

Gate Crashing_1

SPEAKERS

Elizabeth Minkel, Katharine Trendacosta, Gavia Baker-Whitelaw

Katharine Trendacosta 00:05

Hi, I'm Katharine Trendacosta. I'm the Director for Policy and Advocacy at the Electronic Frontier Foundation, and this is gate crashing a series of interviews between me and a number of people who have made things online made those things they made online into skills or careers or other things that they may not have been able to do if they hadn't been able to start on the internet. Because there are many bad things about the internet, but these creators, writers, comedians, everything, being able to share what they make with us is not one of them.

Gavia Baker-Whitelaw 00:53

together. We both are co editors of the Rec Center, which is a weekly newsletter that kind of does fandom news and fan fiction, recommendations and art and generally just kind of is a news source for stuff to do with transformative fan work. So we've been doing that since, what, 2016 or something, 2016 Yeah, many years. And obviously independent of that, we both have many different side projects, including both of us being fandom journalists.

Elizabeth Minkel 01:24

Are you think if your fandom journalism is a side project?

Gavia Baker-Whitelaw 01:27

Well, I mean, I'm mostly a film critic, so

Elizabeth Minkel 01:29

yeah, we're both journalists. I was more of a critic, I'm more of a reporter. I definitely write more about fan culture, and I don't do very much like review and criticism, yeah, and we are both independently podcasters. I've had a podcast for the last nine years called Fan planning, and that looks at the various fan culture behaviors, mostly, mostly centered around transformative fandom, but not exclusively. How

Katharine Trendacosta 01:57

did you guys get started in fandom spaces like

Gavia Baker-Whitelaw 02:01

I was a young youth, a tiny child, an 11 year old fan I wanted to read some Harry Potter fan fiction when I was 11, and much has changed since then, in many regards, but at that point, that was the all consuming culture of my kind of early teens, and that's like my entry point, which I think is very typical for sort of millennial, elder millennials. It was like the big explosive

mainstreaming of fanfic, where it got loads of kind of, you know, attention in the press. And then a lot of the people who were big name fans during that period, who are sort of, you know, 1015, years older than us, then became published authors, not in the same way that you get fanfic published authors now, where it's a lot more open, but like, you know, they got kind of, you know, industry connections that way and, and I think a lot of people who kind of came in through Harry Potter fandom then shifted into other fandoms later.

Elizabeth Minkel 02:57

Wait, how did you learn about fanfiction? Though? Now I'm interviewing you. I'm taking charge

Gavia Baker-Whitelaw 03:00

me. Well, I Yeah, as a child, I love to read broadsheet newspapers. And I read a broadsheet newspaper article about Harry Potter fan fiction, and then googled it on whatever search engine was being used in 2001 when I was 11, and immediately started reading and writing Harry Potter fanfic. So

Elizabeth Minkel 03:19

this is exactly what I like to hear. I love this. So I'm a I'm a bit older, not that much older. So like, I was writing fan fiction before I had the internet, you know, just in notebooks and stuff, which is pretty common for people who have a certain age and older, I found and then when we did get the internet, I was really into Buffy, and I started going on Buffy fan sites, and this was in the late 90s, so you could imagine the aesthetic. And I came across a story where Giles gets turned into a vampire, and I thought it was like a prediction for what was going to happen in the show. And I was, like, really agitated, and I didn't connect at all, like what I had been doing, which was writing fan fiction longhand, including about Buffy with that. And I had to ask a friend, and she was like, oh, that's fanfiction. And I was like, I had no idea, right? But it wasn't. It was I also joined Harry Potter then a few years later, and it was really then, with all the archives, and then fanfiction.net spinning up and all that, where it was like, really diving head first, because it was in the 90s, it was obviously so much more scattered, where you could find stuff right in these various web rings and stuff like that. This

Gavia Baker-Whitelaw 04:25

all came about thanks to the Christopher Nolan film Inception, which I was very into for like two years, and that had a very intensive, transformative fandom, which was completely separate from all the kind of fan theory, traditional Christopher Nolan film fandom, and I just was a very prolific writer for about like one to two years, because I just graduated University and was extremely unemployed, and I was kind of like going around on the subway in London, kind of writing longhand in a notebook, and I made loads of friends through LiveJournal. Including Aja Romano, who is a journalist, and at that point, they were a staff writer at The Daily Dot, and was just like, you should interview for a job here, because you're a literate like, I mean, I was blogging in an amateur sense, on Live Journal, and I had a costume design blog, which I guess counted as enough evidence that I was able to string an article together. So they kind of hired me part time, and I eventually wound up being like a full time staffer at the Daily Dot for like eight years. And because I had all of this, like, depth of knowledge about fan culture, I ended up doing a lot of coverage in that area because, you know, it's one of these things that, like

gradually has become such a kind of front facing, like dominant part of internet culture, but like, at that point, there were so few people who understood what they were talking about from a kind of personal perspective, and I was able to interview people, and it was like, even now, I mean, I'm sure we're going to get into this more later in the interview, but it's like, there's, there's a lot of sort of unspoken social rules in different parts of fandom that, Like a lot of journalists don't get or basic stuff, like just quoting chunks of someone's fanfic and then kind of making fun of it an article is something that just continually happens. And it's like, you're not going to build relationships within a community if you don't have respect for and knowledge of the community, which is a basic kind of tenet of journalism that you know makes sense, even if, like me, you've never done any actual official journalism training. You know, at college, I studied ancient history, which has not been relevant to most of this process.

