

Geoff Cox

REAL-TIME FOR PIRATE CINEMA

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**THE
PIRATE
CINEMA**



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In recent years, piracy and peer-to-peer file sharing of audio-visual contents have become a massive activity involving millions of internet users and one of the main ways in which cinema is experienced at home. Not only does this raise obvious copyright and legal issues and flood us with poor, downgraded versions of the high-quality original; potentially, this also challenges cinema's materiality and the idea of film as a linear narrative.

The peer-to-peer sharing protocol is based on small samples file fragmentation. This fragmentation smooths the exchange between different recipients: each file is reconstructed sample by sample until completion, from chaotic scraps received from distinct users. This hidden architecture reveals extraordinary narrative implications, automatising and randomising the remix processes widely used in art since the avant-gardes.

*The Pirate Cinema*¹ project by French artist Nicolas Maigret takes off from here to make the hidden activity and geography of peer-to-peer file sharing visible. The project is presented as a monitoring machine, demonstrating peer-to-peer transfers in real time on networks using the BitTorrent protocol. It produces an arbitrary cut-up of the files currently being exchanged. This immediate and fragmentary rendering of online activity, with information concerning its source and destination, thus depicts the topology of digital media consumption and uncontrolled content dissemination in a connected world.

The Pirate Cinema reveals, through a simple diversion, different aspects of exchange platforms, such as the global and multi-situated nature of peer-to-peer networks, the potential for viral transmission, and alternative social models.

1 <http://thepiratecinema.com>

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REAL-TIME FOR PIRATE CINEMA

As a portrait of the network in real-time, *The Pirate Cinema* somewhat reflects the temporal complexity of the world now. This short essay is an attempt to open up this wider discussion of temporality to suggest that the operational logic of *The Pirate Cinema* might help us understand some of the ways in which disparate experiences and conceptions of time have become interconnected with each other across networks. It might also allow us to better understand the real-time dynamics of computational networks and some of the defining properties of just-in-time production that underpin contemporary cultural logic. In this way *The Pirate Cinema* seems to extend the historical practices of radical montage to reflect current conditions.

But first, what is meant by Pirate Cinema in a general sense? It's a term that seems already overly familiar if we think of the predominant ways it appears in popular culture. Indeed there's something paradoxical in the relation between representations of pirates in cinema and the pirating of cinema; on the one hand the valorization of the hero-figure and on the other the file-sharing criminal that threatens the corporate infrastructures of cinema itself. It's not that capital can't quite make up its mind on this issue, but rather that the term piracy becomes pejorative when it concerns vested interests. Not much has changed in this respect from the ownership regimes of globalized information networks of the 18th century and the attempts to control the non-legal commons.² Moreover, *The Pirate Cinema* is not really about the heroics of pirates or fantasies of cinema as such, but more overtly a critical-aesthetic engagement with the materiality of information and the networked infrastructures through which it

² For instance, see *A General History of the Robberies and Murders of the Most Notorious Pyrates*, written by Daniel Defoe in 1724, under the pen name Captain Charles Johnson; available at http://en.wikipedia.org/wiki/A_General_History_of_the_Pirates

is served. This is a familiar story by now – if not too familiar – accounted for by the way that the term piracy has been popularized and itself freely distributed (if not commodified) to throw into question how cultural production is subject to capitalist property rights. In contrast the pirate-like colonies of worker-owned production can be argued to be the temporary autonomous zones or pirate utopias of today³ – offering alternatives based on self-organization and commons-based peer production somewhat outside the restrictive frameworks of the marketplace.⁴ The use of the term Pirate Cinema to indicate ‘do-it-yourself cinema’ in the anti-copyright tradition better captures this point, as does Cory Doctorow’s novel *Pirate Cinema*.⁵ But perhaps most notoriously, the peer-to-peer (P2P) BitTorrent site Pirate Bay, founded by Piratbyrån (the bureau of piracy) in 2003,⁶ exemplifies the free sharing of information and intellectual property in an antagonistic relation to mainstream cinema and its business model of controlled consumption. The documentary film that charts the court case against the Pirate Bay co-founders for copyright infringement unfolds like a Hollywood thriller:

3 To invoke “Pirate Utopias”, the first chapter of Hakim Bey’s (aka Peter Lamborn Wilson), *T.A.Z.: The Temporary Autonomous Zone*, New York: Autonomedia, 1991.

