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The Influence of Information Technologies on the Moral Rights Doctrine

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Abstract

The orthodoxy of moral rights is that authors of copyrightable works have inalienable rights in their works that protect their moral and personal interest. Recently, the problem of moral rights causes new concern because of information technologies. As the function of editor software gets stronger, it is much easier for people to make the modification, distortion or mutilation of copyrighted works which would be prejudicial to authors' honor or reputation. On the other hand, Postmodernism is a tendency in the network culture characterized by the rejection of the author's contribution to a work. It emphasizes that essential meaning of a work depends on the impressions of the reader, rather than the "passions" or "tastes" of the writer. Based on this, "Remix" Culture which encourages people to create new works based on existed copyrighted works has become popular on the Internet. The protection of moral rights seems working against the development of

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network communities whose ethics is the information sharing and decentralization.

The development of moral rights theory faces the challenge of “paradigm shift” resulted from the information technology which separates the personal connection between the author and the work, and encourages “from work to text”. It has bad impact on the authorship idea of the moral rights doctrine.

Keywords: Moral Rights, Postmodernism, Text, Paradigm Shift,
Authorship