Fandom + Piracy Mini-series, Piracy Keynote Lecture - Kavita Philip, "Studies In Unauthorized Reproduction: The Pirate Function And Postcolonialism"
March 4, 2021

[MUSIC]

Gail De Kosnik: Good evening everyone and welcome to the second event of the Fandom and Piracy mini-series. If you joined us for our first event last Thursday when Professor Rebecca Wanzo delivered her brilliant lecture, then welcome back! And if you are joining us for the first time, welcome to Fandom and Piracy and I hope that you will join us for the next two Thursdays as well. My name is Gail de Kosnik, and I am the director for the Berkeley Center for New Media, which we call BCNM. BCNM is an interdisciplinary research center that studies and shapes media transition and emergence from diverse perspectives. BCNM is committed to promoting technological equity and justice. As such, our free events are inclusive, respectful, harassment free spaces. We do not tolerate hate speech or zoom bombing. We will have a safety team for each event to respond to any disruptive or hateful behavior and attendees who violate any of the community guidelines stated on our website will be removed from the event and disallowed from future Berkeley Center for New Media online events. Before joining our events, please note our Community Agreements to which we will share a link in the chat.

Our first value is to honor the land. We recognize that BCNM is located in the territory of Huichin, the ancestral and unceded lands of Chochenyo-speaking Ohlone peoples. Specifically, the Confederated Villages of Lisjan. The history of prolific technological development in this region has always depended on this land and all of our technical infrastructures and activities take place on and in relation to this Land. We commit to supporting the sovereignty and ongoing stewardship of this place by Ohlone peoples through building long-term reciprocity and relationships with tribal leaders and organizations. We encourage attendees to explore native-land.ca. the website, Our Home on Native Land, to learn about the native stewards of the land you are joining us from. I would also like to honor the [inaudible] peoples of [inaudible] island and the [inaudible] peoples of Mindanao in the Philippines, my homeland, the Tongva peoples of [inaudible], place of the [inaudible] now called Lomita, California where I grew up, and the Muwekma Ohlone tribe in whose aboriginal homeland I now reside in what is called the city and county of San Francisco.

Now, I am thrilled to introduce Fandom and Piracy and tonight's phenomenal speaker. Fandom and Piracy platforms the study of new media phenomena through a queer, feminist, and anti-racist lens. By fusing the concepts of fandom and piracy together, we wanted to draw attention to the way that fandom is a community and social phenomenon is raised and connections between piracy and the foundations of racial capitalism. In this conference mini-series, consisting of two lectures and two panels, taking place online on four consecutive Thursdays, we will hear from scholars whose work enables to understand how fandom and piracy played part in evolution of the internet, how they have attracted millions of participants and become akin to social movements, how they have given rise to digital platforms that augment and defy the corporatization of media production in the web and how race and

ethnicity, gender and sexuality operate in the fan and pirate communities. We are extremely pleased to host Professor Kavita Philip as our keynote speaker on piracy. Kavita Philip is a historian of science and technology who has written about 19th century environmental knowledge in British India, information technology in post-colonial India, and the intersections of art, science fiction and social activism of science and technology. She is the author of *Civilizing Natures* and the very soon to be released *Studies in Unauthorized Production* as well as co-editor of five volumes curating new interdisciplinary work in radical history, art, activism, computing, and public policy. She now holds the President's Excellence Chair in network cultures at the University of British Columbia, where she is Professor of English and Geography. From wherever you are, please join me in welcoming Professor Kavita Philip.

Kavita Philip: Thank you so much Gail. In a Zoom gathering such as this, one must invoke a broader kind of acknowledgment. So as an incomplete but necessary gesture to my multiple locations during this pandemic, I underscore the need to acknowledge both the histories and the ongoing struggles of indigenous inhabitants of my many lands including those in India fighting the renewed expropriation of their lands, facing newly [inaudible] on the neoliberal markets. I have spent much of this time living on the land of the Tongva people in Southern California. In addition, I would like to acknowledge I have been institutional based at the University of British Columbia, located on the ancestral unceded territory of the Musqueam nation and other [inaudible] people.

When Gail invited me to do a keynote for Fandom and Piracy online, I responded in a mirror image of Rebecca Wanzo's response that I know little about fandom, and I'm poorly qualified for this honor. As she did with Dr. Wanzo, Gail reassured me, she told me that all I had to do was talk about piracy and the connections would emerge in the conversational space. I want to thank Gail for giving me the space to get into the weeds a bit and I warn you I'm about to dive into some legal and historical detail on a topic which has been obsessing me for many years. But I also want here to acknowledge the brilliance of the BCNM team, particularly Lara Wolfe and Sophia Hussain and the amazing panelists who are about to join us. In conceiving and hosting this unique four week Thursday evening series, in which new insights genuinely do emerge in the [inaudible] between and among different forms of expertise and curiosity. Reflecting on Dr. Wanzo's brilliant talk last Thursday, it occurred to me that we both and the panelists do share a lot of common ground. Perhaps our interest in fandom and/or piracy is fueled by a bit of utopian faith in the power of collaboration. Mixed with an always critical historical eye on the gendered racial and global politics of the crowd. Whether that crowd is made up of *Watchmen* fans claiming injury and cultural appropriation, or post-colonial pirates claiming bandwidth inequality while searching beyond inspiring slogans for actionable ways to link our cultural consumption with an ethical politics of production and distribution. You should be able to see my screen now.

So speaking of inspiring slogans, let's begin with a protest. On January 18th, 2012, the internet went dark for users of Google, Wikipedia, Reddit and many other websites. Visitors to these pages among the most widely used sites in the world found a blacked out page pointing readers to information about an obscure US law, HR 3261. That was global amazement. This page you are looking at is from India's *Hindustan Times*. The *LA Times* said " internet users in China

speak admiringly of the public rebellion." Copyright law formerly an arcane sub-specialization in jurisprudence was now center stage in millennials' public discussions. Young news anchors like Chris Hayes and Rachel Maddow discussed it on prime time TV. I'm not going to show this video now, but if you stick around until the end, we will have time to show you the video. What you want to look out for is these kinds of Young Turk news anchors trying to figure out why their audiences needed to know about copyright law. This is a sort of a warning to you, even Chris Hayes and Rachel Maddow didn't quite know how to make this interesting, and I'm going to drive into this rather dry and dull topic, but take their word for it, it is important to think about.

Digital piracy in other words had become a headline grabbing issue. Australia-based Political Scientist [inaudible] writing in the tech magazine *First Monday*, observed that the DLM - the digital liberties movement "catapulted digital liberties activism into the spotlight in much the same way that the 1999 anti-World Trade Organization protest in Seattle brought attention to the global justice movement." Over the next few days, the protestors emerged as winners, both in public opinion and legislatively defeating the passing of HR 3261 into law. They were protesting US legislators' attempts to strengthen existing copyright law and managed to stall the legislators' attempt to roll out a new phase of the US-led prosecution of global piracy. So these are the acronyms I will use, SOPA and PIPA, they stand for the Stop Online Piracy Act of 2011 and the Protect Intellectual Property Act of 2011. So how did this obscure copyright issue come to be analyzed in social movement news around the world, even getting an acronym, DLM, why did American millennials care about protecting foreign pirate sites and why does this moment in US legislative history matter to our understanding of the global political economy of digital piracy?

HR 3261 to Stop Online Piracy Act introduced in the House in October 2011, so at the end of the calendar year, was expected to quickly and uncontroversially move through discussion and become law. Instead, the prospect of making internet censorship required by an act of law, or as popular tech language had it, the prospect of breaking the very protocols of the internet, mobilized an opposition that was broad and wide. Corporate giants as I've said like Amazon and Google, but also shadowy activist groups including Anonymous, User Centric, web companies like Reddit and Facebook, and a range of legal scholars and civil liberties experts mounted articulate and well-informed and tech savvy opposition.

So I'm going to show you a bit of the Act. You can't read this, I'm going to expand it in a moment, but I want you to see that the title page under Combating Online Piracy has Section 1.2, which I have expanded here, that talks about how to protect US customers, I'm reading here from the title, and prevent US support of foreign infringing sites. And jumping through the text here, how do you define a foreign internet site to be infringing? Well, if it is owed by somebody outside of the US and if the US users are using it, this is a ridiculous definition for the internet, because anybody uses a site regardless of where it is, right, depending on the infrastructure of course. And finally, if the Attorney General, bottom part here, is unable to find a person who has a US address, they are allowed to commence an action against the foreign domain name used by that site. I'm going to talk about what that means. In other words, the Act would enable the taking down of any foreign website that infringed on copyright. At the heart of

this attempt is a claim on sovereign power. Because internet technology is by design global, and information it holds can be accessed from any collected location, national sovereign rights to prosecute are weak unless these national rights are tied to worldwide powers. Frustrated with technological inability to disrupt the global flow of information, the framers of the Act hope to offer a political and legal work around. US law would be authorized to disrupt the technical protocols by which the domain name server worked. That is they could literally block the resolution of a URL, the process that facilitates the everyday browsing that we have come to associate with the user's access to the internet.

"Don't break the internet," pleaded tech savvy legal scholars in the *Stanford Law Review*. SOPA may "represent the biggest threat to the internet in history," they warned. Along with PIPA, the bill "[unsure for half a sentence]--technical infrastructure but at the economic and commercial infrastructure as well." And they go on to explain to readers, who are of course legal readers, what the internet's domain name system is. They call it a "foundational block on which the internet has been built" and at the end of that paragraph, they say this is breaking the principle that "all domain name servers, wherever they may be located across the network," this is talking about geographical space and location, "will return the same answers when queries with respect to the internet address of any specific domain name." That should be "query." Here we can see legal scholars learning and teaching the language of technology. The numerical code that defines the location of a website is a piece of infrastructure that lies under the hood of the internet, commonly invisible to the lay users. When we type a human language address into a browser, something that millions of us do every day, a complex system of organizations turns it into a numerical address that allows you to access the location you pointed to. [inaudible], together with an ecology of nonprofit groups, companies, and academic institutions, manages this process.

