

Revolution Bootlegged: Pirate Resistance in Nigeria's Broken Infrastructure

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When news of the M/V Maersk Alabama hijacking broke from Western media outlets, Americans scoffed at the notion of a forthcoming "War on Piracy" where the global shipping industry would be at the mercy of young Somalians dressed in second-hand clothes, wielding mended-together Kalashnikov rifles. The events were portrayed by recurring file photos that derided pirates for their inferior technology, juxtaposing dingy wooden fishing boats powered by deteriorated outboard motors against pristine 500-ft container ships that had been overtaken.^[1] Despite jeers by the West, the hijacking also incited questions about whether the simplicity and effectiveness would lead to more attacks. If hijackings continued at an increasing rate then it could cripple the shipping industry and trigger further economic decline in a climate already fragile from a recession in the United States.

In an effort to flex their muscles without broader invasive commitment to the region that would cause setbacks in public approval experienced with the invasion of Iraq, the US government generated a simplified characterization of the pirates that could yield both their credibility as a threat but provide assurance that further provocation could be neutralized. The most readily reported characterization of the Somali pirates argued that they burgeoned merely from the simplicity of the action which appealed only to small-time Somali thugs who desired high payoffs for hijackings. It was akin to an accusation of being a street gang at sea. This characterization wasn't troubling for Americans to process who were preoccupied by the idea that thoroughly organized "Muslim extremists" were the only hurdle in achieving lasting global security. A dismissal of their competence was projected by reports that they had failed to overtake the crew and successfully hijack the M/V Maersk Alabama. Their follies meant a less drastic intervention that the public could support with minimal action required to achieve an instantaneous and glorified outcome. Demonstrating this as one of his first examples of foreign policymaking, President Barack Obama was lauded for his composure and capability as commander-in-chief in ordering the sniper fire by Navy SEALs from the USS Bainbridge.^[2] This marked public trust that the government could take any course of action to neutralize what were seen as bothersome thugs.

For Somalians the image pushed by the West of a greedy and inept thug-pirate wasn't one they had associated with the conflict in the Gulf of Aden. While it was partly that in more recent time piracy grew in appeal to local gangs, it didn't explain why piracy became so prominent to begin with. Every country with a coastline had some criminal underbelly but didn't have the same piracy issue. Instead Somalia's piracy came as a resistance by local fisherman against illegal fishing and dumping of nuclear and toxic waste off their coast.^[3] When the dictatorial administration of Siad Barre came to power, it created a chain of post-colonial economic dependency aimed at beefing up the fishing industry to export seafood to Western nations. After Barre was ousted and the economy collapsed it brought down public infrastructure and protection, allowing multinationals to infiltrate the waters and continue to illegally fish. This collapse also occurred in other areas of Somalian industry previously held by post-colonial dependency and signified a shift where multinationals could abuse the absence of government protection. Piracy became an effort to detour and drive away foreign ships from abusing the coastline. Described by Somali hip-hop artist K'Naan, "one man's pirate is another man's coast guard."^[4] When a ship was captured, ransom money was seen as

levying a “tax” on the corporations that had illegally fished or dumped in their waters.^[5] Ransoms filtered through villages as pirates used this system of defense based on a trust network of local association an organization that protected the identities of other the pirates, uplifting them to Robin Hood-like celebrities where last year 70% of the country viewed the pirates as the “national defense” to their shores.^[6]

This pretext of how Somali pirates came to fill a void in national infrastructure to stop the abuse from post-colonial dependency will lend to a discussion of how piracy in the developing world has strove for sovereignty and contributed to generate cultural identity and practices that create autonomous networks to evade foreign influence. What is perceived by the pirate’s gangsterism and thuggish appeal has produced a negative characterization by the West but instead ultimately shows Somalians standing up and flaunting in the face of multinational interest by proclaiming that the waters are theirs.^[7] While the hijackings around the Gulf of Aden have generated momentum for a War on Piracy, it is important to look at concurrent discussions of piracy in the developing world to examine similarities in their emergence to understand how they too may be a victim of mischaracterizations by the West.

