

# Examining Paratextual Theory and its Applications in Digital Culture

Nadine Desrochers  
*Université de Montréal, Canada*

Daniel Apollon  
*University of Bergen, Norway*

A volume in the Advances in Human and  
Social Aspects of Technology (AHSAT)  
Book Series

**Information Science**  
**REFERENCE**

An Imprint of IGI Global

Managing Director: Lindsay Johnston  
Production Editor: Christina Henning  
Development Editor: Austin DeMarco  
Acquisitions Editor: Kayla Wolfe  
Cover Design: Jason Mull

Published in the United States of America by  
Information Science Reference (an imprint of IGI Global)  
701 E. Chocolate Avenue  
Hershey PA 17033  
Tel: 717-533-8845  
Fax: 717-533-8661  
E-mail: [cust@igi-global.com](mailto:cust@igi-global.com)  
Web site: <http://www.igi-global.com>

Copyright © 2014 by IGI Global. All rights reserved. No part of this publication may be reproduced, stored or distributed in any form or by any means, electronic or mechanical, including photocopying, without written permission from the publisher. Product or company names used in this set are for identification purposes only. Inclusion of the names of the products or companies does not indicate a claim of ownership by IGI Global of the trademark or registered trademark.

Library of Congress Cataloging-in-Publication Data

Examining paratextual theory and its applications in digital culture / Nadine Desrochers and Daniel Apollon, editors.

pages cm

Includes bibliographical references and index.

ISBN 978-1-4666-6002-1 (hardcover) -- ISBN 978-1-4666-6003-8 (ebook) -- ISBN 978-1-4666-6005-2 (print & perpetual access) 1. Content analysis (Communication) 2. Digital media. 3. Paratext. 4. Authorship. 5. Genette, Gérard, 1930--Influence. I. Desrochers, Nadine, 1971- editor of compilation. II. Apollon, Daniel, 1951- editor of compilation.

P93.E93 2014

401'.4--dc23

2014007795

This book is published in the IGI Global book series Advances in Human and Social Aspects of Technology (AHSAT) (ISSN: 2328-1316; eISSN: 2328-1324)

British Cataloguing in Publication Data

A Cataloguing in Publication record for this book is available from the British Library.

All work contributed to this book is new, previously-unpublished material. The views expressed in this book are those of the authors, but not necessarily of the publisher.

For electronic access to this publication, please contact: [eresources@igi-global.com](mailto:eresources@igi-global.com).

## Chapter 7

# Get Out of My Sandbox: Web Publication, Authority, and Originality

**Barbara Bordalejo**  
*KU Leuven, Belgium*

### ABSTRACT

*This chapter considers how one may use Genette’s concepts of paratext and hypertext within transmedia narratives and born-digital texts and explores how Web publication problematizes standard ideas of authorship and copyright. This challenges our concepts of originality and our understanding of what constitutes the text and what stands outside it. This chapter explores Nick Montfort’s “Taroko Gorge,” a born-digital poem, and Jasper Fforde’s “The Eyre Affair,” analyzed as a transmedia narrative, within the framework of Genette’s theories of “paratext” and “hypertext.” This chapter highlights the difficulty of reconciling the intellectual and political necessity of a world in which data is freely shared with the practical concern of how the producers of creative work can make a living.*

### INTRODUCTION

Transmedia narratives<sup>1</sup> and born-digital texts exist within structures that are different from those relating to print books. They force us to revise our ideas of authority and originality, and to reconsider the paratextual elements of a particular work. In this chapter, I explore how Web publication of transmedia narratives and born-digital texts problematize commonly held notions of authorship and copyright, thus challenging the Romantic idea of originality and our notions of what constitutes the text and what stands outside it. Genette’s seminal work has shown that the distinction between text and what is outside it is complicated by “paratex-

tual” features, which influence our reading to the degree that there is no clear distinction between text and outside-text, but rather (in his formulation) a series of “thresholds,” shading into one another (1997a, pp. 1–3). As McCracken (2013) points out, while the advent of digital literature has multiplied these thresholds and their relations with each other, Genette’s observations remain useful and I build on them in my analysis.<sup>2</sup> I show that some authors have come to terms with these shifts in our understanding of authorship and originality, while others resist them, or struggle to accommodate them, and I illustrate this with one author in each category: Nick Montfort for the first, Jasper Fforde for the second. Furthermore,

DOI: 10.4018/978-1-4666-6002-1.ch007

literature from the pre-romantic period has a much more open attitude towards authorship and originality, which may serve as a signpost to us.

## **NICK MONTFORT: CODE AS PARATEXT**

Nick Montfort may stand as an example of an author who embraces the recreation of his own work as well as its republication. “Taroko Gorge” first appeared on the Web on January 8, 2009. When one goes to his Taroko Gorge website at [http://nickm.com/poems/taroko\\_gorge.html](http://nickm.com/poems/taroko_gorge.html), at first one sees what seems a conventional poem, though one that appears line by line as you look at the screen. Thus, at midday on October 30, 2013, here is what first appeared, one line a fraction of a second after another, in my browser:

*Stone sweeps the coves.  
Coves dream.  
Mists command the flows.*

The impression one gets is that the poem is actually being written as it is being read. Indeed, that is precisely what is happening. What appears on screen is being generated by JavaScript computer code, operating on sets of words defined by Montfort. Since its first publication, both the poem and its code have been available for everyone to read (Montfort, 2009). The poem had been originally written in Python while the author was at the Taroko Gorge National Park in Taiwan and was later ported to JavaScript (Montfort, 2011) before being published online. On July 26, 2011, Montfort (2011) remarked that the code from his poem, “Taroko Gorge,” had been appropriated and altered five times by other people to create different poetry generators. To this date, there are twenty-two poetry generators that use the JavaScript from “Taroko Gorge” to generate different versions of the text, creating a new kind of textual tradition where the text in common is the code

that generates the poem. Montfort acknowledges these as derivatives of his work, and lists them in his curriculum vitae.

