

Piracy, Access, and Production in Cuba's Media Distribution Platform

El Paquete Semanal: The case of MiHabanaTV

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I. Introduction¹

The *paquete semanal* is a one-terabyte external hard drive containing offline Internet and audiovisual material distributed weekly since 2013 to paying customers, and non-paying *paquete* users throughout Cuba. Known and unknown webs of *paqueteros* [*paquete* organizers/hackers] compile fresh content each week, which is often first sold via small and legal private disk-copying and cell phone repair businesses in Havana. The phenomenon, however, is not restricted to the capital city. Cuban researchers Armenteros and Calviño explain that the *paquete* phenomenon “es una realidad que prácticamente en todo el país se distribuye y consume” (*n.p.*). Using formal phone repair centers and informal hand-delivery networks throughout the island, new versions of the *paquete's* offline content and audiovisual programs reach the furthest-most Cuban provinces twenty-four hours later.

Though the *paquete* is Cuba's most efficient offline audiovisual and Internet content distribution platform, its multiple networks of creators remain in the shadows.

¹ To conduct the research for this article I received support from Humanities Institute funding, which made this analysis possible.

It is part of an ongoing copying and redistribution practice. However, there is not one single version of the *paquete* nor is there a sole compiler to trace the content that Cubans are able to choose from each week. Instead, there are a number of competing underground teams of IT hackers on the island with legal and illegal Internet connections who download and re-distribute the materials for sale. Further adding to the complexity of this phenomenon, and the multiple networks of compilers, *paquete* customers and users decide which content they will buy and often resell their chosen content or share it with others as their *paquete*. Therefore, the hard drives that cross the country change and morph depending on consumer interests and local *paquetero* selections.

A selection of international news outlets has covered the *paquete* as a “subversive”, underground, “singular” product redistributing international, primarily US copyrighted, content arriving to the island.² By contrast my analysis, challenges the representation of the *paquete* as a new underground independent single product subversive to the Cuban State government. Building off of Stock’s analysis of “street filmmaking,” and emerging audiovisual artists in contemporary Cuba as not being completely independent of the State, I also posit that a similar relationship rings true for the “subversive” *paquete*. Stock shows that in contemporary Cuba “the growing public sphere is buoyed up by and taking shape in collusion with governmental policies and practices” (22). To that end, I show how the *paquete* phenomenon both challenges the centrality of State media institutions while it also continues the Cuban State practice of resisting US copyright laws by using piracy as a form of open access. Using Ramon Lobato’s analysis of the topic of global piracy as a practice that goes beyond the US-centric piracy-as-theft interpretation, I argue that piracy in the form of the *paquete* in the Cuban context works as a possible space for access and even promotes domestic production. In particular, I examine the 2016-2017 case of *MiHabanaTV*—Cuba’s first alternative “television” station made specifically for distribution through the *paquete*—to analyze how this cultural phenomenon is an example that hints at a beginning of reframing the practice of piracy, or digital re-distribution, to also promote the local production of domestic content. Given the *paquete*’s form of re-distribution, I explore how the made-for-*paquete* content begins to challenge rigid genre definitions such as film and television to include audiovisual works, which do not appear online, on television, or in cinemas.

² See Harris, Johnson, and Watts.

I examine *MiHabanaTV*'s seventh episode, in which the host, Paula Rodríguez, interviews three behind-the-scenes *paquete* contributors, which reveals a glimpse at the complex workings of this efficient underground system. In a light talk show format, episode 7 shares with viewers a hint at how the content they are watching reaches them. The episode is not an in-depth study of the *paquete*, but the host's short interviews with a team of *paqueteros* contrasts with other representations of the *paquete* as a single closed subversive product that one team creates. The episode offers a look into the *paquete*'s highly organized inner-workings, demonstrating that it is not entirely underground, informal, or against the Cuban government. Instead, the phenomenon provides a platform for audience choice, as users curate the material while the hard drives travel throughout the country with both pirated international and domestic material, and more recently content made specifically for the *paquete* as is the case with *MiHabanaTV*. Upon closer look, I conclude that instead of working against the Cuban government, the *paquete* thrives in an intricate tension between subversion of centralized State control and a continuation of an on-going Cuban tradition of piracy practiced for the past five decades in revolutionary Cuba.

II. *El paquete Content in News and Scholarship*

The weekly *paquete* includes a vast array of programming from Latin America, Asia, the United States, and Europe. It contains Brazilian soap operas, South Korean television programming, entire seasons of *Game of Thrones*, Miami-based Univision shows, the latest Oscar-nominated US feature films, Spanish Goya award-winning films, and popular Spanish television programming. The *paquete* also serves as a form of distribution for domestic Cuban films that are still in theaters, and archived episodes of Cuban public television programming.

The material is organized as a series of folders [Image 1] that offer consumers the ability to select desired programming. In addition to providing folders of television programs and films, the *paquete* also shares a large selection of offline Internet content including the weekly want ads from the Miami Craigslist, Revolico³—a Cuban online site similar to Craigslist—a folder of local Cuban commercial advertisements for small businesses and services, Cuban offline mobile phone apps, anti-virus software, Cuban and international music videos, and the contents of an entire year's worth of Wikipedia.

³ For more information on Revolico see Kirk, John M. "Surfing Revolico.com".

