

DEBATES

The Problems of Controlling Arts and Cultures in Bolivia: An Ethnographic Report

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approved. Working with the Museum of Modern Art (MoMA) Film Department in 2012, AMI took U.S. documentary shorts to four provinces in Cuba: Cienfuegos, Camagüey, Holguín, and Havana. The films were screened at public cinemas, galleries, and art schools. Many audience members commented that they had never seen these types of documentaries or knew of these experiences in the United States.

In 2013, AMI brought U.S. filmmaker Minda Martin on a tour to Eastern Cuba. She screened two of her experimental documentary films that portrayed her experiences growing up in poverty in Arizona. At one screening in the small village of Victorino in the Sierra Maestra, over two hundred people showed up, including musicians and local performers. Not everyone could fit in the small video screening room, and the question and answer period had to be held outside. After responding to questions, Minda signed autographs and posed for photos with several people. This was the first time U.S. citizens had visited Victorino. To this day, AMI is still receiving e-mails from audience members from the tour who were moved by Martin's work.

Given the stereotypes of Cuba as a place where journalists and artists cannot practice the kinds of freedom of speech existing outside the island, the growth of a culture of investigative journalism may seem either an anomaly or a temporary opening that will not last. In fact it is neither; the island has long nurtured expressive cultures of filmmaking through its arts institutes and internationally regarded cinema school. The availability of new digital technologies has inspired young people to take those tools and approach their realities—which they don't see being represented elsewhere—with fresh eyes and perspectives. ■

In 2005, citizens of Bolivia, a country that boasts an indigenous majority, elected their first indigenous president, Evo Morales. His government came to power with a popular mandate to nationalize hydrocarbon resources and hold a constitutional assembly. Since then, Morales has checked off both agenda items, although not without overcoming obstacles and receiving criticism in relation to both processes. As Morales now comes to the end of his second term and eyes the possibility of a perhaps more controversial third one, we focus on what this “process of change” has meant for the arts.

To talk of the arts in Bolivia, however, particularly under a government that claims to work on decolonizing the state, requires a return to the ever-pesky art-culture divide (Clifford 1988). The country's many community-based indigenous expressions, which are so often linked with participatory practices and attitudes, tend to be placed in the “culture” category. Yet it is also common for elements from these same indigenous expressions to be taken into urban contexts, rearranged, given added value, and converted into forms that are perceived to be “art.” Such transformation often involves commodification, where the artist can claim copyright over the resulting artwork. By contrast, the collective indigenous expressions from which such artworks drew inspiration or materials have been treated often as if they were part of the public domain—albeit officially owned by the state (Sánchez 2001). Nonetheless, in Article 102 of Bolivia's new constitution (ratified by national referendum in 2009), the state commits to registering and protecting both individual and collective intellectual property. Precisely how this might work in practice remains unclear. In the middle of the process of change, a storm of pressing

questions has emerged about ownership of and control over cultural expressions, and here, the lines between art and culture remain blurred. In relationship to these questions, we will detail some of the complexities we are encountering in our ethnographic work, specifically with regards to discussions of intangible heritage and copyright.

Even though each of us has independently researched aspects of Bolivian music over many years (Bigenho 2002, 2012; Stobart 2006), we did not come to address these questions head-on until prompted to do so by our interactions with Bolivians. More recently, in our respective conversations with Bolivian friends, musicians, and consultants, a cluster of themes connecting to intangible heritage, intellectual property, and piracy kept reemerging with such insistence that we felt compelled to join forces and explore them in a participatory project, alongside two Bolivian research assistants.