But what is “Taroko Gorge”? Is it the words as they appear on the computer screen in a particular sequence, at a particular time? Is it the code that generates those words? Is it a combination of both of those? Matthew Kirschenbaum (2009) offers some insights into these questions at the beginning of the article “Hello Worlds,” where he describes the questions raised when someone learning programming writes Hello World. He states that:

*The act of writing and then running Hello World can raise some intriguing questions: Who, or what, exactly, is saying hello to the world? The original author of the program? The neophyte who just transcribed it on a computer? The computer itself? All of these somehow together? Whose “world” is being greeted? The world around us, or the virtual world inside the machine? Is anyone (or anything) expected to return the salutation? Hello World, whose syntax varies from one computer language to another, is a postmodern cultural artifact, and to me such questions are irresistible. (para. 1)*

The questions posed by Kirschenbaum are relevant when we consider “Taroko Gorge.” And if we could give concrete answers to the questions above, and suddenly we could fully define and classify Nick Montfort’s poem, then how do we view those other poems that use the “Taroko Gorge” code and that allude to it with their titles: “Tokyo Garage,” “Gorge,” “Toy Garbage,” “Yoko Engorged,” “Takei, George,” “Alone Engaged,” “Fred and George,” “Argot Ogre, OK!,” “Tasty Gougère,” “Tacoma Grunge,” “Taroko Gary”?<sup>3</sup> The answer to this question would help us answer how paratexts work in the digital age, since by understanding the essence of this poem we could start defining its surrounding paratextual elements.

Multiple reincarnations are not an isolated phenomenon. They are part of a larger trend

developing on the Web where individuals publish creative work inspired by others. Although the Web changed the way in which we exchanged information, Web 2.0 has made us question some concepts that many scholars had taken for granted. In “The Machine is Us/ing Us,” Michael Wesch states that these changes should lead us to reflect and reassess ideas that we have assumed to be uncontested:

*We'll need to rethink a few things...*  
*...copyright*  
*...authorship*  
*...identity*  
*...ethics*  
*...aesthetics*  
*...rhetorics*  
*...governance*  
*...privacy*  
*...commerce*  
*...love*  
*...family*  
*...ourselves.* (Wesch, 2008)

Despite this call to rethink ourselves as part of the new digital culture, there is still a reluctance to seriously reassess these concepts. There is a persistence in upholding old ideas that might no longer be relevant when applied to cultural productions.

In the case of “Taroko Gorge,” the code that generates the poem and the words chosen by Nick Montfort are both the work and the poem as we see it. Leonardo Flores (2012) in “I love ePoetry” describes the poem as follows:

*The lines of this poem cascade down the screen, describing a peaceful natural scene. Its pacing is meditative, reminiscent of some Gary Snyder poems. Its rhythm is mostly iambic with abundant trochees at the beginning of lines and occasional spondees to punctuate moments in the poem. The pacing of the scrolling lines doesn't let you stop and look away, but won't be too demanding, and*

*once a line scrolls past visibility it is gone: you cannot scroll up or down. Live the moment in this poem for as long as it lasts, until you reach the end or realize what's going on...whichever comes first.* (para. 1)

Flores's description of “Taroko Gorge” unifies what others might understand as different aspects of this work: its language, its movement and its code (the latter referred to in a different paragraph of the same entry). Flores is correct in understanding “Taroko Gorge” as one work composed of many parts, some clearly visible and some invisible (until called upon) though functional. It is its nature as electronic literature to fulfill those characteristics. However, the poem presents us with other problems, particularly regarding the nature of its structure and what is essential to its existence.

When we consider the poems derived from “Taroko Gorge,” we are forced to reassess our understanding of exactly what is text and what is paratext.<sup>4</sup> In printed texts, the paratext can be relatively easily distinguished. Genette (1997a) refers to “elements as the title or the preface and sometimes elements inserted into the interstices of the text, such as chapter titles or certain notes” (p. 5). These he calls the peritext, while those elements that exist outside the book are what he calls the epitext. These notions of peritext and epitext work differently with born-digital literature and with transmedia narratives. What is the status of the code underlying the Montfort poem? The text of the poem could not exist without it (whereas the text of a book could indeed exist independently of its paratext). Yet, to the reader encountering the text in the browser, it is invisible. The structure of born-digital literature, which might correspond to what Genette describes as those “elements inserted into the interstices of the text” (1997a, p. 5), is dictated by its code: But one can hardly say the code exists in the “interstices of the text.” It is all-important: Change the code and you change

## **Get Out of My Sandbox**

the text. Yet, this code is hidden, in a way that the visible paratext Genette describes is not hidden.

With regard to “Taroko Gorge,” we can say that the original work, code, author’s name and title are intricately linked to the generated text of the poem. The versions that appropriate the original code present a new challenge that develops into a theoretical problem. Once we have accepted that the code is an integral part of “Taroko Gorge,” how can we understand the reincarnations of the poem? What happens if you do change the code? This is actually very easy to do. In Montfort’s original JavaScript, all the words used to generate all the different versions are held in six variables “above,” “below,” “trans,” “imper,” “intrans,” “texture,” thus:

```
var above='brow,mist,shape,layer,the  
crag,stone,forest,height'.split(',');
```

Change the words in any of these variables, and the text you see on the screen changes. This is what the creators of the other versions have done.

