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## **Other Networks:**

### **Media Urbanism and the Culture of the Copy in South Asia<sup>1</sup>**

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Contemporary globalization has drawn attention to Indian cities in ways that could not have been foreseen just a decade ago. For many decades the urban's place in the nationalist imagination remained ambivalent—the crucible of both modernization and disorder (Prakash, 2002). But the decade of the 1990s was a series of concentrated shock experiences for Indian cities: temporal compression, spatial transformation, assaults on older industrial areas, and a vast new mediascape that now envelops cities like an all-pervasive skin.

Cities have borne the brunt of the new globalization both in transformative and imaginative terms, with changes in infrastructure and social arrangements, and constant expansion. Yet the new focus on cities in India cannot but reveal a paradox. At the very moment when scholarship seems ready to engage with the Indian city, contemporary globalization has in fact slowly but surely eroded the old modernist compact of “the city.” The technological sublime of the planner imaginary, so central to postindependence India, is giving way to a splintered urbanist sprawl in the main metropolitan cities. Planning bodies now base their strategies on smaller projects rather than unitary visions, and push for privatized decoupling of infrastructures; transportation design privileges the automobile overpasses and private toll highways to facilitate rapid travel to the suburbs; private builders take over from older, albeit limited, concerns with social housing. This splintered urbanism is by no means unique to South Asia; it reflects a larger global process of rapid urban transformation in the contemporary period (Graham & Marvin, 2001).

This urbanism in India has become a significant theater of elite engagement with claims of globalization. At the heart of the new urbanism is a certain discourse on the *technological*. The old planner imaginary has now been replaced by a world of fast-moving commodities, transnational networks, and elite service workers, seen typically located in Bangalore and Hyderabad, and Delhi's new suburban sprawl. However, consumption, the “information” society, and the new economy, as well as the spatialized imprints of the media industry like multiplexes and malls, go hand in hand with the cries of urban decay and pollution. They are linked to populations that are increasingly restless in the new arrangements. Splintering urbanism may in fact suggest strain within older techniques of governmentality, which as Partha Chatterjee (2003) has pointed out, was based on the conceptual division between citizens and populations. Whereas citizens were part of a

homogeneous national imaginary, populations were empirical categories of people defined through administered welfare policies. The relations between populations and the state were mediated through the domain of a “political” society whose complex social arrangements and political mobilizations could not be formulated within the classic state–civil society relationship.

Using Delhi’s media networks as an example,<sup>2</sup> I want to suggest that new domains of nonlegal networks could pose significant problems for classic strategies of incorporation and management in political society. These nonlegal domains open up new spaces of disorder and constant conflict in Indian cities that threaten the current self-perceptions of the globalizing elite. At the heart of this disorder is a widespread “culture of the copy,” which is implicated in sophisticated local and transnational networks, and which strikes at the heart of the idea of intellectual property,<sup>3</sup> the mantra of the current elites. Although this disorder is acute in the Indian context, it is characteristic of the globalizing city more generally, spread by the confluence of cheap digital technologies, strain on urban governmentality and integration, and the emergence of intellectual property as a global discourse of control. In the terms of this volume, copy culture is an intermediate “structure of participation”—a pervasive fracturing—in a broader process of globalization and technological change.

### **smooth and broken networks**

In recent years a growing, sophisticated global literature has engaged with the new urbanism and networks. Two streams pertain to this chapter. The first is the geography of globalization that focuses on networks and flows, aided by rapid communication networks and flows of financial capital, that is transforming urban spaces. Saskia Sassen (2001) argues that a new geography of centrality and marginality has emerged globally with financial centers concentrated in certain core cities with a large, increasingly disfranchised low-end workforce helping provide services and backup. These services—financial, legal, and operational—are subject to a high degree of centralization in global cities (typically located in downtowns), managed by an expatriate elite that runs a global network of service subcontractors and processing firms. Manuel Castells’s (1996) network society thesis focuses on how a new space of flows draws producers of information goods everywhere into powerful communication networks. Elite urban enclaves service and house these classes, simultaneously marginalizing other forms of labor in the city. Positioning in the new space of flows becomes part of the strategies

of new info-elites. The second stream of literature emanates from what can only be crudely described as a critical phenomenology of urbanism, ranging from the rediscovery of the work of Georg Simmel and Walter Benjamin to the contemporary engagement with the work of Michel de Certeau and Henri Lefebvre. The latter stream is less explanatory than reflective, working through a series of critical interventions in the urban.

In his remarkable reflection on the contemporary, Zygmunt Bauman (2000) poses the idea of a *liquid* modernity as intimating the new epoch. This was in contrast to the earlier modern, which

**could be dubbed, for lack of a better name, the era of *hardware*, or *heavy* modernity—the bulk-obsessed modernity “the larger is better” kind of modernity. [This was] the epoch of weighty and ever more cumbersome machines, of the ever longer factory walls wider factory flows and ingesting ever more factory crews.... To conquer space was the supreme goal—to grasp as much of it which one could hold, and to hold to it, marking it all over with tangible tokens of possession and “No Trespassing” boards. (p. 113)**

The constant obsessions of “heavy modernity” were the control of space, instrumental rationality, and routinized time. In contrast, says Bauman, “light” modernity of the software era proclaims (for those with power) the freedom from place and direct engagement:

**“Fluid” modernity is the epoch of disengagement, elusiveness, facile escape and hopeless chase. In “liquid” modernity, it is the most elusive, those free to move without notice, who rule.... The disembodied labour of the software era no longer ties down capital: it allows capital to be extraterritorial, volatile and fickle.... [Capital’s] lightness [has] turned into the paramount source of uncertainty for all the rest. This has become the present-day basis of domination and principal factor of social divisions. (pp. 120–121)**

