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RESEARCH ARTICLE

Bulgarian pirates: At the world's end

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The present article compares the strategies of the legitimization of piracy developed by Western authors such as Richard Stallman and Larry Lessig with those developed by everyday Bulgarian pirates. It attempts to escape from the usual debate between the entertainment industries and the supporters of free culture, and to open the field for new perspectives. In Bulgaria it is precisely “free” as in “free beer” that matters, since the prices of cultural products tend to be too high for the Bulgarian market. In many cases, there is no possible legal access to the cultural products desired. The digital library “Chitanka” illustrates how piracy as bottom-up initiative compensates for the lack of successful public policies oriented towards visually impaired people and Bulgarian emigrants abroad. Although mobility and de-territorialisation have made piracy possible, it is perceived as a deeply national cause. The article emphasises that a difference should be made between open non-commercial projects as “Chitanka” and commercial torrent trackers, which thrive in the grey economy and abuse the symbolic capital of free culture. Piracy should be analysed at the intersections of global economic shifts and their local repercussions, of transnational culture flows and local culture infrastructure. Only this kind of an approach is likely to help us trace the unstable border between the cases in which digital piracy is a problem of the grey economy, and those in which it offers original non-market solutions to deeper structural problems.

Keywords: digital piracy; Bulgaria; torrent trackers; grey economy; free culture; access

Everyone who has downloaded illegal software knows that it is essential to find a product key to activate it. The solution is the key generator or “keygen”, as it is usually called. It generates a product licensing key, serial number, or some other registration information to “unlock” the desired programme. In a similar way, every research needs a suitable key – a challenging approach to its topic. The official key to the topic of digital piracy has been for a long time the debate on copyright between members of the entertainment industry and supporters of the free software and free culture movements. The present article tries to generate an alternative key of interpretation. We analyse the techniques of legitimization of piracy by the very people who practise it on daily basis. These are not the visionary ideologists, not the big fish of business, but everyday users. Moreover, we try to shift the focus of the discussion from the US, where the debates have originated, to the specific case of Bulgaria.

Bulgaria was a member of the Eastern Block until 1989 and after a long period of economic transition joined the EU in 2007. According to the International Federation of the Phonographic Industry (IFPI), the rate of online piracy in Bulgaria is estimated at almost 100% (IFPI, 2010). This means that almost 100% of all downloaded content is illegal. What is more, file sharing sites account for a significant part of the Internet traffic in Bulgaria. According to the Web information company Alexa, the torrent trackers Zamunda and Arena are respectively the sixth and the 13th most popular websites in the country (Alexa, 2012). They are also the only opportunity

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(apart from television) for people in many towns and villages to watch films, as they do not have any cinemas left.¹ Thus, it can be argued that digital piracy in many places compensates for the lack of adequate cultural infrastructure. What is truly remarkable is that digital piracy is one of the few causes that are able to mobilise Bulgarians politically. The attempts to shut down Arena and Zamunda stirred a serious civil backlash with many online and offline protests in the period 2006–2011. Likewise, the actions of GDCOC (General Directorate Counter Organised Crime) against the digital library Chitanka provoked a dynamic debate between bloggers, publishing houses, state authorities and the general public.

The present article is based on a larger project that analyses Bulgarian users' comments in 58 articles on piracy, including editorials from the daily newspaper *dnevnik.bg* and the weekly *capital.bg*, and news articles from news sites such as *vesti.bg*, *dnes.bg*, *dariknews.bg*, *vsekiden.com* and *novinar.bg*. The empirical material includes also comments from the legal forum *Lex.bg*, the open source community forum *Linux-bg.com* and the forums of Arena, Zamunda and Chitanka. The last groups of comments analysed are those on the Facebook pages "I am against shutting down Arena and Zamunda!" ("Against Shutting", 2011), and "Let's gather at least 10,000 people against shutting down Zamunda and Arena" ("Let's Gather", 2011) with approximately 199,000 fans. The main goal of this article is to compare the strategies of legitimization of piracy developed by Western authors such as Richard Stallman and Larry Lessig with the strategies of legitimization developed by everyday Bulgarian pirates. We trace not only the similarities in the arguments, but also the striking differences, the different emphases and the non-transparent premises of the argumentation. The idea is not to defend or rebuke the theses of Stallman and Lessig, but to open new perspectives in the field. We claim that piracy cannot be understood, still less addressed, adequately within the frames of any single country. It is a truly global phenomenon which, if analysed properly, can shed light on global economic inequalities, the pressure from multi-national corporations on internal national policies, and the shifting patterns of culture flows. At the same time, piracy can be interpreted as a strategy of coping with locally specific problems. It is a practice deeply embedded in national economic, institutional and historical structures. In this respect, any generalised discussion on the harms or benefits of piracy tends to obfuscate the concrete problems and leads to policies that are simply inadequate or outwardly detrimental to the public.

