
Public significance of cultural piracy in the global flow of popular culture

ポピュラー文化のグローバルな流れにおける文化的海賊行為の公共的意義

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Abstract:

- 1) 衛星放送やインターネットが代表するグローバルなメディア技術の発達が発達を特徴づけている。情報がデジタル化したことでCDやDVDなどの記憶メディアが非常に容易かつ正確にコピーできるようになった。
- 2) 地球の片隅の貧しく閉鎖的な国家にまでハリウッドに代表されるグローバルなメディア文化が浸透している。その意味で、文化のグローバル化は単なる理念でなく、現実となった。
- 3) それを可能にした大きな条件は、高度なメディア技術というよりは、もっと素朴な技術をブリコラージュ的に奪用した開発途上国の「主体的な」海賊行為である。
- 4) 統制的な社会において、海賊行為は逆説的に文化的公共圏の支えとなっている。
- 5) 類似のパターンは実は先進国の中にも認められる。それを可視化したのは、インターネットという先端技術。その「内部」では、国家や企業による情報や文化の支配への欲望と、それに対抗する「海賊」との戦いが繰り返されている。こうした戦いの行方を重層的に分析することで、グローバル化と文化的公共圏の関係とその意味をよりよく理解することが可能である。

Keywords: public sphere, piracy, Myanmar, globalization, popular culture

キーワード：公共圏、海賊行為、ミャンマー、グローバル化、ポピュラー文化

1. The new media environment and Asia

Globalization is having a large impact on the whole of Asian local society. The effect is not confined to the politico-economical structure, but is reaching into the cultural system as well^{*1}. The media environment has changed radically with the spread of satellite broadcasting and the Internet; it looks as if megaculture industries like Hollywood are sweeping every corner of the Earth. But at the same time it is very important to note the more active side of the globalization process in culture. Over the past few decades the intra-Asian flow of popular culture has been growing to a remarkable degree (Tosa and Aoyagi 2005). Conspicuous cases include Japanese animé, Cantonese cinema, and Korean TV drama. What will these new cultural flows mean to Asia today and tomorrow? Moreover, if you look at the local acceptance of popular culture empowered by advancement in the global media, you will easily notice a peculiar phenomenon in Asia: rampant piracy.

2. Rampant piracy

Walk around the streets of Asian cities and every corner you will find many shops selling movie DVDs, VCDs, and music CDs. Judging from their cheap prices you'll be well aware that most of these products are pirated copies. In this respect China is a most outstanding case. It is said that one million people are engaged in cultural piracy, ranging from manufacture, distribution, to sale (Wang 2003). The development of digital technology is a crucial factor enabling the exact duplication of contents in extremely easy ways. As global media technology spreads, the state must face the new age of transnational flow of culture.

Roughly speaking, there are two national strategies for coping with this reality. On the one hand, some states will control this trade according to the rules of the market and the law. Advanced states follow this method and try to let the rest of the world follow in the same way. On the other hand, states like North Korea will strictly regulate and exclude foreign culture. But both of these strategies are so-called ideal types; reality does not operate under such fixed scenarios. Many Asian societies show an eclectic mode between state regulation and laissez-faire globalization. It is ironic, in a sense, that piracy is actually supporting cultural globalization in many Asian societies despite strong regulation by the government. Piracy is not a trivial anecdote. It is a crucial issue for Asian cultural reality and should be considered from many angles (Tosa 2006; Pang 2007). Here I would like to present the Myanmar case.

3. Myanmar case

Myanmar is recognized as one of the poorest countries in the world and as a closed society renowned for its military dictatorship. But the actuality of this society is very different from outer perceptions. Vigorous consumption is witnessed in the cities. People enjoy Korean drama on TV every evening, as in other Asian countries. The media environment has been globalized beyond the government's regulatory reach.

Take movies, for example. There are four social spaces through which visual content is available in Myanmar: ground broadcasting, satellite broadcasting, cinemas, and video shops. Since ground broadcasting and cinemas are controlled by the government's strict censorship, there is no room for piracy. But satellite broadcasting is a censor-free medium, and video shops are a hotbed of piracy.

