

PIRACY REGULATION AND THE FILIPINO'S HISTORICAL RESPONSE TO GLOBALIZATION

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Abstract

The essay examines the racial discourse of Moros and Moro-profiling by the state in piracy—sea piracy in olden times and media piracy in contemporary times. Moro piracy becomes a local cosmopolitanism in the Philippines' attempt to integrate in various eras of global capitalism. From the analysis of media piracy, the Moro “dibidi” (pirated DVD) seller becomes the body that mediates between the Filipinos' middle-class fantasy of a branded lifestyle and the reality that most Filipinos do not have full access to global consumerism. Using a cultural studies framework, the essay draws a connection between seemingly unlinked events and sources, allowing for a historical and social dialog, past and present, to mix, creating junctures for sites of dialog and critique.

Keywords: *race formation, Moro, media piracy, conjectural history, middle class*

Under the United Nations Convention on the Law of the Sea, piracy includes, among others, “any illegal acts of violence or detention, or any acts of depredation, committed for private ends by the crew or the passengers of a private ship or a private aircraft, and directed on the high seas, against another ship or aircraft, or against persons or properties on board such ship or aircraft; against a ship, aircraft, persons or property in a place outside the jurisdiction of any State...” (in Eklof 2006, 88). According to the *Asia Times Online* (Raman 2005) pirate attacks have tripled between 1993 and 2003, with half the incidence happening in Indonesian waters in 2004 (especially in the Strait of Malacca). There is much to be feared in sea piracy as some 50,000 commercial ships ply the water routes between the Pacific and Indian Oceans, off the Somali coast, and in the Strait of Malacca and Singapore. These cargo ships holding tons of steel containers are, after all, the backbone of capitalist trade, allowing the transfer of bulk materials, produce, and waste. Media piracy would fall into a related definition because it is an act of omission committed against a sovereign body, usually a business corporation, holding the intellectual property right to the contested object and thus protected by the corporation's nation-state. However, media piracy does not only happen at sea (in the Philippine case, it does

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[Baumgartel, 2006]¹), but it also is literally and figuratively reproduced technologically. A duplicating machine can reproduce 20,000 copies of music, film, games, and software per day. So invested are business corporations and their nation-states that there is paranoia in protecting their objects of profit from any further loss.² It then can be understood that the discourse of piracy is also mobilized by the state—governments and big businesses—as a new form of protectionism by developed nations that benefit from the strict enforcement of intellectual property laws.

If sea pirates engage in acts of depredation—robbery, pillage, or plunder—then ordinary citizens who engage in trespassing acts against copyright (or the ubiquitous terms “copylefting” and “filesharing”) and intellectual property laws can also be considered as media pirates. With limited access to technology and media products, yet with the savviness for brands and other middle-class experiences, Filipino citizens, for the most part, have no qualms about being considered as media pirates. The Obama administration has kept the Philippines on its watch-list of trading partners with copyright-related issues (Associated Press, 2009). Media piracy includes downloading files in the Internet so much so that the use of pirated operating systems, the purchase of pirated DVDs and VCDs in very convenient locations in the city or even through delivery, the reproduction of books and journal articles, and other experiences are no longer deemed as violations in their proliferation in the everyday. It is connected with the nature and definition of being middle class in the Philippines: technology- and brand-savvy even with a very limited economic profile to back up the middle-class experience. So who in the Philippines is not a pirate? Who has not bought pirated music or DVD film from the neighborhood Muslim vendor; has not downloaded films, television shows, and music from Internet sites; has not played pirated games in computers powered by pirated software; and has not listened to pirated music played in bars, karaoke establishments, and restaurants, among others? We could all get arrested for doing what we do with our media texts. But we won't. At least not yet. Not because we have formed an alliance similar to the call of “The Smiths” title song about shoplifters, “Pirates of the world unite!”, but because it has become second-nature among the middle class in contemporary Philippine society. Wanting to become middle class with all the fineries of middle-class life (including alternative music, art films, cult movies, documentaries, classical films, games), the middle class in the country cannot afford these markers if it were not for pirated media (among other things).

What this means is that to be middle class in this country is to simulate the real by means of the imaginary, with piracy falling more in the lines of the

imaginary than the real—the imaginary is as real as the real itself for a lot of wannabe middle-class citizens. Wanting in material economic standards, being middle class means making do with even nonacceptable middle-class experiences.

The Philippines' entry to globalization has historically prefigured the pirates and pirate activity—piracy as inimical to legitimate claims of participation in world capitalism. This essay traces the historical response of Filipinos, specifically the Muslims, to piracy, and the unlikely relationships and illicit interactions between pirate bodies and middle-class performance of the status of global citizens. With limited access to actual financial capital, the Filipino middle class develops a localized tactic in media piracy to bear the marks of global cosmopolitanism and urbanity. My contention is that media piracy has provided the localized experience in an inadequate national capitalism to remain attuned with markers of global gentrification. While contested by the state of the developed nations, preventing the Filipino middle class from gaining full access to globality, media piracy is also tolerated to maintain the possibility of full middle-class citizenry to being actualized. Media piracy becomes the bridge that allows Filipinos to transition from the state of having only partial access to that of having full access to middle-class consumption.

Integral in the cultural studies of media piracy is the politics of representation: how Moros are historically positioned as sea pirates then, and primal media pirates now, that allow for the rationalization of middle-class aspiration in Filipinos. Cultural studies makes available a conjectural history, details tangentially connected, creating a critical narrative as a reaction to the historical metanarrative of unfolding events from the point of view of those in power. This conjectural history allows for a counter-mapping of the state, imbuing it with the political and economic power to mete out disciplinary action and undertake surveillance activities on infringements of copyright and intellectual property practices on the one hand, and also to complicitly tolerate violations as a way to institutionalize an economy of sanctioned aspirations toward the full realization of global citizenship claims. Using disparate disciplines such as history, media studies, philosophy, race and popular culture studies, a productive contrapuntal engagement with the subject (the Moro figure) and subject matter (piracy) is operationalized, allowing for a dialog between past and contemporary social histories, and a critique of the exigencies of state management of racial profiling and other trespassing practices. Through a conjectural history in cultural studies, a historiography of media piracy and an intellectual history of media piracy in the Philippines are developed.

By being designated as pirates, Moros in the Philippines were historically emplaced in an orientalist racial profiling of the “bad” colonial subject. The

colonial state's image of the Moro-as-pirate remains integral in the marginalization of this ethnic group or the exacerbation of the "Moro/Mindanao" problem as integral in official nation-building.³ Even in daily life, the consignment of the Moro pirates to the margins and interstices of national history emplaces middle-classness in modern Philippine life, i.e., providing the geopolitical bodies that make illicit yet integral the middle-class experienciation of national life.⁴ The national life harps on official citizenship transformed through middle classification. With limited access to full gentrification however, citizenship is primarily materialized through a middle-class guilt—how actual middle-class transform their historical economic limitations, allowing access to a gentrified being by subverting, if not violating, rules of middle-class engagement. The intrusion into the improper and illegal are necessary parts of a middle-class "fantasy-production" (Tadiar 2004) or psychical and material negotiations in the quest for legitimacy of a not-so-fully middle-class experience. Integral to the fantasy-production is the subhierarchization of the Moros as a more marginal racial other, thereby justifying the illegitimate act—that the Moros originate the piracy violations that support the appetite and practices of the Filipino middle class.