Fluid modernity operates through high-speed networks, which are not linear as the older forms were, but rather are *discontinuous*. The temporal forms have been well documented by David Harvey (1989): acceleration, and spatial compression, and a perennial speeding-up that produces constant disorientation. Compression is linked to *informationalization* of knowledge; things and ideas die quickly after they are produced. Says Scott Lash (2002):

**Fast-moving consumer goods are also informational in their quick obsolescence, their global flows, their regulation through intellectual property, their largely immaterial**

**nature in which the work of design and branding assumes centrality, while the actual production is outsourced. . . . Power in the manufacturing age was attached to property as the mechanical means of production. In the information age it is attached to intellectual property. It is intellectual property, especially in the form of patent, copyright, and trademark, that put a new order in the out-of-control swirls of bits and bytes of information so that they can be valorised to create profit. (p. 3)**

Global network society also produces a range of spatial entities, generic environments: software parks, outsourcing hubs, and data parks. These are akin to Mark Auge's (1995) "nonplaces," which have a uniform brand environment worldwide, buttressed by privatized infrastructural, security, and cultural networks such as multiplexes and carefully controlled shopping areas. Public but noncivil, as Bauman refers to them, these hypermodern spaces are now part of a global urban sprawl from Bangalore's software city to Gurgaon's call center zones in India; the most dramatic regional example is China's Pearl River Delta zone.

I have chosen Bauman's essay as a starting point because it combines a series of provocations, both insightful and speculative, that highlight some of the currents in the contemporary global urban environment. In India they feed directly into the more technocratic refashioning of elite discourses on globalization. The emergence of zones of generic urbanism in India has, of course, occurred in a context of general infrastructural crisis and the widespread perception of urban breakdown. As older systems of urban regulation (e.g., state-supported welfare, transport, health, and education) erode, new practices among middle- and upper-class elites emerge to "engineer certainty": security agencies in middle-class colonies and flats, closed-circuit television (CCTV) and domestic worker identification cards, and demands to register with local police stations. All of this would have been unthinkable but a decade or two ago, but such is true of so many of the urban forms that have emerged with the new globalization.

This urge to order, the curse of the planning city and the dream of the new generic suburban design, is something that has evaded the culture of street media practices in contemporary India. While broadcasting has remained the near monopoly of the media industry, nonlegal distribution and production networks have prised open the music and VCD markets to new publics. This form has emerged in the interstices of contemporary urban growth, disorder, and fragmentation. Equally, street media culture has

spatialized the new urban form in distinct ways. New visibilities, networks-within-networks, and conflicts over intellectual property have changed the old world of the planner city. I want to examine this in the following section by looking at the experience of Delhi.

### **new networks, media urbanism, and pirate culture in Delhi**

“The concept city is decaying,” wrote Michel de Certeau (1984). This could also be the story of Delhi’s urban landscape for the past 20 years. Urban planning was operationalized around a series of master plans put in motion by the Delhi Development Authority (DDA) since 1957. The DDA sought to organize space through classic modernist urban design principles: enumeration, classification, zoning, and slum management. The fact that Delhi was the national capital gave a certain inflationary charge to the rhetorics of urban control and management, something that has continued even after the decline of the planning model. Since the post-Emergency period, this model has been in secular decline (Baviskar, 2003), due to a combination of factors: mass migration and urban expansion, the breakdown of old systems of classification, and information crucial to planning models of governmentality. The city rapidly expanded through the 1980s and 1990s, both in areas of housing and commerce, an expansion that was mediated through a series of nonlegal informal arrangements for a range of actors: the urban poor, small businesses and local markets, affluent house owners wanting to expand private space beyond legal norms, and, of course, private builders and contractors. This complex system of informal nonlegal<sup>4</sup> urban arrangements was by no means unique to Delhi, but it took on a significant edge, given the emergence of neoliberal and globalizing networks in the region. Small-scale industry, old commodity markets, and historic trading communities have been Delhi’s strengths and have largely benefited from the decline of the older control mechanisms. Over the past two decades they have formed new dynamic networks, which have a footprint outside Delhi, often stretching into neighboring states and northern India. This expanding commodity culture used old and new spatial forms—mobile weekly markets and small shops—and also enabled the entry of networks of hawkers and street traders from other social groups. There has been, in other words, a production of *urban density*, a domain that enters new zones of conflict/collaboration in the current period.<sup>5</sup> Recent years have seen a concerted effort to reverse these changes with attacks on

hawkers and small units, as well as the brutal displacement of the urban poor to the periphery; the long-term results of this process may be significant.<sup>6</sup>

My narrative follows the conventional division of Delhi into the following zones: the old walled city area, the center of historic commodity markets and distribution; the New Delhi Municipal Council area, which is the space of the colonial capital and the current political class; and the south, which encompasses the more affluent parts of the city and where networks of corporate globalization are stronger than in the other parts of the city.<sup>7</sup> The northern and western parts of the city took in significant parts of the post-Partition population and are mixed areas of both working-class settlements and middle-class colonies. It is in the east of Delhi, the Trans-Yamuna area, that a significant portion of the city's population lives; the east also houses the various small factories that are crucial to the informal media networks. Two regions—Noida, in Uttar Pradesh, and Gurgaon, in Haryana—have been prime candidates for the new generic urbanism: an integrated combination of growing global call centers, shopping malls and multiplexes, and private toll-road development to service automobile users. This classic secessionary development<sup>8</sup> is the most “global” spatial form yet in contemporary Delhi.

Media discourses have tended to privilege the lifestyle zones of southern Delhi as representing the future of the city's route while lamenting the crisis of governance, the environmental crisis, and general urban ruin. The old stories of social conflict have been increasingly replaced by a significant argument about *property*. It is difficult to find a newspaper today that does not on any given day carry police and industry reports about raids on “pirate” industries. Along with the figure of the Islamic terrorist, the figure of the pirate is threatening to the emerging regimes of property and control in the media. As we shall see, this has become one of the major sites of everyday conflict around property claims today.