One may ask: How does Montfort’s original code relate to the texts it generates; and then, how do all these subsequent versions relate to Montfort’s original? While one cannot readily distinguish what is “text” and what is “paratext” in these instances, Genette’s fundamental perception of reading as a series of transactions across multiple thresholds is useful here. One can see the interaction of the code in each instantiation with the browser and the reader as occurring on the “fringe of the printed text which in reality controls one’s whole reading of the text.”<sup>5</sup> The Montfort poem one reads with its original code constitutes one set of interactions, in one threshold, between reader, Montfort as author, code and browser. Then, as one reads the versions made by others, changing the words in the six variables, one engages in a series of different transactions as one moves across other sets of thresholds,

involving the adaptor as well as the reader and Montfort. Indeed, the visible paratext one sees on the Montfort website, by listing all these versions one after another, points to the links between them, with the transparently-related titles (“Tokyo Garage”) serving as identifiers marking them as belonging to its tradition (Figure 1).<sup>6</sup> Thus, many of the titles (named above), besides retaining the structure, echo the phonetics of the original name, as a way of claiming their place as part of what can only be called a textual tradition. Each of the versions takes great care to present itself as following the previous version. To achieve this, the author of the most current version places his or her name at the end of a list of previous authors who have been crossed out. Even Nick Montfort’s latest version of the poem carefully preserves the names of the authors of other versions.

For the purposes of this chapter, the most interesting aspect of the case of “Taroko Gorge” and its reworkings is that subtle changes made to the code by other authors open up the text to multiple interactions with readers, each occurring in a paratextual threshold shaped by the code, as established by a succession of authors following Montfort. One could take this further. The six variables, and the algorithms which use them to generate text, are based on English grammar and syntax. One could reshape them for other languages, and derive a whole new set of interactions. While, here, I describe these interactions as occurring in shifting paratextual thresholds, one cannot easily locate these as “epitext,” “peritext,” or as “inside” or “outside” the text. Certainly, they are liminal, but the borders they face are in constant motion in the digital world, a motion neatly expressed in the continual unrolling of the text across the screen in any instance of “Taroko Gorge.” One might go further, and argue with Steve Jones that, here, the Genettian “paratext” has moved into the foreground and become the text itself.<sup>8</sup>

Figure 1. Taroko Gorge. © 2012, Nick Montfort [nickm@nickm.com](mailto:nickm@nickm.com). Used with permission.<sup>7</sup>



## JASPER FFORDE: EPITEXT AND HYPertext

The relationship between Nick Montfort, as author, and his text and texts developed by others is fascinating, particularly in light of the above quotation from Michael Wesch. Nick Montfort, as a creative author, has understood that other authors appropriating part of his work to create new pieces is part of a cultural cycle which celebrates and promotes the reworkings of “Taroko Gorge.” In contrast to Montfort, Jasper Fforde (n.d.) appears to be very much opposed to the idea of a culture in which derivative works can coexist with those that served as inspiration for their creation. Fforde has written seven novels which follow the adventures of his heroine, Thursday Next. *The Eyre Affair*, the first book in the series, centers on the character of Thursday Next, whose job is to protect literature from acts of vandalism. The characters can jump in and out of books and act in ways that alter the narratives as they exist within the universe of fiction. The series features many well-known (and some not so well-known) literary characters, like Jane Eyre, Rochester, Miss

Havisham, Heathcliff, Hamlet, among others, and has been variously described as science fiction, parody, thriller and mash-up (e.g., James, 2002; Jewell, 2007; Matheson, 2002). In Genette’s (1997b) terminology, Fforde’s work is a kind of hypertext, which is defined as “any relationship uniting a text B (which I shall call the *hypertext*) to an earlier text A (I shall, of course, call it the *hypotext*), upon which it is grafted in a manner that is not that of commentary” (p. 5).

This hypertextual aspect of Fforde’s fiction is of particular interest, since it becomes tangled in the notion of paratext, as I will explain below. This occurs because of the enrichment of the stories through an Internet site (<http://www.jasperfforde.com/subindex/tn1subindex.html>). This site extends and enhances the universe in which Thursday Next lives, which is known as the Nextian universe. Through this expansion on the Web, Fforde, perhaps unwittingly, developed a transmedia narrative, where he has added to the Nextian universe by providing specific sites for companies, institutions and places (e.g., Goliath Corporation and “SpecOps,” the policing organization to which the heroine belongs)



## **Get Out of My Sandbox**

named in the book.<sup>9</sup> While today, all of these are subsections of Jasper Fforde's main site, this has not always been the case. Notably, the Goliath Corporation and SpecOps used to have their own domain names, [www.goliathcorp.com](http://www.goliathcorp.com) and <http://specops.org.uk/index2.html>, respectively. This is important because, despite the clear fictional character of these institutions, their independent Web addresses granted them a special status that validated each of them as separate from other instances of the fictional world. Similarly, all things related to the main character and which were part of the domain [www.thursdaynext.com](http://www.thursdaynext.com) have been migrated to <http://www.jasperfforde.com/thursdaynext/contents.html>. Although the removal of their autonomy changes their status somewhat, their overall effect continues to be the expansion of the fictional universe present in the books and the opportunity to engage readers using a different medium. The sites have clearly been successful in terms of reader engagement, judging by subsequent efforts to extend them.

As expected, these online texts exist outside the books in the realm of epitexts, but because they do not fit comfortably in any of the categories created by Genette, it must be shown how they can be seen as a kind of epitext. In Genette's (1997a, p. 352) typology, epitexts can be autonomous or mediated: that is, either created by the author alone (or the editor) or mediated by an interview or other commentator. Within these categories, the autonomous epitext, which has been created by the author of the text, can be an auto-review, a public response or an autocommentary. Of these three, one could choose to see Fforde's online texts as a combination of autocommentary and public response mingled together with a high dose of creative parody, since they also represent a unique contribution to the fiction. Because of this contribution to the fiction, they extend it through transmedia narrative.

