

An Archive of Our Own

*Towards another re/definition of
fanfiction*

*A long-form essay on the issue of
originality that fanfiction writing has
the possibility of contesting, and how
such a contestation can ground our
understanding of history and the act
of narrativising within realities of
marginalisation.*

Towards the end of May 2020, New York Times published an article on a legal feud between two authors of erotica—Ms. Cain and Ms. Ellis— that had erupted due to the former claiming the latter had plagiarised concepts and scenes from Ms. Cain’s *Born to be Bound* to their own *Myth of Omega* series. “In both books, Alpha men are overpowered by the scent of Omega heroines and take them hostage,” says Alexandra Alter (2020). “In both books, the women try and fail to suppress their pheromones and give in to the urge to mate. In both books, the couples sniff, purr and growl; nest in den-like enclosures; neck-bite to leave “claim” marks; and experience something called “knotting,” involving a peculiar feature of the wolf phallus.” And yet, both books were considered—legally— distinct. This is in part due to the fact that the Digital Millennium Copyright Act established in 1998 under the United States of America is a copyright law, and thus could only protect Ms. Cain’s work from plagiarism if the written scenes were plagiarised *entirely*, and were not, in the words of Cain’s publisher at Blushing Books, “almost identical” *only*. However, a bigger reason for Ms. Cain’s case to have failed, as Alter demonstrates, is the fact that the work she claimed plagiarised— the very *concept* of an Omegaverse, was not hers (or anyone else’s) in the first place.

Both Cain and Ellis started off as authors of fanfiction, according to Alter. While Cain wrote fanfiction on Christopher Nolan’s Dark Knight trilogy films, Ellis’ work was limited to the tv show Supernatural. This was where both had not only gained access to the long-standing trope of the Wolfverse (the Omegaverse is simply a heterosexual version meant for erotica, and once characteristics of wolves, including the omega are outlined, one shall know why) but were able to make of a trope something new, something that gained readership. This could have been in Ellis making Batman a half-wolf half-human, as most characters in wolf verse are. The wolves are then divided by pack ranks— *alpha*, *beta* and *omega*. The alpha is the leader of the pack, usually the only ‘wolf’ capable of ‘knotting’— that is, expanding its genital to a swollen knot such that it lodges into the partner’s birth canal, ensuring reproduction. The partner capable of reproduction, in usual cases, is the omega. The beta remains somewhere in between, more often than not incapable of forming a knot or exuding pheromones, partnering with fellow betas— or not, in case the fanfiction author feels subversive. Regardless of subversions, these few biological characteristics and the very idea of being half-human, half-wolf, sometimes capable of ‘shifting’ in to the body of the wolf, remain consistent across the Wolfverse trope. Most wolfverse stories then— at least the ones I have read (and I have read plenty) focus on the romance between various characters and their engagements in and with their *special* biology. It is no surprise to come across a story where a strong and powerful alpha smelling of musky pheromones falls in love with a small and petite omega who smells as

sweet as honey. More often than not this is followed by sex, following which the epilogue would conclude in the couple having a litter of *pups*. It is not difficult to predict how a story goes, if one has been into fanfiction as long as I have, and by all means to someone who comes across them for the first time, the popular ones (marked by the number of ‘kudos’ (upvotes) the fanfic receives on archiveofourown) may all seem the same. Verily, one can argue the most original thing about a Wolfverse is the very idea of a Wolfverse, the “crowdsourced collective” Ellis was, and perhaps will be unable to, copyright to her name.

And this is exactly where one makes the same mistake as Ellis, in centring originality into the realm of a concept. In such a situation, I believe, nothing— in the Wolfverse, outside of it, on the various fanfiction platforms that exist on the internet, be it Archive Of Our Own or [fanfiction.net](http://www.fanfiction.net), or even tumblr, or, well, anything that has been written in the entire world, fanfiction or not— could make a claim to *true* originality. This is not a problem of legality, for surely there is a claim to the first thought of *something*. Somewhere, someone must have had the ingenious thought of representing sex and gender in wolf biology and letting a human have a wolf’s ability to knot and another produce copious amounts of ‘omega slick,’ and if the real Slim Shady *does* stand up then erotica authors, amongst others, ought to pay them well for their contribution. Perhaps both Ms. Ellis and Ms. Cain could come to a mutual understanding here then, since neither of them are that person. But even then, there remains the problem of who this person could be— if they still exist at all, and an even bigger problem of how do we truly trace the origin of an original.

