Media Piracy and the Terrorist Boogeyman: Speculative Potentiations

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Introduction: Piracy and the Question of Value

When Lawrence Lessig, vocal champion of greater access to channels of creativity and knowledge, made a distinction between "good" piracy of the ingenious, productive kind and "bad" piracy that amounted to mere poaching, he inadvertently brought into relief a constitutive element of liberal thought: an intrinsically bourgeois sense of propriety/property. Driven by the exigency of advocating reforms in US intellectual property laws, and in the interest of maintaining his position as a judicious legal expert, Lessig felt compelled to signal his deference to property rights in an unequivocal manner. For him, the only conscionable intellectual property infringements were those that generated value and enhanced capitalist vitality, pressing the limits of law with an eye to reform. These acceptable instances included creative remediations (collage, sampling, mash-up) and infrastructures that

democratized the distribution of information (P2P file sharing, the Creative Commons).[1]

As Kavita Philip has noted, underpinning Lessig's analysis of piracy is a firm commitment to upholding the sovereign subject of bourgeois law, a form of subjecthood presumed to extend to the level of individual nation-states. To be accepted as a sovereign entity, a country has to respect its own laws, including international intellectual property laws that it has signed on to.[2] Such strict adherence to "law" is possible only if "that law is hermetically sealed off from history" and idealized as an incontrovertible structure "rather than as networked dynamic process."[3] Philip goes on to argue that this inert law, disregarding historical difference in its universalist pretenses, intensifies planetary chasms: "Bourgeois legality plays a role in producing the very differences to which it denies relevance."[4] The concrete historical and cultural compulsions that shape localized media practices beyond narrow legal parameters are of little or no concern to Lessig: in transgressing *the law*, such practices fall into a categorical criminality.

Lessig's decisive move is to mark media piracy in Asia and Eastern Europe (the continent's Asiatic badlands) as parasitical activity that adds no value—"piracy plain and simple." Disavowing entire material lifeworlds, Lessig's circumscribed perspective reduces "Asian piracy" to an expedient foil for his arguments on behalf of "productive" piratical practices.[5] That piracy might generate value for local cultures and informal economies operating beyond the purview of Euro-American legal structures is never considered as a feasible scenario. This willful oversight helps reproduce, yet again, a familiar spatial trope of proven (neo)colonial efficacy: a precious and vulnerable "in here" sharply demarcated from a savage and treacherous "out there," a mapping that once underwrote civilizing missions and now seeks to legitimize paradigms of development and institutions of global governance.

How might this geopolitics of legality be deployed as useful provocation for a critical global media theory that accords to contemporary Asian media practices the importance they deserve? From an Asianist perspective, what is the relation between legality and legitimacy—are they necessarily coeval? If piracy is constitutive of Asian media circuits, what is their location within global media? Indeed, what pressures do piratical Asian media bring to

bear on any conceptualization of "global media"? This article is a modest attempt to tease out some of the questions and research agendas that the phenomenon of media piracy poses for critique in this field; it also speculates on tactical moves that might potentiate fresh analytical frames.

Demonizing Discourses and the Communication of Risk

Western liberal disavowals of the transnational complexities of intellectual property (IP) pave the way for a more concerted, more tendentious move: the yoking of media piracy to terrorism. The blatant fear mongering that drives such semantic linkages has a long history: indeed, the framing of copyright infringement as an act of piracy—which, in the Anglophone world, dates back to the seventeenth century—produces something like a transubstantiation of the depredation of ideas into a more violent form of plunder.[6] Thus the Irish and Scottish booksellers of the eighteenth century, their US counterparts of the nineteenth century, and Chinese, Indonesian, or Thai media vendors of our era, all undergo a phantasmatic makeover in the popular imagination, taking on the terrifying attributes of the vicious outlaw wreaking havoc along maritime routes. But the pirate conjures up conflicting impressions and affects: on the one hand, a murderous, filthy, vermin-infested character with an eye patch, wooden leg, and hook arms; on the other hand, a swashbuckling, worldly, and entrepreneurial renegade belonging to a democratic fraternity of nonnormative socialities and sexualities. At once fearsome, subversive, and romantic, the pirate cuts a rather hip and alluring figure.

And so the search for more diabolical associations continues. In 1982, Jack Valenti, then president of the Motion Picture Association of America, infamously declared at a US Congressional hearing: "I say to you that the VCR is to the American film producer and the American public as the Boston strangler is to the woman home alone."[7] His ire was directed against the new technology that enabled the quick and cheap copying of audiovisual media at home. While it was never clear why the video recorder would be a homicidal threat to a professedly vulnerable public that actually stood to benefit from it, Valenti's analogy induced a hoary feminization of the producer-public nexus in order to stress its gullibility and the need to pro-

tect it from seductive dangers. Since then, legislative bodies and international agencies have witnessed numerous presentations on the connections between media piracy and organized crime. Over the past three decades, media piracy has been linked to illegal drug and arms trafficking in Latin America and the Middle East, Southeast Asian counterfeit goods trade, Russian identity theft and credit card fraud, Nigerian 419 scams . . . the list keeps expanding. The actuality of these connections is of less significance here than their rhetorical and affective potency.

While the links between piracy and terrorist networks had emerged as a focus of international investigations by the 1980s, a new sense of purpose marked the post-9/11 era as the war on terror bled into the war on piracy. The so-called Gallo Report of 2010 submitted to the European Parliament's Committee on Legal Affairs, while refraining from any mention of terrorism, categorically states that "there are proven connections between various forms of organised crime and IPR [intellectual property rights] infringements, in particular counterfeiting and piracy."[8] A much-hyped report published around the same time by the RAND Corporation makes the connection between media piracy and terrorism explicit even in its title: *Film Piracy, Organized Crime, and Terrorism*. The report's rhetorical moves merit some attention, for the claims are made and reiterated with great confidence in spite of evidence that remains, at best, tenuous. The prefatory remarks set the report's overarching tone: "It presents detailed case studies from around the globe in one area of counterfeiting, film piracy, to illustrate the broader problem of criminal—and *perhaps* terrorist—groups finding a new and not-much-discussed way of funding their nefarious activities. Although there is *less evidence of involvement by terrorists*, piracy is high in payoff and low in risk for both groups, often taking place under the radar of law enforcement."[9] The passage reveals a blatantly spurious assumption—since an activity is "high in payoff and low in risk" for terrorists, they are most likely to be involved in it—that is quite typical of the entire report. And the curiously hesitant "perhaps" is only the first of many such moments that alternate with ultraconfident assertions: moments intended to nuance the arguments, but which are more telling as indices of the report's overall flimsiness.