Making ends meet: "Free" as in "free beer"

The main slogan of the free software movement is "Information just wants to be free". "To understand the concept, you should think of 'free' as in 'free speech', not as in 'free beer'" (Stallman, 2002, p. 43). For a cultural work to be considered "free", its legal status must provide the essential freedoms to use and perform the work, to study the work and apply the information, to re-distribute copies, and to distribute derivative works (*Definition of free cultural works*, 2008). This is a rather clear definition and the ambiguity of the word "free" does not even exist in Bulgarian language, as there is one word to designate "free" as in "freedom", "свободен", and another word to designate "free" as "costless", "безплатен". However, it becomes obvious in the discussions about Arena and Zamunda that it is precisely the possibility to download without paying that inspires people. All arguments boil down to: the high price of legal products and the low salaries and standard of living in Bulgaria:

I would understand the attempts to shut down the sites, if they could make our salaries €2000 so that anyone who wants to listen to/watch something could buy it. And if someone needed a programme or wanted to play a computer game, they could afford to buy them and still have food for their families and make ends meet till the end of the month.² (Maria Ivanova)

The problem with “intellectual property” won’t be solved with prohibitions and shutting down sites but with an attempt to normalise the incomes of the users. Then everyone would prefer to have a product with guaranteed quality! (Ivan Petrov, “Against Shutting”, 2011).

:D :D :D Are you insane?! Even if they close them, we’ll still download but from foreign trackers and with lower speed:/.. Why don’t they raise the minimal salary to 1600 leva³ to fit our current prices, so that I can afford going to the cinema and not wait for a release with decent quality in the tracker?! (Petar Georguiev, “Pirates and Dinosaurs”, 2009).

As we can see, the ideal monthly wage in these comments varies between €830 and €2000. Meanwhile the minimum monthly salary in Bulgaria is €138 (Eurostat, 2012a), and the average salary is up to 752 BGN, which is approximately €385 (National Statistical Institute, 2012), with current unemployment rate of 12.4% (Eurostat, 2012b). Obviously with such salaries most of the legal software is impossible to buy. The same is true for games, and also DVDs and CDs, which would account for a considerable part of a family’s budget if they were to be bought legally. Here, of course, we can always claim that films and music are not vital for human survival, and if they are so expensive, the solution is simply to abstain from them. But the access to culture is considered to be a vital human right in many of the comments:

[a]ngry

There is no way to explain to those retarded cops (and the bureaucrat snails) that apart from the negative effects it has for some monopoly companies from the software and entertainment industries, piracy is a key instrument for overcoming the so called Digital Gap between the developed societies and the younger economies. Piracy diminishes the disproportionate, and I think, very unjust effect of the corporate power of Western corporations over the global access to the last technological achievements. (ThirdWorldLoser)

OF COURSE, IN BULGARIA WE ALREADY HAVE EUROPEAN STANDARD AND SALARIES, SO THEY HAVE STARTED THESE ACTIONS ... OF COURSE PEOPLE CAN BUY ALL THOSE WESTERN PRODUCTS ... MAYBE OUR STANDARD IS ALREADY EUROPEAN OR AMERICAN??? HOW CAN YOU take away from people the most basic possibility for ACESSS TO THE GLOBAL CULTURAL INTERACTION??? The real pirates and thieves have started to molest the petty thieves ... the thief chases the thief. (Whaaaaat???, “What Comes After Torrents”, 2009)

ThirdWorldLoser’s first comment interprets piracy as an opportunity to overcome the division between developed and developing economies. Piracy is supposed to increase the technical capacities of young people. And it is true that because they are essentially based on knowledge developed in human minds, information technologies have extraordinary potential for diffusion beyond their source.⁴

A clear trend can be seen in the comments reproduced so far. For the first group of users, piracy is an illegal practice that would stop if the standard of living increased, whereas the second group claims that it is precisely through piracy that the living standard could increase. What pirates do is illegal, but it is considered a just response to unjust inequalities. According to Whaaaaat?, those who try to stop piracy are the “the real pirates and thieves”. It is obvious that the discussion is not about the freedom to use a product, but about money, and more precisely about the unequal distribution of wealth. In various comments it is suggested that the battle over piracy is a battle between the haves and the have-nots:

[s]tealing is stealing, but before judging we must notice who steals and what they fight for. The Haves impose on society the norms of behaviour through their media and their stars. And again, it is the Haves who write the laws which we must obey. And if the Haves don’t set an example and don’t respect the laws, one has to be really stupid to respect the law just for the sake of it. (Bobi)

Larry Lessig's book *Free Culture* is closely connected to the American institutional context. Even though Lessig is alarmed by the increasing pressure of corporations on law makers, he insists on the supremacy of law and the necessity to achieve by legal means the balance between all interests in file sharing. Such a belief in law is not present in the Bulgarian argumentation. Lessig wants to make amendments to the law with the argument that it is impossible for the 60 million Americans who download files to be outlaws. Bulgarian commentators, on the contrary, defend piracy claiming that no one actually respects the law:

[f]or our politicians the most important thing is to rob us even more, to raise the prices and the value added tax, to cut pensions and children's allowance, and after all that, they expect us to pay for cinema tickets and original CDs ... (Mishel Foster, "Against Shutting", 2011).

