

## **The Piracy Project**

**Andrea Francke, Eva Weinmayr**

[www.andpublishing.org](http://www.andpublishing.org)

Hello good morning,

Thanks for coming. I am really excited to be here, because I see many shared questions and concerns, which have been addressed by other speakers yesterday. In this seminar I would like to discuss and think through some experiences and issues, which have arisen in the course of working on *The Piracy Project*. These observations are not necessarily fully explored. So, this seminar is a great opportunity to try to discuss them with you today.

I structured this presentation in five parts. First I will briefly introduce the project and how it started. Then I will show you three cases in the Piracy Collection to give you a rough idea of the collection. Third I'll talk about how we work with the collection and how the collection works with us. This will lead to questions around the politics of framing and cataloguing. And last I'll think about how the institutional framework of the various art spaces who hosted The Piracy Project affects what can happen – or not.

You see it is quite a lot to go through. This means I will only touch on questions. But with this I hope to point to some key issues, which might trigger further discussion.

# 1/ Introduction: Piracy as Social Agency



## Slide 2 – *The Piracy Project*, bookshelf, AND studio, London

The Piracy Project is a research and publishing project exploring the philosophical, legal and social implications of book piracy. It questions common sense assumptions about ownership, authorship and the implications policy development has had on the current debate around intellectual property.

It was initiated in 2010 by London based artist Andrea Francke and myself as part of AND Publishing's research program in London. ([www.andpublishing.org](http://www.andpublishing.org))

First important point: The Piracy Project is not about bit torrents and online piracy. It is about books, physical books. It's a publishing, exhibition and archive project, which explores cultural piracy by building up a collection of physical books from across the world. What all the books in collection have in common is that they have been produced – altered, improved, translated, reprinted, re-circulated --building upon somebody else's work without previous authorization-

So far it consists of roughly 150 books, which are catalogued online on the *andpublishing* website. [include link?]

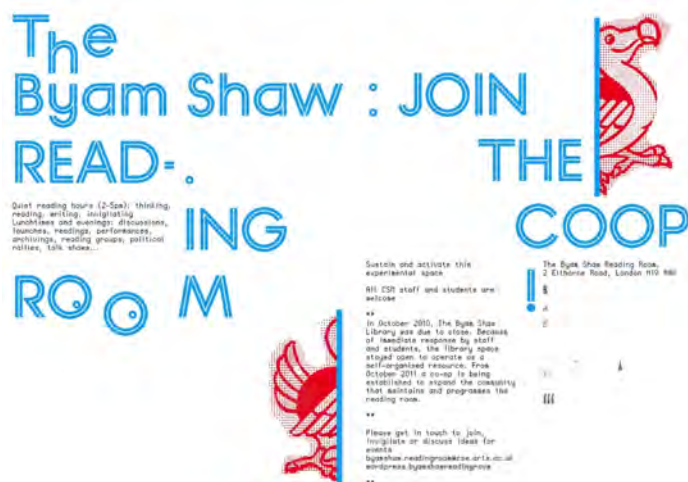
[http://andpublishing.org/PublicCatalogue/PCat\\_thumbs.php](http://andpublishing.org/PublicCatalogue/PCat_thumbs.php))



**slide 3 - Piracy Workshop, Byam Shaw School of Art Library (Central Saint Martins), 2011**

The Piracy Project started as a response to restrictive university policies. It was a way to fight the closure of our art college library, when, in a joint effort, students and staff manned the library to keep it open as an important social and intellectual space. (The intended closure was part of a merger with the University of the Arts London and students were advised to visit the main library in the city centre.)

It was a paradox situation, on the one hand we were able to take ownership over the library space in order to re-define and experiment, what a library could be: namely a lively, informal, social, intellectual and political space around books and printed knowledge, on the other hand we were volunteering for services that should be provided by the university. The latter felt entirely wrong in the face of the “Big Society”, which was promoted by the Tory government at the time, which cut funding for public services (including public libraries) and called for volunteers to sustain them.