4 ‘Commons-based peer production’ offers a radical alternative by suggesting that the public realm is good for efficient production outside of the capitalistic relation of property. Amongst others, this is what Yochai Benkler has argued in order to rethink how productive activity is best organized, as for example, the way that peer-produced free software poses problems for traditional understandings of how the productive activities of employees are organized in a company or buyers in a market economy. See Benkler’s *The Wealth of Networks: How Social Production Transforms Markets and Freedom*, Yale University Press, 2006. The P2P Foundation (associated with Michel Bauwens) claims something similar in its promotion of peer production as offering possibilities for a new economic and social order in which the commons relates to the market based on post-capitalist principles of value creation. See <http://p2pfoundation.net/>. With his concept of ‘venture communism’, Dmytri Kleiner takes this further again when he argues for workers’ self-organization, to address the way that class conflict is conceived across telecommunications networks (principles from which the Telekommunisten collective take their name). Different class positions are revealed by the network topologies of centralized and distributed forms – that Kleiner has developed into a powerful analogy of socio-technical organizational forms, namely: “Peer-to-Peer Communism vs The Client-Server Capitalist State”. See Dmytri Kleiner, *The Telekommunist Manifesto*, Network Notebooks 03, Geert Lovink & Sabine Niederer, eds., Amsterdam: Institute of Network Cultures, 2010. These examples operate somewhat in parallel to the ways that the commons of the high seas made for an instantaneous levelling of class inequalities on pirate ships.

5 Pirate Cinema as ‘do-it-yourself cinema’ relates to a longer tradition of ‘expanded cinema’ and anti-copyright activism. See http://en.wikipedia.org/wiki/Pirate_Cinema. *Steal This Film* (UK/Germany 2006) by The League of Noble Peers, released via the BitTorrent peer-to-peer protocol, also enacts this position. Cory Doctorow’s novel *Pirate Cinema* (Tor books, 2012) can be downloaded for free from <http://craphound.com/pc/>

6 See <http://en.wikipedia.org/wiki/Piratbyr%C3%A5n>

*“When the hacker prodigy Gottfrid, the internet activist Peter and the network nerd Fredrik are found guilty, they are confronted with the reality of life offline – away from keyboard. But deep down in dark data centres, clandestine computers quietly continue to duplicate files.”*⁷

It stands to reason that any exercise of property rights over the commons is reactionary but this is already a well-established line of argument elsewhere. Instead, or rather in addition, what is argued in this essay is that *The Pirate Cinema* offers a useful insight into the operations of multiple temporalities and this is important because politics necessarily involves struggles over the experience of time.⁸

The use of the BitTorrent protocol already expresses a complex spatio-temporal dimension in contrast to a linear understanding of communications where a file is sent from one location to another as if delivered by ship.⁹ When downloading a film using BitTorrent, large files are organized in an efficient manner to reduce the bandwidth load on the server and network as a whole. Rather than emanating from a single source, a ‘swarm’ of hosts allow for simultaneous downloading and uploading of files from each other.¹⁰ The distribution of the file is shared by those who want the same file, but in such a way as to allow a single copy of the file to be distributed to an infinite number of peers. The file is divided into pieces and as each peer receives a new piece of the file it becomes a source of that piece for other peers, and thereby responsibility is shared for distributing the various pieces to others in the network (additionally making the source hard to trace for legal enforcement).

The Pirate Cinema offers an effective portrait of these dynamic processes inasmuch as it makes apparent the underlying topology and cultural logic of