In more recent times, by pioneering media piracy in key cities in the country, Filipino Muslims are excelling in their stereotypical role of niche participation in Philippine capitalism. By being conduits to this pedestrian layer of local capitalism (the site of sale itself being undertaken in the busy sidewalks and streets), Filipino Muslims are helping to make the national desire to become middle class illicitly possible. In parallel, for officially recognized businesses the penetration translates to an experience of conspicuous consumption even for the underclass. Businesses also engage the massive pedestrian layer through the "*ting*" (small portion) system, where everything can be sold and purchased in small quantities to suit the budget.⁵ (This has allowed cell phone penetration for example, to increase from 25 percent or what was deemed the regular market, to 45 percent through "micro top-up or sachet solution" that enabled people earning on a daily basis to be offered text and airtime services within their income range [Magno 2006].)

In this essay, I will first map out the historical emplacement of Moro pirates in early capitalism, including their racialization into the trade, and then discuss the reverse piracy of the state that renders itself as a disenfranchising unit of the Moro and Chinese participation in the more recent media trade. My paper focuses on the Moro participation since the historicizing of the Chinese participation entails a separate discussion. The attempt to regulate piracy, therefore, is also the nation-state's attempt to regulate Moro identity and to expound on Filipino Muslim marginal citizenship. My contention is that media piracy is a

creative and critical response of Filipino Muslims that allows them to maneuver into the homogenizing cultural politics of the Philippine nation-state and neoliberal globalization. I then turn to the key role of the informal sector, where media piracy is an active participant in the sustenance of the national economy. Through a class analysis that links the Moro participation in media piracy, an affinity between Moros in media piracy and acts of other classes in the informal sector can further be drawn. These subversive acts are coping mechanisms of the disenfranchised to survive in a system that precisely negates their identities and social subpractices. By mapping out the cultural politics involved in the racialization of media piracy, the historical enforcement of ethnic and religious stereotypes are foregrounded, making critique of the state's othering discourse of race and religion also possible. By exposing the matrix of race relations in a popular culture phenomenon, media piracy is read not simply as an illegal act detrimental to copyright and intellectual property laws—or the state's legal basis for discipline—but protective and encouraging of the state's own formation of middle-class ideals in citizenship.

Moro Profiling and Racialization

There have been three trends that historicize the maritime history of the Sulu Sultanate: first, the 'decay theory' or the theme of the "advent of piracy in the Malay world in the eighteenth and nineteenth centuries and the decline of indigenous maritime power" that concentrated more on the suppression of piracy than the local initiatives (Warren 1981, iv); second, the 'rivalry theory' or the earlier competition "between the Catholic Spaniards and the Muslim population of the Sultanate" that underestimated local economic activities like raiding and enslavement as prime objects of wealth (Warren, v);⁶ and third, the 'pattern theory' or the mapping out of a local typology of economic, political, and cultural activities as central to state formation (Warren, xv). What these studies privilege is not so much the local initiatives but a kind of sustained profiling of the Moro as integral yet marginal to state formation. The term "*Moro*," after all, designates "the piratical ethnic groups," according to the Spaniards, whose social category was not based on religion as certain Moro ethnic groups were not Muslims. The "Moro Wars" were not only wars of religion but were "forays for economic purpose" (Loyre, 1997, p.72).

The Sulu area was a vibrant trading power in the eighteenth century, a major port of entry for Chinese from Mainland China, and of Buginese trade, centered in Southeast Asia. The trade was conceived in a hierarchy of ethnic and economic relations, with the Sultanate of Sulu overseeing the trade. For historian James Warren (1981), trading was as crucial as the raiding and slavery

activities of Moro pirates. Through a system of tribute and raiding, the sultanate of Sulu and its cohorts were sustained. Local subsistence agriculture was not developed until it became evident that rice production was necessary to maintain the needs of the sultanate when the Spaniards had had some success in controlling pirate activities. The main economic activity was raiding, with figures suggesting a sizeable population size and boat fleets⁷. The entire coastal area of the Philippines was a raid route, with the Sulu sultanate sanctioning and benefiting from the slave and produce booty. So massive was raiding that “at the end of the eighteenth century, some 500 persons a year would have been captured and enslaved” (Montero y Vidal, cited in Loyre, p. 83). Politically, “it is more than probable that some skilled pirates did become chiefs and achieved power which was later only justified by blood-ties” (Loyre, p.76).

Unable to contain piracy, Spanish sources played the racial card, crafting the Moro using ruthless pirate imagery: extreme cruelty in treatment of captives, betrayal as nature of attacks, solely driven by profit (Warren, 1981). Spanish colonial rule was not able to protect the Catholic-converted natives. Many natives opted to seek refuge in the hinterlands rather than go back to towns prone to raids by pirates.⁸ Others were caught in the chaos of raids, unable to return to their villages.⁹

The advent of piracy in the area came at the height of Spanish colonial rule although Loyre mentions that “piracy in the Philippines was not a response to colonialism for it had existed before the arrival in the area of Western empires. However, colonialism altered the rules of political and economic life in several ways” (Loyre, p.81). Piracy became the local initiative to hook up with early global capitalism that was then under the shadow of colonialism. It provided the natives the opportunity and resources to be able to trade and maintain local political and economic control despite the Spanish colonial claims on the islands.

Until its decline, piracy symbolized the “shame” of Spanish colonizers’ failure to dominate its colony, and its continuance, especially in the enslavement of captives, became the “embarrassment” to liberal values espoused during the subsequent American colonial period. Warren states that “the Spanish were, in fact, too weak to prevent the inland seas of the central Philippines from becoming a ‘Muslim lake’” (Warren, 1981, p.170). Furthermore, raiding took its toll on colonial and Christian planning in other areas. Warren also cites that “the Bishop of Cebu stated that slave raids were the basic reason for declining parish enrolments and the continued poverty of the churches in Caraga, Iligan, and Panay” (Parish documents (1779), cited in Warren, 1981, p.171). The Spanish friars, after all, were instrumental in establishing more than a thousand towns and cities in the Philippine lowlands by 1898; “majority of these communities

had less than 2,000 inhabitants; 200 had a population of over 2,000; thirty over 5,000; nine over 10,000” (Robert Reed, cited in Warren, 1981, p.177).

The civilized native would be an appropriate object for exhibition as what the US did with the Moros in the 1904 St. Louis World’s Fair. America’s “Moroland” was the sore thumb sticking out of its liberal pie. Historian Michael Salman states, “the sultan’s ‘notoriously deficient’ income opened the possibility of forging a relationship through a monetary subsidy. In return, like Spain before it, the United States demanded a cessation of ‘piracy,’ meaning slave raiding as well as the general plundering of seaborne traffic” (Salman, 2001, p.68). Colonial policy shifted from indirect to direct rule and the 1899 Bates Agreement, where the US promised “not to interfere with the religion, law, and commerce (and to pay the sultan and his datus monthly stipends) in exchange for the sultan’s acknowledgement of United States sovereignty,” was unilaterally abrogated by the US in 1905 (McKenna, 1998, p.90). Datus were pitted against each other. New ones were reared through colonial education while some even became pensionados (Filipino scholars in the US).

