

# Black Rock Gazette

The Naked Truth Since 1992

TUESDAY, AUGUST 27, 2002 ¥ THE PIRATE EDITION 42 VOL. XI ¥ BURNING MAN 2002 ¥ BLACK ROCK CITY, POP. 7,088



Photo by Mitch

## Stowaway Pointers

BY CAP'N SEAN SAVAGE

Arr, but this week will be a pirate's bonanza. With so many coughing, squinty newcomers about, raiding a camp or three will be too easy. Better yet, stow away on a playa schooner.

See all those high-minded pleasure barges crossing the Playa? Look who's behind the wheel. Some skippers have seen many a playa voyage, and that sort make for dangerous targets indeed. But some captains are the doe-eyed sort, and with just a tad of craftiness ye can hijack these greenhorns.

What sort of craftiness? The real pirates don't have to ask, by Neptune. For you landlubbers, here's a shove in the

right direction. It's a trick older than me oldest goiter, and it still works on the pleasure-boat crowd: grab a dog-door, a handsaw and a cutlass and set out for the playa. Find a likely vessel, leap to her gunwale and begin sawing a hole.

And what of the nosy, barnacle-sucking crew-swabs? Why, tell 'em you're installin a dog-door! Aye, and before they know it, those saps will be bound to their own rigging and you'll be cruisin' in style, skipper. Just remember to pick up your mates, else the galley-slaves will strand your arse at the next jiffy-john.

Not up for such drama and danger? Fine then, ye lily-livered bandicoot, you might find a captain friendly enough to let

you on without a scuffle. But remember:

- Ask before boarding. (A simple "Avast ye!" often suffices.)
- Don't board while the vessel is under way.
- Gifts ain't mandatory, but I always bring a little something for my fellow travelers. You should too, else ye might wake up playa-boogered to the anchor line. Haul along plenty of rum and special spices to keep your shipmates sailing smoothly. And bring booty. Aye, rare is the mariner who'll turn down a nice bit o' booty after a few days on the open playa.
- Don't pass the driver that cup of grog. Coppers enforce open container laws, even on the open playa. Prattlin' prostates! That friendly gift can earn your captain a DUI.

Yo ho ho. And a bucket of smaller buckets. Now off with ye.

## PIRATE PHILOSOPHY

Not all pirates were the opportunistic brutes as they are sometimes portrayed. Pirates have a long tradition of creating new and more human forms of society.

Many pirates were escaped slaves. At least one Spanish slave ship became a pirate ship when the slaves revolted and took it over.

Pirate ships usually operated as democracies -- each pirate on a ship had a vote in electing the captain.

Each pirate on board

got an equal share in any booty taken, with the exception of the captain who was entitled to two times the share of everyone else. Sometimes the first mate got a large share if the rest of the pirates on board voted to allow this.

A pirate crew remained together until a predetermined amount of loot was gathered, as decided by vote. In some cases a pirate would be freed from his duty and allowed to leave before the quota was reached, if his shipmates voted to allow this. Other times, he would just be keel-hauled.

The Golden Age of Piracy roughly coincided with the

time of the American Revolution.

Some historians theorize that the seat-of-the-pants democracies formed on pirate ships directly inspired the American and French revolutions.

Thomas Paine wrote that he was inspired by the pirates.

He befriended many pirates including Captain Kidd and Captain Death and he ran away from his childhood home to sail on a pirate ship.

Paine strongly disagreed with what he viewed as the corrupt and destructive empires of his day, and he admired the pirates, who refused to serve these institutions and broke off to form their own miniature societies.

After Paine observed these bands of pirates from many nations living productively together, his writings called for a "universal society" whose citizens transcended their own narrow local interests and respected all humanity as a whole.

The pirate spirit still sails in the floating world.

-- Cap'n Sean Savage

*"We have it in our power to begin the world over again."*

-- Thomas Paine

## Burning Man Sues Video Company

By Jonno

Black Rock City LLC, Burning Man's legal entity, filed its first lawsuit ever in June 2002, in San Francisco's Federal District Court against Voyeur Video Inc., a commercial adult video company, for violating contract terms and individual privacy rights and for trespassing.

Voyeur Video videotaped Burning Man participants without permission during the past few years and sells the videos online. Burning Man bases its lawsuit on the fact that contractual language on every ticket explicitly states: "Commercial use of images obtained at Burning Man is prohibited without prior written consent of Burning Man." Anyone with a video camera attending the event is required to register the camera and sign a written agreement confirming this contract.