Mishel Foster's comment reveals a deeper concern about the dismantling of the social state. At the same time, file sharing is not perceived as an alternative way to create new solidarities. There is no clear project for collaboration or support. Perhaps this is due to the fact that file sharing occurs on big online platforms with millions of users, where it is difficult to create a sense of community. If there is solidarity in piracy, it is not the solidarity of the multitude for which Hardt and Negri (2004) dream of, but rather the solidarity of "the people" against both state power and minorities. Argumentation in favour of piracy in Bulgaria is marked by strong hatred towards politicians and ethnic minorities.

I'm tired of some sly deputies who don't serve the interests of their own country but those of Americans, Martians, Turks, Gypsies and whoever ... I will start paying for the films I watch and the music I listen to, when: *The conditions for living in this fucking country become normal ...*when some sly gypsies stop going to schools and beating Bulgarian teachers and students just because they have slapped a smelly cheeky gypsy, and if they do it, they will rot in jail ... (ImpertatorA, GDCOC, 2010).

The culture of sharing does not presuppose the sharing of cultures. As we have claimed elsewhere (Rone, 2011), the free culture movement in Bulgaria is strongly bound to a vision of freedom forged in the romantic national-revival period in the nineteenth century. Thus, freedom always has a national dimension, associated with the liberation from the Turkish invaders. And it comes as no surprise that one of the movements for Free Internet took an active part in the protests against the state, and also against Turkish and Roma minorities in September and October 2011. Pirates from developing economies are hailed by authors such as Hardt and Negri (2004) because of their opposition to the information monopolies of multi-nationals. But Hardt and Negri would be alarmed if they saw some of the nationalist arguments that Bulgarian pirates give for their activities. We would like to emphasise the difference between the theoretical description of what pirates do (they oppose greedy monopolists in the name of the common) and the way pirates justify their own actions (they steal because the minorities, political and ethnical, also steal). The reason for the gap between the explanation and the personal experience of piracy is not that Bulgarian pirates do not have class conscience or are simply confused. In a sense, Bulgarian pirates find it impossible to accept and use concepts as common property, as they have connotations that link them to the period of socialism. What is more, piracy in Bulgaria is defined in opposition precisely to socialism. Every attempt of the state to curb piracy is interpreted as communistic censorship:

[t]hat's nothing new. Decades ago when we swapped secretly records on tapes, VHS, etc, they kept a close watch on us: what we had and how we got 10 dollars to buy tapes from the Corecom.⁵ (Frank Boot, GDCOC, 2010).

In this respect, it would be a fascinating topic of future research to trace the connections between the forbidden circulation of Western cultural products during communism and contemporary practices of file sharing in Bulgaria.

To summarise, even though not all the claims for poverty and low wages as a justification for piracy should be taken at face value (wealthy Scandinavian countries, for example, also have piracy at its highest), piracy does indeed reveal patterns of inequality. The most obvious example is the incredibly high price of software that is not adapted to the Bulgarian market. That is why “free” as in “costless” is the more relevant definition in Bulgaria. However, in the arguments of Bulgarian pirates, economic inequality provokes nationalist hatred towards both multi-national corporations and ethnic groups, which are categorised under the same label of “privileged minorities”.

The short end of the network

Everyone is connected in our brave new world but some are more connected than others. Or, as Manuel Castells notes, “while everything and everybody on the planet felt the effects of this new social structure, global networks included some people and territories while excluding others, so inducing a geography of social, economic, and technological inequality” (p. xviii). One of the most common arguments of Bulgarian pirates is that digital piracy is their only access to cultural products:

I wonder . . . if they shut down the trackers, how are we going to watch films? There are cinemas in no more than 15 towns, and the rest of us, what should we do??? (Ivanka Marinova, “Against Shutting”, 2011).

It is true that the majority of films in Arena and Zamunda are Hollywood blockbusters, whose copyrights are infringed by piracy. What we claim is that a difference should be made between different cases. It is one thing to download *The Dark Night*, being a wealthy kid in the capital Sofia, and another thing to download *The Dark Night*, being a kid in Belene – a small town in the far North of the country, where there is no access to cinemas, theatres or museums. In the first case piracy is a phenomenon that runs parallel to official distribution. In the second case, it is the only possible distribution.

Digital piracy can also be a form of resistance to television productions and films offered in cinemas. Most of the films that are distributed in Bulgaria come from Hollywood. The distribution of European films is still a problematic question, despite being addressed in a special law stating that a minimum of 15% of all films screened in every cinema should be European and Bulgarian (Film Industry Act, 2003). In reality this law is ineffective (National Statistical Institute, 2011b). European films can primarily be seen at festivals, which again are concentrated in big cities. There are attempts to overcome this cultural asymmetry, for example, the Travelling Cinema project, which began in 2008, but most of the initiatives are still sporadic. Arena and Zamunda remain the only option for many people to get hold of non-mainstream productions.