There are only two TV stations in Myanmar, where all the programs and CFs are censored by the Censor Board before broadcasting. In recent years they have introduced a time slot for the broadcasting of foreign programs, including Korean and Chinese drama, but "inappropriate" scenes have been mercilessly cut. The criterion of censorship is to preserve Myanmar's culture, as defined by tradition,

family ties, and Buddhism (Tosa 2005). All domestic films are also censored. But since such controlled productions, which are made with limited capital, cannot draw large audiences, Hollywood and Indian films are shown to a certain degree—censored versions, naturally.

On the other hand, if you look at satellite broadcasting and video shops, you find a totally different culture flow beyond the state control.

There are two types of satellite disk: one is a registered type that is charged to receive Thai satellite broadcasts; the other is a bigger disk designed to directly receive the various satellite broadcasts. There is no licensed contract for the latter type, but strange enough, you need to pay the registration fee to the Myanmar government. If you look around the ex-capital city, Yangon, from a high vantage point, you can see countless satellite disks, on top of the buildings and facing up at the sky at various angles (Figure 1). They are the second type of disks; they have been enlarged to receive most remote satellite broadcasts, and they are angled differently so as to receive a specific satellite range that covers everything from BBC to Star TV.



Figure 1.
Satellite Disks on the Roofs, Yangon

It is difficult to estimate the real number of these satellite disks. According to government registration data, the number remained stable at around one thousand and hundreds up to 2001; strict controls were in force until then. But in 2002 the number suddenly grew to 60,000; the restrictions had apparently been relaxed by this time (Ministry of National Planning and Economic Development 2004). There are also many unregistered disks—estimated to number at least 100,000 in total. Households that can afford satellite disks can receive worldwide satellite broadcasts without government censorship. So far the government has underestimated the impact of satellite broadcasting and has left the situation unaddressed*².

We cannot underestimate the impact of satellite broadcasting on local culture, but it is true that only a limited number of wealthy families can afford it in Myanmar. But the impact of video shops will go far beyond this. Foreign cultural content affect society at the grassroots level. It is said that there are 30,000 video shops in Myanmar, and, as far as foreign content is concerned, all such disks are pirated copies*³.

On TV or in the cinema the presence of foreign culture is limited, but through satellite broadcasting or at video shops it has become mainstream. The Myanmar Government has been adopting a nationally restrictive cultural policy, but it is pursuing a developmental foreign policy at the same time. So there is a serious discrepancy in the image of international society. In the public media anti-Americanism has arisen, and there is no room for American content. But at the video shops about 70% to 80 % of all visual content consists of Hollywood movies—pirated ones, naturally. Videotapes used to be a dominant medium for copying, but thanks to the recent saturation of the market with cheap DVD players made in China, DVDs or VCDs are more dominant. This technological innovation has accelerated the growth of piracy.

In sum, there are plenty of reasons for rampant piracy in Myanmar: development of the media

environment, the great economic gap between Myanmar and advanced countries, the schizophrenic cultural policy of the government, etc. What is the meaning of piracy in Myanmar, if we view this situation from a cultural perspective? I would like to consider this question by taking a video shop as an example.

4. Video shops as salons

Here is a video shop located in downtown Yangon (Figure 2). You enter through a dark, narrow gateway, and you find plenty of DVD and CD packages on the shelves. Not only popular goods like new Hollywood movies and animé, but also a classic collection including *Gone with the Wind*, *Citizen Kane*, and *Seven Samurai*. The total number of DVDs and CDs is about 7000. The daily rental is between 200 and 300 copies. The rental fee is very low, and the sale price of a new film is about US \$1. This is affordable for the Myanmar people, so they can purchase one, if they like.



Figure 2.
Video Shop in Yangon

This shop can be described as a kind of cultural salon. Frequent customers include famous figures such as a director of photography and actors who supported the golden age of Myanmar films, and who hang around here to criticize today's domestic film industry and the corrupt government. Also, foreign embassy staff, military men, high-level bureaucrats, and the children of the Ministers are good customers. When tension was heightened against the US, the government sent a man to this shop to look for a Hollywood fantasy film that included a scene of the bombing of Yangon.

