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Parody in the Age of Remix

Mashup Creativity vs. the Takedown

By: Ragnhild Brøvig

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2 Mashup Music as Parody: Its Roots and Specificity

Knowledge of the ways existing music has been reworked in other times and by other composers can clarify the historical place of those we focus on, helping us recognize what is unusual or innovative in their approach to the uses of existing music and, just as important, what has long-established precedent.

—Peter Burkholder (1994, 851)

Scholars and journalists have traced the origins of mashup music to earlier sample-based genres in the field of popular music, including hip-hop, dub, and club DJ-ing, as well as avant-garde music, including *musique concrète* (a compositional technique, developed by Pierre Schaeffer, centered around the manipulation of recorded sounds).¹ They have also pointed to non-sample-based music, such as jazz and folk, as predecessors in the practice of versioning familiar music, and to medieval organum (a type of polyphonic composition), fourteenth-century motets (a polyphonic composition with iterations), baroque quodlibets (compositions combining well-known tunes), Western art music, and African American music as other historical and contemporary examples of new music that relies on and combines existing music.² Quite specific examples from the 1950s onward have been delineated as mashups' direct predecessors or as early examples of a mashup aesthetics, including Buchanan and Goodman's 1956 hit "The Flying Saucer," in which a spoof news report is combined with clips from eighteen contemporary music hits; Alan Copeland's 1968 arrangement of the lyrics and melody of the Beatles' "Norwegian Wood" with the "Mission: Impossible" theme; the Beatles' 1968 sound montage "Revolution 9," which includes several tape excerpts from well-known classical music works by, among others, Beethoven, Sibelius, and Schumann; and John Oswald's 1989 album

Plunderphonics, in which each track presents a thoroughly manipulated version of a familiar recording.³ These associations with historical precursors are valuable not only as a way to legitimize mashups as an artistic practice but also as a way to gain a better understanding of the aesthetics behind them. Still, such comparisons often lead to conflation and sweeping generalizations; for example, they can reduce mashup music to the enduring practice of musical “borrowing” or equate it with prior forms of sampling. As Peter Burkholder (1994, 851) stresses, musical “borrowing,” as he calls it, is not any one thing but a whole field. This urge to refer to prior musical practices should be considered only a point of departure for exploring the many ways in which recycling is enacted and the wide range of functions or effects it is able to produce.

There have been several attempts to provide a typology for the different forms of appropriation or intertextual practice, in which the types are constructed according to a combination of factors or qualities that are regarded as particularly relevant. One of the most detailed is provided by Burkholder (1994) in relation to his analysis of Charles Ives’s music, in which he identifies fourteen different types (including “modelling,” “cantus firmus,” “medley,” “collage,” and “patchwork”) that are based on combinations of features that distinguish them.⁴ When trying to identify mashup music’s roots and specificity in relation to other intertextual practices, in this chapter I first discuss the variables of appropriation in and of themselves rather than resorting to these various typologies.⁵ It here becomes clear that although mashup music shares some qualities with other forms of musical appropriation, it also differs in important ways. After having considered the many variables of appropriations, I turn to a typology that is less fine-grained than those of Burkholder and other scholars but is nevertheless firmly established within both the field of art and the legal context—one that distinguishes among parody, satire, homage, pastiche, and plagiarism. I ultimately conclude that the characteristics of mashup music correspond to those of parody. Important studies within the field of popular musicology have already established that parody, as well as irony and intertextuality, is a fundamental aspect of popular music.⁶ Here, however, I argue that mashup music goes beyond simply embracing parody as an attribute (in the sense of its enactment of parodic gestures); its very construction and underlying principles qualify it as parody, understood as an artistic category in the field of art. When one is evaluating the legality of specific musical cases,

it is crucial to possess a clear sense of the variety of ways in which music can be recycled and of the effects this work can generate. Understanding mashups (and other forms of remixes) as parody thus may also have legal implications, since parody is accepted as a legitimate form of appropriation in several national laws and international treaties. I start, however, by clarifying my use of the concept of appropriation.

The Concept of Appropriation

Lori Burns and Serge Lacasse remind us that “popular music is undoubtedly a multilayered palimpsest: we find not only innumerable versions of preexisting songs reborn in different styles but also entire genres based on borrowing or hybridization (e.g., hip-hop, mash-ups)” (Burns and Lacasse 2018, 1). The palimpsestic nature of music is often theorized in terms of intertextuality, but this concept tends to be used in two different (yet related) ways. The first is the notion that all texts draw on other texts implicitly or explicitly. The study of intertextuality in this sense often involves the structural analysis of different types of specific intertextual relations or the source study of specific appropriations. The second is the notion that intertextuality triggers a specific kind of meaning via the transposition of a text from one context to another. The study of intertextuality in this sense is less concerned with the tracing of a text’s sources than with the transformation that those sources undergo when moved from one context to another.⁷ This chapter is interested in the former—intertextuality as appropriation strategy—whereas chapter 4 deals with the latter—the meaning making of appropriations.

Burkholder (1994) is one of several scholars who refer to the act of using prior music as musical “borrowing.”⁸ However, as Justin Williams (2014, 7) points out (even as he uses the term as well), “borrowing” indicates a use of something that belongs to someone else and is in one’s possession only for a certain amount of time before one is supposed to return it.⁹ This metaphor thus does not align with the described practice, and it may, moreover, imply a proprietary view of music that ignores copyright exceptions. I therefore regard *recycling* as a better metaphorical term than borrowing, though, like *borrowing*, this alludes only to the activity (to recycle), not to the work itself. The use of prior work in music is sometimes referred to as a musical “quotation”—especially uses that are acknowledged¹⁰—yet this

term does not refer to the type of work as a whole either, but instead points specifically to an extracted fragment. A more established concept, and one that alludes to the art form (as opposed to the activity) that relies on the recycling of prior works, is appropriation, which has been used within a variety of art forms to refer to the act of “seizing something that belongs to others and making it one’s own” (Boon 2007, 3).¹¹ While acknowledging that *appropriation* can be used as an umbrella term for a range of intertextual practices, Eduardo Navas, Owen Gallagher, and xtine burrough and colleagues (2018, 20) lament that to them, it implies that “(1) culture may be a form of ‘property,’ and (2) the owner of the cultural property suffers a loss when it’s ‘appropriated’ by someone else.” Yet as Lacasse and Andy Bennett point out, appropriation can also refer to taking something else and making it part of a personal identity (2018, 326)—that is, to putting one’s personal stamp on what someone else has created. Paul Ricoeur similarly describes appropriation as the counterpart of “distanciation”; while the latter is linked to “any objective and objectifying study of a text,” the former refers to “the ‘playful’ transposition of the text, and play itself will appear as the modality appropriate to the reader *potentialis*, that is, to anyone who can read” (1991, 87). In other words, appropriation can also imply interpretation, or the idea that instead of merely repeating a passage of a work, one engages with it more thoroughly and analytically, hence making it one’s own.