Domain name system management, which includes human and computational work, must function consistently in order for the internet to function as what the *Stanford Law Review* authors called the "iconic infrastructure of our age." legislating against this technical protocol was like "taking a sledge hammer to the internet's core technical infrastructure," the authors argue. The language and technique of SOPA and PIPA hinge on the definition of foreign versus domestic infringing activities. It appeared that the framers of the legislation had hoped that its foreign-tagged punitive sanctions would keep US technologists classified. Many US lawmakers expressed surprise as the protest broke out, but young American teenagers would care about foreign sites. On the one hand, this displayed a simple underestimation of the globality of the internet experiences of young Americans, but on the other hand, it was a familiar strategic invitation of the American public as naturally consuming media produced in America.

The irreducibly global nature of the internet, which any network engineer takes for granted, was recognized by opponents of the bill not because they were more internationalist in their politics, but because the technology of the internet operates in an internationalist action. And followed a politics that sought to protect, nurture, and sometimes to emulate the protocols of the internet. Many of the arguments against SOPA, I'm going to move to the protestors now, articulated their arguments as if ventriloquizing for the internet. Last week, we won and who is whe, the internet,

long seen as a mostly harmless collection of kitten aficionados and porn fiends fought an epic battle of self preservation. So, who is it that's fighting, it's we, and that's the internet. Note here the implicit reference to fandom, right, in the kitten aficionados.

Alexis Ohanian, founder as we know of the new site Reddit, at the time, he was 29 years old. He founded, he asked for the creation of the Internet Defense League, a bat signal for the internet. Moving through other resistors, Sweden-based group The Pirate Bay or TPB, issued a press release whose location was internet. The word "internet" obviously mocks older people who weren't familiar with naming conventions of naming the internet. So this opposition, largely led by computer savvy under-30's, played on the idea that old-fashioned capitalists did not understand technology and were jealous that libertarian computationally-skilled young people were better at competition than those who made the rules. So this is the TPB press release, which talks about how we do capitalism better than they do. And they pun on the titles of SOPA and PIPA. The press release drives home their critique by arguing that the word "SOPA" means "trash" and "PIPA" means "pipe" in Swedish. They want to make the internet into a one-way pipe with them at the top, shoving trash down the pipe to the rest of us obedient consumers. This is a kind of revolt of the fans, right. Assuring their readers that "SOPA can not do anything to stop TPB," TPB is The Pirate Bay, they refer to what all computer scientists knew: that there are technical ways inherent to the internet's own design by which to route around locked or broken DMS links. This design is part of what makes the internet inherently global and healing, self healing, where you can route around a trauma or harm.

So efforts to delineate national from foreign were technically meaningless. "The Pirate Bay is truly an international community," they reminded their readers, and the US, they implied, "was simply attempting to destroy that internationalism. In the frenzy of discussion that follows the internet blackouts of January 18th, 2012, several different framings emerged. And I collected all of the news around that time and fell they roughly into these four categories: freedom versus security, where the Civil Libertarians fighting the National Security Hawks, corporations versus people was reiterated, so the Motion Picture Association of America had long waged a battle against copiers, a longer story that I tell in different parts of this longer project, or legal scholars like James Boyle of Duke have long invoked the kind of historical notion of enclosures versus common, referring to fights over land and privatization going back to the 18th century, and technology versus politics, as you saw Don't Break the Internet versus the Luddities who wanted to break our tech tools, and the West versus the rest. I've obviously focused largely on the ways in which SOPA was on both sides, both old opponents of the internet and young defenders of the internet - it was about the foreigner. Domestic free speech and free use may continue to be defended by civil liberties groups, but the hope of legislators had been that an invocation of patriotism and sovereignty in the digital realm would allow them to defend US corporations by cutting off foreign sites that deployed counterfeit and illegal stolen resources. So that first section was called "Digital Nationalism" for that reason.

Now moving on, to think about what comes after the pirate moralism, I'm thinking that this stigma of foreignness just didn't seem to work as well for a younger tech-oriented generation because their alignments with technology made them to understand internationalism without a Cold War baggage that an older generation carries into legislative work. Now, that last line is my

own speculation but, you know, as you know, when anybody reaches for a generational argument they are kind of hunting. And so luckily, I have other people to draw on who do more than hunt, and I will draw on amazing study. "Piracy has become a prevalent mode of distribution for television content," announced the Media Studies Digital Human Esteem of Benjamin and Gail de Kosnik and Jingyi Li in 2017. Rather than spiraling down into the moral discourse of piracy that was common in the early 2000s, their study unveils the infrastructures that enable piracy. In a playful series of data visualizations, de Kosnik, de Kosnik, and Li in this paper deploy a data-scraping procedure to study the worldwide [unsure about this portion] downloads of popular TV shows, this one is for *The Walking Dead*. Aiming to develop a "rating system for piracy," their system shows that high population density urban areas tend to have more pirating activity than low population rural areas. Some areas show over-pirating relative to their population density. High levels of piracy and relative over-pirating are correlated with regions in which a global tech elite live. This rating system, which I love, takes piracy for granted as a part of media consumption landscape and avoids many of the xenophobic and ethno centric narratives that characterize first-wave commentaries on digital copying practices. The data-scraping and visualizing tool that de Kosnik and de Kosnik develop enables an idiosyncratic and ingenious imaging of the internet. They track, quantify, and map [inaudible] activity, producing the images of the world that are both familiar in that they confirm common sense ideas about piracy and the diffusion of US popular culture, as well as surprising in that they demonstrate patterns of activity that contradict 1990s models of wired and unwired nations, [inaudible], and dark hinterlands and other nation-based geographic metaphors for connectivity. And I'm referring to two decades of mapping the internet in ways that we play first and third-world core and periphery North and South.

Their study is more than just idiosyncratic. It has critical implications for media distribution. They write "we do not see downloading activity appearing first in the country of origin of a television show, rather downloading takes place synchronously all over the world." Continuing with their piece, "this instantaneous global demand is far out of alignment with the logics of the nation-based windowing, usually required by international syndication deals." In a data-driven, tongue-and-cheek upending of conventional media policies, de Kosnik and de Kosnik show how over-pirating is not associated with the dark, criminal spaces of the world, and suggest that the development of technology goes hand in hand with the practices with the borders of legality, always happening very closely in time and in space, tied with illicit technological production. So the illicit and the licit are tied much more closely together.

I'm going to go into copyright law and its interstices and come back to what is missed in the world taken as itself and possibly to connect with fandom in our final section. But first a deep dive into digital copyright. *Digital Copyright*, Jessica Litman's pioneering study of how the digital revolution changed copyright law, is foundational to technology and law scholarship in the US. I myself am not trained as a US legal scholar but as a colonial historian. So, a passing claim she makes about antipiracy's origin caught my eye. She says the story of piracy or copyright starts with the kernel of nationalism and xenophobia. Initially, this piracy story was all about Americans trying to protect their property from foreigners trying to steal it. Once we got comfortable with the idea that any unlicensed use as a bad one, the evil pirates got moved onshore. Litman here is

marking the copyright reform frenzy at one of those moments of recurring US anxiety about global post-World War II markets. She finds, written into the history of copyright law, traces of an anxiety about Japanese penetration into US markets in the 1980s. A fear of the power of a foreign technology, silently copying and distributing US culture products. Economic anxieties and xenophobia lie at origins of a massive expansion in the 80s in content control. Fear of the foreign pirate justified the corporation and the state to consolidate ever more draconian powers over the exchange of knowledge and cultural products as a way of protecting American creativity. This was happening at the precise historical moment when the internet and technologies [inaudible] were beginning to make global exchange easier than ever. This connection between anti-Japanese techno anxiety and origins of popular anxiety of piracy refers to a well-known case located in prehistory of the digital age. It revolved around videotape recorder, or the VTR, and its ability to make copies of television shows.

In 1983, Universal and Disney attempted to stop Sony from selling its videotape recorder, alleging that it was sold and used primarily for "copyright infringing purposes." The US Supreme Court decided against the media corporation ruling 5-4, that "there is no basis in the Copyright Act upon which respondents, that is Universal and Disney, can hold petitioners, that's Sony, liable for distributing VTRs to the general public. The landmark 1984 Betamax Case, or Sony v. Universal Studios, set the precedent for the legal use of technological innovations that have since repeatedly raised the specter of new forms of legal and illegal copying. It was a close decision, 5-4, and much of the deliberation ranged over the nature and use of this novel technology that enabled consumers to accumulate a library of recordings. The unprecedented copying power that the VCR put in consumers' hands appeared to threaten studios' ownership of their intellectual property. Although Universal attempted to argue that infringing uses defined the essential purpose and existence of this new technological machine, the Supreme Court ultimately disagreed, recognizing that the VCR, as capable of diverse uses, not all of which were illegal, "a sale of an article which, though adapted to an infringing use is also adapted to other and lawful uses is not enough to make the seller a contributory infringer. Such a rule would block the wheels of commerce." The Electronic Frontier Foundation website, explaining the historical Betamax ruling, "in other words" what the Supreme Court was saying, is "where technology has many uses, the public cannot be denied the lawful uses just because some uses might be illegal."