**Slide 4 - Byam Shaw Reading Room: Join the Coop poster, designed by Åbäke, 2011**

By taking on collective ownership over the library and its books – the space opened up from being a controlled resource validated by institutional policies (what's worth to go on the shelves and what misses out) to an assemblage of knowledge, where potentially obscure, self-published, not-institutionally validated materials were able to enter.

At this time Andrea came across Daniel Alarcon's essay *Life Among the Pirates* in Granta Magazine, describing his visits to pirate book markets in Peru. His claim that book pirates in Peru are actually modifying the content of the books they copy and circulate very much triggered our imagination!

The idea of modified books was also an interesting fit with AND publishing's interest in the immediacy and accessibility of digital print technologies and the resulting instability of the book.



#### **Slide 5 - Espresso Book Machine, at the American Book Centre, The Hague**

Here for example you see an Espresso Book Machine. It is a print on demand printer, which fully-automated produces a paperback book. From uploading the pdf file to the printer server, to printing and creasing the cover, printing the content block, gluing the spine, trimming the edges to the finished paperback, which pops out of the slot at the very bottom within minutes.

With that kind of ease and immediacy of production, re-writing and republishing of the “stable”, mass-produced, authoritative text is a concrete and constant possibility. In fact, many artists use this mutable production process as a part of their work and keep changing the content to test the conceptual boundaries of the book.

The name of our publishing activity is **AND**



#### AND publishing announces: The Piracy Lectures

The Piracy Project is an international publishing and exhibition project exploring the philosophical, legal and practical implications of book piracy and creative modes of reproduction. With a series of talks from guest speakers, workshops and an open call for pirated book projects to add to a Piracy Collection we aim to develop a critical and creative platform for issues raised by acts of cultural piracy. After a period of research and production at Byam Shaw School of Art Library in London this unique collection of books will travel to international venues making temporary reading rooms.

The Piracy Project is not about stealing or forgery. It is about creating a platform to innovatively explore the spectrum of copying / re-editing / translating / paraphrasing / imitating / re-organising / manipulating of already existing works. Here creativity and originality sit not in the borrowed material itself, but in the way it is handled.

#### Calendar of talks

**5 May** *The New Piern Menard: Digitisation and Everything After*. **James Bridle**  
**12 May** *Copy and Paste: Re-reading Uncreative Writing*. **Eleanor Vonne Brown**  
**19 May** *Authorship & Originality in Art*. **Daniel McClean**  
**26 May** *The Incunabulum and the Plastic Bag*. **Maria Fusco**  
**2 June** *The Copy Continuum: cultural perceptions of piracy, and the future of ideas*. **Bobbie Johnson**  
**9 June** *Of pirates and archivists: the boundaries of Copyright limitations and exceptions and the underground archiving movement*. **Prodrornos Tsiavos**

**James Bridle** is a publisher, writer and artist based in London, UK. He makes things with words, books and the internet; sometimes the results look like businesses, and sometimes they don't. He speaks at conferences worldwide and writes about what he does at [booktwo.org](http://booktwo.org).

**Eleanor Vonne Brown** set up X Marks the Bookshop, a London based project space for independent publishers. It is specialising in publishing work by artists and designers, books, journals and discourse. The Book in Bookshop refers to Christian Bök, an experimental poet of the North American Conceptual Writing movement.

**Daniel McClean**, is an independent curator, writer, and art-legal adviser. McClean is a solicitor at Finnis Stephens Innocent LLP where he specializes in art, media and intellectual property law. McClean writes regularly on art legal matters. He was the commissioning editor of *The Trials of Art* (2007) and *Dear Images: Art, Copyright and Culture* (2002).

**Maria Fusco** is a British-born writer based in London. Her first collection of short stories *The Mechanical Copula* has just been published by Sternberg Press. She is founder/writer of *The Happy Hypocrite* a semi-annual journal for and about experimental art writing, and Director of Art Writing at Goldsmiths, University of London.