According to Marcus Boon, the term has two divergent implications for ownership:

First of all, the sense in which it is used above, that of taking something and making or claiming it as one’s own, or using it as if it was one’s own. Secondly, that which is proper to a situation or a person—that which is “appropriate.” Appropriation, according to the first definition, often involves taking something that arguably belongs to someone else. There is the sense of seizing, of making a claim on something that has already been claimed by someone else. According to the second definition, it is that which one has a right to claim as one’s own, which is “properly” one’s own (we will set aside for now the question of where this right and claim come from). (Boon 2007, 2–3)

In contrast to “borrowing,” which clearly indicates that the relevant content belongs to someone, “appropriation”—if we endorse Boon’s second meaning—confirms that it is a reuse but one that is “appropriate.” This implication is also somewhat problematic, of course, since appropriated

material often resides in the gray area of copyright law, meaning that its legal status is unclear (I return to this issue in chapter 5), and the ethical perspective regarding whether it is appropriate will vary depending on both the use and the evaluator. This ambiguity, however, allows for a more “neutral” (to the extent that such a thing is even possible) position with regard to ownership than that suggested by the related concept of borrowing, and I therefore use it throughout the book.¹²

Appropriation Variables: Its Nature, Arrangement, and Perspective

In scrutinizing various typologies of appropriation, I have teased out the common variables on which they are based and grouped them into three categories: (1) the nature of the appropriation (whether the use is deliberate or unconscious, sample based or recreated, acknowledged or hidden, for example); (2) the arrangement of the sources (whether they appear successively or in parallel, for example); or (3) the appropriation’s apparent perspective or stand toward its sources (whether it is benign or satiric, for example). In what follows, I discuss the variables within each of these categories in turn.

The Nature of the Appropriation

Cultural appropriation can take many forms and be understood in different ways. An important distinction, which tells much about the nature of the appropriation, involves whether it is the result of unconscious and inevitable forms of referentiality or of a more deliberate act.¹³ The former concerns influence and is related to intertextuality, here broadly understood as the condition through which any utterance is “a link in a very complex organized chain of other utterances” (Bakhtin 1986, 69).¹⁴ When appropriation is used in relation to a specific artwork, it is, of course, a signal of a deliberate act of referentiality. Mashups clearly represent the latter.

Deliberate forms of appropriation can also vary in character depending on whether they recycle specific works or rather reference stylistic features. Does the appropriation, for example, quote a specific Motown recording or simply adopt the signature stylistic features of the Motown sound?¹⁵ Stylistic evocation thus asserts a common stylistic language or shared competency with the characteristics of a particular style, whereas the appropriation of a specific work asserts a familiarity with that work, which is then made to

serve as the new work's referent. Mashups are clearly situated within the latter practice of appropriation rather than the former.

So far, then, mashups could be traced back to practices related to medieval organum and motets, Western art music, African slave songs, oral folk traditions, jazz and blues music, and the long tradition of cover songs, to mention but a few, that are also deliberate appropriations of specific works. Yet another variable of musical appropriation with respect to its nature involves whether it is an act of re-creation (or performance) or a sample (understood here as a technologically extracted sequence from a recorded musical work).¹⁶ A cover song, for example, or the way in which Mozart borrowed from Bach or Rachmaninoff borrowed from Beethoven represents the former, because they appropriate by means of re-creating a musical sequence in a performance (or in a transcription that will later be performed). Mashups or hip-hop tracks represent the latter because they rely on samples from preexisting recordings. The difference between recreational and sample-based forms of appropriation is much more than a technicality; it has a major impact on the sonic result as well as the meaning making of the music. When an audio file is extracted, the prior music's melody, rhythm, harmony, and instrumentation, as well as the performances of the instrumentalists and singers, will not simply be similar but actually duplicated, meaning that all the nuances in terms of microrhythm and intonation, for example, will be exactly the same. Moreover, the exact "sound,"¹⁷ or sonic timbre, of the music is likewise extracted, the uniqueness of which often leads to immediate recognition. Thus, the sampled quotation arguably evokes its source more profoundly than the re-created or performed quotation and brings with it a sense of experiencing exact sameness even though the quoted music is now presented in a different context and takes on a new meaning. Functioning as indexical signs from the past,¹⁸ samples furthermore often evoke strong cultural memories associated with their source, including the source's contextual connotations. This rather profound distinction between sampled and re-created or performed forms of appropriation carries over to copyright issues as well, as I discuss in chapter 5.¹⁹

In terms of its sample-based appropriation, mashup music can be linked to Western avant-garde music and sample-based practices within the field of popular music, including dub, DJ culture, remixes, hip-hop, and EDM. These are important roots that should not be neglected, but they should

not be conflated either. For example, these other forms of sample-based appropriation do not always manifest themselves in an acknowledged manner. Hip-hop sampling, for example, sometimes exposes its sources but other times disguises or obscures them to the point of unrecognizability. This brings us to yet another variable with respect to the appropriation's nature: whether its references are more or less hidden or acknowledged, the latter implying that they are signaled explicitly.²⁰

Harold Bloom (1973) points out that authors often hide, via transformation, their "borrowing" due to their anxiety about being revealed as unoriginal (that is, their "anxiety of influence"). This possibility also underpins the many copyright cases that have centered around the question of whether a musical sequence is an act of deliberate plagiarism (using another's music but pretending that it is one's own) or an instance of coincidental similarity. Appropriations that are acknowledged, however, are meant to be perceived as appropriations. The use of prior material is baldly signaled, either textually or paratextually—that is, via contextual cues or "secondary signals" that are closely linked to the text (Genette 1997, 3–4).²¹ As I demonstrate in the following chapter, mashups are firmly situated within this latter category of acknowledged appropriation. A high priority for mashup producers, for example, is to announce that their mashups are mashups. In terms of textual signaling, they often mine widely known sources or expose their sources through the use of relatively lengthy passages that are treated only subtly or not at all. In terms of paratextual cues, they often include the sources' song titles and artists, and/or the term *mashup* or *megamix* in the mashups' titles or in the descriptions beneath the audio or video files.