With this vast array of material, as of 2017, the full *paquete* terabyte costs 2CUC, or roughly the equivalent of US \$2.

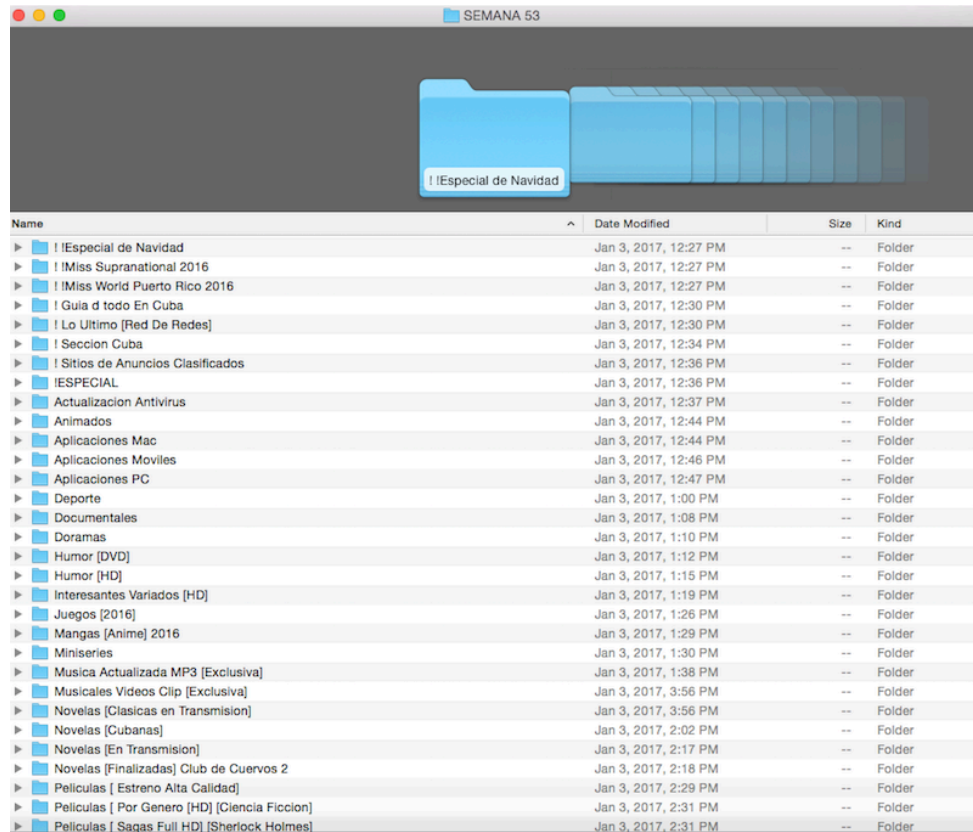


Image 1: Screenshot of Week 53 of the *paquete semanal* from Jan. 3, 2017.

Instead of purchasing the entire terabyte, most consumers select the desired mix of information and pay an adjusted lower price for their selection. This new “version” is then re-sold or re-copied throughout the island from person to person. As customers choose and re-sell their material, the *paquete* continues to change reaching the furthest most corners of the country in an offline informal way within one day.

US documentary filmmaker Johnny Harris summarizes the content of this extensive *paquete* phenomenon in the title of his Vox-distributed documentary: “[T]his is Cuba’s Netflix, Hulu, and Spotify all without the Internet: How media smugglers get Taylor Swift, *Game of Thrones*, and the *New York Times* to Cubans every week” (Harris 2015). However, there is one key piece missing from Harris’ revealing documentary title and the work itself: the fact that the *paquete* phenomenon is not focused on distributing solely US-based media in a direct Hollywood-Havana trajectory. Instead, the *paquete* is multi-directional and distributes large amounts of international materials from around the globe with much more diverse content than the aforementioned US-based Netflix,

Hulu, and Spotify. Additionally, beyond re-distributing international material, the *paquete* is also now a new forum for domestic Cuban local production made specifically for *paquete* distribution.

Harris' poignant Vox short documentary joins a range of international news articles about this Cuban offline phenomenon with headlines such as *BBC Mundo's* "Voces desde Cuba: El millonario negocio del peculiar "internet" cubano sin conexión a la red," *The Guardian* "Cuba's 'offline internet': no access, no power, no problem," *LA Times* "Cuba had been unplugged from American culture for generations. What happens now?", and *The New York Times'* piece entitled "Time to Bring Cuba Online." A selection of international press offers a range of views on the *paquete*, however one shared interpretation across sources is that the *paquete* is a primary contributor to the Cuban media and distribution landscape and plays a key role in how information and entertainment content travels throughout the country in a decentralized way. Cuban-based poet and essayist Victor Fowler Calzada explains at a conference in Havana, "What we call the *packet* is certainly one of the most important cultural phenomena the country has experienced in the past quarter century" (Johnson *n.p.*). It uses Cuba's informal social networks to sell and redistribute the Havana-organized hard drives while it also benefits from the country's lack of widespread online infrastructure, bringing a range of content in an inexpensive way to large audiences.