Postcolonial profiling would be aggravated by the institutionalized practice of distributing lands to new settlers, mostly Christians, from Luzon and the Visayas. Agricultural corporations were also allowed to redevelop rich arable lands of Mindanao into plantation economy geared for export. On one hand, national policies were also “designed to ‘integrate’” Muslims into “national life” by providing an elite few access to postsecondary education (McKenna, 1998, p.140). On the other hand, Ferdinand Marcos, during his presidency, would intensify the Moro/Muslim/Mindanao conflict by resorting to the militarization of the island (beginning with the “Jabidah Massacre” where between 14 and 28 of the 180 Muslim army trainees recruited in 1967 were executed without investigation). The conflation of these two historical junctures provided for the rise of Moro nationalism whose effect until the present time still continues to shape Mindanao and national politics.

The disjuncture in the signifying practices of colonial rule as brought about by the experience of piracy can be used to illuminate contemporary issues where the Moro media pirates continue to undermine the practices of the nation-state. Postcolonial national politics would further propel an internal orientalizing of the Moro figure—neither integratable in their inclination to become ethnically at par with national citizenship then, nor in their struggle for self-determination as autonomous subjects now. In this rhetoric of the nation-state, the Moro pirate continues as the fluid subject able to weave through national politicking, the Moro struggle for sovereignty, and global neoliberalism. It is within the shadows of global neoliberalism, which hinges on the protection

of intellectual property rights of the innovator-entrepreneur (a similar reworking of the laissez-faire philosophy of early capitalism), that the pirate again intrudes and inserts himself or herself, in Philippine modernism – as the filter to enable the imagination by the nation-state and its citizens of having achieved the simulacrum of middle-classness.¹⁰

Philippine State Formation and the “Middle-Class” Affect

“Dibidi,” pronounced in a low almost sinister-like whisper, embodies and parodies the Moro vendors of the pirated media trade in popular consciousness today. Dibidi becomes the translator of the technological acronym DVD (Digital Video Disc), which does not have currency in popular culture. Dibidi is played on a pirated DVD player— pirated because the buyer will be asked by the seller what brand name he or she prefers to have glued on the generic player. This player is oftentimes more powerful than regular players as it can play all regional formats. Dibidi—the pirated version—is technologically and commercially supported by other modes of piracy, including the VCD and multi-film DVD format for most underclass users.

An IIPA report even states, “unlike in some other Southeast Asian countries, the VCD format has not yet supplanted VHS videocassettes; but VCD piracy is extending the life of the pirate market in the older format” (International Intellectual Property Alliance, 2001, p.177). In fact, “dibidi” is encompassing of all media forms, and more attuned to the music CD and movie VCD forms, which are cheaper than DVD. However, DVDs have produced ten-in-one, even 20 films in one DVD, making this a popular and practical choice.

In most places, *dividi* has been publicly displayed for prospective buyers. These stalls are within and on the fringes of legitimate local capitalism—Greenhills, Divisoria Mall, Philcoa, Makati Cinema Square, Metro Walk, and the various sidewalks in Baguio, Laoag, Davao, and other major cities in the country. Within the belly of the Moro enclave in Quiapo, old buildings were refurbished to cater to new stalls for the aggressive *dividi* trade. The *dividi* trade and jeepneys compete for constrictive access along Quiapo’s thoroughfares. Not only were infrastructures reconceptualized for the trade but so too were behaviors and decorum of the trade. During the introduction of a lot of the classics of cinema and even operas, devoted clients would wait early in the morning when new titles were released. For pornographic films, a range of new practices surfaced: sellers whispering to people walking on the street, prospective clients being brought into more illicit spaces, the practice of not

opening the package bought in the site, and duping the customer into buying something other than the pornographic films ordered. Sellers would coalesce on a minimum price per *dividi*, and would take on a tough attitude against those not acceding to the price. Prices vary depending on the location of the stall in Quiapo's various enclaves. The more commercialized the space—brand new stalls, air-conditioning, availability of a television to test the *dividi*—the more expensive the minimum price.

Said in a whisper, "*dibidi*" foregrounds what is unsaid or could not be said in the discourse of the nation-state: that restated in pirated media sales and consumption is an engagement with the non-inclusion or partial exclusion from global neoliberalism and the free market dream lifestyle. The seller—the pirate body no less—seduces buyers with the latest markers of middle-class media in the form of pirated goods (which tempts buyers to achieve or perform their unsaid desire for middle-class mobility). By so doing, the consumers gain illicit markers of middle-classness, and they become participants in piracy. Not acceptable at all in present global capitalism, these products signify both the parallel direction and the disjuncture from actual middle-classness for the wannabe middle class. The quasi-middle class act of consumption of products of digital technology is rationalized by limited access to genuine goods (where else to buy classics of world cinema?), principled participation (would buy only foreign and not local pirated films), or a genuine manifestation of consumerism, and not by acceptance of the act as part of piracy. The illicit is thus positivized; the middle-class angst over consorting with 'pirates' is negated.

It is not so much that Moro identity dictates the newer capitalist experience in *dividi* production and sales; rather, the historical construction of the sinister figure of the Moro pirate somehow foregrounds any actual contact and exchange with Moro ethnicity. Christian and state chauvinism have minoritized the position of Moro ethnicity, creating it as the other of the national self, an othering based on ethnicity and religion rather than on class (as compared, for example, with the assertion by the New People's Army of working class issues and differences). Note that the three million Muslims in the country are just some five percent of the population of predominantly Christian Filipinos (IIPA, 2001, p.2). National politics replaces the Muslim conflict as something induced by the Muslims themselves, for not wanting to integrate into the body of national politics that purports cultural and religious tolerance. In obfuscating class from Moro ethnicity, Christian and state chauvinism have washed off their own crucial role in minoritizing the Moro. Difference is posed in terms of religion and ethnicity, all redeemable within the nation-state's developmental objectives.

This chauvinism furthers the middle-class affect or the gentrified **feeling** of belongingness. In Filipino colloquial use, “feeling” means to be in the privileged yet inappropriate place of the other—*pa-feeling, feelingera, feeling rich, feeling pretty*. So, ‘feeling middle class’ is a class affinity that contradicts actual class affiliation. Middle-class affect becomes the simulacrum to actualized forms of actual social mobility, *dividi* forming an integral part of the substantiation of the affect. The contradiction between middle-class affect and actual historical class position becomes a tension in the everyday interrogation of national politics and global neoliberalism.

Dividi marks the contradiction, poised in the racialization and class depoliticization of the Moro figure that illegally reproduces and sells it as a modality of class subjectivity within the gentrified codification of global neoliberalism¹¹. The pirate’s turf, Mindanao, is posited as either land of (Christian) opportunity, war-ravaged, and newer site of terrorism as a result of the larger minoritization of Moros in the global war on terror. Former US charge d’affaires in Cambodia Joseph Mussomeli has warned that Mindanao “could become the next Afghanistan,” and that “Metro Manila could become the next Baghdad” (Joseph Mussomeli, cited in Abaya, 2001). Meanwhile, the Autonomous Region of Muslim Mindanao (ARMM) is the most poverty-stricken region in the country (NSCB, 2004, cited in Pamintuan, 2005, p.9)—being on top of the list of provinces with the highest poverty incidence. Also included in the top ten are Muslim provinces of Tawi-tawi, Maguindanao, and Sultan Kudarat (NSCB, 2004, cited in Pamintuan, 2005, p.16).