As in many Indian cities the new globalization transformed media networks in Delhi.<sup>9</sup> At the level of the everyday, the old prohibition and regulation on the social life of commodities have proved ineffective, and urban residents are now assaulted with a deluge of cultural products, cassettes, CDs, MP3s, VCDs, cable television, gray-market computers, cheap Chinese audio and video players, thousands of cheap print flyers, and signage everywhere. What is remarkable here is that the preponderance of these products comes from the gray or informal sector, outside the effective regulation of the state or large capital. India today has the world's second-largest music market, a

large film industry with global dreams, a mostly gray computer market, and thousands of tiny phone and word-processing shops and cybercafes. And as if from the ruins of urban planning, new media bazaars that supply these networks have emerged, existing in the cusp of legality and nonlegality. Every day a guerrilla war rages between new intellectual property raiders, the police, and unceasing neighborhood demand for grayware.

India never saw a print revolution as early modern Europe did, but the cassette revolution of the 1980s transformed popular music culture. As the historian Peter Manuel (1991) has shown, cassette culture in the first phase of globalization, largely nonlegal, effectively broke the stronghold of the large music companies by introducing new artists and expanding the market for low-cost cassettes, which were sold in neighborhood shops. Long-forgotten “folk” music emerged, remixed and circulated in the market. This was followed by the cable television and computer expansion of the 1990s. Delhi was a significant site of this transformation as it was also the home of the music company T-Series, the first major beneficiary of this phase. Gulshan Kumar, the first proprietor of T-Series, used an opening in the copyright laws to push version recording, an innovative use of lesser-known artists to sing tunes sung by well-known singers. In doing so, T-Series inaugurated a media form that has developed dynamically all the way to the recent remix culture and has also become the “nodal” form for the development of new music companies. The key to this is the mix of the legal and the nonlegal:

- **Using a provision in the fair use clause of the Indian Copyright Act, which allows for version recording, T-Series issued thousands of cover versions of GCI’s classic film songs, particularly those that HMV itself found to be unfeasible to release. T-Series also changed the rules of distribution by moving into neighborhoods, shops, grocery shops, paan wallahs, and teashops to literally convert the cassette into a bazaar product.**
- **T-Series was also involved in straightforward copyright infringement in the form of pirate releases of popular hits relying on the loose enforcement of copyright laws.**
- **Illegally obtaining film scores even before the release of the film to ensure that their recordings were the first to hit the market (Liang, 2003).**

The T-Series phenomenon led to the development of new media markets in the 1980s and the 1990s: Palika Bazaar in Central Delhi for video, Nehru Place for software and hardware, and Lajpat Rai Market in the Old City for music as well as hardware for the cable industry. Transnational links

with South and East Asia were established for hardware supplies. Through the 1980s a range of small players in the media markets developed new networks of distribution and production. Production was concentrated increasingly in the Trans-Yamuna areas and parts of Uttar Pradesh and Haryana, while distribution was managed from the media markets linked to neighborhood entrepreneurs. The early years were a period of the media boom when entrepreneurs imported blank media and hardware from East Asia, built satellite dishes and hardware ancillaries, and developed local cable distribution. Music companies emerged catering to a range of tastes all over northern India.

What is remarkable is that except for T-Series, which is now a mainstream player (committed to intellectual property law), the bulk of these new enterprises remained small. This was pirate culture in its early phase, which was innovated through networks but still crucially linked to the main media markets.

In an earlier essay I termed this phenomenon a pirate or recycled modernity (1999), which is dispersed and unconcerned with modernity's classic search for originality, fashioning itself in fluid movements in India's cities and towns. And it is a phenomenon that is neither oppositional nor critical in the classical sense, with no charters against the electronic elites or hypermodern spaces. Pirate modernity is part of a culture of insubordination and disorder that marks our time, and is a source of major concern to global and local elites.<sup>10</sup> There are a number of features that mark this phenomenon that may be pointed out. First, pirate electronic culture is part of an *immanent* technological space. In other words, it presumes that classic distinctions between technology and culture, between humans and nonhumans, have ceased to hold in the contemporary city. The inherent problems of positing a strict human–nonhuman distinction has been pointed out by Bruno Latour (1993), who claims that old-style humanist discourses between subject and object, nature and culture, and so on, are rendered fuzzy in the contemporary. In fact, media experiences in the 1990s in India can be read as the failed collision between technology and tradition: Every aspect of social life in cities has been “thingified”—phones old and new, audio and video systems, electricity legal and illegal, music, and a growing mobile network.<sup>11</sup> “Things” and humans interact and are enmeshed in Indian cities in every possible way, rendering classical distinctions problematic. There cannot be an urban contemporary without the “technological,” something

made possible as much by pirate culture as by the media industry. It is precisely the “dirty,” discontinuous, and mobile possibilities that make this sphere interesting.