Elizabeth Minkel 06:26

I remember you and Aja very early on in this. Wrote that like guide about we wrote like a

Gavia Baker-Whitelaw 06:32

style guide to covering fandom, which was mostly useful that we would point it. Whenever we got a new editor, we'd just be like, here's the rules that we made up for ourselves, because I don't think anyone else was reading that. Like, I don't think other journalists, other journalists were consulting it, although they should have done like,

Elizabeth Minkel 06:45

I mean, I was, I know, but it's like, because, because of the way the dictionary works. They were like, well, the dictionary says, you know, fan space fiction. And I was like, look at these journalists who already did it. Every single new editor I'm had to, actually, now, that's fine. It's fine. Well, okay, so my, my story into this is, I mean, if the question is, like, did fandom like prepare you for a career whatever, like, sure, in a sense of, like, very inter it's

Katharine Trendacosta 07:15

more like, how did your like, why did you end up in a career that is fandom related? So

Elizabeth Minkel 07:20

I, you know, I was a English major. I also I graduated a little bit before gov, because I said, as I said, I'm older and so also having that similar sort of cool time with a recession. But when I wound up doing a lot of cobbled together, what do you call it? Like, freelance editorial work across all sorts of different organizations, just because a lot of them had, like, a little extra money. Like, a little extra money and couldn't hire anyone new. But then I wound up in a full time role at the New Yorker in 2009 and 2010 or so, I started writing for their books blog, even though I wasn't I was working in production. I was making the magazine, but they had reached out to me, and so I wrote a ton of pieces for free for New yorker.com and a few of them were pop culture. Actually, a fair number of them are pop culture. But like, anytime it kind of hinted at fandom stuff, I would be like, Oh, I gotta pull it back. Or they would actually tell me, like, No, don't, don't go there at all. Right. I mean, like, this is a very The New Yorker is still not the most fandom friendly publication, I would say, you know, 15 years later. But like, I remember, I once told a colleague that I was writing, I had written fan fiction over the weekend, and she looked

like, I said I'd like, she looks so disgusted, right? And she was like, Don't ever say that. We're in this office again, right? So I think that's an indicator of what the time was like. And I started writing for the millions, which is a pretty big book site at the time, and 50 Shades of Gray came out. And every outlet then started being like, what is this fan space fiction? And why is it so sexy, you know, like, and, and how can we make some more money off of it? And I got really mad. So I was like, Okay, I'm gonna write a fan fiction article, and so I wound up writing a bunch for them, but it wasn't until a few years later, when I was in grad school and really studying fandom, that I wrote a piece where I kind of self identified as a fan, and then I was sort of off to the races, and people started approaching me and asked, because it was 2014 so they were like, It was this height of mainstreaming, you know, the MCU was like, reaching this apex, and everyone really wanted to be like, What are these? Are these fans toxic? You know, like, why is the showrunner keep getting in an argument with their fans on on Twitter or whatever? And so it's a very big time for editors to really want just some level of expertise. And so that actually made me, like, quite in demand. And so that's around the time we started fans planning the podcast with my podcast partner who worked in Hollywood at the time. So we had these kind of mainstream intersection roles where we were trying to explain fans to these industries, basically harm reduction, to have them not treat fans poorly. Essentially, I'll

Katharine Trendacosta 09:58

just tell you guys, because I think. It's interesting. So for for me, I always describe my work as, like, creative adjacent, which is to say, like, supporting people who make things. I graduated college in 2010 so also the recession. Yeah, we're the same age. I think cool.

Elizabeth Minkel 10:20

I'm so old compared to you guys.

Katharine Trendacosta 10:22

So I was, yeah, so I was also cobbling together some freelance work and stuff. But after a year, because both my parents are lawyers, after a year of that, I just went, fuck it. I'll go to law school. I'll study because I'd now been online so long I'm like, I'll study copyright so that I can help the people whose work I like stay online so that because of the way I so that I know how

Elizabeth Minkel 10:46

the law works. That's so interesting that you identified, even as a fan, the copyright elements, because it is. It's funny to me, because you know my podcast partner. Well, we just wrapped up my podcast partner, saving the podcast. Flourish, Clank, but like they were a Son of cease and desist by Warner Brothers when they were 12, right? Like they had started, like they started one of the biggest Harry Potter sites on the Internet, and they were, they got a cease and desist four different Harry Potter site they had started, and so that really they were, like, copyrights, the only thing that matters with fandom. And early on the podcast, I was like, who cares about like, I never think about that stuff. I literally have never thought about it. I've been in fandom for almost 20 years at this point, and over the course of the podcast, I'm now like copyrights The only thing that matters, right? Because I always ask

Katharine Trendacosta 11:31

this question, because I am always curious just what people think in this space, like, what is your understanding about how about fan works, and the law, like the legal status of fan works,

Gavia Baker-Whitelaw 11:46

I'll go first, because I'll have the more basic answer, and Elizabeth will be more well informed. Yeah. I mean, on the whole, it's a nonprofit venture where you shouldn't be trying to make money off something that's, you know, the copyright is owned by someone else, in terms of, like, that's the reason why people are posting stuff for free on fan fiction archives. And like Elizabeth was saying, you know, when people are then attempting to make money by selling fan fiction, you're ending in a pretty dubious legal zone. There's a lot more people publishing fan art and making money off it, which, like, is considered to be way more of a gray area, because there's this history of kind of people selling comic book art that, like, technically, is of Marvel and DC characters, or, like, manga characters that are owned by publishers. You know, they've been sold at conventions for decades without really being penalized, but it's still kind of in the same zone. And obviously there's like, you know, reuse, which we have discussed. Well,

Elizabeth Minkel 12:43

I mean, there's no legal difference between fan art and that. This is something that's bothered me for a really long time, right? So there's no, yeah, it's literally vibes. The difference the double standards between fan fiction, selling fan fiction, and selling fan art, right? You know, and like fan artists are getting, are getting takedowns all the time, right? You know, there's, like, they they share, you know, they share resources, like they have lists, and they're like, don't touch this fandom, because they're going to come after you, right? Like, the the rights holder will come after you, um, but like, it's also this, there's this weird thing that's happened, and I am really into the gift economy element, right? Like, and I bought, you can't see it from here, but I'm looking at some fan art of Captain Flint from Black Sails. Uh, my mother bought it for me for for Christmas. I didn't buy that one. But like, you know, I've bought fan art for sure. I've never paid for fan fiction. The double standard has always it has bothered me. You know, over the 10 years that we've been working on these projects, I've been doing the podcast, and we're doing the newsletter. Anytime there's a hint of money within the fan fiction space, people lose their minds, right? And that's not to undercut the gift economy element, but it is very weird that so many fan artists are so transactional, and a lot of them aren't really in the fandom, but they're like, I'll do it for you. Like, I see there's a lot of people. It really works with the life cycle thing, right? It's like, Oh, I see for this month, everyone's really into interview the vampire. I'm here with commissions, you know, like,

Gavia Baker-Whitelaw 14:07

people gotta eat, like, you know, yeah, and

Elizabeth Minkel 14:10

I don't blame them for that. And it's like, but they're not there for an affective reason, right? Like, affect with, like, they don't love interview the vampire the way that you might if you're just toiling away for, you know, for no money, just because you love it, right? So that double standard is weird to me, but my knowledge of fan works in the law is, I think, pretty extensive this point. Like I said early on in the podcast, I truly didn't care. And I was like, I don't understand now. And like,

then, now, within the last year, I've actually thought about going to law school for copyright law, so which I don't think he's gonna know, you know, I said this to a bunch of copyright lawyers, because I have to talk to them all the time for my reporting. And most people have said, I will teach you everything you need to know, don't do it. And it's like, okay, great. So you're saying, get, like, a free, you know, free education. Um, the reason

Katharine Trendacosta 14:56

they're told, my dad always said, Don't go to law school. Yeah. Go ahead. Yeah, my dad said that to me the day before I started law school, which was interesting.