Despite its extensive distribution of Internet and streaming audiovisual content offline, the *paquete's* reach and impact are not included in domestic and international metrics of Internet penetration, media access or box-office statistics in Cuba. Instead, the United Nations' Information Development Index [IDI] ranks Cuba in 129th place out of 167 countries on a world scale and last place in the Americas for Internet access and advancement.⁴ The US-based organization Freedom House also measures Internet penetration in Cuba anywhere between 5-30% and deems the country "not free" in terms of Internet access⁵ ("Freedom on the Net: Cuba 2016"). Both of these metrics assess the live access of Internet in Cuba, including streaming and broadband capabilities. The *paquete* and its distribution of content offline are not included in the above statistics since the *paquete* phenomenon depends on and redefines Internet access and piracy through a highly complex underground offline informal system of *paqueteros*.⁶

⁴ For more information on IDI see Table 2.3: IDI access sub-index rankings and ratings in the *Measuring the Information Society Report*.

⁵ For a broader discussion of the Internet in Cuba see Venegas' extensive research in *Digital Dilemmas: The State, The Individual and Digital Culture in Cuba* (2010)

⁶ To further explore the on-going Internet campaigns in Cuba, see Farrell.

Despite these low official Internet penetration numbers, invisible webs of *paqueteros* download, select and re-organize materials into content folders to reflect the interests of their Cuban audiences. *Paqueteros* purchase and organize the hard drives that they will resell to their smaller network of consumers. Consumers then select content and often resell or copy the selection for friends and relatives. Given this ongoing copying, curating, selection and re-sale process, the singular term “*the paquete*” is slightly inaccurate since it is not a closed homogeneous distinct packet of digital information. Instead the *paquete* is a “phenomenon”, echoing Victor Fowler Calzada’s above quote that captures the infinite number of competing open hard drives rather than a single closed product. Audiences personalize their selection by choosing, and recopying their materials as the phenomenon crosses the country with competing piracy runners taking domestic flights and buses to transport the hard drives. The *paquete* phenomenon therefore becomes an example of collective participatory curating that is in constant flux rather than a static product that is distributed.

Articles from the *BBC World News*, *The New York Times*, and the *LA Times* have reported on the *paquete* as highly subversive to Cuban media’s State centralized control due to the presence of pirated international media. This coverage has questioned how the *paquete* has existed nearly in plain sight and has not been censored by the Cuban government. Harris’ documentary concludes that the distribution of this material is not censored since it is beyond the reach of the government due to its digital technology.

While digital technology is difficult to restrict, there are two parts of the Cuban case that may become overlooked in the above conclusion of the *paquete*’s role in contemporary Cuban culture. The *paquete* does not persist solely because digital content is difficult for the Cuban government to control. Instead, the *paquete* may persist because it lies in a somewhat gray area between legal State-sanctioned status, and illegal practice mimicking the legal/illegal tensions throughout Cuba.

The initial point of sale of the *paquete* in Havana is common in disk copying and cell phone repair centers. These small self-employed disk copying centers are legal, and are a result of Raúl Castro’s approved list of self-employed or *cuentapropismo* jobs.⁷ Feinberg explains, “In 2010, the [Cuban] government authorized private enterprise in

⁷ The term *cuentapropista* refers to those who are working on their own account. ‘Private sector’ is not used since it is aligned with capitalism. For more information about the State approved forms of *cuentapropismo*, including cell phone repair shops, small restaurant ownership, and bed and breakfasts within private homes see Richard E. Feinberg, *Soft Landing in Cuba? Emerging Entrepreneurs and Middle Classes*.

181 designated activities (and expanded in September 2010 to 2013 designated activities)” (12). Included in the September 2013 designated activities is disk copying centers as possible forms of *cuentapropismo*. Therefore, often times, the initial point of sale of the *paquete* is completed in plain sight.

While disk copying is an approved job, the curating and piracy of this material is not an explicitly recognized form of self-employment. Therefore, although the point of sale may be approved, the *paquete* does not have official legal status as a State approved product. The subsequent forms of resale often occur in extralegal exchanges, including person-to-person resale, copying in other disk copying/cellphone repair centers throughout the island, or simply free copying within homes among friends and family members.

The second possible reason for the *paquete's* survival is that despite its representation as an explicit form of subversive piracy, piracy as a necessary practice is not new to Cuba. Instead, Cuban Television and the programming for Cuban cinemas have used US content without paying copyright or exhibition privileges since 1959 as one of the only possible ways to have access to this form of media due to the US Embargo on Cuba. As young Cuban digital filmmaker, Milena Almira, explains, “90% of what is shown on Cuban Television is from the US—the difference is that television in Cuba is educational, so there is usually a Cuban commentator after a film like *Erin Brockovich* [2000] to discuss it. But absolutely Cuban Television has always shown US programming” (interview April 12 2017). In addition, the weekly *película del sábado* that Cuban Television programs on Saturday nights for State television is often a B-level Hollywood film. As Ernesto Pérez Chang writes in considering a crackdown on the *paquete* and forms of piracy would pose problematic for Cuban television, “Muchos vaticinan el final de los negocios de ventas de discos de música y películas, además de la desaparición de algunos canales de la televisión cubana, ya que la parrilla de programas de ésta en gran medida se alimenta del llamado ‘pirateo’” (CubaNet). A crackdown on piracy in the *paquete* in Cuba would require the State to crack down on itself in its programming of State cinemas and State television. Cuban cinema specialist, Gustavo Arcos, reiterates the omnipresence and the State's use of piracy, “En el campo propiamente del cine y las imágenes una parte de los contenidos, que ofrece desde hace décadas nuestra televisión carece de licencias de transmisión. Más del 70 % de los filmes que se proyectan en nuestras salas son norteamericanos y jamás se le ha pagado a los estudios y distribuidoras de ese país por su exhibición” (Arcos *n.p.*)

