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Pirate Infrastructures

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In 2003 there was a blackout in New York City that temporarily turned life upside down. People who were working stopped; those from the suburbs stayed in the city; strangers talked to each other. Relieved that it wasn't terrorism and proud there was little rioting (unlike the infamous blackout of 1977), New Yorkers instead celebrated a moment of *communitas*. When society came to a shuddering halt people took this total transformation of everyday life as a moment to bond, a reminder of the coming together that followed the tragic events of September 11, 2001. It was, in this sense, an event marked by its singularity and difference from everyday life. After the electricity returned, everyday life was expected to continue as before, albeit haunted by a sense of the vulnerability of Western infrastructural networks to terrorism. The intensity of these feelings being directly related to total disruption brought about by the blackout itself.

In Nigeria and many nations like it, when electricity disappears things similarly come to a standstill for a few minutes. There is mild surprise, irritation but no shock. Then people walk around to the back of their houses and turn on small generators; businesses fire up larger ones; people light candles in their homes; roadside vendors fill their lamps with oil; and in a few minutes everything goes on as before with people trading, dancing, praying, and eating: the warp and woof of everyday life.

Whereas in New York blackouts bring a sense of vulnerability and reveal the dependence of Western societies on a constant flow of power, in Nigeria no building is constructed without the knowledge that state infrastructures fail. In older buildings, garages are given over to make room for generators. In newer ones, small buildings are made especially to house the generators, which, like the water towers that dot the New York skyline, have become a ubiquitous part of Nigerian life. There, the necessity of electrical autonomy is a basic factor in the architectonics of built space, the structures of planning, and the form and experience of Nigerian urbanism.

Wolfgang Schivelbusch (1995) argues that one of the most important transformations of networked urban life came with the rise of the gas lamp. The introduction of gas ended the autonomy of oil lamps and candles whereby each household effectively supplied its own energy needs. Gas represented the industrialization of light, transforming households into nodes of a centralized power source, linking the domestic and intimate to larger structures of capital and the state. In this way, Schivelbusch argues, it was fundamentally modern. The rise of the electric grid deepened this process, representing the intrusion of capital and then government into everyday life, tying citizens into a new

sort of collectivity. In Nigeria this effort toward centralizing power is associated first with colonial regimes and, later, vastly extended according to the modernizing ambitions of the nationalist, independent state. As the urbanists Stephen Graham and Simon Marvin (2001) have written, the provision of networked infrastructures such as the electricity grid were seen as mechanisms that controlled the relation between the individual and the state, instigating waves of societal progress: "Across the urban world, fragmented islands of infrastructure were joined up, integrated and consolidated toward standardized, regulated networks" (p. 40), networks that became the embodiment of what it meant to be modern.

In Nigeria the grand modernist project of infrastructure was embodied in the robust presence of a state whose involvement in everyday life was to be invisibly mediated through the turning of a switch or the flushing of a toilet. Now, these infrastructures and the states they represent are in conditions of breakdown and degradation. Infrastructures that once promised a new, progressive world for Nigerians have embarked on a slow slide to simulacra, becoming empty repetitions, independent of their technical function. Factories were funded as prestige projects, their representational power more important than whether they worked or not. Road networks and telecommunication systems were funded not just so they could work (although it was nice if they did), but so they could be a mechanism for the awarding of further contracts and the disbursement of monies through which oil wealth could be transformed into patron-client networks (Mbembe & Roitman, 1995). In other words, political allegiances were bought through the awarding of contracts.

The consequence is that nowadays the generator dominates Nigerian life, ubiquitously chugging all over urban neighborhoods, providing the sounds and smells of the city. In areas where central electricity supply disappears for hours and sometimes days on end, the generator bears witness to the collapse of the integrated infrastructural idea and the withdrawal of the state's ambition to provide developmental progress. In the disaggregation from networked electricity to autonomous generators lies the shift in Nigerian society from the developmental state to new forms of individual competitive liberalism. In this sense, the generator is an archetypical technology of contemporary Nigeria. Even the petrol it relies upon is often purchased on the black market, sold by *yan daba* (hooligans, criminals) from individual jerry cans dotted all over the city, their very presence an emblem of the promise and failure of the oil economy.