Just as there is a sense of ineptitude and ease in the operation associated as the economics driving vessel piracy in Somalia, so too are there portrayals by the West of inferiority and ease regarding media piracy in Nigeria. Piracy in Nigeria has been instrumental in shaping their home country’s Nollywood film industry. And like the Somali pirate’s “thugonomics at sea,” Nollywood’s perceived inferiority and amateurishness stands against the Western media model. As it relates to post-colonial struggles, the conditions for media piracy also run concurrent to Nigerian vessel piracy in the Niger Delta as groups such as the Ogoni people have used piracy to create networks of micro-politicization that serve as a resistance to preying oil interest. These conflicts exemplify how efforts to stop vessel and media piracy have merged the two issues into broader policy rhetoric to protect intellectual property in the developing world.

Constructing the “War on Piracy”

With fear of a weakening foothold in the global economy during the initial period of the Global War on Terrorism, policymaking in the United States began to seek legal protections against piracy as part of a larger strategy to safeguard against an oncoming recession. When the International Monetary Fund produced a survey in December 2001 that analyzed the state of the economic world in the wake of the September 11th attacks, stabilizing markets from continued economic downturn and restoring market confidence were listed as top priorities for economic leaders. Their analysis contended that the greatest concerns came from burgeoning capitalist markets in developing countries, asserting that it would require greater attention to prevent them from becoming markets for bootleg products.^[8] The fear of clandestine piracy operations taking place elsewhere in the world not under the watch of American policy drove a panic manipulated by trade industries that terrorism would reinforce itself from illicit markets. Media conglomerates who were already embroiled in a battle at home over file sharing were recognizing the threat of copyright infringement in greater volume. It was a domino effect of fear that allowed trade groups to appeal for the federal government to weed out piracy at the domestic level and then vocalize stricter control of copyright in trade agreements with the developing world.

Since 1999 when the file-sharing program Napster first appeared on computers in homes and college dorms across the country, the Recording Industry Association of America (RIAA) and Motion Picture Association of America (MPAA) have taken an aggressive stride to combat illegal distributions of copyrighted media in the United States. A watershed victory came after years of single-infringement lawsuits by the trade groups when the US Supreme Court ruled in the 2005 case of *MGM Studios, Inc. v. Grokster, Ltd* that file-sharing clients and pirate servers were liable for infringement from their customers circumventing copyright protections. The decision gave a desired effect that the trade groups and their corporate partners would have an active role to self-police piracy. However, this often lead to compromises as many clients sold-out to become legal download services and settled without bringing rampant prosecutions against users who were now looking to alternative file-sharing methods as servers began to sprout up in countries where file-sharing was not viewed as an infringement of copyright.^[9]

Focus of combating piracy turned to the international level, singling out nations who did not adhere to rigorous expectations that the United States wanted. The goal was to get countries to change file-sharing laws to be in line with the *MGM-Grokster* decision so rights holders could police against offenders by bringing them to trial in their system. For the most part this strategy worked to pressure other Western nations to comply and by late 2007 numbers began to favor the copyright holders as worldwide box office numbers climbed to an all-time high of \$26.7 billion, nearly 5% more than the 2006 figure of \$25.5 billion.^[10] Regardless to content and other factors, the MPAA spun this as self-congratulatory and credited efforts to curb file-sharing for allowing increased creative output to happen.^[11] However, much of the world did not have the infrastructural capacity to get on board with the file-sharing craze and still practiced hard copy exchanges of bootleg VHS and DVD. If Hollywood was to have a worldwide dominance and encapsulate every nation's market, they would have to fight bootleg copies from circulating in the developing world. Their decision was to convince developing nations that they had more to lose from piracy than the Western nations whose bootlegged movies filled their store shelves.^[12] The pirates were targeted as the reason such countries had not come to fruition in the promises that globalization would deliver uplifting prosperity. Much like the War on Terrorism, these clandestine operations were portrayed as what was in the way of Western liberalization.