This act of the Cuban State not paying Hollywood for exhibitions rights can

be considered both a practice of resistance as well as a response to necessity. On the one hand, the Cuban State has reframed piracy as a practice of resistance to the prohibitive prices of US distribution and exhibition. On the other hand, given the oppressive US embargo against Cuba, the mechanisms to enable a financial transaction to pay for copyright or distribution rights have not existed for decades. As of 1997, Cuba became a member country of the Berne Convention⁸, and the World Trade Organization with a commitment to adhere to WTO standards on copyright. There is a significant loophole when it comes to interactions with the US due to the omnipresent US embargo to Cuba⁹. Therefore, in re-defining piracy, the *paquete* is not a completely subversive practice against the Cuban State media control, but rather another practice within the context of Cuba's realities. With the added benefit that the same redistribution pathway that the *paquete* depends on for past Cuban audiovisual materials, or international series and programming, also has now created a pathway for access to new burgeoning, independent content for emerging local voices.

The *paquete's* informal and somewhat underground distribution of online and streaming materials has been the subject of academic studies on and off the island. Cuba specialists such as Arcos, Armenteros, Calviño, García Borrero, Pertierra, and Zamora Montes have explored key characteristics of the *paquete*. A common thread in this research is that while the *paquete's* exact location, origin, and authorship are difficult, if not impossible, to track, the phenomenon has a primary role in the contemporary Cuban media landscape. In her article entitled “If They Show Prison Break in the United States on a Wednesday, by Thursday It Is Here: Mobile Media Networks in Twenty-First-Century Cuba”—on the precursor to the *paquete*—Pertierra captures the connectedness of Cuba that is often overlooked in international Internet statistics such as those noted above. The author demonstrates the distance between official State policies and on-the-ground realities through the use of “mobile media”, which does not use Internet nor phone lines, and avoids needed infrastructure such as high-speed Internet connections, streaming capabilities, and continuous electricity. She explains: “In Cuba, a different kind of mobile media is having an important impact on everyday media consumption: the external hard drive” (405). The distribution network of these external hard drives cannot be underestimated and simply focusing on censorship and

⁸ For more information on Cuba signing the Berne Convention see Hernández-Reguant “Copyrighting Che...”

⁹ See Hely, “Practical Considerations for Protecting Trademarks in Cuba” for information on the hurdles of putting in practice.

official statistics does not reflect Cuban realities. Instead, Pertierra refers to the *paquete* as a form of tolerated gray market that is similar to many aspects of life Cubans navigate to locate goods, clothes, foodstuffs, and building materials that continuously blurs the legal versus illegal binary:

The emphasis of much existing literature on the role of State censorship and control in Cuban new media policy has overlooked the realities of everyday consumption practices, through which Cubans are increasingly engaged with Latin American and U.S. popular culture. Further, informal economies have been central to everyday life in Cuba. (Pertierra 412)

Pertierra concludes that similar to many Latin American countries, Cuban audiences are highly connected with international media, but the way that they access said media is unique to contemporary Cuba.

III. *Copy/Right or Left? Re-reading Cuban Piracy*

To explore the *paquete* phenomenon and how it fits in the Cuban context, I turn to piracy scholar Ramon Lobato's extensive research on global media piracy, *Shadow Economies of Cinema: Mapping Informal Film Distribution*, and more specifically his chapter entitled "The Six Faces of Piracy: Global Media Distribution from Below". In his work, Lobato reexamines the notion of piracy through the history of copyright and intellectual property laws arguing that while assumed to be objective, both are deeply rooted in and designed to benefit capitalist systems. Lobato contextualizes the piracy-as-theft interpretation stating that "the Motion Picture Association of America [MPAA] annually has published calculations on money lost or stolen by alternative forms of piracy, these figures...presumed that for each movie accessed illegally, a legitimate version of the same film went unsold" (73). However, these statistics do not reflect the complete picture since many of these global audiences would not see films through official channels. In the Cuban case, the materials would not reach audiences through MPAA-approved outlets due to the lingering policies of the US embargo against Cuba despite the diplomatic opening of 2014, which did not include an opening for financial exchanges, and Trump's subsequent 2017 restrictive policies have not increased opportunities for financial transactions.¹⁰ To further challenge the concept of piracy-as-theft, Lobato summarizes the genesis of copyright and intellectual property laws from the sixteenth century leading to the World Trade Organization's agreements on trade and authorship. This argument is echoed in Ugo Mattei's extensive research on

¹⁰ See Eversley, Melanie. "Trump's Cuba directive explained." *USA Today*.

the hegemony of US patent law where Mattei explains “the US owns 51% of the world’s patents” (405). Due to the continuously increasing power of copyright treaties, intellectual property laws benefit free-market economies, and have kept materials out of reach for marginal communities—directly connecting the Western concept of authorship to market and capitalist realities.