This tracing is not a problem of legality for it is a problem of history. History, or historical character— is not that which exists in originality, that which has the highest claim to being *first*, but that which exists in record and has the highest claim of being the first to be recorded. We trust history to accommodate its own fallacies— this itself is a problem of the discipline; that which is left out not only ceases to exist within the record but even outside of it. Hayden White proves this narrative character of historical records in *The Value of Narrativity* (1980), where he speaks on how “the very distinction between real and imaginary events, basic to modern discussions of both history and fiction, presupposes a notion of reality in which “the true” is identified with “the real” only insofar as it can be shown to possess the character of narrativity.” (10) In such a case, it is not that that which exists as the first record is the first record by such an existence, but that that which exists as the first record is only the first *recorded*. How do we make any claim to a character of originality then, when originality itself becomes a matter of archiving?

Legally, this is done through acts like the D.M.C.A, where the first record exists in the act of copyrighting. But copyrighting itself is and has been, as Alter proves, a means of “maliciously weaponising” the law in order to “take down their rivals,” such as the case of Faleen Hopkins trying to trademark the word ‘cocky.’ “[T]he 22-year-old D.M.C.A. has failed to keep pace with the anarchic digital ecosystem,” says Atler on a report released by the U.S. Copyright Office on the DMCA. ‘Many requests are legitimate,’ she adds, “but the report notes that other motives include “anti-competitive purposes, to harass a platform or consumer, or to try and chill speech that the rightsholder does not like.”” There are plenty records of such a malicious weaponising that both Atler and the Copyright Office report, but what becomes important is to note that this is only the kind of

weaponising that is *reported*, and in that reporting, given the legitimacy of an *event*—not the only one that exists.

Rethinking the character of such records and archives allows us to also think of the very nature of reporting, of historicising. When White speaks of the *Annals of Saint Gall*, a list of events that occurred in the eight, ninth and tenth century of our era, he speaks on the nature of the annal and how in such a list where events seem to just happen, the very nature of the record, of the list, makes it possible for each event to seem “to have the same order of importance or unimportance. They seem merely to have occurred, and their importance seems to be indistinguishable from the fact that they were recorded. In fact, it seems that their importance consists of nothing other than the fact that they were recorded.” (12) Similarly, I believe, the nature of records of extraordinary events such as Faleen Hopkins trying to trademark the word cocky is the very reason such an event seems extraordinary, when in reality this ‘malicious weaponising’ of a concept, of the very idea of originality, exists all around us, all the time.

Take the very definition of fanfiction as an example. One of the earliest accounts of fan culture, that of John Bristol (1944) defines it as “fiction about fans, or sometimes about pros, and occasionally bringing in some famous characters from [science fiction] stories.” The largely accepted definition today is to some degree a paraphrase of Bristol’s: “a type of fictional text written by fans of any work of fiction where the author uses copyrighted characters, settings, or other intellectual properties from an original creator as a basis for their writing.” In both cases, the premise of one person writing stories on the work of an ‘original creator’ or a ‘pro’ remains the same, and so it becomes important to unpack what such an originality can or cannot do to the ‘fan.’ Even in the newer definition we can see how fanfiction writing is only defined insofar as it can be argued in court on the grounds of originality— hence the emphasis on intellectual *properties* and *copyrighted* characters, settings. This is not because fanfiction writing happens in the very small space of derivation from an original work (hence the moniker derivative or transformative fiction), but because fanfiction has to be constantly defined within this realm, this dynamic of a fan and a pro, to prevent fanfiction authors from being seen as what they are— just authors.

