

Third Place - High School

Free expression serves as the backbone for the creation of art. Not just art that uses the spoken or written word alone, but all art. People have more freedom to express themselves today than at any other point in human history, largely because of the technological advent of the internet. Indeed, as we enter the internet age, we face a revolution in the methods of communication unrivaled since the invention of the printing press and the mass distribution of books, pamphlets, and other written media in the 15th century. The new and rapid developments of the internet age have provided opportunities to create new mediums and explore entirely new avenues of artistic expression. And yet, in the far, untamed reaches of our internet, there exists a form of art whose freedom of expression is under constant attack from the automated enforcement of laws not designed to handle the modern age.

This form of art is the humble music mashup. A mashup is created when two or more songs are mixed together to create a new musical piece. A niche scene in the thriving remix culture of the 21st century, the origin of the mashup dates back to the late 20th century and shares its heritage with the hip-hop usage of sampling as a musical element. While sampling and mashups may appear similar as they both use pre-existing music, they are different phenomena. Whereas sampling serves as a tool to create a backdrop for an original and more prominently featured musical piece, the mashup focuses on creating a convincing blend of two songs which may or may not be considered complementary. Both sampling and mashups are a part of remix culture, but since there is an accepted institutional method to sampling, this essay will focus on the more persecuted artform of mashups.

The mashup rose to prominence in the internet's early development as a facet of culture in the 1990s and 2000s. It gained momentum on forums, through direct electronic communication, and on websites specifically designed for peer-to-peer file sharing like Napster and Limewire. During this period in mashup history, mashups were very simple, often just taking an isolated vocal track and putting it over the instrumental track of another song. They

were generally made by young, inexperienced artists and shared amongst their friends. However, the modern mashup scene has grown considerably, with prominent artists, in-jokes, references, communities, and culture. The websites YouTube, Bandcamp, and Soundcloud all serve as hubs for mashup artists to exhibit their work, interact with listeners or other artists, and even collaborate.

One such collaboration is the YouTube channel SiIvaGunner, a collective of artists who have been creating music since 2015. Their focus is on taking songs from video game soundtracks and using what is called the “soundfont” (the set of individual sounds and samples used in a given soundtrack) to arrange a non-video game song that sounds similar to the original, like rearranging a Beatles song in such a way that sounds similar to a song that might be used in the video game franchise Animal Crossing. The video, however, is presented without any mention of being a mashup, and from the title, description, and thumbnail, the video appears to be just a rip of the source game’s audio files, uploaded for people to listen to. The SiIvaGunner channel has over 500,000 subscribers, over 90 albums on Bandcamp for free, almost 20,000 songs on their YouTube channel, and typically uploads over twenty songs on a given day. They’ve managed to do this by cultivating an audience that is able to supplement the work of the core team members with their own fan submissions of mashups to the channel. They’ve branched out their productions into written storytelling and animation, and they’ve even raised over \$16,000 for the Equal Justice Initiative, an organization helping those who may have been wrongly convicted of a crime.

Despite the artistic merit presented by the SiIvaGunner team, there remains an existential threat to this coalition of musical artists – a threat rooted in the abuse of an outdated system which was initially designed to protect artists but now only serves to subjugate and limit the creative ability of aspiring writers, artists, and musicians: copyright. When first introduced, copyright gave artists a span of fourteen years in which to capitalize on their work before the art entered the public domain. Initially, this span was renewable for an additional fourteen years if the artist was

still alive. Over the years, this timeframe has been extended to an almost ridiculous degree – the entire span of the artist’s life plus an additional 75 years. This unruly limit on the usage of material serves primarily to benefit large corporations and conglomerates, and the exorbitant length of copyright protection greatly hinders the creation of art. For example, if an artist wants to create a mashup of two songs not currently within the public domain, and upload it without threat of channel deletion or demonetization, then they will have to obtain permission from the respective holders of the copyright claims to use the music in this manner, most likely incurring a hefty royalty fee, even if the mashup is not produced for the purpose of generating any profit. This creates a monetary barrier towards the creation of mashups, and it explains why sampling is a heavily implemented part of the music industry while mashups are not. When it comes to sampling, artists will sign with a particular music label, and they will have access to the label’s library of copyrighted songs from which they may sample. If the artist is prominent enough and is dead set on the usage of a certain sample, then they have the resources to pay the fee and create what they want to create.

These are not resources that are meant to be accessible to the average person, or even prominent mashup artists. To expect such people to pay steep fines whenever they want to create art trivializes and commercializes the shared culture of the past as something guarded by ironclad legislation, forever sealed away from the general public until anyone who cared about it is long dead. So, they instead will create the mashup and upload it without paying the fee, attempting to mix the song in such a way that it does not trigger the automatic copyright detection algorithms. At any time, if a channel is flagged for copyrighted material three times and the video is taken down, then the channel is automatically deleted by YouTube.

If this were to happen to the SiIvaGunner channel, then the music created by the SiIvaGunner team, the comments left by people on the videos, the thousands upon thousands of hours spent organizing the team, the hard work and preparation for community events, the art, the animations – all of it, gone. If the SiIvaGunner team is unable to appeal to YouTube and

reinstate the channel, it's back to square one. This remains a constant fear for the people creating the mashups, and it isn't unfounded. The SiIvaGunner channel is actually the successor to the GiIvaSunner channel, which was run by the same people, but was flagged as violating copyright claims and permanently deleted in early 2015.

This struggle is not unique to the SiIvaGunner team. Another artist who faced this same issue with YouTube is a former contributor to SiIvaGunner who goes by the moniker Triple-Q. They've released a number of albums compiling their mashups on Bandcamp, a platform that allows independent creators to self-publish their own music. In 2020, Triple-Q's channel was deleted by YouTube. Luckily, they were able to regain control of their channel. But not everyone is this lucky, and Triple-Q now has to watch closely for uploads which set off the AI copyright detector. A decent number of their uploads have had to be removed for fear of losing the channel again.

Free expression is a facet of free speech – the right for anyone to say whatever they want to say, to believe whatever they want to believe, and to create whatever they wish to create. As with all human rights, the right to free expression is not something granted to the general public by the institutions of power; it is something to be safeguarded against the corrupting influence of those institutions.

The music created by mashup artists is more than the sum of its parts; it is a wholly new piece of art. The creation of this art inherently goes against the entrenched bureaucracy of the copyright system and will stand in defiance of the concept of the ownership of ideas that serves only to line the pockets of a small number of powerful people. In spite of the faceless, automated, brutalizing system specifically designed to stifle creativity, there remain those brave few, passionate enough to create, willing to risk their passion for the creation of the music they want to make, inspiring the next generation of mashup artists. Those who have lost their videos and their channels in this pursuit of free expression will not have lost it all for nothing.