

Part of the [Unbound Libraries Documentation](#)

# ≠CC4r \* COLLECTIVE CONDITIONS FOR RE-USE

Copyleft Attitude with a difference - version 1.0



## REMINDER TO CURRENT AND FUTURE AUTHORS:

The authored work released under the CC4r was never yours to begin with. The CC4r considers authorship to be part of a collective cultural effort and rejects authorship as ownership derived from individual genius. This means to recognize that it is situated in social and historical conditions and that there may be reasons to refrain from release and re-use.



## PREAMBLE

The CC4r articulates conditions for re-using authored materials. This document is inspired by the [principles of Free Culture](#) 🖐️ – with a few differences. You are invited to copy, distribute, and transform the materials published under these conditions, and to take the implications of (re-)use into account.

The CC4r understands authorship as inherently collaborative and already-collective. It applies to hybrid practices such as human-machine collaborations and other-than-human contributions. [The legal framework of copyright ties authorship firmly in property and individual human creation, and prevents more](#)

fluid modes of authorial becoming from flourishing 🖱️. Free Culture and intersectional, feminist, anti-colonial work reminds us that there is no tabula rasa, no original or single author; that authorial practice exists within a web of references.

The CC4r favours re-use and generous access conditions. It considers hands-on circulation as a necessary and generative activation of current, historical and future authored materials. While you are free to (re-)use them, you are not free from taking the implications from (re-)use into account.

The CC4r troubles the binary approach that declares authored works either 'open' or 'closed'. It tries to address how a universalist approach to openness such as the one that Free licenses maintain, has historically meant the appropriation of marginalised knowledges 🖱️. It is concerned with the way Free Culture, Free Licenses and Open Access do not account for the complexity and porosity of knowledge practices and their circulation 🖱️, nor for the power structures active around it. This includes extractive use by software giants and commercial on-line platforms that increasingly invest into and absorb Free Culture.

The CC4r asks CURRENT and FUTURE AUTHORS, as a collective, to care together for the implications of appropriation. To be attentive to the way re-use of materials might support or oppress others, even if this will never be easy to gauge 🖱️ This implies to consider the collective conditions of authorship.

The CC4r asks you to be courageous with the use of materials that are being licensed under the CC4r. To discuss them, to doubt, to let go, to change your mind, to experiment with them, to give back to them and to take responsibility when things might go wrong. 🖱️

Considering the Collective Conditions for (re-)use involves inclusive crediting and speculative practices for referencing and resourcing. To consider the circulation of materials on commercial platforms as participating in extractive data practices; platform capitalism appropriates and abuses collective authorial practice. To take into account that the defaults of openness and transparency have different consequences 🖱️ in different contexts 🖱️. To consider the potential necessity for opacity when accessing and transmitting knowledge, especially when it involves materials that matter to marginalized communities.

This document was written in response to the Free Art License (FAL) in a process of coming to terms with the colonial structuring of knowledge production. It emerged out of concerns with the way Open Access and Free Culture ideologies foregrounding openness and freedom as universal principles might replicate some of the problems with conventional copyright.

## DEFINITIONS

« LEGAL AUTHOR » In the CC4r, LEGAL AUTHOR is used for the individual that is assigned as “author” by conventional copyright. Even if the authored work was never theirs to begin with, he or she is the only one that is legally permitted to license a work under a CC4r. This license is therefore not about liability, or legal implications. It cares about the ways copyright contributes to structural inequalities.

« CURRENT AUTHOR » can be used for individuals and collectives. It is the person, collective or other that was involved in generating the work created under a CC4r license. CURRENT and FUTURE AUTHOR are used to avoid designations that overly rely on concepts of ‘originality’ and insist on linear orders of creation.

« FUTURE AUTHOR » can be used for individuals and collectives. They want to use the work under CC4r license and are held to its conditions. All future authors are considered coauthors, or anauthors. They are unauthorized because this license provides them with an unauthorized authorization.

« LICENSE » due to its conditional character, this document might actually not qualify as a license. It is for sure not a Free Culture License. see also: UNIVERSALIST OPENNESS.

« (RE-)USE » the CC4r opted for bracketing “RE” out of necessity to mess up the time-space linearity of the original.« OPEN <-> CLOSED » the CC4r operates like rotating doors... it is a swinging license, or a hinged license.

« UNIVERSALIST OPENNESS » the CC4r tries to propose an alternative to universalist openness. A coming to terms with the fact that universal openness is “safe” only for some.

## 0. CONDITIONS

The invitation to (re-)use the work licenced under CC4r applies as long as the FUTURE AUTHOR is convinced that this does not contribute to oppressive arrangements of power, privilege and difference. These may be reasons to refrain from release and re-use.

If it feels paralyzing to decide whether or not these conditions apply, it might point at the need to find alternative ways to activate the work. In case of doubt, consult for example <https://constantvzw.org/wefts/orientationspourcollaboration.en.html>.

## 1. OBJECT

The aim of this license is to articulate collective conditions for re-use.

## 2. SCOPE

The work licensed under the CC4r is reluctantly subject to copyright law. By

applying CC4r, the legal author extends its rights and invites others to copy, distribute, and modify the work.