Here, I could offer the many fanfics that exist on Archive Of Our Own under the “original character” tag to settle all claims of legality and the Cain-Ellis feud, but I would like to stay with the specifics of unoriginality instead. Such an exercise, I hope, will demonstrate better that even when fanfics refer to ‘original’ stories and/or copyrighted characters, the reference only serves to make their work more original. This is not based entirely on subversion of a trope, as further writing on the Wolfverse shall demonstrate, but let me speak on the very act of subversion first. Subversion of a text can happen in two ways, I think. First, where an author subverts the material of the text in order to undermine the material’s authority and its narrative arc to say their own thing, or second, where an author subverts the authority of a text by and in the very act of writing. Devi managed to do both.

Devi was, until her last login to india-forums which is dated some time around August 2019, a fanfiction author on the india-forums website. India-forums is a space for fans of

Indian TV shows to conduct what theorists of fan studies call fan *culture* or *fandom* in. To fans on the website, this meant a space where they could create discussion posts on the TV shows, share photos, gifs, videos, make fan-art, some even went as far as to make podcasts that conducted a weekly analysis of how various aspects of the show— plot, story, character arcs, narrative, etc. were moving. Fans were also popular for writing fanfiction on these same forums— a certain number of hits (views) allowing the post to be moved by the moderator to the Fan Fiction Forum instead, where it could gain readership more diverse and bigger in number than just the amount of visitors to the original TV show’s forum. This is where I found Devi’s first story.

Lavender was an Arnav/Khushi fanfic, which means that it was based on the characters Arnav Raizada and Khushi Gupta of the show *Iss Pyaar Ko Kya Naam Doon* (What Should I Name This Love?) (2011-12). However, the Arnav and Khushi of Lavender and the Arnav and Khushi of IPKKND were nothing alike, even when they seemed to be. Tropes are curious things you see— the Arnav and Khushi of the show were personifications of the trope of an emotionally unavailable man and a woman who wears her heart on her sleeve, and how their star-crossed love enables the man to work through his troubled past upon the emotional turmoil of the woman. Arnav in this case, is a haughty New Delhi businessman who suffers from his mother’s abandonment of him, whereas Khushi is a less educated Lucknow girl who has much love for her family and goes to extraordinary lengths to protect them and their small confectionery business. Where does Devi intervene? Lavender’s intervention is contextual, whereby it does not change the premise of the show, giving both Arnav and Khushi the same biographies as their *originals*, but instead interrogates by intervention the show’s narrative and moral arc. Khushi of Lavender is more desirous of a business degree than her sister’s marriage, and no longer cowers under Arnav’s powerful aura (IPKKND features a particular scene where Arnav pushes a teary-eyed Khushi off the second-floor of a building under construction, and she seems to fall almost willingly). This very change comes subtly in instances where the narrative no longer circumvents Khushi and Arnav’s class difference but acknowledges it, and in acknowledging it brings to fore the way that class difference reproduces itself in the show’s romance by that very circumvention. In the show, Khushi is punished for Arnav’s brother-in-law taking a liking to her, for certainly it has to be the poor village dame who seduces the city man the same way Khushi has managed to seduce both Arnav and his brother-in-law. Her poverty is ignored to *ensure* she is blamed for Shyam’s infidelity, for acknowledging it would open up the possibility of Khushi, being from a family with limited resources and education, financially incapable of investigating Shyam’s marital status, or even formulating such a thought. Khushi’s very crime is being desirous *in spite of* her class, to both Arnav and Shyam. Khushi calling herself a *silly twit* in Lavender’s introduction, then, is Devi’s attempt to not only give Khushi the room to be that silly twit, but to also ensure that characters like Arnav and Shyam no longer get to get away with mistreating that silly twit on account of her supposed dishonesty. Lavender makes it possible for not only Arnav and Shyam and the like but, most importantly, *Khushi* to know she is not to be blamed for her circumstances. Such a knowledge ensures that this Khushi fights back— be it with her quips in this exchange:

“Do you have any direct objections if a silly twit furthers her education? Think of it this way... it would be money well-spent so that I won't embarrass you in front of your clients

with my silly twitty ways...' she said in a perfectly serious tone, but he of course caught onto her mocking, and advanced a step towards her and asked angrily, "Are you f**king with me right now?" in English.

