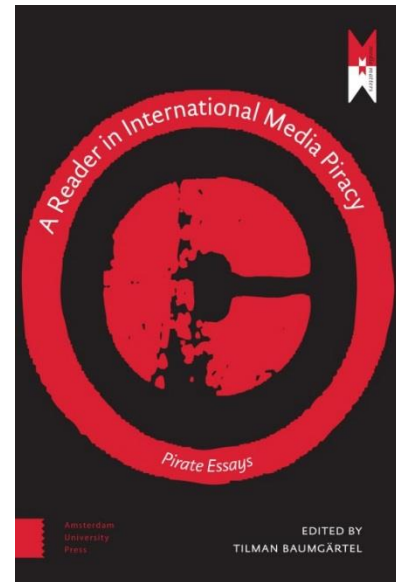


Tilman Baumgärtel (Ed.), **A Reader in International Media Piracy**,¹ Amsterdam, The Netherlands: Amsterdam University Press, 2016, 266 pp., \$49.95 (hardcover).

Reviewed by
Dom Caristi
Ball State University, USA

One's perspective on media piracy often depends on that person's relationship to content. Media conglomerates that make millions of dollars (even billions) distributing licensed content see media piracy as a danger that must be stopped by whatever technological or legal means necessary. Consumers who want to have access to content aren't too concerned with piracy, especially if it means being able to consume content for free or at a greatly reduced price, in the format that the consumer most wants it. Interestingly, the authors who actually create the content fall somewhere between the extremes. Certainly they want to reap the financial benefits of their labors, but they also recognize their marketability is connected to their familiarity among consumers, some of whom will never purchase their content. Such views, however, are overly simplistic. Lobato and Thomas (2015) clearly demonstrate that the worlds of "formal" and pirate media are intertwined: Pirates need media to be successful in order to harvest content, but established media have benefitted from pirate behavior. They claim that the highly successful iTunes platform owes a debt of gratitude to the sharing culture of pirates. Once seen as a place for pirates to exploit "free" content, YouTube has become a venue for content owners to increase their revenues. Digital media piracy, like so many other modern questions, is not a simple, bifurcated issue, but rather one having multiple perspectives.



This compilation, **A Reader in International Media Piracy**, is not a collection of copyright law from around the globe, nor is it an economic analysis of the alleged impact of piracy on intellectual property industries. Instead, each chapter provides an anecdotal look at a particular aspect of piracy. In this volume, piracy is not just the copying of a work without the author's permission but also includes altering a work without permission, as chapters deal with hacking computer chips and translating movies. The book is valuable for its sociological analysis of piracy and its place in the society and the particular cultures examined. Several of the chapters provide nation-specific examples (Brazil, Nigeria, Romania, and Vietnam), but most address issues from a broader perspective.

¹ Although the cover clearly shows the title as *A Reader in International Media Piracy*, a search of the Library of Congress catalog and WorldCat will show no result for that title: They have it listed as "A Reader on International Media Piracy," which is the title as it appears on the title page. While this difference seems trivial, it could thwart efforts to find the work.

Tilman Baumgärtel (University of Applied Sciences, Mainz, Germany) has brought together a collection of scholars from Australia, Europe, and the United States for this anthology. The contributors' reputations are well established, and more than half of the dozen authors have solo-authored their own books on related topics. The fact that three of the 11 chapters were previously published elsewhere is not necessarily a bad thing, but the fact that one of the chapters (on Nigerian video and piracy infrastructure) was originally published more than a decade earlier is a cause of concern; a subject such as digital piracy has seen dramatic change in recent years.

All too often the focus of piracy scholarship is on the economic impact, while the cultural shift is ignored. In searching for comprehensive theories for framing piracy, Baumgärtel notes:

The whole concept of the audience as a mass of consumers has been irretrievably pulverized by the very same digital media that facilitated the piracy I had become interested in. Every consumer of digital media content could potentially become a producer of digital media content, too—or at least upload the media content others had produced, on the net. (pp. 236–237)

Baumgärtel's previous works have focused on video games, films, music, and even cooking in the countries where he has lived and taught (Cambodia, Germany, and Philippines), so his interest is more in the cultural issues surrounding piracy than in legal or economic approaches.