The RAND report is emblematic of institutionalized risk communication. First, it names a host of "independently" operating subdivisions within

the think tank that conducted the research and vetted the findings, including "the Center for Global Risk and Security, part of the RAND Corporation's National Security Research Division," and "the Safety and Justice Program in RAND Infrastructure, Safety, and Environment." This nominal accretion, a performative gesture, seeks to counterbalance the fact that the Motion Picture Association of America, arguably the most important stakeholder in the study's findings, funded it. In fact, the divulgence of sponsorship is turned into an occasion for affirming the report's neutrality: the authors claim that they were "especially careful in examining evidence and framing conclusions," implying that any possible conflict of interest was, in effect, eliminated (iii).

Second, the report presents its conclusions with mastery and certitude even as it constantly points to its own limitations, conveying a credible objectivity. The caveats and doublespeak that characterize the preface—for instance "there is less evidence of involvement by terrorists"—continue throughout. Thus, at the conclusion of a chapter that presents three case studies to establish the link between film piracy and terrorism, readers encounter the qualified observation: "Although three cases hardly support definitive conclusions, they do illustrate several forms of convergence between organized crime, piracy, and terrorism" (95). A couple of pages earlier, with reference to the South Asian case study, the authors note: "Much of this case is based on secondary and media sources" (93). Yet the summary to the report includes a rather sanguine claim: "three of the documented cases provide *clear evidence* that terrorist groups have used the proceeds of film piracy to finance their activities" (xii, emphasis added). And two pages later appears this categorical summation: "The evidence assembled in this report testifies that counterfeiting is a threat not only to the global information economy, but also to public safety and national security. It represents a call to cooperation in the battle against intellectual-property theft for law enforcement and governments around the world" (xiv). This is classic speculative gerrymandering. With its recurrent tonal shifts between certitude and doubt, the report is all the more effective in suturing media piracy with global terrorist assemblages, transforming the former into a question of security and recalibrating policy implications for both national and global governance.

348

The links between security and governance are, by now, well established in political theory, as much for ordinary everyday social existence as for moments of grave military or natural crisis.[10] Indeed, modern governmentality rests on the banality of crisis scenarios: the possibility of recurring threats turns constant preparedness into a compulsion for contemporary societies.[11] Acknowledged in frequent invocations of the oxymoronic "*permanent* state of *exception*," this compulsion is a constitutive feature of not only highly centralized regimes but also liberal-democratic political systems. Hence the ubiquity of *camps* in all their variations (war camps, detention camps, refugee camps): spaces marking emergencies, exceptions to politico-juridical norms, that allow all manner of interventions from human annihilation to humanitarian aid—all in the name of control and freedom, freedom *pace* control.[12] As Foucault demonstrates, in the eighteenth- and nineteenth-century emergence of liberal political thought, a desire for freedom is complementary to, and inextricable from, a need for control. The molar disaggregation of a population into demographic categories and the compilation of vast statistical data paved the way for "enlightened" interventions in the name of education, public health, and social reform. But these administrative innovations, the ostensibly benign face of biopower, also led to categories of abnormality and irrationality (the insane, the criminal, the sexually deviant) and institutions of discipline and regulation (to secure the rational, responsible subject of law and economics).[13] The duality of control and freedom that constitutes modern sovereignty, and that remains intrinsic to institutions of political economy and law, drives contemporary evocations of the pirate-terrorist as a security threat: while the "free" circulation of goods, information, and labor must be protected, that protection necessitates mechanisms of regulation targeting illicit, irresponsible mutations. Ergo Lessig's "bad" piracy and the RAND report's pirate-terrorist networks, held guilty of pushing the free market to its distended limits. Neither civil nor quite cultural from a liberal perspective, these piratical formations are called out as recalcitrant challenges to governance.

As expected, there are studies that emphatically refute the findings of the RAND report. Consider, for instance, the more recent *Media Piracy in Emerging Economies*, published by the venerable Social Science Research Council (SSRC) and touted as the "first independent, large-scale study of

music, film, and software piracy in emerging economies, with a focus on Brazil, India, Russia, South Africa, Mexico, and Bolivia." Responding in part to the RAND study, the SSRC report finds "no systemic link between media piracy and organized crime or terrorism in any of the countries examined." It is implied that such links may have been operative some years ago—a linkage that, in the popular imagination, centers on Hong Kong, Dubai, and the Central Asian countries that were once part of the USSR. But now, "commercial pirates and transnational smugglers face the same dilemma as the legal industry: how to compete with free."[14] That is to say, with the expansion of broadband services and new media skills among larger populations, free downloads and file shares have begun to render both licit and illicit media businesses largely obsolete.

These conflicting accounts are the signposts of a fractious global discursivity. At its center hovers the pirate-terrorist, a composite, holographic boogeyman for our paranoid times. I will argue that the semantic currency of this larger-than-life figure matters more than its material moorings. Even if its sphere of activity is rapidly shrinking, even if it was never that significant to begin with, the specter of the pirate-terrorist remains a potent embodiment of today's anxious zeitgeist, a distillation of various risks and threats—actual, virtual, imagined.

The Global War on Piracy

The yoking of media piracy to terrorism dramatically brings home the unwitting complicity of the peace-loving but clueless citizen-subject in nefarious terrorist assemblages: his or her own ongoing culpability in exacerbating security threats becomes a serious issue. But this alleged ubiquity of the pirate-terrorist produces a conundrum: if all piracy is potentially dangerous, how do we mark out the more threatening nodes and channels of contemporary global systems, and how do we protect ourselves? How do we prepare for—securitize against—imminent threats? A biopolitical paradigm of immunization works on a logic of segregation: unruly groups must be detected and quarantined, their threat of contamination contained. As always with biopolitics, a morality favoring normative citizen-subjects comes into play. Monstrous subjects that endanger the sovereign state or

bourgeois normality—the pirate, a threat to property rights; the homosexual ("butt pirate"), a threat to heteronormative sociability; the terrorist, a threat to everyday stability, to "our way of life"—have to be isolated and controlled, if not eliminated outright. As Roberto Esposito reminds us, immunization involves the simultaneous protection and negation of life.[15] The war on piracy, like so many other "wars" on hapless segments of the population, requires a categorical separation of a vulnerable "us" from a menacing "them," an interior "here" from an exterior "there." These monsters and outsiders are constituted within the overall system: their paradoxical status as *internal exteriorities* (spatialized as prisons, ghettos, camps) helps manage the liberal tension between control and freedom.