'See sir... that right there. That's exactly what I am talking about. I have no idea if I am f**king with you right now because I have no idea what that means. It would be awfully embarrassing to do that with your clients, don't you think?'"

Or in Khushi asking Arnav for her business degree in the same conversation, for now there is no logical conclusion of a misunderstanding that Arnav can excuse his oppression of Khushi with. Making romance bloom in such a story, then, changes the very moral arc under which IPKKND was written (or at least the one that appears to be so): Lavender becomes an expression of the desire of having Khushi— not just the show's Khushi, but perhaps *every* Khushi— resolve the oppression of their class and gender through the circumstances brought on by romance. The romance is secondary to the moral arc, for we all know that a romance is the least surprising occurrence in the genre of romance. It is the expression of desire, here, that bears character.

This expression of desire can be expanded to all variations of the Wolfverse fanfics mentioned earlier. It is true that the only 'original' thing about Wolfverse perhaps is the trope itself, but fanfiction authors do not engage with tropes for the sake of claims to originality. They do it to write, to *express*. The very act of writing under an 'original,' then, is an act of interruption, of subversion. And such an interruption does not occur merely through writing on an existing trope or an existing TV show. It occurs in the act of writing — little else explains the reiteration of a trope, the repeated writing of it by fanfic authors. If the value of Wolfverse remained in its originality, in its quality of being unique, that value would have died out quicker than the deflation of an alpha's knot. Instead, we celebrate May as bae month.

To the Kpop fandom, May brings with it Baekhyun month, named so for it starts with the kpop celebrity Byun Baekhyun's birthday on the 6th. The same day marks the beginning of bae posting on Twitter, where the fanfiction fest *baeconandeggs* starts posting daily two to four of the many (almost a hundred) fanfics that have been submitted to them over the past half-year. This submission is not spontaneous— *baeconandeggs* is organised for this kind of posting, in order to both celebrate Baekhyun's— who is one half of the 'ship' or the couple the fest is dedicated to— birthday, and to amplify the work of fanfiction authors to preexisting followers of the fest (on their various accounts on mediums like livejournal, archiveofourown, Twitter, etc). Fan studies defines such a community exchange in various ways— to Stephanie Burt, such a 'Yuletide' exchange is one of the promises and potential of community that fanfiction can offer. "If you can work your memories, hypotheses, or fantasies about living away from home, or about gender transition, or about retirement, into a story about Bruce Wayne and Dick Grayson," she surmises, "maybe the many people who care about Batman and Robin will care about your thoughts and experiences, too." One of the unique offerings of fanfiction is this community access, no doubt, but it remains (yet another) benefit of fanfiction writing— one in a list of many, and not an offering which can fully explain, I believe, the reason why authors come back to fanfiction writing again and again in the first place. The promise and potential of fanfiction, as Stephanie Burt calls it, does not lie in the many ways

fanfiction can prove its function outside of writing— it is in how fanfiction is a space *for* writing.

