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**Submission of long abstract (around 1,000 words)**

**Topic:** **Creative outputs as the result of a shared cooperative process and why the property right institution may not be adequate. The case of theatre productions.**

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This contribution aims to analyse the concept of creative output resulting from a shared cooperative process. In particular, the paper builds a justification to support the idea of why the institution of property right alone may not be functional to adequately protect creative expressions. This type of analysis will be conducted with specific reference to the sector of theatrical productions in which cooperation among participants, at different degrees, is often present. The theatre world lends itself to be a fascinating setting to make a whole range of considerations on creative teamwork and, more specifically, on the effects that governance choices produce in terms of creative capabilities. Dealing with creativity and how to facilitate it within a given context has to do with the whole spectrum of human needs that are not primarily aimed at maximising profits or building competitive advantages, but at people’s wellbeing and self-actualization (Sacchetti, 2022). Along the inquiry started by Abraham Maslow (1963) and John Dewey (1927) on the role of creativity and critical intelligence in the making of a good life, our discussion is intended to be useful not only for the limited context of theatre but also as a message to be applied in other sectors, especially in those where the creative element has not yet been considered (Sacchetti et al. 2009).

Although drama companies evolved until reaching articulated configurations, similar to firm hierarchies, their organization has preserved ancient structures and customs, retaining cooperative modes of coordination or, as in management language, a teamwork approach among the stakeholders involved (Gallina, 2007). Working in a team has a super-additive value, as the final result – the theatre performance - can be achieved only through creative interaction among the various stakeholders involved in the creative process. The similarities with Dewey’s deliberative process are evident: the outcome is not known ex-ante but is the result of a process where participants mutually share perspectives and experiences, based on intuition, reason and argument rather than power asymmetry. What is known ex-ante is the willingness of cooperators to partake in the process to the best of their abilities to jointly produce a performance that is fulfilling for them and for others.

To discuss how to analyse creative outputs deriving from a shared process, an initial attempt will be made at reconnecting the nature of the collaborative stage activity in terms of team production theory. According to Blair and Stout (1999), if the activities and inputs of participants are adequately coordinated, their collective output can be qualitatively different and vastly larger than the sum of what each individual could produce separately. In this context, coordination will not happen from the top down, but in the lateral interaction among team members. Administrative coordination may still be needed, but the role of governance is functional to stop opportunistic behaviours or mediate horizontal disputes among team members that may arise along the way.

Aoki provides a further understanding of corporate governance’s role, departing from the idea that a governance model serves primarily to control opportunistic behaviour but to sustain the mutually beneficial opportunities from cooperation. He discussed about firms as team production between investors’ financial resources and managers’ and workers’ cognitive resources (Aoki, 2010). Literature on shared governance in a university context is also relevant (Degli Antoni, Fia, Sacconi, 2022). The highly specialized nature of knowledge possessed by university co-essential figures requires a cooperative mode of governance rather than an autocratic one to reduce the risk of making ineffective decisions. This concept is not far from the team idea behind theatre productions in which the creative contribution of participants, which is personal and unique, will be safeguarded in its authentic form if shared governance is present.

Cooperation, however, is one among alternative modes of organising resources. We hence discuss how theatre production benefits from the support of a combination of resource coordination modalities (market exchange and authority besides cooperation). Within certain limits, in fact, the presence of authority and market exchange (including the use of better specified contracts) may benefit theatrical creativity (without the public transfer of economic resources and the presence of a paying public, for example, theatre productions could not exist). This introduces a concern for economic sustainability besides creativeness and self-actualisation. It will be therefore discussed to what extent it would be possible to have a proper balance between the various resource coordination mechanisms (cooperation, market and authority) without being jeopardising the cooperators’ creativity.

The next question is how copyrights relate with a team cooperative output. Copyright law have been conceived mainly to safeguard individual creative outputs. The latter is an intellectual property right which protects the creative efforts of the creator of the original work, giving him/her the exclusive right to allow others to use or copy that work. If you own the copyright in a work, you may be entitled to the acknowledgement of ownership and payment if another party uses your work. Copyright rules, however, are clear as for individual creations, while, if they are preceded by collective processes, some issues may arise regarding who, after this process, is the author and first owner of the work. We hence consider how, in drama productions, copyright protection may create issues as it does not adequately consider the creative contribution of all stakeholders involved in a performance.

Intellectual property rights (IPR), in fact, are generally accorded to the author of the script of the play, which is the playwright. Although plays are sometimes read as literature, dramatic works are not the same as literary works, which are not required to possess the performance quality. Dramatic works are therefore authored via a collaborative process with several participants in addition to the playwright (think of the actors, directors, scenographers, to mention some) providing each creative contribution. There may be therefore several participants making original contributions to the play, sufficient to create a joint authorship interest. However, the collaborative model of creativity that is at work in theatre does not lend itself easily to the traditional way copyright recognises authorship and, in a case of disputed authorship, a court will usually ascribe economic and moral rights in the dramatic work to the playwright only (McDonagh, 2021). It would seem therefore that lawyers assimilate theatre performances to any other kind of artwork individually produced (like a painting, a song or literature), without considering all the further creative developments in the head of the other stakeholders involved in the subsequent phases (or by simply reconducting all subsequent creative moments under the umbrella of the playwright’s copyright).

This will consequently lead to questioning whether the form in which copyright is currently structured is adequate for the field of stage entertainment or whether property rights protection should be rethought or adjusted in the light of the cooperative nature of the production process. In carrying out the investigation on what ownership forms, we will build on ideas of membership rather than ownership (Sacchetti and Borzaga 2021) and we will reflect on the public good nature of creative service production, which Ostrom and Hess (2006) understand as commons arrangements for overcoming various social dilemmas associated with sharing and producing information, innovation, and creative works (see also Frischmann, Madison, Strandburg, 2014).

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