It is no surprise that the three case studies which the RAND report presents as evidence of the truck between piracy and terrorism relate to postcolonial sites that, irrespective of their hemispheric location, are geopolitically "Southern": the Irish Republican Army's radical struggle in Northern Ireland; the infamous D-Company's clandestine activities along the Mumbai-Karachi-Dubai corridor; and financing for Hezbollah originating in the tri-border region of Argentina, Brazil, and Paraguay. The most disconcerting instances of piracy, it would seem, take place in the "Global South."[16] It is difficult not to read this part of the report as a blatant attempt to naturalize a formation that is the product of a long imperialist history: indeed, the report's overall tenor marks it as a continuation of that history. But is it perhaps possible to turn the table on such attempts, to mobilize the Global South as a relational category that helps us parse the convolutions of an immunatory impulse?

Whatever the Global South may be, it is by no means external to a global system: the unevenness it indexes is both a source of vexation for that system and absolutely necessary to its sustenance. Nor is the Global South a stable geophysical category: quite to the contrary, it is a thoroughly historical formation, whose amorphous contours shift and slide according to neoliberal capital's need for flexible work forces and expanding markets. An everyday logic of exception simultaneously rends and sutures the urban spaces of Bangkok, Bombay, or Kuala Lumpur: squalid, overpopulated slums border exclusive gated communities and luxury arcades, the former (camps for cheap labor) helping to sustain the latter. Segregation serves a vital purpose,

but it can never be absolute: it is precisely the porousness and plasticity of the system that make it work. The proximity of the good life induces a belief that everyone is free to pursue his or her dreams. Even if success remains a pipedream for most, its allure proves to be a powerful motivator, an individually internalized mechanism of control. Contrary to popular perceptions, it is contagion that makes segregation productive.

There is a flipside to this. With respect to the production of vulnerability and a concomitant desire for immunization, Wendy Hui Kyong Chun rightly observes that the bigger problem is not "our vulnerability" but "the blind belief in and desire for invulnerability." It is "this belief and desire" that "blinds us to the ways in which we too are implicated, to the ways in which technology increasingly seems to leave no outside."[17] To the media and communications technologies that are Chun's primary concern, I would add the global flows and networks that scholars from a wide range of disciplines have been studying in recent decades.[18] And yet, obsessive attempts to demarcate an outside continue undeterred. It is because of the ultimate unfeasibility of such markers and barriers that gestures of immunization and securitization remain largely performative, a performativity that embodies the contradictions of liberalism, including the need to simultaneously mobilize and regulate, isolate and assimilate. This performative dimension makes one wonder if the insistence on an immunatory apparatus does not constitute, beyond its directly biopolitical imperatives, a tacit acknowledgment of a deep (digital) divide: of vast chasms between populations located in different parts of the planet.

The picture, no doubt, is more complicated: the folds of the global-contemporary confound easy north/south distinctions. If the luxury high-rise condominiums and gated communities of Delhi, Johannesburg, or São Paolo underscore the planetary purchase of an immunatory impulse, the gleaming Apple stores in the malls of these megalopolises modulate the actuality of a digital divide. Embracing the tenets of global civil society, most Asian, African, or Latin American elites readily denounce not only terrorism but also piracy in its more criminalized forms. All the same, there are no "Southern" piratical figures comparable to a Julian Assange or an Aaron Swartz, who also broke the law and got indicted for jeopardizing security or property rights. That kind of global iconicity is reserved, at this

point in history, for exemplary Euro-American-Australian champions of "free" culture, information, and knowledge, generally with a recognizable political agenda. The messy politics of the pirate on the street is more akin to the macabre politics of the terrorist, far easier to malign than to affirm.

In fact, while Asian media piracy is linked to antistate or stateless terrorists, Asian political hacktivism that makes international news is related frequently to state-sponsored terrorism. Attacks by Chinese hackers on high-profile US newspapers such as the *New York Times* and the *Washington Post* since 2012, apparently in retaliation against journalistic investigations into corruption involving high-level Chinese officials, raise charges of digital warfare underwritten by the Chinese state. Even when press reports contextualize these attacks (alongside other well-documented instances such as the US-Israeli attempts to abort the Iranian nuclear program) as part of the coming cyberwarfare, the Chinese incursions take on a more sinister aura in relation to the seemingly more upright strategy of nuclear containment. When Hillary Clinton, on her last day as US secretary of state, speaks of the need to build an "international alliance" against emergent cyberthreats, the implied inclusions and exclusions rend all unitary conceptions of "Asia" and push regional geopolitical fissures to the fore. The Indian press uses this occasion to reiterate that India too has been at the receiving end of Chinese cyberattacks, thus intimating an Indian readiness to join such an alliance. One Indian account tellingly refers to the Chinese hackers as "cyberjihadis" and compares "digital mercenaries" to the eighth- and ninth-century Islamic marauders who desecrated and looted Hindu temples, thus providing a South Asian twist to the malleable discourse of the pirate-terrorist.[19]

"Global Media" and Southern Creativity

The phenomenon of Asian media piracy compels us to reconsider what we understand as "global media." Surely the latter involves much more than a handful of transnational media conglomerates and their highly orchestrated operations, including a multitude of local production agencies, web-like circuits of distribution and exhibition, proliferating media publics and practices? This invocation of local swarms does not insinuate resistance in any unadulterated form, any more than the terms *local* and *global* index

self-contained, autonomous sites or entities. Rather, it draws attention to a radical multiplicity, a teeming fecundity, whose social valences and political dispositions are not easily determined. The actually existing domain of "global media" is a diverse field of forms, institutions, and practices that operate beyond the reductive polarizations of global and local, licit and illicit, complicity and resistance.

One approach to this complex field might begin with the question, If Asia is indeed the twenty-first-century frontier of global capital, how is it that illegal piratical activities that undermine capitalist interests enjoy such broad social legitimacy? Even the "fact" of legitimacy is deeply strained: there is no clear consensus about the place of piracy in these societies. Indeed, on the evidence of debates in contemporary Asian avatars of the bourgeois public sphere, there is much chagrin over media piracy, and not only on the part of interested stakeholders from, say, the Hong Kong or Mumbai industries. Laikwan Pang notes that the elite classes have more or less bought into the argument that a robust intellectual property rights environment would encourage transnational companies to transfer technology to economies of the Global South. But, as Pang adds, many Chinese embrace "IPR values not because of concrete material gains, but because the symbolic links forged between IPR and knowledge and creativity . . . demonstrate how sophisticated the country and the people have, or have failed to, become." There is wide spread belief among the Chinese that IPR and creativity are "powerful modernity indicators," while rampant piracy and counterfeiting point to "low civil standards in general."[20] Pang goes on to argue that the fetishization of creative labor as a "higher form of labor" helps occlude its social embeddedness when, in fact, creative labor is precisely the site where the "contradictions of late capitalism" ought to be highly visible.[21] All across Asia, similar worries about the failure to live up to modern capitalist norms and global civil society expectations produce neurotic self-policing. South Korea boasts the toughest antipiracy laws in the world; vendors of pirated goods in Djakarta, Kathmandu, or Manila have to suffer periodic, highly performative police crackdowns: in Indian street lingo, "copyraids."