**Bobbie Johnson** is a journalist, writer and trouble-maker who specialises in covering the intersection of technology and society. He has written for a range of outlets from the BBC to Wired, and acts as European editor for technology blog DigiOM. For nearly a decade he was an editor and reporter with the Guardian based in London and San Francisco.

**Prodrornos Tsiavos** is the legal project lead for the Creative Commons-England and Wales and Greece projects, and an associate in Avgerinos Law Firm in Athens. Among other academic engagements he is a research officer at the London School of Economics. He advises the Greek Prime Minister's e-Government Task Force on legal issues of open data and is the Special Secretary for Digital Planning.

**When:** Lectures start at 6.30 pm. Pirate Labs run from 3 – 6 pm

**Where:** Byam Shaw School of Art Library, 2 Elthorne Road, London N19 4AG

Please see our open Call for Contributions for piracy book projects. We will run a Pirate Lab prior to the lectures. Here we offer conceptual and/or practical support to develop your book project. Please drop in to talk to us or use our printing facilities.

The Piracy Project is developed by Andrea Francke, Lynn Harris and Eva Weinmayr.

AND Publishing  
 Byam Shaw School of Art  
 2 Elthorne Road  
 London N19 4AG  
 and.publishing@cam.ac.uk  
[www.andpublishing.org](http://www.andpublishing.org)

## Slide 6 - Open Call and Piracy Lectures, Art Agenda announcement 4 May 2011

[it would be great, if this slide could be big enough, that one can read the text.

Alternatively we could link to the call on art agenda:

<http://www.art-agenda.com/shows/and-publishing-announces-the-piracy-lectures/>  
 /]

Through an international open call for pirated and copied books, workshops and a series of lectures we have built a structure, which allowed us to share our concerns about the closure of the library, the management's top-down policies and the monetizing of education more general, while at the same time playfully subverting the dire and frustrating situation.

The call for entries received strong local and international response (from students at the art college and internationally). The submissions vary immensely in their strategies and approaches to copying.





**Slide 7** - *The Piracy Project*, panel discussion, Printed Matter, New York, 2012  
with Sergio Munoz Sarmiento, Joanne McNeil, Anthony Huberman, David Senior

The Piracy Project differs from collaboratively maintained digital text sharing sites, digital library underground and peer-to-peer sharing platforms such as *aaaaarg* or *Memory of the World*. Firstly of course, because we engage with physical books, and secondly because our curiosity focuses more on the applied strategies of copying and pirating, in short the transformations, modifications and most importantly the motivations behind this act.

So while Sean Dockray describes the beginning of *aaaaarg* as a way to share the texts, which members of the Public School have been reading and to connect the different groups he had been working with, or while Marcell Mars' invites readers to create a universal online library *Memory of the World* by saying: "When everybody is a librarian library is everywhere" —the Piracy Project is not mainly concerned with providing access to or sharing content. It is a study of cases, where individuals or collectives – for different reasons – copied, pirated, modified, reproduced and circulated other authors' work. These "cases" vary immensely in their motivations: ranging from creative appropriation, critical rewriting to political activism and acts of civil disobedience (in order to circumvent enclosures such as censorship and market monopolies) to acts of piracy generated by commercial interests.

As such The Piracy Project is a research project. It tries to study the aspirations of these acts, their clashes with the law, and raises nuanced moral, legal and ethical questions. To develop, share and discuss these questions with the public has been our main activity. We discuss these works in seminars, workshops and lectures in order to explore ideologies around the common concept of originality, the understanding of authorship, which is constructed by property and the protracted politics of copyright. Our job as "archivists" is trying to frame, research, interpret and discuss the pirates' circumstances, their political, social and economic context. As explained before, the books are not consulted for their content, but for their trajectories and strategies – and the questions they raise.