Gavia Baker-Whitelaw 15:03

I can't believe we've not touched on sort of queer representation and shipping and like all the discourse around corporations like monetizing stuff that fandom have been complaining about to do with representation, which is, like, a huge part of our our entire experience, their own.

Katharine Trendacosta 15:20

I've said this in multiples, like they're only ever going to give the nod to the things that they think will get them just enough plaudits and not enough criticism. Right? Like, that's

Elizabeth Minkel 15:36

they're going to conservative industry, yeah. Fundamentally, yeah, like small c conservative, not like Republican,

Gavia Baker-Whitelaw 15:46

yeah. But I mean, to go back to the MCU, it's like the glass Cliff situation where it's like five seconds after they've begrudgingly started diversifying the cast and creative teams of the Marvel franchise was the point where people were starting to lose interest, and the quality of the films was going down for independent technical reasons that had nothing to do with who was on screen. And it's like, great. That's really sabotaged everyone.

Elizabeth Minkel 16:11

The Russo brothers said that wasn't it at all. It's actually because those kids these days have such short attention spans.

Gavia Baker-Whitelaw 16:18

If there's anyone I trust to understand how both fandom and filmmaking works as the Russo brothers. I'm

Katharine Trendacosta 16:23

going to bring this back in a way, because it's a good segue into to something also that our lawyers asked us to do, which is so again, your understanding is interesting and incorrect, to be fair, might be correct for where you live, because this is a very American view, but it is a the DMCA is an American law. Fair use is American, and most of these corporations are American. So fair use, which is copyright, and it goes back to why, why long copyright terms are dumb and

bad because it doesn't work correctly. Copyright is in the US Constitution. It is. It says that Congress, in order to advance, in order to support the advancement of science in the useful arts, can create a monopoly right for a set, fixed period of time, the idea being that by giving people an exclusive control over something for a set period of time, then they can make money off of it so they'll keep making things. That is the core reason behind copyright, it's the ability to sell copies of the thing you made, or sell the rights to the thing you made in that fixed period of time, because this country has the First Amendment. When you give a monopoly right in a form of expression, you are, by your very nature, restraining other people's expression, because using bits of culture is how people communicate through time. That's how words happen? Um, so we have fair use. Fair Use has four factors, traditionally. The first is the purpose and character of the use. That is, that's the transformative nature, like, if you're using it for the like, or example, is criticism and commentary, right? Like, obviously, if you are criticizing or commenting upon something, then using parts of it makes sense. The nature of the copyrighted work is the second one. The third is like the amount and substantiality. That's also, people make a lot of this, right? People really think there's like some amount. That's okay. That's not it. You can use the whole thing, if it's if all the whole thing is important to your point, like a parody song uses the whole song. And then, of course, it's the effect of the potential market or the value of the work. Saying something is bad and people shouldn't buy it is not that, and selling it is not that. Either you can sell things, it is whether there was a market that you like, the reason fan works are a little bit the reason written is a little bit harder is because, like, it's a story with a plot, and that is much closer to What the original thing was. And so you might be getting in the way of the ability of the owner to make their own derivative future sequel, because you've interested people in yours. So, like, that's actually why that sort of line exists, is because, like, the ability to sell the rights to a sequel or write a sequel is part of copyright, whereas, like draw, redrawing something in a new style is more obviously transformational in the eyes of like a jury or a judge, like that's that's where that sort of pops up. And if I'm wrong about any of that, the an insert of one. Of our lawyers will appear in this video to explain it better than I could,

Gavia Baker-Whitelaw 20:05

but that and the terror of getting sued is just being passed down from like generations of people who were afraid of Anne Rice or like George Lucas suing them for publishing their zine in 1995

Katharine Trendacosta 20:15

so the way the DMCA section 512 works is if you are a website that hosts content by other people, you will not be liable for copyright infringement by those people, but for hosting that material. If you have a mechanism by which someone can send you a DMCA takedown and you take it down, as well as a counter notice system. That's the legal framework, because of the way that fear works, major corporations fear other major corporations. They do not fear independent creators. So that's why you get things like content ID and other filtering, because it's basically a an agreement that will do more than the law requires. If you don't sue us, right, we'll give you access to these special tools to get more things taken down. And so that's a terms and service thing, and like the the way this has worked is, I wrote 10,000 words on this in my white paper. They've interconnected the two because the DMCA also requires a repeat infringer policy, which is usually because of the way where the three strikes that you often see. And so they'll have things that are like not the DMCA, but they'll frighten you with the possibility of losing your

account so that you won't challenge the thing that's the terms and services versus the legal thing. So like, if you get a Content ID thing and you try to challenge it, it'll warn you constantly that challenging it puts you at risk of getting a DMCA takedown and therefore a strike. And like, they're trying to basically purge you into compliance. And I, like, I talked to a lot of those kinds of creators, and there are some who, like, went, like, either have boy or friends or like, went to schools, and they're like, I know what the law is, and so I challenge it. But many other people are just like, I just don't want to get sued or hurt by a giant corporation. Totally understandable, but it means the system isn't working the way it's supposed to. It is not balancing the rights the way it is supposed to. As I said, like, every time I hear someone say, like, we can't play this clip of this thing that we're about to talk about because of copyright, I'm like, That's criticism and commentary is the ER example of fair use. Like, specifically, that transformational can get. That's much more vibes, but like, criticism and commentary truly should not be. You should not be as confused about it as I think people are.

