Piracy and Postmodern Art in Education

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When we talk about piracy in relation to technology, we are referring to illegal use of materials, such as imagery, software, or any other kind of information accessible through technological sources, like the Internet. The Internet is a vast space that has proven hard to police. The issue of piracy has become an increasing concern for the government, companies, and even artists who post copyrighted materials online. Technology evolves at an exponential speed, leaving lawmakers scrambling to catch up. Due to the web's ever-changing character, and the incomplete nature of technology related regulation, we are left with only ethics to guide us in using these new resources.

A current dilemma in the art world revolves around piracy. Postmodern artists often incorporate "borrowed" imagery in their work. Some common postmodern art-making techniques include appropriation, or recontextualization, and juxtaposition. All of these techniques involve taking found content and altering in order to create new meaning. Whether or not this is a form of piracy, legally or ethically, is a subject of debate amongst artists all over. There is a lengthy continuum of opinions ranging from those who vehemently oppose such practices, to those who feel that any imagery they can access, online or elsewhere, is a fair game.

Piracy is a large issue for artists designing for the web. According to Shanalyn Victor, an interactive web designer and college level technology

instructor, it is common practice for some graphic designers to use other people's imagery without asking for permission. Victor doesn't use imagery without permission and says, " I know graphic designers who steal on a daily basis. I try to tell them it's wrong but they don't see it that way." Victor suggests other ways of sourcing imagery, for instance she says she finds the imagery she needs on stock photography site such as [Getty One](), either for free or for purchase. Sometimes she sets up photo shoots or creates illustrations if the appropriate imagery is not available, but taking them from someone else is out of the questions. She has had her entire site and other images stolen more than once and says that usually she can avoid resorting to legal action if she sends a firm email and a generic copyright infringement letter, which you can find by searching on the web or click here for [copy infringement documents](). By sending the letter she is informing others of the current laws and that legal actions could be taken.

How do these issues affect art education? Victor states that she was never taught about piracy or ethical uses of technology when she was in school. She says, "I don't really think that people really knew the rules because the web was fairly new. So there weren't really standards set."   Now she talks about it with her own students now because she has found that many people do not understand that way images created by other people without the person's permission is not permissible. She would tell her students, "You don't walk into a store and just take a magazine home with you. You have to buy it." She explains that this applies to the materials online as well. It is just harder for students to

grasp because the web is "liquid" and thus it's harder to monitor for artists, teachers, and the government.

Please click on the image below to view the full interview with Shanalyn Victor.
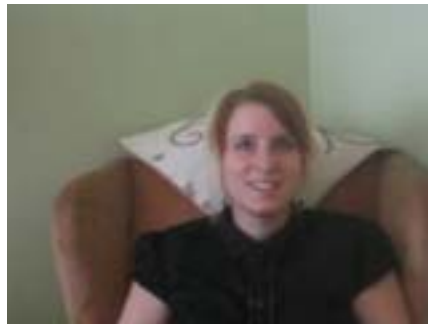
Please click here to get a Quicktime Player.

Along a similar opinion, Rob Kangas, a Photographer, and the Head of the Photography Department at Royal Oak Community College, feels that there is a great amount of access to imagery and it can be dangerous when students don't understand the copyright laws. When asked, what are the most important concepts as an educator in addressing piracy with relations to art? He says

> This is challenging to answer, because it changes so frequently. The government doesn't have laws that can protect everything, so we are left, as a culture to think and act morally. Which can be very dangerous for everyone, especially artist. In the history of photography there are many instances where photographers borrow imagery from other resources, but at that time it was not that large of a concern. Now if an artist appropriates an image without sourcing or minor alterations, legal actions can be taken. I try to tell my students to create the imagery on their own, but when students are dealing with concepts such as politics, it is difficult to create photographically their own imagery. I try to keep up with all the changes in laws involving image piracy, but I feel like I am always behind. The main points to keep in mind when you have your own classroom is; display the current laws, show artists that walk the line between piracy and original creation, offer multiple suggestions for alternatives, and be open. There was this one time when a student started with a copyrighted image

and I told him and the class again about copyright infringement and through the semester he altered and incorporated other elements and resolved the issue himself. Which I thought was an ideal method.

Art has long since been a challenge for lawmakers to protect. There are many different media and many different methods. And now with postmodern movements, there are more and more conflicts with piracy. An opposing view holds that laws limit creativity, but Kangas maintains, "limitations are not always bad, it forces us to maneuver and reach beyond. Yes, it makes a challenge but that is what art is, it is the reaction or response." When trends in culture shift, there becomes a lag of time in laws and regulation, especially with technology. Regarding how to instill ethical morals at classroom level for students to carry with them for life, Kangas says, as art educators, "We can only give our best efforts to model and illustrate the importance of making the right decisions. When speaking about technology it is even more difficult, because what is morally just now might not be in five years." Finally, Kangas comments that as art educators, we are responsible for teaching our students how to ethically function in society. Students will create artwork, and study the work of others, and they will need to be aware of the ethical and legal aspects involved in using borrowed materials. This is especially applicable in a new media environment, where the use of the Internet and programs, such as PhotoShop, makes it easy to use found imagery. We also need to teach students methods of protecting their work from possible theft.

Students will be able to relate to these issues due to the notoriety of the lawsuits generated by the unauthorized sharing of music files through such

programs as Napster or Kazaa. This might be a good starting point for connecting piracy and common postmodern techniques to students' lives. Students often use information, imagery, audio and video clips found online, or magazine materials without realizing that they are obligated to ask for permission, give credit to the source, or alter it to a certain extent to make it their own. Often, teachers allow this in school because budgets are tight. It allows students to work with limitless amounts of materials. It is considered acceptable because student artwork is rarely displayed outside of boundaries of academia, and almost never sold. Schoolwork is for practice, and because of this is a good place to practice operating in ethical ways. Once students leave the safety of the school environment, they will be held legally liable if their beautiful artwork violates copyright laws.

As art educators, we need to be knowledgable about legal and ethical issues surrounding technology, new media and the potential for piracy. We need to find ways to keep updated on the latest advances, changes in regulation, and how they affect our educational bubble. Teachers can do this by subscribing to technology related magazines, such as Wired or Popular Sciences. They can also consult other web sites such as Techlearning, or subscribe to newsletters on web sites, like T.H.E. Journal, which covers the latest issues and uses of technology in education. There are also many forum sites in cyberspace dedicated to technology related topics. When teaching art lessons involving borrowed imagery it is important to directly address the issue of piracy and laws regarding copyright infringement. Follow this link to learn more about copyright

laws. Becoming knowledgeable about the issue of piracy and regulations

pertaining to technology will help an educator convey the importance of these

issues to students so they may act as responsible and ethical technology users.

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