## 2/ Three examples



**Slide 8** - Neil Chapman, *Proust and Signs*, The Piracy Collection  
source: Gilles Deleuze, *Proust and Signs*, The Athlone Press, 2000

The first example [pass it around] raises questions about the physicality of print. It's a handmade facsimile of Gilles Deleuze – “Proust and Signs”. The book looks pretty authentic, close to the original copy in terms of (i) format, (ii) front cover and (iii) weight. Sitting next to the original you can almost not tell a difference, but when you take it out and open the pages.... It feels strange!

The creator of the modified version is London based artist and writer Neil Chapman. His aim was, to produce a facsimile of his personal copy including the binding mistakes of the original, i.e. that a few pages were bound upside down. He scanned and printed the book on his home ink jet printer. It has crafty feel to it. The ink soaks into the paper creating a slightly blurry text image – very different to an offset printed or laser printed type with sharp edges. When you open the pages - expecting a mass-produced book, you suddenly hold an object in your hand, which has been apparently assembled in a DIY style. It speaks the language of amateurism, makeshift, self-made: “Not as good as the mass printed version”.

We can observe a material transformation here, which is very subtle. And it is this subtlety, which makes the book subversive. How do students relate to the fact that they expect to access authoritative knowledge and encounter instead a book that was printed and assembled by hand? Suddenly a book circumvented the institutional authorization including all the levels of implicit validation: the author, the publisher, the chain of distribution, i.e. the book trade, and lastly the acquisition librarian purchasing and cataloguing the book according to the standard library catalogue.

There are lots of steps of institutional validation a book must travel through in order to enter an institutional library collection.

Of course unconventional stuff can and is being collected, but these are often more arty objects, flimsy or oversized, undersized etc. and frequently end up in the special collections – kind of locked away in a treasure cabinet. They are framed and categorised “as different” from the main stack of the collections.



**Slide 9** - Anonymous pirate copy (Peru) *No se lo digas a nadie*, The Piracy Collection, source: Jaime Bayli, *No se lo digas a nadie*, Punto de lectura, 1994

Jaime Bayli's *No se diga a nadie* (Don't tell anyone), which Andrea found when visiting pirate book markets in Lima, Peru is the second example. The book may look obviously pirated to a trained eye but could easily pass as the original if you were not looking for differences. However this pirate copy has two extra chapters. Here somebody infiltrates the official author's voice, which becomes even more puzzling, as it is an autobiographical novel. So somebody invented two chapters of somebody else's life? What are the motivations for such action? There is no cultural capital (the pirate author remains anonymous), nor financial gain.

Pirate books in Peru are sold in small markets, bookshops or by street vendors at traffic crossings. Andrea did buy several books and compared them with the original page by page while she was hunting to find modified books. (Following in Daniel Alarcon's steps.) Asking the vendors for help didn't work. They were often quite offended with the insinuation that they carried modified books. Buyers don't want to read a chapter by an anonymous author when they are buying Mario Vargas Llosa, for example.



Andrea's friends in Peru seemed extremely surprised to see an altered book. How many modified books have they been reading?



**Slide 10** - Anonymous pirate copy, *Feminism/Postmodernism, Thinking Gender*  
source: Linda J. Nicholson, *Feminism/Postmodernism, Thinking Gender*, Routledge 1990

The third example is from a copy shop in Istanbul. During a residency at SALT in Istanbul I was taken to a copy shop holding over 3000 bootlegs of academic titles. Each copy was bound in a monochrome cover with the title printed in black and white. My guide singled out a book on the shelves. It was *Feminism/Postmodernism*, a book that she herself had brought to the copy shop many years ago in order to get copies for her study group at university. The copy shop scanned the book, printed the copy for my guide and archived the scan for future orders. This is print on demand in the proper sense!

This case triggers some questions around the ethics of such a research collection: the copy shop functions as a crucial resource for the Istanbul-based academic community, as hardly any student could afford to buy the original title at its exorbitant cost. The copy shop operates under the radar – and discussing it or publicising the name or location could have severe consequences for such disobedient, but crucial practices. Therefore no more details here...