Now, so basically, film studios had seen their profits undercut by the VCR. They had attempted to block a technology they saw as inherently threatening, and if all this legalese is too complex, Jack Valenti has a simpler explanation for you: "I say to you that the VCR is to the American film producer and the American public as the Boston strangler is to the woman home alone."
The quote is famous in tech circles, because it appears to show that Valenti is an irrational technophobe. And indeed, Valenti remained proud all his life of the ways in which the Boston Strangler metaphor forever shaped the American discussion of the dangers of piracy. But I think of course that its yoking of piracy and gender violence is even more striking. Hollywood studios' argument that videotape recording technology was inherently dangerous failed of course, it is undercut by a still-utopian 1980s fate in the productive yet contradictory connection between novel consumer technologies and economic growth under the digital expansions of capitalism in

the last phases of the Cold War. The Supreme Court's majority rejected the idea that the VCR was inevitably and primarily linked with piracy, suggesting rather that something about the connection between technological change and capitalist productivity was at stake and the wheels of commerce must not be blocked. Writing on the 20th anniversary of the Betamax ruling, [unsure of the name] summed up a familiar lesson: "New technologies make copyrights more valuable because they unleash new markets and business models." [Unsure last name], who was Senior Intellectual Property Attorney with the EFF, the Electronic Frontier Foundation, represents of course the techno-entrepreneurial resistance against big media corporations, reminding us "if you want a vibrant technology sector, you let innovators invent without forcing them to beg permission from media moguls first."

The [inaudible] technological determinism of the media corporation is rejected here in favor of the optimistic determinism of the technologically-driven free market. These two sides of the Betamax lawsuit were reprised in the 2005 MGM vs. Grokster case, with MGM Studios making arguments almost identical to those of Universal and Disney 25 years before. Lots of people followed that closely. I'm going to skip the details, but Grokster was shut down in 2005. That case appeared to reverse 21-year-old Betamax decision. By 2005, the faith in technology's inherently good effects on the US economy had faded sufficiently to undermine tech optimists who looked for complete freedom to rip, burn and [inaudible]. But, as legal and tech commentators pointed out, the stakes were becoming higher and the battle more pitched.

As MPAA President Jack Valenti was preparing to retire in September of 2004, he was interviewed by [inaudible], technology news site. The interviewer's first question recalled Valenti's reputation for being "anti technology." Valenti immediately recognized the question as referring to piracy He responded "all of our companies are working very closely with the best brains and the information technology industry right now to see if in some way we can deal with the piracy problem. We're trying to put in place technological magic that can combat the technological magic that allows thievery." The battle that defined Valenti's 38-year media career remained in his mind, one that pitted the good guy's technology against the bad guy's technology. Yet according to legal scholar Jessica Litman, by 2004, when Valenti was predicting that "digital piracy will be far worse than analog piracy if left unchecked," the technology and law experts were already realizing that the battle was unwinnable. At least in the terms that Valenti and an older generation were defining it. Business itself had changed. The next decade would see the very terms of the piracy debate rewritten to the point where eradicating copying would almost cease to be of strategic importance to big media companies. So making copying impossible to recall included digital rights management tools that corrupted copying files, made moving files from one format to another impossible, and forced more difficult interoperability standards as opposed to better interoperability that tech companies were going for, and so on.

Despite the massive changes in copyright law, favoring media and proprietary software companies, and those led to lawsuits against grandmas and teenagers for singing happy birthday or sharing articles like tragic story of Aaron Schwartz, you probably know all of these, but that explosion of ripping, sharing, collages, and creativity in first decade of the new millenium simply ignored copyright regulations. And again, I want to say, this is where fandom is

central. Much of that explosion was fueled by fandom. This technology wave was simply too fast and too strong for the legal punishers to keep up. Instead of stopping the wave, then media and software companies shifted their business plan to offer music, film, and software access as a service rather than as the 20th century had conceived them, products. We will come back to this service as a product idea.

Now this all-out war on software media pirates had lasted less than two decades. Is piracy now an [inaudible] concern? Although the rhetoric of anti-piracy lingers, several historical shifts happened with the unexpected result of marginalizing the concerted attack on small individualized theft. The study of exemplary individual heroic or criminal feeds from the altruistic Aaron Schwartz to cynical pirate [unsure of name] began to fade from piracy studies and from journalism. Most commenters agreed that anti-copyright piracy and its denunciation were both heading towards being dead-ends in the history of digital technology. The structural issues that had created and enabled post-colonial piracy and the xenophobia that spurred prosecution however continued to bubble under the surface. How does one study the effects of the pirate function long after the initial social movements have moved onto other fights? Pirate narratives are a glimpse into the conditions and production of our political economy. One that enables and is enabled by a form of computational technical practice that was deeply contested at the turn of the century.

The pirate function is a reminder that the conditions of production of pirate narratives and technology include historically embedded systems of politics, economics, law, and culture. Technology does not have a trans historical logic nor an inherent logic that is independent of its conditions of production. Instead of seeing pirate technology as simply an object or protocol, the pirate function defines piracy through a set of contexts that explain how it came to be, how it functions and how it might be used, modified, or displaced. It does not displace the computational object and media theory, but it places that object and its conditions of production and use so it can no longer be seen as an autonomous or special media object that floats above politics. The pirate function, analogous to the author function of course, is a set of procedures. Understanding what enables and what is enabled by piracy requires a series of interrogations of what makes possible the emergence of piracy as a key issue in a particular historical period. Who can be a pirate? Who does not need to be a pirate? How does the act of piracy respond to the repressive function of the law of copyright by which transgressive authorial acts are policed?

Digital piracy, which was at first ignored or even encouraged, for example when Bill Gates called on the Chinese to pirate Microsoft Word, in order that they might be brought into his market domain. It became prosecuted most vigorously only when it drew on the xenophobic fear that Asians were designing media objects and writing more successfully and innovatively than Americans. Technological authorship was enabled by an explosion in communication technology, such as peer-to-peer sharing, modular software reuse, and even the simple process of copy and paste. How evil with this democratization in technological ownership was a legislative American move to legally prohibit the kinds of copying enabled by computational technologies after World War II. This coincidence, as I've argued, was interpreted by young European activists like TPB as evidence of a [inaudible] ignorance of the [inaudible] technology

and by activists in developing nations as a way to prevent them from catching up with the industrialized West.

But service comes after piracy. Shifts in service models from media companies, streaming downloading, subscription services, allowing for temporary and spatially individualized consumption, have capitalized on the global media markets that piracy had opened up. The difficulties in pursuing every individual copyright violation mounted, making it impossible for media companies to follow the original plan of intimidating casual piracy through targeted legal prosecution. Meanwhile, a larger, much more intractable pirate emerged, Google. The price of Google and its free library-like services and the global mainstream in the culture of accessible knowledge and its accompanying social movements in the developing world framing access as a right, so Wikimedia Foundation is arguing for access in the developing world as a right, of course based on a business plan. All of these made for a difficult shift in the proprietary corporate dreams of the early 2000s. It seemed like the piracy explosion was part of a major shift in the culture of use of digital products.

This was a cultural shift that media and software corporations had tried unsuccessfully to stop. As Jessica Litman again explains, "they seem to have anticipated an online world in which copyright owners would detect distinct individual instances of infringement and ask service providers to remove them individually. The explosive growth of the internet has made that [inaudible] quaint," from Litman. The world the copyright owners had predicted, Litman suggests "was never realistic." Modifying her historical counterfactual, I would argue it could have been a dream realized, and it had massive resources of the state and corporations to facilitate their vision of a locked down media world. And in fact, India's new IT rules imagine that again, released last week. And discussed brilliantly by Naomi Klein recently.

However, the massive cultural shift of which piracy was a part and the unprecedented kinds of social activism that emerged from the heavy handed attempts to restrict copyright and monopolize new [inaudible], and the emergence of the tech saturated generation who aligned themselves with the interests of technology all resulted in the blocking of that copyright owner's dream. Instead of using new technological protocols to lock down their products, these copyright owners ended up creating a far greater problem for themselves. Google was an opponent that could not be vanquished by the bullying methods they had used against small pirates. As Litman observes, the [inaudible] strategies of proprietary actors paved the way for the emergence of monopolistic giants, forever shifting the economic landscape as she says in this quote. Litman's work has been foundational in legal scholarship on copyright in the digital economy. But there is still less engagement with the ways in which the histories of the developing world intersected with this massive shift in US foreign policy, carrying technological proprietary concerns into trade talks and multilateral agreements, and subsequently helped a shift from a development frame to a neoliberal vision of market growth -- as well as new authoritarian nationalisms have often been enabled by big tech. This is the point that Naomi Klein made last week.

So postscript as we move towards closing, the reasons for piracy's popularity and centrality in

emerging market economies are embedded in histories other than the legal, and here I've gestured at the histories of fandom that undergirded that. Elsewhere, I have argued that we can identify three waves of pirates that [inaudible] already. If one looks to below the surface of xenophobic dog whistles and pirate enforcement, we find, and I'm moving toward my final point here, that infrastructure is often invoked. Or, in other words, the worldwide web as a unity or "splinternet" or a Balkanized set of nationalist rules for the internet. So in the larger work of which this is a part, I find critical infrastructure studies to be useful as a mode of analysis, because of the ways it connects the analysis of cultural science with material and political economic analyses. Technological histories of infrastructure have recently been popular with technologists too, many of whom believe that this deeper truth of infrastructure is apolitical and that it is only in cultural narrations, uses and abuses of technology that ideology enters the fiction. This is of course an overly simple assumption, one that relies on outdated notions of an economic base, here a technological base, over which it creates a cultural or ideological superstructure. The two are in a much more complicated relationship with each other. The materiality of infrastructure is not a mistake from politics. It is a refraction of the histories that colonial historians have told. The stories we tell about the infrastructural technologies of the internet, seemingly a neutral zone free of politics, are integrated with history and politics of national sovereignty. Through the window of sovereignty, we might understand the [inaudible] of 19th century notions of illegality and consequence of punishment. The spheres of culture and technology are not layered upon each other. Rather, the references to culture rely upon an often invisible production and maintenance of an infrastructure. So infrastructural technology ostensibly in a neutral zone free of politics is implicated, I would repeat, with history and politics of national sovereignty. Both kinds of formalism then, computational formalism as well as cultural formalism, distract us from the ways in which technologies of computation are saturated with history and ongoing politics. And I will end there.