The current global IPR regime is built around the Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS), drawn up at the Uruguay Round of the General Agreement on Tariffs and Trade in 1994

and administered by the World Trade Organization. The conditional pressures and protracted negotiations that led to nearly two hundred sovereign nation-states signing onto the agreement, even when its provisions clearly went against the interests of most, are, by now, well documented.[22] A classic instance of the hegemonic incorporation of a neo-Gramscian "South," now on a global scale,[23] TRIPS has helped consolidate a global system of "information feudalism."[24] Nevertheless, operationalizing TRIPS within individual nation-states via suitable legislation and effective enforcement has proved to be an intractable problem. Scholars have begun documenting some of the challenges that beset local IPR regimes. Shujen Wang notes that competing political economic interests at the global, national, and local levels scuttle the effectual enforcement of IPR laws in China. Blurred legal jurisdiction of multiple authorities—what Wang refers to as the problem of "overlapping sovereignties"—produces situations where local administrators stand to lose tax revenues if they weed out piracy and counterfeiting strictly according to the dictates of international or even national law.[25] Lawrence Liang pays attention to the ways in which new piratical media cultures are insinuating themselves into the "vibrant, innovative, and productive" urbanities of the older city (of which squatter settlements and makeshift shops are perhaps the most visible markers), these "schizoid" spaces rendering the separation of legal from illegal practically impossible.[26] Laws, it turns out, are never simply laws.

National legislations regarding IPR bear the trace of local reservations and contestations. At first glance, the provisions of the Indian Copyright (Amendment) Bill of 2010, ratified by the parliament to become an act in 2012, address the opportunities and challenges posed by digital technologies in the areas of media recording, reproduction, and distribution. Thus there are new delineations of what is permissible in terms of reproducing, storing, and sharing media, clarifications of various concepts (defining "commercial rental" and "visual recording" and revising the extant definitions of "cinematograph film" and "author"), and categorical stipulation of punishments for copyright infringements (two years imprisonment plus fines).[27] The "Statement of Objects and Reasons" section of the bill, signed by Union Minister Kapil Sibal,[28] declares that the objective of the proposed amendments is to "harmonise" Indian laws with "international standards," as

embodied in two recent Internet treaties of the World Intellectual Property Organization (WIPO).[29] But the minister's statement also includes a telling qualifier about this obligation to make national laws commensurate with global norms—"to the extent considered necessary and desirable"—leaving the door open for local exigencies and inflections.[30] The reiteration of the primary objective behind the amendments to the Copyright Act renders the entire exercise even more ambiguous: "In the knowledge society in which we live today, it is imperative to encourage creativity for promotion of culture of enterprise and innovation so that creative people realise their potential and it is necessary to keep pace with the challenges for a fast growing knowledge and modern society."[31] Whose "creativity" and "potential" are being invoked here? While it is important to "keep pace" with global developments and challenges, it is also crucial to encourage local "creativity, . . . enterprise, and innovation"; in fact, the former depends on the latter. The message is clear: an apposite national IPR policy must balance national interests with international norms. The minister also stresses that India has not yet signed on to the two treaties with whose stipulations the bill is trying to "harmonise" national laws: national sovereignty dictates that the provisions under consideration be deliberated first by Indian legislators. No doubt, this strategy of deferral has to do as much with retaining bargaining chips in the global arena as with the challenge of shepherding transnational codes through the intricacies of parliamentary democracy. The subtle vacillations—the stress on the nurturing of local creativity and the realization of local potential to foster a modern knowledge society—underscore the need for a pragmatic and "porous" legal firmament, of the kind that Liang sees as enabling inventive and unanticipated "avenues of participation."[32]

Legality and Legitimacy

We are still left with the two interrelated questions of why media piracy appears to enjoy a certain degree of social legitimacy and why there seems to be a lack of political will in enforcing effective antipiracy laws. For answers, we might begin from what should be obvious to all but often gets lost in the self-righteous rhetoric of a "wronged" industry: the exorbitant cost of media in the legal market. A report in the *Economist*, a magazine hardly known for

radical economic perspectives, quotes the 2011 SSRC study to reiterate that when DVD prices are adjusted for differences in per capita GDP, staggering discrepancies in *real* pricing emerge. Thus DVDs of *The Dark Knight*, a 2008 Warner Bros. blockbuster, "were selling in Russia for the equivalent of $75," while in India the corresponding adjusted price was a staggering $663.[33] These prices are vexing, if not prohibitive, even for the middle classes, not to mention vast segments of the Russian and Indian populations. In Asian metropolitan cities, otherwise law-abiding consumer-citizens embrace illicit merchandise partly in retaliation against what they experience as unfair pricing. Roland B. Tolentino has noted that in the Filipino context, supply of counterfeit and pirated merchandise enables the petty bourgeoisie to enjoy "simulations" of transnational lifestyles: it is a "performance" in which "the imaginary" becomes "as real as the real itself for a lot of wannabe middle-class citizens."[34] The Moro Muslims, historically marked as a piratical enclave, now supply counterfeit goods, thus mediating between global promises of the good life and local aspirations of upward mobility. While holding on to the racialized characterization of the Moro community as given to criminality, the Filipino state has no real incentive in coming down hard on it: the sheer proliferation of piratical activities, their incorporation in the humdrum rhythms of quotidian life, assuage their status as "violations."[35] Tolentino's overarching contention—"that media piracy has provided the localized experience in an inadequate national capitalism to remain attuned with markers of global gentrification"—would seem to hold for most of the Global South.[36]