Elizabeth Minkel 23:06

But I mean, it's very like, I mean, even thinking my, you know, when podcast partner got the the legal threat from Warner Brothers when they were 12, they would send them into 12 year olds, and they were like, oh my god, okay, okay, you know, and this is happening, Paramount was doing it Star Trek people in the 90s, right? And rice, obviously, you know, there's all these cases around that time. And part of the reason that it didn't stick was because there was a lawyer who was an adult in the fandom who was like, No, you know, you don't have a case here, right? And so I feel like we still see that at such a larger scale now, right? This kind of idea of, it's not just, it's not just, oh, I don't want to, I don't want to, you know, get involved in this. I'll just take it down, or whatever, right? Like you see fanwork creators getting their rights infringed, but they don't have the legal, you know, they don't have the money to bring a legal case, right? Like these people who are getting their stories sold on Etsy. Again, you know, they're actually, they're the the fan fiction writers are the ones who are being infringed upon, right? But they don't have the money. They don't have the corporate the means that, you know, Warner Brothers or Disney might to issue a takedown, you know? So I don't know. I feel like this is, this is always as long as fans, have been seen, this has been an issue. But I, you know, obviously I agree that it's like, gotten way worse, and it's like, also normies too, right? Like anyone who's like a song playing in the background of their YouTube video by accident, right? You know, there are

Katharine Trendacosta 24:34

people who can help you. If you run into these problems, you can email info@eff.org If we cannot help you, we have a list of cooperating attorneys who have agreed to help people, sometimes at no cost, sometimes at low cost, etc, etc, and we will try our very best to get you help. And and I would dearly love it if people would do that. Um. Them as much as they can, because I want people, I don't want people to have to learn copyright law on their own that is unfair and cruel. We learned it so you don't have to. And there are people who think this is important, and really do want to help. And it is, it's it's like, A, A, it's, it's a thing. It's like, it's why I ended up in this field. It's like, I kept seeing things I liked taken down, or, like my favorite things, like disclaimers. It's like, when there's no profit, I don't own this that intended, I'm like, that's, if that's folk magic, basically, is what's happened here. Like that.

Elizabeth Minkel 25:39

That's, you are special time though,

Katharine Trendacosta 25:41

you are saying a spell that you hope will keep the lawyer away.

Elizabeth Minkel 25:49

So well, it gets a wacky rhythm too. You know, I don't know. It just makes me just remember. It makes me feel like a teenager when I think about those so I have a question for you. Do you? Do you guys hear from a lot of fanworks creators, or do you mostly hear from like creator county folks?

Katharine Trendacosta 26:05

I hear we hear way more from creator economy folks, but I tend to think that's partially because, if a lot of creators will often ask OTW for help

Elizabeth Minkel 26:19

first, that's what, exactly what I was wondering. But it's like, I feel like, yeah, and I know most of the OTW legal committee, and I mean, maybe I shouldn't say this on the record, but like, you know, they should people, they answer me talking to the EFF too. I feel like, you know, like it's another people we're also, you know, for

Katharine Trendacosta 26:38

which we are paid full time to do this. That is different from like, yes, that is, that is also why you should contact us. Like, like that they there are a lot of things that OGB also can't do because of the form in which they were created. Like, the kind of nonprofit they are, right? Like, it's all weird angle stuff, but like, I am paid full time to pay attention to this stuff. This is not, I'm not volunteering as a fan. Like we we do this full time, and so it is a thing we are much more able to do. I think because of that, like we are not also law professors or other things that we have that are like we have to do. This is our full time job. So I always say it, and here's and so there's another question, because I always, too want to serve this community better, like what resources or things do you wish existed or wished orgs like ours could give people in this space as people who look at it, for fans in particular, yeah, for fandom in particular.

Elizabeth Minkel 27:47

My biggest issue with fandom in this stuff is, I think there's so much misinformation and a lot of, yeah, a lot of folk magic, that I think tends to leave fandom more disempowered, you know, like when you, you know, I reported on the manacled situation, and people of my mentions were saying absolutely zero pennies can ever exchange hands over fanfiction, or you will immediately be sued by, you know, by Warner Brothers, right? And it's like, that's not helpful. I don't think to the fact that that you have 1000s of people who are misinformed about the not even the nuances, but even the basic structures of fair use, right like, I think knowing fair use and what it actually means in practice empowers us and so. And I don't think that can all fall on the OTW. I think that, yeah, they are volunteers, and they are also like filing briefs for very specific things

that start to feel in the weeds, but I think are important for them to be, you know, weighing in on but it's not really speaking to fans, and I'm not that's not a critique of what they're doing. It's just like, I think that providing, you know, I don't know, it's very hard in fandom to share accurate information because,

Gavia Baker-Whitelaw 29:05

you know, yeah,

Elizabeth Minkel 29:06

maybe if you get a bunch of celebrities got fair use, but, you know, like, I, and I feel like, you know, so many copyright lawyers that I follow, and they talk about, like, the Warhol case or whatever, and they're just so in the weeds, because they're talking to each other, and obviously you're not gonna sit there and, you know, there's, there's no middle ground. There's no middle ground, right, you know? And like, fans are touching copyright a lot more closely than a lot of, you know, non fans, right? But don't really understand what they're doing. And so, yeah, I think you should educate all fandom, that's my recommendation. Yeah, no, I don't. I don't know how to do that. I honestly don't, and it's really hard to fight, to fight this, but yeah, maybe, maybe, like, more speaking to fans directly and understanding what the nuances are. I think would, I think would benefit all fans, if we, if more, more people knew how the law worked,

Katharine Trendacosta 29:55

to return, sort of back to to your, sort of, your journeys, when. Were doing, like, sort of that work and, like, free, full time jobs, or, like, freelancing. Were you still doing these side stuff, like you mentioned they would you started fanning in that 2014 15, and you kept doing it while doing other things.