The roots of mashups with respect to their nature, then, can be traced to various types of deliberate appropriation of specific works, and more specifically to those that are *sample based* as well as acknowledged (see figure 2.1). But even if these features connect them, these types may differ in terms of their arrangement of the sources, as well as the perspective they take toward their reused sources. For example, hip-hop music may be a deliberate, acknowledged, and sample-based form of appropriation, but it differs from mashup in that it often loops short samples instead of using full-length samples or shorter samples that are not looped, and it also usually combines its samples with nonsampled musical elements, including vocals.

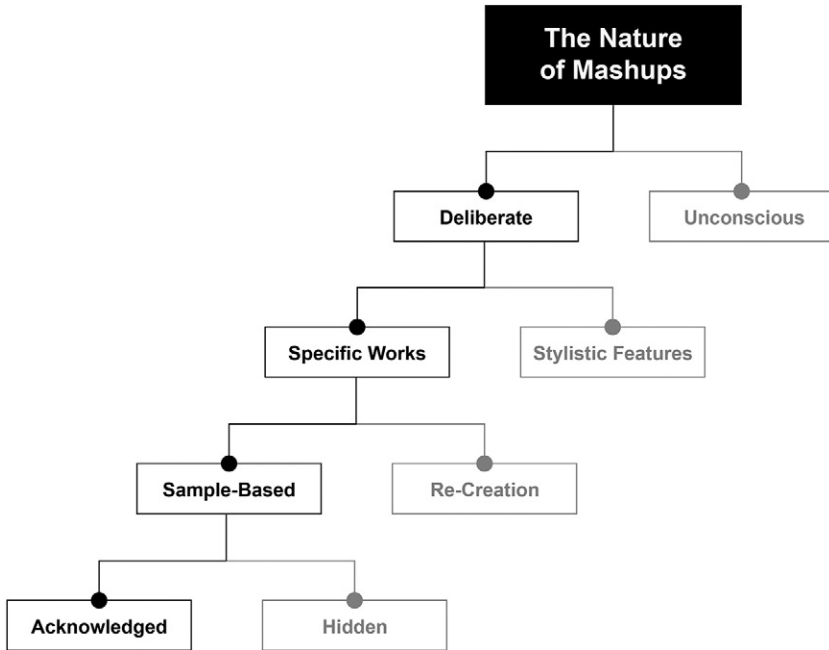


Figure 2.1

The specificity of the nature of mashup music in relation to other appropriations.

The Arrangement of the Sources

Acknowledged appropriations (including parody) can involve one or several prior works.²² Examples of the former include covers and many EDM remixes, whereas much hip-hop and mashup music exemplifies the latter. Yet, there is another variable as well with respect to the arrangement of sources—that is, whether they are purely recycled or partly recycled. If the acknowledged appropriation is based on several prior works, it can consist of nothing but passages from these works, or it can combine those passages with “new” or nonappropriated material. Hip-hop music generally exemplifies the latter case, whereas mashup music (and often other internet remixes) generally exemplifies the former case. Appropriations consisting of nothing but prior material (as in mashups) are commonly referred to as montage or collage works, though sometimes they are also given more genre- or area-specific names such as *assemblage*, *cento*, *medley*, *pasticcio*, and *quodlibet*.²³

The principle of montage (or collage) predates the advent of film and the various avant-garde movements with which it is commonly associated. Across all of its historical manifestations as well, the extent varies to which it draws attention to itself as such and insists on its construction as integral to its meaning. This brings us to a third variable with respect to the arrangement of sources: whether the sources are associative or bisociative. Inspired by the early Russian film theorist Vsevolod Pudovkin, who emphasized editing, as opposed to space-time continuity, as the foundation of film (Harrah 1954, 167), Sergej Eisenstein theorizes montage by arguing that “the juxtaposition of two separate shots . . . resembles not so much a simple sum as it does a creation” (Eisenstein 1986, 7). Something new occurs at the meeting point between sources. He further describes the juxtaposition of shots as a collision rather than a linkage (1986, 37) and notes that some forms of montage feature a smoother collision or are more “neutral” in their juxtaposition of shots than others (Eisenstein 1977, 4).²⁴ The perceptually profound collision of sources (that, according to him, leads to a “sensation of duality” [1986, 15]) might also be characterized as bisociative—a term introduced by Arthur Koestler as an antonym to that which is associative: “Bisociation means combining two hitherto unrelated cognitive matrices in such a way that a new level is added to the hierarchy, which contains the previously separate structures as its members” (Koestler 1967, 183). In contrast to associative processes through which one idea leads to another, bisociation refers to the integration of independent matrices otherwise thought to be incompatible (Koestler 1964, 657–660). Acknowledged appropriations (including mashups) are, in a sense, bisociative by definition since they emphasize the contrast or incongruity between the source’s new and original contexts. But the term *bisociative* can also describe the montage, in which two or more combined sources are experienced as conceptually contrasting due to their difference in original forms or their diverse styles or connotations. Whereas mashup music is inherently bisociative, in the sense that it juxtaposes previously unrelated sources, some mashups emphasize this bisociative nature by appropriating material that does not blend conceptually (although it might blend musically) due to a perceived clash of styles or connotations. Along the lines of Eisenstein’s distinction between more or less neutral juxtapositions in montage, then, we can perhaps distinguish between more or less bisociative and associative

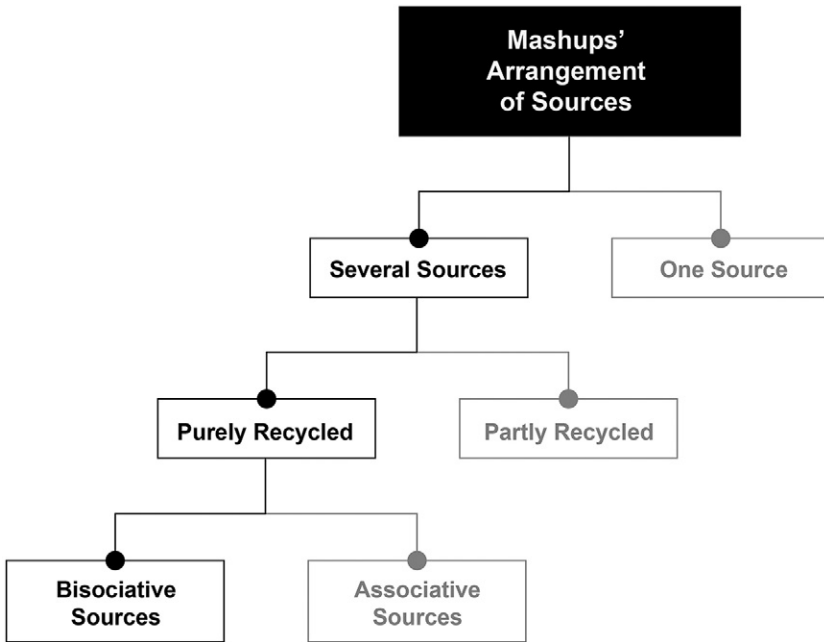


Figure 2.2

The specificity of the arrangement of mashup music in relation to other appropriations.

forms of montage, wherein mashups—and particularly the A+B mashup—tend to exemplify the former.