### 3/ The Piracy Project – Why and How?



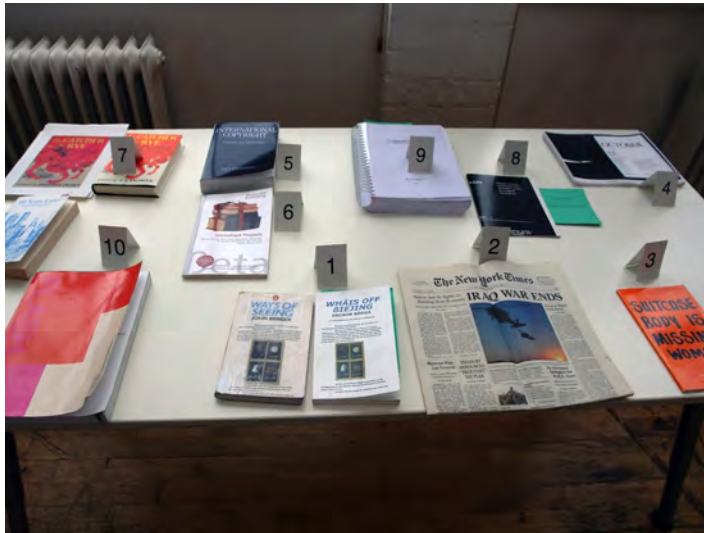
**Slide 11** *Poaching* — Roundtable with Stephen Wright, The Showroom, London, 18 May 2013

Now that you got a bit of an idea about the range of books in the collection, I would like to think about what it means to create such an archive and how it functions on a day-to-day basis.

First, the why – Why do you start something? Our answer is because you feel there is a need for it to come into existence. So we are interested in are other people creating spaces and activities in an environment, where there is a need. I am thinking here of outlaw and underground activities. The point is, if you don't ask for permission to create this space, the power relations will be different. (Power relations are permanently reproduced if you have to get permission for everything.)

So from the very beginning in the art school library, we organized public events, debates, workshops and lectures around a set of questions. Where exactly are these boundaries and who sets them? Is there something like moral piracy and unmoral piracy? And what anxieties are being produced by a project called *The Piracy Project* in the current cultural climate of polarization between copyright and open culture advocates.

All that was of course also an intervention into institutional politics. By inviting people to copy and pirate books we investigated, debated and challenged the “good practice” policies of the neo-liberal university, which openly promotes the idea of cultural creation as “property”. Their intellectual property advise website is tellingly titled “Own-it”.

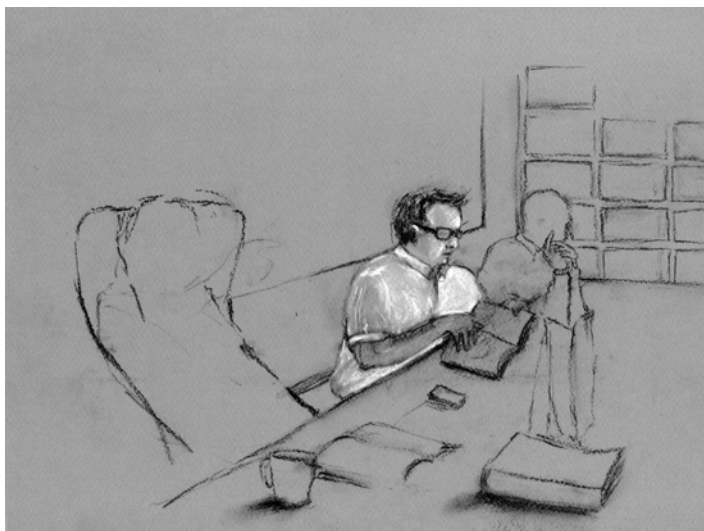


**Slide 12 - *A Day at the Courtroom*, The Showroom London, 15 June 2013**  
 With Lionel Bently (Professor of Intellectual Property at the University of Cambridge), Sergio Muñoz Sarmiento (Art and Law, New York), Prodromos Tsiavos (Project lead for Creative Commons, England, Wales and Greece)

The call for submissions was also an attempt to test one's own moral boundaries. To find out, negotiate and make your own decisions, where you stand and whether what you are doing is ethically okay.

