cure to this cancer, and it’s simply buy your entertainment like you have to buy everything else in this world. You’re not supposed to take things for nothing and steal from people and take their livelihood.

**THE CREATIVE COMMONS MOVEMENT**

The Creative Commons project was developed to allow people to share and reuse copyright material in a manner that is legal and consistent with the rules of copyright. Creative Commons is not an alternative to existing copyright laws. Rather, it works alongside them. As a movement, Creative Commons gives people greater freedom to manage their copyright works. Someone who releases a song under a Creative Commons licence, for example, is able to share that song and is granting permission for other people to reuse the work or adapt it, provided that attribution is given to the original copyright holder.

**CREATIVE COMMONS WEBSITES**

Creative Commons websites are rich sources of photographs, video and audio. Sharing your work on social media sites like Facebook, YouTube and Vimeo often requires having copyright clearance for any third-party material that you use. Given that getting clearance for music can often be a di cult and expensive process, it’s a good idea to see what you can find at notable Creative Commons websites. Most Creative Commons licences allow you to reuse, remix and share material with little more than an attribution of the original author.

■  Incompe tech is a website that was established by composer Kevin McCloud. The site features dozens of compositions in a range of genres that can be used in videos or other works.

■  Ben sound is a site created and maintained by composer Benjamin Tissot. It features a range of tracks in genres such as jazz, rock, electronica and folk music.

■  Free sound, an initiative of the Music Technology Group of Universit at Pompeu Fabra, Barcelona, is a vast collection of sound effects licensed under Creative Commons.

■  Pexels is a website of stock images that are distributed via Creative Commons Zero (CC0) licences, which means that the original creators have no copyright over their work, allowing you to use it for free.

**COPYRIGHT AND PATENT CLASHES**

 The tension between creation and copyright has led to high-pro le legal battles between artists, corporations and copyright holders:

■ 1991: Rapper Biz Markie sampled a ten-second loop from the song ‘*Alone Again*’ by Gilbert O’Sullivan (see Figure 2.2.1). The subsequent legal battle incited by Grand Upright Music who represented O’Sullivan resulted in an out-of-court settlement and the song was removed from the record. This case had an enormous impact on hip hop artists who had previously borrowed liberally from other tracks, necessitating that they receive clearance for all samples.

■ 1994: Apple launched legal action against Microsoft for copying the graphical user interface used on their Macintosh computers. During the case, Microsoft argued that Apple had initially stolen the idea for a graphical user interface from Xerox. The judge ultimately ruled that the desktop metaphor used in a graphical user interface could not be protected under copyright law. Three years later the two companies resolved to end the agreement.

■  2007: Viacom launched a $1 billion legal action against Google, the owner of YouTube, for violating the copyright of programs like *South Park* and *The Daily Show*. The case was in court for six years and the judge ultimately ruled in favour of YouTube because it did not encourage its users to upload infringing content.

■  2008: The television program *Spicks and Specks* broadcast a segment pointing out the similarities between the iconic flute rife in Men at Work’s ‘Down Under’ and the children’s song ‘Kookaburra’. Larrakin Music, who owned the rights to ‘Kookaburra’, sued Men at Work for copyright infringement. The presiding judge ruled that copyright had been violated and the band was forced to pay five per cent of the royalties they had earned since 2002.

■  2011: Apple launched legal action against Samsung for violating patents related to the operation of its smartphones. The legal battle between the two companies included fifty cases across nineteen countries.

*Everything is a Remix* (2015) is a documentary by Kirby Ferguson exploring the nature of creativity and appropriation. It examines the creative process, explaining how artists have always copied, transformed and combined elements of past works to create new and original ones.

In the documentary, Ferguson cites *Star Wars* as an example of a work that remixes and reinterprets elements from other films. During its production, director George Lucas was influenced by countless films including *Flash Gordon* (1980), *Triumph of the Will* (1935) and *Dam Busters* (1955). The droid C3PO was directly influenced by a robot from Fritz Lang’s *Metropolis*. The scene in which Luke Skywalker (Mark Hamill) returns home to discover that his aunt and uncle have been murdered by Imperial troops directly references a similar scene in John Ford’s *The Searchers* (1956) when Ethan Edwards (John Wayne) returns to discover his brother’s family have been killed and the farm is in flames.

Culture, according to Ferguson, is similar to biological evolution. Instead of the copy, transformation and combination of genes, however, culture involves the reproduction and recombination of ideas, behaviours or skills. ‘The interdependence of our creativity has been obscured by powerful cultural ideas, but technology

is now exposing this connectedness,’ he says. ‘We’re struggling legally, ethically and artistically to deal with these implications.’

We operate in a legal system that doesn’t acknowledge the derivative nature of creativity. There is considerable tension between intellectual property, copyright laws and remix culture. Ferguson points out that, for much of history, ideas have been free. Copyright was initially developed to ensure that creators saw a return on the development of their work, which would subsequently revert to the public domain. More recent laws and trade agreements are

based on the notion that ideas are property and should be protected. So-called ‘sample trolls’ and ‘patent trolls’ are organisations that aggressively take legal action for even minor infringements of copyright laws. **SE STUDY**