Given this context, Lobato explains that piracy is an “integral part of the global political economy of media... [and that] piracy must be defined in the plural” (72). In Lobato’s examination of global piracy in the plural, he moves beyond the piracy-as-theft model towards five other practices of piracy that contribute to the international media landscape. In the Cuban context, the State has practiced over five decades of piracy in what Lobato has termed as resistance to US copyright laws. In defining piracy as resistance, Lobato points to Marxist critics that have framed “piracy as a form of subversion” (80). We can see this form of resistance to US intellectual property law for the past five decades through the Cuban State’s television programming of US television and films and the circuit of government cinemas where piracy is a rejection of a capitalist economic order or an obstruction of capitalist domination. Considering Lobato’s point, I argue that by distributing US-intellectual property through official Cuban television and cinemas without paying copyright or exhibition fees, the Cuban government positions itself to resist the MPAA established trade policies while also provides access to Cuban audiences despite the looming US embargo against Cuba as seen in Image 2 below.

20 DE MAYO DEL 2017 14:21:04 CDT

JUVENTUD rebelde DIARIO DE LA JUVENTUD CUBANA EDICIÓN DIGITAL

ENG RSS SÍGANOS

PORTADA CUBA INTERNACIONALES OPINIÓN CULTURA CIENCIA Y TÉCNICA DEPORTES COLUMNAS SUPLEMENTOS

CARTELERA TV cine teatro música provincias

Cubavisión Canal Educativo 2 Tele Rebelde Canal Educativo Multivisión

Lunes | Martes | Miércoles | Jueves | Viernes | Sábado | Domingo

MULTIVISIÓN SABADO 13 MAYO 2017

MULTIVISIÓN SABADO 20 MAYO 2017

8.01 am UPA NENE 5 mayo 17
Tira: Mona y Sketch; Tipa y Tupa; Charlie y los números.

8.23 WAYBULOO

8.42 LOS BUSCA BOTS

8.57 ESPADACHINES

9.19 MINICINEMA Ace Ventura detective de mascotas Jr.
Año: 2009
País: Estados Unidos
Director: David M. Evans
Género: Comedia, acción, aventuras, infantil, familiar, animales
Sinopsis: Ace Ventura Jr. es un travieso jovencito de 12 años que intenta ser "kuzo" (Chomakuzo). Eso estaría bien, si no fuera porque para él la normalidad consiste en encontrar cachorros perdidos, rescatar gatitos secuestrados y dejar un rastro de caos por el

Image 2: Screenshot of online *Televisión Cubana* programming *Juventud Rebelde* State television programming including Hollywood film *Ace Ventura Pet Detective Junior* (2009) for May 20, 2017.

The above is a snapshot of US films programmed on Cuban Television such as the movie *Ace Ventura Pet Detective Junior* (2009). This is one of three US films on Cuban State Television for Saturday May 20, 2017, in addition to Disney's *The Little Mermaid* (1989) and *The Princess Diaries* (2011). This use of US film and pirated material within official government television stations further challenges the assumptions that the *paquete* is both subversive and the sole way to have access to US audiovisual content. This form of Cuban State practiced US media distribution also stands in opposition to the representations of Cuba as isolated from international media content bringing US-made media into a "closed" Cuban system. This assumed cultural and media isolation echoes what Bustamante and Sweig refer to in diplomacy as the possible isolation of Washington, rather than the isolation of Havana (102).

Instead, what is novel with the *paquete semanal* is that we see two additional practices of piracy or digital distribution in Cuba beyond the practice of piracy as a form of resistance: the practice of piracy as both curating and access. The *paquete* offers an opportunity for users to curate through a participatory interaction with material selection unlike the closed stations of television programming. Beyond curating, the most innovative practice of piracy that the phenomenon offers is one of access that resembles the way Cubans access other goods. The added benefit is that the *paquete* provides a pathway for emerging creations made specifically for the piracy channel, which captures the *paquete's* budding possibilities as a space for primary distribution.

In his theoretical framework, Lobato considers access as the form of piracy that has the most potential to foster domestic production and even citizenship. He explains that some piracy is simply a daily reality that brings audiences materials to which they would otherwise not have access, which echoes the work of Pertierra. Lobato shows the benefit of this form of piracy in that "the pirate networks...provide the material routes for an alternative technological modernity, generating new forms of media access, emergent social practices and possibilities of change" (84). In my reading, this piracy route for new material is the form that best describes the under-studied exceptional significance of the *paquete* phenomenon and, in particular, the most recent additions to the *paquete* phenomenon in made-for-*paquete* programming. In this way the *paquete* becomes a media platform. It uses piracy networks, for production and distribution of new domestic and independent content specifically made for this platform. This use is the case of *MiHabanaTV* which is just one of a variety of similar examples of made-for-*paquete* content.

IV. Made-for-Paquete content: The Case of MiHabanaTV

To further analyze the *paquete* as an example of Lobato's notion of piracy as access opening new spaces for cultural production, I interviewed one of the founders of the first alternative "television" channel in Cuba, *MiHabanaTV*, made specifically for *paquete* distribution. Manuel Alejandro Rodríguez contributes to the *MiHabanaTV*'s team as one of its scriptwriters as well as a program host in front of the camera. He explains how the "channel" came about, the topics that they cover, how this is innovative in the Cuban media context, the way the programming reaches audiences and why they chose to use the *paquete* as the primary form of national distribution for the channel.

