I. Antitheses Which Strengthens Theses?

Does authenticity ever really exist in an artwork? Les Demoiselles d’Avignon displays African masks, O Amuk Kapak exhales ancient mantras, magical realism was born from a desire to “tell tales the way our grandmother tell tales”, so, what then? Long before postmodern works – which defies authenticity and originality as criterias for expression and appreciation – classical Greek philosophy, in Plato, had also denied their existence. Anything worldly are imitations, duplicates from a matrix (or “patterns”) found in the pantheon.

So it is not the case of something being authentic or not, in fact it is more about whether new meanings can be conceived from it. Therefore, ideas on subversion become important here – most particularly in visual art and OK Video – not only because the cute and cuddly Winnie the Pooh can be reinvented neatly in such a way as to ever having a dark past involving the murder of Vietnamese children, but also on which context should these new meanings be drawn from: a criticism towards their social surroundings (say, the war or one-sided agressions done by the United States), or a criticism towards their own medium (in this case, cinema?)

At this point, developments on the idea of subversion (which, in OK Video’s spelling SUB/VERSION would mean: sub-version, or a different version, a hidden, a lower version) may be classified into five different categories, each keeping their own sets of problems.

1. Subversion as criticism

Subversion in its “the most honorable” form, it tends to stand through time even though any evaluations on the subject still needs to be placed within a historical context. What was radical about a urinal in 1917 may seem ordinary today. Pasaraya Dunia Fantasi (Fantasy World Fair) may have succeeded in anticipating a social phenomena following the commercialization of our public space, but the allusions found therein may fall into mere Yogya-style satire these days.

2. Subversion as the easiest way to produce and to criticize

Subversive works can be said to have cleared a path for postmodernity to flourish, which in turn would subsequently multiply those subversive works. But unfortunately it was post-modernism who also rejected an artwork’s good/not good criterion by scorning it as a hegemonic valuation born from the mainstream. In fact we cannot value subversion without using these tools of the mainstream, because if we don’t, then everything would be acceptable and can be good, hence the subversive actions would lose their meaning and importance in such eclectic postmodernism. Paint a Mao picture, add a Coca-Cola logo, done. Find an Inul photograph, screenprint them Warhol-style, done. As humour they are not funny enough, as criticisms not enough bite. So easy and inexpensive that antitheses further strengthens theses. In short, perfuntory copycats would all the more solidify the grandeur of the copied artwork. This, is what differs the serious documenting efforts of world music done by Putamayo recording company and the ethno-pop syncreticism of Deep Forest.

3. Subversion as play

Subversion as parody is usualy the lightest and without burden. Sometimes, unintentionally, it is exactly where plenty of potential criticism would come into being. But most of the times the burden occur when it attempts to act universal. It is difficult to evaluate Russel Crowe fighting against the wind if we’ve never seen the real Gladiator. The “text-origin” becomes inseparable and the meaning it carries gets even heavier precisely by the work which tries to subvert it.

4. Subversion as entertainment commodity

Long ago Bertolt Brecht already reminded that it is very likely for a banker to hang a revolutionary painting on his office wall. Capital, one must admit, does possess the capacity to co-opt anything over times. The Sex Pistols subverting My Way: a commotion; Faith No More subverting I Started a Joke: best seller.

5. Subversion as real-world absurdity

I don’t know how to formulate this particular subversion, but perhaps the story of the Borobudur statue auction could illustrate my intention. The plan was that on the 31st of March 2005, Christie’s auction hall in New York would sell a Buddha statue from the Borobudur temple worth 300,000 US dollars (2.8 billion rupiahs). Due to protests from the archeological community, lovers of the antiques, and the Indonesian government, the auction was cancelled. Yet amidst tumultuous accusations on how such a historical inheritance can be sold in another country, a stone carver in Magelang named Kasrin, 64 years old, said that the statue was his made, because the posture and the face of the fussed-over statue is chubbier than the original. He frequently accepts orders to make ancient-looking statues like these from overseas collectors. The pores on the rock surface emerged as a result of a specific sculpting technique or by smearing distilled acid. The statue is then spread with a mixture of turmeric and tea, before it was incinerated and buried on the ground for 2 to 5 years. Such was the case where craftsmanship in producing a pseudo-ancient artifact caused by the pressure of Western Orientalism slapped back, hard, on curators and experts of the West themselves.
II. 1 Pirate, Therefore I Am

Now allow me to use this visual art moment to explain something which may only have little connection with visual art in principle, yet higher in practice, and that is the issue of Intellectual Property Rights (IPR) or Hak atas Kekayaan Intelektual (HaKI), which recently gained exposure due to incessant raids by Microsoft and their henchmen. In the context of subversion launched by OK Video this issue can be important, not only because I am sure that the majority of softwares being used by our contemporary artists are pirates, but also because the act of taking images from the audiovisual world and using them as new works is considered illegal if we abide TRIPs (Trade Related Intellectual Property Rights) agreement in the Uruguay Round GATT/WTO pact. Based on 60 unanimous voice and a 550 pages agreement signed in April 1994, the HaKI/IPR issue was in fact discussed only in the span of 33 pages in annex IC (pages 319-351), yet the impact it has on our present lives is tremendous.

