

Acceleration and Conflicts: Comments on the Cinematic Object in the 1990s and After

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We are surrounded today by an ever-expanding relay of cinematic images and sounds. The walls of any city in India are almost a screen on which different kinds of cinematic materials get a rough and ready exhibition, with layer upon layer of peeling posters. There are portable images of popular heroes and heroines that adhere on vehicles, and the intense ubiquity of film music is part of the aural environment. All of this suggests an animated and active life of cinema outside the darkness of the cinema hall.

We further encounter filmic material through television broadcasts, magazines, newspaper articles, websites, advertisements, fan club publicity material, promos, clips, trailers, countdowns, production stills, memorabilia, radio, tapes, CDs, CD covers, VCDs, DVDs. Cinema and cinema-derived material form an extended sensory envelop, and the ringtone trill on mobile phones informs our mediatized experience of cinema culture with yet another annotation.

Yet, the more cinema leaks, or seeps out, of the theatre, the more anxieties there are about the proper domain of the circulation of filmic material. These notes focus on such anxieties, and on how people live with them. They specifically investigate how the filmic object is transformed through the modes of its circulation; they also, more generally, investigate the influence of the filmic object on our perception, in the sensorial field created by the extended presence of cinema in our cities.

I offer these notes as a kind of montage of effects, punctuated by jump-cuts in the form of images and annotations; fragmentary provocations for further research, and as an invitation to film theory to hit the streets of our cities, and spend some time there.

I. The space of circulation and dispersion



I will begin with a consideration of a composite image^[1]:

At first glance, we see two men sitting in what appears to be a 'shack', a somewhat temporary construction, making amplifiers and tape recorders. Rakesh's notes on the image(s) inform us that it is taken in Angooribad, one of the teeming quasi-illegal settlements that also constitute much of the industrial underbelly of metropolitan Delhi. The image takes us in different directions:

i) Here are two people located in a web of multiple social relationships. They are migrants into the city from the countryside, they may be tied to each other in a kinship (or in an imagined kinship) relation, they could be *ustaad* and *shagird* (master and apprentice, in an artisanal sense), they may also be

linked in an entrepreneur and wage-worker relationship, and they could also be neighbours.

ii) The 'shack' or the *kaccha jugaad* (improvised structure) of the workshop expresses a fragile tenure on space built through a negotiation based on rent, risk, security and trust. All these are temporal qualities characteristic of the urban form that has evolved over a long period of time in places like Angooribad. At present, given the current onslaught of the judicial apparatus on a variety of urban forms in Delhi (and in all our cities, generally), this fragile shack stands in direct contravention of legal orders concerning urban land usage. It stands in the metaphorical line of sight of an approaching bulldozer

iii) This space has negotiated electricity and water for itself through a protracted set of negotiations with the administration. A calibrated set of manoeuvres with municipal authorities has ensured a clutch of administrative orders guaranteeing a fragile, skeletal infrastructure (in the form of an erratic electricity connection) that could be taken away at any time. For a para-electronics/para-media enterprise such as this, electricity is a vital necessity, and a great deal of social as well as technical ingenuity is employed to ensure that electricity is available^[2].

iv) There is a local credit economy in place that makes possible the 'financing' of the workshop. This is what enables the para-media entrepreneur to get raw materials, organize production and take products to the market. These credit systems are deeply embedded in economies of trust, reciprocity and risk assessment, and have their own rules and systematic obligations.

v) The two persons are also engaged in a technical world of making electronic goods. They have the skill to read circuit boards, they understand load distribution, they are able to read resistors, capacitors, match impedance, etc. They need to keep upgrading what they know, in order to

add features. Obviously they are not running an R/D lab there, but they are part of a network of knowledge workers who hack into circuit designs and then produce 'copied' circuit boards through a process of careful reverse engineering. They innovate on the relation between the circuitry and the casing. This may be, in some case, in contravention of Intellectual Property laws, specifically patent law.

vi) For its makers, the casing is an opportunity to interface with the 'popular' culture of the sign. Through the casing, they negotiate a path through the complex labyrinth of the values (or 'brand equity') of signs, logos and marks of provenance. They could be dealing with the manufacture of a brand name (Sony, Phillips) or a mark of a Country of Origin name (e.g. Made in China - many objects ostensibly 'Made in China' are actually made in India, just as many commodities thought to be 'Made in India' are actually manufactured in China). When these entrepreneurs decide to name the product that they are making as 'SONY', they stand in direct contravention of the IP laws around trademark protection.