The vast quantity of epitextual content generated by Jasper Fforde and that now appears on the Web testifies to the response of the audience of his novels. The interaction with readers in

turn generated the need for the creation of more participative initiatives, which materialized in the form of contests ("Silly competition," "Thursday Next extreme") and reader contributions (<http://www.jasperfforde.com/readers.html>).

Consider the texts with the most uncertain status: textual contributions made by readers. There are two types: the ones included by Jasper Fforde on his site and those not included on it. It appears that all the contributions included in the website were sent directly to the author via e-mail or posted in the forum run within the site. These were presumably deemed worthy of becoming part of the canon of the site, while others might have been discarded. Inclusion on the site grants those texts an authority and pre-eminence that cannot be ignored. In Genette's formulation, epitexts (whether autonomous or mediated) must be the author's creation. However, Fforde includes other people's contributions, and indeed invites them, thus by implication "authorizing" those which he accepts on his site.

These are examples of the texts contributed by readers which can be found on the site:

- **Textual Mechanics:** <http://www.jasperfforde.com/reader/quirks.html>
- **Recipe for Apples Benedict:** <http://www.jasperfforde.com/reader/apples.html>
- **The Schitt Family Tree:** <http://www.jasperfforde.com/reader/schitt.html>
- **The Man with the Golden Pun:** <http://www.jasperfforde.com/reader/readerjon14.html>
- **Jurisdiction Notes for Travelers:** <http://www.jasperfforde.com/reader/readerjon12.html>
- **The Brontës at Home:** <http://www.jasperfforde.com/reader/readerjon11.html>
- **Jacques Merde's Newsletter from SARF:** <http://www.jasperfforde.com/reader/readerjon10.html>
- **Warrington: The Facts:** <http://www.jasperfforde.com/reader/warrington.html>



These texts are relatively brief and, although some of them allude to or directly name characters from the Thursday Next series, none of them is a narrative or intended as a short story. It is also notable that several of them have been contributed by Jon Brierley (who in the Web addresses appears as *readerjon*). As jokes, they are completely dependent on the novels and the digital texts authored by Fforde: These texts do not have and cannot exist independently outside their current context or without readers who have a shared background. In this way, they cannot be considered as separate creations, but by their official presence as part of the Nextian universe, and authorized by Fforde himself, they become part of the epitext. Moreover, as epitexts, these are a type of inverse conversation, in which the author appears to instigate the creation of texts that complement the world he has created. And when we consider them as epitexts, we must keep in mind that Genette's (1997a) own notion of these was itself flexible:

*I have filled this chart without wanting to overly systematize an exceedingly fluid and often more intricate reality, and without claiming to include all the forms of public epitext we will undoubtedly come upon one or two other forms whose assignment to a cell would prove problematic. But the most canonical forms, at least in our time, are indeed present. (p. 352)*

Particularly significant is Genette's allusion to "our time," since he could not have anticipated how much the digital medium was going to affect our notions of copyright, authorship and text.

If we examine the second category of reader-contributed texts, we will see that they function quite differently. First of all, they appear separated from the Fforde site and, instead, take residence on well-known fanfiction sites. Whereas the fan texts included by Fforde on his own sites may be regarded as "authorized" by him, and therefore (in Genette's terms) are part of the Ffordian epitext

and paratext, reader-contributed texts are not authorized and stand apart from Fforde's own work. For example, on Fanfiction.net, two texts are listed as inspired by Thursday Next. Both of these texts have 2012 dates, both are relatively brief, and both are narratives involving the heroine. However, Archiveyourown.org, a project of the Organization for Transformative Works,<sup>10</sup> lists 15 works with the Thursday Next tag, the longest of which is 5,732 words, and whose dates span between 2009 and 2013.<sup>11</sup> Each of these functions as an independent story that, although based on Fforde's characters, can and does exist outside the immediate proximity of the original work. This is important because the Web has been instrumental in massive changes to traditional fanfiction. Although before the Web, fanfiction existed under the radar, the Internet has given it a prominence and dissemination that were previously impossible.<sup>12</sup> John C. Bunnell (2010) points out that:

*The corporate owners of such franchises as Buffy and Star Trek officially frown on fanfic, but as a rule they only go after it if it's drawn specifically to their attention, and/or it's outrageous enough to make the franchise look bad...*

*Authors of prose fiction have been less tolerant -- and understandably so. The ease of Web publishing (and desktop publishing, for that matter) puts literary fanfic in much more direct competition with its professionally published counterpart. Badly written fanfic can, some argue, more easily trash the image of an author's original work, and better-written material can either steal "market share" from the author's books or take the characters in directions contrary to those their creator had in mind.*

The ease of Internet publication, particularly in relation to fanfiction magazines distributed at science fiction conferences, has called attention to a phenomenon that used to be restricted to a very small audience. Amateur writers no longer

have to send hard copies of their texts by mail to people they know; instead, they can share their creative contribution with the world simply by posting on one of the fanfiction sites.