The problem is: although the agreement has been signed, why do we have to obey it? The reason is clear: The Uruguay Round and the other WTO agreements are followed and agreed by Indonesia during the corrupt, dictatorial regime not voted by the people, which is why its validity must be questioned and should by all means be dismantled. Not only in the 1994 Uruguay Round, during the 1996 WTO Meeting in Singapore, Indonesia ignorantly agreed on the issues championed by the US (for instance on investation and competition) when no industrially advanced European countries even dared to sign.

Here lies the real source of the problem. By agreeing to the “free trade” in technology on the 1996 WTO, Indonesia is actually killing its own local computer and software industry. Microsoft went in rapidly and our computer industry, still in its infancy, owned no defense material whatsoever. In the end we can only be consumers. Also, supposedly during their early stages of expansion Microsoft didn’t care that much about pirate softwares and “cricket computers” [Indonesian slang for local built-up computers] in Asia (in accordance with Bill Gates’s dream to provide computers in every home, which also explains why Apple is less popular here). And now that the majority of people is already bound to the computer, all Microsoft has to do is collect the tribute. This kind of model is obviously not uncommon, and can be clarified to any heroin dealers anywhere (“Get them addicted, then nail up the price.”)

The most dangerous element in the TRIPs agreement is the disacknowledgment of communal/societal property rights. Paragraph 4 page 320 of this agreement explicitly admits in “recognizing that intellectual property rights are private rights”. As a cause, historical aspects is no longer important here, but more on whoever is quickest and wealthiest to register their rights. The basic philosophy of TRIPs allows a company/individual to claim patent over a knowledge which is communal by nature. The Japanese cosmetics company Shiseido had patented traditional Indonesian spices which they use as ingredients for their beauty products, like lempuyang (Zingiber, a type of ginger), diluwih, long pepper, brotowali (Tinospora crispa), and cinnamon. Likewise was the issue of tempe, the fermented soybean cake which is authentic Indonesian food. Out of the 19 patents registered for tempe, none of them comes from Indonesia! (13 from the US and 6 from Japan). As internet cafes can now be raided by Microsoft, so too small tempe businesses are liable for a lawsuit by US companies such as Z-L Limited Partnership, Gyorgy, or Pfaff, as patent holders. In reality TRIPs had given a legal framework for the robbery of intellectual public/community properties by corporations. This issue has now surfaced as a political and international natural environment issue, giving birth to the term biopiracy.

The Indian radical scientist Vandana Shiva divides the goal of patenting into three: (1) patenting as an instrument for colonisation; (2) patenting for creation; (3) patenting for import / transfer of technology. By exposing historical evidence beginning from the Renaissance, Shiva had successfully proven that, believed to be used to increase creativity and productibility, patenting possesses far greater destructive functions. Litterae patents was first published in 6th Century Europe as a legal proof of a “no man’s land”. In a decree given to Colombus for instance, the word ‘found’ and ‘conquer’ is considered equal. When the America continent was ‘found’ by Colombus, the indigenous [the falsely named “Indian”] people who’ve inhabited the region for centuries before were denied of existence. Their traditional system of knowledge was regarded as nonexistent prior to the ‘discovery’ and ‘patented’ by the Europeans. In America in 1641, one Samuel Winslow was even granted exclusive rights to produce salt!

Another interesting Shiva’s finding is that patenting was originally given to accelerate transfers of technology. Normally there would be an expert being invited to a particular country to introduce and to pass on his knowledge to apprentices from the inviting state. For example in 1338, three clockmakers from Delft were invited to England to teach. Patent rights were given to them for the amount of the teaching period (usually 7 years). By the time the rights expire, the apprentices were free to implement their newly-acquired knowledge. This technology transfer function is exactly what’s been diverted on the implementation of contemporary IPR.

Shiva wrote that historically, countries that are lack of technology would use patent as a way of pursuing technologically advanced countries. These technologies were borrowed for a certain period of time and patenting serves exclusive rights for the person introducing their creations. However, in present context, patenting is now being used as an instrument to prevent technology transfer from developed countries, and that transferring of knowledge is now being regarded as ‘piracy’. With this, arguments made by patent and IPR protectors that such rights are crucial for the advance of productibility and creativity should’ve been able to be discharged immediately. The level of achievement developed countries attain now is due to the fact that they’ve composed an exclusivist system of knowledge, not inclusivist knowledge (as well as through imperialism, of course).