To initiate the project, in July 2012 we organized a four-day NSF-funded workshop in Bolivia titled “Rethinking Creativity, Recognition and Indigeneity.” For this activity we brought together 23 Bolivians involved in various areas of culture and media, including some of indigenous backgrounds. The aim of the workshop was to open up civil society discussions on issues of cultural property, and to do so with a group of individuals who usually are not in dialogue with one another. In titling the event in terms of “creativity,” “recognition,” and “indigeneity,” we purposely avoided direct references to “cultural property,” “author's rights,” or “piracy”—all hot-button words that in previous dialogues and roundtables had led to rigid positioning, claiming of individual rights, and accusations of theft. By planning workshop activities that were

to span several days, we hoped not to avoid these topics but to open up alternative spaces for more sustained dialogues about them. The workshop discussions, planned to occur through small group and plenary sessions, were structured around the following themes: “Creativity and Motivation,” “Creativity and Recognition,” “Circulation,” and “Heritage and Knowledge.”

During the workshop, a key conflict emerged surrounding what one participant referred to as “the fever of heritagization.” A flurry of heritage registration proposals and projects were happening around the country. Such registration was undertaken at many different levels (municipal, provincial, departmental) and evidently was understood in terms of property claims, equivalent to patenting or copyright. For example, workshop participants mentioned hearing people talk about “patenting culture as heritage.” It is unclear if such claims are really about economics, or identity and cultural rights claims, or even long-standing traditions of cacophonous competition between ethnic groups—reconfigured in a neoliberal or *Ethnicity, Inc.* context (Comaroff and Comaroff 2009). While we are aware of the total heritage protection troubles outlined by Michael Brown (2003), many Bolivians seem quite intent on solving these problems through expanding legal protections, the kind of legalistic response that has worked hand in hand with neoliberal politics in many Latin American contexts (Sawyer 2004; also see Albro 2010).

While many voices from around Bolivia seem to be clamoring for heritage registration, as if some kind of legal mechanism could ensure property-like claims over cultural resources, it was striking how some workshop participants

distanced their own motivations for cultural creativity from economic interests. In fact, quite a bit of ambiguity emerged in reference to this discussion theme. One participant insisted that all creative work should be remunerated, but everyone recognized social and spiritual motivations for their own creative processes. In other words, most people around the table agreed that creative work emerges from multiple motivations and that the economic promise of remuneration—which copyright discourse insists is necessary for people to want to engage in creative work—was hardly the primary motivation for creative practice, if it was present at all.

Bolivian musicians do work within a copyright system, however, and one that has come under increasing scrutiny by musicians themselves. One of the Bolivian musicians who pushed us to consider these questions, Juan Carlos Cordero, used to work within the Bolivian musicians’ royalty collection society (SOBODAYCOM, Bolivian Society of Authors and Composers) but has come to take a much more critical view of what this organization actually does. Cordero described his early work on the street as a kind of copyright police, going door to door and making public establishments pay up for use of any music in their establishment. As he became more involved in the workings of the association, he began to look skeptically at what it was actually doing for Bolivian musicians, and what it was doing for Bolivians who may play music in communities but who may not necessarily consider themselves musicians because they fail to fit the rubrics of “author” or “composer” as dictated by Western-framed copyright law (see Woodmansee and Jaszi 2003). As a side note of transnational interest, some of Cordero’s views on these issues began to shift as he participated in a working group, CopySouth/CopiaSur,

which was initiated by Alan Story and focuses primarily on Global South dialogues (see CopySouth Research Group 2006). Cordero has been an invited participant at CopySouth meetings in India and Brazil.

Bolivian musicians typically understand the term “artist” (*artista*) to refer to a musician who benefits financially from his or her performance and probably also makes commercial recordings and videos. This connection between art and commerce was stressed in a conversation with the regionally celebrated indigenous “artist” and music entrepreneur Gregorio Mamani, who observed in an interview with Stobart: “What does ‘art’ mean? For me, it means making money, travelling to Europe to play.” Although Mamani most certainly identified himself as an *artista*, it was clear from his words that art, more generally, was something from which he felt largely excluded. In his view, it was others—most notably urban mestizos with more formal education and cosmopolitan networks—who were able to achieve commercial success and to make lucrative journeys to Europe, the United States, or Japan. What particularly infuriated him was the way these middle-class urban mestizos dressed up in indigenous-style clothing for their international performances and presented themselves as if they were indigenous. For him this was a form of identity theft. Ethnography with some of those mestizo musicians who tour Japan reveals other perspectives on the term *artist*. Musicians classify the prestige of a Japanese tour by whether or not they were “treated like artists.” Such a designation usually means that musicians stay in five-star hotels, travel by bullet train, and perform “music” in theaters rather than “culture” in school assemblies (Bigenho 2012).

