

**iP:
Making Our Culture**

Madhavi Sunder
Visiting Professor, University of Chicago Law School
Professor, University of California, Davis, School of Law

Abstract

Modern man invents himself. Foucault's vision of modernity has never been closer to reality. Today, global social movements fueled by new technologies challenge the traditional "take it or leave it" understanding of culture as tradition. Where the last century understood culture as "off the rack"—a set of homogeneous goods and beliefs imposed on citizens by cultural authorities—increasingly people today understand culture as "bespoke," tailored for the wearers themselves. The rise of bespoke culture has serious implications for 20th-century intellectual property law, which recognized professional authors' rights but not the interests of "you"—the user—in democratically participating in cultural discourse and self-development. The book considers the challenges to traditional intellectual property laws from the rise of democratic culture—claims for freedom and equality within the private realm of culture, not just in the public sphere.