In the interview, Rodríguez explains how he and a small group of peers founded *MiHabanaTV* in Havana to create an alternative voice in the media circuit and to cover "temas no cubiertos o cubiertos pero desde otro ángulo". Each member of the team is from the eastern province of Holguín, living and working in the greater Havana area. Despite its name and the opening images (Image 3), it is intended for a Cuban audience of twenty- to thirty-year olds throughout the country, not only for residents of Havana.



Image 3: Opening image of *MiHabanaTV* programming.

To cover the under-reported topics, *MiHabanaTV* is organized into two programs: 1) *Farándula*, and 2) *Añejos de Cuba*. In the first program, *Farándula*, Rodríguez and his team interview contemporary young artists, actors, musicians, and discuss happenings in contemporary Cuban culture. In various programs, *Farándula* has interviewed Cuban reggaeton artists Yomil and El Dany, Cuban actors in and out of the spotlight, and even spoken with some of the curators of the *paquete* itself. In *Farándula*, the team also focuses on events under-emphasized on Cuban Television, such as the Obamas' visit to Havana, the Chanel fashion show on May 4, 2016, the

arrival of the Carnival Cruise ships as well as interviews with emerging small business owners in Cuba.



Image 4: *MiHabanaTV* Episode 4 *Farándula*

In episode 4 of *Farándula*, *MiHabanaTV* captured the May 4, 2016 Chanel fashion show with footage of the runway and the blocked streets of Havana celebrating the Cuban models chosen to walk in the show and the famous Franco-Cuban singing duo Ibeyi that accompanied the models with their music. The fashion show received scant coverage on Cuban government television. This absence may be the result of a State decision to not actively highlight the arrival of the luxury brand's event or the preferential treatment of the international stars in attendance, coupled with closing a number of public spaces for the Chanel fashion show and visiting international celebrities. *MiHabanaTV*'s coverage of the event is not necessarily an active criticism of the State. Instead, the light-hearted program shares with audiences the Chanel happening in a gossip format that is not common on Cuban television. The *MiHabanaTV* episode of the fashion show celebrates the Cuban models and musicians participating in the historic event.

MiHabanaTV's second program *Añejos de Cuba* is a series of interviews with artists, actors and actresses that have had a significant presence in Cuba. It is often a glance back rather than a window into the up-and-coming contemporary changing artist scene. It is a program based on interviews with invited guests on a sofa in a talk-show format. For example, episode 3 included an interview with Juana "La Cubana" Bacallao, one of Cuba's famous personalities and singers born in 1925. *Añejos* explores the cultural past of Cuba while *Farándula* focuses on the latest entertainment news, forming

a negotiation between past and present Cuban entertainment.

The MiHabanaTV team produces two shows per month, one of *Farándula* and one of *Añejos de Cuba*, which they distribute directly through the *paquete* as their primary vehicle to reach Cuban audiences. Despite producing one new program every two weeks from 2016-2017, the programs are available each week in the *paquete* (repeats in the alternate weeks). Rodríguez and his team write, film and edit the programs using their own 4D phone cameras, a 5D camera, and a personal computer.

To cover production costs, the MiHabanaTV team sells small business advertisements and commercials that they insert into the programming. Therefore, not only is this the first alternative “television” channel in Cuba, distributed beyond the official forms of government media, but also it sustains itself through Cuba’s burgeoning private sector landscape, which was officially legalized in 2010 by Raúl Castro’s list of possible private sector jobs or *cuentapropismo*. MiHabanaTV, therefore, reflects a series of contemporary changes in Cuba, including a growing small private sector and local advertisements. The programs after their release in the *paquete*, are then made available for international audiences on YouTube or Facebook, depending on Internet connections or friends traveling abroad able to upload the materials. The MiHabanaTV team does not earn money from the *paquete* form of distribution, but chooses instead to distribute through the *paquete* to reach audiences and gain visibility.



Image 5: MiHabanaTV Episode 7 small-business advertisement.

MiHabanaTV’s use of advertisement, as seen in Image 5, highlights the growing presence of small business advertisements, reminding audiences of the fact that MiHabanaTV is an emerging space in the Cuban media landscape made specifically for *paquete* distribution and thus depends on an alternative form of funding beyond the State.

As it stands, despite its private sector commercials, the team earns a small token

for their efforts through these advertisements, and the remaining funds go directly back into the programming and production costs (transportation for interviews, food for interviewed guests, phone calls, WiFi charges). In order for MiHabanaTV to increase program production, the team would have to find more sustainable funding. However, the search for funding of this alternative “television” channel reveals a much larger national debate. This debate is related to the lack of audiovisual laws in Cuba, in which the most pressing points are¹¹: 1) The struggle for a legal status for independent media, film and television production in Cuba; and 2) the need for a more complex inclusive definition of audiovisual and digital materials to reflect contemporary Cuban production and consumption of media beyond traditional definitions of film and television. This legal roadblock is something a number of independent unrecognized production “companies” that exist in Cuba continue to face as they produce new film, television and audiovisual content despite an aging centralized legal framework that has not kept up with changes in technology and audiovisual production.¹² Cuban film specialist Gustavo Arcos reflects on this lack of and need for a legal framework to reflect these changes specifically given the 2014 talks of an opening between Cuba and the US. According to Arcos, regardless of a lack of a legal framework, Cuban audiovisual artists and “independent” filmmakers “tiene enorme protagonismo a lo largo y ancho de la isla” (Arcos n.p.). In other words, the in-between status of MiHabanaTV is not particular to this audiovisual team. Instead, it is the reality of a legal limbo for many artists in contemporary Cuba and the *paquete* plays a crucial role in providing a forum for visibility for these artists and emerging voices.