pirate infrastructure

As stable forms, pirate media do not exist. Out of the river of cultural forms that copy, quote, sample, and borrow from one another, certain media forms are extracted and called into being as pirate media while the rest flow on, never having that term used against them. When we think about pirate media we tend to think of a stable set of objects, but we could more usefully switch our attention from the objects (media) to the performative moments in which this act of naming takes place. What gets termed *piracy* can differ markedly across cultures and is best seen as emerging from specific domains: dynamic localities with particular legal, aesthetic, and social assemblages. This forces us to explain why some objects are called pirate while others are not. Much of the critical work on intellectual property (IP), driven by economic and aesthetic interests dominant in the United States and Europe, examines IP in the legal terms of ownership versus theft and fair use versus the extension of IP regimes (Boyle, 2003a, 2003b; Lessig, 2001, 2004; Sell, 2003). Yet piracy is a technical infrastructure, and like all such infrastructures it influences and shapes the forms of sociability, aesthetic production, and economic organization that mark urban life. While it is understandable that questions of law should dominate the debate about piracy, we also need to place piracy into a history of infrastructures such as the electricity grids and generators mentioned above. Examining piracy as a technical mode rather than a legal one helps pull into focus the form of piracy rather than its content. It looks at what piracy *does* and its resulting effect on people's experiences of temporality and subjectivity, on practices of watching and using technology, on the new forms of leisure and sociability, and in the forging of new aesthetic forms (for a longer discussion, see Larkin, 2004a).

In countries like Nigeria, where my research is based, piracy is first and foremost a system of reproduction and transmission of goods. Pirates are often involved in the "legal" dubbing and sale of Islamic religious cassettes, Nigerian music, Pentecostal preaching, and other media genres. They reproduce and sell Indian music and videos—practices that are rarely, if ever, seen locally as piracy, even though that term could easily be used. For both distributors and their consumers there is little difference in the dubbing and sale of legal and nonlegal goods; both are produced on the same machines using the same blank cassettes and sold at the same shops.

The processes piracy sets in motion occur everywhere but it is, perhaps, in non-Western cities where many of them are thrown into particular relief for two main reasons. First, the presence of what Ravi Sundaram (Chapter 4, this

volume) calls “pirate modernity” is far more advanced in these societies than it is in the West and, in this case, the global south is often at the vanguard of media practices rather than at the rear. For the vast majority of Nigerians, Indians, or Egyptians, for instance, the array of global media is only available through the mechanism of piracy; piracy is thus the default infrastructure through which nearly all foreign media flow. Second, because these are poor societies, and because they are non-Western and so consume media forms that have little to do with the West (such as Arab music in Tanzania or Indian music in Senegal), the manifold practices of copying that occur daily are far less likely to ever be called piracy. This selectivity highlights piracy as an enunciative act, most often called into being when economic resources are at stake. When they are not, or when cultural forms circulate outside the legal regimes most familiar to the West, whole realms of cultural production and social action take place without a clear distinction between what is pirated and what is not.

New infrastructural forms create and recreate conditions for everyday urban life. Like all new technologies, they organize sensory perception, provide new relationships between people and things, and give rise to different forms of affectivity, sociability, and leisure. As an infrastructural mode, piracy in Nigeria has developed its own economic organization, technical modes of transmission, and networks of traders and customers. By expanding the range of media available and the speed with which they circulate, piracy has also expanded the possibility for cultural imagining, the modes of affect that accompany those imaginings, and new aesthetic forms that emerge out of them. In this sense, piracy is not just destructive but generative. In the rest of this contribution, I wish to look not *through* pirate infrastructures to the legal questions that lie underneath but rather *at* them. I take a few short examples of what piracy does in the context of Nigeria as it feeds out and shapes urban experience.

pirate archive

In Nigeria as elsewhere, piracy creates new kinds of archives inconceivable outside of this mode of media reproduction. In markets specializing in wholesale tape duplication, sellers have sprung up specializing in the storage and preservation of different music forms. These sellers maintain substantial archives of Indian film songs, traditional Hausa singers such as Mamman Shata and Musa ‘Dan Kwairo, and new music forms such as bandiri, a religious music that takes tunes from Hindi films and changes the words to sing praises to the Prophet Mohammed. Customers go there to commission bespoke cassettes—

compilations of hard-to-get Hindi film songs, or unavailable songs of older Hausa singers. Like most pirate archives, from Internet databases like BitTorrent to religious music sellers to diasporic ethnic video shops, these archives make available specialist media content that lacks the mass appeal that renders other media forms cost effective. Piracy facilitates this archiving practice.

video films

Since the mid-1990s, Nigeria has seen the precipitous rise of a new media form: Nigerian videos. Made in English, Yoruba, and Hausa languages, with large differences in genre between the three language types, these are full-length “films” shot, distributed, and sold on video. Something like 600 films are released each year, and the most popular films sell in excess of 200,000 copies. What is significant about them for this chapter is that, in the north at least, the reproduction and distribution of these films relies wholly on an infrastructure created for pirate media (Larkin, 2004a). Piracy, in this sense, not only generated the capital for investing in equipment (dubbing machines, blank cassettes) but also provided the complex organizational structure on which Nigerian videos could parasitically depend. One of the fulcrums of the industry is the influence of five large distributors, all of whom rose to success through the sale of pirate media. Thus, as Nigerian videos have come to dominate video sales in Nigeria, what has followed is the migration of dealers from illegal to legal forms of media—at least while the profits are mainly found there.