Elizabeth Minkel 30:19

Yeah, so fan spinning is now in a We actually just had the last episode of flourish came out yesterday, so it's, I don't know when this, this interview is going to come out, this little funny timing, but yeah, we did that for nine years, 200 and something episodes and, yeah, just kind of a study thing in the background. And fan spinning is actually fan spinning and the Rec Center together in similar ways. Actually, I think, and I don't know how Gabby you feel about this, but the newsletter, but like, these projects are one of the main reasons that I can report on fandom in the way that I like, like they force you to pay attention, right? Like, if it was just me just doing fandom, I'd be in the corner writing X Men fanfiction, and maybe something would pass my dash. But because I'm not paying attention to fandoms, I truly don't care about but something is interesting is happening in them, you know, like, Oh, this is just the latest example of, like, I mean, I could think of 17 examples. And, you know, I think about, like, I used to edit, for a few years, I edited a science and tech publication, and we really focused on climate change. And I paid so much attention to climate you know, because we were doing a newsletter, and I had to put in relevant links or whatever, and I was looking for journalists, like a commission to cover that stuff. And the second I stopped being an editor there, I don't know what's going on climate change. Now, seems bad, you know, but like, it's so and in a way, I've been very grateful for these side projects, even if they do take a lot of basically volunteer hours at the Rec Center. We do for free, actually, at a loss. Gavid owe you money.

Gavia Baker-Whitelaw 31:47

Yeah, periodically we have to pay for our hosting platform. But yeah, it's free for free for the readers,

Elizabeth Minkel 31:55

right? And then fansplaining and makes, you, know, some money on Patreon, but not enough to really cover labor costs. And so it's like, you know, but then we're doing it within fandom. And fandom is all about the gift economy and people making things for each other for free. And so it's like, we sit we, you know, I think we both sit in a little bit of a weird space that way, because we do make some money off of there's people writing deep, deep analysis, meta of fandom at large, totally for free. And we might do that in an article.

Gavia Baker-Whitelaw 32:21

I mean, the thing about the Rec Center, to kind of explain that a bit more to viewers, who I assume mostly have definitely not heard of it, is that the format we have, we often have kind of guest contributors coming in. So like we typically like the format is we start with a block of, like three articles that have come out that week that are interesting within the kind of fandom or pop culture sphere that's kind of relevant to our readership. And then we have, you know, a bunch of interesting posts from Tumblr that are sort of fandom and jokes or interesting commentary and stuff like that. We've got some cute art and, like, social media posts and stuff, but we also have themed recommendations lists of fanfic. And obviously, Elizabeth and I have a limited scope of stuff that we personally know about and are interested in. We do not have our fingers in, like, the pie of 50 million different fandoms all times. You know, I think, you know, Elizabeth's only into a couple of things. I'm into, like, a few things at the same time. So we are constantly soliciting recommendations from our readers and trusting that they're not going to recommend something that's terrible. But we also have people who come in and they write, you know, they write a manifesto for why people should be paying attention to a particular fandom or explaining something that, like, often, it's quite cool to get people who to explain stuff from, like, non English language origins, because, like, the way things kind of trickle into English language readerships And fandoms is, like, needs a bit more explaining on kind of Western internet and that sort of thing. So yeah, we have stuff like that and like particular fanfic trope themes. So we do also have unpaid people working for us in our unpaid newsletter,

Elizabeth Minkel 33:50

right? So it's like, we don't want to get in the weeds with anyone's fan, but if it is indicative of a broader at least, my stance is a journalist and a podcaster, if it's indicative of a broader trend, then then it's worth kind of using it as a lens. So I think

Katharine Trendacosta 34:04

it's really interesting, because I think the longer you're in these spaces, the more you can see a cycle kicking off. And that's good for a lot of things. I often joke like like in the same way that like porn determines what form of like technology succeeds versus, you know, like VHS versus Betamax, Blu ray versus DVD sorry versus HD. Like fandom predetermines Internet Trends because a lot of those fans, like places get there first and like, the one that I always think of is

like people faking their death, like we are faking who they are for cloud like, like, that's been happening in more mainstream spaces. And I was like, this was happening 1520, years ago in the fandom spaces, and you are very behind on the ability to spot like a sock puppet. Like, you're like, like, normal people are just sort of behind that curve. Sure.

Elizabeth Minkel 35:00

Well, it's like family people in the late in the 90s, in the early 2000s were like the extremely online. They were literally extremely online, right, you know? And so it's like there was a reason why

Gavia Baker-Whitelaw 35:08

I will ask for it to be that online. Yeah, exactly.

Elizabeth Minkel 35:12

And so I, you know, I am curious what it what this is all going to look like in even a few years, let alone, you know, just because my, my podcast partner is leaving. So we were just looking at when we started the podcast, started the podcast, so we were doing a reflection. That's why I'm thinking a lot about 2015 right? And it's like we're in a very different place now. And it's kind of weird to think about, like, you know, especially the scale of fandom is so much larger, right? Um, there's younger people are kind of a lot of them are like, default vanish. The ways that people approach media is very fanish on a broader level, in a way that's very will be very alien to us, all of us, in the year 2000 you know, I

Gavia Baker-Whitelaw 35:49

mean, we're basically now in the post MCU era, which is going to be kind of the Wild West, I think,

Katharine Trendacosta 35:54

yeah, I kind of wonder if, because we move towards, like, centralization of fandom for a long time, of like, everyone's in one place, regardless of your fandom, versus, like the web ring era, um and like individual archives for individual properties. And I wonder if we're going to be splintering again as as we move in.

Gavia Baker-Whitelaw 36:15

Yeah, because kind of Twitter is disintegrated. Tech Talk is heavily algorithmically based, like something Ryan Broderick has been writing about in his newsletter newsletter garbage day recently is kind of just stuff about, like, people are getting way more niche, like people are going into private discords and that sort of thing, and getting into stuff that is, like, structurally, it's a fandom, because it's a little culture of people who are obsessed with the same thing, but it's basically the opposite of something Like the MCU, because it's like, some bizarre music trend that's, like, got a made up name, or some micro celebrity that you've never heard of, you know, or, like, you know, the the Arctic explorer fandom, which is so intensive I

Katharine Trendacosta 36:51

one of my favorite like Tumblr post ones, is like, when, when they were talking about, like, Oh, you want to monetize Tumblr at its most Famous memes, the cask of amontillado and the terrible copper of this Egyptian merchant,

Elizabeth Minkel 37:07

right? And Dracula is the most popular, you know? Like, yeah, for sure. But then, but, you know, like, I mean, we've been looking at this, like fans moving to discords, moving to private spaces for the last decade, right? Like, kind of, I think, a reaction to that mono, the fanish monoculture that was trying to be created in the MCU era, right? Um, but you still have fan works being posted. You know, there's, there's always, I mean, the OTW, the AO three. I don't know if we're how much we're gonna talk about the OTW and the AO three, but like, as you know, people critique the AO three for various reasons. They're mad at it right, as an as a platform, right? And the AO three never intended to be the only, it's not the only fanfiction website, but never intended to have the scale that it did, right? And to be like this default space for so many people. And the argument is always, well, go make your own right. Like you can look at the it's open source, right? Like you could just take this code and spin up your own thing, right? And for the most part, people don't, right? And so, like, there's the certainly for conversation. I think they're moving into private spaces. But like, there are still a lot of people who are in these big, not Danish monoculture, necessarily, but like, there's a lot of people who are still on tumblr and don't like it, the people are on Twitter and don't like it, don't think it's serving their needs, right, but they're not building new spaces.