Gail De Kosnik: Thank you so much Kavita, are you going to play that video you mentioned?

Kavita Philip: Yes, let's play that video. And what I want you to look at is how Chris Hayes and Rachel Maddow are trying to figure out what this thing is, the SOPA thing is.

I can't hear the sound, Lara. I'm not sure that others can? No sound.

Rachel Maddow (from the video): We have a very, very smart web team who works on my show and I was sort of debating this with them a little bit today, which is how important was it that it was on the morning shows? How important was the mainstream media? Because this has been something, as you say, trying to cover this on television, it's been a difficult issue. We've absolutely undercovered it on the show, which is something I regret. But it is in part because it is tough to talk about in terms of explaining it in a way that makes it useful for your viewers. That should just be seen as a challenge in [inaudible] but sometimes that is [inaudible] especially when there are lots of other things going on. So could, let's say that there was huge political news that occluded this, despite internet protests, I wasn't going to make it into mainstream media coverage today the way it did. Would it still have had the same impact? I kind of feel like it would.

Chris Hayes (from the video): Yes, I think it would. Partly because here's one of the things I think is very interesting. We have seen new forms of protest, or feedback into the political system using the internet, developed over the last 10 or 15 years. And what tends to happen, is that the method is most effective when it is newest. So the first time that members found themselves barraged with email petitions, they were like oh my god, what is going on, all these people are freaking out. What happened was that became more routinized, and they started to think that oh this is just another email petition. So I think there is something to the freshness of the tactic, the idea that all of these websites are going dark in protest, that they are getting barraged all on one day.

Rachel Maddow (from the video): But the only thing that it produced was calls and emails, right?

Chris Hayes (from the video): Right. So I think [inaudible] scale and swarm. It produced calls and emails in tandem with a barrage of press. That all of a sudden put them in a spot in a way that I think they are not used to being on the spot. I mean, this is one of those bills, let's remember, this is one of those strange bills that happens on Capitol Hill, where you have two interests pitted against each other and most members could freelance on them. Meaning, there is not an ideological line that has been drawn. So you think, well, I'll just sort of cut a backroom deal and maybe I cozy up to this person or maybe I think on the merits it's this, but you don't think you are going to have to walk outside of the Capitol steps or go back to your district and face angry people screaming at you. You think it's one of those. Inside the beltway, there's a swiping fight between retailers and the banks, identical to this in many ways. All of a sudden, you are meeting in the back room, you leave the office, you walk out on the Capitol steps, and there's all these people, exactly, there are photographers, and there's people with [microphones], and there's people who are angry and everybody gets really worried all of a sudden, and I think, you know, there's a lot of memos going around to a lot of members and a lot of staff members today, with their bosses is being like, who said that it was okay that I could put my name on this. This was one of these things that kind of flies underneath the radar.

Rachel Maddow (from the video): It is comforting to know that a lot of the reaction was that "I don't read this thing before you sponsored it." Chris Hayes, the host of *Up with Chris Hayes*, which is the single best show on television that is remotely related [inaudible] it is true. I am [inaudible] with jealousy, your show is so good. Thank you.

Gail De Kosnik: Thank you so much Kavita, that was amazing. Kind of as you said, it's kind of amazing in its boringness, the video. Your lecture was extraordinary and super exciting at every turn. Now at this point, we are going to have about 20 minutes of discussion between Professor Phillip and three brilliant graduate student interlocutors, and then I will start asking the questions that you posed in the Q&A box. So please start posting your questions in the Q&A box now. Our three fantastic interlocutors tonight are Lou Silhol-Macher, Vincente Perez, and Jaclyn Zhou. Lou is a 5th year PhD candidate from the German Department at UC Berkeley with a Designated Emphasis in Film and Media. She holds an MA in German Literature and an MA in

Film Studies from Ecole Normale Supérieure and Université Paris VIII in France.. She is currently the co-organizer of Queer_Marxism, an annual workshop gathering doctoral students from the universities of Princeton, Berkeley, and Humboldt-Berlin. Her research focuses on new media, installation art, film and video, queer theory, philosophy of media, critical race studies, and science and technology studies, and her dissertation "From Goo to Dust, Invisible Matters, Practices, and Desires in the Digital Space," engages with questions concerning immateriality, regimes of invisibility, surveillance, knowledge production, and sensuality as they specifically shape and manifest in a post-ponopticon information age. Vincente is a performance poet, writer, and scholar with an interest in the way that artists use narrative to resist and challenge dominant stories that attempt to erase, subjugate, or enact violence on marginalized communities. His research focuses on the ways that narrative and race work together to reproduce the realities of racialization in America. His [inaudible], *Blackness and Latinidad*, explores the liminal and simultaneous experiences of being Black, Latino, light-skinned, and a father of twins. He hosts workshops and performances throughout the US with a central mission of underlining the role that narratives have in reshaping worlds, determining powers, and if used strategically, fostering connections. Jaclyn is a second-year PhD student in the Department of Theater, Dance, and Performance Studies with a Designated Emphasis in New Media. She is interested in race, tourism, and digital technology. Other interests include Asian and asian American popular cultures, science fiction, queer studies, and high strangeness. Jaclyn is currently completing her final year of course work. Lou, Vincente, Jaclyn, thank you all so much for joining Professor Phillip tonight. Let's start with a round of questions from each of you. Lou, will you please kick us off and ask the first question?

Lou Silhol-Macher: Yeah, thanks so much Gail for introducing us, and of course thank you Kavita for this amazing and dazzling talk. I know I was very excited to participate in this conversation and this, you know, talk is a confirmation of that. So I think I would love to ask you to speak a little more about that postscript, what came at the end. and particularly, the trope of invisibility. Right, so your postscript is on infrastructure and the invisible hand of politics and you know, like it seems like you are maybe sketching here, like a new methodological aim. I've seen in other works, you've had a genealogical method, here you seem to say that there is something to be brought to, you know, maybe post pirate studies or service studies that can be supported by the work that has been done on infrastructure and maybe you know. Especially when you are speaking of often invisible production, maintenance of infrastructure, and I'm interested in that because for personal reason because I do work on invisibility, but also since you also started the talk with motifs of invisibility and obscurity and suddenly you know, the internet going down and we're all in the dark and yeah, know that you work marvelously with metaphors and so I was wondering if you could say more to that whole network of images.

Kavita Philip: Yeah, I love that question. Thank you, Lou. Gail, should I take the questions individually? Okay, great. So yes, you are absolutely right. My earlier work has been genealogical, influenced of course by my historical training and also by Foucault, who I implicated cited there in the author function analogy. I take the theorizing about infrastructure from many people, but most especially from Lee Star who thought about it in a feminist sense. And she talked about infrastructuring as a verb as putting in the background or making invisible

much like the history of feminine or feminized labor. And I see service labor obviously in a kind of new global economy as following the infrastructuring or feminizing of labor as we see. The classic example in labor sociology was nurses from the Philippines, right, that care labor was an export, a primary export of the nation but we see this now all over the world especially since the 2008 crash. I mean, we've seen - this is the experience in the US for a broad majority of even White, middle class kids grew up thinking they would have a better life than their parents are seeing they can work in the gig economy. Something that had formerly been thought of as a third-world, Black and Brown population in the first-world is now seen as a kind of future of work. The gig economy, a kind of economy that relies on service labor and for me, to understand service labor needs not just sociology of knowledge, but an understanding of infrastructures. So platform capitalism is enabled by these kind of peer-to-peer based platforms that allow you to be an Uber driver and never see another worker. This fundamentally changes the kind of work. You know, if you take a kind of classical, 19th century labor union shop floor organizing, you meet each other, you are not invisible to each other. So to me, this invisibility to each other and the invisibility to theorists who don't see our labor when we are infrastructured, makes all the difference when thinking about the future of work and the future of capitalism.

Gail De Kosnik: Awesome. all right. There are so many great thoughts there, but let's keep rolling with more great thoughts. Vincente please jump in.

Vincente Perez: Hey, Professor Phillip, thank you so much for being here to speak, it was a phenomenal talk. I was wondering, you kind of mentioned the question that helped you to think a bit more about this from a genealogical perspective in that the question from Foucault, what is an author?, so you added to that, you know, what is a pirate? I'm wondering if we could think about that in relation to fandom, like for example how can what you describe as the "pirate function" work to define things like appropriate technology use along racial, sexual and gendered lines? I'm kind of thinking in this manner, like who is the assumed pirate and who is considered the appropriate user? Or another way is who is allowed to be a pirate in a creative manner versus maybe a criminal one?

Kavita Philip: What a brilliant question. And here, I would definitely call on Gail and people from the audience, Dr. Wanzo I know is in the audience. I would love to make this a collective discussion, but let me try to jump into that because listening to Dr. Wanzo last week was definitely kind of inspiring me to think along these lines already. I think one can ask that question, who likes to be a fan? And you know, I think that you and Lou are both referencing implicitly my 2005 piece but for those who have not read it, I talked about how, you know, sort of paragons of creative commons, people who supported and advocated for the peer-to-peer sharing economy, always came down to seeing those young white boys in elite university dorms, and dorms are important because you have high speed internet which you might not have at home if your parents can not afford, it but it was university setting that created the "creative riffers" and "rippers." To rip something or to riff on something, to combine things, to play with music software was in Lawrence [inaudible]'s mind the place of these kinds of white boys in Harvard or MIT. And when it came to Asian pirates, including in that Forbes cover story that I showed briefly, "oh these are just Chinese copying things without creativity," right? And

you see over and over again with the non-Western pirate is invoked, whether it is China and idea that Chinese are just creating cheap knockoffs, whether its India, and Wired Magazine had lots and lots of special issues on outsourcing, of data entry, the idea that data entry is just dumb work and you could give it to those people over there, you know. So this sense of geographical spatialization of creativity versus copying, even when they are using the same infrastructures and the same technology, is what clued me into the genealogical kind of function of the pirate, of who you call a pirate and who you call a creative mixer. But, I would love to hear more from Gail, Gail and Rebecca. Rebecca says the construction of productivity is too narrow in fan scholarship. Absolutely. Who can get to be a fan? And who is only a copy? I wonder if Gail in yours and Benjamin's piracy download pieces, I mean what you do is show us that there are fans everywhere, right?