Piracy brought about the structural precondition that allowed for the emergence of this singular media phenomenon: a dramatic “film” industry that makes use of the technical and economic capabilities of video technology. In the north of Nigeria, where more than 230 video films are released each year and where the genre has been dominated by the mimicking of Indian film romances, this success has fomented a small army of people working as editors, camera operators, directors, set designers, actors, composers, musicians, singers, and graphic designers, as well as those involved in distribution and sales. At least three video magazines, modeled on the Indian film magazine *Stardust*, are in circulation and, as with Indian films, there is a substantial local audio market based on the sale of popular songs from Hausa films.

video parlors

In the early years of the 20th century, cinema arose as a profoundly new space of entertainment and social interaction tied to the rise of corporate society.

Siegfried Kracauer (1963/1995) has argued that the arrangement of the cinema hall—the coming together of individuals as a mass arranged in separable, interchangeable rows—meant that cinema-going itself transformed the individual into a commodity. In its way, cinema was the quintessential mode of leisure expressing the political economy of its time, bringing together strangers into a temporary collective only for them to disperse afterward and fade back into the anonymity of city life.

Video parlors are coterminous with the rise of video piracy and represent the spatial embodiment of new economic networks in the way that the cinema embodied the logic of industrial capital. These are small neighborhood operations often based in a room in people's homes or local shops where patrons are charged a small admission fee. There is no sense of awe or the sublime—no Dolby sound system, no arabesque ornamentation, no art deco cathedrals or Chinese theater picture palaces. These are not the nonplaces of popcorn-scented multiplexes. Highly local, video parlors are tied to neighborhoods where people know each other. It is a form of exhibition blurring the line between public and private, distant and intimate, and, in Nigeria, male and female. This clouding between domestic and public is perhaps best seen in the contrast between the moral ambience separating video parlor from cinema in northern Nigeria. Women can visit video parlors without invoking societal fears about unrestricted female circulation in public spaces. This is not necessarily because video parlors are accepted, but more because they are situated within the confines of densely populated Muslim areas in people's homes, so they often are not perceived as public spaces at all.

In Nigeria, video parlors broke the control of exhibition by large-scale cinema chains that had long been dominated by Lebanese distributors screening Indian, American, and Hong Kong films. In these chains, exhibitors were tied to showing the films they could afford, which often meant picking up damaged prints of films that came to Nigeria years after their original release date. In the case of most of mainstream Hollywood, these films never came to Nigerian cinemas at all. The tight link between video parlors and piracy meant that piracy integrated neighborhoods quickly and firmly with the international circuits of distribution from which they siphoned films. Compared with cinema, the range of media they offered was far greater, and they provoked a sea change in exhibition practices as, one after another, most cinema exhibitors in northern Nigeria turned to video projection.

Because of their locality and ties to particular neighborhoods, video parlors were one of the first public modes of exhibition for Nigerian video films. Video parlors had a more intimate sense of audience—both exhibitor and audience member were from the same community—and had a greater tie to newly emerging cultural forms. Running a video parlor could sometimes be a short step up from watching a video at home, where viewing was rarely restricted to a nuclear family but took in many disparate members of a household. It is unsurprising that a film form based expressly on domestic video consumption should find its first public here.

piracy and copy culture

Nigerian video films emerge from the forms of duplication and circulation that proliferate and “bleed” into urban life through the use of piracy. Yet they take part in a larger copy culture in more mundane and literal ways. Hausa-language video films, for instance, have become the dominant media form for tens of millions of Hausa in northern Nigeria, Cameroon, and Ghana by drawing on the long-standing popularity of Indian films in Nigeria. As many of their critics accuse (and many of their supporters celebrate), one of the dominant genres of these films involves the explicit copying of Indian film. The setting and style are translated into northern Nigeria and the language is shifted from Hindi to Hausa, but the stories are faithfully adhered to (see Adamu, 2005a, 2005b; Larkin, 2000). Video film is not the first form to do this. Hausa singers have been copying Indian film tunes for years (Adamu, 2005a; Larkin, 2000) and the 1990s saw the rise to popularity of bandiri music, the genre that copies Hindi film tunes but changes the words to sing religious praises (Larkin, 2004b). Bandiri represents most clearly a key aspect of Hausa films in that the music does not hide its copying and pretend to originality but instead relies on listeners recognizing the Hindi original that underlies the copy.