Given Jasper Fforde's own reworking of other authors' characters and taking into account the very open participation encouraged in his website, one would have expected that he might have welcomed this type of *homage*. However, in the section of frequently asked questions, Fforde (n.d.) stated that he felt "very proprietorial [*sic*] about Thursday and all her escapades" and that "anything published in any form whatsoever – and that specifically includes the internet – [he] cannot encourage, nor approve of."<sup>13</sup>

Bunnell's point about prose fiction authors applies particularly well to Jasper Fforde's position and the attempt to balance the work he does as a creative writer and the interaction he seeks with his readers. However, the complexity achieved on his site and the level of encouragement that readers received from Fforde to create their own contributions, including poetry, make his opinion on fanfiction somewhat surprising. It is all the more so since his own work draws so heavily on other people's ideas and characters. It appears that Fforde vehemently opposed other writers who are doing just what he did: freely taking ideas and characters from other books and developing them. Catherine Valente has described him as "the most successful fanfic writer around" (2010), and she goes on to make a very important point:

*It is part of the human activity of storytelling to retell, misremember, breakup and tell backwards, peek into the crannies and tell the other stories (thank you Euripides), wonder what might have been, what could be, and tell the same stories over and over, but tell them slant.*

The history of literature is filled with writers who wrote not only about the same characters, but even retold the same story and, occasionally, in translating a text created a new work. Genette

considers any of these reworkings as hypertexts, while any sources are called hypotexts, as noted above.<sup>14</sup> These concepts work better within the framework of print culture because they are distinguished more clearly there.

## **FANFICTION, HYPERTEXTS, AND HYPOTEXTS**

Hypertexts and hypotexts, in the sense envisioned by Genette, abound in the world of literature. Authors we consider canonical today always took good materials from wherever they found them. While the term "fanfiction" (or "fan fiction") appears to have become widespread in the science fiction community in the 1960s, instances of authors reusing and extending the work of others may be found far earlier.<sup>15</sup> For example, in the *Canterbury Tales*, we find that Geoffrey Chaucer tells us that Clerk's Tale is a retelling of Petrarch's Griselda.<sup>16</sup> Chaucer's is not a simple retelling: The emphasis of the story has changed because the tale is not meant to be a stand-alone piece (as in the case of Petrarch) or just one more story among many (as in the case of Boccaccio), but rather it is part of the characterization of the Clerk (who in Chaucer's fiction is the narrator of the story), who is a learned individual with a very distinct opinion about marriage, but who is also a realist and suggests that men should no longer expect women to behave in manner similar to Griselda's. It is more likely that Chaucer took the story not from Petrarch, but from Boccaccio, as suggested by Brown, Dempster and Bryan when they state that "Chaucer more nearly approaches the attitude of Boccaccio than of Petrarch, assuming a point of view intermediate between the two" (1941, p. 290).

Chaucer's reuse and repurposing of Boccaccio's (or Petrarch's) material would not have been surprising to his contemporaries and does not raise any eyebrows today. Indeed, when mainstream professional authors choose to produce new

stories by reworking characters and situations or imagining new points of view, we consider those works to be “original.” But we still find resistance to retellings done within the framework of fanfiction, perhaps because this has not been placed in the authoritative position of a text that has gone through the complete process of editing and publication.

When Catherine Valente (2010) describes fanfiction as the times when people come to play in a writer’s world,<sup>17</sup> it is difficult to ascertain what types of texts are being built. The questions here are to what extent are fanfiction texts independent of their hypotexts and, in their status as hypertexts, can they function as a commentary. As commentary, they are on the threshold of epitexts, lacking only Fforde’s authorization to appear as such. Henry Jenkins (2006) considers that:

*Fan stories are in no simple sense just “extensions” or “continuations” or “extra episodes” of the original series. Unlike the model critical essays discussed by the various university writing centers, the insights about the work get expressed not through nonfictional argumentation but rather through the construction of new stories... [A]ll fan fiction constitutes a form of critical commentary on the original texts.*

In this sense, we are not simply talking about taking stories further or keeping them alive after a franchise has ceased or a series has come to an end. These texts can be used as valuable tools for understanding unexplored aspects of a fiction. This aspect of fanfiction would place it ever more clearly as an epitext, not only a response, but an interpretation of the fictional universe. This same idea could be applied to the incarnations of “Taroko Gorge,” which can be seen as explorations of the text through its code, as well as answers to the original idea.

Again, Kirschenbaum’s (2009) idea that “[p]rocedural literacy...will be essential if humanities students are to understand virtual

worlds as rhetorical and ideological spaces, just as film and the novel are likewise understood as forms of representation and rhetoric” (para. 19) is fundamental. This will be the only way in which future generations will be capable of understanding the world in which they live and the cultural products of our society.

## **AUTHORSHIP, FANFICTION, AND COPYRIGHT**

A problem arises, however, regarding traditional ideas of copyright and how to work within the legal framework of our world. Jenkins (2006) reports on the legal status of amateur contributions by stating that:

*Nobody is sure whether fan fiction falls under current fair-use protections. Current copyright law simply doesn’t have a category for dealing with amateur creative expression. Where there has been a public interest factored into the legal definition of fair use—such as the desire to protect the rights of libraries to circulate books or journalists to quote or academics to cite other researchers—it has been advanced in terms of legitimated classes of users and not a generalized public right to cultural participation. Our current notion of fair use is an artifact [sic] of an era when few people had access to the market place of ideas and those who did fell into certain professional classes. It sure demands close reconsideration as we develop technologies that broaden who may produce and circulate cultural materials. Judges know what to do with people who have professional interests in the production and distribution of culture; they don’t know what to do with amateurs or people they deem to be amateurs.*

In the above quotation we can see two important ideas that need to be considered: how to deal with amateur creative expression; how to update rules that were created for a world with an entirely

## Get Out of My Sandbox

different communication system. Some peritexts, like dedications and prefaces, can be copyrighted. However, it is unclear whether a single title could be subject to copyright or whether it is the sequence of titles that could be subject to it.<sup>18</sup>

Epitexts produced by an author are subject to the author's copyright, but this status would vary in the case of mediated ones. It is rather unclear who owns the copyright of fanfiction texts published on the Fforde website, although one might presume that copyright remains with the author of the text. For the fanfiction published elsewhere, the situation is also unclear. Many authors might fight, but even J. K. Rowling had to give in when bad press and pressure from her fans forced her to allow George Lippert to publish *James Potter and the Hall of Elder's Crossing* (Morrison, 2012).