Gail De Kosnik: Everywhere.

Kavita Philip: Right? Universality of the fan subject. Can you say more?

Gail De Kosnik: The universality of the fan subject and the pirate subject. they are the same, you know. In many countries, they are the same person because of course how is a fan supposed to get the object of their fandom when it is not going to be legally aired in that country or releasing that country until, you know, weeks or months or a year or more after it airs or is released in the United States. So, of course like you know, this is sort of like the cultural imperialism wars of the Cold War era when the US, when the State Department used to fund jazz musicians to basically tour Global South countries and promote the idea of aligning with the US politically through US culture. And of course, like the US had many actually deliberately, explicitly imperialist projects that were also worked through cultural imperialism like in my country the Philippines and Puerto Rico, and Hawaii, you know, like all of the US imperialist projects have been carried out explicitly with the imposition of American, you know especially Hollywood culture or music cultures as the best culture in the world and now in the age of peer-to-peer, I feel like that cultural imperialist project - it did not backfire, it is stronger than ever, but it sort of in a way works against the US interests because people are now so well-trained by the 20th century Cold War era to be fans of something like the Marvel Cinematic Universe, but there's no way they are going to wait, even 24 hours. Like, even 2 hours. So, yeah, I think that the fandom, which I sometimes have written about as "forced fandom," the forced -- the fandom for American media productions that America has forced upon the rest of the world, you know, has resulted in a situation where the network is fast, immediate, instantaneous, and I think most fans understand themselves to be in a totally synchronist relationship with each other. Nobody on Twitter wonders, like, what are these people from Australia doing in this Twitter feed, you know. Like this episode is airing right now and is definitely not airing in Australia on legal channels. But nobody asks that on social media. Everybody just kind of assumes that literally everyone, everywhere gets the album at the same time, watches the show at the same time, gets the movie at the same time. So I think there is something interesting about the fan pirate figure being a global figure, you know, that is both born from this cultural imperialism but also kind of like a response to it in a way that like, does not attend to the needs of empire let's say. Doesn't center the needs of empire but rather centers the needs of the fan pirates. Their needs

come first, not needs of the American empire, even if the relation is quite - or was set up by imperialism. Vincente, thanks so much. I feel like we can go much further with that question, too. Let's hear from Jaclyn and then maybe we will have a little more conversation, a few more questions from you.

Jaclyn Zhou: Okay. Hi. Thank you so much for your talk, Professor Phillip. I think that - I mean, I have a lot of questions I want to ask, but I think I can sort of continue this thread where we are sort of connecting your talk with last week's lecture and the sort of general topic of fandom. And this kind of feeds off Gail's comments about, like pop cultural soft power basically. So there's a lot of attention in your work both in your earlier essays and in this talk regarding the Betamax case to Asianness, right and the threatening figure of the Asian pirate specifically. And I think for me, there's a question here about the relationship between piracy and the relatively recent global popularity of some Asian popular cultures which is where fandom comes in, and you know just, for audience here in my background I have a flag from the popular anime *One Piece*, which is about pirates of the seafaring variety, which I purchased from a random unauthorized third party seller, but the point being while I think this stereotype of Asian sameness is applied to most if not all Asians, it is applied in different ways and those ways don't always manifest in anxieties around theft and copying, right. So there are Asians who copy to whom we attribute an immature culture of copying and then there are Asians who produce culture that is so good it merits being copied, right. I'm thinking in particular of the current power of the Japanese and Korean culture industries in producing pop culture that is "good enough" to be pirated and American pop cultures' incorporation of these things, right. So in your talk you bring up the sort of "anti-Japanese techno-anxiety" and the Betamax case, in which we have this object created and sold by a quintessentially Japanese company that when it mixes with the general ant-Japanese sentiment of the 1980s ends up being posited as this inherently piratical technology tied in with Japan's economic rise and "encroachment" into American culture and economy. But now it's completely different, right. Japanese cultural stuff is not seen as piratical, it's seen as in danger of being pirated. And we have an anime industry, particularly an American one, that is fiercely antipiracy. So the sort of general question I want to ask here is how do we see pop culture and culture production and self power and particularly the rise of certain "non-Western" popular cultures fitting in with changes in the Western understanding of the racial character of piracy?

Kavita Philip: Yeah, great question. I love the "good enough to be pirated." I love that phrase. Absolutely, and you know in sort of going from decade to decade, I wanted to highlight how much the 1980s are different from this current moment. And really I wanted to pose that question, like is it even worth thinking about piracy now very seriously? Like the question of piracy is over and in some sense that kind of xenophobic attempt to push through SOPA was the last gasp of a kind of 20-year history, right. So it went from about the 1980s to about 2012. And I wanted to show that Chris Hayes, Rachel Maddow thing because you can see Rachel is saying "I don't know how to talk about this, what do we say about this?" Because in a sense you are absolutely right. The cultural discourse has shifted and this is supporting Gail's point that the fans are saying "look, this is just, we are not going to accept the imperial framing of this problem. We are not going to accept a kind of Global North-South, Asian-West framing of the

problem. We are just going to put out this creative stuff and we know that fans all over are going to want to consume it, so you big media corporations, you ignore our creativity at your own risk." And that's what for me "good enough to be pirate" invokes. That is who can ignore this cultural production, right. But at the same time, I don't want to end the story there either because it is not just a happy story of fans and the public winning over a xenophobic top down out of date generation, right. That's why kind of poked fun at myself for pointing optimistically to the next generation that is so cool because if you picked up the ways that I wanted to read even the defense of the internet or in this case defense of creativity, K-Pop, Japanese anime, the ways in which these are defended and circulated rely on the new infrastructures of capitalism. And I think even as we move into this phase, I want to pause before we celebrate and ask, what are the infrastructures, you know, that we are now forced to put ourselves in. So, you know, the service economy and platform capitalism is one, maybe there are other infrastructures of consumption that I want to hear from the folks who study fandom on the other side of this conference to think together about the ways in which there are new constraints and striations around how commodities circulate in the culture industry.

Gail De Kosnik: Okay, let's do, let's actually introduce some of the audience's questions. I know that the interlocutors could ask more of their own questions, too, but you know let's invite the audience to come in and play with us also. One of the questions from somebody who is staying anonymous is you know, "I was wondering where you think the next great SOPA PIPA-esque fight will take place and what we can do about it? On one hand," this person writes "I think of how big social networks already control some levels of the internet today," and they write "on the same hand, I also think about the fire-walled censored internets either developed or developing in China and India. what do you think about the next great landmark case?"

Kavita Philip: Well, thanks for the question. I think its, the new IT rules in India. I absolutely agree with Naomi Klein, when she said this is the new fight. And to your point about what you are referring to as the Balkanization of the internet, also referred to as "splinternet" by some commentators, and I briefly glossed over that in my talk. I think that the kind of the foreign, the fear of the foreign pirate, the xenophobia that we saw in US law in SOPA and PIPA is articulated a different way when Indian internet laws are articulated as ways to stop sedition, to defend the sovereignty of the nation that is trying to advance and progress on the global sphere. And then we have media corporations, malicious journalists in this narrative, trying to demean or make India look bad in the eyes of the world. So again it is a global stage, you know the internet infrastructure that we use from media production has given us a kind of global distribution that no nation can ignore. And this is where I think we need a new way to understand what we think of as the Global South. So taking Jaclyn's point about this kind of recategorization of the Asian as being kind of obsolete, I think also that the Global South is obsolete for us. We have to think in more fine grain terms about nationalism, new forms of authoritarian anxiety about how you look on the global stage, and the role of the media, not just big media corporations like I was citing Universal and Disney, but small bloggers, you know small independent journalists, podcasts, small video productions that do news. We've seen an explosion of that, and that's where the political critique gets generated that's really threatening to certain kinds of authoritarian governments. This is not all of the Global South, this is not every way uniformly. So

I think really our old models of South-North, West-Asian really don't work, but I think that we need to look at the new internet rules. We see almost the same language that is being used. People saying about the Indian IT rules that between February 25th and the end of May are going to be rolled out and enforced. People are saying this will break the internet. And I was amazed, preparing for this talk and going over my SOPA notes and seeing exactly the same language used with the Indian IT rules. So I think the new fight is upon us as of this week.

Gail De Kosnik: Yeah, I mean so many fights, right. It's like the fights will keep rolling out. I mean, if we know anything about technology, they will come down the pike faster than we can even count them. Yeah, I feel like we will never run out of the fights for sure. All right. Brewster Kahle, founder of the Internet Archive who will be one of our panelists at the Piracy and Capitalism panel in two weeks, says "music wars seem to be over, but journal publishers and book publishers are suing universities and libraries and forcing enclosure and DRM, digital rights management, any predictions?"