Moro involvement in the *dividi* trade has revolved around the ghettoization of the ethnic groups in national identity formation and national development. What Moros thus undertook for the *dividi* trade in their infrastructuring of the nation—positioning the discourse of media piracy into the larger discourse of the nation itself—was a reproduction of their headquarters ghetto of sorts (essentially a redevelopment of the Muslim side of Quiapo as the antithesis to Manila Mayor Lito Atienza’s own urban renewal of historical and touristic sites in the capitol) in other sidewalk ghettos in key cities. In the first place, Moro enclaves in the official city have been designated in Maharlika Village, Taguig and Culiat, Tandang Sora neighborhoods; areas prone to periodic raids and ‘*sona*’ (forced submission of suspects for inspection) by the police. Other informal sites include Baclaran and crosswalks where Badjaos and other ethnic groups brought from Mindanao are made to beg by syndicates or of their own will. The state’s own Clark Special Economic Zone was used as a factory site to produce pirated media until it was raided in 2000 (IIPA, 2001, p.178).

The attempt of the nation-state to weaken Moro ethnicities exhibits the state's own propensity for corruption and its upholding of larger interests. In other words, the state underwrites, if not supervises, the economic flow of goods and trade by Moros on the one hand, and the social engineering or the minoritization of the Moros on the other hand. The Philippine state also functions to discipline and punish the Moros through continuous surveillance. An uncanny example of such policing activity of the state that is specifically directed to Moros is its media piracy raids. In a reversal of roles, the state through its police apparatus now undertakes the **raiding** of pirated media. It can be read as a piratical act against pirated goods and pirates themselves. A vendor of pirated CDs succinctly puts the reversal at play, again poised in racialized terms, "But they have no right to confiscate what we are selling[...] the police are just like the Abu Sayyaff (a kidnap terrorist group in Southern Philippines), they come and confiscate everything we sell... while some of them choose the (pornographic) films and some of the good music CDs and just take (those) away!" (cited in Baes, 2002, p.4).¹²

The state's performance of coercion is legitimate and signifies both the normality of its racializing operation in the name of protecting the more legitimate individual and corporate claims, and its own corruptible enterprise via individualized or hierarchical interests through pay-offs, cuts, percentages, and illegal claims in exchange for "protection." In a report on raids, the racialization of piracy is once again pronounced:

[US Assistant Secretary of State William] Lash said the Philippines has yet to convict a single person for piracy, even though 280 arrests were made [in 2002]. Almost at the same time as Lash's visit, VRB [Video Regulatory Board] operatives confiscated five truckloads of pirated audio and video tapes and arrested eight people, including a ranking police official from Mindanao, during a raid in Maharlika Village in Taguig. Senior Supt. Laud Sari, Lanao del Sur provincial director, was arrested in one of the houses where the illegal piracy activity was being done. He was immediately relieved by Philippine National Police Director General Hermogenes Ebdane Jr. for ignorance of the law.

Combined teams from VRB, PNP [Philippine National Police], Presidential Security Group, Special Weapons and Tactics of the Southern Police District, Philippine Air Force and film stuntmen, joined in the anti-piracy operation on Mindanao

Avenue, Maharlika Village. Lawyer Carlo Uminga, VRB chief for legal affairs, said the raid on nine Muslim houses along Mindanao Avenue also yielded 150 units of CD burners, desk computers and master copies of audio and video CDs.

Uminga describe the raid as the biggest “in terms of the number of CD burners and the volume of fake CD and VCD materials.” “This is unique in the sense that Maharlika is the biggest supplier of pirated materials to barter centers in Quiapo,” he said. Officials said the illegal piracy activity in Maharlika, dubbed Quiapo Dos, has become a cottage industry in the area, serving as main sources of livelihood for jobless residents as well as their relatives in Quiapo (“Piracy Watchdog back bill regulating optical media”, 2003, p.24).¹³

Unlike in usual reportage of crimes, the religious and ethnic backgrounds of the perpetrators are clearly mentioned in the report, and tied to the crime of piracy. Uminga draws the link of Quiapo and Maharlika Village, as well as livelihood for those in the area and their relatives in Quiapo, homogenizing the notion that all Muslims are the same, or at least, in support of their kind. The report makes a spectacle of the raid, involving even movie personnel providing the authentic dissent to the crime committed against their industry. Actor Ramon Revilla, Jr., a Chair of the VRB, would find national political acclaim in these raids, allowing him to run and win a Senate seat.

Meanwhile, the ebb and flow of raids and raid patterns becomes normalized too with the traders' forewarned knowledge of what to do, why, and how. Raids are staged performances, after all, of the state's display of efficiency to deliver trading practices at par with neoliberal standards. The Chair of the Optical Regulatory Board (ORB) will always be present in these raids, denoting clear supervision of the top political personality of the state's anti-media piracy campaign. Shops would just pull down their shutters, and street vendors would run with their goods. Pirated goods are then seized, and another spectacle will ensue: the bulldozing of the illegal goods. Quantities of the goods destroyed are stated but can never be verified. Viewers are made to assume the significance of the quantity, and therefore, the moral ground to destroy these. This becomes the moral locus, however, for individual holders of pirated media to justify their collection—the amount they have can never equal the amount produced by pirates that is seized and destroyed by the state. The middle-class reaction mimics the state's own self-preservation agendum—to ensure some compliance to the dictates of global capitalism on the one hand, and to ensure that it reaps its share in the illegal trade on the other hand.

Neoliberalism, the Informal Sector, and the World of Piracy

Quiapo derives its name from “*kijapo*,” a floating water plant (*Pistia stratiotes*) “whose leaves are densely clothed on both surfaces with short depressed hairs, (such that) any water falling on the inclined leaf is speedily repelled and the epidermis never wetted. The air layer effectively prevents the plant (from) becoming submerged” (Sculthorpe, 1967, quoted in Pamintuan, 2005). The plant has evolved to survive in the murky and muddy waters of the area. Its qualities are a good metaphor for Quiapo’s own evolution as still a cultural center of modern and postmodern national life.¹⁴ Its first underpass built by Mayor Arsenio Lacson in the 1950s was the shopping and leisure district in the pre-mall era until the 1970s. Quiapo was the site where Marcos built the golden mosque in a gestural attempt to display Muslim recognition, it was the site of the first 24/7 Mercury Drug Store branch, the scene of urban renewal into a grand city of the 2000s, and remains as the major hub of the present dividi trade. Quiapo’s survival rests on its symbolic premodern value to the country’s religious and cultural life. But it is Quiapo’s present enclave of piracy that most calls to mind the plant’s characteristic, as a “direct mechanical hindrance to navigation, entangling boat propellers; also leads to loss of crops, flooding” (Sculthorpe, 1967, quoted in Pamintuan, 2005). In other words, Quiapo always and already brings to the fore the double act, simultaneously showcasing national modernity and its undercurrent—the informal economy and the piracy that sustains this modernity. The informal economy allows for the cultural maneuvering and posturing of modernity and a version of Third World cosmopolitanism.