## 2.1 INVITATION TO COPY (OR TO MAKE REPRODUCTIONS)

When the conditions under 0. apply, you are invited to copy this work, for whatever reason and with whatever technique.

## 2.2 INVITATION TO DISTRIBUTE, TO PERFORM IN PUBLIC

As long as the conditions under 0. apply, you are invited to distribute copies of this work; modified or not, whatever the medium and the place, with or without any charge, provided that you:

- attach this license to each of the copies of this work or indicate where the license can be found;
- make an effort to account for the collective conditions of the work, for example what contributions were made to the modified work and by whom, or how the work could continue;
- specify where to access other versions of the work.

## 2.3 INVITATION TO MODIFY

As long as the conditions under 0. apply, you are invited to make future works based on the current work, provided that you:

- observe all conditions in article 2.2 above, if you distribute future works;
- indicate that the work has been modified and, if possible, what kind of modifications have been made.
- distribute future works under the same license or any compatible license.

## 3. INCORPORATION OF THE WORK

Incorporating this work into a larger work (i.e., database, anthology, compendium, etc.) is possible. If as a result of its incorporation, the work can no longer be accessed apart from its appearance within the larger work, incorporation can only happen under the condition that the larger work is as well subject to the CC4r or to a compatible license.

## 4. COMPATIBILITY

A license is compatible with the CC4r provided that:

- it invites users to take the implications of their appropriation into account;

- it invites to copy, distribute, and modify copies of the work including for commercial purposes and without any other restrictions than those required by the other compatibility criteria;
- it ensures that the collective conditions under which the work was authored are attributed unless not desirable, and access to previous versions of the work is provided when possible;
- it recognizes the CC4r as compatible (reciprocity);
- it requires that changes made to the work will be subject to the same license or to a license which also meets these compatibility criteria.

## 5. LEGAL FRAMEWORK

Because of the conditions mentioned under 0., this is not a Free License. It is reluctantly formulated within the framework of both the Belgian law and the Berne Convention for the Protection of Literary and Artistic Works.

“We recognize that private ownership over media, ideas, and technology is rooted in European conceptions of property and the history of colonialism from which they formed. These systems of privatization and monopolization, namely copyright and patent law, enforce the systems of punishment and reward which benefit a privileged minority at the cost of others’ creative expression, political discourse, and cultural survival. The private and public institutions, legal frameworks, and social values which uphold these systems are inseparable from broader forms of oppression. Indigenous people, people of color, queer people, trans people, and women are particularly exploited for their creative and cultural resources while hardly receiving any of the personal gains or legal protections for their work. We also recognize that the public domain has jointly functioned to compliment the private, as works in the public domain may be appropriated for use in proprietary works. Therefore, we use copyleft not only to circumvent the monopoly granted by copyright, but also to protect against that appropriation.”

[\[Decolonial Media License\]](#)

## 6. YOUR RESPONSIBILITIES

The invitation to use the work as defined by the CC4r (invitation to copy, distribute, modify) implies to take the implications of the appropriation of the materials into account.

## 7. DURATION OF THE LICENSE

This license takes effect as of the moment that the FUTURE AUTHOR accepts the invitation of the CURRENT AUTHOR. The act of copying, distributing, or modifying the work constitutes a tacit agreement. This license will remain in effect for the duration of the copyright which is attached to the work. If you do not

respect the terms of this license, the invitation that it confers is void. If the legal status or legislation to which you are subject makes it impossible for you to respect the terms of this license, you may not make use of the rights which it confers.

## 8. VARIOUS VERSIONS OF THE LICENSE

You are invited to reformulate this license by way of new, renamed versions. [Link to license on gitlab](#). You can of course make reproductions and distribute this license verbatim (without any changes).

## 9. USER GUIDE

### – How to use the CC4r?

To apply the CC4r, you need to mention the following elements:

[Name of the legal author, title, date of the work. When applicable, names of authors of the common work and, if possible, where to find other versions of the work].

Copyleft with a difference: This is a collective work, you are invited to copy, distribute, and modify it under the terms of the CC4r [[link to license](#)].

Short version: Legal author=name, date of work. CC4r [[link to license](#)]

### – Why use the CC4r?

1. To remind yourself and others that you do not own authored works;
2. To not allow copyright to hinder works to evolve, to be extended, to be transformed;
3. To allow materials to circulate as much as they need to;
4. Because the CC4r offers a legal framework to disallow mis-appropriation by insisting on inclusive attribution. Nobody can take hold of the work as one's exclusive possession.

### – When to use the CC4r?

Any time you want to invite others to copy, distribute and transform authored works without exclusive appropriation but with considering the implications of (re-)use, you can use the CC4r. You can for example apply it to collective documentation, hybrid productions, artistic collaborations or educational projects.

### – What kinds of works can be subject to the CC4r?

The Collective Conditions for re-use can be applied to digital as well as physical works. You can choose to apply the CC4r for any text, picture, sound, gesture, or

whatever material as long as you have legal author's rights.

– Background of this license:

The CC4r was developed for the Constant worksession Unbound libraries (spring 2020) and followed from discussions during and contributions to the study day Authors of the future (Fall 2019). It is based on the Free Art License and inspired by other licensing projects such as the (Cooperative) Non-Violent Public License and the Decolonial Media license. Copyleft Attitude with a difference, 6 October 2020.

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