Filming in Black Rock City for the purpose of selling the images invades the privacy of all participants. The lawsuit claims that Voyeur Video invaded individuals' privacy. Participants have the freedom to radically express themselves because they understand that Black Rock City LLC will protect their privacy and ensure that no one exploits their image. According to the suit, Voyeur Video filmed participants in situations in which they had a reasonable expectation of privacy.

Additionally, the lawsuit seeks damages for this invasion of privacy and trespass. The lawsuit claims that Voyeur Video trespassed at the event, since all attendees are granted only a limited permission -- to attend but not film with commercial intent. Black Rock City LLC believes that Voyeur Video crews entered Black Rock City with the intent to film participants, and sell the videos for commercial gain.

Voyeur Video alleges that it should not be bound by the prohibition on the ticket because they did not read this language and had not been informed that the ticket created a contract, and that they are otherwise not bound by the contract. Voyeur Video also contends that Black Rock City LLC does not have standing to bring claims for invasion of privacy, since those claims belong to the individual participants and not to Burning Man. Finally, Voyeur Video argued that some knew they were being filmed and ticket language stating "your image may be captured without your consent" creates a situation where the individuals waived any expectation of privacy.

Voyeur Video has an on-line catalogue of more than 300 videos shot in at least five countries, with an emphasis on naked female "sneakshots". Over the past five years, the company sent camera crews to the Burning Man event. Voyeur Video is offering three tapes from Black Rock City in 1997, five from 1998, three from 1999, two from 2000 and one from last year. They run from 75 to 105 minutes and cost \$29.95.

Burning Man rarely grants filmmakers the right to make commercial use of images obtained at the event. When it happens, it is usually after reviewing the prior work of the filmmaker or reviewing the finished work from the playa. Voyeur Video applied for a permit to film Burning Man in the past. That permit request was denied.

Burning Man requires everyone with a video camera to sign an agreement limiting the type of use that can be made of images taken at the event. Even news organizations are required to sign an agreement. The agreements with news organizations generally permit use of the images from the

event only within a few weeks during and after the event. And all use agreements, with any type of filmmaker, prohibit the use of any images with nudity. There are some instances where this clause may be modified by Burning Man based upon context, intended distribution, the filmmaker's responsibility to demonstrate permission from the subject, and if the subject's face is recognizable. These modifications are handled on a case-by-case basis, and are only granted to filmmakers with whom an agreement has been signed.

Last year, Burning Man refused to allow CNN to film the event, because CNN wanted to utilize any footage it obtained for archive purposes, and to be able to license the footage to anyone that wanted it. Burning Man refused to agree, because of its policy in controlling and restricting use of images from the event, in particular to protect participant's privacy.

The Federal suit asks the court to order Voyeur Video to halt sales of the videos until the case is over, which could take until 2003. If it prevails, Black Rock City wants the court to make the ban permanent, and hit Voyeur Video in the pocket-book, requiring it to disgorge profits from tapes already sold, pay Burning Man's legal fees and damages to the organization, and also to levy punitive damages on the company. Dollar amounts will be specified once a trial begins.

Court proceedings are scheduled to begin September 6. This is the first time Black Rock City LLC has gone to court over commercial exploitation of Burning Man images.

Voyeur Video is not the first company to break the video rules, but, according to Marian Goodell, Black Rock City LLC spokeswoman, virtually all other companies marketing videos

## Burner, Phone Home

BY TECHNOMAD (JOHN LAM)

Lack of pay phone service in Gerlach and Empire this year accentuates Black Rock City's isolation from the rest of the world.

Last week, before the city opened, staff and volunteers in Gerlach noticed many pay phones no longer worked. A responsible and curious few further inquired and learned the phone company that operates the customer-owned, coin-operated telephones had suspended operations.

Lady Merv of Media Mecca, who arrived in Gerlach early to receive a shipping container from New York, called the marketing department of the wireless communications company Cingular to request that a pay phone trailer be installed for Burning Man. She said she told it: "Thirty thousand people will arrive in less than a week, and the pay-phone company just went out of business. Could you just imagine the money you could make?"

Apparently, marketing works with slow schedules, and referred her to another operating unit that could install facilities for mucho fiat money.

When she called Nevada Bell to seek a solution, it responded that its license excludes it from providing a wireless pay phone trailer and that it was contractually forbidden to reprogram its switching network to offer services on the nonworking pay phones, even though they are connected to its system.

Raines Cohen, among others who needed a phone, found that Joe's Bar and Bruno's Casino in Gerlach have working pay phones, obviously provisioned by another company.