Whereas EDM remixes, hip-hop, and mashup music have much in common in terms of their nature—they are all deliberate, acknowledged, and sample-based appropriations of specific works—they often differ with respect to their arrangement of sources. That is, EDM remixes often rely on only one source, whereas mashups, and potentially hip-hop music as well, rely on several. And whereas EDM remixes and hip-hop music usually combine their source(s) with non-appropriated material, mashups use nothing but prior works and furthermore often combine their sources in a bisociative montage (see figure 2.2). Mashups cannot, however, be reduced to a montage in the sense that the concept of montage encompasses several variables with respect to its nature, as discussed above. Nor does the identification of the mashup as a montage imply a particular perspective toward its sources, to which I turn next.

The Appropriation's Perspective toward Its Sources

An alternative to seeking mashups' roots and specificity in the nature of their appropriation and the ways in which the appropriated material is used in terms of its arrangement involves looking for similarities and differences based on the stand they take toward their sources. Richard Dyer (2007, 35) points out that all forms of appropriation (or "imitations," as he prefers) imply an evaluative attitude in terms of expressing a valuation or position regarding the recycled material. He then introduces the useful distinction between appropriations that are evaluatively open and those that are evaluatively predetermined. The former implies that the appropriation's perspective toward its source(s) is either ambiguous or varied, whereas the latter implies an explicit intention, whether friendly or mocking in nature. Because of its multiple and often ambiguous functions, mashup music in its entirety belongs to the category that Dyer describes as "evaluatively open," although particular instances of it could be interpreted as "evaluatively predetermined." The same applies to dub, hip-hop, and EDM sampling, as well as internet remixes and memes. Although several types of hip-hop music could be interpreted as homage and several forms of internet remixes as satirical, they are, viewed as a whole, evaluatively open because of these genres' broad variety and ambiguity when it comes to their perceived intent.²⁵

Another related yet quite distinct pair of concepts revolves around whether an appropriation is an act of imitative repetition or repetition with ironic critical distance. "Critical distance" here does not necessarily imply an explicit critique as such but rather an act of distancing oneself from the material by dramatizing the contrast between how it appears in its original context and how it appears in its new, appropriated context. If the appropriation involves ironic critical distance, it self-reflexively acknowledges that it is not an imitation but rather a new take—one that playfully transforms the original content by means of recontextualization or alteration. It comments on what it recycles by presenting it from a different point of view. Such repetition with ironic critical distance can be either evaluatively open or predetermined, and if it is the latter, it can be either an act of homage or a satire. Mashup music presents itself as an interpretation and a reworking of its sources, which differentiates it from the mixtape or several other forms of medley that do not emphasize the contrast between their new and original contexts to the same extent.²⁶ That is, along with being

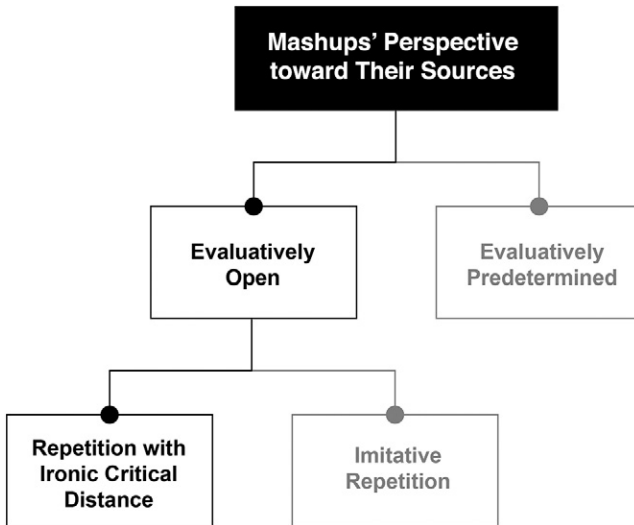


Figure 2.3

The specificity of mashup music's perspective toward its sources in relation to other appropriations.

evaluative open, mashup music displays an ironic critical distance toward its sources (see figure 2.3).

To summarize, mashups can be distinguished from as well as compared to other appropriations by means of the following criteria: they are deliberate as opposed to unconscious; they sample specific works as opposed to stylistic features; they are sample based as opposed to re-creational; and they acknowledge their sources as opposed to hiding them. Furthermore, they rely on several sources as opposed to one alone, they consist purely of recycled material as opposed to mingling that material with other elements, and their montages of sources usually result in bisociative collisions rather than associative amalgamations. Finally, their perspective on their sources is evaluatively open as opposed to predetermined, and they display an ironic critical distance toward those sources as opposed to presenting them as imitative repetitions. All of these variables testify to the gross simplification inherent in regarding various forms of musical appropriation, or sample-based music more specifically, as one and the same. Moreover, once one has identified these characteristics of mashup music, it becomes clear that this music actually exhibits the characteristic features of parody.

Mashups as Parody

Typologies rely on a combination of selected variables, including those mentioned above. A typology of appropriation that is firmly established within both the fields of art and law is the one that distinguishes among plagiarism, homage, satire, pastiche, and parody (sometimes a more fine-grained typology also includes terms such as *cento*, *burlesque*, *travesty*, *irony*, *nostalgia*, and *allusion*, among others). In what follows, I delineate the differences among these types with a special attention to parody. Furthermore, I point to the corresponding qualities of mashup music and parody and trace the roots of mashup music to concrete examples of bisociative, montage-based parodies.