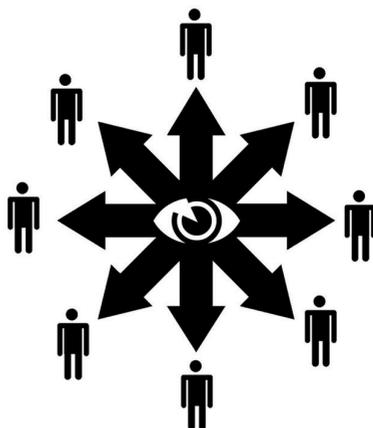
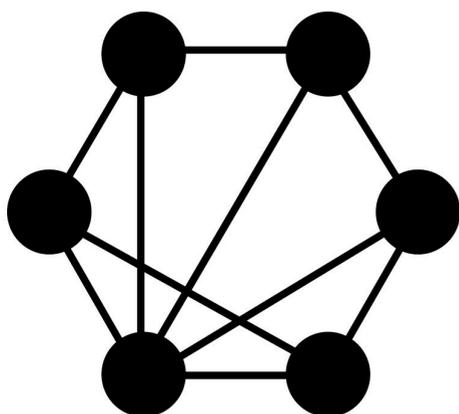
7 See the documentary film *TPB AFK: The Pirate Bay – Away From Keyboard?* (Dir. Simon Klose, Sweden 2013); available to watch, buy or freely download at <http://watch.tpbafk.tv/>

8 Peter Osborne, *The Politics of Time: Modernity and Avant-Garde*, London: Verso, 1995.

9 Another perspective on this, developed out of a critique of information theory, would be that piracy operates like noise in disrupting the smooth chain of communication.

10 Somewhat paraphrased in my explanation, a detailed description of the BitTorrent protocol can be found at <http://en.wikipedia.org/wiki/BitTorrent>

P2P file-sharing.¹¹ Transfers are presented in real-time, providing fragmentary information on data traffic through the network (and thereby demonstrating its surveillance potential), but more crucially for this context, providing information on the diverse spatio-temporalities that coexist. Significantly file fragments are downloaded non-sequentially and then rearranged into the original order by the BitTorrent client, which monitors the pieces it needs, which pieces it already has and thereby which pieces it can upload to other peers. This also means that downloading a file can be halted at any time and be resumed at a later date, without the loss of previously downloaded information. Of course this is useful for large file transfers like movies but also enables the client to download various parts immediately, at various speeds and in any order. Any filmic sense of sequential narrative is undermined as are typical authoritarian structures of content delivery both related to the cinematic apparatus and the technical structures of the Web where information is delivered to clients from a centralized server responding to requests across the network.



11 Here I paraphrase the description of the project at <http://thepiratecinema.com/>

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Nicolas Maigret
The Pirate Cinema

In its different modalities – both online and in physical space – *The Pirate Cinema* portrays these socio-technical logics in a far more distributed and anarchic form. What we experience is a dynamic portrait of these network operations, with fragmented files displayed in small samples of juxtaposed moving images and sounds. The operational complexity of *The Pirate Cinema* appears to extend what we might already understand to be a montage-like construction of multiple realities. In compressing space and time in this manner, its effects are achieved by the accumulation of associations between montage-pieces from multiple sources. The description is echoed in “A Dialectical Approach to Film Form”, written in 1929 by Sergei Eisenstein who explains how: “The differentiation in montage-pieces lies in their lack of existence as single units. Each piece can evoke no more than a certain association.”¹² Reality is therefore understood to be assembled through montage (as a parallel to dialectical materialism) to make evident its hidden material structures – which otherwise remain obscured by dominant ideology. Yet although the machine-like bringing together of temporal fragments still seems to offer a productive critique of received reality or temporal

12 Sergei Eisenstein, “A Dialectical Approach to Film Form”, 1929, p.15; available from <http://www.cronistas.org/a-dialectic-approach-to-film-form-by-sergei-eisenstein/>

totalizations such as history,¹³ perhaps the notion of montage needs an upgrade to more fully reflect the ways in which disorder and fragmentation have since been incorporated into just-in-time production. Hito Steyerl's discussion of *post-cinema* has some relevance here too, in her description of how data goes beyond the screen, and thereby how "too much world" becomes available and reality itself is *postproduced*.¹⁴

In the case of *The Pirate Cinema*, its networked real-time properties necessitate wider discussion of how the infrastructures of temporalization render our present the way it is, and how these structures inscribe a certain spatial logic of differences – such as those between servers and clients or indeed those between peers and other peers. Such disjunctive relations between technologies and humans typify the conditions of the historical present and the coming together of different co-existing times. To concentrate efforts on understanding temporality at different speeds, levels and scales begins to unfold a more nuanced understanding of different kinds of time existing simultaneously across different geo-political contexts to further reflect temporal complexity.

