



THE  
CONSTRUCTION  
OF  
AUTHORSHIP

TEXTUAL  
APPROPRIATION  
IN LAW  
AND LITERATURE

MARTHA WOODMANSEE  
AND PETER JASZI, EDITORS

What is an author? What is a text? At a time when the definition of "text" is expanding and the technology whereby texts are produced and disseminated is changing at an explosive rate, the ways "authorship" is defined and rights conferred upon authors must also be reconsidered. This volume argues that contemporary copyright law, rooted as it is in a nineteenth-century Romantic understanding of the author as a solitary creative genius, may be inapposite to the realities of cultural production. Drawing together distinguished scholars from literature, law, and the social sciences, the volume explores the social and cultural construction of authorship as a step toward redefining notions of authorship and copyright for today's world.

These essays, illustrating cultural studies in action, are aggressively interdisciplinary and wide-ranging in topic and approach. Questions of collective and collaborative authorship in both contemporary and early modern contexts are addressed. Other topics include moral theory and authorship; copyright and the balance between competing interests of authors and the public; problems of international copyright; musical sampling and its impact on "fair use" doctrine; cinematic authorship; quotation and libel; alternative views of authorship as exemplified by nineteenth-century women's clubs and by the Renaissance commonplace book; authorship in relation to broadcast media and to the teaching of writing; and the material dimension of authorship as demonstrated by Milton's publishing contract.

---

"This important collection of essays begins to develop a coherent history of copyright and intellectual property doctrine and the place of both in organizing and policing cultural production. This volume should be read by everyone in cultural studies interested either in the history of authorship or in the ways electronic production is changing how we think about the processes of artistic creation."

—Janice Radway, Duke University

---

Martha Woodmansee is Associate Professor of English at Case Western Reserve University and Director of the Society for Critical Exchange. Peter Jaszi is Professor of Law, Washington College of Law, the American University.

*Post-Contemporary Interventions*  
*A Series Edited by Stanley Fish and Fredric Jameson*

DUKE UNIVERSITY PRESS

Box 90660, Durham, North Carolina 27708-0660