The law tries to draw boundaries where one work ends and another begins. But these concepts are based on the premise that “original” works exist. An “original contribution” is the prerequisite for claiming authorship and subsequent property rights – in the logic of the law.

To define originality in a derivative work, for example, has been the task of many court cases. And because copyright is case law, the verdicts are informed by many different factors. So this messiness and blurriness of the legal framework can create a climate of anxiety and subsequently self-censorship. You don't do stuff, because you don't know whether it might be interpreted as copyright infringement.



**Slide 13** - *A Day at the Courtroom* The Showroom London, 15 June 2013  
With Lionel Bently (Professor of Intellectual Property at the University of Cambridge), Sergio Muñoz Sarmiento (Art and Law, New York), Prodromos Tsiavos (Project lead for Creative Commons, England, Wales and Greece).  
– Courtroom drawing by Thandiwe Stephanie Johnstone

Therefore we organised a performative debate *A Day at the Courtroom* hosted by The Showroom in London during our one-year residency. We invited three copyright lawyers from different cultural and legal backgrounds to assess selected cases of the Piracy collection in the eyes of the law.

We were curious about this debate, in which each lawyer argued for their legal perspective after which it was the audience's task to speak the verdict. Important: We replaced the "infringing" – "non infringing" binary with a colour scale from red (illegal) to blue (legal) and the audience was asked to negotiate the right spot and legal status of the discussed case.

The lawyers demonstrated, that for example one selected case would be regarded as Fair Use exception in Europe, but not in the United States. Lot's of effort went into the discussion how "originality" is defined and what are the criteria for being granted the status of an "author".

These events help us to collectively unpack the contested complexities with IP. But they also helped us to realize the extent how these policy debates as well as the sheer language of "intellectual property" has become so ubiquitous that it pervades our thinking and working, not least our social relationships.



**Slide 14** - Book launch of *Borrowing, Poaching, Plagiarising, Pirating, Stealing, Gleaning, Referencing, Leaking, Copying, Imitating, Adapting, Faking, Paraphrasing, Quoting, Reproducing, Using, Counterfeiting, Repeating, Translating, Cloning*, New York Art Book Fair, MoMA PS1, 2014

We have published the transcript of *A Day at the Courtroom* in a book. The long title *Borrowing, Poaching, Plagiarising, Pirating, Stealing, Gleaning, Referencing, Leaking, Copying, Imitating, Adapting, Faking, Paraphrasing, Quoting, Reproducing, Using, Counterfeiting, Repeating, Translating, Cloning* points to a set of terms, that have proved relevant to the Piracy Project. We chose 23 terms and set up a funding campaign (which is still open): anyone can become a patron of a chapter in the book and help commission an essay to show these terms in a new light.

The book is not finished. In this version, **[pass around]** alongside the published essays, you can meet some of the prospective authors whose pieces will be included in the next version. In other words, this book is a platform that creates conversations: Essays in one version may be re-written in a later one or passages may disappear entirely as new discoveries, possibilities and ideas come up or as the landscape we're exploring simply shifts beneath our feet.

## 4/ Naming and Framing



### Slide 15 - *The Piracy Project* at the New York Art Book Fair, MoMA PS1, 2011

In the reading rooms, which are open to the public, the books need to be able to communicate on their own. Therefore we wrote for each book in the collection a "library card". It functions partly as an index catalogue (which is also online) and describes the books' genesis. It names the original source, the material properties of the pirate copy, what strategy has been used, who is the pirate, how it got into the collection. It functions as an entry point to the book.

At New York Art Book Fair, a librarian from Pratt institute dropped in our reading room every single day, because she was so fixed on the questions the books raise in respect to normative cataloguing and bibliography standards. Take Jaime Bayli's *No*



*se diga a nadie* for example – who would be named as author? How can you pay justice to the complexity of “authorships”(plural) in this work?

