

## Book Reviews



**Martha Buskirk.** *Is It Ours? Art, Copyright, and Public Interest.* Oakland, CA: University of California Press, 2021. 304p. Hardcover, \$50.00 (ISBN 9780520344594).



In the past, intellectual property (IP) law wasn't something the average person considered in their day-to-day lives, but the current pervasiveness of multimedia technology has brought it front and center. We depend on screens for work, education, and entertainment, and the internet and social media make it easy to consume, create, copy, and distribute content. Copyright issues that were previously the purview of creators and lawyers now impact everyone. Librarians are fielding questions from faculty and students, especially those in the arts: can I use this image/music/film in my project or class? And the answer is usually a very unsatisfying "it depends..." followed by a thorny discussion where, with disclaimers, we attempt to give advice that straddles the line between legalities and

support for creative expression.

How did we get here? This is the question that Martha Buskirk seeks to answer in *Is It Ours? Art Copyright and Public Interest*. A professor of Art History and Criticism, Buskirk brings a historian's perspective to the topic of intellectual property and the arts. Although the book is organized thematically rather than chronologically, it begins with an overview of the origins of copyright law in the publishing industry, setting the stage for all the complexities we wrestle with today. Each successive chapter unpacks a facet of the topic in great detail, using a myriad of case studies to illustrate the conflicts that characterize intellectual property law. These include the tension between ownership and authorship, creative freedom and creator rights, public and private, the individual and the collective.

The author notes the challenges of limiting the scope of this book. Most of the legal cases cited are in the United States, and there are frequent comparisons between the Anglo-American and European approaches to IP that dominate the field. However, culture is increasingly global, and wealthy Western countries are pressuring others to adopt Western copyright laws even if they are incompatible with local traditions. This element of power struggle/power imbalance is a recurring theme.

The first copyright laws were established in Great Britain in the eighteenth century, ostensibly to protect the rights of literary authors. The argument was that authors would be incentivized to create, ultimately benefiting society as a whole. However, from the beginning, it was publishers rather than authors who lobbied the hardest for copyright protections, and therefore publishers rather than authors who benefited the most financially. The appetite for free or inexpensive cultural content was and still is in conflict with publishers' desire to control access to and profit from that content. Every technological advancement in the means of reproduction, from analog to digital, propelled a cat and mouse game between rights holders and consumers. Buskirk effectively illustrates how, at each inflection point, publishers have sought to extend copyright protections to new media, and the law plays catch-up to the technol-

ogy. This yields problematic side effects that tend to favor those with the resources to lobby for their interests, usually corporations. It ties the hands of authors and artists who desire to build on and respond to existing art to create new work and limits the options available to educators and organizations such as libraries and museums who seek to promote and preserve cultural works.

As befitting the subtitle “Art, Copyright and Public Interest,” most of the examples given are drawn from the world of the visual arts in the twentieth and twenty-first centuries, specifically painting, sculpture, and architecture. However, it quickly becomes evident that, when considering “public interest,” a sprawling array of media is drawn in for discussion including music, graffiti, tattoos, fashion, film, and video games. Essentially, the topic of IP is inescapable as it overshadows all aspects of our culture. Niche examples include tattoo artists suing for infringement when their designs are reproduced on celebrities featured in video games while others impact a broader public, such as the wrangling over the rights to the “Happy Birthday” song.

In the latter half of the book, the author spends significant time delving into the rarified world of the luxury art market. Though interesting, details of six-figure art deals among wealthy clients, exclusive galleries, and auction houses may not be resonant for most readers. At most, they act as a microcosm of the often-contentious relationship between authors and owners. However, Buskirk concludes the book with a “Coda” in which she speculates on how the intersection of intellectual property law, virtual and augmented reality, and data privacy could create a whole new assortment of threats to individual freedoms and collective culture. Ultimately, she argues, “What’s at stake is nothing less than our ability to engage in a dialogue with shared cultural resources, the preservation of that heritage for future generations, and our rights over ourselves.”

Throughout *Is it Ours?* the author makes liberal use of citations, which are listed by chapter in “Notes” at the end of the book, along with a list of illustrations and an index. While the author does not help librarians answer the practical question, “Can I use this?” the meticulously researched material makes this text a good reference for librarians, faculty, and graduate students desiring context for the constantly evolving copyright landscape and its impact on our culture. — *Carla-Mae Crookendale, Virginia Commonwealth University*

**Yingyi Ma.** *Ambitious and Anxious: How Chinese College Students Succeed and Struggle in American Higher Education.* New York, NY: Columbia University Press, 2020. 312p. Paper, \$35.00 (ISBN 978-0231184588).

*Ambitious and Anxious: How Chinese College Students Succeed and Struggle in American Higher Education* by Yingyi Ma challenges the monolithic image of Chinese international students at US colleges. Ma, an Associate Professor of Sociology at Syracuse University, attained her bachelor’s degree in China and came to the United States as a fully funded graduate student. She contrasts her background with the new generation of Chinese students in the United States who are mostly self-funded and are more likely to be undergraduate students.

*Ambitious and Anxious* informs this population’s heterogeneous realities. For example, it includes stories of Chinese international students whose families had to sell their houses to fund their college education