Gavia Baker-Whitelaw 38:27

Yeah. I mean, it kind of overlaps. I was just gonna say it kind of overlaps, so that, like, overlaps, that sort of generational shift in terms of, like, DIY culture, because, like, you look at kind of the Gen X people who were building all of those fan sites when we were younger, and who are, like, the originators of 803, that's like a period when people were much more kind of DIY the internet, like, wasn't as officialized. Obviously, there was much more, like personal websites, and not just like five big platforms, and also just the concept of, like, building your own computer, instead of someone who's grown up with a computer that, like, is just apps and probably just like your phone. Like the stereotype is that younger generations haven't been given the option to develop those DIY skills because they've been trapped with technology that, like you don't really interact with. And I'm sure that like Katharine, like your kind of workspace, I'm sure, is far more in that zone, and can talk about that more in, like, in a more informed way, than me, but you definitely see that within fandom where people kind of don't, they have this sort of, like, learned helplessness attitude, where they're like, they don't think you can build your own space. And like, I'm not building my own space because I don't have the time and energy and don't really want to. But like, I'm sure there's some people out there who could, but like, they don't realize that that's an option. And you need to have that sort of mindset open to yourself in

Katharine Trendacosta 39:42

my space, it's a, it's a, it's a, really, we actually run into this a lot when we're talking about, like you could do this, but what's the best way to incentivize the better behavior? I

Elizabeth Minkel 39:53

saw a really interesting post yesterday. Actually got to send it to you, because it was interesting to me and. Um, but it, it was talking about, I think, with fandom in particular, and I'm not trying to paint everyone's private spaces with a negative brush and like, I certainly enjoy my private chats about my fan. I'm not doing all my fandom out in the open. Like, it's really nice to have a you know, friend that you can privately, you know, bond with over stuff, right? Um, but what, what fan fiction writers have been reporting across all different kinds of fandoms over the last few years is a real steady decline in quote, unquote engagement, right? But, you know, especially in comments, um, and there was, you know, so there was a post recently that that was going around, where people were talking about, they were creating a private fan fiction reading server, right to so they could, like, make a fandom book club. And so all these writers were just like, Could you also leave a comment and say, You like my story, right? Because fan fiction is a is unique in the sense of, like, historically, a lot of writers are also a lot of readers are also writers, right? It's not like a traditional author reader relationship, but you have a lot more people now who are the scope has gotten so large, but a lot of people are just not participating, and they're like, I love that story. I just want to talk about with my friends. I don't actually want to be in community with the person who wrote it. And so there's this post I saw today that was really interesting yesterday that was talking about the idea of like a tourist, so it's not even lurking, right? Like we were lurkers in the 2000s but we felt like we're kind of in the community, even though we're totally silent. They'd never know we were there. But you're seeing more and more people kind of passing through, consuming the fan works, and then not engaging with the the fandom at all. But, you know, making tiktoks So they can go viral for that, or, like, talking about it privately, right? And I think that that's a that's not a great trick, that that doesn't say to me that anyone is going to be building anything where fans can get together, because that's not even the way some fans, especially newer fans, I think, are even thinking about what they should be doing with fan works.

Katharine Trendacosta 42:00

I wonder how much of that too. Is this weird to move on to another part of my outline, like, is this way in the way in which fandom and mainstream culture have have, like, slammed together, where, like, people also now have much more access to the showrunner of the show, they like and like they go and talk to them, and then I wonder how much of it is, like, like, weirdly, the like, I yell at the Creator, but the fan work artist is not the person I interact with, even though we are much more of a parody, right? Like, it's a weird, it's a weird flip in my mind, yeah. I

Gavia Baker-Whitelaw 42:45

mean, yeah, that's a feedback loop within what kind of platforms. It's just sort of like, you know, we were talking about how interactive life journal was, and a lot of older fans kind of complained that other platforms now aren't as interactive. And it's like, you know, it's a check and REG situation like, you can't really tell, because there's a lot of Twitter fandoms, you know, probably less new than before, but there have been a lot of Twitter fandoms that are extremely interactive, and there was far more commenting culture than you'd see on ao three because people were posting serialized fanfics in individual Twitter threads that then had, like, devoted audiences, but aren't archived in the same way. So, you know, there's weird ways that people interact with the platforms they use, basically, yeah, but

Elizabeth Minkel 43:27

I mean textually, like, for sure, I agree with you, but like, textually, like texturally, you know, that's very different than the idea of, I'm going to post a story, an installment on Live Journal, and then there's going to be a big thread of comments, and then, Oh, for sure, I can leave a comment, right? And then you can comment on my comment, and we can, you know what I mean, this kind of interplay, right? Or, like, yeah, the idea people always go back to the kink memes, but like, I feel like that is, it's so emblematic of what fandom was at that time, this kind of idea that anyone could toss out a prompt, anyone could take it, someone else could take it in a different direction, you know, then maybe you spin it out and it becomes a whole story. Then it gets archived, you know, whereas now I think also a lot of this does come from the Creator economy and the professionalization and the kind of sheen of it, you know, people commissioning fan art for their own fan fiction, people making these fancy covers. People trying to make it as as flashy as possible, because you want to get the engagement right, you know, like, and of course, that's going to make it feel like, you know this, this medical situation. People are buying that. People are trying. They're buying these books because they're sorry. I just got texts. I was very distracting. Um, this, this medical situation, people are like, from outside of fandom, are just buying the book because they don't even know it's fan fiction, because they can't tell the difference, right? You know what I mean? This kind of collapsing because we're all trying to make everything look so shiny all the time. You know? Because of the way the platforms have trained us,

