

# Queensland University of Technology

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From the Selected Works of Matthew Rimmer

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## No Trespassing

Matthew Rimmer, *Australian National University College of Law*



Available at: [https://works.bepress.com/matthew\\_rimmer/49/](https://works.bepress.com/matthew_rimmer/49/)

The early history of the collections is comprehensively documented, including the acquisition of the Peniarth Collection, which included numerous famous items such as the *Black Book of Carmarthen* and the *Laws of Hywel Dda*. Financial problems meant, however, that a number of collections proved difficult to obtain, at least initially. Jenkins recalls the attempt that the Library made between 1909 and 1914 to acquire the huge archive of Plas Gogerddan from Sir Edward Pryse. The attempt by EA Lewis and John Ballinger to acquire the archive from Pryse was meant to be sweetened by their arrival with two bottles of whisky, but they returned only with two empty bottles and a copy of the family coat of arms! The archive was not acquired until 1948.

There are fascinating sections on local politics, for example, the reasons for locating the Library in Aberystwyth rather than Cardiff. This central and rather remote location was a significant contributing factor to the location of many of the treasures of the British Museum and National Gallery being located there during the Second World War. The NLW managed to take advantage of the British Museum's treasures in Aberystwyth by filming manuscripts, including the Welsh Collection.

The story ends in 1952. Jenkins writes, 'another hand must carry the story forward'. One hopes that the present librarian, Andrew Green, might contemplate this task in the fullness of time, particularly as recent initiatives has widened the NLW's mission to embrace a wider public. In 1999 the Library's public consultation document, *Choosing the future*, indicated a potential for a wider outreach through web and digital access globally and a new 'visitor experience' in Aberystwyth.

It would be true to say that the minutiae of the detail of *A refuge in peace and war* often does not make for compulsive reading, but the content is meticulously delineated. The text will have a wider interest than simply for compilers of institutional and library histories. The development of the NLW is an integral part of the growth of Welsh national cultural awareness.

Colin Steele, Australian National University

## Fresh and original in a well-trodden field

Eva Hemmungs Wirtén *No trespassing: authorship, intellectual property rights, and the boundaries of globalization*. University of Toronto Press ISBN: 080208835X (hard cover) [2003?] np

EVA HEMMUNGS WIRTEIN IS AN ASSOCIATE PROFESSOR IN LIBRARY AND INFORMATION Science at the University College of Borås and Gothenburg University in Sweden. Her work is primarily concerned with the interaction between print culture, globalisation, and intellectual property rights. She is not a lawyer by training; instead her background lies in publishing. In her writing, she relies upon an interdisciplinary approach drawing on book history, cultural studies, law, and studies on globalisation both in the humanities and social sciences. *No Trespassing* is a fresh and original contri-

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bution to the field of intellectual property. It is the best thing I've read in ages, exploring the nature of authorship in print culture, the use of intellectual property rights as an instrument of control, and the impact of globalisation upon national cultures.

The first three chapters are brilliant. In Chapter One, Wirten tells the story of how the French writer Victor Hugo was instrumental in pushing for the Berne Convention, the most significant multilateral international treaty dealing with copyright law. In Chapter Two, she discusses the politics of the translation of the literary best-seller *Miss Smilla's feeling for snow* by Peter Hoeg. In Chapter Three, Wirten provides a witty history of the Xerox photocopier, and the alarm and panic that it caused amongst the defenders of copyright law. The fourth chapter is a little flat — it veers off from its clever meditations on intellectual property into a dry discussion of the concentration of media ownership. The fifth chapter is good — although the critique of the World Intellectual Property Organisation inquiry into traditional knowledge could have been a little more pointed. Chapter Six is excellent — coupling litigation over *Les Misérables* and *Gone with the wind*, and concluding with a stirring critique of the attempt to extend the copyright term in the United States.

In prose refreshingly free of legal and academic jargon, the author begins with a concise, well-placed history of copyright law, using the address of Victor Hugo to talk about the birth of the Berne Convention. The work is surprisingly entertaining — especially Chapter Three on Xerox with the anecdotes about Ralph Nader's early model photocopier setting his office alight at regular intervals. The book successfully weaves together a wide array of material — from popular culture to the history of publishing, and legal jurisprudence. It ends with a clever juxtaposition of the attempt of the Hugo estate to prevent the publication of a sequel to *Les Misérables* with the United States Federal Court of Appeal decision relating to the parody of *Gone with the wind* — Randall's *Wind done gone*. The legal scholarship is generally excellent. I find it hard to think of another writer from the humanities who deals so surely and confidently with intellectual property. Indeed, the author has made a lot of new discoveries about the field that I have not encountered before in the existing literature.

This book would appeal to students and scholars of cultural studies who are interested in the history of publishing, the interaction between law and literature, and contemporary developments in the mass media and the internet. It would find an audience in the legal community amongst lawyers, academics, and legal students. It would also have a resonance with librarians concerned about the impact of copyright law on the access to information.

In her future work, Eva Hemmungs Wirten plans to focus upon the public domain. She has received a four-year scholarship from the Swedish Research Council to work on the subject. Her next book is tentatively entitled *A common world of things: towards a theory of the public domain*. She plans to use the *jungle* as a metaphor for the public domain, drawing both on Rudyard Kipling's *The Jungle Books* and the exploitation of the biodiversity of the Indian jungle to discuss questions of various flows in ownership and their possible consequences. This work will undoubtedly be very topical given the decision of the United States of Supreme Court in *Eldred v Ashcroft*, and a number of academic conferences on the public domain.

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