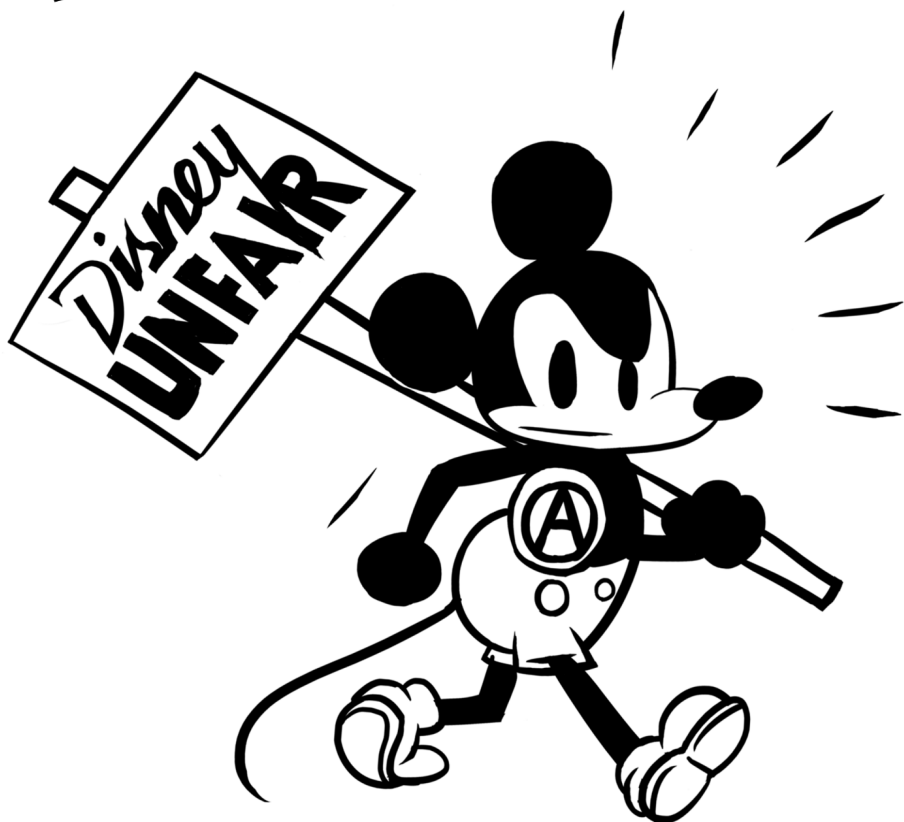


BEYOND RESISTANCE  
presents  
**THE PUBLIC DOMAIN**

FEATURING

**MICKEY MOUSE**



by Ridley Temples

# Mickey and the Public Domain

So Mickey's old ass versions went into what the cool kids call "public domain" in America recently, meaning anyone can do anything they want with these versions without getting harassed by Disney's lawyers, maybe anyway. Turns out he's really popular, you could even say he's part of popular culture. He's been in movies, tv shows, on your t-shirt, toys, dishes, hats, schoolbags, and an actual costume worn by a monkey in the 1934 movie "Babes in Toyland" starring Laurel and Hardy.

Now I know what you may be thinking: "So he's in the public domain, who cares?". Well, this has been an issue that can be traced back to copyright's inception. Copyright was conceived out of the early privileges and monopolies of fifteenth-century Europe and eighteenth-century British stationers who wanted to maintain their censorship over the newly emerged printing press. Because of this, copyright should be abolished to prevent art from getting monopolized by large companies that severely limit artistic innovation and creativity.

## **Copyright wasn't made to protect artists.**

Back when copyright was first made, it was during the time when the printing press was recently invented. The problem it created was that it easily spread ideas such as science that challenged religion and the state. So in response the state suppressed and censored topics with a new stationers company who would regulate what could and couldn't be published. Over time these regulations would slowly loosen. This led to the stationers, along with the church, missing it. These stationers would go to the state to lobby to bring them back but reworded it so the authors themselves would "own" their work and have them be "protected"[1]. This would lead to authors essentially giving that "ownership" back to the stationers so that they censor again. Even in the beginning copyright was made from censorship and abuse from the upper classes.