It is important to add that there are at least two major websites in Bulgaria (subs.sab.bz and subsunacs.net) for free translation of subtitles with teams of translators, who form their own communities and hierarchies, and compete to translate quickly and correctly subtitles for all genres of films and TV series. They do it completely for free as their hobby and as a way to refresh their foreign language skills. It is illuminating which languages are the most popular. Many people translate from Russian, because the generation that was educated before 1989 had to study Russian as a first foreign language. So, although Russian films hardly get any distribution in Bulgaria, there is a big section with Russian films in Zamunda. These films can be found only on the

Internet. The most popular films, of course, are the English language ones, as English has been the first foreign language in Bulgaria for more than 20 years now and there are strong cultural and political influences coming from the US. Serbian films are also offered on Zamunda, and there are special sections for Scandinavian cinema, Asian cinema, French cinema, etc. A significant part of the films offered on file sharing sites cannot otherwise be accessed either because there are no cinemas, or because cinemas would not screen these films.

What is more, Bulgaria is not even a market for many of the desired products. “How can we harm a company that does not distribute in Bulgaria?” the pirates ask. The main argument for piracy, which we analysed in the first part of the article, is that salaries are low and people cannot afford to buy legally most of the products. What is claimed in this second type of arguments is that in many cases there is no legal access to the products.

I prefer to watch films in the cinema, because it's way better. But there's a lot of stuff which I can't get at all. It's really hypocritical when someone talks about copyright infringements and at the same time doesn't even offer me the product, which I'm supposedly pirating. (lo_ridah, “No Action against Torrent Sites”, 2011).

It's the end of the world as we know it

Both Stallman and Lessig write in an American domestic context. Their arguments are often based on the American constitution and its basic concepts of justice, property and freedom. Yet the debate on file sharing in Bulgaria is far from an internal one. There are players on many levels participating in this debate: the European Union, the International Federation of the Phonographic Industry, the Office of the United States Trade Representative, and finally the Bulgarian Ministry of Culture and Education and GDCOC. The involvement of multiple interests usually becomes obvious in spring, when the special 301 report of the Office of the United States Trade Representative is published. For many consecutive years Bulgaria has been in the Watch List, making a narrow escape in the last 2 years. It is usually at that time of the year that GDCOC makes its public actions against Arena and Zamunda, which result in arrests and confiscation of equipment. As a notorious comment on the Internet states:

[t]he trees are blooming, the green grass is growing, Yavor Kolev⁶ is closing torrent trackers – spring has come! (Pennywise, “Antimafia”, 2010).

Despite 5 years of dramatic battles between GDCOC and Arena and Zamunda, there haven't yet been any successful lawsuits against the trackers. What we witness are public actions, whose purpose is to convince international players that measures are taken, whereas nothing actually changes. Maybe in the end, the role of foreign interests is not that important. As the famous Bulgarian proverb states: “we lie that we work, they lie that they believe us”. However at least formally, in public discourse, and more importantly at the legislative level, Bulgaria has to abide to EU regulations and international treaties. This fact causes ambiguous reactions among Bulgarian pirates.

The attitude towards the EU and the US is internally contradictory. On the one hand, they are symbols of civilisation, Western culture and democracy as it should be. From such a perspective piracy is interpreted as a typically Balkan phenomenon, a syndrome of lagging behind:

[o]h, how many words! How deeply wounded are the Internet users of other people's talent and work! How clearly can we see the Balkan mentality! Even the blind can see that Bulgaria again tries to be an exception, which it isn't and doesn't have the right to be . . . The provincial isolation, the low culture of the whole nation erupts in the aggressive comments and offences to people, who have made a system,

where everything complies with the law – you use–you pay. That is what market economy is . . . But for our petty criminals, for our spoilt children that are used to always getting what they want, the principles of the Western world are not interesting and acceptable. Why?! We will achieve high-living standards, only when with frank attitude, with loyalty and high moral values we convince our Western brothers that we respect them, that we are ready to comply with their customs, and that we are similar to them. That is, we live under the rule of democracy and we don't follow the whims of our provincial minds. (The European, "Hold the Internet", 2007).

The European clearly connects piracy with "provincial isolation", "the low culture of the whole nation" and "the whims of our provincial minds". Attention should be paid to the fact that this comment was written in 2007, the year of the accession of Bulgaria to the EU, which could somehow account for the idealistic utopian vision of Europe. The emotional statement of The European provokes no less emotional answers:

European, some of the biggest torrent trackers in the world are in the US or in Western Europe. So you can share your inferiority complex bullshit for low culture and lack of moral values with your "Western brothers", who do exactly the same things you accuse the Bulgarians of, but on a greater scale . . . (Neutral, "Hold the Internet", 2007).