Media piracy, a significant component of the ubiquitous, palpable, but largely unaccounted-for informal economies of "Southern" societies, is a source of income for millions. When the state cannot ensure work and livelihood, when adequate employment opportunities are sorely missing, people in the survival sector figure out their own modes of making do and getting by. Without the guarantee of a job, a roof, or the next meal, liberal assertions of "economic opportunity for all" or "equality in the eyes of law" ring hollow. In such contexts, inchoate para-licit activities take on the aura of popular resistance, revealing the governmental apparatus of security as a theater of the absurd. The series of reports of India's National Commission for Enterprises in the Unorganized Sector, published under the leadership
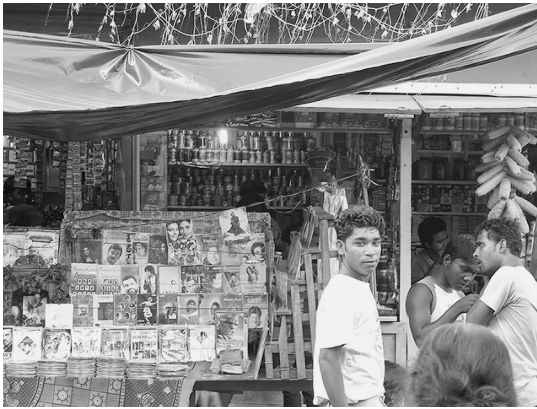
Figure 1 (*top left*) Pirated media in a Kolkata bazaar
Figure 2 (*top right*) Pirated media on a cart in Malegaon
Figure 3 (*left*) Pirated media on a Kolkata pavement stall

of the late Arjun Sengupta, acknowledges the vitality of the field even as it documents the daily grind, the abject labor conditions, and the utter precariousness of life. The reports tell us that as much as a staggering 87 percent of the national workforce in 2004–05 consisted of informal workers without a job or social security.[37] While precise data on the share of pirated media in this informal economy is not available, the countless bazaar shacks (fig. 1), mobile carts (fig. 2), and pavement stalls (fig. 3), suggest that the income generated from it supports a few million people. As such, there is very little political will to curb piracy.

Forms of bottom-up, para-licit inventiveness and enterprise exceed the realms of the economic and the juridical to fold in the social and cultural domains. Thus *shanzhai*, a Chinese term that once referred to the mountain bastions of rebellious local warlords, now denotes a culture of copy: not only counterfeit goods but also social wannabes and all manners of parodic practices.[38] Likewise *jugaad*, a Hindi term with roots in the Sanskrit word for "logic" (*jukti*, also linked to *prajukti*, "technology") refers to quick and resourceful problem solving that fosters a culture of constant improvisation with flexibility, frugality, and simplicity as its keywords.[39] Just as piracy is now being heralded as the more dynamic face of capitalism, *jugaad* is being touted in managerial circles as a cultural model worthy of emulation, a low-brow panacea for the crisis-ridden capitalist system.[40] The underlying go-getter, entrepreneurial attitude has been widely celebrated in recent times, from Aravind Adiga's Booker-winning novel *The White Tiger* (2008) to Danny Boyle's Oscar-winning film *Slumdog Millionaires* (2009). It is worth noting that both in media accounts and in private conversation, I have encountered distinctions between *shanzhai* and *jugaad* that reproduce cherished liberal preconceptions about political systems and long-term economic prospects: *shanzhai*, tied to Chinese authoritarianism, is facilely dismissed as unproductive parasitism, while *jugaad*, emerging from the maelstrom of Indian democracy, is celebrated as vital ingenuity. Clearly, not all forms of entrepreneurial dynamism are equally acceptable to a neoliberal ethos.

Whether they are mimicry or dynamic innovation, piratical practices put pressure on the already loaded question of "productivity." Productive in what sense, and for whom? Besides generating massive income streams in the underground economy, piracy affords people in the survival sector with consumerist pleasures and forms of leisure and entertainment. Who among the 400 million plus informal workers of India can afford to take advantage of the much-touted "multiplex revolution" in the country?[41] Multiplex tickets are priced (according to theater location, type of seating, day of the week, time of day, and a film's appeal) between Rs 110 and Rs 300, while 77 percent of the work force makes Rs 20 or less a day. Even for single-screen theaters, whose numbers have dwindled rapidly, the ticket prices range between Rs 20 and Rs 120. The staggering economic inequities ensure a market utterly segmented in terms of social hierarchies, taste cultures, and expecta-

tions of quality viewing experiences. In the absence of adequate official doc-
umentation, one has to turn to anecdotal evidence and impressions gathered
from quasi-ethnographic perambulations. The auto rickshaw driver I spoke
to in Delhi told me that he makes a net amount of around Rs 5,000 a month.
When he is in the mood to watch movies, he gets three video CDs for Rs 20
delivered to his home by a vendor on a cycle. His entire family of six can
enjoy the films together. If their neighbors—like them, migrants to the
big city—join in, the viewing becomes a social event: *pakodas* and tea get
served. Even a single screening at an old-fashioned single-screen movie the-
ater would cost the family at least Rs 250; a trip to the tony multiplex, even
without a stop at the concession stands, would set them back Rs 1200. Policy
experts, media practitioners, and commentators report similar conversations
they had with working class folks.[42] Such scenarios demonstrate that the
range of informal arrangements with differential pricing, made possible by
pirate networks, ensure entertainment for various publics: if piracy were
eliminated, what share of these segmented audiences would actually go to
theaters? The effect on revenues would be far less than standard estimations
of "loss" to the industry attributed to contraband distribution channels.[43]
Where is the incentive to curb film piracy?

Against charges that Asian piratical modes are unproductive, adding no
value and sapping the vitality of genuine creativity and enterprise, I will
argue—from the vantage of an Asia-cognizant media theory—that piracy
potentiates. That is to say, piracy builds on current productivities, prolifer-
ates spontaneous energies, and opens up unanticipated vistas of ingenuity.
It potentiates through the unauthorized and expedient concatenation of
myriad nodes, practices, institutions, objects, needs, aspirations, desires, and
agencies.[44] This potentiation is actualized as ground-level economic activi-
ties, cultural circuits, and leveling socialities—which then expand and mul-
tiply via fecund linkages and feedback loops. Recent empirical research bears
out such seemingly esoteric claims: Ramon Lobato and Julian Thomas, for
instance, demonstrate that piracy has given rise to a veritable "anti-piracy
industry" involving forms and practices such as watermarking, P2P traffic
measurement, even legal advertising piggybacking on piracy, and policing/
enforcement agencies such as IIPA, Web Sheriff, and BayTSP.[45] Such stud-
ies are important in comprehending the cat-and-mouse game that is the

"war on piracy": they also provide traction to the argument about piratical potentiations. In general the unorganized sector, by its very dispersed and devious nature, resists documentation: it remains illegible to standard forms of research. This is why any argument about potentiation has to rest largely on intuitive-interpretive reasoning and on qualitative evidence. Drawing on such indices, we might say echoing Partha Chatterjee that the phenomenology of Asian media piracy materializes a "politics of the governed."[46]

Parasitical Potentiations

Terrorism, like piracy, potentiates. The suicide bomber's recorded testimonial—a mediatized speech act that communicates, as it were, from beyond the grave—inspires future martyrs: each *shahid* spawns many more. The war on terror's focus on obliterating terrorist cells, without addressing the structural conditions that give rise to terrorism, is homologous in its myopia to the war on piracy's obsession with prosecuting pirates for IP infringement without attending to the glaring inequities that mobilize piracy in the historically constituted Global South. If one pirate is put in jail, someone else willingly takes his or her place: material conditions assure this chain of substitution, this proliferation. Taking this structural parallel as a starting point, it is possible to explore *affirmative* mobilizations of the pirate-terrorist figure that turn cynical fear mongering on its head. While terrorism, in its performative dimensions, is now widely regarded as a desperate form of communication,[47] its material and philosophical complexities extend well beyond the purview of this rumination on media piracy.[48] With the project of a media-centered Asia critique in mind, I offer, in conclusion, two distinctive tactical options for rethinking the pirate that rest on two rather divergent conceptions of the "human."