Katharine Trendacosta 44:55

I would say another thing the platforms have done, they did it for everything that. Just by what literally all studies show is the devaluing of text, of Yes, of text, text communication versus video or image, which does make it just it makes having a long conversation harder, like reading a conversation on say, Tumblr is difficult, and I love Tumblr, but, like, it's not built for that, and very few spaces are weirdly, Twitter was one of the few where it was, it was really text, it wasn't much else. I always laugh about how, like, fandoms were going to Twitter, and it was giving Twitter a boost, and then then Elon bought it and killed this growth that they were having in an absolutely brutal

Gavia Baker-Whitelaw 45:50

way. But also, like the undercurrent of this is that the way those platforms are designed is not to foster deep relationships. They have all being kind of finessed into a way that's geared toward advertising and engagement. And engagement isn't really the same as, like, the kind of interactions that create friendships and long, long term kind of commitments, right? Because, you know, you obviously you can make friends on any platform if you have, like, the right personality, and you're finding ways to communicate separately and that sort of thing. But as we've kind of been discussing, it's much harder to do that on certain places than others. And like, you know, if you're on Tech Talk, that's probably the hardest of all you know, because if you're intentionally doing something that is like, you know, at best, you're participating in a conversation by posting your opinion and then having other people replying comments, and at worst, you're just trying to get like, you know, the adrenaline rush of having a popular video. Yeah.

Katharine Trendacosta 46:47

And I think when you talk about like engagement, like engagement is based on novelty. It's not based on the long term satisfaction of something that you go back to all the time because they want, they want peaks they don't want. I mean, we could get into the entire broken system of three months being how every company cares about its numbers, rather than sustained growth over time. I have written about that many, many times, but that's, that's what it sort of comes down to, that's what the platforms are chasing, is being able to report peaks every three months to their investors, and so that's how they built their algorithms, and that's how people think things work now. And I don't, I don't necessarily blame anyone. But I think it does come down to like, in, like, the copyright space too. I mean, like I was, like, you truly do not understand what the fights used to look like and then they come back again, and you have to re explain, like, why those fights look this way, and how lucky slash unlucky you are to have seen to be here now, or to not be, or to to be, or how lucky you are to be here now versus how like not to say that, like, it's like, it is sort of not a wash. But there are good things and bad things about every iteration of this stuff. Like ao3 s a good thing. It's good that this exists. It was not intended to be what it has become. But it is good that there is a non profit place for you to store things. Because every single time I'm trying to find something and I see a link to like Live Journal, I'm like, Oh no, it's either going to be gone or in Russian, I cannot click that link that is still there. You can click it. Every time I go, all of the ads are

Elizabeth Minkel 48:49

that is true, but sometimes the text is still there. Similarly,

Katharine Trendacosta 48:52

that's why the web archive, the archive.org is so important. Internet Archive, yeah, is is because I also think when you talk about like the cycles are short, you are also seeing people post and then delete their stuff so much faster.

Elizabeth Minkel 49:06

I reported on the AO three has this next of kin feature, right? So you can designate someone, if you are incapacitated, to take control of your fan works. And I was shocked to learn. So first of all, we've been seeing people talk about deletions for years, right? You know, um, tons. I joined my current fan of six years ago, tons of stuff that I saved. Link wise, gone, right? Or like, I'll be like, I'll try to find it. I've got pretty specific, you know, tags and search terms. I think I remember, like, these details absolutely gone, um, but I was shocked to find when I was reporting on the next of kin feature, because I wanted to fold in reference to orphaning, just where you can keep it up, but like, divorce it, trying to say that the point of the archive is it's really about the fan works, right? You know, it's not your profile, like I was looking at, like Facebook's policies or whatever, and it's very much about the individual's profile, right? And what you do with that, it's not about the content they created, but it was wild to find out how many fix our orphan account, right? It was like, it was like a million stories or something. It was like a wild amount of the like, some massive percentage, right? And, I mean, that's like a testament, then, to the feature. I think because those stories still exist, one of my favorite stories of my current fandom was orphaned before I joined the fandom. You know, like, Morgan's probably read the art Morgan, sorry, yeah, I probably read that one too. But you know, like, there's no record of the ones that

were deleted beyond our past, our you know, our past memories and our old our old links, right? You know, our old reckless,

Katharine Trendacosta 50:42

yeah, and I think, like, I really love orphaning as a feature, because it allows people to like, if they to preserve access, but not have it associated with them anymore, which is perfectly a perfectly valid choice.

Gavia Baker-Whitelaw 50:56

Nothing could be more relatable than being embarrassed by an old fanfic. Like, you know you gotta show you see, this is the

Elizabeth Minkel 51:03

this is the beauty being a lurker until you're in your 30s, is that I'm not embarrassed by anyone in my fix. I've caught all my

Katharine Trendacosta 51:11

full adult well. And also think like, it's our embarrassed, or like, let's say you're never going to finish it and you don't want people you it makes you sad every time someone asks you about it. You can, you can also orphan it, like, there are, there are, but like, it preserves that for other people. And I think that that is, that is valuable. Like, the joke is that nothing is ever gone on the internet. But that is not what we're actually finding, right? We're finding a lot of Lost Media because it's actually harder to store a copy of something non physically or like it's it's it like it. There are a lot of ephemeral works that have disappeared or been memory hold, especially if corporations decide a tax write off is better than than preserving access to it. I

Elizabeth Minkel 52:03

mean, it is. One thing that I always appreciate about Tumblr is, I mean, and some people probably don't appreciate it, because, you know, when you reblog something, when I reblog something of yours, it's now on my blog. I've republished it. Essentially, you can delete the original post and disavow it, but mine will. It'll still be on mine, right? And so, like, I'm in a fandom that really was at its height in 2011 and so, you know, a lot of the artists, oh, look for fan art. And a lot of them have long since deleted their accounts or changed their username and and, and so it's like, a lot of dead links, but it's very easy to find the art because hundreds, if not 1000s, people have reblogged it over the years. You can just find it on someone else's, which is not a deliberate archiving practice, like like the AO threes or printing feature, but it is an interesting kind of I don't know of any other platform that has similar functionality, like, if I, if you, if you disavow your fan art on Twitter and delete it, my retweet of yours still gets deleted as well, you know, but it is interesting to me, you know, thinking about the design choices of of the AO three, and, you know, it just happens recently on the podcast, but like in the 2000s there was a from my ship, there was a Live Journal where you could say, Like, hey, does anyone know of any stories where, like, you know, Sirius does x and Remus does y, and people would like, be like, here's one. And then I had tags, right? So, and then, so it's basically like a little bit, it created this kind of metadata taxonomy. And so it was like a little and the idea that I could read two stories about the same thing was wild to me. And now on the year three, you can read 200

stories about the same thing. It's very easy to click right? And so like, that seemed revolutionary. But the corollary is now you know this kind of idea of like, whether the form defines function or whatever Right? Like, you have people writing to specific tropes. You have people choosing whether they're going to read stories based on stats, because the AO three chose to make those public facing, right? You know, there's a popular post right now. This part wasn't popular because a lot of anger about it. Saying, what's your widely

Gavia Baker-Whitelaw 54:14

shared post? Yeah, yes, that's That's right.