The last comment rejects the hypothesis that piracy is a symptom of provinciality. What is more, in another discussion it is precisely piracy that proves that Bulgarians are in the EU:

[t]his is absurd! If I could pay, would I download from Zamunda? There is nothing they can do to us! Just check: the lawsuit which The Pirate bay gained!⁷ We are in Europe after all . . . (Iovcho Trifonov, "Against Shutting", 2011)

We are in Europe only geographically speaking . . . They will manage to close them. In Absurdistan (BG) everything is possible. (Ivan Ivanov, "Against Shutting", 2011).

A similarly ambiguous attitude can be seen with respect to Americans. On the one hand, there is strong political pressure from American organisations to take measures against the illegal sharing of content. On the other hand, Arena itself is hosted in the US:

[t]hese idiots are listening again to the scum, called American ambassador, haven't these people understood that they should not be allowed to interfere in internal affairs . . . Besides Zamunda and Arena are not hosted in BG any more!!!! since the last scandal about the torrents. They have been hosted in the US. The Americans are the biggest pirates of all. (Georgi Pehlivanov, "Against Shutting", 2011).

The debates around piracy in Bulgaria are heaven on earth for every researcher on globalisation. Bulgarian pirates are angry at the obvious influence of foreign interests on internal Bulgarian affairs:

[o]ur ministers-servants are incredibly disloyal. The state officials, who exist thanks to our money and taxes, don't protect us – their masters. Like stray-dogs they would take food from any stranger and wag their tail. I'm eagerly expecting the direct democracy through the Internet. (Presenc, "Government Officials", 2006).

Globalisation comes with the techno-fetishist promise of a more democratic society. On the one hand, the internauts feel indignant and helpless, because they have lost any control on government power. On the other hand, they praise de-territorialisation and mobility, because the state also loses control over the actions of its citizens. Thus, a Bulgarian citizen living in Germany can

make a digital library with thousands of scanned books and attract many collaborators scattered around the world, and trackers like Zamunda and Arena can be hosted in The Netherlands and the USA. The people in charge of the country can hardly be held accountable by their citizens, but neither can the citizens themselves be held accountable, as they travel, move and enter into complicated network connections.

However, all this de-territorialisation does not reduce the importance of the national. In our runaway world piracy is perceived as a deeply national cause. The main argument is that when Bulgarians pay for legal products, this money crosses the border and does not stimulate the national economy. Actually, such an argument is quite logical, as the report *Piracy and Jobs in Europe* clearly states (2009):

[i]n order to make some greedy scum happy, we'll accept a law, according to which our children are criminals?!? When we give our money for LEGAL products Bulgaria will become even poorer because its money will go abroad. Is this what you should do in times of crisis in the poorest country in Europe?!?!?!? (Cronos, "Internet Providers will Monitor Users", 2010).

According to comments similar to the latter, piracy is illegal but it is actually beneficial for the state. It guarantees that Bulgarian money won't go to foreign corporations. But if there is one reason why Arena and Zamunda are so important, it is not the economic one or even the beneficial effect of piracy for increasing technical literacy. According to a remarkable comment, Arena and Zamunda are important because they help to achieve the biggest and most important national ideal: the Bulgarianization of Macedonia:

Arena and Zamunda are institutions in Macedonia and Serbia. If we want to rebulgarianize them that will happen exactly through downloading films with Bulgarian subtitles because they will read in Bulgarian and learn our official language ... ("Antimafia", 2010).

All things considered, piracy is seen as a form of defence of national culture:

[d]ude, Bulgarian culture survives thanks to these sites:X ... are there many people who would give 5\$ to go to the cinema or to buy a DVD and watch a good film ... and I mean a really good one; something like the Godfather or The Lord of the Rings ... that's crazy – they say they are going to sue them ... I think the people who have created these sites are the educators of Bulgaria ... (Filip Stanimirov, "Against Shutting", 2011).

The last comment manages to make explicit some of the paradoxes of globalisation. According to the user, Bulgarian culture (whatever he means by that concept) survives thanks to these sites, because from there one can download films like *The Godfather* or *The Lord of the Rings*. Education and enlightenment obviously come through the American film industry, which at the same time threatens Bulgarian culture and saves it. Actually, the original comment in Bulgarian is written in Latin letters and not the official Cyrillic ones, which in itself can tell us a lot about globalisation. Piracy proves that something like "Bulgarian culture" isolated in itself does not exist. Today more than ever *The Godfather* is hailed as the saviour of Bulgarian culture. It is the end of the world as we know it.