Kavita Philip: Well, Brewster, thanks for that question, I'm your biggest fan. I saw what you did with the Pandemic Library. I loved it, I really supported it, and I hated the way in which it got so much pushback from publishers. I'd like to hear more from you about that and am looking forward to your panel. I think again the fight for sort of universal access to published material is really important. And I think the innovations will come from small platforms. Now, platform capitalism I just critiqued in response to Lou's question about labor, and I think this is the thing about these new technologies that we saw with the "pirate-based articulation" of the internet - they can go anyway and the politics of infrastructure are not neutral, they are not behind culture and politics, they are a long wind. I don't know, but it is going to look like publishers using new platforms to get around, to work around these kind of aggressive copyright laws. That is all I can say, I don't know. I'm watching that space and I'm watching what you are doing, Brewster. I think what you are doing is some of the most exciting stuff in that space.

Gail De Kosnik: We're all watching what Brewster is doing. And you know, I think that there are large scale infrastructures being done by non-governmental actors like Brewster and Internet Archive and like a lot of fan archives also, and fan platforms and communities that are -- they are the infrastructure. They are - they point in a direction that infrastructure has gone for about 20 years but is going more and more to the point where fan archivists will say this, that a lot of young digital users cannot distinguish between like really well-funded corporate digital infrastructure and you know, sort of fan and pirate made, sort of volunteer hacker-made infrastructure. And sometimes this like comes into a conversation about like where do you get your news, you know, are you getting it from just some random vlogger or like is that an actual organization, you know? Is that Vice News or something? So I think that there are all these different infrastructures of different scales and different amounts of resources and different perspectives that are really coming into play right now, that is so interesting. Okay. Mark Stewart from New Zealand asks, "piracy is often evoked as a form of activism, with suggestions that it may have post-colonial power and so on. However, a superficial look at mainstream piracy sees a replication of top-down media distribution. It's easy to pirate Marvel, much harder to access Indigenous and/or the independent media. How do you see the connection between piracy and

activism today?"

Kavita Philip: Yes, thank you for that question. I completely share your skepticism. I think this is how I think I link to Rebecca's skepticism about certain kinds of fandom and cultural appropriation discourses that she picked apart in great and nuanced detail for us last week. I, of course as Gail knows, was drawn to piracy in what I would call a kind of first wave of piracy studies in which we were interested in the potential for piracy to challenge, you know, capitalist forms of singular property, right, so a sort of single ownership of property, a certain kind of commodified notion of knowledge. And that was the first wave of piracy and I include Lawrence Lessig, and sort of standard Creative Commons theorists and that. Then, there was a second wave of piracy, and I showed the title of that book, *Post-Colonial Piracy*, but full disclosure I was a part of that, I have a chapter in that. I was part of the second wave of piracy that said "oh yeah, there's this thing called postcolonial piracy and it is pushing back on the racial stereotypes of, you know, the first group." And then we had a kind of third genealogical you know approach that Lou has referred to as well as Vincente in which we said well let's look at the origin of this notion of the pirate function and I referred to that in that section of the talk. I think going forward you're absolutely right to point to Indigenous art, I mean, do you really want to pirate Indigenous art or do you want to work with Indigenous communities to distribute in ways that are ethical. And I think what we are all looking for of course is both a critique of the way that capitalism is so flexible and constantly morphs itself to incorporate the things that people on the margin are doing. So that the challenge of pirates was not only suppressed and subdued but incorporated into these service models that we all participate in now, Hulu and Netflix and Pandora and Spotify, right. I mean their ideas, their business plan works because pirates existed and created the space for peer-to-peer music sharing or movie sharing, right. So I don't know, I don't have a template for what should come next but I think that if we ask the questions, through an understanding of labor and capital, then we will get to a more ethical you know, version of it, than capitalism will. But you can be sure that capitalism is working on the next business plan. So let me just leave it at that. That is for the group to answer. I don't think it is an individual answer.

Gail De Kosnik: I would love to hear the interlocutors jump in on that question of what do you think about piracy and activism by which I think Mark means more than activism, but you know larger projects, anti-racism, you know, feminism and Indigenous rights, and you know and sort of like that first wave question of utopianism, like what do the interlocutors think about piracy and utopianism or utopianism or anything in-between.

Lou Silhol-Macher: I guess I mean I'll just jump in quickly here because it makes me think of that moment when you know, like you shared with us this quote by the Pirate Bay saying you know, "we've done what they did, we circumvented the rules they created and create our own. we crushed their monopoly by giving people something more efficient." And I guess that is the first thing I think about, when trying to think of the pirate as activist I also think of that other, that other moment where the pirate can like respond well exactly with the language of the oppressor quite literally, and that doesn't seem like -- well or rather this is a clear moment where, yeah, it is a complicated parallel to make. Because then -- yeah. I'll stop there.

Kavita Philip: I totally agree. I agree with you. And I think I referred to it as a kind of techno entrepreneurialism. Yeah, you know, we all know that embedded in the, embedded in this kind of incredible resistance is a kind of libertarianism, right, that does not see themselves as part of this kind of capitalist flexibilization of the way we consume media. So The Pirate Bay you know is part of the expansion of capital, it only wants a more "efficient" or more "bottom-up" expansion of capital. So I think you're right. What we want is something slightly different. but, you know, what that is I really think it is articulated collectively and i like Gail's point that we point here to anti-racist organizing. The incredible work of you know, BLM and the Collective, there have always been anti police brutality protests in this country but they have been small. You know, if you go to the American South the kinds of protests against the KKK were consistent through the 80's, this time we are talking about, but they have only grown because this kind of model of collectivity and mutual aid and care that refuses to commodify care in the way that capitalism does. All of these kind of revisiting of the fundamental categories of how we act, how we care for each other. I like to think about that as the new model. I'm not sure that piracy itself properly conceived it's going to be the new model. I think it is these broader spheres of collectivity and that is what I meant when I opened by saying I think Rebecca and I share a real interest in the utopian power of the collective here.

Gail De Kosnik: Vincente or Jaclyn do you want to jump in on this?

Vincente Perez: Is it cool if I jump in Jaclyn? Alright, wonderful. Thank you so much, everyone. This is really a great conversation. I think what I'm thinking about now and thinking about the pirate function and this conversation about what do you do in terms of activism. I'm thinking a lot about like André Brock's work, like thinking about *Distributed Blackness*, and let's see if I can pull it up here. Mostly in that we're adding in this conversation where in your postscript you talk a lot about, you point to this I believe, is that we need to think more about, you know, the way these things are actually like you know coded into the work itself and that these are not apolitical situations. I think along with figuring out what the pirate function is and figuring out if it can be an activist is kind of just trying to figure out a way we can incorporate the [inaudible] economy and other perspectives of what actually is going on. Even when we are trying to say something is economic or something is about capital and something is about being shared. So I think what I'm learning about in terms of what pirate activism can be if you look at the, you know, [inaudible] economic perspective, it is really trying to ask us to think about what are the desires behind the way people are engaging with these processes. What's the way - what are these figures of a racial pirate doing to the mind to make us think that certain users are normal and creative with the way that they engage in certain actions. So I think along with being an interlocutor what I'm trying to do is answer it while pointing to the texts that are telling us it's really about if we are clear that pirating is happening, we also need to think about, like the actual function. So like what is happening here is that Black techno culture hacks the logic of capital accumulation. It hacks logic of the way racism and anti-Blackness is coded into these social media platforms and hides in plain sight while talking to only some people who can understand. So I'm thinking a lot about that and I'm wondering if I can ask the question also, like with social media, like, I'm thinking a lot about Tik Tok and sounds and the reproduction of sounds, like are

you Professor Phillips, have you seen social media platforms like Tik Tok, Instagram, or Twitter kind of changing stakes of intellectual property itself. Is there some kind of sense that we can come through - maybe this is the pirate function in action, can we come to a kind of sense of communal stewardship, or you know is this fandom itself? Or you know, are we going to get this through social media? What are your thoughts on that?

Kavita Philip: Such a great comment, Vincente. So, so many things there. I think your first point - I love your bringing in André Brock, *Distributed Blackness*, and in fact this is not a book pitch, but you just made me think about that pook behind my left shoulder, and that is exactly where the impulse came to work on that book. That is an edited collection called *Your Computer is on Fire*. It ships on March 9th, so next week from MIT Press. And that is exactly the project there, to look at the ways in which a racialized gendered landscape is engaged with by a computational capitalism and also the ways in which all of us are pushing back. So absolutely, I think activism is one way of talking about the collective and distributed agency. I think your note about the [inaudible] economy reminds me of [unsure name]'s chapter in the book where it is called "Capture is Pleasure" and it talks about the way in which our desires are connected by this kind of notion of identifying people on-screen and you can think about what a child or young teenager does when they are identifying their friends on Facebook. Data labeling, for facial recognition, datasets to teach, you know, computational systems to get better at this thing which is essentially a tool of surveillance. Go all the way to January 6th when all of us were riveted by this massive outpouring of video and the first thing that was said is "oh, we have so much video we can arrest all of these people," right. And so we go to their homes and arrest them, because when you have this, we have been tutored in gaining this pleasure from identifying facial patterns, right. And of course, you know, there is a kind of reversal of those targeted by facial surveillance and police systems and those that the January 6 insurrection captured. But you see I think what you call the [inaudible] economy of recognition here. So I think again I want to say again and again that we've not left with the formalism, right. With the 1970s, when Donna Haraway wrote *Cyborg Manifesto,* she was pushing back against feminists who said "tech is not for us, it is inherently masculine." I think at this point 50 years later, we can't say that tech is inherently anything. So that's why it's up to us to form the terms of the collective and not to leave out the infrastructures of the collective. We cannot just take infrastructure off the shelf. Infrastructure is something that is built along with building relational selfhood.

