

For Your Appropriation: An Interview with Rick Prelinger

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Rick Prelinger is the archivist's archivist when it comes to industrial and vernacular films. He is the co-founder of the Prelinger Library (with spouse Megan Shaw Prelinger), a private research library located in San Francisco. He wrote *The Field Guide to Sponsored Films* (2007), which "describes 452 historically or culturally significant motion pictures commissioned by businesses, charities, advocacy groups, and state or local government units between 1897 and 1980." It is available as a book and as a free PDF from the National Film Preservation Foundation. He recently (from 2005–07) worked at the Internet Archive on a project to digitize large-scale texts and recently helped organize the Open Content Alliance. What sets him apart is a desire to make the intellectual properties available for free to one and all. Recently, we discussed that rare, generous quality of openness and the reasons why cultural artifacts should be "appropriation-friendly."

Heller: What do you mean by the term "appropriation-friendly?"

Prelinger: When we tell people our library and archives are "appropriation-friendly," we don't mean "steal this book," but rather that we encourage consumptive use of our collections to make new work. Art, culture and science are almost always built upon work that's come before, and we want to provide access to historical materials so as to enable new authorship.

Heller: For decades now you have been collecting, cataloging and anthologizing—as well as analyzing—industrial, educational and cautionary films. They have spoken to the mores and aspirations of the nation. But even as historical documents they are not copyright free, are they?

Prelinger: When our moving image collection was at its largest, it totaled about 60,000 items, of which some 65 percent were in the public domain and 30 percent under copyright—we held rights to the remaining 5 percent. If you leave the world of Hollywood features and television and enter the world of ephemeral film—advertising, educational industrial and amateur film—you find yourself in an almost copyright-free zone, where many films were never properly copyrighted and those that were almost always were never renewed. Until the late 1970s, in fact, most copyrighted works of any kind were never renewed—books from the 1920s through 1970s average something around 15 percent. We therefore had a great deal of material to work with, so much so that I have rarely had the need to clear copyright in order to use a work.

Heller: You began collecting before the age of digitization and internet access. How has this changed your archive, your collecting methodology and, ultimately, your goal?

Prelinger: I moved to San Francisco in early 1999. Though I was a heavy internet user even then and had produced 14 CD-ROMs, the Bay Area technological mindset was new to me. I didn't know about open-source culture. I thought information wanted to be expensive. When I met Brewster Kahle, founder of the Internet Archive, the first thing he asked me was, "Want to put your archives online for free?" I stuttered. I thought he was crazy. I couldn't understand how this could be in our interest.

Heller: But you did. You took the plunge...

Prelinger: The more I learned, though, I realized that it was probably a pretty good idea. We started in late 2000 with a small collection of 200 online films, which quickly grew to 1,000, and then to 2,100. At that time few people had put any rich media such as film and video online, and those that did certainly didn't make material available for free, unrestricted downloading and reuse, as did we. What I found quite quickly was something I could never have imagined: We became implicit collaborators with hundreds of thousands of people around the world who downloaded our films for use in their own media productions; our collection moved from the cultish fringe to become an integral part of the world's cultural infrastructure; we had some 60 million films downloaded; and we made more money licensing footage. *Howzat?* What we found we could do was give away near-DVD quality material under a Creative Commons license, but charge for value-added services, such as higher-quality material and, most important, written license agreements. To this day, our sales are up and people continue to pay for material that they might conceivably download for free. It's a two-tier system—free *and* fee—and we think it has implications far outside the small world of stock image licensing.

I also started to draw some distance between my activities and the classic role of the collector. What we now do in the film archives and our print library is collect with some kind of a public purpose, ultimately for public use. (This means any barriers that inhibited me from collecting lots of stuff have fallen down.) When the Library of Congress acquired our film archives in 2002 I thought I'd stop collecting archival film, but it turned out there were so many reasons to keep collecting, and so much media needing a home. The U.S. is such a media-rich country—we throw away more media than most nations ever produce, and the majority of it is never saved. This creates tremendous opportunities, sometimes burdens, for archivists.

Heller: You are an avid archivist and historian, but the films are also used as "stock." How does this fit into your historical practice?