Neoliberalism seeks to allow the free flow and penetration of global capital, goods, and people through a system where government creates the business and political conditions to ensure this flow. Services are franchised to tailor-fit the newer mode of capitalism. Quiapo retrofits newer modes with an almost premodern variety of services. Many of these services were first negotiated and standardized in Quiapo and other related sites prior to the circulation of these as usual norms of middle-class national experience—ukay-ukay or recycled clothing shopping complexes, pirated clothing and jewelry sold on the sidewalks, and the surfacing of smuggled and stolen goods, among others.

From the annual procession of the Black Nazarene, to Mayor Atienza’s grand renovation of the Plaza Miranda, to the eclecticism of the space of folk medicine, religiosity and consumerism, to the in-mixing of Christian and Muslim domains, old houses in San Miguel, or decaying art nouveau buildings in España, Quiapo’s habitat is unique. And yet it is also reproducible in the age of

neoliberalism. The informal sector that brings the conflated culture of the modern-premodern is reified in other cities, providing a similar range of more localized services and development. These urban sites of the informal sector account for as much as 50 percent of the gross national product of the Philippines (Rene Ofreneo, 2002, p. 393).

Indeed, Quiapo's informal sector in general and media piracy in particular potentially accounts for a huge flow through the economic backdoor. This informal sector encompasses two forms of piracy: the selling of goods brought in illegally, and the selling of illegal goods. The local movie industry, given its prominent stature in the culture industry, is quick to react to media piracy, as some P30 million, or 30 to 35 percent, of the industry's total sales succumbs to piracy monthly (Hibionada and Calubiran, 2005). The informal sector in Quiapo and elsewhere eats into profits estimated at US\$23 billion for the Hollywood industry, \$33.6 billion for the US recording industry, and \$189 billion for the worldwide software industry (Menta, 2006). Quiapo and the like were able to bite into the sales of US companies in the amount of \$116 million in 2002 ("Piracy watchdog backs bill regulating optical media", 2003). In 2004, the estimated loss by US companies was \$160 million ("Philippines", 2005). Even as early as 1997, \$177.7 million was already lost in the Philippines due to piracy, \$107.7 million of which is attributed to media piracy (International Intellectual Property Association, 1997, cited in Baes, 2002, p.3). Specific to software, the piracy rate was a high 71 percent in 2005, and industry losses amounted to \$76 million in the same year (Business Software Alliance, 2006). Piracy software losses were estimated at \$147 million in 2007 and \$202 million in 2008 (Rubio, 2009).

So massive is the influence of this sector that the Philippine government has failed for five years to get the country out of the very important priority watch list of the US.¹⁵ It was in February 2006 that the Philippines received an upgrade of sorts to the "Watch List" after having been on the "Priority Watch List" for five consecutive years ("Philippines," 2006). The inclusion of the Philippines in these lists represents a premodern stigma. In the words of Emma Francisco, director general of the country's Intellectual Property Office (IPO), "*Pangit ang* implication *no'n* (the implications are bad), because there is a tendency for people to stay away" (Gonzales, 2003). The Philippines is a kind of underclass in the more recent big league capitalist game. The US is blunt in declaring: "The Philippines has been relatively ineffective in protecting intellectual property rights" ("Philippines," 2005). Media piracy is akin to pronounced sores on the leper national geobody. By 2001, it was clear that Quiapo was becoming part of the global media piracy network. "The Philippines ranked number three in Asia in

manufacturing and selling pirated media materials” (Rep. Imee Marcos, cited in Gonzalez, 2003), and was named the “seventh worst Intellectual Property Rights violator” (T. Arceo Dumlao, cited in Baes, 2002, p.3).

From being a mere distributor, the Philippines was becoming a supplier or producer of pirated media goods. Moreover, the ownership of the means of piracy was racialized through the “Chinese” (Singapore, Macau, Hong Kong, Taiwan and China) and “Muslim” (Malaysia) connections. This means that the informal sector of media piracy in the country still owed much to illegal foreign capital for funding, signifying that even in the illegal trade, the Philippines was in a low position globally. Nonetheless, the country remains crucial—“taking advantage of the country’s porous borders, the CD pirates relocated in the Philippines where IPR enforcement is low to escape tighter enforcement in their own countries. The pirated optical media are sold to Southeast Asian and other global markets, including Latin America” (Llorito, 2003).

The porousness is experienced twice—in the archipelagic geography that posits the national experience as open to global ideas and products on the one hand, and in the quasi-effectiveness of governance in law enforcement on the other. In the nature of the informal sector, where in its very anachronistic use of technology—e.g., the hand-delivered master dividi copy, folded paper ledgers for jueteng *kubradors* (gambling agents), or marked stones to hide sachets of *shabu* (crystal meth)—the culpability of the illegal perpetrator is limited.

The porousness is likewise socially allowed because of the sizeable contribution of the informal sector, about 40 to 70 percent, to the official gross domestic product (Garcia, 2005). The informal sector also constitutes 63 percent of the total labor force or some 15 to 19 million workers (Bureau of Labor and Employment Services of the National Statistics Office, cited in Garcia, 2005).¹⁶ The informal sector does not only supplement the government and private sector’s initiatives on employment and individual income, it also provides for the majority of these components. The Philippines was “among the most enthusiastic of global players, lowering its tariffs faster than its neighbors and opening its entire economy, including land ownership and retail trade without caution—as if the lesson from “parity rights” and “free trade” during the American colonial rule have not been learned” (Yuzon, 2004).

In the postwar period, import substitution restricted imported consumer goods, allowing for monopolies in the manufacture of various basic food and agricultural products. The introduction of machines displaced manual labor and urban migration intensified. The Marcos period stressed an export-oriented

economy, with the labor force supplying the needs of multinational corporations in manufacturing and agriculture in the homeland, and the export of Filipino contractual labor in foreign lands. Reproduction of textbooks was officially sanctioned. The 1980s up to the present emphasized economic liberalization with government assets and services being privatized (electricity, water, and corporations, among others) leading to mass layoffs, greater contractualization, and reskilling of workers. Media piracy comes in the aftermath of national development, marking both failure to fully progress as a nation and illicit translation of global standards of leisure.