We accept it as a fact that Homer's *Iliad* inspired Virgil's *Aeneid*, that the Knight's Tale had as its source Boccaccio's *Teseida* and that Shakespeare recreated the story of Pyramus and Thisbe in *Romeo and Juliet*.<sup>19</sup> Some contemporary authors, like Jasper Fforde, reuse and recycle out of copyright characters to create their own fictions that, in turn, are protected by copyright; while others, like Nick Montfort, embrace all kinds of derivatives of their work.

Historically, the fact that the stories have been sourced elsewhere is not considered detrimental by literary critics. So why are some contemporary authors and literary critics and lawyers so against the notion of shared characters and worlds? The only explanation for our current notions of proprietary authorship is that we are working with what has become an ingrained notion of originality, which is a product of a cultural situation that no longer exists. As expressed by Jenkins (2013):

*Most forms of human creative expression have historically built on borrowed materials, tapping a larger cultural "reservoir" or "commons" understood to be shared by all. Our contemporary focus on "originality" as a measurement of creativity is relatively new (largely a product of the Romantic*

*era) and relatively local (much more the case in the West than in other parts of the world).* (p. 106)

For most of our history and until the 18th century, intellectual work was not protected by law and was considered part of the common culture, rather than the exclusive work of an individual. When the work of writers became protected, that protection was meant to avoid the printing of their works without permission. Society has changed a great deal since then and our current technologies have left behind the industries that gave origin to the protection afforded by copyright. Despite the call launched by Michael Wesch (2008) to rethink authorship, originality and ourselves as part of the new digital culture, there is still a reluctance to seriously reassess these concepts. We insist on carrying on with ideas of authorship, copyright (and derived from them, identity and ethics) that originated at the end of the 18th and the beginning of the 19th centuries and that are more related to the aesthetic of Romanticism than to the shared nature of human knowledge and the recreation of ancestral stories.<sup>20</sup> The way in which we regulate our world has to respond to the kind of media currently in use, or as Lawrence Lessig (2006) puts it:

*[C]opyright has always been at war with technology. Before the printing press, there was not much need to protect an author's interest in his creative work. Copying was so expensive that nature itself protected that interest. But as the cost of copying decreased, and the spread of technologies for copying increased, the threat to the author's control increased. As each generation has delivered a technology better than the last, the ability of the copyright holder to protect her intellectual property has been weakened.* (p. 172)

He goes on to explain how the speed at which the law has changed had been slow, but has attempted to use modifications of mechanisms available in the past, specifically the clarification of the rights that the law was supposed to protect



(2006, p. 174). The first problem is that copyright protects creators from unauthorized distribution of copies of their work, while digital technologies exist by copying. The second problem, which touches creative work directly, is that the democratization of the creative process brought on by the Internet directly clashes with copyright law (Lessig, 2006, pp. 193–195).<sup>21</sup>

## CONCLUSION

Artists who work in new media are more likely to have been influenced by ideas of copyleft (<http://www.gnu.org/copyleft/>) and creative commons (<http://creativecommons.org>) and they might even publish explicitly under those licenses.<sup>22</sup> It could be argued that Nick Montfort's attitude towards his own creation is partly due to his background as a professor of New Media at MIT and to the fact that he does not need to protect the proceeds of his creative work to make a living. However, it seems that there might be something else behind his openness: an adoption of a new media culture as a way of life. Perhaps, our cultural paradigms are changing: thus Jenkins's call for a new understanding of fair use that allows amateur writers to share their productions. It is possible that we might move in a different direction for legal purposes.

However, one cannot help but understand the distress of authors like Jasper Fforde, who live exclusively from writing and who may require the protection afforded to them by copyright. If their works were to be diluted among imitators who end up publishing, how can they continue to work? One can see how these issues are compounded in Theresa Nielsen Hayden's statement:

*In a purely literary sense, fanfic doesn't exist. There is only fiction. Fanfic is a legal category created by the modern system of trademarks and copyrights. Putting that label on a work of fiction says nothing about its quality, its creativity, or the intent of the writer who created it. The Pulitzer*

*Prize for Fiction this year [2006] went to March, a novel by Geraldine Brooks, published by Viking. It's a re-imagining of the life of the father of the four March girls in Louisa May Alcott's Little Women. Can you see a particle of difference between that and a work of declared fanfiction? I can't. I can only see two differences: First, Louisa May Alcott is out of copyright; and second, Louisa May Alcott, Geraldine Brooks, and Viking are dreadfully respectable. (Ball, 2007, p. 11)*

The key word here is “respectable.” Today, as in the past three centuries, it is granted by a corporate system that exploits copyright to benefit itself. In the first instance, we have to make an effort to separate textual issues from legal issues and then we can begin to understand how texts and paratexts express themselves in a digital world. As in so many other places in the digital world, we feel here the collision between long-held notions of copyright, ownership and value, and the new freewheeling culture which questions these notions.

The whole history of literature (and storytelling for that matter) is the story about texts that inform each other, that are recreated, that surface and sink, that get changed, which are expressed in new and different ways, and adapted, translated, refashioned. To take a position, however, is not easy because there are many aspects, beyond legality, involved. I sympathize with Nick Montfort's position because I believe in a world of free culture (Lessig, 2006) and I want to promote the sharing of data and ideas. However, I also believe in intellectual property and in the fact that the producers of creative works should be allowed to make a living from their creations. It appears we must continue to live with the tension between these two positions. Not everyone can hold a tenured university post which allows them to freely give away all they create (as Montfort does); creative writers need to be able to make a living from their work without attempting to unreasonably restrict what others might do with it (as Fforde does).