The first move involves *challenging* ideological inscriptions of the pirate as parasite, vermin, bare life–inscriptions that hark back to John Locke's evocation of the maritime pirate as pest, and even further back to Cicero's description of the pirate as an "unjust enemy" against whom all manner of warfare is justified, thus sanctioning a cynical, often violent biopolitics of extermination.[49] In contrast, our tactic is to insist on the unassailable humanity of "Southern" subjects, even as we remain informed by post-

colonial critiques of universal subjectivity and assertions of historical difference. How to imagine a vibrant cultural field of the Global South that is not beholden to "universal" aesthetic, political, and economic-legal norms to the point that thought, communication, and life are rendered abject, if not unfeasible?

In the context of media cultures, a useful springboard is provided by mid-twentieth-century polemics about the decolonization of the mind, especially Frantz Fanon's call to move beyond the neocolonial stagnation presided over by domestic elites that persists even after political independence from colonial occupation.[50] Perhaps the most significant attempts to free the imagination congealed around the call for a Third Cinema.[51] Articulating a sharply etched topography of global cultural production, and stridently distinguishing itself both from First Cinema's vacuous if glossy commercialism and from Second Cinema's petty bourgeois angst that remained content with aestheticizing social symptoms, Third Cinema sought to analyze causes, reveal underlying contradictions, and bring about social transformation. Adopting a cinematic praxis decoupled from alienating values and engaged with "life itself," Fernando Solanas and Octavio Getino wanted to instill among Fanon's *damnés*, his wretched of the earth, a "politicization" of consciousness, an "awareness of how to *utilize what is ours for our true liberation*."[52] Tellingly, their "manifesto" called attention to the infrastructural shifts of the time that presented new possibilities for breaking the shackles of capital on cinematic production and expanding the social role of the medium. These shifts included the availability of cheaper and more mobile technologies, the wider dissemination of skills, and the establishment of alternative distribution networks and exhibition platforms—all opportunities that are, once again, upon us and that are the conditions of possibility for contemporary media piracy.[53] And the Third Cinema polemic spoke of a cultural "guerrilla warfare," with the revolutionary prepared "to take chances on the unknown, to leap into space at times, exposing himself to failure as does the guerilla who travels along paths that he himself opens up with machete blows,"[54] thus resonating with the risky, improvisational, and underground nature of piracy. Without going into the layered promises and pitfalls of the Third Cinema project, I will offer the following provocation in the context of our present discussion: that, although lacking an

overarching political agenda of the kind that marked the radical cinematic impulses of the 1960s and 1970s, the "third" of Third Cinema now *lives on*, effectively and affectively, in the myriad, opportunistic, and diffuse modalities of "Southern" media piracy. The Asian pirate-terrorist's "revolutionary" potential lies in the challenges it poses for a Euro-American modernity's normative impositions—whether technological or aesthetic, institutionally codified or habitually internalized—that constantly seek to discipline, modulate, and shape behavior to reproduce the very differences that it purports to erase in the name of a universal globality.

The second option takes a more speculative route: instead of spurning the tendentious equation of the pirate figure with that of the pest or vermin, what if we *embrace* this admittedly problematic coupling? Bracketing standard critique of such linkages as demeaning and dehumanizing, what analytical possibilities emerge from an affirmative, posthumanist gesture?

Before we get to the more radical implications of such a move, let us briefly consider what stands in its way: an anxiety about the utter propinquity of the other and the inadequacy of all conceivable barriers in our age of global connectivity. Or, even more to the point, the impossibility of immunizing the self when any clear separation between a purportedly self-contained self and an external other is no longer feasible. In light of the current cultural purchase of zombies, Eugene Thacker observes that epidemiological anxieties are so rampant "in part because the 'enemy' is often undetected, and therefore potentially everywhere."[55] He goes on to note that it is precisely the "alien, nonhuman character of epidemics" that causes deep public consternation: "there is no intentionality, no rationale, no aim except to carry out iterations of what we understand to be simple rules (infect, replicate, infect, replicate. . .)."[56] Common perceptions of the networked society are awash in metaphors of disease and contagion: virality is understood as the rapid, unfettered, and replicative spread of objects, memes, pandemics. The representations that drive this imagination impute meanings and values to entities without due consideration of the multi-scalar and dynamic relationalities between such entities that arbitrate their social valence.[57] When we do pay careful attention to the real (i.e., both actual and virtual) and plastic interactions, processes, and relations between social elements without sliding into preconceptions afforded by established

representational systems, what sense of virality—of a thoroughly entangled social—becomes available to us? More to the point, how does the parasitical nature of the pirate become an aperture to a world constituted on the basis of such mutualities?

Here, these questions must remain as open questions. In lieu of a conclusion, I will point to two posthumanist lines of thinking that hold promise for moving beyond the freedom-control dyad framing Lessig's liberal aporia and beyond the immunological metaphors underlying governance/security. The radical implication of such moving beyond lies in its subversion of modern governmentality by according a constitutive centrality to the irrepressible, irrational, and irresponsible activities of the world's governed, its legion human parasites.

The first line of thought is provided by Gabriel Tarde's late nineteenth-century model of the social: a strikingly multiple force field comprising needs and aspirations, microbes and humans. In moving between the molar and the molecular, Tarde's social brings together the structural and the processual, the representational and the nonrepresentational, in a capacious concatenation.[58] This is a social in which forms of individuation do not stop at the human, but extend to the microscalar; since no clear boundaries exist between human subjects and their environments, the fiction of immunity is fundamentally destabilized. This model seems eminently suited to a sociology of media piracy, with its "street" or "bazaar" modes that elude frames of legibility, its expedient intersections with upstart urbanisms, and its cat-and-mouse dynamics with the institutions of regulation. Tarde's attention to processes of microimitation, his insistence that repetition paves the way for difference, bear crucial implications for piracy's unruly inflections of creativity, value generation, and access.