In 1998, the International Labor Organization (ILO) defined the informal sector as “small-scale self-employed activities (with or without hired workers) distributing goods and services at a low level of organization, skills and technology with the primary objectives of generating employment and incomes. The activities are usually conducted without proper recognition from authorities and escape the attention of the administrative machinery responsible for enforcing laws and regulations” (ILO, cited in Garcia, 2005). What the ILO definition does is to legitimize the contribution of the informal sector, especially in the developing economies, as a struggle for livelihood and the standards of living.¹⁷ What it also does is to highlight a form of primitive accumulation of capital in the intensification of neoliberalism. Capital has penetrated the lives of individuals that even the disenfranchised are made subservient to higher positions of legal and illegal authority to generate vestiges of capital. (Even as jueteng, the numbers game, for example, gives a 1:400 chance of winning, so enticing is the appeal that annual revenues from this small-town lottery amount to P30 billion annually [cited in Jurado, 2005].)¹⁸

According to Isagani Yuzon, the informal sector is “the first casualty of globalization” for the following reasons:

First, informal sector products have no way of competing in the global market, due to their low-input, low-technology, low capital content[...] [s]econdly, the informal sector bears the brunt of the harsh structural adjustment programs, such as the liberalization of banks and the gobbling up by unibanks and multinational corporations (MNCs) of small banks and rural banks[...] [t]hirdly, the informal sector carries a substantial burden of the country's regressive taxation system[...] [f]ourthly, the informal sector suffers from the absence of social protection being outside the regulatory coverage of the government[...] (Yuzon, 2004, pp.2-3)

While the informal sector may not be able to compete head-on with legitimate business entities, it is able to form alternative engagement practices in the service of the consuming public, fulfilling a function both in aid of and in contention with government interests. Yuzon writes of the ability of the informal sector to sustain the national economy amidst globalization:

[T]he informal sector absorbs all the victims of globalization—displaced workers, forced retirees, educated, unemployed, etc. ...

[T]he informal sector cushions the impact of globalization on the surviving formal sector...

[T]he informal sector expands the domestic market, spreads the purchasing power among the poor, and brings the products of the formal sector into the poorest segments of society, thus contributing to the health of the formal sector ...

[T]he informal sector covers up what government has failed to provide in terms of basic services [...] (Yuzon, 2004, p.2).

The informal sector makes employment available even as some 25 percent of the youths in the country are unemployed, and as the youth labor force is expected to expand by 17 percent from 2005 to 2015 (ILO, cited in McIndoe, 2006, p.2)¹⁹. It gives alternatives or sustaining options even when the nation-state disenfranchises this massive sector. As the state enforces global IPR dictates of developed nations, showcasing the spectacle of law and order in raiding piracy lairs, it can also be noted how, on the other hand, the state condones piracy of the ideas and intellectual property of Filipinos by corporations of developed nations.

The Philippines ranks fifth among the world's biological 'hotspots,' with an estimated 9,000 species of flora, a third of which is considered endemic (Raghavan, 2003).

At least one tree [Philippine yew] with cancer-curing potential, four native vegetables [ampalaya, talong], one snail [*Conus magnus*] which produces the most effective painkiller, an antibiotic soil fungus, one tree and several rice varieties, have been stolen, and are now owned by foreign pharmaceutical firms" (Ceriles, quoted in Raghavan, 2003).

Biopiracy is said to be not new in the country. As early as 1949, Dr. Abelardo Aguilar, working for a pharmaceutical firm, Eli Lilly Co., sent samples of an antibiotic isolated from soil in Iloilo. "Ilosone," named after the place where the sample was found, was the "first successful macrolide antibiotic introduced in the US in 1952," allowing an alternative to patients with allergic reactions to penicillin.²⁰ The drug has earned billions for Eli Lilly, but Aguilar has not received any royalty. Another celebrated piracy case that comes to mind is Roberto del Rosario's invention of the 'sing-a-long' system, the precursor of the karaoke, for which he has not received any royalty.

What the issue of piracy undertakes is to undermine the state and the higher interests of developed nations and their multinational corporations as officiating gatekeepers that (at times hypocritically) legitimize corporate claims. In the drive against piracy, the government supposedly seeks to protect legitimate business and take up the cause of artists in their struggle for economic rights. The state seeks to legitimate its own status as an efficient machine in complying with global standards as well as effective local governance. In practice, it is a 'weak state' or a state designed to be weak in order to remain porous, "swinging it both ways" so to speak, to legitimate its own machinery of corruption and politicking—allowing the informal sector to bridge the gap of public service, and therefore, periodic breaths of tolerance in between raids and pillage of pirated goods, and allowing capitalist interests to be protected and be expanded nationally.

On the other hand, in the continuance of media piracy, the informal sector asserts its own claims to citizenship, reminding the government and businesses it protects of the uneven distribution of wealth and the experience of national life. Positioned between issues of social legitimacy and massive poverty, the informal sector, especially the figure of the Moro pirate, trespasses the lines of hegemonic consignment and relegation to the margins, as it strives to assert its survival on a daily basis.

Media piracy has been crucial in the ongoing renaissance of Philippine cinema through independent digital films. DVDs provide a middle-class cultural capitalization, allowing the formation of cineastes through the proliferation of art and classic films in pirated DVDs, or the digital filmmaker—shooting films in digital cameras, and editing, soundmixing and animating these films through pirated softwares. The cineaste subcultural identity gives rise to the 'indie' (independent) filmmaker, whose range of film experience is drawn much fuller from the availability of art films in pirated DVD format than those shown in commercially dominated moviehouses. Not only is the media democratized in

indie cinema, the software and film background are also made accessible through media piracy in the Philippines.

In general, the arrogance of power is to create pejoratives of underclass practices to soothe middle-class identity formation. The underclass is discursively denied access to middle-class lifestyle (the underclass should just choose to buy rice and other basic commodities rather than buy pirated DVDs). There is tolerance for the middle class in downloading media from the Internet—some 400,000 to 600,000 films were illegally downloaded everyday in 2003, even as the box-office and home video sales soared in 2004 (Zhou, 2005). In indie cinema, the homogenizing effects are made self-reflexive: filmmakers honing their background and skills through media piracy, and niche audiences (students, artists, activists and intellectuals) gaining deeper insights about subaltern identities, critique of the state, and alternatives through indie films. However, the homogenizing effect of global popular culture and neoliberalism has allowed the gentrified social imaginaries to be out here and there, even to the underclass that has also began to dream of “feeling rich.” Pirated media becomes the trace that simulates the imaginary of the real, of “feeling rich” which is all that it could get and be at this time.

Endnotes

¹See Tilman Baumgartel, “The Culture of Piracy in the Philippines” (2006). The essay has a primary source discussing the “Muslim connection,” including the use of the sea lanes that bring pirated movie sources from Kota Kinabalu, Borneo to Manila through Mindanao via the “RoRo” scheme (Roll on, roll off) long-distance buses.

²In seaborne piracy, estimated losses are US\$13-16 billion per year (Wikipedia, 2006); in media piracy, US companies lose supposedly as much as \$250 billion per year (Menta, 2006), although another estimate places it at \$60 billion (Javellana-Santos, 2004).

³In elite culture, Mindanao is transposed from its ravaged history to a location replete with natural beauty and wonder. See for example the coffee-table book *Mindanao: A Portrait* (1999) that renders an almost invisible history of war and piracy in the island grouping.

⁴The characteristic and quality of reproduceability of media in piracy is discussed in Scott R. Garceau (2006), Conrado de Quiros (2006) and “Fighting Pirates” (2003).

⁵This is also known as 'sachet marketing strategy' that aims to penetrate even the most disenfranchised of market profile with goods and services available for lower price ranges (Magno, 2006).