Second, pirate electronic networks are part of a “bleeding” culture,<sup>12</sup> constantly marking and spreading in urban life. Ambient sound and images are now part of all street/neighborhood life; a crowded pirate aesthetic pervades video culture and local advertising. This is part of the culture of dispersal, which marks its resilience and is a nightmare to classify. In a world where information bleeding is part of the contemporary (text messaging, television text scrolling, newspaper inserts, lamppost stickers, Internet pop-ups, event branding), pirate culture uses the ruses of the city, but *immanently*. In doing so it affects the main media industry—in music, version recording/remix is a large and growing market.<sup>13</sup> The pirate video aesthetic, with its informationalized, overcommodified frame, is a compulsory part of any film experience on the local cable network.<sup>14</sup>

Third, pirate culture is a *just-in-time* culture. The copy arrives on your cable network the weekend the film is released, and the music versions of popular numbers follow almost immediately. Networks in Delhi use a combination of regional and transnational sources (Dubai, Pakistan, East Asia) to ensure the culture of the instant.<sup>15</sup>

Finally and crucially, pirate culture is a culture of the copy.<sup>16</sup> It is part of a world where experience as we know it is increasingly commodified and informationalized. For the globalizing middle class in India this is happening through the more familiar modes of incorporation: credit cards and credit rating agencies, frequent flyers, vacations, niche marketing, ATM cards and monthly billing cycles, corporate consumer campaigns, and brand environments, all generating vast amounts of information. This is the more conventional, almost generic world of the new globalization. The networks of pirate culture, on the other hand, usually target the urban populations outside this world, but nevertheless are increasingly drawn to the commodified forms of urban experience. Local markets, neighborhood music/video stores, grayware computer and audio–video assemblers, and independent cable operators are usually part of the pirate network of distribution, which also “bleeds” into other parts of the city. The commodities of the copy are multiuse, recombined/recycled, and in constant circulation, moving in and out of new spaces and networks.<sup>17</sup> In Delhi the media copy exists in a symbiotic relationship with all other commodities and industries: clothes, cosmetics, medicine, household

goods, and also car and machine parts. As is evident, copy culture puts pirate modernity right into a global social conflict on definitions of *property*.

### **a brief history of the copy**

Historians of print and the preprint period have shown us complex forms of the reproduction of texts and cultural objects that existed both in the world of Christendom and the Dar-ul-Islam. In the west, medieval monks and notaries toiled away copying books, legal documents, and contracts. In particular, the medieval notary played a crucial role in the emerging sociolegal relations of the emerging absolutist state. Says one historian,

**Stenography transforms the spoken word into the written. Copying transforms the One into the Many. Notarizing transforms the private into the public, the transient into the timely, then into the timeless. . . . The notary was a symbol of fixity in a world of flux, yet the making of copies is essentially transformative—if not as the result of generations of inadvertent errors, then as a result of masses of copies whose very copiousness affects the meaning and ambit of action. (Schwartz, 1996, pp. 214–215)**

The historian Elizabeth Eisenstein (1980) suggests that with the coming of the print revolution, a “typographical fixity” was imposed on the word. The sheer volume of the print revolution was incredible; between 1450 and 1500 more books had been printed than those copied in the entire previous history of Islam and Christianity. However, it seems to me that Eisenstein’s assertion is too categorical. For the first 100 years, errors were rife in printed books; papal edicts against “faulty Bibles” had no effect on the volume of production. Print, in fact, opened up the floodgates of diversity by the 17th century: Historical work on the cultural uses of print in the French Revolution shows the proliferation of pornographic, anticlerical, and revolutionary texts. There were deliberate forgeries and insertions of parodic statements into official texts. Such forgeries, reinterpretations, and parodies were common to popular print culture, but the issues raised by art forgers after the emergence of modern painting went straight to the heart of authenticity, individuality, uniqueness, and historicity as the representational architecture of the bourgeois artwork. Discussions of forgeries and copies of artworks had existed since the Renaissance, but what is interesting for our purposes is the practice of forgery as a cultural act.

The Hungarian scholar Sandor Radnoti (1999), in his book *The Fake*, has this to say on the practice of art forgery:

**The forger attacks originality from the point of view of historical authenticity, insofar as his work gives the impression that it *contains* the story that conveys the same historical evidence as the original. However the clock of history is ticking away for the forger's work as well, it too embarks on a life of its own, and it is only a question of quality, good luck, and time that having survived in historical memory sufficiently long, it becomes authentic, a genuine forgery. (p. 43)**

Forgery, says Radnoti, is a functional art form, which "interchanges the interchangeable, substitutes the unsubstitutable." The crisis of authenticity of the cultural object has been present from the outset of modernity; it intensified rapidly after forms of mechanical reproduction were invented. This is, of course, the argument of Walter Benjamin's important and controversial essay, in which he argues that copies and mechanical reproductions of art subvert the authenticity of cultural products. This, says Benjamin, subverts the "here and now" of the artwork, "its unique existence in the actual place it happens to be" (1968, p. 220). For Benjamin, the aura is the marker of bourgeois art, the "spiritualization" of commodity fetishism, something that is destroyed by new techniques of copying. Critics have pounced on the technological innocence of this essay, and the reappearance of aura in the new culture industries, but the value of Benjamin's essay lies in its synoptic power and bold imaginative insight into the culture of the copy in modernity.

The major transformation of the culture of the copy takes place in the 19th century. From the times of the Renaissance, when copying of cultural products was common and legitimate, the 19th century saw the emergence of proprietary regimes of mechanical reproduction, when the culture of the non-legal copy entered a secular period of criminalization and delegitimization.

## **the commodity**

Benjamin's essay had the merit of posing the key issue: A new form of commodification enables the means of mechanical reproduction in contemporary capitalism. Circulation now emerges not as a "lack" to the world of production, but as a sphere that enables a range of practices of consumption, reproduction, and performance. But for most of the 20th century, the radical tradition inveighed against the world of circulation. The generalization of the commodity form is paralleled by the decline of subjectivity and loss, reification, the transformation of the living into the dead. In his important book *Time and Commodity Culture* (1997), John Frow uses Guy Debord's

*Society of the Spectacle* to open up the discussion on the troubled relationship between the radical avant-garde and the commodity.