The problem is that standard modes of classification use a controlled vocabulary. The most widespread standard classification systems (Dewey, Library of Congress) claim to be universal and neutral, so that everything can find its place within its structure. However we know that the organisation and framing of knowledge is not neutral and informs to a large degree, whether material is been found and how it is been read.



**Slide 16** - *Putting the Piracy Collection on the Shelves*, cataloguing workshop with Karen Di Franco, Grand Union, Birmingham, 25 January 2014

To dig deeper in these questions of framing the cases in our collection we organised a workshop at Grand Union in Birmingham. Archivist Karen Di Franco helped us to collectively develop an alternative vocabulary by thinking through how selected cases operate. A set of useful new terms came up: “Unauthorised”, “Impersonated”, “Hijacked”, “Invisible/Ghost”, “Altruistic”, “Esoteric”, “Accidental”, “Communal”.



*Slide 17 - Piracy Project Reading Room and workshop One Publishes to Find  
Comrades, Kunstverein Munich, 4 – 30 November 2014*

For the reading room at Kunstverein Munich we looked for classification criteria, how we could organise the books in the space. Parallel to the reading room we run a two-week workshop visiting independent publishers, bookshops, archives and a copy shop in Munich, which all operated off mainstream and found alternative ways of distribution. Correspondingly we organised the displayed books in the Piracy Project Reading Room according to their modes of distribution.

- White Market
- Grey Market
- Black Market
- Archive as Distribution
- Print on demand.

The **White Market** for books encompasses all legal and authorised distribution through traditional channels. The books in this selection have been produced through publishing houses, have ISBN numbers and are produced in higher quantities that allow for commercial distribution.

The **Grey Market** for books includes publications produced in an edition higher than one that circulate through specific, non-official networks. We include fanzines and artists' books that are sold only at specialized shops in this section.

The **Black Market** for books encompasses distribution through illegal and non-authorised commercial channels. The books in this section were purchased at pirate markets and copy shops.

The books in the selection **Archive As Distribution** are examples of pirated books that are produced for archival reasons. They are out of circulation and were sent to us in order to remain accessible. We also gather here books that are one-offs, produced specifically for the Piracy Collection in response to our open call.

**Print On Demand** points to a new type of market. It produces books with a professional finish and ISBN number in potentially unlimited quantities that can circulate in mainstream commercial distribution channels. A book, produced through lulu.com, for example, will be a one-off until a second copy is purchased. Only then the second copy will be printed and shipped. Distribution triggers production, it defines the market dynamically. It allows books to oscillate between grey and white market zones in a seamless way.

These experiments in organising the collection were really interesting, because they show the power of naming and framing. Depending on the organizing criteria the collection can be explored in many different ways. And because there are many questions to be asked we keep changing the classification criteria, when we display the books to the public. And each time the collection appears in a new light holding

different questions and answers depending on what aspect we focus on. Thus the catalogue itself turns into a meaning making structure.

## 5/ We don't want this to become an "exhibit"



**Slide 18** - *Piracy Project Reading Room*, in the exhibition *Resource*, The Bluecoat, Liverpool, 18 July – 27 September 2015

In my final point, I would like to reflect on “touring” the collection to different art institutions, after the art college library was eventually shut down.

During the first two years the project was embedded in a daily practice of an art college community. It drew inspiration from people regularly popping in, joining the workshops or coming to the lectures. Many incidental chats and encounters took place in the corridors, in the yard or café, which contributed immensely to the project – indirectly and socially just through daily presence.

When the library was eventually closed (and converted to offices) we moved the pirated books to The Showroom in London, a publicly funded art space, which is very invested in stretching the boundaries of traditional gallery work by focusing on collaborative and process-driven approaches as well as building relationships to local groups in its neighbourhood. The one-year time-span at the Showroom allowed us to plan and conceptualise a new set of events, apply for funding and get to know the new situation. AND publishing also run evening self-publishing courses *Working in*