The future of texts is digital and is transmedia. We need to be ready to face the changes that the new media have brought and to study texts in new and meaningful ways.

## REFERENCES

- Ball, C. (2007). *Who owns what in fanfiction: Perceptions of ownership and problems of law*. (Unpublished master's dissertation). Loughborough University, Loughborough, UK.
- Brown, C., Dempster, G., & Bryan, W. F. (1941). *Sources and analogues of Chaucer's Canterbury Tales*. Chicago, IL: Northwestern University Press.
- Bunnell, J. C. (2010, April). *About fan fiction*. Retrieved December 22, 2013, from <http://www.sff.net/people/jcbunnell/aboutfic.htm>
- Farrell, T. (2003). The Griselda story in Italy. In R. M. Correale, & M. Hamel (Eds.), *Sources and analogues of the Canterbury Tales I* (pp. 103–167). Bury St Edmunds, UK: D. S. Brewer.
- Fforde, J. (n.d.). *Frequently asked questions*. Retrieved December 22, 2013, from <http://www.jasperfforde.com/faq.html#u>
- Flores, L. (2012). "Taroko Gorge" by Nick Montfort. *I love ePoetry*. Retrieved December 22, 2013, from <http://iloveepoetry.com/?p=465>
- Genette, G. (1997a). *Paratexts: Thresholds of interpretation*. Cambridge, UK: Cambridge University Press.
- Genette, G. (1997b). *Palimpsests: Literature in the second degree*. Lincoln, NE: University of Nebraska Press.
- Genette, G., & Maclean, M. (1991). Introduction to the paratext. *New Literary History*, 22(2), 261–272. doi:10.2307/469037
- Hellekson, K., & Busse, K. (Eds.). (2006). *Fan fiction and fan communities in the age of the Internet*. Jefferson, NC: McFarland Press.
- James, J. (2002, March 17). The paper chase. *Los Angeles Times*. Retrieved January 8, 2014, from <http://articles.latimes.com/2002/mar/17/books/bk-james17>
- Jenkins, H. (1992). *Textual poachers: Television fans and participatory culture*. London, UK: Routledge.
- Jenkins, H. (2006, September 27). *Fan fiction as critical commentary* [Blog post]. Retrieved December 22, 2013, from [http://henryjenkins.org/2006/09/fan\\_fiction\\_as\\_critical\\_commen.html](http://henryjenkins.org/2006/09/fan_fiction_as_critical_commen.html)
- Jenkins, H. (2007, March 22). *Transmedia storytelling 101* [Blog post]. Retrieved December 22, 2013, from [http://henryjenkins.org/2007/03/transmedia\\_storytelling\\_101.html](http://henryjenkins.org/2007/03/transmedia_storytelling_101.html)
- Jenkins, H. (2013). Is it appropriate to appropriate? In H. Jenkins, & W. Kelley (Eds.), *Reading in a participatory culture: Remixing Moby-Dick in the English classroom* (pp. 105–122). New York: Teachers College Press.
- Jewell, S. (2007, September 15). Just another parallel. *The Australian*. Retrieved January 8, 2014, from <https://tags.news.com.au/prod/newskey/generator.html?origin=http%3a%2f%2fwww.theaustralian.com.au%2farts%2fbooks%2fjest-another-parallel%2fstory-e6frg8nf-1111114393995&140915946313224110>
- Jones, S. E. (2007). Dickens on lost: Text, paratext, fan-based media. *Wordsworth Circle*, 38, 71–77.
- Kirschenbaum, M. (2009, January 23). Hello worlds. *The Chronicle Review*, 55(20), p. B10. Retrieved December 22, 2013, from <http://chronicle.com/article/Hello-Worlds/5476>



Lessig, L. (2004). *Free culture*. Retrieved December 22, 2013, from [http://www.jus.uio.no/sisu/free\\_culture.lawrence\\_lessig](http://www.jus.uio.no/sisu/free_culture.lawrence_lessig)

Lessig, L. (2006). *Code: Version 2.0*. Retrieved December 22, 2013, from <http://codev2.cc/download+remix/Lessig-Codev2.pdf>

Matheson, W. (2002, February 21). "The Eyre Affair" is fanciful fun. *USAToday*. Retrieved January 8, 2014, from <http://usatoday30.usatoday.com/life/books/2002/2002-02-21-eyre-affair.htm>

McCracken, E. (2013). Expanding Genette's epitext/peritext model for transitional electronic literature: Centrifugal and centripetal vectors on Kindles and iPads. *Narrative*, 21(1), 105–124. doi: 10.1353/nar.2013.0005

McCutcheon, M. A. (2012). The cento, Romanticism, and copyright. *English Studies in Canada*, 38(2), 71–101. doi:10.1353/esc.2012.0012

Montfort, N. (2009). *Taroko Gorge* [Personal website]. Retrieved December 22, 2013, from [http://nickm.com/poems/taroko\\_gorge.html](http://nickm.com/poems/taroko_gorge.html)

Montfort, N. (2011). *Who grabbed my gorge* [Blog post]. Retrieved December 22, 2013, from <http://nickm.com/post/2011/07/who-grabbed-my-gorge/>

Morrison, E. (2012, August 13). In the beginning there was fan fiction: From the four gospels to Fifty Shades. *The Guardian*. Retrieved December 22, 2013, from <http://www.theguardian.com/books/2012/aug/13/fan-fiction-fifty-shades-grey>