Debord's essay makes the point of citing Feuerbach's preface to the *Essence of Christianity*, which posits that the present age is one "which prefers the sign to the thing signified, copy to the original, representation to reality, the appearance to the essence" (p. 1). For Debord, the modern world presents itself as an accumulation of spectacles. "All that was once lived directly," says Debord, "has become mere accumulation of spectacles" (ibid.). Detached from life, images become autonomous, producing a reality that is but psuedoreal. The spectacle is the most general form of the commodity conforming to that historical moment when the commodity form completes its colonization of life. Time and space become abstract and lifeless, the former unity of the world is lost. Debord's essay attained a cult status during its time and was widely read. What is interesting about it is an overwhelming sense of loss. The essay has a structure "which opposes representation as such to the immediacy and unity of life, which sets the latter pole within a lost past." For Debord, the spectacle is "the reigning social organization of a paralysed history, of a paralysed memory, of an abandonment of any kind of history founded in historical time" (cited in Frow, 1997, p. 7). It may be argued that Debord's brilliant but flawed polemic is an easy target. I actually want to use Debord to draw attention to an old tradition in 20th-century radical thought: the generalized denunciation of the commodity form as a phenomenon that negates history and memory. The heritage Debord draws upon is a certain version of Marxism, combined with a heady cocktail of critical theory and 1960s counterculture. Marx himself saw the commodity as having a life before capitalism; capitalism differs in that it promotes generalized commodity production, the extension of the principle of exchange and social relationships around it to all spheres of social life. The history of capitalism, therefore, is the progressive extension of the commodity sphere. Immanuel Wallerstein calls it the endless drive to accumulation; there is accelerative logic to this, the transformation of labor, land, and materials into value, to beget more value.

What about the commodification of cultural products? The philosopher Frow (1997) argues that this takes place at a number of different semi-otic levels:

- **In the case of printed texts we could distinguish between an initial commodification of the material object (the book) virtually coeval with the printing press.**

- A second stage of commodification of the information contained within the material object (and conceptualized in legal doctrine as “the work”), of which the major historical expression is the development in the 18th century of copyright law and the modern system of authorship.
- A third, contemporary moment, developed in relation to electronically stored information, which in addition to the copyright information itself, commodifies access to that information. (p. 139)

Frow argues that these are stages, “in the sense that this sequence while not uniform is normally progressive, and refers to the gradual application of property rights over immaterial entities. It is both the restricting of the commodity form as expanding its controlled use” (ibid).

The contemporary struggle in media networks is therefore not about commodification as such; rather, it is about imposing new *property regimes*. Scott Lash (2002) and Jeremy Rifkin (2000) have argued that as contemporary capitalism emancipates itself from spatial restraints, the struggle is not over the factory but over brands and *domains*. As production of global commodities is contracted out globally, the technologies of reproduction become generalized and accessible, brand protection and network control is increasingly central. It is questionable if we can generalize this for all of contemporary capitalism, but in the case of the media worlds it is even more dramatic. Copy costs are low and distribution mobile.

The extensions of property rights over immaterial objects are key to the informationalization of the world economy, and a significant part of the Trade-Related Aspects of Intellectual Property (TRIPS) agreement of the World Trade Organization (WTO). The emerging global regime of intellectual property legal practice works through pressuring national regimes for changes in local copyright law, a global network of enforcement, and a constant—and, to date, unsuccessful—attempt to generate secure proprietary digital formats for media,<sup>18</sup> a subject taken up by Tarleton Gillespie (Chapter 15, this volume). The key players in this are the US media (film and music) and software industries, but the effort is to build alliances with local media industries. This has been reasonably successful in India with alliances with NASSCOM, the Indian Music Industry Association, and Bollywood antipiracy associations. As Lawrence Liang (2003) argues, summing up the whole scenario,

**The information era props up a master plan, similar to that of modernist planning. The institutional imagination of the era relies on the WTO as chief architect and**

**planner, copyright lawyers as the executive managers of this new plan and the only people who retain their jobs from the old city are the executors of the old plan, the police force and the demolition squad. (p. 13)**

The push to crack down on copy culture has led to a number of significant changes to India's Copyright Act of 1957, which have increased the penalties. Minimum provisions now provide for a six-month minimum jail term for commercial piracy along with a minimum fine of 50,000 rupees, with a maximum limit of two lakhs. The period of imprisonment is doubled with a second offense, as is the minimum fine. Illegal "use" of a proprietary computer program carries a minimum jail term of seven days, and a fine of 50,000 rupees. Says the International Intellectual Property Alliance's India report, "With the exception of the level of fines, which should be increased, these are among the toughest criminal provisions in the world. Unfortunately, they have never been implemented" (2003, p. 14). Apart from further changes in the copyright act to make it TRIPS compliant, there have been changes in the Cable Television Regulation Act of 1995 that prohibit cable operators from broadcasting a program without copyright authorization. The act shifts the enforcement to the local district magistrate and police commissioners, who have been designated "authorized officers" and can seize the local cable operator's equipment.

The enforcement regime in India works at a number of levels. The first is the creation of public discourse (e.g., distributing stories detailing the crimes of piracy to a willing press corps). The second is the building of networks with policymakers and MPs conducting seminars and workshops on the dangers of copyright violation. Given the current propensity of our political class for making the media/software industry a central part of the country's global brand, the lobbying has had a remarkable degree of success. Third are workshops for the police and building close networks with the Intellectual Property Cells of the Economic Offences Wing. Fourth are legal strategies, generating prerelease injunctions from courts, Anton Pillar Orders,<sup>19</sup> and collaborative raids with the police against the copy network. The overall effort to enforce intellectual property provisions in India is so wide-ranging that it surpasses older U.S. efforts to push the modernization discourses in the 1950s. The coalition includes elite legal firms specializing in intellectual property law, corporate lobby groups, and local representatives for the U.S. media/software alliances. The Indian media industry is an increasingly crucial player in this equation, with mixed results. In film, for

example, loss-making productions have been released in the pirate market in an effort to recover costs.<sup>20</sup>