To further explore the intricacies of the *paquete*, the MiHabanaTV team dedicates episode 7 of *Farándula* to the behind-the-scenes making of the *paquete* itself in a form of meta-narrative of this distribution platform. The programming may not appear revolutionary in its interview content based on current events and local luminaries, however, it is a window on various contemporary changes including a growing private sector, increasing class differences, and spaces beyond and perhaps beside the centralized Cuban State. Following its trajectory as a case study reveals the intricacies of the life of *los paquetes* themselves, questions of authorship, distribution, and digital mutation across the country. MiHabanaTV is also an example of the

¹¹ For more information on the struggle for an audiovisual law see Gustavo Arcos, and for those who have been able to negotiate a space despite lacking a legal framework see “Carlos Lechuga habla sobre Santa y Andrés.”

¹² For more information on the *paquete* and the need for an independent audiovisual law see Juan Antonio García Borrero.

changing uses of piracy in the Cuban context providing a space for new cultural production such as made-for-*paquete* content.

V. A Close Look at the Makings of El Paquete through MiHabanaTV's Episode 7

In MiHabanaTV's episode 7 of *Farándula*, the team explores the *paquete* phenomenon, interviewing some of the original compilers in Havana in the highly invisible creation process. The host, Paula Rodríguez, of no relation to fellow host Manuel Rodríguez, conducts the interviews of the *paqueteros* in a new independent restaurant, El bar Big in Havana. Paula explains that the *paquete* began with re-distributing international films and television series and now there are series and films that “como es el nuestro [MiHabanaTV] que produce específicamente para el *paquete*.” In Rodríguez' interview with a team of three *paqueteros*, Abdel, Alejandro and Gabriel, she also begins to tell the story of how episode 7 of MiHabanaTV, the program that viewers watch, reaches audiences.

In the first minute of the interview, despite the *paquete's* informal distribution, Paula begins to show the *paquete* as a highly organized phenomenon that combines an exceptional understanding of computer skills and content curating. She asks each of her interviewees to discuss their roles in the weekly process.



Image 6: *MiHabanaTV: Episode 7: El paquete.*

Working with additional extensive teams with set tasks to create this weekly phenomenon, the three interviewees explain their roles in the *paquete*. Abdel collects the music and musical video content; while Alejandro works on film and television/series programs, and Gabriel creates the graphic design of the content and organizes the

material into folders.

Unlike the coverage of international press of the *paquete* as a new approach and subversive to the government, during the interview, the *paquetero* director, Alejandro, explains that the *paquete* is not a new contemporary phenomenon in Cuba. Instead, he argues that the *paquete* is a “canal abierto por 24 horas” that “nace del VHS” and that “se mueve por todo Cuba-igual al movimiento de VHS.” In his explanation, he is referencing the antecedent in Cuba to the *paquete*-when people would rent or share VHS tapes with movies and shows on them in the previous decades. When asked about the future of the *paquete* as Cuba gets more access to WiFi, Alejandro explains that more WiFi access in Cuba will not threaten the future of the *paquete*. Instead, Alejandro explains that the team is constantly watching, collecting and curating materials, organizing them and bringing the materials to audiences in an affordable way, which means it is a service distinct from merely an online WiFi connection. He reasons that the *paquete* is a platform that enables accessibility to various types of diverse audiovisual content to the Cuban public.

Abdel, the *paquetero* in charge of music in this collective, explains that the *paquete* does not just re-package international material for Cuban audiences. Instead, it is also a forum that has benefited many Cuban artists who have become well known because of the *paquete*. Abdel comments about, “los artistas que han surgido por el paquete” which he refers to as “inmenso.” These musicians, and the creators of MiHabanaTV itself, have used the *paquete* as their primary form of distribution. While the *paquete* now serves as a platform for Cuban artists to launch their careers and businesses, it is not a completely open space without censorship. For example, Abdel explains that he ensures in the music selection that there isn't any “contenido político que no debe salir.” This brief comment reveals that, similar to many aspects of Cuba, somewhat independent creations are not entirely against or divorced from the Cuban government.¹³ Abdel's statement reveals that the *paqueteros* are conscious of a range of content distribution limits imposed explicitly or implicitly. He also suggests that this is a normalized part of his work, which is one of the factors that could be most shocking to non-Cuban audiences who do not have this consciousness.

Abdel's comment further complicates the Vox documentary conclusion about the *paquete* as a subversive phenomenon surviving in contemporary Cuba due to the

¹³ For more on the intricacies between filmmakers and the State see Ann Marie Stock's *On Location in Cuba*.

inability of the State to control digital distribution. In its place, Abdel's comments demonstrate an awareness on the part of the *paqueteros* of respecting and limiting explicitly anti-government material in order to continue afloat in the limbo between legal and illegal practices in Cuba. These words also echo those of Cuban film specialist Gustavo Arcos' analysis of the way Cuban film and audiovisual artists have negotiated State limits for years. Arcos explains, "[l]a sociedad misma se ha levantado durante décadas sobre un extraño tejido que confunde los límites entre lo legal y lo ilegal, lo permitido y lo prohibido....Desde hace 15 años vienen proliferando en la isla todo tipo de productoras independientes que aunque no tienen un amparo legal, el Estado las tolera" (Arcos). Arcos hints at the nebulous space in between where the government and non-governmental voices are aware of each other, and dance a complex tango rather than placing themselves in clear opposition to one another. This tolerated production resonates with Stock's analysis of the emerging young audiovisual artists, and also with Pertierra's original interpretation of media consumption in Cuba as similar to the way its citizens access most goods and services in between the official and unofficial markets.