Next, let's look at the time Disney rejected a man wanting to put Spider-Man on his son's grave. The child named Ollie Jones died at the age of four due to leukodystrophy. Spider-Man meant everything to him so his dad

Lloyd Jones asked the council for permission to add Spider-Man on his grave as a reminder. However, Disney rejected this because they wanted to keep the “innocence” and “magic” around its characters, a policy made by Walt himself[2]. Lloyd wasn't trying to “steal” or “plagiarise” Spider-Man and take money away from Disney, he just wanted to honour his son. Plus having characters lose “innocence” and “magic” is only really a concern for the company more than any artist. I wonder how the creators of Spider-Man, Stan Lee and Steve Ditko, and all the artists who worked on him would've thought about this.

Copyright does not protect artists. No amount of copyright law will properly protect artists from getting screwed over from competing artists or large companies. It does however serve as an excuse for large companies to have an army of lawyers charge at anyone who dares infringe on their copyright. Even if small artists were to successfully sue anyone for infringing on their copyright, they would probably walk away bankrupt. It's just not feasible for any small artist to actually use copyright to protect their art.

Speaking of companies and bosses, let's get anarchist and ask if art should be turned into marketable products and be treated like property to begin with. For capitalism to work we must have products made in the most efficient and cheapest way possible while bringing in a profit for the already rich bosses. This gets in the way of artistic creation as what artists want to do is entirely different to what capitalism demands of them. Usually this means creating half baked messes as long as people buy it and the artist gets barely paid enough to scrape by in life. Property including intellectual property is owned by big corporations to monopolise resources away from the public. We as anarchists wish to get rid of both the capitalist mode of production and property, so the same is true for copyright and only then will both artists and society in general have artistic and creative freedom.

At the end of the day art is built on the foundation of copying. When we as a human species first started to make art we copied what we saw in real life and then people copied those artists before them, then again with new artists and so on and so forth. Renowned artists before copyright even existed

like Ludwig van Beethoven and William Shakespeare copied other artists of their time like Joseph Haydn and Thomas Kyd. Hip hop was founded on sampling. Disney movies were built on the legacy of public domain works like Snow White, Pinocchio, Fantasia, Alice in Wonderland, etc. To act like artists shouldn't copy each other is to not see the whole picture.

## **How do we solve copyright?**

First thing we can do is utilize what we legally already do have, which is the public domain and creative commons. When it comes to the public domain there's an absolute goldmine of characters and stories that are created by wonderful artists that are just begging to be used. Artists can still get paid in the meantime by letting others' copy which is essentially free advertising, and have a creative common licence indicating you're the original creator which people can support. There are also commissions which no amount of copying or plagiarising can ever replace. Piracy is a good way of accessing works otherwise locked behind a paywall. If we fear plagiarism we can always ask people to credit

their inspirations similar to how academics have to cite their sources.

When people talk about copyright they usually want copyright to be reformed to shorter terms but to never abolish it. This is fine but I do not live for reform. For anarchists it's never enough to polish bad systems and call it at that. Copyright is just fundamentally mistaken in both its assumptions and practice. So just keeping it in any amount is not useful for artists except for the corporations that exploit them. The only thing left to do is to abolish it for good and only then will we see the full potential of what artists can do.

## **Going back to Mickey.**

Mickey entering the public domain in the US is a huge win for artists and the world as a whole. Disney had such a monopoly on him and tried to keep him as much as possible but alas. There's so much potential in the character and his world that is yet to be tapped into and I'm here for it. No amount of bad horror movies or game adaptations will convince me otherwise. Here's hoping we put an end to this abuse of the copyright system,

with it being completely abolished to prevent art from getting monopolised by large companies and artists will be allowed to truly be allowed to be creative again.

## **Citations**

1. Bently L, Deazley R, Kretschmer M. Privilege and property: essays on the history of copyright. Open Book Publishers; 2010. pp. 77-79, 81-4

2. Menendez, E. (2019, Nov 15). Disney bans grieving father from having Spider-Man on son's grave. Metro.  
<https://metro.co.uk/2019/07/05/disney-bans-grieving-father-spider-man-sons-grave-10118348/>



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