Ongoing research into copy culture in the urban morphology of Delhi throws up an interesting picture of emerging conflicts on circulation of media after the passage of TRIPS. It is increasingly clear that the National Capital Region is one of the main centers of copy culture in the country.<sup>21</sup> Delhi is now the center of a complex coordinate of media markets, small software and hardware factories, and local shops that interact with customers. Production sites in Haryana and Rajasthan supply just-in-time media to the copy network, which in turn is linked to factories and routes in Pakistan and Malaysia. Media markets play an important role in distributing to local shops: Nehru Place for computer software and hardware, Palika Bazaar for film media, and Lajpat Rai Market for low-cost hardware and music. Markets typically combine legal and copy nodes, frustrating efforts by the enforcement regime to spatially “fix” copy culture. Nehru Place is thus one of Asia’s biggest computer markets, Lajpat Rai is a distribution center for music companies along with gray audio hardware, and Palika Bazaar sells clothes and crafts along with media.<sup>22</sup> The rise of new technologies like the mobile telephone network, low-cost CD-R duplicating machines, and forms of digital compression like MP3 for music and VCD for film has made the copy network more dynamic, with nodes gaining mobility day by day. In 2003 in Delhi, many neighborhood stores would keep local CD-R machines where they would make collections of MP3s for customers. Copy media (MP3s, VCDs) arrive through nonlegal distributors regularly who liaise with media markets and production sites, using the mobile telephone network. The quality of pirate media has recently improved, suggesting larger players in the field. The old grubby covers for copy media have given way to professional-looking designs.

Flexibility and network performance mark some of the emerging local companies in music. Ongoing research into Nupur (Prasad, 2003b), a small music company in Delhi, shows a world where the company (which works out of a tiny office) operates almost like the new multinational enterprises described in Rifkin’s (2000) book, where almost everything—production, studio work, design—operates through a system of *contract*. Studios and factories that produce the company’s music may well also produce a rival’s music; furthermore, Nupur is an enforcer of Intellectual Property (IP) claims in Punjab, where its business is strong and relaxed in other parts.

The IP enforcement regime in Delhi developed a complex, semi-autonomous architecture to engage with copy networks at the local level. The raid holds a central place in this architecture. The raid is a coordinated act by legal firms, investigation agencies, and the local police. As the site where the enforcement regime and the local meet, the raid is informed by performative violence, staged before the neighborhood market. Local copy equipment is either destroyed or seized, software confiscated, and a police report lodged. There were approximately 1,500 raids last year, of which a significant number took place in the National Capital Region. Neighborhood shops, factories, and markets were raided, often leading to significant clashes between the raiding party and local shopkeepers. At the heart of the raid regime is the figure of the investigator, who gathers local intelligence on copying and acts on behalf of a range of clients. These may range from IP legal firms representing large firms, Bollywood film distributors, or music companies. Investigators inhabit a murky world of violence, small rewards, and a cynical contempt for their clients. There is universal belief that enforcement will not work, which is remarkable, given their profession. In some cases the investigators may even come from the part of the world they seek to attack: the pirate modern.

The raid is more of an intimidatory and theatrical act at the local level than a practice that leads to any measure of legal success in the struggle to control copy culture. In actions outside Delhi the raid sometimes collapses into a comical event. Consider this report in the *Indian Express*:

**The film industry's attempts to stop video piracy have suffered an embarrassing setback after a raid on a suspected pirate ended with members of the raiding party being arrested by local police and charged with trespass and extortion. It may take more than the intervention of Rajya Sabha MP Shabana Azmi—who took up the issue today—to help it wipe the egg off its face. The story begins with a raid on a house in Jangpura on Sunday morning, where 400 pirated VCDs were recovered. The disclosure pointed to a manufacturing unit in Kundli, Haryana, owned by Mahinder Batla. Owner of a company Lara Music, Batla's two DVD and VCD manufacturing units are worth nearly Rs 10 crores and was set-up three years ago. When a raiding party comprising private investigators of the Motion Pictures Association and the Delhi police reached there, they searched the premises for nearly three hours before the local police arrived on the scene. They accused the team of "planting the pirated tapes" and arrested seven people on grounds of trespass and extortion. Six people were released the next morning; one of the investigators, Vikram Singh, is still under arrest. (Jain, 2001)**

## the copy, the everyday, and the city

As Henri Lefebvre (1987) pointed out, a consciousness of the everyday came into being with industrial capitalism of the 19th century, which ushered in rapid urbanization and rationalization of economic and social life. What modernity ushered in was the *visibility of the mundane*, a new reference point for journalism, modern literature, and ordinary conversation. As the functional elements of life gained prominence and were marked by distinct orders of knowledge and representation, the everyday was the residual that was left over from specialized activity. The canvas was large: eating, sleeping, dreaming, leisure, the cycle of habit and repetition, which coexisted with the linear pull of capitalist time. Throughout the 20th century the everyday has been coded negatively through a series of binaries: common sense versus contemplation, everyday versus aesthetic, ordinary versus heroic life. And the everyday was not “popular culture”; rather, it had a reach that affected all classes. Not surprisingly, the everyday was almost elusive in its banal invisibility. “The everyday escapes,” wrote Maurice Blanchot many years later, “it belongs to insignificance” (1959/1987, p. 14).

Georg Simmel’s (1971) sociology has shown us how the urban experience produces an *expanded awareness of the present*. It was this experience of urban modernity that gave the present its temporal charge and made it the reference point of creativity from the 19th century. This was what Benjamin called the “actuality of the everyday,” when the contemporary becomes *the* marker of urban experience.<sup>23</sup> There are times when this “actuality of the everyday” suddenly takes on meaning: London and Paris in the 19th century, Calcutta for the new urban elites at the turn of the 21st century, Berlin in the 1900s, Bombay from after World War II to the 1970s, Delhi and Bangalore in the 1990s. The actuality of the everyday foregrounds the temporal experience of present-ness.