Gabriel, the last *paquetero* interviewed, speaks about his role in organizing the curated material each week for easy access, while also consistently working to define the genre of each piece in the *paquete's* folders. His role demonstrates how the *paquete* material—particularly made-for-*paquete* content—challenges rigid genres and accounts for space beyond the film/television divide. For example, while MiHabanaTV produces 45-minute episodes, with commercial breaks for local Cuban businesses, it technically is not a television channel. The program and the *paquete* itself complicate the division between television and film since the terms do not account for contemporary production realities that do not appear on the television or in theaters.

The genre of the programming determines the location of the material within the *paquetes*. In the case of MiHabanaTV, audiences can locate the programming in either the *paquete's* weekly folders labeled *Shows* or *Televisión* depending on the specific *paquetero's* organizational decisions. The varying folders to locate the programs within the *paquete* hint at the under-researched reality that the *paquete* changes as it travels from city to city and client to client. *Paquete* consumers select and pay for only their chosen material and subsequently often recopy, re-sell as well as re-organize it as it continues to travel throughout the country. The varying locations in the hard drive folders, or even absence of the MiHabanaTV programming within the folders, is an example of how the *paqueteros* and later *paquete* consumers also become curators, deciding to include

or leave out content to match the profile of their patrons and expected audiences. It also reflects the interactive nature of the hard drive *paquetes* circulating throughout Cuba.

Throughout episode 7, as the host divulges how the program that the audience watches reaches them through the *paquetes*, advertisements flash at the bottom of the screen from small private Cuban businesses, including Casas Cubanas, Kasasus, Tienda de regalos, and Baby Party.



Image 7: *MiHabanaTV* Episode 7 private business advertising in programming.

In addition, there are a number of commercial breaks for other small local businesses. Reflecting the growing field of local micro business advertisement in Cuba, the weekly *paquete* has a folder of business advertisements, which *paquete* audiences can choose to purchase or open to view. In the case of *MiHabanaTV*, the advertisements are different in that they are embedded into the program as commercials or present at the bottom of the screen during the programming. The setting of the program, filmed at El bar Big, also serves as a form of advertisement as the host travels from room to room of the independent establishment mentioning how delicious the food is and sharing with audiences the beauty of this relatively new space. The location itself becomes part of the increasing world of advertisement that makes episode 7 of *MiHabanaTV* possible.

Conclusion

In this brief look at an example of made-for-*paquete* content, it becomes clear that the *paquete* phenomenon is more than a subversion of US piracy. Instead, it is a distribution platform for diverse international and local content that also serves as a planned primary destination for new audiovisual material and artists in Cuba, as is the

case of MiHabanaTV. Using the piracy platform as a means to reach audiences for emerging local voices creates an example of what Lobato refers to as “piracy as access.” This form of piracy takes advantage of informal pathways as access to create and distribute new domestic material.

A look at episode 7 also reveals that the creation of the *paquete* is not as underground or novel as portrayed in international popular press. Instead, it is a phenomenon that speaks to the past five decades of piracy as resistance as seen in Cuban television and cinemas. It also continues the contemporary daily practices Cubans negotiate to buy food, clothes, and materials for their home in the space in between official and unofficial markets. Hovering between legal and illegal spaces, the *paqueteros* and the made-for-*paquete* artists continue to shape contemporary Cuban realities debating with the power of the State, and yet conforming due to its negotiation with it.

Returning to the thought-provoking title of Harris’ Vox documentary, while the work of these *paqueteros* echoes some of the services that Netflix provides to US and other international audiences, the *paquete* offers more diverse content and options at a lower price. In comparing the *paquete* to Netflix, even if Cuba were to have increased WiFi access for streaming, not all online material is open-access nor available on Netflix. In following the US-example, one would need to pay for various online streaming platforms such as Netflix, Hulu, Amazon, Vimeo, *The New York Times*, along with a plethora of international platforms from across the globe to achieve the diverse range of materials that the *paquete* phenomenon provides. Despite Netflix’s 2014 official decision to move into Cuban markets, Cuban consumers remain faithful to the Cuban participatory *paquetes* for re-distribution and now primary distribution of content.¹⁴

It is yet to be seen what the next chapter of the *paquete* phenomenon will look like, but given the global offerings, it serves as an example of how Cuba is not as isolated as the US media represent it. Instead, the *paquete* phenomenon continues and advances five decades of Cuban State practice of promoting piracy that does not completely work against the revolution or the government. Its most revolutionary and novel use of piracy is as a platform for primary distribution for future voices, artists, and art forms as seen in the creation and distribution of made-for-*paquete* content such as the example of MiHabanaTV.

¹⁴ For news on Netflix’s announcement to provide streaming service to Cuba see Liedtke, Michael and Michael Weissenstein.

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