vii) The amplifiers and recorders are a strand in an extensive web that encompasses diverse music cultures, performative practices and production-distribution networks. These include practices central to the work of neighbourhood DJs who perform at weddings, life-cycle rituals, religious functions and social occasions.

viii) This technology-entrepreneurship-performance complex exists within the context of neighbourhood culture that does not constitute separations between the realms of work/home/leisure. The music system itself could be playing materials of all kind; some of the material would constitute violations of intellectual property law, some would be construed as indecent and immoral provocations by the morality brigade, and sometimes, as in the case of many popular remix numbers, they would be both. All manner of codes and protocols stand subverted on a daily basis.

ix) The two men working in the shack would probably be sending remittances back home to a rural or *mofussil* hinterland, and somebody 'back home' would be preparing themselves, even as these two work, to make this journey to places like Angooribad, impelled by stories of innovation and enterprise from the big city.

I draw attention to these various possibilities that can be teased out of the image to suggest that this (along with Bollywood and the big film and media industries) is also a site of production (due to the proliferation of remixing, dialect musics and low cost digital production), and a part of the underlying infrastructure that makes it possible for millions today to access the cinematic experience. These forms of production are highly dispersed, fragile and uncertain.

There is a danger in letting an awareness of the dispersal, fragility and uncertainty of these forms of production lead us towards a premature pronouncement of their inevitable demise. The recognition of their contingency in no way requires us to postulate their insignificance. A serious consideration of these forms must not be abandoned in favour of sites and methods that make for a scaling up of production. The narrative of industrialization that postulates the slow demise of the small in favour of scaled-up, large production does not capture the dynamics of the social world that opens up within this uncertain milieu. The vitality, dynamism, conflict and inventiveness visible in this social world demands of us a more complex description of the entanglement of technologies, subjectivity and desire.

To cease engagement with these sites of media production is analogous to turning a blind eye to the manner in which the inhabitants of squatter settlements improvise and innovate on issues of infrastructure and access to resources. The practices of habitation are a creative, improvisatory riff played in response to the structure of urbanism, just as the practices of informal media entrepreneurs and practitioners are a set of creative and innovative responses to the media environment.

Inhabitants of the incremental city^[3] face judicial repression and violence, even as unauthorized media practitioners face the wrath of the IP apparatus. These two kinds of practice (in the domain of habitation, and in media) intersect in the figure of the two artisans working with equipment in a shack. In fact, the fragility of habitation is in some ways a precondition for the manner in which production can be arranged in this unit. Both stand threatened at the same time, for a similar set of reasons that have to do with the way in which high-end institutional formal capital seeks to consolidate and expand into areas hitherto marked by low-scale improvisational informality.

The life of the cinematic object is nourished by lived practices of quotidian urban creativity, in media, in technological improvisation, and in architecture. If we want to understand how cinema enters and circulates in our cities, we will have to enter this domain. Cinema is not just something that lives and dies in consonance with the ebb and flow of screening in theatres and multiplexes, or in broadcasts transmitted on television channels; it also has a frenetic life of reproduction and circulation, such as cheap and affordable VCDs and DVDs that pass from hand to hand, or screenings in 'shantytown multiplexes' (sheds with benches, DVD/VCD players and projectors) within the 'shadow' city.

This space is riven by conflict, by the spectre of the law, and by the creative energies and technological skills of the majority of the urban population. It is remade, repurposed, repackaged and remixed in a myriad ways. Cinema circulates within this force-field, subject to different kinds of gravitational pulls emanating from different sources, some of which are legal, others technological and some others that are governed by conventions of practice and taste. Only by locating our enquiries squarely within this turbulent field can we begin to understand the career of images and sounds from the cinema in the lives of most people in our society today.

II. Cinematic envelopes and prohibitory signs

WARNING

The copyright proprietor has licensed the film (including its soundtrack) comprised in this video CD for house use only. All other rights reserved. The definition of home use excludes the use of this video CD at locations such as clubs, churches, hospitals, hotels, oil rigs, prisons and schools. Any unauthorized copying, editing, lending, public performance diffusion and/of broadcast of this video CD, or any part thereof, is strictly prohibited and any such action establishes liability for a civil action and may rise to criminal prosecution.

This video CD is sold/hired on the condition that it is not to be sold, hired, exported, re-supplied or distributed by way of trade without a proper license.