Like the "with us or against us" hallmark that defined the War on Terrorism, the United States postured a de facto role to police against bootleg markets by asserting that countries could either agree to enforce intellectual property laws or be outcast as a target. Countries that did not conform would be shamed into accusations of being a "rogue nation" and even levied against by unilateral sanctions based under the authority in Section 301 of the United States Trade Act. Speculation of a War on Piracy being a proxy battle to the War on Terrorism was validated in early 2008 when United States Attorney General Michael B. Mukasey claimed that piracy and counterfeiting were directly tied with terrorist and similar criminal organizations. Speaking before the Tech Museum of Innovation, Mukasey demonstrated to the audience of tech corporations that the Justice Department's commitment to protect their intellectual property was on the rise, citing a 7% increase in the number of intellectual property cases from the year before and a 33% increase since 2005.^[13] Of those cases, an increased number of successful operations were spotlighted in the annual Special 301 report by the Office of the United States Trade Representative (USTR) and included examples with notorious street markets such as the Silk Street Market (Beijing, China) and

the Rubin Trade Center (Moscow, Russia) where mob-backed networks had long provided protection to street vendors of counterfeit goods and bootlegged media.

Similar statements supporting a War on Piracy were manipulated by media trade groups who protested before Congress that the threat against intellectual property was a matter of homeland security. Their argument utilized a statement delivered in 2003 by Interpol secretary-general Ronald K. Noble that argued before the House of Representatives' Committee on International Relations that al-Qaeda, Hezbollah and other terrorist networks were profiting from media piracy.^[14] Noble cited the contribution of piracy as an "estimate that over a ten year period, al-Qaeda received between \$300 million and \$500 million, averaging \$30 to \$50 million a year" and that "according to the same source approximately 10% of spending went to operations while 90% was used to maintain the infrastructure of the network." The only problem was that nothing indicated which markets were supporting al-Qaeda and it would require Congress to adopt a blanket policy to cover all threats.

In the year prior to Mukasey's speech, the 2007 Special 301 Report highlighted a growing threat of piracy in Brazil, Indonesia, Malaysia, Nigeria, Pakistan, the Philippines, and Ukraine, who all had made enormous gains to catch up to usual threats China, India, Russia and Thailand.^[15] These parts of the developing world were moving at a much faster pace, which presented a challenge when their economic instability could hinder efforts to effectively police bootlegging when countries like China, India and Russia began to gain control over pirates as a result of modest infrastructural stability. Attention to building such infrastructure and financial strength in the developing world would be slow to mature and create the possibility of an economic adversary. But one thing favored Western powers to deal with these unstable climates, and that was to move forward using anti-terrorist rhetoric. A commitment to fighting against piracy as an appendage to the War on Terrorism meant the State Department could go after developing nations with more aggressive unilateral action. The characterization was that these "rogue nations" who lacked intellectual property protections did so at the hands of terrorist and criminal networks. Despite that there were no clear connection between the two, the USTR insisted that Nigeria's media piracy had filtered through street gangs and made it's way into the hands of terrorist groups who managed to promote a climate of lawlessness in the country. Terrorism in Nigeria had been synonymous with vessel piracy in the Niger Delta, an area with a history of conflict over oil control. Since oil has been the economic backbone to the West, Nigeria posed a risk of fueling similar economic fears that it could create an economic standstill to the West, particularly at a time when rising oil prices had speculators worried it may trigger a recession.^[16] Nigeria personified the ideal candidate as the rogue nation in the War on Piracy.

Nigeria's Pirate Mobilization

Behind the rhetorical ambiguities of the rogue nation, piracy flourished in Nigeria through street vendors and corner shelves in stores to become the staple of media distribution in the country. Anthropologist Brian Larkin identifies the development of piracy in Nigeria as reflecting a paradigmatic shift in the Nigerian economy as an to gain autonomy through microcosmic controls of the economy against a trajectory of outside influence dating back to colonialism.^[17] Rather than be dictated to about copyright protections by Western nations who wanted to secure their global market footing, Nigerians have spawned a bottom-up structure comprised of pirate networks built on local pragmatism and a cultural logic of

repair. Their resistance to what cultural theorists often regard as the effect of Western hegemony in market globalization when many countries fought to gain screen time and control for their domestic product or be forced to seek foreign capital to adopt Westernized media, Nigeria has managed to evade these methods through piracy and not fall prey to an international dependency with media.^[18]