Writing itself is not a natural act. Our biology, even the wolf kind, allows us to speak, communicate, but something curious happens when a person collects thought and thinks through narrative, when narrative is recorded. White is not so far off in saying that it is in the very act of recording of an event that it gains importance, for such an act writes a larger narrative of the writer itself, it follows a greater moral arc of the world the writer inhabits. Writers do not write to merely speak of the world— their world, but in writing, change it. Take one of the fanfics published in *baeconandeggs* last week. This was a PJO au— a Percy Jackson Alternate Universe story where the characters of Baekhyun and Chanyeol could exist in Rick Riordan's Percy Jackson series and bear characteristics and traits, biologies and biographies, of the characters within it. Riordan's book itself is not the first story of Greek gods and demigods, it is heavily inspired from prevailing myths around Greek gods and their children, such that even the titular character Percy is supposed to be inspired from Zeus and Danae's son Perseus, founder of Mycenae and the Perseid dynasty. Baekhyun in *His Prized Fighter* is an incarnation of the god Hermes, known as the god of boundaries, travel, communication, trade, language, thieves and writing, among other things. Baekhyun wields the same caduceus Hermes was known for, modified into a pen and complimented by leather boots with wings on their soles. This Baekhyun, of course, is nothing like the *original* Baekhyun, save for bearing a similar physique and the same name. The Chanyeol here, similarly, cannot be confirmed to be a mirror image of the real Chanyeol, even if as a son of Apollo in the story he shares the real Chanyeol's penchant for music. Instead, the Chanyeol we find here is an astronaut and a gifted medic, and a gladiator in Baekhyun's flashbacks of his previous life (Greek gods *do* live long, go figure). Their resemblance to their namesakes notwithstanding, Baekhyun and Chanyeol of this story become independent individuals with their own stories as they navigate falling in love and then facing the troubles of being in love when one is a millennia old god while the other only half, a mortal destined to, eventually die. The story plays deeply with this conflict, bringing scenes of Chanyeol's first life back to Hermes repeatedly— of the moment Chanyeol was shot by an arrow, of the moment Hermes had to herald his soul into the afterlife (the god also being a psychopomp), of Chanyeol's first dip in the river Lethe which ensured he forgot Baekhyun (and everything else) altogether, of his days in Elysium thereafter. Death, of course, is not simply for the fanfiction reader— it plagued the old Greek as much as the anonymous user who wrote this story, I am sure. Little else explains the existence of gods who not only walk amongst us, indulge both with and in us, but also act like us— prone to making mistakes, feeling ungodly emotions of lust, shame, fear, anger, love. At their core is rooted a desire for eternity— perhaps not through an endless life, but through one which makes life last a little longer.

It is this desire that the author shows in Baekhyun finding Chanyeol again in his third life, younger than he was and now at the demigod camp instead of a space mission. This Chanyeol is a far cry from the man who spoke, in his previous life, to Baekhyun about being on the moon— a feat fascinating even to the god of travel who had never made that trip. Baekhyun, or Hermes, a god who had outlived his many lovers and several millennia, feels the pain of the astronaut Chanyeol breaking up with him, but finds his resolution and his own Elysium— the joy of meeting a new Chanyeol anew, in acceptance of the very

fact of death. The underlying message(s) of death, love and continuity are open to interpretation for any reader of this fic, and so is the romance. But I would like to ruminate on these curious superimpositions of real and not-so-real figures for some time. Byun Baekhyun and Park Chanyeol in real life are singers, performers. They may as well be the Greek gods but here the writer's interruption into that originality speaks nothing of whatever narrative arcs of the two men are available to the fans. Instead, the author's interruption is in the act of writing, in subverting the long-standing hope of immortality, of the endlessness of time, and showing that immortality is not the beginning of desire but the end of it— it is only by coming into contact with demigod Chanyeol's mortality that the immortal Baekhyun is able to feel desire. The writer writes thought even in romance, and in writing changes it. The writer no longer circumvents the reality— the *legality*— of fanfiction, but in presupposing it, is able to further their argument. The relationship between the *original* work (or, in this case, the original person) and the referential, transformative fanfiction, is already known, so these writers have no reason to argue it further in writing. In referencing an original piece fanfiction writers are not seeking to change the original— instead, they seem to do something much more— in spite of the practice of fanfiction being premised on this lack of originality, merely a reference to, fanfiction writers write originals despite themselves.

All fanfiction writing, I believe, is original to the degree that it bears the character of being a thought that has been recorded into an archive. This archive, then, no longer remains an archive of fanfiction but expands into an archive of thought, of original thought. It bears the character of being historical, for even if nothing in these stories can be proven to have verifiably happened, each story bears a record of thought. And in being a record of thought this writing is like every other kind of writing— all writing is, I believe, some kind of referential work, some kind of fanfiction. It is only that fanfiction's unoriginality is produced by its very definition, and all further arguments such as Burt's that speak for the function of fanfiction, in circumventing the idea of this unoriginality, reproduce it. This is why Burt herself is left asking what fanfiction is good for— for the underlying corollary remains, what is fanfiction good for if we have *real* written work?