This shop is a typical one in the sense that it represents a liminal zone connected to the outer world. It is a secret place but at the same time a conspicuous public sphere, with no doubt. The owner of this shop, nevertheless, is far from typical. He is a key man in the distribution network of pirated copies in Myanmar. According to him, there are two routes by which pirated copies arrive in Yangon. One is an air route from Dhaka, Bangladesh. Almost all of these films are Hollywood films, and some Indian. This was usually called the Pakistan route, because such a name was considered to add some exotic value. But this route has been shut down since the 9/11 attacks.

The other route is a land one from Kunming, China, to Yangon. This is the only available route at the moment to transport foreign pirated copies. First they transport pirated copies from Kunming to the border town of Ruili, where they reproduce copies before transporting them to the Myanmar side. They need just modest facilities to press disks. A small truck can carry a press machine on its tray; the business can be moved away easily once a crackdown starts and can resume wherever electricity can be connected from a utility pole. It is a small business with no involvement with the mafia or other big organizations. Once or twice a year a roundup action is launched by the authorities. There used to be forty factories, but now there are twenty or so.

When the goods are transported across the border (the Shweli River) to the Myanmar side at Muse

there is no check. From there to Mandalay there are four checkpoints on the road. The authorities are strict on drugs and gems, but as for the rest there are loopholes, including bribery. On the rest of the route, from Mandalay to Yangon, there are no checks. Since Yangon is the capital city, the regulation here is strictest, and it is safer to disperse the goods in Mandalay.

So we can confirm that there is a 'pirate road' from Hong Kong and Kunming to Ruili, and then Yangon (Figure 3). The prices of new Hollywood films differ, as shown on Table 1, according to the cost and local economy. Video shops everywhere have much in common, with local variations. Shop owners fully recognize that piracy is illegal, but they show no signs of self-justification or compunction. They openly do business according to certain rules. For example, a shop owner in Kunming said that the important point was to keep up ordinary communications with the public safety police. His shop, like other ordinary shops, has been officially licensed, dealing with many domestic licensed products as well. Piracy of foreign content is inevitable because of the tremendous price gap. From time to time, only a small number of 'bad' shops are symbolically crashed down as scapegoats, because they deal with only pirated copies and indecent content, and they have not been on good terms with the public safety police.



Figure 3.
Transnation Flow of Pirated DVD

Table 1. Prices of Pirated DVD*

Hong Kong	US\$ 8
Kunming	US\$ 0.8
Ruili	US\$ 1
Yangon	US\$ 2

* Average New Hollywood Film(As of Sept. 2006)

Usually there is scarcely any chance of debate over politics or social situations at video shops. But they apparently represent a window to foreign culture, with no time lag. Here, people share information on recent world trends in a very open way. The stance of the government is inconsistent, on the other hand; eradication is their policy, but they are laissez-faire in actuality. China, for instance, has been strengthening the enforcement of laws against piracy since its affiliation with WTO in 2001. But people who engage in piracy are fully aware that it is just a pretense.

In Myanmar the enforcement was strengthened in 2005. It is said that this sudden change started out as a whim of the government. Three reasons were announced. Suppliers of pirated copies should be punished because 1) the goods are not censored; 2) they are exempt from license or taxation; and 3) they infringe intellectual property rights. The penalties became tremendous: up to 26 years' imprisonment or a 300,000-kyat fine. It is as grave a crime as drug dealing, which means a death penalty.

Since then the whole business has tended to shrink in a hide-and-seek manner. This shop owner had various connections with the authorities, but was suddenly summoned to the police. It turned out later

that one of the neighbors had, out of jealousy, informed the police, who charged him falsely with political activism. He was immediately released after handing over a small gift. This kind of thing can happen frequently, and there are many loopholes before the actual penalty is reached.

