

The Cultural Life of Intellectual Properties

Authorship, Appropriation, and the Law

ROSEMARY J. COOMBE

DUKE UNIVERSITY PRESS *Durham and London 1998*

Contents

Acknowledgments ix

Introduction: Authoring Culture 1

A Critical Cultural Legal Studies

Against Culture(s)

Anthropology's Trademark and Its Academic Others

Authoring Alterity

Contested Cultures

Legalities, Identities, and Mass Media

Authorship and Alterity

1. Objects of Property and Subjects of Politics 41

Objects and Subjects

Historicizing the Subject

Postmodern Culture

It's a Small, Small World™

Postmodern Goods

Author(iz)ing the Corporate Persona

Manufacturing Distinction

Fixing the Signifier/Owning the Sign

Activist Appropriations

Policing Postmodern Precincts

Xerox® Cultures

Dialogics of Postmodern Politics

2. Author(iz)ing the Celebrity: Engendering Alternative Identities 88

The Value of the Celebrity Persona

Celebrity Authorship

The Celebrity Form and the Politics of Postmodernism

Doing Gender
Respecting Judy
Fictionalized Sexualities
Enterprising Women
Engendering and Endangering Alternative Identities

3. Tactics of Appropriation and the Politics of Recognition 130
Political Articulations
Official Signifiers
Postmodernity and the Rumor
Racial Inscriptions and Iterations
Corporeal Vulnerability
Signifyin(g) Powers
4. Embodied Trademarks: Mimesis and Alterity on
American Commercial Frontiers 166
Mimicry, Alterity, and Embodiment
Marked and Unmarked Bodies
Contemporary Contestations
Fighting Redskins®
Consuming Crazy Horse
Mimicking Authors at the Altars of Property
5. The Properties of Culture and the Politics of
Possessing Identity 208
Whose Voice Is It Anyway?
The European Art/Culture System
Contemporary Properties of Culture and Identity
Listening to Native Claims "in Context"
Representation without Representation: Visibility without Voice
Possessive Individualism Revisited: Authorship and Cultural Identity
Aboriginal Title
6. Dialogic Democracy I: Authorship and Alterity in
Public Spheres 248
The Author in the Modern Public Sphere
Free Speech in the Condition of Postmodernity
Objects and Subjects Redux

7. Dialogic Democracy II: Alterity and Articulation in the Space of the Political	273
<i>Locating the Politics of the Public Sphere</i>	
<i>Mass Mediation and the Publics of Civil Society</i>	
<i>The Space of the Signature</i>	
<i>The Unworked Community</i>	
<i>An Ethics of Contingency</i>	

Notes 301

References 398

Index 444