Fanfiction is precisely good for that one thing it is not allowed to do, and that is to exist as real, original work. In existing as original work fanfiction not only becomes a manifestation of various voices of people— *fans* into writing, a 10,000 word story on average on their own desires, but also throws light on how fanfiction has to remain less original for published, copyrighted material to be more so. And this is not limited to malicious weaponising of copyright law. If anything, fanfiction shows us how these various instances of narrative, these greater moral arcs, the sexual desire of women writing Wolfverse to subvert the dynamics of their own gender, or Devi writing Lavender to allow Khushi a space to resolve her class conflict— all have to be deigned to a realm of imagination, less *realness*, to ensure that they remain so. Fanfiction is not historical for the mere character of being recorded, it is historical for it bears evidence of how, despite ourselves, we desire narrative, we desire resolution, and how in being unable to find it in the natural-ness of our biographies and biologies, we find that resolution in stories. It is a record of unthinkable existences, an archive of us, our own, despite ourselves.

If this is what fanfiction is good for, and I believe it is, then it warrants a consideration for its redefinition, for it is only in making fanfiction *writing*, or making writing *fanfic*, that we will be able to question the hierarchies that make fanfiction less or more original. But I will not be the first person to argue so. Just as fanfiction writers, despite themselves, write original works out of a mere reference, readers of fanfiction are able to recognise fanfiction for its originality. Flourish Klink's *Towards A Definition of Fanfiction* (2017) demonstrates how in a survey conducted by Fansplaining on the definition of fanfiction with almost 3600 participants, participants were, eventually, unable to come to a conclusive definition which could summarise all aspects of the practice. In the beginning, some (40%) find it easy to say that to be considered a fanfic a story must be based on another work of fiction, based on real events or people, written by an author other than the original author of the work it is based on, etc. But as Klink moves further into long-form answers that seek to define fanfiction with precision, all such premises of originality fail to account for what fanfiction truly could be. "[T]here *is* no clear line," Klink concludes. "Fanfiction is what authors claim to be fanfiction, and what audiences accept as fanfiction. Different people's viewpoints may be slightly different, but like Justice Potter Stewart defining pornography, "I know it when I see it.""

This knowing when seeing is not spontaneous, I believe it speaks of mediation. Fans know fanfiction when they "see it" because it comes with no claims to originality— on twitter, tumblr, fanfiction.net, india-forums.com, Archive Of Our Own, or even in Instagram comments. It is freely accessible to those who seek it. On the contrary, it is the published work, the one that requires access by *payment*, the one that claims originality— that becomes more original by the act of that payment, by the very act of claiming for originality and making things around it, legally, less original. If fanfiction is original, and I believe so far we have concluded it is so, then why does it not gain access to this claim? Unpacking originality would also mean unpacking the degrees of malicious weaponising that mediate fanfiction. No fanfiction is allowed to profit off itself until it can sufficiently present a claim to originality, be it through changing the names of Baekhyun and Chanyeol to Baz and Simon to changing the biographies and biologies of the male/male Wolfverse slash fics to suit a male/female pairing to suit the erotica audience. What is lost when Wolfverse changes to Omegaverse? What is lost when fanfiction is not allowed to exist as it is, and profit off that existence not only to for the sake of benefitting but also for sustenance, but is asked to change and bend the very specifics of its form of interruption in order to be considered *real*, *original*? A website like Archive Of Our Own has to regularly call for donations to maintain its servers and to pay lawyers who fight the several copyright notices sent to them, but this commerce is not an extraordinary event. This commerce speaks to the realities of historicising, the reality of who gets to *write*, who gets to be real *in* writing, and what gets to be written. An archive of our own, I believe, is not just an archive of history, but an archive of the various clashes that mediate the writing of history. It is not just an archive of unthinkable existences but a history of what deems the unthinkable, *unthinkable*, and how the writer writes and in writing embodies that unthinkable despite it being so.