Gail De Kosnik: Yeah. for sure. Gosh there are so many things to say about that. Like so many thoughts. I mean, you know, like one thing I feel like Vincente and I have been talking all semester in preparation for his upcoming [inaudible] about locating a lot of strategy and power in Black remix cultures. And what Vincente just alluded to about having, you know, double languages inside a lot of Black remix, which is like only certain people are even going to recognize these sounds. Only certain audiences are going to even respond to what is being remixed here and what the mix of these differences are in this new work, you know. And so there's quite a lot of, you know, research meaning like artistic research like art as research that's been done already to kiind of unlock the activist potentials of piracy and fandom working together which I consider an art like sampling in hip-hop to definitely be one of those thick seams of art research, you know. And it's just interesting to think about how little sort of like

even academia understands about - about that research yet, you know still. But definitely Brock and your genealogical line of thinking, you know there are definitely fan scholars working that space in that book *Postcolonial Piracy,* too that like allow us to start to unpack, like what is going on in the copy and the mix. It's not just watching TV shows, you know. There's like something is happening there, but what that is, is both particular to individual bodies and spaces and places and also like really collective in these massive agglomerations of like mass media audiences in ways that we can't really - I don't think we have like a very robust vocabulary for even talking about what the "pirate activism" is you know. Because some of it, as Vincente is alluding to is just like kind of purely affective. It's like getting people to feel together or getting people to feel a certain way about even like a certain part of cultural history. Like the way 90's in *Public Enemy* or [unsure of title] are mining the 70's. You know I think there is, you know, there has been work on that and there's like these moments of culture that flare up and then become a collective body of work for people to kind of express themselves through and think their ways through contemporary problems through. So, okay. That is just - if anyone wants to jump in that's great. If not, I'm going to go on and ask more questions from the audience. Alright. [Unsure of name] says "I'm wondering how Professor Phillips sees ongoing efforts by platform companies to develop algorithmic copyright infringement discoveries/filtering "infrastructure" to stave off further regulation. How would you characterize these interventions in relation to policing fandoms and creative reappropriation, or are they merely ways to ensure that platform power doesn't get curtailed more comprehensively. I mean, I'm really interested in that. I guess I don't even know exactly what this question is alluding to. What are the ongoing efforts to develop?-" Yeah, explain.

Kavita Philip: Thank you, [unsure of name].

Gail De Kosnik: Yeah

Kavita Philip: Love it, I mean I would love more from [unsure name] if I'm getting it wrong, but I think there are two parts to this. One is regulation and the other automation. So absolutely the big media and tech corporations are terrified of regulation and they are making moves to do a little bit - you know it feels to me corporate social responsibility responds to activists talking about how corporations destroy environment and things like that. So CSR came in for that. So you are absolutely right, they are like "look, we're taking it down." So Youtube will just you know do a kind of automated takedown notice and then just take stuff down, and I think that's what [unsure of name] is referring to, ways in which that does not have to be a lawyer sitting there checking all of the, you know the things that you upload to Youtube, that Youtube can check it against copyrighted material, and you know do a simple a, b test and then take it down if there is too much of a match. Kind of like the plagiarism detectors in professor softwares like Turnitin.com, right. So there's a kind of automation possible and I think you're absolutely right, [unsure name], that it's big companies avoiding stronger regulations. But I think there's another part of your question that's really interesting, which is does automation work and again to point to that book behind me, Sarah Roberts has got a great chapter on automation. And in fact, you know, she looked at content moderators and she's emphasizing that the things we think are automated, like horrible disturbing content on Facebook being taken down by somebody who is

looking at it, right, these can never be fully automated and there's always somebody who is being traumatized by watching, you know, hideous child porn or murder or you know, very, very disturbing content, and having to take it down so you and I don't have to watch it. So I also want to take apart that automation point and say that automation is always "machine against human" and so I would pushback on those companies not only around the regulation problem but around the automation issue and you know, the usual things that copyright activists will bring up of course is that automation is going to get lots of things wrong, and so you're going to be taking down a lot of legitimate stuff. So my final point on that is this reminds me of the book by Brunton and Nissenbaum called *Obfuscation* that I teach in my undergrad class and they point to various ways in which you can obfuscate attempts to grab your data and to track you, and there's lots of things we do. But this I think is obfuscation on the part of corporations. They're just messing up our lives. You know, here we are as fans, global fans as Gail has been saying, sharing, putting stuff up, having things viewed, watching as Jaclyn said K-Pop and anime, and like avoiding the standard methods of distribution and here comes the corporation, taking stuff down in this frenzy and telling us we're not allowed to do it. They're kind of obfuscating our kind of global fandom experience. So I feel like they are throwing sand in our gears, in other words. They're using tactics, taken from a history of activism of throwing a lot of frivolous lawsuits at us and they know that we don't have the money and the time to resist that. And so this goes back to what Litman said. The only people who survive in a landscape like that are pirates like Google. You know, when Google does a search they cache huge amounts of web that is a copy function, right. And if you and I copied like that, we'd be in jail but Google can get away with it, because it's, you know, a search engine technology. So, [unsure name]-

Gail De Kosnik: Oh, I mean -- just to be even more explicit about Google as the biggest piracy, you know, entity, when Google bought Youtube they basically did so at a time when they could throw all this money at the Viacom lawsuit against Youtube in 2006 and 2007. Youtube may not have survived that as a like, as an exciting start-up but nevertheless not a start-up with you know a war chest of $100 million to right legal battles against Viacom. And Google's purchase, you know, it did ruin Youtube, I mean those of us that remember early Youtube remember a really glorious pirate site where people were uploading things that were just amazing, you know. VHS tapes of soap operas from like the 1960s and just stuff from all over the world, like shows from nations that you know, like, I was never going to understand the dialogue but nevertheless just seeing that content was so thrilling and as well as just like really kind of bad reality shows that nobody was going to actually catch at 1 in the morning but were still awesome to catch on Youtube, you know, any time of the day. And so Google did ruin the peak of Youtube's, you know, user, UX design or something, just the experience of that. But like nevertheless, it did protect the pirate site. It like protected and defended it and grew it out to an amazing, well I don't even know what to call Youtube right now. It is a pirate site among a lot of other things. But, yeah it was that - it was just that money and that corporate protection that allowed a thing like Youtube, a platform like that even to persist, you know. It needn't have persisted and other, if you think like another Youtube could have been invented, I mean Apple threw hundreds of millions of dollars at Apple TV for many, many years before Youtube launched. Nobody had really figured that out yet. So it wasn't a definite thing, just like you are saying about SOPA and PIPA. It wasn't for sure that the dream of shutting down the big pirate site, you know, couldn't

have happened. It could've. Ok, moving on, because there are so many exciting questions. Let's ask -- let's ask Carl's question. Carl [unsure last name]: "Newer platforms seem to have turned some of the debates about piracy on their head. Built on copy culture and fandom, Tik Tok in particular, has added an interesting dimension re: the geo-political specificity of platforms and data infrastructures. It would be really interesting to hear about your analysis of the intersection between piracy and this new but old frontier.

Kavita Philip: That is a great question from Carl. So I absolutely agree, you know, I think the kind of "singling out" of platforms based on the nation from which they come goes along - I think it's new but not new because this anxiety about sovereignty is in the discourse of piracy throughout, right. So I think that we see it come back into focus - not a coincidence that it comes back into focus at a time of authoritarian nationalism. And I think what you're thinking about is not only the US but India as well, right. And I do think that infrastructure can never be just a computationally neutral thing. I mean so I'm saying this again and again, because that is the way that we get sold it by technologists, that this is a thing that's going to enable your wildest dreams. You can be a capitalist and in any way you want using this platform. And I think that what we see is no you can't. You have to be a capitalist in a certain, sovereign, national kind of way and so we're seeing a sort of shift of capitalism and the invocation of platforms through their national origin is a way in which lines are being drawn in the new global market. If we wanted to get analogies, I mean, just to broaden it out the way that Gail and Vincente have broadened out this notion of distribution, I would think in terms of the classic models of imperialism. I think that minor nationalisms, you know, always threatened imperialisms but imperialism also turned back to minor nationalisms and incorporated them into their idea of a larger and larger hegemon, right. And I think that that's the way that these stories go, you know. Tik Tok may be threatening because it's from China, but you can have changes in CEOs, you can have sales of companies, as Youtube being brought by Google. You know, you can have these companies sort of taken over in almost a hostile way but not in a "purely market oriented" way, a way that nations are going to shape. So I think this is just a long arc if you think about the East India Company and the way it played the role of a state. I think corporations and states cannot really be separated. I think that corporations, I mean, we know all of the statistics about, you know, how Facebook, you know, is the economy of like five countries put together. I think that tech companies are functioning like states. and so I'm not surprised that the rhetoric of sovereignty is constantly invoked again and again.

Gail De Kosnik: Yes, totally. Gosh, that's sad. It's sad in a way that as you have been talking and I know you work on historical seafaring piracy too, how little has changed or how much is repeating from the era of seafaring piracy, you know the fact that we have new East India Corporations or new East India Companies and another thing that occurs to me is how piracy, not all piracy, but some key pirate actors were legalized as privateers and became agents of the state because, you know, the nation states, the empires could clearly see the advantages that piracy offered - the efficiencies, the technological innovations, the innovations in repertoire and, you know, just like motivation of personnel as opposed to the British navy and stuff like that, you know. And so like, just as you were saying, the streaming platforms built their, you know, built their markets on the back of pirates, innovations, and research and in some sense, legalized

piracy. Because so much of pirate thinking, I mean Spotify just started straight up - I think started as a pirate site, you know. So it's like because the research of pirates is in Spotify, is in Netflix and because it's a Netflix it's in every streaming platform right now, you know, there's a way in which that privateering move has been already made in the digital media piracy.

Kavita Philip: Yes.

Gail De Kosnik: You know, the world just turns and turns.