Elizabeth Minkel 54:17

What's your usual kudos to hits ratio? Like mine's one to 10 or whatever. And it's like, and people were like, Oh my God, you know. And then you also, I'm seeing this, and I've heard from people who are not as old fandoms that like, regularly, I'm seeing people be like, I really wish someone to write a story about our ship where they do X, and it's like, first of all, that's easily searchable that exists, but because they're so used to algorithmic recommendation, like, if it's not directly served. And I don't want to, like Gav was saying earlier, I don't want to blame this on younger people. I think this is people of all ages are being trained into this, right? And if you don't already have the tools to seek out stuff on your own because you came up in a different area. The Internet or, like, if you're new to fan fiction, you could be any age right now, and I don't even know if you would know how to search, because you're so

Gavia Baker-Whitelaw 55:06

like, we all like, there's so much kind of chat about Tiktok as like, a shorthand for young people. Like, we all know that Tiktok is full of 30 year olds. Like, Tiktok is not like the teens. I hear

Elizabeth Minkel 55:14

the teens don't think it's cool anymore, because there's too many 30 year olds on it. Yeah, and

Gavia Baker-Whitelaw 55:19

I can see why I've seen tiktoks like God, also unrelated. But I just want to give the disclaimer that we have cited Harry Potter many times in this episode, because it's part of our cultural lineage. We have ourselves from Harry Potter at this juncture. This is not this is not an endorsement. It's just Yeah, keeps being there, but yeah, it's the ocean that we were swimming in 10 years ago.

Elizabeth Minkel 55:43

I'm actively not, we're both actively not engaging with Harry Potter currently.

Gavia Baker-Whitelaw 55:48

So no,

Elizabeth Minkel 55:49

thank you for that clarification.

Katharine Trendacosta 55:50

I think, yeah, because like, the other one that I've seen is, like, people are like, I wish if I got to the end of a story of ao three, there'd be, like, a recommended because, like, No, you don't. It's not

Gavia Baker-Whitelaw 56:02

simple. You wouldn't be asking that question, yeah. But also, like, if it was easier to make friends and build community, that question answers itself, because your the Appalachian read my new fanfic in this you know, you

Elizabeth Minkel 56:16

make a necklace like, Yeah, you like the story. I like the story. I'm gonna, here's five more that I'd recommend if you really vibe with this, right? Like, but I am the recommendation. It's not an algorithm, right, you know. But, like, people don't do that. Yeah, it's

Katharine Trendacosta 56:29

like, so like, web like 1.0 or 2.0 was a lot of, like, finding people who had similar interests because you that, and before, you were sort of restricted to who you could find in person. And this the early web, like, broke that. So that made it much easier to find other people who could tell you about things that you would like similar. And now we've moved it's like the idea of the dead internet, right? Like, and now we've moved to the point where, like, you're just only ever interacting with algorithms and thoughts and not other people for content and like, that's not but I keep wondering, the more we get to that, the more like we return to this fracture, like I see this in like online media, right? Like there was this explosion of independent online media, and then investors and money companies thought that they could make billions of dollars off of journalism, which has never been a thing, because they thought it was tech and not writers, right? And then they all bought these things and then couldn't make money, because that's not how it works. And those things are dying, but now you're seeing these things, these journalist collectives pop up in response, and that also feels to me like a return to that older form of internet. And so it's, it's a it is an interesting cycle that I think we're seeing, and it is in my mind, the more heartening view, like, not everything is all bad, not everything is all good, and so, like, there's a lot of doom about the internet, which is understandable. I am famous at work for joking with the internet was a mistake, despite the fact that my entire life and career has been online. But like, these small things do give me hope that there's a trend towards more balanced views.

Gavia Baker-Whitelaw 58:21

I mean, people are out there photocopying zines. So as long as there's someone out there photocopying a zine, I have hope, not something I personally do. But, you know, I

Elizabeth Minkel 58:31

mean, and in fandom too, it's like, you know, I can completely know how people, no one, wants to stick around to fandom for more than two weeks at a time, or whatever. When they're into it,

they're so into it, right? Like that, fandoms never that's not going to change, right? Like people are falling for something at this exact moment, right? You know, like,

Gavia Baker-Whitelaw 58:50

I mean, people are Dracula daily.

Elizabeth Minkel 58:53

So, yeah, sure, right, you know, like and like the fan, like fan, fan, creativity continues to be unparalleled, right, you know, but it just feels like so many things are kind of working against us. And like, the simple thing I want to do, which is, like, you know, write fan fiction and post it and like, makes, you know, talk to some people. Like, like, you know, it feels harder and harder every year, I don't know. I'm a dimmer too.

Katharine Trendacosta 59:24

If people want to find the things you've talked about that you do, where would they do that? And find the Rec

Gavia Baker-Whitelaw 59:29

Center at button down, dot, email, forward, slash the Rec Center, which is like hyphenated. I'm sure if you Google button down and rec center, you will be able to find our newsletter. Or indeed, a better search engine than Google.

Elizabeth Minkel 59:46

I don't know which one, because they're all AI now, but yeah, it should be very easily findable. We were finalists for Hugo a few years ago, so it is like it is known. And then I'm Elizabeth Minkel at blue sky and still on x.com as we're calling it now officially. So and then fansplaining is fansplaining.com which is still around.

Gavia Baker-Whitelaw 1:00:10

And my wonderful movie review podcast is over invested. Podcasts, you want to hear that stuff some, some fandom-adjacent kind of film and TV criticism.