Like the Somali pirates, this piracy is traced to post-colonial impairment. When Britain formerly colonized Nigeria in 1885, they found new labor and an abundance of natural resources that would allow Nigeria to act as an epicenter for global trade. Britain constructed feudal practices that controlled Nigerians through indentured labor, and in some instances slavery, where Nigerians worked in mines, textile factories and on plantations to sustain the colonial trade system. The country acted as a mass manufacturing base for the British empire and powered trade with the wealth of oil that existed in the Southern region.^[19] Daily oil spills combined with taxations on domestic products and services resulted in intense rioting, particularly by the Igbo and Ogonis villagers who began to formulate underground militias to rid the colonizers and adopt a sovereign identity. By 1960, Nigeria gained independence as the British empire began to fade away but the country did not achieve the autonomy that many had strove for as they had to still pledge economic loyalty to the Crown as a result of Britain inserting themselves throughout the Nigerian economy and infrastructure.^[20]

Turmoil within the nation continued years after independence when sectarian and tribal lines that were previously shoved together by colonialism caused the 1967 Civil War when the Igbo people attempted to secede from Nigeria and form the Republic of Biafra. Traditionally the Igbo had isolated themselves from other ethnic groups and constructed a highly visible and autonomous network of village governance based around their tribal kinship. They were also highly educated and politically like-minded compared to other Nigerians and sought to push for a republican national government composed of a decentralized Nigerian identity that could be governed by smaller autonomous networks divisible by different ethnic regions. The only problem was that the Igbo who wanted control of their region were also occupying a majority of the oil rich portion of the country and their political aspirations did not mesh with the Western Yoruban and Northern Hausan who were focused on developing a federalist theocracy that was dependent on the post-colonial servitude of Britain. In the North, the government had long been controlled by an autocratic hierarchy of Islamic Emirs who gained power through the British to act as an intermediary for colonial rule between Britain and the Nigerian people. To combat a Igbo secession and loss of oil interest, the British turned to the Emirs who ordered the federal Nigerian military invade the Southern region and regain control of Niger Delta. This began a system where Britain, and the West in coming decades, would act as an invisible hand to maintain an indirect control over Nigeria.^[21]

When the effects of Britain's colonial legacy began to fade away, multinational corporations appeared in place and like their colonial predecessors, propped up autocratic regimes in Nigeria through indirect rule.^[22] This was more often the case among Yoruba and Hausa regions where dependency by low income agrarian and working class populations relied extensively on Western corporations who presented the only line of scarce employment in the country. However in the Southern portion where Biafra would have been, there was still fierce resistance to outside influence. Immediately after the failure of Biafra, Nigeria saw a rise in the economy from the start of an oil boom in the 1970s, mobilizing the nation financially and bringing it international alliances through membership with OPEC. The

economic boom would bring about a shift towards consumption politics and the pursuit of consumer democracy, exemplified in the 1979 election of president Shehu Shagari, who encouraged Nigerian prosperity as a direction towards lifting the country to be a compatriot of the Western world. However as oil revenue increased the Nigerian economy, government opposition emerged from the Southern quarter due to devastation by new drilling opened up in the delta. Maintaining prosperity in what was seen as a never-ending struggle over the delta resulted in a military coup lead by General Muhammadu Buhari who overthrew Shehu Shagari which began a series of exchanges in military rule that would last until the Fourth Republican Constitution in 1999.