Valente, C. (2010, May 10). *Fan the flames* [Blog post]. Retrieved December 22, 2013, from <http://catvalente.livejournal.com/582169.html>

Wesch, M. [mwesch]. (2008, March 8). *The machine is using us* [Video file]. Retrieved December 22, 2013, from [https://www.youtube.com/watch?v=NLIgopyXT\\_g](https://www.youtube.com/watch?v=NLIgopyXT_g)

## ENDNOTES

- <sup>1</sup> Henry Jenkins (2007) states that transmedia storytelling "represents a process where integral elements of a fiction get dispersed systematically across multiple delivery channels for the purpose of creating a unified and coordinated entertainment experience."
- <sup>2</sup> "The concepts of 'epitext' and 'peritext' continue to be useful for the analysis of digital literature on portable electronic devices but need expansion as categories. New paratexts sometimes move beyond Genette's precise formulations but continue to function in the spirit of his analysis" (McCracken, 2013, p. 106).
- <sup>3</sup> Here I have only chosen the titles that specifically play on the sound of the words "Taroko Gorge," but there are other titles that appropriate the code without such an explicit allusion.
- <sup>4</sup> Gérard Genette (1991) separates the "naked text" from other phenomena: "But this text rarely appears in its naked state, without the reinforcements and accompaniment of a certain number of productions, themselves verbal or not, like an author's name, a title, a preface, illustrations" (p. 261).
- <sup>5</sup> Philippe Lejeune, *Le pacte autobiographique* (Seuil, 1975), p. 45, cited by Genette, 1997a, p. 2.

- <sup>6</sup> Much in the same way, as Genette observes, the title of Joyce's *Ulysses* identifies the work as related to Homer's *Odyssey* and hence radically alters our reading: "How would we read Joyce's *Ulysses* if it were not entitled *Ulysses*?" (1997a, p. 2).
- <sup>7</sup> Permission to use, copy, modify and/or distribute this software for any purpose with or without fee is hereby granted, provided that the above copyright notice and this permission notice appear in all copies.
- <sup>8</sup> Thus, Jones argues that the deliberate surrounding of the television dramas such as *Lost* by "Alternative reality games" and multiple transmedia narratives in the form of websites, pseudo-non fiction accounts, multi-layered allusion to existing books and more, enables them to "operate across the borders of their own reception": "Genette's limited paratext, which serves as a threshold or transactional space between the text and the world, has moved into the foreground; the paratext has become the essence of the social text itself" (2007, p. 77).
- <sup>9</sup> Thus: The Goliath Corporation (<http://www.jasperfforde.com/goliath/index2.html>); SpecOps (<http://www.jasperfforde.com/specops/index2.html>); The Toast Marketing Board (<http://www.jasperfforde.com/thursdaynext/toast.html>); The Brontë Federation (<http://www.jasperfforde.com/thursdaynext/bronte.html>); The Swindon Photo Album (<http://www.jasperfforde.com/swindon/swindonalbum.html>); and Pete & Dave's Dodo Emporium (<http://www.jasperfforde.com/thursdaynext/petedave.html>), among others.
- <sup>10</sup> <https://transformativeworks.org/>
- <sup>11</sup> A more thorough search might reveal other sites containing more fanfiction works, but these examples are enough for the purposes of this chapter. Here, I understand fanfiction to refer to stories about characters created by fans of an original work by another author.
- <sup>12</sup> For a useful overview of the history of fanfiction and its scholarship, see the essays in Hellekson and Busse (2006), and the survey in Thomas (2011): "[F]anfiction remained a fairly underground and marginalized activity until the advent of digital technologies and the World Wide Web" (p. 2). *Textual Poachers* remains a key text for the academic study of fanfiction.
- <sup>13</sup> In December 2010, Fforde modified his view to consider that fanfiction is a "celebration of writing" and asked whether the Thursday Next series might be regarded as fanfiction ("What are your thoughts on Fan Fiction"). These statements can be found at <http://www.jasperfforde.com/faq.html#u>
- <sup>14</sup> Genette's terms "hypotext" and "hypertext" are preferable to the more common "intertext" because they make the relationship between the texts explicit.
- <sup>15</sup> In the science fiction community, fanfiction appeared in the "fandom" communities associated with the publication of science fiction magazines in the 1920s and 1930s (thus, the "Scienceers," see <http://www.fanac.org/timebinders/scienceers.html> retrieved November 1, 2013). The first fanfiction, labelled as such, appeared in these fan magazines and the OED records the first use of the work in 1944 in an encyclopedia, suggesting that the term was already widely used. Many, however, relate it to the writings of Star Trek fans (short stories, alternative endings, continuations) in the 1960s, e.g., Jenkins (1992).
- <sup>16</sup> The Clerk's Prologue, lines 31 and ff. See also Farrell (2003).

<sup>17</sup> See Valente, who states: “For most of us, fanfiction is a non-issue. Even for midlist writers. We will never be popular enough for people to play in our worlds with any frequency” (2010, para. 6).

<sup>18</sup> Hans Walter Gabler, in a private communication, stated that although *Ulysses* is now in the public domain, the 1984/86 edition remains in copyright, based on the “transformative nature” of editing. This copyright covers the episode line number given in the right hand page which, Gabler points out, is now

covered by a creative commons licence and has been freely used to refer to the edition for the past 30 years (Hans W. Gabler, personal communication, August 5, 2013).

<sup>19</sup> He also used the story, literally, in *A Midsummer Night’s Dream*.

<sup>20</sup> See McCutcheon, 2012.

<sup>21</sup> See also Lawrence Lessig (2004).

<sup>22</sup> Lessig is one of the founders of creative-commons.org and a member of its board of directors.