⁶The decay and rivalry theories are drawn from James Francis Warren, *The Sulu Zone 1768-1898* (1981, pp. xiv-xv). To my mind, what Warren undertakes in his study marks off a third theory of historiography of Sulu and piracy, "revolving around the interrelated themes of external trade, slave raiding, and state formation as the key to the general history of the zone" (1981, p. xv). Subsequent studies include Ghislaine Loyre, "Living and Working Conditions in Philippine Pirate Communities, 1750-1850," *Pirates and Privateers: New Perspectives on the War on Trade in the Eighteenth and Nineteenth Centuries* (1997, pp.69-86), and Thomas M. McKenna, *Muslim Rulers and Rebels: Everyday Politics and Armed Separatism in the Southern Philippines* (1998). Also see Warren, *The Sulu Zone: The World Capitalist Economy and the Historical Imagination* (1998), and Peter G. Gowing and Robert D. McAmis, eds, *The Muslim Filipinos* (1974). Local historiography of the Moro can also be seen in Samuel K. Tan, *The Filipino Muslim Armed Struggle, 1900-1972* (1977), and Kenneth E. Bauzon, *Liberalism and the Quest for Islamic Identity in the Philippines* (1991).

⁷"(T)en communities have been located representing a male population of over 4,000 and a fleet of 30 boats for each community, a total of a hundred per boat" (J.Hunt, cited in Loyre, 1997, p.77). Raiding involved primarily the enslavement of the local population who were used to serve within households or were traded as much sought-after commodities for the developing plantation economy within and the growing trade of Southeast Asia. A report in 1728 cited that "25 boats attacked various places in the Visayas. They carried 500 Moros plus 800 slaves as oarsmen. They enslaved 450 persons, including three priests, one of whom was sold for 2,500 pesos" (Loyre, p.80).

⁸Historian Ghislaine Loyre makes this sweeping claim:

When the Spaniards arrived in the Philippines, there were no sultanates; instead petty chiefs engaged in piracy with their followers. The influence of Islam, the presence of an enemy, and increasing facilities for piracy enabled the inhabitants to prosper and to organize themselves into sultanates based on piracy. Missionaries gathered people into villages, not allowing them defense for fear they might rebel. Thus targets were 'offered' more easily to the pirates. Spanish sources of this period constantly complained about the raids which destroyed, sometimes more than once, almost all the villages of the central islands of the Philippines and the northern coast of Mindanao. The Spaniards had to exempt the inhabitants from paying taxes because so many people were taken away and some areas were totally devastated." (Loyre, p.81).

⁹James Warren writes of the aftermath of raids by pirates:

Some of the old towns were rebuilt on the original site, or on a new one nearby, but Iranun raids put a decisive end to many villages. The search for security and the fear of starvation and disease drove Filipinos (sic) to abandon villages that had existed for generations, after they experienced the forced harvesting and burning of their fields, and the slaughter of their plough animals. The dilemma facing stricken villages in the aftermath of a large scale raid was how to resume their original way of life without risking enslavement in the future. Some went to live in larger villages; some looked for new village sites, often

on elevated ground; others abandoned the coast altogether for an equally harsh life in the mountain fastness of the interior where sometimes many were reduced to eating grass in order to survive. The Spanish labeled the fugitives *cimarrones* and *remontados*. On islands like Marinduque, Polillo, and Catanduanes, villagers could not readily flee to another area, and were forced to stand and fight. The raids knitted the inhabitants of the coastal towns of smaller islands like these together closely for mutual defense.” (Warren, 1981, p.169)

¹⁰For a discussion of simulacrum and middle class aspiration, see Chris Barker, *Cultural Studies: Theory and Practice*. (London: Sage Publication, 2nd edition, 2003).

¹¹Racialization of Moros occurs in everyday politics of the nation. However, it is heightened in times of engagement of war, taunting the Moros for their otherness to the nation. Within national politics, the most infamous case that comes into mind is former President Joseph Estrada’s celebration, in a devastated mosque, of his victorious reclaim of an MILF (Moro Islamic Liberation Front) camp: “Erap waged total war against the Abu Sayyaf and the MILF in Mindanao, celebrating his troops’ victory by giving away jeeploads of lechon and beer, in a deliberate affront to Muslim sensibilities (about pork and alcohol)” (Abaya, 2005).

¹²For another account of a media piracy raid in Baguio City, see Palangchao (2003).

¹³US support versus US sanction renders the piracy issue as economically and politically contestable. Even in sea piracy, in the Associated Press, US approval premeditates national course of actions among various Southeast Asian nations (“US lauds S-E Asia’s anti-piracy measures,” 2006, p.30).

¹⁴For a discussion of the spatialization of Quiapo and media piracy in it, see Pamintuan’s essay that astutely examines the site in terms of elixir, capital obsolescence, rise of the informal sector, backdoor policy, and territorialization.

¹⁵“Special 301 is the part of the US trade law that requires US Trade Representative to identify countries that deny adequate and effective protection for IPR or that deny fair and equitable market access for US persons who rely on IPR. Once ‘identified,’ the country could face bilateral US trade sanctions if changes are not made to address US concerns” (“Gov’t moves to have RP delisted as IPR violator”, 2003).

¹⁶Domingo (2004) estimates the informal sector as 44 percent of GDP. His estimate of the informal sector is between 45-55 percent of the labor force.

¹⁷In 1976, the International Labor Organization (ILO) gave the criteria for defining the informal sector, which still applies today, particularly on media piracy:

- 1) family workers in a business (usually paid),
- 2) less than 10 people are employed in a business,
- 3) there are no legal regulations or existing regulations are not observed,
- 4) there are no regular working times,
- 5) the work is seasonal, and
- 6) there is no dependency on regular loans. (ILO, cited in Garcia, 2005).

¹⁸Think of the scene in *Kubrador* (Jeffrey Jetturian, director, 2006) where coins placed as gambling bets are shoved into containers.

¹⁹A sizeable portion of the Philippine population profile is made up of very young people (45.53 percent is from ages 18 and below or a total of 38.8 million and 0-4 years old is the age group with the largest population) (“Figure it out”, 2006).

²⁰See Raghavan for Dr. Abelardo Aguilar’s disenfranchisement in biopiracy.

References

- Abaya, Antonio. (2005, 27 May). “The US loves Erap?” *Manila Standard Today*. Retrieved from <http://www.manilastandardtoday.com/> (accessed 27 Sept 2005).
- Associated Press. (2009, 1 May). “America names its top copyright offenders,” *The Independent*. Retrieved from <http://www.independent.co.uk/life-style/gadgets-and-tech/news/america-names-its-top-copyright-offenders-1677253.html> (accessed 29 Jul 2009).
- Baes, Jonas. (2002). “Towards a political economy of the ‘real’: Music piracy and the Philippine cultural imaginary.” MS.
- B Raman. (2005, 9 June). “Taming terror on the high seas,” *Asia Times Online*. http://www.atimes.com/atimes/Southeast_Asia/GF09Ae05.html (accessed 29 Jul 2009).
- Baumgartel, Tilman. (2006). “The Culture of Piracy in the Philippines.” MS.
- Bauzon, Kenneth E. (1991). *Liberalism and the Quest for Islamic Identity in the Philippines*. Quezon City. Ateneo de Manila University Press.
- Business Software Alliance. (2005, 23 May). “Software Piracy Rate in the Philippines Remains at 71%.” Retrieved from <http://www.bsa.org/> (accessed 6 Nov 2006).
- De Quiros, Conrad. (2006, 30 Aug). “Out of the box.” Retrieved from http://opinion.inq7.net/inquireropinion/columns.view_article.php?article_id=17953 (accessed 21 Sept 2006).
- Estellita V. Domingo, Estellita V. (2004). “Measuring the Non-Observed Economy (NOE): The Philippine Experience.” MS.
- “Fighting pirates.” (2003, 26 Dec). Retrieved from http://www.asianjournal.com/cgi-bin/view_info.cgi?code=00002599 (accessed 21 Sept 2006).