Prelinger: Stock sales fund collecting, screenings, artwork, lectures and presentations. I engage in all of these pursuits much more intensely than I'd be able to without licensing material. I see no conflict between pursuing archival/historical activities and charging people for access to our collections, especially when so much of it is available for free.

Heller: Returning to the controversy of “appropriation,” there are opposing factions for copyright and copy-left. Where do you stand?

Prelinger: I was a copyright-reform activist for much of the dismal 2000s. We were the first significant collection to offer our material to the public under a Creative Commons license, and I’ve traveled the world to talk to library, archival and producer audiences about access to archives and making culture freer. But in the past few years I’ve been trying to do less of this. At this point there are quite a number of extremely thoughtful and qualified people working on issues such as fair use, orphan works and term extension, and I’m going to leave it to them.

Where do I stand? I believe that copyright law needs a massive rewrite, but that isn’t very likely right now, because the evolution of copyright law is largely controlled by large transnational media companies. On the other hand, daily practice has evolved way beyond what copyright law allows, and this is likely to cause legal changes over time. I strongly believe that artists, most of whose work is unlikely to generate significant income, should not let themselves be inhibited by what they think copyright law says. It hurts me to get emails from young and emerging artists asking whether the law permits them to do something. There’s a chilling effect at work. I think they should focus on doing their work, and leave legal issues to the many thoughtful people who are working on them right now.

Heller: How did the transfer of your archive to the Library of Congress occur? And where does the library stand regarding “appropriation-friendly?”

Prelinger: I was concerned about succession issues, what would happen to the archives when I grew old or died. We worked out a deal with the Library to take our collection. It was a huge acquisition for them, reportedly their largest film acquisition ever, and because it’s so huge it hasn’t yet been unpacked and put on shelves. We expect this to happen in 2010.

The Library says they’re open to making public domain material available online; in fact, they’ve been doing so for over 10 years through their American Memory project. One of the reasons we wanted our archives to go to LC was because of their long-term interest not simply in preservation, but in access. I think we’ll see some interesting initiatives come from LC in time, even if large institutions sometimes move more slowly than small ones.

Heller: How has the increased protection (and litigation) over intellectual property impacted your collections and archives?

Prelinger: The “IP wars” haven’t really affected our collections, because we work in a world of public domain material, and that’s where I’d really like to stay!

Heller: What's next for you?

Prelinger: I made a feature film in 2004, *Panorama Ephemera*. I'm working on a new film this year, an archivally based film on mobility and travel in America, but since so much of it is going to coalesce out of the editing process, I don't have much to say at this point.

But the biggest thrill this past six years has been Prelinger Library, the appropriation-friendly library in downtown San Francisco that my spouse, Megan, and I opened up in summer 2004. It's composed of our own collection of some 30,000 books, about 700 periodical runs, and about 30,000 items of paper ephemera organized into about 650 archival boxes. We don't have a catalog; rather, Megan designed an organizational scheme around which materials are shelved. It's designed to enable serendipity and discovery; as Gideon Lewis-Kraus said in his *Harper's* article about the library, it's where "you go to find what you're not looking for." Most of our visitors—and we've had more than 5,000—tend to be artists or makers looking for material to incorporate into their work. We encourage photography, scanning and copying. What happens on the two days a week we're open tends to be much more than old-school library use—the library is really a collaborative workspace where ideas sprout, discussions happen and projects cross-fertilize. Though I still do a lot of public speaking as a kind of meta-archivist, I find I learn a great deal on library days. While reading, publishing, art and authorship are all in massive flux right now, running the library has made it very clear to us that we live in a hybrid analog-digital world, and that neither analog nor digital reigns supreme.

About the Author. Steven Heller, co-chair of the Designer as Author MFA and co-founder of the MFA in Design Criticism at School of Visual Arts, is the author of *Merz to Emigre and Beyond: Avant Garde Magazine Design of the Twentieth Century* (Phaidon Press), *Iron Fists: Branding the Totalitarian State* (Phaidon Press) and most recently *Design Disasters: Great Designers, Fabulous Failure, and Lessons Learned* (Allworth Press). He is also the co-author of *New Vintage Type* (Thames & Hudson), *Becoming a Digital Designer* (John Wiley & Co.), *Teaching Motion Design* (Allworth Press) and more. www.hellerbooks.com