If we could “date” the time the actuality of the everyday makes itself felt in cities, then in Delhi it was surely the 1990s. The transformations had already been visible from the 1980s onward, when a combination of urban density, expanding market networks, and small production units made Delhi the capital of India’s media hardware production and circulation. This was also a decade when the experience of urbanization was nothing less than a series of shock experiences, mediated through the phenomenon called globalization. The introduction to the *Sarai Reader* (Prakash, 2002) captures this period well:

Globalisation, with its mixture of enforced commodification, spatial transformations and urban ruin, excavated the city from margins of academic and literary writing to a new public discourse that suddenly assumed the given-ness of urban space. As elites quarrelled over pollution and decay of public order, new fusions were taking place between the media and the fabric of urban life. “Newness,” the old battle cry of modernity (which often had a noumenal existence for most ordinary citizens in post-independence India) was now fused into the sensorium of urban life. The emerging urban constellation in the 1990s was marked by a rapid tempo of sensations transformed by a plethora of signs indicating the arrival of new forms of mechanical and digital reproduction. One cannot overemphasise the experience of shock, compressed temporally, which marked urban space in the past decade. The cultures of distraction, of exhilaration and mobility, of loss and displacement were by no means new—they had been narrated by 1920s European modernism. What was different was as if in this new modern we were deprived of the ability to think, our “social body” emptied out, prised open, “bodies without organs” as Deleuze and Guattari have argued, no time to reflect as in the old modernisms. It was as if we were forced kicking and screaming into a new space of flows with the rhetoric of smoothness and non-linearity. However the “place of spaces” was not, as some have argued, superseded by the space of flows. Along with the “smoothness” and the placelessness of the shopping mall, the airport and multiplex, new localities were produced both as sites for work and imagination. The urban became the site for new disruptions and ruses by those rendered placeless in the Smooth City. New struggles and solidarities emerged, once again lacking the mythic quality of the old movements, but adapting, innovating and gaining knowledge through the practice of urban life. (pp. vi–vii)

Despite the language of dualism that colors this paragraph, it captures the atmosphere of the 1990s, when commodities that were explicitly artificial became preponderant in daily life. This experience of the contemporary for millions of people, of a life where “nature” referred to memories before migration or another life, is close to what Benjamin called the “actuality of the everyday,” a life in which most of the urban residents know no other products and objects other than those that are industrial, and a perception of the present that seems never-ending, often mediated through the visual representations of events. Memories of the real<sup>24</sup> “past” blur with memories of and identification with media events and experiences: television shows, cricket matches, film releases. This conceptual confusion—between real and virtual memory, between “newness” and an eternal present, between objects

and humans—shows a kind of temporal compression, where features commonly associated with “modernism” and “postmodernism” seemed to blur in one decade of flux. Talking about the second half of the 19th century in Europe, Jean-Louis Comolli said that life was in the grips of what he called the *frenzy of the visible*. This obtained from the constant flow of images and print forms and the transformation of everyday life. The new globalization in India’s cities in the 1990s recalls this “frenzy” except in more intensive, cross-media forms. At the heart of this extension of the visible has been the production of media commodities outside the legal property regimes of globalization. Copy culture and nonlegal distribution networks have been central to the spread of the media in a way that distinctions between the technological and cultural seem blurred in daily life. A significant section of the urban population derives their media from these networks. Using the tactics of the fragmentary city, the pirate networks have frustrated every effort of the proprietary enforcement regime to control them. And this is evidence of no South Asian local genius: The pirate modern works through and depends on regional–transnational networks.

In his essay on Naples, Benjamin points to the performative openness of the city: “Porosity is the inexhaustible law of the life of this city, reappearing everywhere . . . building and action inter-penetrate in the courtyards, arcades and stairways . . . to become a theatre of new, unforeseen constellations. The stamp of the definitive is avoided” (cited in Amin & Thrift, 2002, p. 10).

How do contemporary elites in South Asia’s cities deal with the problem of porosity and produce the “stamp of the definitive”? Older governmental techniques like technologies of visibility and knowledges about populations clearly continue and expand in Indian cities. Along with national elite obsessions like ID cards and computerized crime records, secessionary enclaves and housing societies are setting up CCTV systems, electronic security, and control of “outsiders.” Software companies lobby for national ID cards, which have already been implemented in the border states. Given the absence of any privacy law in India, electronic conversation, both aural and textual, is open for state interception.

But in the porosity of the contemporary city the realms of copy culture thrive. This is the sphere almost akin to what Lefebvre calls the “residual,” what is “left over.” I say almost, because Lefebvre would have been deeply uncomfortable with the graphic commodity spheres of the pirate

economy, as would an entire generation of radical urbanists who saw critical/redemptive strategies located in the spheres *outside* the commodity.<sup>25</sup> This was the old dream of the transcendence of the everyday through the everyday. The everyday becomes a space/theater for strategies of defamiliarization, redemption, and *detournement*. But as Blanchot points out, “the everyday escapes. This is its definition” (1987, p. 5).

Earlier patterns of political society in India allowed nonlegal populations and networks to assume visibility and enter networks of welfare and administration. Copy culture and the people who thrive in its networks cannot do so easily; it would violate the fundamental concepts of property in the current global/national regime. However pirate culture has no strategies of political mediation—it works through immersion and dispersal rather than representation and voice. It is resistant to both controls as well as radical-critical strategies<sup>26</sup> of intervention, inhabiting networks of disorder that are endemic to contemporary urbanism. This may be its greatest strength and resilience.

