

Preface

This monograph has been a long time in the making. The process of creation in many respects mirrored the arguments of the work itself. To grapple with the underlying rationales for copyright protection, I began to investigate not just the traditional reasons for copyright protection, but why it is that there is any form of regulation over what human beings produce. The scope of the work has required research over numerous fields that are not the usual prescribed hunting ground for a legal academic, but it has, I hope, resulted in a work that brings new perspectives to the growing modern-day interest in creativity. The argument of the monograph is that whilst creativity has been central to the development of the State, creativity has become side-lined and is not held in high regard by the State, and that this imperils the future of the State. Despite the centrality of creativity, it is quite incredible how legal regulation has shifted away from creativity as a concept, to be replaced with other concepts which mimic creative processes – and it is a story that deserves to be told.

As an academic in a university, I see the same issues present within the UK university system, and the production of this monograph has seen the position of the State mirrored within the university. The administrative pressures present within universities leading to the reduction of our zones of creative discourse, the pressures of REF and other exercises that seek to administratively legitimise our existence, merely lead to the inhibition and destruction of the creative academic process. I hope that some of the lessons to be drawn from this work could be applied to the university context, to remember that universities need to be able to have academic freedom to be able to form a creative future both for staff and for students.

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