The consumer prosperity experienced during the oil boom began to dry up as the government focused nearly all the GDP on nationalization and military spending. However Buhari would soon get overthrown by Major General Ibrahim Babangida in 1985 and lead to even more unstable military spending. While the notion that a despotic government might pose a threat to the international community, Babangida reached out to the IMF to launch a Structural Adjustment Program in 1986 that deregulated much of the prior nationalization that Buhari had begun to build. Part of the program was aimed and brining in more international interest through opening up public infrastructure to privatization and eliminating tariffs for multinational corporations. This outreach to the West also sweetened the appeal for more oil programs that could boost spending for Babangida's regime.^[23] It appealed to both sides, Babangida could maintain control through increased support from the West and with a despotic leader in power, multinational oil companies wouldn't have to worry about militants in the delta. As explained by environmental rights director Orono Douglas, "there is a symbiotic relationship between the military dictatorship and the multinational companies who grease the palms of those who rule.... they are assassins in foreign lands. They drill and they kill in Nigeria."^[24]

Despite having some of the richest oil deposits in the world, Nigerians suffered the fate of national violence by Babangida's regime which left the country's infrastructure in shambles.^[25] Public energy, resources and social infrastructures fell into rapid decline as the poverty rates in Nigeria increased dramatically during the period. The main culprit had come from the IMF program that lead to privatization and the purposeful devaluing of the naira. From 1980 to 1996, the poverty rate in Nigeria increased from 28% to 66%, yet between 1970 and 1999, the country saw an estimated \$320 billion in revenue from petroleum.^[26] It was a paradox that Nigerians had oil under their feet but lacked the infrastructure to continually power basic needs in their homes. As many Nigerians lost the little wealth they had, it became more problematic to pay the higher energy costs that had skyrocketed from multinational investment. Energy was the cornerstone to the Nigerian struggle. It was either gain control or be controlled.

With a lack of reliable infrastructure, micro-politics arose in much of Nigeria through a series of decentralized communication networks that mirrored the tribal kinship that the Igbo used to strive for an autonomous identity. Micro-politics existed through initial municipal barter economies that allowed Nigerians to communicate with peers their disdain about the powers that be. Nigerians could barter items and services without having to pay in or allow the economy to flow externally into the hands of the dictatorial government or foreign interest who were exploiting revenues for military gain. These markets also brought groundswells of opinion to support oppositional groups who were aimed at opposing the military

administration's support system. Of such groups, the Ogoni people of the Southeastern region along the Niger Delta were one of the first to organize and resist the expansion of new multinational petroleum takeovers, namely Royal Dutch Shell. Tensions between these groups and oil companies like Shell exploded in the late 1980s when violence began to erupt. In 1990, the brutal and state-military infused Mobile Police Men (MPF) opened fire on Ogoni demonstrators who had launched a protest against plans for Shell to begin new drilling operations in the delta. The protest was organized by local political leaders and resulted in the death of 80 Ogoni people. Three years later, protesters began a campaign to sabotage pipelines that were laid in the region. The Ogoni saw sabotage as part of the long-standing belief that they were entitled to the oil on their land. Much like the Somalia pirates and their crusade against illegal international fishing, the Ogoni believe the oil interest was their lifeline to building their own economy. As a result of continued sabotage, the MPF were dispatched along with private mercenaries to suppress the Ogoni but their attempt to strike fear into the villagers resulted in a massive conflict that caused 2,000 deaths and the displacement of 80,000 Ogonis.^[27] Events like this brought more support and the formation of militias such as the Movement for the Emancipation of the Niger Delta (MEND), Movement for the Survival of the Ogoni People (MOSOP) and the Niger Delta People's Volunteer Force (NDPVF) who had been established as a militarized defense (and sometimes preaching non-violence like MOSOP leader Ken Saro-Wiwa) against violence brought on by the MPF, foreign oil interests and Nigerian government. Their was more reason for Nigerians to join their struggle and their growing numbers of attacks on foreign oil platforms caught the eye of Western nations who saw it as part of a rising threat by global terrorism.^[28]