Means to an end

We can find the same types of arguments in defence of both sites like Zamunda and Arena, and the digital library Chitanka. Yet there is a deep difference between these sites, which can be grasped only through a careful analysis of their structure. The torrent trackers Zamunda and Arena do not

receive any money from their users. Most of the content on the trackers is completely costless. However they make large profits from renting advertisement space. The incomes of these websites, and their very business model, are subject to speculation and fierce online discussions because they are shrouded in secrecy (“Entrepreneur”, 2009). What can be said for sure is that Zamunda offers space for banners promising more than nine million impressions per day (“Zamunda Banners”, 2012). The price of each ad is agreed upon with clients in personal messages. There is no public information available on this issue. Within the sites there is an interesting form of exploitation, as the uploaders often do not get any money for their work (they upload in order to boost their reputation), and the few people at the top of the site hierarchy get all the revenues. On the other hand, sites such as the digital library Chitanka do not gain any money from their activity. The people who digitise books do it for free. There are no ads, no financial interests. Should we place the three sites in the same category? Certainly not. Even though in all cases the content is pirated, the structures of the sites are completely different, Zamunda and Arena being commercial, closed, hierarchical and with severe moderation and censorship on comments, whereas Chitanka, on the other hand, is non-commercial, open and collaborative.

Chitanka started in 2005 as a personal library of Borislav Manolov, a Bulgarian student living in Germany who wanted to read literature in the Bulgarian language and decided to digitise some of his books. He decided to upload the results on the net and soon other volunteers joined the project. All the works on the site are free to read, download and share. Apart from uploading previously published books, the site is dedicated also to translation of new works into Bulgarian. In 2010 there was a huge scandal, when GDCOC tried to shut down the site. A huge debate was initiated concerning the value of reading in society, there was outspoken public support for Chitanka and in the end, Chitanka re-appeared, becoming more popular than ever. Currently there are around 22,161 literary works on the site and approximately 39,784 users (Chitanka, 2011).

The reason why Chitanka is such an interesting project is that it does what public policies should do. Firstly, there are few Bulgarian cultural centres abroad, so Chitanka allows many emigrants to read in their native language all kinds of works: from short stories and poetry to sci-fi magazines from socialist times. The authors represented are international. One can find Shakespeare in translation and the debut novel of a new Bulgarian writer. Uploaders work voluntarily; there is no preliminary agenda, so often the books uploaded reflect the preferences of the current uploaders. Thus, in 2011 there has been a real invasion of romantic novels by Danielle Steel and similar authors, to the extent that an internal rule has been introduced: for every five romantic novels, one book of a different genre must also be uploaded. Second, Chitanka caters for readers from towns in Bulgaria where there are no public libraries left. Third, Chitanka offers visually impaired people the possibility to access books (Enchev, 2011). There are few state policies in this respect.

Some years ago a blind boy called Victor Lyubenov voluntarily created a site called bezmonitor.com (the name of the site can be translated as “without monitor”). By means of special software, visually impaired Bulgarians could use the site to listen to the books Victor uploaded. In 2006 Trud, one of the big publishing houses in the country started sending letters to Victor to take down certain works from his site, because Trud held the copyright for them. The actions of the publishing house provoked huge outrage among bloggers and civil society, and there was a public appeal on the Internet to boycott Trud and stop purchasing any works published by them. The scandal can only be properly understood by keeping in mind that bezmonitor.com was a major website enabling visually impaired people to access Bulgarian books. Currently, Chitanka has taken the functions of bezmonitor.com, while the latter hosts mainly articles, links to online resources and technical information.

Another significant issue to be highlighted is the slow speed with which the digitisation of official library funds is carried out. So, Chitanka strikes us as an initiative from below that

compensates for the lack of effective public policies. Of course, as in the case of Arena and Zamunda, in Chitanka there are many books that can also be found and bought legally. But a more careful assessment is needed before the site is ostracised. The fact that Chitanka is entirely non-commercial and that it fills a void left by both the State and business, makes us question general arguments against copyright infringement. There are different cases and no universal solution to the problem of piracy. What is more, sometimes piracy is the solution and government policies (or the lack of them) are the problem. Before taking action against copyright infringement, the officials from the Bulgarian Ministry of Culture and Education and GDCOC might try to propose alternative solutions for young people in small towns who do not have any access to cultural products, for Bulgarian people abroad who want to watch films with Bulgarian subtitles or to read books in Bulgarian, for people who want to find products that are no longer on the market or are not offered at all in Bulgaria, or for visually impaired people who also have a right to culture.

Piracy is a means to an end. In some cases, it is a bottom-up collaborative solution to social inequalities and unequal access to cultural goods. In other cases, it is a means to prosperity in the grey economy. Mixing these cases and putting commercial and non-commercial sites in the same category leads to confusion and works to the benefit of commercial sites, which abuse the symbolic capital of their non-commercial counterparts. The analysis of different comments on the Internet against shutting down Arena, Zamunda and Chitanka has led us to believe that there is no such thing as “piracy” in general. Accordingly, a more nuanced non-ideologically biased approach is required both in analysis and in policy.

An alternative ending: Unlocking the debate

Usually in Web forums, when comments become too many or passions become too intense, the topic gets locked. It is impossible to post more comments. We would like to use this practice as a metaphor. Piracy as a topic of research has been locked for a long time. On the one hand, the entertainment industries produce reports on the dangers of piracy as a reason for loss of jobs and crises in sales (*Piracy and jobs*, 2009). On the other hand, the visionaries of free culture praise the online sharing of content and remixing of previous works as ways to foster creativity and cultural diversity (Lessig, 2004). It is such a fierce debate that the topic is locked and there is no space left for alternative comments that do not adhere exclusively to either of the views.