Even better, suggested Lady Merv, is Miner's Club, where the proprietor welcomes burners who have calling cards to use her private phone on the condition that they buy a couple of drinks. Generous donations would, of course, be in keeping with the Black Rock City spirit.



BY VAUGHN SOMETHING

When you are motoring across the lesser highways of Nevada at midnight after driving for 14 hours watching for jackrabbits like a hawk and a tumbleweed comes up onto the road and into your headlights, doesn't it just freak the shit right out of you?? Three years in a row now i have arrived at Black Rock City after dark. It sort of feels like i am sneaking into the city under cover of the night; like i am a kind of black sheep of Burning Man. Is it even possible for Burning Man to have a black sheep? i thought not.

So like i mentioned, i was scrutinizing the road severely for the rabbits because i know the story: someone, some time ago, swerved to avoid a rabbit and lost control of the vehicle and was killed. So you don't make any severe gestures of salvation for the rabbits because there are no shoulders on the road and you are likely carrying several hundred pounds of very unstable water and that could boil it down to you or the rabbit.

But do the rabbits help out AT ALL?? NO!! i swear to Christ in a caftan there is something seriously wrong with those animals. i mean there is something wrong besides their completely whacked out notion that they can outrun cars and that they can do it in that hopping, zig-zag gait. They try and pull the most ridiculous, death-inducing stunts.

After seeing a half dozen rabbits scoot across the roadway way up in my headlights or run up the ditch and dart into my path so i had to yank my foot off the gas and brace the steering wheel for the thump if it happens, i thought i had seen their whole damned bag of tricks and that my speed was good enough to both make time and slow enough to miss the bunnies. Inside of five minutes of that thought, they went stark-raving ballistic on my ass. One rabbit zipped right to left across the road. It wasn't even across when a second psycho-bunny shot left to right in front of the car and a split second later, a third bolted into the road to the center line, jumped three feet straight into the air, landed facing the way it had just come and ran back off.

i can not wait for the day when someone is able to put a bunch of signs along the road that say, in a language jackrabbits can understand "You rabbits are fine on THIS side of the road, just sit the fuck down!"

from the event stopped doing so after receiving a cease and desist letter from Burning Man's attorneys. In the few instances where someone has been selling videos from the event -- generally videos of naked women -- Goodell added, a phone call or an email is usually sufficient to resolve the situation, though sometimes it takes threatening letters.

Voyeur Video, Goodell said, was the first violator of the rules to completely ignore Burning Man's letters. In 1999, when Burning Man first became aware that Voyeur Video was marketing tapes titled "Burning Man" and sent a cease and desist letter, Voyeur Video did not respond to the letter. A check of the website showed that there no longer were tapes for sale entitled "Burning Man." However, two years later, Goodell was alerted to the fact that the company was still selling the tapes, but they were now advertised as "Rainbow Fire Festival." Burning Man then sent another cease and desist letter, which Voyeur Video ignored. When Burning Man obtained copies of the videotapes in preparation for the lawsuit, it found that the tapes still were titled "Burning Man."

For Black Rock City, going to court was a last resort, due to the fact that a lawsuit would create unwanted publicity, as well as considerable expense. However, Burning Man decided to proceed because of its commitment to ensuring participants feel free to express themselves without fear their images will end up being sold on the internet. There has been considerable publicity about the suit since it was announced in the July 2 edition of Jack Rabbit Speaks, the email newsletter sent to 30,000 current and former participants of Burning Man. The story appeared in major daily newspapers in San Francisco

# Cosmic Report ★ \* \* \* \* \*

The sun will set tonight at 7:38 p.m. The moon will rise at 10:07, and, just like Black Rock City, will be up for the rest of the night. Unlike Black Rock City, it will be operating at 80 percent efficiency, waning gibbous. Morning comes at

6:21 on Wednesday. Today's weather, forecasted for you by the U.S. government, will be 70s and sunny. Black Rock Gazette says leave those umbrellas in the hall closet! No sign of rain! Perfect pasties weather!

If you hover, raise the cover!

## Naked, Naked, Naked!



Nudity is acceptable playa wear at any time. The Black Rock City Fashion Police are combing the streets for fashions, fabulous and faux pas. Dress right or don't dress at all!

### Question of the day: What do you need?

- "I need to want." -Markiss
- "I need Spock." -Ted of Spock Mountain Research Labs
- "I don't need anything." -Anonymous
- "Yesterday, I needed a locksmith." -Anonymous
- "I need tender love and affection." -Anonymous
- "A copy of the Gazette." -Anonymous

.....