Piracy in the rivers and on the streets

It was clear that the heavily armed support of state and MPF forces would require more clandestine operations to occur if they oppositional forces wanted to drive out foreign control and prevent another massacre from happening. MEND implemented guerrilla tactics such as swarm based maneuvers, utilizing rundown single-engine outboard motorboats used by local fisherman to quickly attack or hijack an operation. Their boats were disguised from outsiders like the MPF who would go into the delta to look for militants. Only the villagers would be aware of who the pirates were or which boats were used. Outspoken and visible activists were detained, killed or like in the case of Ken Saro-Wiwa framed by the government and assassinated. Anonymity and organized guile were of the utmost important to keep their network alive. In a moments notice fishing activity could be halted in the delta and villagers would assemble to launch an attack that could disappear just as fast as it was constructed. Even though MEND would become more visible in patrolling the delta as they acquired greater financial support to buy better arms and faster boats from hijacking ransoms, they maintained the same system of tactics and structure that allowed them to effectively evade any formal policing presence.^[29]

These micro-political forms of knowledge that were based in local resourcefulness to deal with the lack of protection were at the heart of the Nigerian "repair economy." Much like the Somali pirates do-it-yourself approach of using their fishing boats as a tool for achieving sovereignty, the Nigerian pirates could use similar methods as a way to reorganize the political structures around them. Through economic pragmatism, they could be the unofficial protectors of the Niger Delta and devise a closed network population that could operate without reliance on the federal government. Since Nigerians lacked the policing apparatus to

protect their coasts, they created their own. This microcosmic attention of paralleling infrastructure with autonomous networks provided Nigerians a similar method to achieve market sovereignty in the realm of media.

At the heart of the repair economy is the practice of technological reproduction. What can be duplicated or produced for less cost meant less external reliance on energy resources that were already high cost and scarce. It wasn't economically sensible to produce media in various languages or utilize Western spectatorship practices that would exhaust the already scarce infrastructural resources and make the country more economically dependent on loans from international entities who would in turn prop up their despotic government. So as an example, Nigerians in regions such as the Kano state made use of low energy electronics such as cassette records and VCRs to produce dubbed and subtitled copies of commercial films in the indigenous Hausa language. These devices were considered outdated and invisible in the eyes of the West but served an important purpose in allowing Nigerians to create pirated material. This system did not rely on dependency of the West to create media for them which they often did not distribute dubbed or subtitled copies to other countries. Instead it would be a wholly Nigerian product created through the act of piracy and distributed by pirate networks.

Formal distribution of Western media was suspended in 1981 when the MPAA established a trade bloc against Nigeria after the government seized MPAA assets in an effort to make a nationalized film industry. Their film industry immediately flopped due to the trade bloc removing the revenue and equipment support that had went towards Westernized film production. It also caused many to be upset when distribution was suspended by other trading nations such as India who sided with the bloc and prevented their popular Bollywood cinema from entering Nigeria. However, traveling salesmen took advantage of the bloc and brought VHS tapes to informally sell. Due to the trade bloc creating scarcity in the availability of any media, reproduction by consumer VHS tapes was the pragmatic outlet for Nigerians who could distribute the smuggled media.^[30] Literally one smuggled movie would be brought in and duplicated to the point that the original tape broke. These reproduction economics were at the heart of the repair ethos and above all the pirate model meant duplications wouldn't result in debts to Western distributors.

Kano emerged as the epicenter for piracy due to the wide-ranging international trade that came through the city and brought with it salesmen who smuggled in their bags unavailable originals to be sold. Soon pirate networks ballooned across the country and created a nation of spectators that was beyond the MPAA's wildest dreams of captivating a nation's audience. But it was never in the terms of Westernized producers who often forced certain media to wide audiences. Without the infrastructure and energy resources to run cineplexes or protect large video chains in the country, Nigerians relied on an outdated method of VHS technology as a way to see movies in homes, stores and restaurants that made media a communal experience. Networks of boutiques and vendors specialized in providing VHS copies that would spread by word of mouth. Without Western marketing in print and theatrical advertising or a barrage of television commercials, Nigerians relied on gossip for their film choices. This was usually based on the way the films registered and appealed with the audiences own tastes and values. What was popular in the West and sold out showings across the United States for weeks might not have ever caught notice in Nigeria and likewise what may have been a total flop could end up being all the rage among locals who recognized the

film's story for similarities with longstanding parables. Piracy gave the audience sovereignty in their choices and to not be interpolated by Western marketing that projected Americanized values in what popular media choices they should make.