In our view, an internal objective critique of the free culture movement is essential. The theory has to be freed for different kinds of arguments and contexts. Free culture should not be a vision that comes from high above and is given as an unquestionable truth to people around the world. On the contrary, the free culture movement itself must become more open and include different kinds of argumentation. The case of Bulgarian pirates shows that sometimes the arguments for free sharing get entangled with strong nationalist sentiments. But there are also very convincing arguments in favour of piracy that are locally specific and could not occur to a person from abroad. More than ever, there is a need to re-think free culture in its global dimensions away from US constitutionalism, to see the different contexts in which it is applied and explore other concepts of freedom (Hardie, 2004). Only thus can we unlock the subject.

Digital piracy is and must be considered as a truly transnational phenomenon. The servers of a Bulgarian torrent tracker are situated in the US, a Bulgarian student in Germany has created the biggest digital library in Bulgarian, accessible from all around the world, and the numerous Bulgarian emigrants abroad can access this open collaborative library. Yet, as in the case of Russian films in Bulgaria, there are trends in the consumption of pirated content that depend on a local historical, social and cultural context. And even though thanks to piracy all people have an equal access to culture, we should not forget that “the wealthy network exists within a context

of a poor planet” (Kleiner, 2006). Pirated goods travel everywhere, but in an ironic twist of the notion of pirate, pirates themselves often don’t travel that easily. Piracy should be analysed at the intersections of global economic shifts and their local repercussions, of global technological achievements and their local transformations, of transnational culture flows and local culture infra-structure. Only such an approach may help us trace the unstable border between the cases in which digital piracy is a problem of the grey economy, and the cases in which it offers original non-market solutions to deeper structural problems.

Notes

1. According to data from the Bulgarian National Statistical Institute, the number of cinemas in the country has shrunk from 149 in 2003 to only 42 in 2010. 14 of these 42 cinemas are concentrated in the capital region of Sofia. All 42 cinemas are in towns and none of them in villages (National Statistical Institute, 2011a).
2. All the comments in the article have been translated from Bulgarian, which is their original language. In all cases where real names have been used in the comments, they have been replaced with pseudonyms.
3. 1600 BGN leva is approximately €830.
4. However, the situation is not that simple, as Manuel Castells has convincingly shown. The diffusion of know-how around the world leads to the reinforcement of multi-national corporations-based production networks. “As soon as firms and individuals around the world accessed the new technological system (be it by technology transfer or endogenous adoption of technological know-how), they hooked up with producers and markets where they could use their knowledge and market their products” (Castells, 2010, pp. 127–128). It is not enough to know how. It is also important to apply this know-how in the right place. And in the absence of a strong market in Bulgaria, the skills acquired through piracy are applied elsewhere. It is often the case that young Bulgarian programmers work from their homes for foreign projects and become part of the low-paid labour force of the information economy.
5. “Corecom (Bulgarian: Кореком) was a chain of hard-currency stores during the Communist rule in Bulgaria (1944–1989). Goods were often priced cheaper than in the West, however, they were still inaccessible for most Bulgarians because the national currency, the lev, was not accepted at the stores.” More information can be found on <http://en.wikipedia.org/wiki/Corecom> (accessed October 22, 2011).
6. Yavor Kolev is the head of GDCOC.
7. Actually, the members of the *The Pirate Bay* have not won the trial against them. For more information on the subject, see *The Pirate Bay Trial*, http://en.wikipedia.org/wiki/The_Pirate_Bay_trial#Verdict_and_reactions (accessed October 22, 2011).

References

- Against shutting. (2011). *Аз съм “ПРОТИВ” затварянето на Арена и Замунда*. Retrieved October 22, 2011, from <http://www.facebook.com/pages/Аз-съм-ПРОТИВ-затварянето-на-Арена-и-Замунда/118414181511025>
- Alexa. (2012). *Alexa: Top sites in Bulgaria*. Retrieved October 22, 2011, from <http://www.alexa.com/topsites/countries/BG>
- Antimafia. (2010). *Антимафиотите затварят “Замунда” и “Арена”*. Retrieved October 22, 2011, from http://www.dnevnik.bg/bulgaria/2010/04/29/894295_antimafiotite_zatvariat_zamunda_i_arena/
- Castells, M. (2010). *The rise of network society* (2nd ed.). Oxford: Blackwell.
- Chitanka. (2011). *Statistics*. Retrieved October 22, 2011, from <http://chitanka.info/statistics>
- Definition of free cultural works*. (2008). Retrieved October 22, 2011, from <http://freedomdefined.org/Definition>
- Enchev. (2011). Interview with Petur Enchev, core member of Chitanka, October 2011.
- Entrepreneur. (2009). Как пчели zamunda и arenabg? Retrieved April 14, 2012, from <http://www.predpriemach.com/showthread.php?t=10492>
- Eurostat. (2012a). *Statistics explained: Minimum wage statistics*. Retrieved April 14, 2012, from http://epp.eurostat.ec.europa.eu/statistics_explained/index.php/Minimum_wage_statistics
- Eurostat. (2012b). *Statistics explained: Unemployment*. Retrieved April 14, 2012 from http://epp.eurostat.ec.europa.eu/statistics_explained/index.php?title=File:Unemployment_rates,_seasonally_adjusted,_February_2012.png&filetimestamp=20120402081419