Second, positing a homology between human relations and the parasite's relationship to the host body, Michel Serres accords a centrality to parasitical behavior in society.[59] His sense of parasitical fecundity leads him to explore ways in which minor groups, in being pests, might become successful in carving out their spheres of influence in the public domain. From this perspective, to affirm the pirate-as-parasite is to begin exploring how piratical practices, in their pestlike peskiness, forge "avenues of participation" within the larger ebb and flow of economic and cultural life. Beyond media, both

Tarde's radically relational sociality and Serres' parasitical productivity point to ways in which Asia, with its interstitial assemblages, might be imagined beyond both postcolonial *ressentiment* and neoliberal triumphalism: how Asia matters *within* and *as* a global system.

Notes

1. Lawrence Lessig, *Free Culture: How Big Media Uses Technology and the Law to Lock Down Culture and Control Creativity* (New York: Penguin, 2004), www.free-culture.cc/freeculture.pdf.

2. Kavita Philip, "What is a Technological Author? The Pirate Function and Intellectual Property," *Postcolonial Studies* 8, no. 2 (2005): 199–218.

3. Ibid., 211.

4. Ibid.

5. Lessig, *Free Culture*, 63.

6. In his magisterial history of intellectual property wars, Adrian Johns notes that while "John Donne did once refer to poetic and antiquarian plagiarists as 'wit-pyrats' in 1611," it was only at "the other end of the century" that references to "intellectual purloining" as piracy became commonplace in the writings of authors such as Daniel Defoe, Jonathan Swift, and Alexander Pope, and "pirate" started "to be defined in dictionaries as 'one who unjustly prints another person's copy.'" Adrian Johns, *Piracy: The Intellectual Property Wars from Gutenberg to Gates* (Chicago: University of Chicago Press, 2009), 23.

7. *Home Recording of Copyrighted Works, Hearings on H.R. 4783, H.R. 4794, H.R. 4808, H.R. 5250, H.R. 5488, and H.R. 5705*, April 12, 1982, testimony of Jack Valenti, president of the Motion Picture Association of America, cryptome.org/hrcw-hear.htm.

8. European Parliament Committee on Legal Affairs, "Draft Report on Enhancing the Enforcement of Intellectual Property Rights in the Internal Market," January 13, 2010, www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+COMPARL+PE-438.164+01+DOC+PDF+V0//EN&language=EN.

9. Gregory F. Treverton, Carl Matthies, Karla J. Cunningham, and Jeremiah Goulka, "*Film Piracy, Organized Crime, and Terrorism* (Santa Monica, CA: RAND Corporation, 2009), iii (emphasis added). Subsequent page citations to this source appear in the text.

10. Michel Foucault, *Security, Territory, Population: Lectures at the Collège de France, 1977–78*,

trans. Graham Burchell (New York: Picador, 2007); Giorgio Agamben, *State of Exception*, trans. Kevin Attell (Chicago: University of Chicago Press, 2005).

11. See the essays in Andrew Lakoff, ed., *Disaster and the Politics of Intervention* (New York: Columbia University Press, 2010).

12. Giorgio Agamben, "What is a Camp?" in *Means without End: Notes on Politics*, trans. Vincenzo Binetti and Cesare Casarino (Minneapolis: University of Minnesota Press, 2000), 37–45.

13. These ideas are developed in Foucault's now-famous lectures at the Collège de France in the second half of the 1970s. See, in particular, Michel Foucault, *Society Must be Defended: Lectures at the Collège de France, 1975–76,* trans. David Macey (New York: Picador, 2003); Michel Foucault, *Security, Territory, Population*; and Michel Foucault, *The Birth of Biopolitics: Lectures at the Collège de France, 1978–79*, trans. Graham Burchell (New York: Picador, 2010).

14. Joe Karaganis, ed., *Media Piracy in Emerging Economies* (New York: Social Science Research Council, 2011), www.ssrc.org/publications/view/C4A69B1C-8051-E011-9A1B-001CC477EC84/.

15. Roberto Esposito, *Immunitas: The Protection and Negation of Life*, trans. Zakiya Hanafi (Malden, MA: Polity Press, 2011).

16. I understand the Global South as a historically constituted category: it is neither natural, nor stable. Its contextual relationality is of significance here. The cognizance that contemporary Brazil and India are not "Southern" in any uniform or secure sense, does not take away from the geopolitically "Southern" roles these countries are compelled to assume in international forums: Western media routinely lambast these "emergent powers" for scuttling trade talks, often around IP protocols and protectionist regimes.

17. Wendy Hui Kyong Chun, *Control and Freedom: Power and Paranoia in the Age of Fiber Optics* (Cambridge, MA: MIT Press, 2008), 30.

18. See, for instance, Anna Lowenhaupt Tsing, *Friction: An Ethnography of Global Connection* (Princeton, NJ: Princeton University Press, 2004); Adam McKeown, *Melancholy Order: Asian Migration and the Globalization of Borders* (New York: Columbia University Press, 2011); and Marieke de Geode, *Speculative Security: The Politics of Pursuing Terrorist Monies* (Minneapolis: University of Minnesota Press, 2012).

19. Chidanand Rajghatta, "Chinese Attack on US Media Sets New Bar for Digital Wars," *Times of India* (Calcutta), February 3, 2013.

20. Laikwan Pang, *Creativity and Its Discontents* (Durham, NC: Duke University Press, 2012), 14.

21. Ibid., 66.

22. Carlos M. Correa, *Intellectual Property Rights, the WTO and Developing Countries: The TRIPS Agreement and Policy Options* (London: Zed Books, 2000); Peter Drahos and John Braithwaite, *Information Feudalism: Who Owns the Knowledge Economy?* (New York, The New Press, 2007).

366

23. For the possibilities inaugurated by the extension of Antonio Gramsci's "Southern Question" to a global scale, see Cesare Casarino, "The Southern Answer: Pasolini, Universalism, Decolonization," *Critical Inquiry* 36, no. 4 (2010): 673–96.

24. Drahos and Braithwaite, *Information Feudalism*, 1–3.

25. Shujen Wang, "Harmony or Discord? TRIPS, China, and Overlapping Sovereignties," *SARAI Reader 05: Bare Acts* (2005): 189–201, archive.sarai.net/files/original/b7138fa2f2bfc 4074bf4acce40791f49.pdf.

26. Lawrence Liang, "Porous Legalities and Avenues of Participation," *SARAI Reader 05: Bare Acts* (2005): 8, archive.sarai.net/files/original/8d57bfa1bcb57c80a7af903363c07282.pdf.

27. Republic of India, *The Copyright (Amendment) Bill, 2010*, www.prsindia.org/uploads/media //Copyright%20Act/Copyright%20Bill%202010.pdf.

28. At that point, Sibal held two key portfolios: the Ministry of Communications and Information Technology and the Ministry of Human Resources and Development.