Technological reproduction in Nigeria eventually was discovered by the West around the same time that power slowly shifted away from military despotism and into the hands of the charismatic General Olusegun Obasanjo, who promised a modernized technocracy that could mend trade terms with the international community. Despite Obasanjo's past as an officer in the Civil War and active in the coups that installed military despotism, a few democratic changes did begin to happen in Nigeria. However this expansion into democratic liberalism was built on oil productivity and required more multinational investment. It was a better period for Western media because trade disputes like the 1981 trade bloc by the MPAA could be mended with a leader more open to negotiating with the West and willing to build a government with the infrastructure to police against piracy.

During the 1980s, the architects of the General Agreement on Tariffs and Trade (GATT) recognized a growing threat to intellectual property. These concerns centered around pharmaceutical patents and media in the developing world and eventually came to shape the Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS) that would govern all member nations of the World Trade Organization (WTO) through updated intellectual property laws that mirrored the legal landscape of the West. Prior to TRIPS, the private sector in the US under the International Intellectual Property Alliance (IIPA) relied on appeals to the USTR for unilateral trade sanctions on noncomplying nations through Section 301 of the US Trade Act. While this aspect of the USTR was formulated in the primary interest of serving pharmaceutical companies and growing semiconductor industries, Hollywood found the office to become their international legal arm.^[31] Member nations of the WTO had already been forced into most compliance by the USTR so adopting TRIPS only meant added incentive to adopt home offices and enforce intellectual property to prevent further sanctions.

Part of Obasanjo's vision of a modernized technocratic Nigeria included the construction of regional copyright offices to aid international complaints against piracy. This was first tested in 2001 when the Nigerian Business Software Alliance (BSA) was created to protect the intellectual property rights of growing computer software use. Microsoft's Nigeria distribution office filed complaints with the BSA who were able to prosecute offenders in courts. This began to yield results which led to the formation of regional Nigerian Copyright Commission offices that were aided by Nigerian police in raiding boutiques who had supplied pirates material on the streets for the past decade. In a 2002 trade report, the USTR examined that the country had made strides to establish the start of effective copyright protection.^[32] The problem for Nigeria was making sure prosperity could grow and build the infrastructure that Obasanjo promised. In many cases this happened to build a stronger bureaucratic base in government but external programs like copyright protection moved very slow due the volume of piracy that existed in the country. Even though the USTR recognized their efforts as being on the right track, Nigeria was continually listed as a rogue nation threat because it was an uphill battle to deal with reappearing pirates. This standard for copyright protection marked the status of the country. If they couldn't press forward and develop a complete system of protection that stopped offenders, they would become a target by the same countries they were trying to appease.

From Pirates to Producers

While there were initial uncertainties about whether the resourcefulness of piracy could survive with the copyright commissions, in a rather ironic situation the same transformation that led to the commissions ended up giving pirates a lifeline by being a legitimate form of distribution. Along with the transformation of Nigeria from dictatorship to democracy under Obasanjo, filmmaking reemerged in Nigeria as public curfews and prohibitions on filmmaking instituted by the former military regimes were lifted. Consumer video technology emerged in Lagos where low cost equipment made its way onto store shelves. This boom in consumer video without a conglomerate structure like the West, led to a loose collective of filmmakers that would later become colloquially known as Nollywood. Like the repair ethos, film distribution occurred through the process of reproduction. Pirate vendors who offered bootlegs of Western media now offered bootlegs of low-budget Nigerian films on the same shelves in boutiques. This caused a problem for the copyright enforcement in the country because now their own national product was built on copyright infringement. Busting pirate vendors that had dozens of blank VHS tapes could either be using them for bootlegging international movies or distributing Nollywood films. This became a central theme of tension in the legitimacy and autonomy of the industry.