Plagiarism, Homage, Satire, Pastiche, and Parody

Dyer (2007, 24) helpfully identifies the three criteria, each consisting of a binary alternative, that most often inform the distinctions between plagiarism, homage, satire, pastiche, and parody: (1) whether the recycled material is concealed or unconcealed, (2) whether it is textually signaled or unsignaled, and (3) whether it is evaluatively open or predetermined. (As demonstrated, there are several more variables among appropriations but each typology emphasizes a specific selection.) The first two criteria that Dyer mentions involve whether the appropriation is acknowledged; if it is (meaning it is unconcealed), it can be signaled as such either textually or merely contextually (23). Among the types mentioned above, plagiarism is the only one that is (textually and paratextually) concealed and unsignaled (see figure 2.4); it is, in contrast to the other types, “an author’s false claim of another’s work” (Demers 2006, 29).²⁷ I thus focus primarily on the third category that Dyer introduces—whether it is evaluatively open or predetermined—while also adding a fourth closely related criterion that is often mentioned when one is defining these types: whether the appropriation is an instance of imitative repetition or of repetition with ironic critical distance, as discussed above.²⁸

When suggesting the categories “evaluatively open” and “evaluatively predetermined,” Dyer points out that satire and homage are obvious examples of types that are evaluatively predetermined. Satire displays a scornful and disdainful attitude or a denigrating attitude of mockery or ridicule—one whose target is either the appropriated text itself or something external

to it that it somehow represents. As Linda Hutcheon points out (2000, 56), satire can be understood as “encoded anger” and is thus destructive due to its contempt and disdain, but it can also be didactic in its earnest attempt to bring about change. Travesty and burlesque can be seen as subcategories of satire, as they also involve a degree of mockery and ridicule. Like satire, homage is evaluatively predetermined but resides at the other end of the spectrum, paying tribute to what it recycles. Homage is a reverence or respectful attestation of the quality and greatness, and perhaps also influence, of an artist or their works or a musical style of the past, and it can thus also involve an element of nostalgia.

Whereas satire and homage are sometimes referred to as appropriation types,²⁹ they are also used as adverbs to describe the perceived evaluative intent of other appropriation types. For example, parodies are sometimes seen as being a form of homage and other times as having a satirical sting. The primary feature that distinguishes homage and satire from parody as well as pastiche is exactly this category of evaluative attitude—that is, in contrast to homage and satire, pastiche and parody are evaluatively open. While this is the most common understanding among parody scholars (see below), not everyone agrees with it. Dyer (2007, 23–24) argues that parody, unlike pastiche, is evaluatively predetermined, based on his understanding of parody as fundamentally satirical. Genette (1997, 12, 25) suggests that the debate regarding whether parody is a form of mockery or a form of ridicule can be traced to the etymology of the word,³⁰ in which “para” can imply either (1) the diversion of an existing text into something new that is invested with new meaning (a playful distortion) or (2) mockery (the satirical imitation of a style). Still, Hutcheon (2000, 32) points out that there is nothing in the concept per se that necessitates the involvement of ridicule, so she finds it problematic that several dictionaries define *parody* as such. Margaret Rose agrees. In her thorough historical review of the term, she finds that the occasional linking of parody to mockery can be partly explained by the way in which ancient descriptions of parody as comic have sometimes wrongly been interpreted as implying ridicule and mockery. Moreover, where the term *ridicule* is used, subsequent interpretations and translations have often failed to account for its shifting meaning: whereas ridicule is now understood as mockery—a “laughing at”—it was previously understood as something funny and amusing—a “laughing with” (*rideo* means to laugh) (Rose 1993, 9). She contends that it is the

latter sense of ridicule that ancient descriptions are applying to parody (25) and cites the similar conclusions of scholarly parody authorities Fred W. Householder (1944) and F. J. Lelièvre (1954) (22). Another explanation for the confusion of satire with parody is that they are often used in combination; as both Rose (1993, 83) and Hutcheon (2000, 43) point out, parody has been a common vehicle for satire since ancient times, but this does not make the two concepts synonymous. Whereas satire can take many forms, it always sends an unambiguous message. Parody is a more specific form but sends multiple messages, including those that are ambiguous and even relatively neutral. Moreover, whereas parody always comments on an artwork or what it represents from within or through that specific work, satire does not necessarily do so; it can comment on its target by using means other than the “voice” of any particular work as such (Hutcheon 2000, 43).

Whereas Genette (1997, 27) argues that parody is never satirical (if it is, it should be defined instead as travesty, he insists), there is now, with certain exceptions including Dyer (2007), a consensus among parody scholars that parody has always boasted a range of possible functions.³¹ Sabine Jacques sums up: “[History] reveals that parody is *multi-functional*: provoking laughter, conveying criticism, providing (positive or negative) social or political commentary, paying homage, and developing or testing artistic or musical rules and techniques” (2019, 5). Or, as Genette writes, parody is “a form in search of a function” (1997, 71). In addition to having different functions—some humorous, some ambiguous, others satirical—parody in itself can also be ambivalent or invite more than one interpretation, several scholars observe.³² Simon Dentith (2000, 11 fn.12) accordingly describes parody as a playful rather than satirical transformation. For all these reasons, I remain convinced that parody falls within the category of being evaluatively open.

The other related yet quite distinct pair of concepts—that is, whether an appropriation is an act of imitative repetition or repetition with ironic critical distance—is not part of the table Dyer uses to distinguish pastiche from parody and other related types, but it is exactly this trait that several other scholars identify as the main difference between parody and pastiche. What unites parody and pastiche is that both are evaluatively open. What several scholars see as distinguishing them, however, is that pastiche, like plagiarism and often homage as well, is a more or less imitative repetition that emphasizes similarity, whereas parody, like satire, is a repetition with

critical difference. For example, Rose points out that pastiche is “a more neutral practice of compilation which is neither necessarily critical of its sources, nor necessarily comic” (1993, 72), and Genette also observes that pastiche imitates more than it transforms (1997, 34 fn.60). Hutcheon similarly argues that whereas pastiche operates according to similarity and correspondence (2000, 38), parody is “a form of repetition with ironic critical distance, marking difference rather than similarity” between the parody and the parodied text (Hutcheon 2000, xii). Dyer refers to Mirella Billi, who similarly suggests that “parody may be distinguished from pastiche chiefly because it brings out the difference between the two texts . . . rather than the similarity. . . . Whereas parody is transformative, pastiche is imitative” (Billi [1993, 36] as quoted in Dyer 2007, 47). Dyer himself has a broader understanding of pastiche:

One of the connotations of the word “pastiche,” perhaps always, certainly since Jameson’s discussion of it in the context of postmodernism (1984), is that it cannot be critical, indeed that its very closeness to what it imitates prevents it from having the distance necessary to critique. Certainly pastiche is not, like parody, by definition critical (or, come to that, like homage, by definition evaluative in a positive sense). None the less, that does not mean that it cannot be used critically. Ludovica Koch (1983, 11) maintains that pastiche is always subversive: beneath its apparent elegance, pastiche is always “bringing to light the arbitrariness, generic basis and indifference” of the forms it imitates, qualities that otherwise give the illusion of life and originality to art. I would not want to go as far as always, but I do want to show that pastiche can be used critically. (Dyer 2007, 157)

This broader definition, whereby pastiche may be seen to sometimes encompass a critical distance toward its sources, makes the terms *parody* and *pastiche* overlap, and Dyer also admits that several of the works that Hutcheon calls parody, he calls pastiche (2007, 51 fn.54). According to this broader definition, mashups could also be labeled pastiche; parody and pastiche both represent a broad range of manifestations, many of which overlap with one another. Whether one chooses parody or pastiche to label content falling within this overlapping range may not be that important in an everyday context (especially given that these concepts often seem to be misguided in terms of their historical use). But in a legal context, it well might matter, which is why I stick to parody: it has a strong legal defense.

With the “ironic critical distance” of parody, Hutcheon refers to the ways in which parody self-consciously acknowledges, and even exposes, not only

its status as an appropriation (that is, a new take on something old) but also its specific textual or contextual transformation of the parodied work of art. “Ironic” in this context points to the way in which the parodied work of art is inverted by its new context: the parody instigates a playful contrast with that which is expected in terms of transforming while repeating. This transformation goes beyond the inevitable one—that is, that repetition always involves a degree of difference³³—in that parody transforms explicitly in terms of emphasizing and dramatizing the difference between the parodied text’s original and new contexts, thus resulting in a recoding that in turn introduces new meaning to the familiar (which leads to a rereading of it). “Ironic” also points to the act of communicating two messages at once, in which one is communicated directly (the “said”) and the other indirectly (“the unsaid”); in parody (as well as mashups), the direct message is what is heard and seen, whereas the indirect message encompasses the many associations that the sources trigger. Parody’s ironic critical distance does not communicate one version in place of the other but instead presents both through the technique of irony. According to Hutcheon, “it is the superimposition or rubbing together of these meanings (the said and plural unsaid) with a critical edge created by a difference of context that makes irony happen” (Hutcheon 1994, 19).

Although *parody* is an old term that has had many definitions throughout history, most of them seem to agree on the centrality of this critical and distancing aspect. More than merely imitating or slightly varying an existing work, parody transforms it in a way that makes the result incongruent with its source. For example, Lelievre defines parody as “singing after the style of an original but with a difference” (1954, 66, 72); Mikhail Bakhtin, as “an intentional dialogized hybrid” (1981, 76); Rose, as “the comic refunctioning of preformed linguistic or artistic material” (1993, 52); Hutcheon, as “a form of repetition with ironic critical distance, marking difference rather than similarity” (2000, xii); Genette, as a “playful transformation of a particular text” (1997, 202); and Dentith, as “a relatively polemic allusive imitation of another cultural production or practice” (2000, 9). What these descriptions have in common is that terms such as *difference*, *dialogized hybrid*, *comic refunctioning*, *ironic critical distance*, *playful transformation*, and *polemic imitation* all point to the characteristic critical distance that parody introduces in relation to its acknowledged recycled work.

This critical distance is also related to the notion of humor. Pastiche is generally not seen as evocative of a humorous response, precisely because it lacks parody's ironic critical distance. Parody, on the other hand, triggers a feeling of incongruity—and, moreover, the combination of incongruity and sense making that humor scholars have identified as a key trigger of humor (see chapter 4). That is, parody is inherently incongruent—it is an acknowledged reworking of a prior work—yet it makes sense as a work in itself as well and thus depends on a structure that readily triggers humor. Nevertheless, parody scholars disagree as to whether humor is a defining characteristic of parody. Rose, for example, insists that humor is essential to parody and thus includes it in her definition of the term: “[Parody is] the comic refunctioning of preformed linguistic or artistic material” (1993, 52). She expands on this comic refunctioning by referring to how parody often evokes a feeling of incongruity: “The creation of comic incongruity or discrepancy will be taken as a significant distinguishing factor in parody in the definitions given of it in this book and may also be said to explain both the production of the comic effect in the parody and how the parody may continue to be defined as comic” (31). Rose further argues that because of the inherent incongruity between the parodied text and the parody, “the parody may still be said to be ‘comic’ even when its comic aspects are not noticed or understood by a recipient” (32). Hutcheon takes issue with this definition, preferring the less-loaded alternative of “repetition with critical difference” since this “would allow for the range of intent and effect possible in modern parodic works” (2000, 20).³⁴ She does not include humor in her definition of parody because parody does not always trigger a humorous response, at least according to her understanding of the concept of humor. However, as several humor scholars maintain, humor should be seen to encompass experiences, responses, and emotions ranging broadly from laughter (scornful or otherwise) to a knowing smile when one is in on the joke to an inward, unexpressed amusement over something playfully and unexpectedly subversive, disruptive, or puzzling (see, for example, Kitts and Baxter-Moore 2019, and Raskin 2008). And it is in this context that the humor of parody should be understood. The characteristic structure of what triggers humor is the nearest we can come to an objective classification of something as humorous or nonhumorous, which may be why Rose (1993) and other parody scholars include the comic in their definitions of parody while embracing a generous understanding of humor. Stating that