Kembrew McLeod, a professor from the University of Iowa who is also a music critic for Rolling Stone and Village Voice recently
expressed a similar voice: That intellectual property rights offer more damage rather than benefit in the growth of creativity. The tendency of patenting – as means of privatisation – over songs, the living genes, public spaces, even language, prove that there is an evident oppression by economic interests over freedom of expression, creativity, and communal resources. Which is why the open source movement – a campaign labeled “communistic” by Bill Gates – deserves consideration as a serious effort in pioneering this inclusivisation of knowledge (at least within the realms of computers and information technology).

There are, of course, an abundance of piracy done beyond the limits of consent, particularly those solely based on scraping large amounts of profit. However, this kind of piracy could sometimes have a broad cultural impact (DVD movie piracies for instance). In a country forced to sign an agreement to exchange textile exports with imported Hollywood films, DVD piracy plays a vital cultural role in expanding horizons and tastes. Moreover, capital had also increasingly impose its powers on the issue of taste. Joost Smiers from Utrecht School of the Arts in the Netherlands has the opinion that culture in the current global era is greatly controlled by economic interests. The concept of cultural pluralism in a global era – that cultures are able to compete against one another in a healthy manner – is utter nonsense, as nonsensical as the concept of “free trade”. There is no such thing as a mass culture, there are only products distributed and promoted on a massive scale.

Departing from this situation, do we really want to remain as “sincere victims”? Surely not. Which is why subversion must continue, sped up even, if it is tied with the spread of knowledge and ideas. And even if it’s illegal, so fucking what! Isn’t the word ‘subversi’ itself is framed by the Great Dictionary of the Indonesian Language as an act which “incorporate ways outside the law”? So fear not on breaking the law, for we only strive to remain faithful to the meaning of a word.

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1 See Artemio’s video, Apooclypse Now (2002)
2 See Artemio’s video, Gladiato (2004).
3 Classified under IPR according to the Uruguay Round are: (1) Copyright and Related Rights; (2) Trademark; (3) Geographical Indications; (4) Industrial Designs; (5) Patents; (6) Layout-Designs (Topographies) of Integrated Circuits; (7) Protection of Undisclosed Information; and (8) Control of Anti-Competitive Practices in Contractual Licenses. Taking audiovisual images would classify under the clause “Copyright and Related Rights”. Actions against copyright issues are “copyleft” or “right to copy”.
4 The Trade and Industry Minister at the time, Tunky Ariwibowo, was Soeharto’s crony businessman. It was him also who gave tax cuts for Tommy Soeharto on the Timor car projects.
5 Megawaty Khie, as Microsoft rep in Indonesia stated clearly during a press conference in 13 June 2005 that Microsoft would not give any price cuts for warnets, or internet cafes. The same strategy happens in the politics of foreign country debts. To seize influence during the Cold War, the US was generous on giving aid and loan to any country especially to dictatorial regimes like Indonesia or Chile in return for their loyalty towards the US. When the Cold War ends, the US recollects them mercilessly. For further details see Noreena Hertz, The Debit Threat (Harper Collins, 2004).
6 Shiseido’s attempt was failed by Indonesian and global national environment activists, in particular through Pesticide Action Network (PAN).
7 Another example: the art of batik has been patented in Malaysia.
9 Shiva, Protect or Plunder, pp 14-15.
10 Kembrew McLeod, Freedom of Expression #: Overzealous Copyright Batoz and Other Enemies of Creativity (Doubleday, 2005).
11 If pricing is really the main source of attraction in the flourishing of pirate DVDs, then it should be obvious for film producers to reduce their production fees. However, claims that pirate DVDs financially harm the film industry seems questionable. A person would probably be interested in buying a pirate DVD for the price of 7,000 rupiahs, but when s/he is asked to purchase the original for about Rp 90,000, I’m certain that most people would rather not see the film at all. So its direct implication on the profit and loss on the film industry still needs examination. That is why DVD piracy industry is often called as a “victimless crime”. Having said that, one should also note recent investigations, which claim that DVD piracy industry, is tightly linked with the mafia and other organized crimes. A kilogram of pirate DVDs can now produce more money than one kilogram of cannabis (see BBC News; “UK: DVD Piracy”, 12 July 2004). That is why, now DVD piracy is no longer a trend found only in developing countries. On the first quarter of 2005 in the UK alone, confiscated pirate DVDs took a 41% rise. The trading value of pirate DVDs in the UK is estimated to rise from 600 million pounds (10 quintillion rupiahs) in 2004 to 1 billion pounds (17 quintillion rupiahs) within 3 years (see Wirdania Anwar, “Penyitaan DVD Bajakan Makin Garang Dilakukan”, DetikNews, Friday, 17 June 2005).
13 This terminology came from the poet Radhar Panca Dahana upon giving his opinion on HaKI. See “Pencuri Hak Intelektual”, Kompas, 27 Juni 2005.