### Date Book

YOGA. Basics Tuesday and Thursday with Robin; Intermediate/Advanced Wednesday and Friday with Indigo. All at 12:30 p.m. to 2:00 p.m. Camp Image Node in Disturbia, 285 degrees on the Esplanade.

Space permitting, The Black Rock Gazette will publish listings of community events that were not included in What Where When. Only listings that occur or begin the day of publication will be considered. Visit our City Desk in Center Camp to drop off your information or send an email to [brgazette@burningman.com](mailto:brgazette@burningman.com)

### Wanna make a faya? Don't leave it on the playa!

"Everything I ever really needed to know I learned from ruthlessly torturing my captives."

—Cooper Wiseman



and New York as well as other press outlets and was picked up by Cable News Network. The headline in the New York Times read, "A Festival With Nudity Sues a Sex Web Site." Goodell also pointed to the considerable cost of waging a legal battle as a reason for the delay in bringing a court action. The organization set aside \$50,000 in the current year's budget when it appeared that a suit was inevitable, and is prepared to fund the lawsuit through to the end, in order to ensure that the privacy of Burning Man participants is fully protected.

"I felt violated," said Jodi, a 41 year old writer from New York City who was filmed at Glitter Camp. "I did not consent in any way to being filmed," she declared. "What infuriates me is that I look back on my experience at Glitter Camp as a liberating moment," she told the Gazette.

Participants who suspect they are being filmed without their permission can follow this advice from Andie Grace of Media Mecca. "If you see someone filming, you have a right to say 'No,' if you don't want to be filmed. You should ask to see their camera tags. You have a right to know what the footage is for, and demand that it not be used in any commercial film. If you have any problem or suspicions, or someone refuses to comply with your requests, notify a Black Rock Ranger so they can investigate."

## Creature of the Deep

By Mitch

If the huge metal Octopus located at 30 degrees and 3,100 feet could talk, it might greet you with the observation that "fear is never boring."

That phrase is the subtitle of the home page of the Madagascar Institute, a New York-based collective that spe-



cializes in "large-scale scary stuff that can kill you," as Colleen, a slight and unexpectedly friendly spokeswoman for the mediphobic group, put it.

"If there is no fear in it, for the most part, then we are probably not interested--unless it's a t-shirt," she added.

Madagascarites probably could do up some t-shirts from their base, a nondescript factory building within the fragrance zone of Brooklyn's Gowanus Canal (a body of water historically used by organized crime to safeguard surplus associates who had achieved room temperature). The building, owned by Madagascar co-founder and upstairs resident Chris Hackett, houses some fabric-design space in its twisty basement, along with a computer lab, a bike shop and other industrial craft facilities in various states of creative destruction.

The main stage, however, is a well-equipped metal shop on the first floor. There, amid arc-welding, drill-pressing and other metal-bashing accoutrements, the Creature of the Deep was born--at least conceptually. The actual octopus, based on a model made in Brooklyn, was constructed piece-meal on the Department of Public Works' ranch and transported to the playa, where its dozens of pieces were welded together.

The menacing marine monster consists of metal tubes welded into two hexagons that are connected by three struts. The resulting semi-cylinders are arranged so as to taper toward the ends of the tentacles, and some are covered in fabric. Fire cannons will complete the effect of making the beast appear nasty, brutish and large.

Meant to appear as if it is rearing itself to the surface of Lake Lahontan, the Octopus is about 35 feet high and more

than 75 feet wide at points.

The octopus does not have any special symbolism, other than coinciding with the Floating World theme and the Madagascar penchant for big and dangerous. Colleen said it is the largest project the institute has undertaken, and that it also marks the first time a New York group has received funding from the Black Rock Arts Foundation.

A similar red herring is the name of the Madagascar Institute. The group does not have any special connection to nor affinity for the island, according to Colleen; it is simply an interesting place that not many people knew much about. (Some facts about Madagascar: it is a big producer of vanilla, home to ring-tailed lemurs, and there was once a pirate kingdom on the island). "Institute" was added to the moniker in order to lend the group a pseudo-scientific aura, Colleen said.

The Society for Experimental Art and Learning, a New York-based non-profit organization started by Burning Man participants, helped to provide funding for the octopus project. Madagascar, however, views itself as a countercultural organization that just happens to like the wide open space of the playa when it isn't annoying its neighbors by testing flamethrowers at home in the Big Apple. ☞

## Head Games

BY RICK-BOY

"Where to, boss?" asked the taxi driver, once we loaded me, my stuff, the unconscious Janice, and her vast amount of luggage.

"Hotel O'Tai." Unlike Janice, I did have a reservation.