29. Republic of India, *Copyright Bill, 2010*, 14. The two international treaties in question are the WIPO Copyright Treaty, 1996, and the WIPO Performances and Phonograms Treaty, 1996. Both deal with the dissemination of protected material—such as films, sound recordings, photographs, computer software, archives, and databases—via digital networks.

30. Ibid.

31. Ibid.

32. Liang, "Porous Legalities and Avenues of Participation," 6–7.

33. "Spotting the Pirates," *Economist*, August 20, 2011, www.economist.com/node/21526299.

34. Rolando B. Tolentino, "Piracy Regulation and the Filipino's Historical Response to Globalization," *Social Science Diliman* 5, no. 1/2 (2008– 2009), 2–3.

35. Ibid., 2.

36. Ibid., 3.

37. The reports, which were previously available on the website of the NCEUS, and which I accessed in March 2011, are no longer available (as of February 5, 2013). A *Wikipedia* entry on "Arjun Kumar Sengupta" notes that while the reports were critical of official policy, they also had a significant role in shaping subsequent government initiatives, en.wikipedia .org/wiki/Arjun_Kumar_Sengupta (accessed February 8, 2014). One might mention recent Indian legislations to bolster the Right to Work, including the much touted Mahatma Gandhi National Rural Employment Guarantee Scheme. Hence the disappearance of the reports remains all the more baffling.

38. Sky Canaves and Juliet Ye, "Imitation is the Sincerest Form of Rebellion in China: Copycat Culture Hits High Point with Lunar New Year Show; Elvis in a Pink Wig," *Wall Street Journal*, January 22, 2009, online.wsj.com/article/SB123257138952903561.html.

39. Philip McClellan, "Is Jugaad Going Global?" *New York Times*, February 6, 2013.

40. See, for instance, Navi Radjou, Jaideep Prabhu, and Simone Ahuja, "Jugaad: A New

Growth Formula for Corporate America," *Harvard Business Review*, January 25, 2010, blogs .hbr.org/cs/2010/01/jugaad_a_new_growth_formula_fo.html.

41. Tejaswini Ganti argues that official tax incentive policies promoting the construction of multiplex theaters in postliberalization India index a new elitism, tied to the rise of a consumerist middle class. In the same period, older single-screen theaters were allowed to go into decline: as a result, between 1999 and 2009, in spite of the opening up of some 300 multiplexes, "the number of permanent cinema halls . . . decreased approximately 27 percent" while the number of screens went down by roughly 20 percent. Tejaswini Ganti, *Producing Bollywood: Inside the Contemporary Hindi Film Industry* (Durham, NC: Duke University Press, 2012), 71, 335–36.

42. I am indebted to IP expert Madhukar Sinha and documentary filmmakers Madhusree Dutta, Avijit Mukul Kishore, and Paromita Vohra for their insights.

43. For a sense of the arguments upholding such estimates of revenue loss, see Jason Koch, Mike Smith, and Rahul Telang, "Camcording and Film Piracy in Asia-Pacific Economic Cooperation Economies," Report sponsored by the International Intellectual Property Institute and the United States Patent and Trademark Office, August 2011. For an opposite view, see Julian Sanchez, "How Copyright Industries Con Congress," *Cato at Liberty*, blog, January 3, 2012, www.cato.org/blog/how-copyright-industries-con-congress.

44. For a more sustained argument on a wide range of speculative, "piratical" practices that potentiate, see the manifesto by the collective Uncertain Commons, *Speculate This!* (Durham, NC: Duke University Press, 2013), www.dukeupress.edu/Speculate-This/.

45. Ramon Lobato and Julian Thomas, "The Business of Anti-Piracy: New Zones of Enterprise in the Copyright Wars," *International Journal of Communication* 6 (2012): 606–25.

46. Partha Chatterjee, *The Politics of the Governed: Reflections on Popular Politics in Most of the World* (New York: Columbia University Press, 2006).

47. See, for instance, the section "Jihad/Terrorism as Performance," in Richard Schechner's celebrated textbook on performance studies, *Performance Studies: An Introduction* (New York: Routledge, 2003), 270–78.

48. For terrorism's material and philosophical complexities, see Talal Asad, *On Suicide Bombing* (New York: Columbia University Press, 2007).

49. By now there is a vast literature on the macabre political uses of *bare life*. For a lucid account, see Giorgio Agamben, "Form-of-Life," *Means without End*, trans. Vincenzo Binetti and Cesare Casarino (Minneapolis: University of Minnesota Press, 2000), 3–14. In the context of piracy, see the references from Cicero to Locke in Daniel Heller-Roazen, *The Enemy of All: Piracy and the Law of Nations* (New York: Zone, 2009), 10 and 218.

50. Frantz Fanon, *The Wretched of the Earth,* trans. Richard Philcox (New York: Grove Press, 2005/1961), esp. 145–80.

51. Fernando Solanas and Octavio Getino, "Towards a Third Cinema: Notes and Experiences

for the Development of a Cinema of Liberation in the Third World," translation of 1969 original from *Cineaste*, rev. Julianne Burton and Michael T. Martin, in Michael T. Martin, ed., *New Latin American Cinema, vol. I* (Detroit: Wayne State University Press, 1997), 33–58. Glauber Rocha, "An Esthetic of Hunger," translated from the 1965 original by Randall Johnson and Burnes Hollyman, in Martin, ed., *New Latin American Cinema, vol. I*, 59–61. Julio García Espinosa, "For an Imperfect Cinema," translated from the 1969 original by Julianne Burton, in Martin, ed., *New Latin American Cinema, vol. I*, 71–82.

52. Solanas and Getino, "Towards a Third Cinema," 40, emphasis in original.

53. See Bhaskar Sarkar, "Third World Cinema," in Edward Branigan and Warren Buckland, eds., *The Routledge Encyclopedia of Film Theory* (New York: Routledge, 2014), 470–77.

54. Solanas and Getino, "Towards a Third Cinema," 48.

55. Eugene Thacker, "Living Dead Networks," *Fibreculture Journal*, no. 4 (2005), four.fibre culturejournal.org/fcj-018-living-dead-networks/.

56. Ibid.

57. For a sustained critique of representational theories, see Nigel Thrift, *Non-representational Theory: Space/Politics/Affect* (London: Routledge, 2008). For a more specific critique of the reduction of virality to epidemiological metaphorics, see Tony D. Sampson, "Introduction," in *Virality: Contagion Theory in the Age of Networks* (Minneapolis: University of Minnesota Press, 2012), 1–16.

58. For contemporary critical takes on Tarde's work, see the essays in Matei Candea, ed., *The Social after Gabriel Tarde: Debates and Assessments* (Routledge, New York, 2012).

59. Michel Serres, *The Parasite* (Minneapolis: University of Minnesota Press, 2007).