Today Nollywood is the world's fastest growing film industry, all on consumer-based video and digital, allowing it to have the fastest and highest rate of output in the world with hundreds of films being distributed in a year. A typical Nollywood film today is made for about about \$10,000, shot on video in a few days and turned over in a week.^[33] The low-budget and unprofessional productions reflect a lineage of the resourcefulness model of the Nigerian repair economy where filmmakers would often turn to unprofessional cast and crews and utilize whatever pragmatism that could work in the situation. A baker during the day with no formal training might be operating a camera at night for a friend's production. This local knowledge and group dynamic parallels the guerrilla's pirate readiness, establishing the Nollywood industry as a true form of "guerrilla filmmaking." The money and resources that go into a production circulate and return within the community as producers make their money back in a matter of a few weeks to a few months depending on how far the film travels by word of mouth. A portion of the revenues return to filmmaking co-ops who maintain the source of financial and equipment assistance for production, allowing a wide range of amateurs the ability to make a film.

A phenomena of "Renaissance men" who took on all aspects of filmmaking emerged sell their names as a form of star power that could sell their films. Many would go to shops looking for the next film of a Renaissance man like Jeta Amata to come out. However these Renaissance men like Amata would also seek out international financing and turn go venture capitalists and smaller studios in the United Kingdom as a way to finance their name.^[34] This was a threat to co-op system that wanted to protect Nollywood from multinational takeovers. Fears began over "vacation filmmaking" where aspiring foreign filmmakers could come to use Nigerian resources and make a production in a short period while on vacation. Filmmaking co-ops considered outsiders to be a sacrilegious act to the identity and autonomy of Nollywood and created protectionist measures to begin to control productions. If a film did not acquire the proper paperwork or was turned down for being suspected of being a vacation film, the film would have the plug pulled on it financially from the co-op and in rare occasions the police would get involved to question the vacationers status in the country and

take them in for supposed passport complications. This created a more tight-knit network to enforce the rules of Nollywood at a time when co-ops took a more visible role and became a target for local gangs known as “area boys”, and some times police, who made a business of racketeering the blossoming industry. Money would be required to pay for access to locations in the streets and made it a problem for Nollywood productions to be shot outdoors. This is why many Nollywood films are set indoors and often utilize artificial outdoor scenery inside or use green screen to give the effect of a scene taking place outdoors. This lent to a common characterization that the films the films looked aesthetically amateurish to a Western audience or outside. Films often borrowed from Western narratives, creating re-worked stories of Hollywood movies that were infused with Yoruban, Christian or Islamic values that changed the endings to popular stories. When Hollywood might allow a character to cheat the system, Nollywood films would have these characters meet horrible fates. This came from the same belief in control over their product that existed with film selections through piracy. For all the campyness and production faux pas, it produced cinema the people wanted and meshed with the values they wanted portrayed that they felt contributed to national identity. Nollywood has become the national identity that Nigerians have long strove for in their struggle with post-colonial impairment.

Conclusion

The aesthetic byproduct of reproduction has contributed to the West’s negative opinion of Nollywood, fueling the characterization that Nollywood is an insignificant and illegitimate competitor to the West, worthy of questions whether it’s a ruse to protect piracy. Utilizing the structure of piracy as a blue print for Nollywood has contributed an added textual layer in the formation of Nollywood films, leaving a watermark of a duplicated look or a bootleg aesthetic.^[35] Much like the characterization of gangsterism that the Somali pirates rivaled and intimidated multinationals by, a similar power structure connotes these aesthetics of piracy as an identification of Nollywood that stand in opposition to the glossy look that characterizes Western media. It emphasizes the resourcefulness and reproduction ethos that Nigerians value as local knowledge and micro-political formation that harbors pirate practices in this sovereign media form. Nollywood is part of a trajectory in gaining an identity, sovereignty and self-reliance that dates all the way to the conflict over colonialism and through the struggles that faced their country in being ravaged by multinationals for oil. It might not be an endpoint in their identity but as the second largest employer in the country today, it’s of their first and few national products that has achieved prosperity without Western control.^[36] The future is only a question of what new technologies will reach Nigeria but it’s certain that their heart of reproduction and resistance will continue to persist.

Notes

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