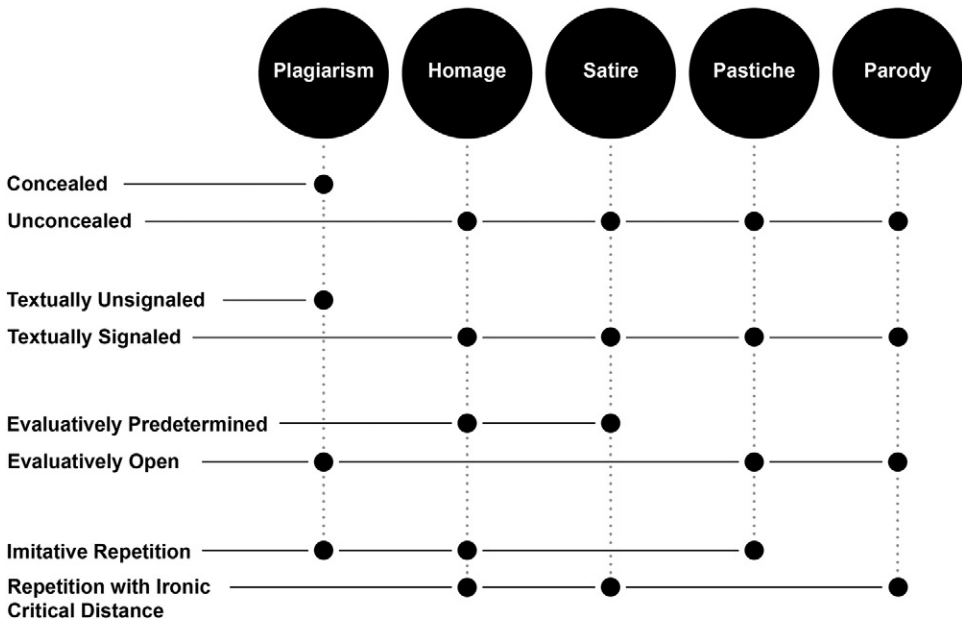


Figure 2.4

Differences and similarities among plagiarism, homage, satire, pastiche, and parody.

parody depends on ironic critical distance is, from this perspective, almost synonymous with saying that it contains the key triggers of humor, if one accepts the dominant theories of humor.

To sum up, then, and as illustrated in figure 2.4, plagiarism is a concealed and textually unsignaled form of appropriation, whereas homage, satire, pastiche, and parody are unconcealed and textually signaled forms. Furthermore, homage and satire are evaluatively predetermined forms of appropriation, whereas plagiarism, pastiche, and parody are evaluatively open. Finally, plagiarism and pastiche represent an imitative repetition of sources, whereas parody and satire represent repetition with ironic critical distance, and homage can do both.

Parody, then, is an acknowledged and multifunctional (evaluatively open) appropriation that displays an ironic critical distance toward its sources:

- *Acknowledged appropriation* here points to an act of referentiality that is deliberate, as opposed to unconscious, and to the parody being signaled

as a parody. In contrast to plagiarism, which hides its sources, parody exposes them in order to be recognized as such. Its effectiveness requires that it is understood to be a reworking of something existing.

- In contrast to satire and homage, which are evaluatively predetermined, parody is also *multifunctional*, ranging, for example, from a satirical mockery to an entertaining social critique or a benign source of amusement.
- And more than merely imitating an artwork (the act that often defines pastiche), parody presents its appropriated material from an *ironic critical distance*—that is, in a way that is incongruent with how it was presented before. It transforms while it repeats, and it does so by communicating two texts at once—one directly (the parody itself) and one indirectly (the parodied text). In fact, the parody functions as a parody exactly because its appropriated material is recognized as belonging to two contexts at once.

It should further be obvious by now that mashups have much in common with parody: mashup music is also an acknowledged appropriation of specific artworks, and, like parody, it displays an ironic critical distance toward its sources. It does so by embracing the contrast between the sources' new and old contexts, and sometimes also between the combined sources and their connotations—and this in turn emphasizes the contrast between the familiar and the novel, and thus also its ironic critical distance. By introducing this critical distance with regard to their sources, mashups function as comments, but as I discuss in chapter 4, their received and intended messages are multifunctional—sometimes playfully benign, other times explicitly political, and still other times ambiguous or relatively neutral. Based on the striking similarities between the abiding definitions of parody and my understanding of mashup music (on which I elaborate in the following chapters), I conclude that mashup music is not only like parody but also in fact a contemporary manifestation of parody.

Mashup's Roots in Bisociative, Montage-Based Parody

In the courtroom, sampling is often reduced to a single thing, but as this chapter demonstrates, sampling, as well as appropriation more generally, is a whole field of practices and activities. Sampling is also not opposed to parody but can even manifest itself as parody. In this chapter, I have argued that although mashup music has many common traits with various other

forms of appropriation, including hip-hop music, its particular specificity must be sourced not only in its sample-based nature but also in parody. Moreover, the roots of mashups can be traced to the bisociative montage, which merges sources not commonly thought of in combination. It thus becomes apparent that it also has predecessors beyond those usually referred to, as the following historical examples demonstrate.

Catherine A. Bradley's (2018) detailed account of thirteenth-century music points out that within certain forms of sacred music such as motets, it was common to appropriate secular melodies, including those otherwise associated with vernacular love songs—two musical categories often thought of as polar opposites. She explains: "This spirit of compositional play, and a profound interest in quotation, are consonant with the beginnings of the motet as a vernacular genre that delights in the combination of apparently contradictory materials. . . . This aesthetic arguably reached its summation in the proliferation of three- and four-voice polytextual motets, which present unparalleled opportunities to explore multi-layered semantic, allegorical, and/or parodic interactions between texts, as well as intricate and overlapping relationships between melodic lines" (249–250). As such, the motet of the thirteenth century actually shares some common features with mashups in terms of their playful mix of divergent songs.³⁵

If we look to Western art music in general, there are several other examples to pick from. For example, in "Golliwog's Cakewalk" from the piano suite *Children's Corner* (1908), Claude Debussy both juxtaposes and instigates a dialogue between a danceable and cheerful ragtime cakewalk named Golliwog (after a popular minstrel caricature doll) and excerpts from Wagner's "Prelude" to *Tristan und Isolde*. In her thorough analysis of this movement, Elizabeth de Martelly points to the stylistic incongruity between Wagner's music and the cakewalk:

The musical volley between the Tristan quotations and the syncopated gestures of the cakewalk presents a tension between two apparently disparate musical styles: where Wagner's opera is harmonically complex and "refined," the syncopated cakewalk represents a lowbrow, "wild," and "animalistic" musical idiom. Here, Debussy frames Wagner and the cakewalk as "humorously" incompatible, from disparate worlds incapable of communicating with one another. (Martelly 2010, 26)

By emphasizing their contrast, Debussy introduces a critical distance regarding both forms of music. Martelly goes on to observe that this stylistic

incongruity also evokes a confrontational clash between the two social contexts represented by these divergent styles: “Golliwog as Africanized ‘primitive’ and Wagner as the epitomized figure of high Western culture” (2010, 26).³⁶ Debussy’s bisociative montage thus serves as an example of how the parodic dramatization of music-stylistic and social differences that characterizes many mashups has also long been explored in Western art music.