The objects that originate in the workshop pictured above contribute to the intense acceleration of cinematic material in urban spaces. This accelerated dispersal of images and sounds produces a new sensorium of cinema. But this ever-expanding sensorium is also marked by a master sign that speaks to us in the language of prohibition.

Here I would like to introduce another image: the familiar frame of the prohibitory sign that restricts the circulation of a film. This is an image that we have all grown accustomed to from our experience of watching DVDs, be it in the comfort and privacy of the home, alone or with friends and family, or in a film theory class in the University.

This sign prohibits certain social and creative practices. These social and creative practices are the ones that are allied to the creation of the para-technologies of mass media that we saw in the earlier image. This is the

world of the neighbourhood CD, tape and VCD shop or library, which now dots every imaginable urban settlement, including squatter habitations and shantytowns. The ubiquity of these means is made possible by low cost, and ease of use of current technologies of duplication, ripping (copying), remixing, publishing, and the digital manipulation of images and sounds.

These factors make such activities viable and attractive, for remunerative as well as creative reasons, and because they fulfil a growing need for media, especially in contexts that we would otherwise consider to be underprivileged. This is what locates vast swathes of the shadow media industry in squatter settlements and other illegal habitations, where the vast majority of the working urban poor live in India. The frame of prohibition in the DVD in actual fact seeks to prohibit a huge domain of possible social practices with images and sounds. We could say that it actually seeks to censor the majority of media practices in the urban environment.

The ramifications of this prohibition are significant:

- i) It prohibits the copying of the encoded digital content within this material object. Copying of digital content is the easiest technological act in the contemporary. It is only through massive police, penal and pedagogic forms that the authenticated version will be kept afloat, and the 'unauthorized' circulation contained.
- ii) It prohibits the transmission of the encoded digital content through cables and other forms. The transmission of content through various wired networks will inevitably become more and more ubiquitous. Technological blockages/barriers and policing will inevitably manifest as a way of controlling this increasingly ubiquitous relay.
- iii) It prohibits a creative re-appropriation of the encoded digital content. More and more people have the resources and capacity to work with the digital content that surrounds us. This prohibition, however, makes repurposing a grave offence. Many legal battles will therefore be fought, with

regard to content repurposing. The critical issue will be our ability to argue for 'appropriation' of content that envelops us so as to be able to comment, critique, praise, or even just quote. In a media environment that continuously relays images from diverse locations and sources, and dominated by gigantic players, this ability to 'appropriate' will have critical bearing for democratic social practices.

iv) It prohibits and makes illegitimate the act of congregation around 'cinema' - a practice that was associated with cinema from the day of its inception. It is asking us to re-imagine the nature of what can be a legitimate cinematic public. By banishing - or at least constricting - congregation and bringing it under the sign of legitimacy and illegitimacy it is re-writing the multiple practices associated with cinema.

One image echoes another; a text frame in a DVD resonates with the opening page of a legal affidavit. We could see them form a thickening layer of legality, an encrustation of the law on the life of the cinematic image.

III. *The fecund copy, ownership and territoriality blues*

346-04-82
PPHP
OF



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IN THE HIGH COURT OF DELHI AT NEW DELHI
Ordinary Original Jurisdiction

Suit No. *12* of 2002

For Private Use

IN THE MATTER OF:

Time Warner Entertainment Company, L.P. & Ors

...before Judicial Dept.,
High Court of Delhi

VERSUS

Anil Kumar Gupta

...Defendants

MEMORANDUM OF PARTIES

1. Time Warner Entertainment Company, L.P.
4000 Warner Boulevard,
Burbank, California 91522
U.S.A.
Carrying on business in Delhi through its licensees
from the address
Plaza Theatre Building,
Connaught Circus, New Delhi
2. Columbia Pictures Industries, Inc.
10202 West Washington Boulevard
Culver City, California 90232
U.S.A.
3. Disney Enterprises, Inc.
500 South Buena Vista Street
Burbank, California 91521
U.S.A.
4. Metro-Goldwyn-Mayer Studios Inc.
2500 Broadway Street,
Santa Monica, California 90404
U.S.A.
5. Paramount Pictures Corporation
5555 Melrose Avenue,
Hollywood, California 90038
U.S.A.
6. TriStar Pictures, Inc.
10202 West Washington Boulevard
Culver City, California 90232
U.S.A.
7. Twentieth Century Fox Film Corporation
10201 West Pico Boulevard,
Los Angeles, California 90035
U.S.A.
8. Universal City Studios, L.L.P.
100 Universal City Plaza,
Universal City, California 91608
U.S.A.