In *The Politics of Time*, Peter Osborne understands the historical present to be:

*"a conflicted social process of identification, interrogation and disavowal—recognition and misrecognition—of extraordinary complexity, which requires the constant production of new pasts to maintain its rhythm of temporal negation and projection, as urgently as new images of the future."*¹⁵

13 In the work of Walter Benjamin, the logic of montage is extended to a critique of the historical continuum. In *The Arcades Project* (1927-40), he presents the notion of 'dialectical images' to stand for images that encapsulate the dynamics of the 'then' and the 'now' – what he calls 'dialectics at a standstill'. For a world that seems to lack political imagination, dialectics at a standstill—a nondiscursive dialectic—remains one characterisation of our present condition. Precise definition of this concept is outside the scope of this short essay, but it is often used to account for the failure of progressive politics and the Marxist project in general. See Rolf Tiedemann's editorial notes in Walter Benjamin, "On the Theory of Knowledge, Theory of Progress", in *The Arcades Project*, New York: Belknap Press, 2002, p. 943.

14 Hito Steyerl, "Too Much World: Is the Internet Dead?", in *e-flux*, 2013; available at <http://www.e-flux.com/journal/too-much-world-is-the-internet-dead>

15 Osborne, *The Politics of Time*, p.199. See also his more recent book *Anywhere Or Not At All: Philosophy of Contemporary Art*, London: Verso, 2013.

Although offering a detailed examination of temporal forms and their political potential, Osborne's work stops short of an engagement with the networks and technologies through which these temporalities are now further structured. To engage with this additional aspect more fully, Wolfgang Ernst offers a time-critical analysis based on the assumption that the computer is temporal in its internal structure.¹⁶ To Ernst, technical objects are considered to be more processual than they are historical, no longer simply bound to *macrotemporal processes* (like history) but also to the *microprocessual timing* of the machine. This is what he refers to as *microtemporality*: a means to understand the technical conditioning of social/cultural processes on a level that is irreducible to human experience alone. As such the concept extends traditional notions of historical time and attests to the way that time is now organized technologically across distributed networks. In the case of P2P file-sharing these temporalities are further fragmented and disordered, and running at various speeds from multiple locations simultaneously. The complex temporality of the P2P network emphasizes a micro-temporal dimension that is not simply discursive but one that is enhanced by the nondiscursive realm of technical objects and infrastructures. In addition, according to Ernst, these technologies need to remain *operative*, based on the understanding that the machines do not reveal themselves by simply being there in time but through being processed by computational processes in *real-time*.¹⁷ Therein lie emergent possibilities for the recombination of objects and where the network itself is one of those objects.

Rather than bring the past into a critical state (the project of the historical materialist), *The Pirate Cinema* reveals temporal complexity in an operative mode that reflects significant changes in material production and our understanding of what constitutes materiality. It extends an idea of montage-like material forms to include dynamic microtemporal fragments and human-machine assemblages that are no less contradictory in character. In doing so, it unfolds a deepening and inherent contradictory complication:

16 Wolfgang Ernst, *Digital Memory and the Archive*, ed. Jussi Parikka, Electronic Mediations no.39, Minneapolis: University of Minnesota Press, 2013, pp.172-183.

17 Ernst, *Digital Memory and the Archive*, p.241. In other words, this is more a question of epistemology than ontology.

“A successful work of art, according to immanent criticism, is not one that resolves objective contradictions in a spurious harmony, but one that expresses the idea of harmony negatively by embodying the contradictions, pure and uncompromised, in its innermost structure.”¹⁸

In Ernst’s work too, contradiction is somewhat addressed in his emphasis on contingency and also in the recognition that there is an indeterminism between human and nonhuman knowledge.¹⁹ This comes close to the uncertainty principle in which no object has a definite position, a definite trajectory, or a definite momentum, and that the more an attempt is made to define an object’s precise position, the less precisely can one say what its momentum is (and vice versa). *The Pirate Cinema* seems to exemplify this sense of incompleteness and by extension the ways in which human subjects seek to act upon the knowledge that their experiences are incomplete like the pirates of old. The temporal complexity of *The Pirate Cinema* is indicative of the wider material infrastructures that both enable and disable future pirate imaginaries.



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18 Theodor W. Adorno, *Prisms*, London: Neville Spearman, 1967, p.32.

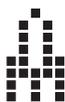
19 Ernst, *Digital Memory and the Archive*, p.177.





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