It actually may be Baumgärtel's time in the Philippines that provides the impetus for this work. He begins the book by recounting his experiences in the markets of Quiapo, in Manila. There the pirated products that could be purchased were openly sold, except for the occasional token law enforcement just to keep the country off the list of countries that disregard intellectual property rights, kept by the U.S. government. Baumgärtel compares the pirate markets of third-world countries to film clubs that existed in the 1950s and 1960s in France and Germany, providing a body of work to be studied by those interested in honing the craft of making movies. Clearly, Baumgärtel does not see the world as a simple "pirates bad, copyright good" dichotomy. Negroponte (1995) pointed out decades ago that surreptitiously moving electronic bits from one place to another was far easier than moving physical copies of content, like books or DVDs, yet a surprisingly large portion of this text deals with actual physical copies of copyrighted works like those sold in markets in the Philippines or Nigeria or China.

As an example of the "positive" application of piracy, one chapter is devoted to the practice of subtitle and translation provided by some pirates. Material that would be otherwise inaccessible to many in other countries finds a broader audience when translated into languages that the copyright holder thinks too small or too poor to make translation worthwhile. There is a very limited market for works translated into Romanian, so pirates willing to spend days to translate a work actually become a sort of hero, taking on a kind of David to the Corporate West's Goliath. It may seem an odd comparison, but in the U.S., a couple of companies have attempted to provide "sanitized" versions of Hollywood movies for those who would rather avoid indecent content. Film producers claim that these third parties have no right to alter the content of the original work without the permission of the author, while the companies argue that they are only assisting audience members to do what they want with content that they have legal

access to. In both subtitled and sanitizing copyrighted works, the arguments really boil down to whether the rights of the speaker or the audience ought to weigh more.

Alternatives

Piracy has been a hot topic, so there are lots of books and articles that scholars can choose from, based on their own particular approach to piracy. For someone seeking a comprehensive text that includes piracy as part of a greater understanding of intellectual property, I recommend *Understanding Copyright* (Klein, Moss, & Edwards, 2015). The book focuses on the United Kingdom and the United States, but provides an overview for those requiring context about the broader issues. For a multidisciplinary (albeit Anglocentric) approach to the narrower focus of piracy, one might read *Copyright and Piracy* (Bently, Davis, & Ginsburg, 2010). Those seeking a humanities orientation to the issues might gravitate to *Cultures of Copyright* (DeVoss & Rife, 2014). For a text that more closely resembles *A Reader in International Media Piracy* in scope and approach, *Postcolonial Piracy* (Eckstein & Schwartz, 2014) provides comparable content. A valuable online resource is *Media Piracy in Emerging Economies* (Karaganis, 2011), downloadable for free, which focuses on piracy in Bolivia, Brazil, India, Mexico, Russia, and South Africa.

Conclusion

A Reader in International Media Piracy is a useful addition for those who study copyright issues in depth, and who want to add to their detailed analysis. It is unlikely to be used by undergraduates, but researchers seeking greater depth on international media piracy issues will find it useful. It is not for the scholar seeking an overview of the state of international piracy or a broader understanding of intellectual property issues.

References

- Bently, L., Davis, J., & Ginsburg, J. (Eds.). (2010). *Copyright and piracy: An interdisciplinary critique*. Cambridge, UK: Cambridge University Press.
- DeVoss, D., & Rife, M. (Eds.). (2014). *Cultures of copyright*. New York, NY: Peter Lang.
- Eckstein, L., & Schwartz, A. (Eds.). (2014). *Postcolonial piracy: Media distribution and cultural production in the Global South*. London, UK: Bloomsbury.
- Karaganis, J. (Ed.). (2011). *Media piracy in emerging economies*. New York, NY: Social Sciences Research Council.
- Klein, B., Moss, G., & Edwards, L. (2015). *Understanding copyright: Intellectual property in the digital age*. London, UK: SAGE Publications.
- Lobato, R., & Thomas, J. (2015). *The informal media economy*. Cambridge, UK: Polity.
- Negroponste, N. (1995). *Being digital*. New York, NY: Random House.