- Film Industry Act. (2003). *Закон за филмовата индустрия, чл. 38*. Retrieved October 22, 2011, from http://www.nfc.bg/bg/normativni_aktove.html
- GDCOC. (2010). *ГДБОП спира "Арена" и "Замунда"?* Retrieved October 22, 2011, from http://news.ibox.bg/news/id_52350270
- Government officials. (2006). *Arenabg: Чиновниците са най-големите Интернет пирати*. Retrieved October 22, 2011, from http://www.dnevnik.bg/print/marketing_reklama/it/2006/05/07/260903_arenabg_chinovnicite_sa_nai-golemite_internet_pirati/
- Hardie, M. (2004). Floss and the crisis: Foreigner in a free land. In *Sarai reader: Crisis/media*. Retrieved October 22, 2011, from http://www.sarai.net/publications/readers/04-crisis-media/51martin_hardie.pdf
- Hardt, M., & Negri, A. (2004). *Multitude: War and democracy in the age of empire*. New York: Penguin Press.
- Hold the Internet. (2007). *Дръж интернета! Как МВР си представя регулацията на глобалната компютърна мрежа и борбата с пиратството*. Retrieved October 22, 2011, from http://www.capital.bg/politika_i_ikonomika/bulgaria/2007/03/23/321758_druj_interneta/
- IFPI. (2010). *Four websites shut after largest ever online anti-piracy action in Bulgaria*. Retrieved October 22, 2011, from http://www.ifpi.org/content/section_news/20100802.html
- Internet Providers will Monitor Users. (2010). *Искат интернет потребителите да бъдат следени чрез доставчиците*. Retrieved October 22, 2011, from http://dariknews.bg/view_article.php?article_id=519472
- Kleiner, D. (2006). *WOS4: The creative anti-commons and the poverty of networks*. Retrieved October 22, 2011, from <http://interactivist.autonomedia.org/node/5378>
- Lessig, L. (2004). *Free culture*. New York: Penguin Press.
- Let's gather. (2011). *Да се съберем поне 10 000 човека против затварянето на "Замунда" и "Арена"!!!* Retrieved October 22, 2011, from <http://www.facebook.com/online.shop.bulgaria?sk=wall>
- National Statistical Institute. (2011a). *Cinemas by statistical regions in 2011*. Retrieved April 14, 2012, from <http://www.nsi.bg/otrasalen.php?otr=34&a1=1493&a2=1496#cont>
- National Statistical Institute. (2011b). *Showing films by nationality in 2011*. Retrieved April 14, 2012, from <http://www.nsi.bg/otrasalen.php?otr=34&a1=1493&a2=2507#cont>
- National Statistical Institute. (2012). *Average monthly wages and salaries of the employees under labour contract in 2012*. Retrieved April 14, 2012, from <http://www.nsi.bg/otrasalen.php?otr=51&a1=2005&a2=2006&a3=2010&a4=2011#cont>
- No action against torrent sites. (2011). *Явор Колев: В момента няма акция на ГДБОП срещу торент сайтовете*. Retrieved October 22, 2011, from http://www.dnevnik.bg/bulgaria/2011/01/22/1029373_iavor_kolev_v_momenta_niama_akcija_na_gdbop_sreshtu/
- Piracy and jobs in Europe: Why the BASCAP/TERA approach is wrong*. (2009). Retrieved October 22, 2011, from <http://blogs.ssrc.org/datadrip/wp-content/uploads/2010/03/Piracy-and-Jobs-in-Europe-An-SSRC-Note-on-Methods.pdf>
- Pirates and dinosaurs. (2009). *За пиратите и динозаврите*. Retrieved October 22, 2011, from http://www.capital.bg/biznes/tehnologii_i_nauka/2009/04/24/709927_za_piratite_i_dinozavrite/
- Rone, J. (2011, November). *Culture wide closed: Pirate monopolies, forum dictatorship and nationalism in the practice of file sharing*. Paper presented at the Media, Knowledge and Education: Cultures and Ethics of Sharing conference.
- What comes after torrents. (2009). *Какво идва след торентите?* Retrieved October 22, 2011, from http://www.capital.bg/biznes/tehnologii_i_nauka/2009/11/27/822154_kakvo_idva_sled_torentite/
- Zamunda banners. (2012). *Рекламирайте при нас*. Retrieved April 14, 2012, from <http://zamunda.net/banners.php>