Since Morales's rise to power in 2006 alongside a pro-indigenous politics and rhetoric of decolonization, the sense of resentment and exclusion voiced by Mamani soon came to be expressed by many other low-income artists from humble and indigenous backgrounds. Mobilizations among such artists have challenged their perceived marginalization by the country's music royalty organizations like SOBODAYCOM, which are seen to benefit only international media corporations and a small number of successful national artists. In reality, many middle-class artists are also highly critical of SOBODAYCOM and the role of the music copyright system. Like their more indigenous counterparts, most reap negligible benefits from royalties. Yet the venues in which they perform are required to pay for licenses and permits. Similarly, international tours are often far less lucrative than Mamani might have imagined, and in many cases it is the international promoters and audiences, rather than the musicians themselves, who insist that performers wear indigenous-style dress (Bigenho 2002).

Bolivian artists also face the challenges of extreme levels of media piracy, which means that very few musicians now expect to profit from the sale of recordings. As in many other parts of the world, over the past decade the function of recordings and videos has become primarily promotional, to acquire live engagements (see also Lemos 2010). Rather than receive a fee or direct profits as in the 1980s and 1990s, artists now expect to pay a record label to make their recordings and may pay pirate vendors to promote and circulate their work. While this has led to the demise of Bolivia's major record companies and the flight of the multinationals, the low cost of digital technology has given rise to a multiplicity of small-scale studios, many

built on the profits of piracy (Stobart 2011, 2010). Such democratization and localization of music production has stressed regional and more indigenous musical genres, while intense competition together with pirate prices and cheap playback technology has opened up dynamic new markets of low-income consumers. Effective pirate networks mean the availability of a diverse range of international cultural products at affordable prices, access to which would have been inconceivable a decade ago. This access to cultural products, which many Bolivians see as an immensely welcome kind of democratization of the arts, also reflects the government's lack of appetite for copyright enforcement, despite regular rebukes from the IIPA (International Intellectual Property Alliance) for failure to uphold international agreements.

To conclude, concern about copyright law might seem paradoxical in the Bolivian context where so few artists benefit from royalties and the vast majority of music and film is pirated, making its impact almost redundant. Nonetheless, among workshop participants we encountered great interest in finding alternatives to the current intellectual property regimes. Indeed, several workshop participants have continued to work together under the group name Alta-PI (Alternativas a la Propiedad Intelectual). Many activities have been realized since the 2012 workshop, including a roundtable on intellectual property and copyright as part of the first Latin American Conference of Live Communal Culture (Congreso Latinoamericano de Cultura Viva Comunitaria, 2013), and a dissemination program, using regional media and a series of short radio programs, aimed at generating wider debate around the country about intellectual property and heritage issues. However, control over

culture, heritage, and art continues to raise contentious issues at all levels of Bolivian society. The Bolivians' most recent outcry about the (mis)use of Bolivian dances—in this case, the Chilean singer Gepe's performance in the Festival of Viña del Mar (2014)—points to Bolivian demands for dignity and respect more than to a demand to put culture under money-making commercial schemes. In our ethnographic interpretations, we hesitate to squeeze this diverse panorama completely under the totalizing umbrella of neoliberalism. Instead, we prefer to recover what Ilana Gershon has called the "anthropological imagination"—that which will point us to epistemological differences and more specific critiques of neoliberalism itself (2011, 543–544). Without setting aside the possibility that some local communities may indeed be dreaming about striking it rich in a heritage rush, we insist that the fever around controlling culture in Bolivia is multilayered and multifaceted.

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