Kavita Philip: Yes. Yeah, you are absolutely right, Gail, about this having an analogy so privateering. That's exactly why I went back to the 17th century, and I don't want to take too much time, but just Captain Kidd is a great example of that. Captain Kidd is a privateer. He has a "sponsor" and then the sponsor betrays him at the last minute because there's a kind of expediency to hanging Captain Kidd. So yeah, absolutely.

Gail De Kosnik: Yeah, for sure. For sure. Okay. great. Oh, yeah, Jaclyn, great.

Jaclyn Zhou: This is interesting because like this question, this discussion, kind of begs the broader question for me like, under what conditions do conversations about piracy rouse some sort of like technological cosmopolitan affect like with the SOPA, PIPA thing and under what conditions do like piracy anxieties result in this sort of like racist xenophobia that we see sometimes, right? Since I'm sort of a one-trick pony regarding Asia, I'm thinking particularly of privacy concerns with data security and Zoom recently, right. Which is a Chinese company, now that working from home has basically made all white-collar workers like technological workers, and like, I feel like there might be some sort of connection to be made between the sort of anti-Asian xenophobia of the present moment due to the COVID-19 pandemic and anxieties around like foreign, specifically Asian threats of data theft, and like so many of the memes about this Zoom situation have pointed out, like, how appalled we are by Zoom's use of our data. And we're so appalled by Zoom's use of data that we conveniently forgive and forget literally like every other domestic tech company like Facebook and stuff are also making equal use of our data, right. So like that's kind of what this conversation is making me think of, this like, this sort of like unpredictable way in which sometimes it's like "oh we are the world," right and like "we are all the internet together" and then sometimes it kind of manifests in this sort of really xenophobic form.

Kavita Philip: Yeah, I think they are connected, too. I think, you know, just to keep for a moment your invocation of the cosmopolitanism versus the kind of xenophobic racism and then Gail's wonderful invocation of early Youtube, where I actually think what we love about that is not so much cosmopolitanism as extreme localism, right - something that is only understandable in this context. As Gail said, I may not even understand the language, what is my pleasure in that? My pleasure is not so much cosmopolitan as in something all of us approach the same way as much as appreciating something that's so local that I don't want it translated fully for me, I'm just enjoying its localism. And I think the kind of boom in cosmopolitanism both as an "academic term" which booned in like the 90s, right is actually linked to a kind of I think class

elitism because to be cosmopolitan one has to have a passport that crosses borders, one has to move around, you know it comes again from a 19th century kind of gentleman who would to go the continent to take in the art, you know. It is a kind of very class-based notion of a shared culture and so when it's invoked by technology companies saying "look how cosmopolitan you can be with this technology," right. Whether it is Instagram or Tik Tok or Facebook or Google, right, a whole range of technologies, I think we should be aware of what kind of cosmopolitanism we're being sold and keep in kind the kind of fandom desire and pleasure that Gail invoked earlier and I think that Rebecca also invoked, I think pushes against that notion that we are all one consuming world. It pushes towards a kind of localism which doesn't result in a kind of hermetically-sealed pluralism like multiculturalism imagines us to be, but it requires us to be rooted in some forms of local consumption that are not always translatable to each other. So that's just one little riff on your great question about cosmopolitanism. But I think there is so much more in there. I would love other people to pick that up if other folks on the panel want to pick up what Jaclyn said.

Gail De Kosnik: Yeah, yeah. Lou or Vincente, if you want to jump in on cosmopolitanism. You know, one thing that just comes to mind really quickly is was the Google takeover of Youtube the gentrification of Youtube? I mean, and it kind of shows, like gentrification isn't about just making things nice, you know. It's about this kind of cosmopolitanism you are talking about, it's a kind of like coming to agreement, we're all going to value certain things in a certain way, you know, no matter where they come from. It sort of flattens out, you know, in a way it flattens out reception and imposes a sort of like single approach to culture. I know Youtube is still pluralistic but like it also is kind of broken, It also doesn't really work anymore the way that a lot of gentrified spaces, you know sort of purport to be cleaner and nicer and make everyone who enters the space act in a kind of neoliberal way, as if they are adhering to agreements of like what proper comportment in public is and at the same time it's kind broken, it like kind of doesn't work anymore. It doesn't offer the extreme localism. It doesn't offer, you know, anything unique anymore. So there's something about that that I feel like I'm going to work through, Vincente says "taste," Vincente why don't you go, say something about taste.

Vincente Perez: Yeah, I was just kind of thinking about how -- I think cosmopolitanism is essentially trying to consolidate taste - is trying to, you know, I'm thinking about taste, you know, thinking about taste, a taste of the other and I think that it has a sound. I'll just stick with sound, because that's my background. I think it has a sound component, that hip-hop has always like fought against, and I think that that's my lens into this conversation. I think like hip-hop and thinking about fan studies together helps me realize that there are codes that are -- that are, you know, sonically, that can sonically register in the same way as other sounds but can only be legible and heard in certain spaces. And I think that brings back the idea of the localized versus the cosmopolitan and that these spaces function so well because - wonderful - these spaces work so well because they work on this highly localized notion. And I think one of the ways that I'm exploring this is really through, like, Genius lyrics, like the switch from rap Genius to Genius, was so interesting for me, because it's idea of lyrics and also hip-hop fans being able to come in and talk through lyrics and also having artists come in and describe their lyrics, you get this really interesting conversation about, like, you know, is the author dead if it's still speaking and

talking and writing, if they're writing and making up this [inaudible] with us. I think that the only way I can think through that is abandoning idea of cosmopolitanism or idea that things can be "universally understood" like the universal subject is like dying and I think the way Black studies is looking at this is really interesting and I think the way hip-hop is looking at this because hip-hop is the code, you know, it's like a way of living in the world and thinking through the world and so we can find the ways through, in that interpretation of rejecting cosmopolitanism, we can find ways that within hip-hop there is a way of like coding things so that it can be heard by everyone but not understood by everyone in the same exact way. And so I think the question about cultural appropriation, that's what makes it clear, like Blackness can be appropriated but it's not possible for it to actually be captured in the way that we think other things can be captured. So, you know, I'm excited to again read that book, too, because this idea of capture and pleasure and the [inaudible] economy is all what I'm going to try to argue that hip-hop has always been fighting against but continues to, even though it's highly commercialized, you know, x, y, z problem. I think what it still has at its central focus is this idea of a local understanding and I think that that's relevant to parts of Youtube and then various other parts of platforms that can be gentrified or taken over by this cosmopolitan affect, Jaclyn, I think that's what you just described and it was like a wonderful phrase, because yeah I think it's like the push against that is where maybe where the "activism" or the power can come from in, you know, turning these things on the head.

Gail De Kosnik: Jaclyn you put something in chat, but maybe just go ahead and say that, you know.

Jaclyn Zhou: You know, because like it makes me think of the question cultural appropriation because it's like when we talk about cosmopolitanism thing, cultural appropriation is like - we often talk about it as theft and in some way it's kind of piracy in a cosmopolitan key, right. So it's less of a question of like "theft by the so-called developing world," but wore of a theft of the quote-unquote "developing world's cultural resources" by the American cultural industries in this case, which like goes back to something we talked about it earlier, was that like, you know, piracy belongs to the strong as well as the weak. Sometimes the navy is the one doing the pirating. Because, you know, cultural appropriation controversies come to the fore in a big way when IP law gets brought in, I'm thinking, for example, when Kim Kardashian tried to copyright the word "kimono." I'm particularly thinking about when Disney tried to copyright "Day of the Dead," like the holiday, like prior to release of *Coco* and the *Coco* example in particular is quite strange because it almost seems like a sort of attempt to like legitimize through IP law that what this film was doing was not appropriation but rather like rightful usage of legitimately owned cultural property or something? Which completely, completely backfired, like that completely backfired in the Disney case. And so I mean, I think it's interesting, because like the question of cultural appropriation has had this huge surge in popular attention and maybe in the past like what, 7, 5 to 7 to 10 years -- I don't know time, some period of time, and, you know, it's kind of interesting to think about what that has to do with larger questions of, you know, property and copying and theft.

Gail De Kosnik: I mean for sure, right? Kavita, do you want to jump in?

Kavita Philip: Well I just wanted to emphasize how brilliant that IP is possibly a corporate response to people trying to articulate their defense of their culture, right. So it's like okay you won't let us culturally appropriate you, we'll just slam an IP, you know, claim on your stuff. So yeah, I just wanted to appreciate how much that that works. Yeah.

Gail De Kosnik: You know we are within striking distance of 7 o'clock Pacific. So I think we will move into wrapping this up. We have so many unasked great questions from the audience. I'm so sorry we weren't able to get to everybody's question. But Kavita can see all of the questions, and the interlocutors can, so your questions will fill our minds in the coming days. And, you know, I just want to give Kavita the chance to just maybe offer some concluding thoughts and then I'll preview what's coming up in Fandom and Piracy and then we will say good night.

Kavita Philip: Well, I just want to thank all of you. The very brilliant panelists and the attention that you brought as well as your own experience with culture and politics to this talk. So thank you for all of that I've got stuff to think about. Apologies to the Q&A folks that we didn't get to, and a big, big thanks to Gail, Sophia and Lara, the team that put this together. Thank you.

Gail De Kosnik: Awesome. Thank you so much everybody for coming, Kavita for being brilliant, the interlocutors for being absolutely amazing, a great audience. And let me just preview for everyone that next week same time, Thursday at 5, we have an excellent panel, scholar's panel on Fandom and Race and then the following week Thursday at 5, we will have an equally excellent panel on Piracy and Capitalism. And I sincerely hope that our keynote speakers, Professors Rebecca Wanzo and Professor Kavita Philip can come to those respective scholars panels and just, you know, weigh in to those conversations. So we will revisit a lot of these topics in the next couple of weeks. Thank you all. This has been great. I have really enjoyed tonight.

[MUSIC]