

*Copyright for Blockheads:
An Empirical Study of Market Incentive and Intrinsic Motivation*

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Copyright law is widely perceived as the means to promote social welfare by providing necessary incentive for intellectual creation. There however has been little clarity in copyright literature on how artists actually respond to copyright incentives: What factors motivate artists to create works? How do artists perceive the usefulness of copyright protection? Would artists continue their artistic careers in a world without copyright law? This article reports a systematic study regarding copyright incentives, based on industrial statistics and extensive interviews from the music industry in China, a virtual copyright-free environment featuring one of the highest piracy rates in the world and having forced dramatic transformation of the music businesses. The empirical research indicates three seemingly paradoxical phenomena: While merely 17.9% of all the musicians in the sample referred to economic benefits as at least part of their motivations for music creation, 97.4% specifically recognized money as being important and helpful for music creation; While 56.4% alleged that copyright piracy does not affect their creative motivations, 72% agreed that copyright piracy does affect music creation; While 53.8% explicitly admitted that they had little awareness or knowledge about copyright, 92.3% indicated that the current level of copyright protection is insufficient and 71.8% suggested that copyright law should provide strong incentives for music creation. The empirical evidence itself provides compelling explanations for such paradoxes: Even though musicians primarily create music for the music's sake, copyright law could still supply powerful incentive for music production in a way that not only caters to market demand but allows for wider artistic freedom. Copyright piracy that does not necessarily affect musicians' intrinsic motivations could nevertheless affect music creation in terms of the time spent on music creation, the volume of investment in music creation, and ultimately the quality of music creation. Most importantly, copyright incentives do not function as a reward that musicians consciously bargain for and chase after but as a mechanism that preserves market conditions for gifted musicians to prosper, including a decent standard of living, sufficient income to cover production costs, and maximum artistic autonomy during the creative process.

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