Media urbanism may suggest a productive sphere of disorder in the context of a bleak political landscape of arrogant triumphalist elites, neoliberal transformations of cities that end in moving the working poor to the outskirts. Pirate culture moves between common sense and innovation, between the specialized and the mundane. Pirate media culture is a kind of *contagion of the ordinary*, which always disturbs the very “ordinariness” as we have known or theorized. It is precisely because of its nonredemptive nature, a refusal to harbor the possibility of its own transformation into the Festival, that media urbanism is also disturbing to the older radical avant-garde imagination of the everyday. However, as a phenomenon whose elusiveness frustrates property regimes and the current arrangements of power, pirate culture may introduce a new vocabulary to the debate on networks and everyday life.

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- 1 Parts of this paper were presented at the Subaltern Studies Conference, Delhi, January 2004, and at the Fly Utopia Conference, Berlin, February 2004.
- 2 Delhi and its adjoining regions are the perfect places to set up this inquiry, as the Indian capital has been the center of a large and rapidly expanding network of production and distribution of electronic goods for the past 25 years.
- 3 The intellectual property discourse began with the emergence of the circulation of print and has become widespread in the contemporary epoch. Originally centered around the romantic figure of the “author” whose work intellectual property law claimed to protect, the last 300 years have seen the gradual extension of such “rights” over many commodities through copyright, patent, and trademark law. At the heart of the intellectual property discourse is the control of commodities in circulation by corporate entities holding proprietary authorship/rights. This control is rendered further fragile with new technologies of production and reproduction, as well as critical ideas of the public domain, which have emerged from the open source software movement. As networks become more dynamic and extensive, so do the stakes to control actors and commodities. For a useful discussion, see Frow (1997) and Vaidhyanathan (2001). For the important 17th-century English origins of copyright history and its relationship to literary property, see Rose (1993)
- 4 Lawrence Liang (2003) calls this new urban development since the 1980s a porous legality, which enabled the development of a new media space. Although not specifically about Delhi, Liang’s essay draws excellent connections between the growth of nonlegal urbanism and the new mediascape.
- 5 The assaults on “polluting” industries as well as street hawkers are significant examples of efforts to make the city “ready” for globalization.
- 6 The discourse of scientific environmentalism is used to justify these transformations, often with court sanction (see Sharan, 2002).
- 7 The South has been in the forefront of the new lifestyle culture, which fills the newspaper supplements: theme restaurants, fashion boutiques, and farmhouse parties. South Delhi also has the large working class settlement of Daskhinpuri, which is largely invisible in the current discourse.
- 8 The model fits Gurgaon more than Noida, which includes older industrial areas.
- 9 This section benefits from ongoing fieldwork on Delhi’s media networks that is part of the Publics and Practices in the History of the Present project at Sarai, Center for the Study of Developing Societies.
- 10 Local conflicts in the cable industry are sharp since they involve territorial control. In Delhi large networks have gradually dominated the smaller players who control approximately 40% distribution in the city. For a fascinating story of a large distributor’s defeat of a local cable operator with working-class origins, see Sharma (2002).
- 11 The TRAI posits that India will have roughly 70 million mobile phone users in a few years. Urban infrastructure was always implicated in what Latour (1993) calls a “skein of networks,” where networks, places, and people are enmeshed and constantly producing and performing.

For Latour, there are no subjects and objects as in classic Enlightenment thought, but, instead, actants. A criticism could be made of Latour that he generalizes network architecture to the extent of ignoring the worlds outside it. However, his insights remain significant.

- 12 My colleague Jeebesh Bagchi calls this a “seepage” culture, using the metaphor of architecture. See also Larkin (2004) for an analysis of the pirate aesthetic in Nigeria.
- 13 The research by Bhagwati Prasad (2003a) showed that there are at least 37 versions of the explicit tune Kaante Laaga, ranging from dance to devotional forms.
- 14 See Larkin (2004) for a fascinating inquiry into the Nigerian experience of pirate video.
- 15 “Just-in-time” culture is used by Scott Lash (2002) to describe the information society, in which info-bits arrive, as Virilio says, “at the speed of light.” They depart as easily.
- 16 Copy culture, in Delhi at least, has pervaded all forms of consumer commodities. The National Capital Region is one of the main centers of copy goods manufacture (see IIPA, 2003).
- 17 See Appadurai (1986) for an early pioneering attempt to understand the journeys and biographies of the commodity.
- 18 Every attempt to devise secure formats has been broken by the hacker communities.
- 19 An Anton Pillar Order allows an applicant (*without notice* to a respondent) to enter the respondent’s premises and inspect or seize documents or other items. This was used most dramatically in the Ten Sports case, where the court issued an order preventing alternative telecasts (from South East Asian satellites) of the World Cup soccer matches by cable operators unwilling to accede to Ten Sports’s demand for proprietary broadcast fees.
- 20 Most of our interviews with local authorities confirmed this. This practice is by no means unique to India; it has also been noticed in the Hong Kong film industry (Wang, 2003).
- 21 See the IIPA (2003) detailing the raids and legal proceedings.
- 22 For Palika Bazaar see Kumar (2002).
- 23 See the excellent discussion in Harootunian (2000, pp. 5–7).
- 24 Some of those “authentic” experiences have long been transformed by media techniques. Religious events are staged publicly, using electronic music and video in a few cases, as are weddings and parties. The levels of ambient sound that were always present in the South Asian city have increased tremendously with low-cost amplifying technology and a willingness to deploy it in public spaces.
- 25 Benjamin is an exception. He uses the idea of profane illumination through older, dead commodities/ruins of capitalism, recalled through allegorical strategies, which could profoundly disturb the contemporary.
- 26 Alternative strategies may act as a critical witness to the pirate modern, while pushing for nonproprietary worlds, and reflecting on the idea of a commons and a new public.