So people are well aware that this time, too, everything is just a whim of the government. They pretend to fight against piracy to protect copyright or intellectual property rights. But it is strongly believed that the real reason lies nowhere but in the taxation and control of the people. Thanks to the tough nature of piracy, which passes through the web of regulations, people can catch up with global trends

In other words, the ‘meaning’ of piracy varies according to complex factors, including the economic situation, state cultural policy, development of media technology, and the people’s tastes⁴. Cultural dualism, which is twisted and arises from the combination of undemocratic policies and economic developmentalism, is not an exceptional case in Asia. Despite the existence of a controlling regime, the people can enjoy free cultural publicness thanks to piracy. More exactly, the totalitarian regime has enabled rampant piracy to grow. So piracy will never perish as long as the progress of democracy is unclear and the economic incentives for the formation of a ‘normal’ market of cultural content remain extremely limited⁵.

5. Piracy and the prospect of public culture

The significance of piracy cannot be determined by monolithic ethics. It is undeniable that piracy can bring a global wind to closed cultural situations and secure the public sphere in controlled societies. The pirate road is a capillary of culture made out of handy resources. Global popular culture reaches every corner of the Earth by way of this.

It is often claimed that the global culture industry represented by Hollywood is imposing its uniform culture all over the world through an imperialist strategy. But this is a superficial understanding that does not explain the real dynamism of culture. In reality, in every locality of the world, including in the poorest countries, it looks as if the countless minute tentacles of a mysterious creature are moving to synchronize its consciousness with the dominant culture by using every available tactic. Globalization means the totality of such a practice, including piracy, which aims to reach the stars in the sky.

Before concluding this consideration, I would like to refer to another manifestation of piracy in contemporary culture. Piracy is a crime, to be sure, but even in advanced countries it is so rampant in many ways. It is also true that criteria such as copyright and intellectual property rights cannot solely cope with cultural reality in the new media environment, as represented by the Internet. In practice, it is not the author but the corporation that dominates the copyright of diverse goods, ranging from gene information to computer software, and film production. So it may be true to say that such a system protects not the author’s creativity but the corporate benefits. Some argue that continuing this way does not activate the creativity of the next generation (Lessig 2000, 2004; Boyle 1996). The availability of cultural public goods for free exchange, citation, and transformation is now drying up in the face of legitimate structures lobbied for by the big corporations. So it is possible to say that piracy is not a marginal anecdote in developing countries, but a crucial theme in consideration of cultural globalization and publicness.

Endnotes

- *1 There are so many theoretical positions about globalization, but as far as I know, John Tomlinson gives one of the most neutral and persuasive definitions. According to him, “globalization refers to the rapidly developing and ever-densening network of interconnections and inter-dependences that characterize modern social life” (Tomlinson 1999: 2). If we look at cultural dimension, we cannot deny the overwhelming influence of Americanization, which can be observed even in the poorest and anti-American countries like Myanmar. But it is equally true that even Americanization is just a part of the whole story. We should not forget the inter-dependences that constitute globalization.
- *2 See Note 5.
- *3 This number is a conjecture by people engaged in the film industry and piracy. The real number of video shops is hard to estimate. The pattern of shops varies from a temporary stall to a registered fixed shop. According to a reliable source of the government, there are about 800 registered shops in Yangon, and 1,400 in the whole country. So even if the stall type shops are included, 30,000 is an exaggerated number. I suppose the actual number will not exceed 10,000 in total.
- *4 Media technology is not a separate factor to promote social change; it is interconnected to other social institutions and embedded in the totality of life style. In that sense, I focused on the scenes in video shops where the development of media technology meets the working of local communications. Of course, there are many other forms of cultural public sphere in Myanmar. The most striking case reminiscent of British coffeehouses would be teashops, where people speak loud in a free way on various topics ranging from ordinary matters to politics. It is said that the 1988 uprising was partly triggered by a heated argument in a teashop, so teashops are treated by the military regime as potential danger (Larkin 2004).
- *5 I had a chance to visit Yangon again in December 2007. Despite the worldwide denunciation against the brutal actions of the army witnessed in September 2007, the city recovered a peaceful mood at least on the surface. Ironical enough, the video shop was activated again in the midst of the curfew, because many people sought entertainment to kill time at night, and the government did not dare to enforce control and stimulate people any more. On the other hand, according to a news report on January 1, 2008, the Myanmar government suddenly increased the registration fee of the satellite disk up to 170 times. It seems that the dictatorship will continue to struggle to control the global flow of information, and the piracy will never perish in this very environment.

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