Sinfonia (1969) by the Italian composer Luciano Berio is another bisociative montage juxtaposing passages from Mahler and Beethoven, as well as Schoenberg, Debussy, Hindemith, Ravel, Berlioz, Stravinsky, Strauss, Bach, Berg, Webern, and Stockhausen. Its parodic critical distance toward these passages is clearly evident, as Marion Hestholm explains: “Instead of ‘killing’ the precursors by writing something else, as Bloom’s theory proclaims, Berio plays them up against each other and gives them new life” (2010, 94). Noting that montage “feeds on the dynamic of this confrontation of authorial voices” (94), she refers to the sleeve notes of the Erato recording, in which Berio writes: “The combination and unification of musical characters that are foreign to each other is probably the main driving force behind this third part of *Sinfonia*, a meditation on a Mahlerian ‘objet trouvé’” (Berio 1986, 2).

Avant-garde composer Karlheinz Stockhausen’s “Hymnen” (1969), which juxtaposes national anthems from around the world, is conceptually similar to mashup music, though it manipulates its sources much more excessively. Likewise, Glenn Gould’s 1955 piano superimposition of the national anthems of the United States and the United Kingdom—“Star-Spangled Banner” and “God Save the King [or Queen]”—is even more resonant with mashup music, in that its sources are made perfectly explicit in their very subtle manipulation and also used as the primary foundation of the work. According to Benjamin Givan, Gould gave the following explanation of his alignment of these anthems to his recording engineer:

By the way, I have a quodlibet of my own which came to me in the bath tub the other night. One of these times I’m going to be invited to give a concert on the fourth of July, I am sure, and when I do, I’ve figured out that, by leaving out the repeats in “The Star-Spangled Banner,” and starting your entry at the thirteenth bar of “God Save the King,” and then playing “God Save the King” over again, and altering the harmony in the second half of “The King” to modulate to the supertonic region, it has the most marvelous effect. (Givan 2015)

With only a few minor alterations, the anthems can be made harmonically compatible, even as they continue to carry with them the weight of their respective nation's political history.

There are also several obvious examples of parodic, bisociative montage in the field of popular music. For example, Nina Simone's "Little Girl Blue" (1958) combines the song with the same title from 1935 (with music by Richard Rodgers and lyrics by Lorenz Hart) with the melody of the widely known Christmas carol "Good King Wenceslas." Whereas the songs are incongruent in terms of their context, they sound stylistically congruent in Simone's version, and the Christmas carol may also function to underline the lyrics of "Little Girl Blue" for some listeners, as both songs are about struggle and disappointment. A more humorous example of a bisociative parodic montage is the aforementioned release "Mission: Impossible Theme/Norwegian Wood" (1968) by Copeland. Lalo Shifrin's familiar "Mission: Impossible" theme from the popular TV series of the same name (1966–1973) is used as the instrumental accompaniment to the lyrics and melody of the Beatles single "Norwegian Wood" (1965) as performed by Alan Copeland Singers. The latter song remains in G major, but in Copeland's arrangement, its original 6/8 time signature is changed to 5/4. The instrumental accompaniment from the "Mission: Impossible" theme remains in 5/4 and its original key of G minor, but, interestingly, the minor and major tonalities do not clash, although the associations and connotations of this soundtrack and the music of the Beatles certainly do.³⁷

Whereas all these examples reperform their excerpts of existing music (save for Stockhausen's "Hymnen"), one of the earliest examples of bisociative montage-based parody that relies on samples is the Evolution Control Committee's "The Whipped Cream Mixes" from 1996 (first released on cassette in 1994). In the two tracks constituting "The Whipped Cream Mixes," the music by Herb Alpert's Tijuana Brass from their album *Whipped Cream and Other Delights* (1965) is overlaid with the rap vocals of Public Enemy's Chuck D from 1988 and 1991 releases in a manner sonically similar to an A+B mashup. In my analysis with Paul Harkins (2012) of one of these mixes, "By the Time I Get to Arizona," we point out that by combining the rap vocals of Public Enemy's "By the Time I Get to Arizona" with the music of Herb Alpert's "Whipped Cream," the Evolution Control Committee juxtaposes two tracks that work together musically in this new context while continuing to clash profoundly in terms of both style and connotations.

Whereas the lyrics of Public Enemy are “expressing a Malcom-X-inspired militancy about racism and other socio-political problems in America,” Herb Alpert’s Tijuana Brass “had no agenda other than entertaining their vast and diverse 1960s audience” (Brøvig-Hanssen and Harkins 2012, 94). When replacing the dense and sample-heavy montage of Public Enemy’s music—which functions to underline the political message—with the light and cheerful music of Herb Alpert, the contrast becomes humorous, as described by *Salon* journalist Charles Taylor: “Every time Chuck D lights into some new target of his righteous rage you hear those horns saying, ‘Lighten the fuck up!’” (Taylor 2003). The bisociative nature of the two tracks is thus obvious, and so is the Evolution Control Committee’s parodic critical distance from both tracks, making the work more evocative of mashup music than most examples of hip-hop or dub music, among others.³⁸

These examples represent but a brief historical introduction to bisociative montage-based parodies.³⁹ Still, they serve to demonstrate that there are paths to tracing mashup music’s roots in history other than either those limiting it to, or even equating it with, the sampling practices of hip-hop and dub music or those making the sweeping claim that the act of appropriating others’ music belongs to all times. While it is fruitful to understand these practices as important roots of mashups, conflating notions or generalizations dismiss the fact that appropriation represents a diverse but dedicated artistic practice, as does sampling. Thus, while mashup music shares certain structural and technological similarities with hip-hop music, dub, and remixes in terms of being sample based, it is not, as Michael D. Ayers claims, “a logical derivation of hip-hop” (2006, 129). Such a positioning denies the fact that the formation of any practice is always quite complex in character and that the practice itself is likely traceable to multiple sources depending on what one’s focus happens to be. This idea that sample-based music is not a single thing but several and that mashup music is simply a recent manifestation of the long-standing practice of parody is critical when it comes to defining the legal status of mashups and other forms of sample-based music. Moreover, as several poststructuralists have reminded us, texts are not isolated entities placed in a random social and historical context; they are saturated by their context, which informs both the production and the experience of those texts. As such, a contemporary hip-hop track from Turku differs from a 1990s hip-hop track from the Bronx,

not only because the tracks themselves differ but also because the time and place in which they were produced and consumed provide them with very different meanings. It is uninformed to regard contemporary types of appropriation as something completely new, but it is also uninformed to regard them as nothing more than the latest incarnations of earlier forms. They are likely to be unique not only in their combinations of the many variables mentioned in this chapter but also in the sense that they have been produced and consumed within a unique social and historical context that contributes to their meaning.

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