VERSUS

Arun Kumar Gupta
Proprietor Lambe The Music Shop
B - 43, Greater Kailash - I
New Delhi 110048

Also at

243, Central Arcade,
DLF Phase - II,
Gurgaon,
Haryana

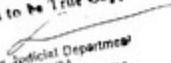
... Defendant


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NEW DELHI
DATED: February 12, 2003

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REMARKS

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Executive Judicial Department
High Court of Delhi,
Authorised Under Section 79
of the Evidence Act

These are the first two pages of a court affidavit of a case brought up by the biggest global media corporations in combination against a small video library operator. What threat could such an opponent pose to this gargantuan corporate coalition? Sections 28 and 29 of the affidavit seek to answer this question in the following manner:

28. Even a single sale or rental of a film by the Defendant is capable of causing irreparable injury and damage to the Plaintiffs. The single film can act as a plate from which several thousands of other pirate prints can be prepared. If the print reaches the hand of a cable network, even a single telecast on a network is capable of reaching several million homes all over India. The potential for damage is immeasurable and irreparable.

29. Unauthorized sale and distribution of films by unscrupulous parties such as the Defendant result in reduced viewer-ship at cinema halls and theaters, which additionally results in huge losses to the Government exchequer by way of collection of taxes, including entertainment taxes.

This is an affidavit. Documents presented in court are like actors; they have to perform, and be performative in their effect on the court proceedings. It should not surprise us then that the language of the affidavit has a hyperbolic register, that the account it offers us is performatively exaggerated. But even if we discount its somewhat breathless quality, we are still left with a strange, paralyzing anxiety that hovers around the digitally encoded material object (the CD or DVD) that holds and transports the cinematic material all around us.

The persistently multiple practices of production, distribution and circulation stand in direct confrontation with the claims to ownership and the distribution of social surplus between the State and the production sites that it deems 'legitimate'. The CD/DVD of uncertain provenance disrupts and ruptures this space of imagined homogeneity and the supposedly seamless web of production, consumption, returns and surplus distribution that capital always want to build its world with. A spectre threatens the media industry...

If today, we (as practitioners, theorists and students of the cinema) are engaged in the task of rethinking the envelope of the cinematic around us, of trying to understand the reality of the dispersion of access to cinema and the parallel reality of dispersed property and prohibition, we have no choice but to realize that we are being compelled to negotiate a peculiar and thorny conjunction that may transform both the social life of cinematic objects as well as the image-world of the cinema. This is going to be, and in fact already is, a transformation marked by a high degree of conflict. A conflict that is going to envelop all of us.

References:

[1](#) This is from the evolving archive of the Publics and Practices in the History of the Present (PPHP) project at the Sarai Programme of the Centre for Study of Developing Societies (CSDS), Delhi. The image is taken by Rakesh Kumar Singh, a researcher in the PPHP project and my colleague at Sarai-CSDS. Over the past four years, the PPHP project has generated as well as collected a fecund archive of research notes, interviews, documents, photographs, publicity materials and ethnographic observations, which will contribute significantly to a nuanced understanding of the life of cinema, and of the media in general, in our society. Its outputs have included a series of publications in Hindi (*MediaNagar* 01 and 02) which render much of this material in an accessible form to a Hindi reading public, essays in the Sarai Readers and postings in public discussion lists.

Specifically see Media Researchers @ Sarai, "Complicating the City: Media Itineraries", in Monica Narula et. al ed., *Sarai Reader 05: Bare Acts* Delhi, 2005, p. 258.

[2](#) This is how a vast majority of urban spaces self-organize their infrastructure needs. Solomon Benjamin's study of Delhi's Vishwas Nagar is a sophisticated description and analysis of these processes of incremental urban growth. See Benjamin's 'Touts, Pirates and Ghosts', in *Sarai Reader 05: Bare Acts*, p. 242.

[3](#) See Solomon Benjamin's 'Neighborhood as Factory: The Influence of Land Development and Civic Politics on an Industrial Cluster in Delhi', unpublished Ph.D dissertation submitted to the Department of Urban Studies and Planning, Massachusetts Institute of Technology, Cambridge, Massachusetts, 1996.