Like bandiri, Hausa video films are both famous and controversial, intensely loved and vilified because of the overt nature of this borrowing. One of the most successful production houses of northern Nigeria, FKD Home Videos, along with its major star, Ali Nuhu, have specialized in copying from Indian films in several ways that are typical of larger trends in the industry. Many films work within an idiom of melodrama established by Indian films, using romance, love, and family drama to explore larger societal issues. Others are known for copying directly, transposing whole films and changing Indian character names to Hausa ones. This intertextual and piratical influence has increased over time

as the number of films has grown and industrial and aesthetic practices have become standardized. Few early Hausa videos, for instance, had song-and-dance sequences and political dramas alternated with love stories and comedies. As can be imagined, for a Muslim Hausa audience the use of mixed-sex song-and-dance sequences is the clearest example of copying from Indian films, as it introduces a wholly foreign aesthetic element into Hausa cultural production. According to Abdalla Uba Adamu (2005b), the release of two films in 2000, *Wasila* and *Sangaya* (both of which starred Ali Nuhu), which went on to be two of the most successful Hausa video films, shifted the nature of the industry dramatically. Both films relied heavily on song-and-dance sequences and after their release market success became tied to the inclusion of such sequences. Like India, northern Nigeria now has a thriving music industry wholly dependent on songs derived from video films.

In an article in the Hausa films magazine, *FIM*, the celebrated screenwriter Abubakar “Baballe” Hayatu associated with FKD Home Videos explained the process of copying involved in making Hausa films from Indian ones:

I am not the only one who watches the Hindi films [during screenplay adaptation]. We used to watch the films with Ali Nuhu and note the things we should change so a typical Hausa person can relate to it as his culture, rather than shunning it. Thus we adapt what we can to suit our culture and religion. If any scene is neutral to these two issues we leave it as it is. (2002, p. 47)

Tejaswini Ganti (2000), examining the copying of Hollywood films into Hindi cinema, makes the simple but powerful point that all acts of copying are acts of translation. At the minimum, Indian films have song-and-dance sequences added to them, subordinate kinship characters added in, and overt emotional situations injected in order for them to make sense within the idiom of Indian melodrama. The same is true in Hausa films, where Indian films have to be translated into a Muslim social and legal context: Kano state, the area where most Hausa films are made, adopted Shari’a law in 2001. Hausa films borrow most heavily from classic Indian themes of forced marriage (*auren dole*) and the tensions between parental authority and individual choice. But the other great melodramatic theme of polygamous Hausa society is the decision of a husband to take a second wife and the tensions between co-wives that result—a theme absent from Indian cinema.

Piracy has facilitated the particular sort of copy culture that lies behind Hausa video films, especially the sort of direct copying of which the screen-

writer Baballe Hayatu was speaking. Before the dual arrival of cassettes and piracy, when films were shown once a week on television or periodically at the cinema, there could be a general influence but not the close textual control needed for precise copying: pausing, rewinding, examining costumes and camera techniques, and transcribing plot sequences. Many cinema-goers, of course, went to see the same films numerous times, but in Nigeria films are not released for a certain period of time. There a film is screened for one day only; then the print is taken to another cinema in the exhibitor's chain and it may be several months before it returns (again to be shown for one day only). Piracy allows the breaking down of a narrative into component parts and close attention to detail that constitutes this copy culture and on which the development of aesthetic forms such as Hausa video or bandiri music depends.

conclusion

Piracy in Nigeria is part of a larger infrastructure of reproduction where the legal and nonlegal meet. Often in the ways media travel in the world, pirate and legal media are so thoroughly intertwined that it is hard to separate one from the other. They exist in social domains where legal questions are not always present. The Hausa copying of Indian songs in bandiri music, for instance, could be construed as a form of piracy, just as the Hindi films' copying of other music could be. Yet in practice, because this labeling is not called into being, the object itself is never conceived of as pirated. This highlights how piracy is not a stable form but is dynamic, highly variable, and a selective assertion. It also means that analytic attention is dominated by the media forms that generate the most money and are thus subject to the most intense accusations of piracy. Although important, this can often elide what it is that pirate infrastructures do.

Rather than elide pirate infrastructure by seeing it as a window into legal questions of intellectual property, I wish to bring it to the foreground. My interest is simply to explore some of the ways in which pirate infrastructures generate social action and aesthetic forms and to examine aspects of what they do in societies rather than whether they are legal or not. In many parts of the world, media piracy is not a pathology of the circulation of media forms but, rather, its prerequisite. It is the means by which media—usually foreign—are made available and it provides the technological constraints governing how other non-pirate media are reproduced, disseminated, and consumed. Pirate infrastructures create their own modes of sociability and affect their own spatial networks that link places like Nigeria into larger cultural and economic networks.

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