- “Figure it out.” (2006, 5 Nov). Retrieved from http://showbizandstyle.inq7.net/sim/sim/view_article.php?article_id=30587 (accessed 8 Nov 2006)
- Eklof, Stefan. (2006). *Pirates in Paradise: Modern History of Southeast Asia’s Maritime Marauders*. Nordic Institute of Asian Studies.
- Garceau, Scott. R. (2006, 30 Aug). “Truth in advertising.” Retrieved from <http://www.philstar.com/philstar/LIFESTYLE200505093706.htm>, emailed in plaridel_papers@yahoo.com (accessed 21 Sept 2006).
- Garcia, Ma. Rosario K. (2005). “Hidden No Longer: Beyond Property Rights, The Philippine Informal Sector from a Rights-Based Perspective.” MS.
- Gonzales, Iris Cecilia C. (2003, 15 May). “RP still in priority list of IPR violators,” *Business World*.
- “Gov’t moves to have RP delisted as IPR violator.” (2003). Retrieved from <http://www.poblaw.com/April2003.html> (accessed 6 Nov 2006).
- Gowing, Peter G. and Robert D. McAmis, eds. (1974). *The Muslim Filipinos*. Manila: Solidaridad Publishing House
- International Intellectual Property Alliance. (2001). “2001 Special 301 Report Philippines.” Retrieved from <http://www.iipa.com/rbc/2001/2001SPEC301PHILIPPINES.pdf> (accessed 6 Nov 2006).
- Javellana-Santos, Julie. (2004). “Optical Media Act penalizes film piracy.” 18 Feb 2004. Retrieved from <http://www.philippinenews.com/> (accessed 6 Nov 2006).
- Jurado, Emil. (2005, 1 June). “Destroying people’s reputations,” *Manila Standard Today*. Retrieved from http://www.manilastandardtoday.com/?page=emilJurado_june01_2005 (accessed 22 Nov 2006).
- Loyre, Ghislaine. (1997). “Living and Working Conditions in Philippine Pirate Communities, 1750-1850,” *Pirates and Privateers: New Perspectives on the War on Trade in the Eighteenth and Nineteenth Centuries*. Deven. University of Exeter Press. 69-86.
- Hibionada, Florence F. and Maricar M. Calubiran. (2005, 23 Dec). “Pirates go slow on movies, ‘get even’ on music,” *News Today*. Retrieved from <http://www.thenewstoday.info/20051223/pirates.go.slow.on.movies.get.even.on.music.html> (accessed 8 Nov 2006).
- Llorito, Dave L. (2003, 2 Jan). “Loose rules make CD pirates feel at home,” *The Manila Time*. Retrieved from <http://www.manilatimes.net/others/special/2003/jan/02/20030102spe1.html> (accessed 30 Jul 2009).
- Magno, Leo. (2006, 17 Oct). “RP mobile phone penetration growth can be replicated—Smart.” Retrieved from http://technology.inq7.net/infotech/infotech/view_article.php?article_id=27221 (accessed 18 Oct 2006).
- McIndoe, Alastair. (2006, 7 Nov). “Asia faces tough job finding work for its young,” *The Strait Times*. 2.

- McKenna, Thomas M. (1998). *Muslim Rulers and Rebels: Everyday Politics and Armed Separatism in the Southern Philippines*. Berkeley. University of California Press.
- Menta, Richard. (2006, 15 June). "Movie and Record Industry Piracy Figures Incendiary, But Not Fact," <<http://www.mp3newswire.net/stories/6002/250billion.html>> (accessed 6 Nov 2006).
- Mindanao: A Portrait*. (1999). Manila: Bookmark, Inc.
- Ofreneo, Rene E. (2002). "Philippines," *The handbook of human resource management policies and practices in Asia-Pacific economies*. (UK: Edward Elgar Publishing, Inc.), 390-444.
- Palangchao, Harley. (2003, 5 May). "Raid of pirated CDs, VCDs nearly ends in violence," *Sun Star Baguio*. <http://www.sunstar.com.ph/> (accessed 8 Nov 2006).
- Pamintuan, Jema M. (2005). "Pagmamapa ng Pagbabagong Heograpikal, Historikal at Kultural ng Quiapo." MS
- "Philippines," (2005). <http://www.state.gov/e/eb/afd/2005/42102.htm> (accessed 6 Nov 2006).
- "Philippines," (2006). http://www.ustr.gov/assets/Document_Library/Reports_Publications/2006/2006_NTE_Report/asset_upload_file.223_9202.pdf (accessed 6 Nov 2006).
- "Piracy watchdog backs bill regulating optical media," (Apr 2003). *Poblaw Newsletter* 3:24. <http://www.poblaw.com/April2003.html> (accessed 8 Nov 2006).
- Raghavan, Charkravarthi. (2003, 27 Jan). "Philippines Government Clamps Down on Biopirates," email forwarded by Joseph Anthony Lim to plaridel_papers@yahoo.com (accessed 27 Jan 03).
- Rubio, Jenalyn. (2009, 20 May). "Philippines Piracy Rate Stays Steady," *Infoworld Applications*, <http://www.infoworld.com/t/applications/philippines-software-piracy-rate-stays-steady-215> (accessed 30 Jul 2009).
- Salman, Michael. (2001). *The Embarrassment of Slavery: Controversies over Bondage and Nationalism in the American Colonial Philippines*. Berkeley. University of California Press
- Sculthorpe, C.D. (1967). *The Biology of Aquatic Vascular Plants*. New York: St. Martin's Press.
- "Software Piracy Rate in the Philippines Remains at 71%," (n.d.). <http://www.bsa.org/> (accessed 6 Nov 2006)
- Tadiar, Neferti. (2004). *Fantasy-Production: Social Economies and Other Philippine Consequences for the New World Order*. Manila: Ateneo de Manila University Press.

- Tan, Samuel K. (1997). *The Filipino Muslim Armed Struggle, 1900-1972*. Philippines: Filipinas Foundation, Inc.
- “US lauds S-E Asia’s anti-piracy measures,” (2006). *The Strait Times*, (4 Nov 2006), 30.
- Warren, James Francis. (1981). *The Sulu Zone 1768-1898*. Singapore. Singapore University Press.
- Warren, James Francis. (1998). *The Sulu Zone: The World Capitalist Economy and the Historical Imagination*. Amsterdam. VU University Press.
- Yuzon, Isagani F. (2004). “The Human Resource Development of the Philippine Informal Labor Sector Amidst Globalization and Its Applicability to Developing Economies.” UMP-Asia Occasional Paper.
- Zhou, Jie. (2005). “The Economics of Movie Downloads,” *Yale Economic Review*, <http://www.yaleeconomicreview.com/issues/fall2005/downloads> (accessed 6 Nov 2006).

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