The car coughed and sputtered and we were off. The Hotel O'Tai is in the middle of the village Hanga Roa. It is a collection of white cottages with a pool, a nice place.

The cabbie and I unloaded the stuff, including Janice, who ended up lying over the bags with one hand extended over her head. She looked like a reclining Venus that had seen better times. I paid the cabbie and he took off but not before giving me a wan, slightly lascivious smile and a "Good luck, man!"

I pulled Janice to a standing position and got my shoulder under her at about the hips. "Hey, whaddaRUdoing?" she inquired before flopping onto my shoulder and passing out again.

"May I help you, sir?" came the inquiry from behind the desk. The manager had a little name tag that said "Nikko." He was a friendly guy, but a bit reserved. I later found out that the island had twice been overrun by pushy Hollywood types in the past decade and a second time for a science TV program where a bunch of archaeologists tried to transport and raise a Moa.

So, me being an American and showing up for a single room with an unconscious woman on my shoulder, what otherwise would have been a cordial greeting was tempered with some natural reserve.

"Yes, I have a reservation. I'm Rick-Boy."

"Ah, yes, it was for a single, I see," Nikko said. For a slight premium, he said he could give me a cottage suitable for two. I learned later it was considered the Bridal Suite. I picked up the comatose Janice and carried her, a bellhop following with the baggage. I tipped him \$5 and asked if there was anyplace to get Internet access.

"Oh yes, we have access in the lobby. There are no phones in the rooms."

Leaving Janice on the bed, I headed back to the lobby and logged on.

As I expected, there were a bunch of griping emails from the Black Rock Gazette. "We didn't mean GO to Easter Island, it was supposed to be an article about the @#\$\$ toilets. There's a guy who wants to decorate the potties to look like the heads of Easter Island. Who said anything about a travel allowance? You want HOW many words!!!"

Geez I was pissed kind of. But really I was pissed at myself because I really knew better. I knew they'd never pay for it.

So now what? I thought I might as well get the story. I'm here. Maybe there are some Burners here?

My train of thought was rudely interrupted: "There you are! What's the idea of leaving me?" Janice's mouth had returned to consciousness and dragged the rest of her to the lobby.



"Well, after I had finished committing unspeakable acts upon your unconscious body I saw no reason to hang around."

"What? What did you say?"

(The great thing about Janice was that you could say one line of complete crap before she would even start to listen.)

"I said, 'You seemed to be sleeping peacefully, and I didn't want to wake you.' Besides, I'm busy."

"With what?"

"The heads. The story of the heads."

"You came all the way here for that? Don't you know about books?"

"Oh I don't think you understand. I work for the Black Rock Gazette, one of the few Nevada newspapers with a circulation of more than 20,000."

"So? You could have gotten all the facts out of a book, moron. The people of Rapa Nui - which is the modern Polynesian name, or Easter Island, which came from a Dutch explorer who saw it that day in 1722 -- were the only people in the Pacific with a written language. Originally this island was called Te-Pito-Te-Henua, 'The Navel of The World.'"

"The story has been out forever, and it's pathetic. Everything that you could do wrong to a place was done here. A thriving civilization was practically wiped out because of their love of the Moai, those stupid heads."

"It seems they loved carting those things around -- probably by rolling them on palm tree trunks. We know from pollen traces there used to be palm trees on the island; but all the palm trees were cut down for boats or for rolling the heads around. With no trees there are no boats and no way off the island. By the time the Western world got here most of the heads had been thrown down in tribal fighting."

"This isn't a big place. It's only fifteen miles by seven and a half. When it came in contact with the Western world the remaining people got enslaved to work in guano mines in Chile, near Pisco, Peru. That killed off most of their leaders and they lost most of their oral tradition. A few remained and were sent home where they infected the rest with smallpox. Almost everybody on the island died -- nice, huh?"

I knew most of this but not all. It didn't matter; Janice had all the facts about Easter Island but none of the truths. ☞



Marian Goodell, Mistress of Communications ~ Mike Durgavich, Publisher ~ Mitch Martin, Editor ~ Ed Ingraham,

Webmaster and cartoonist ~ Larry Breed, Chief Copy & Proof Editor ~ Blue Collar Bob, I.T. Guru & Systems Acquisition ~ Ty Billings, Circulation ~ WeeGee, Minister of Photogs ~ MyssTerry, Graphic Designer, Production, Image Wrangler ~ Cleo Winters, Graphic Designer ~ Managing Editors: Saffron Lee, Kate Forster, Vaughn Something ~ Francis Wenderlich, Masthead Designer and Illustrator ~ Editrix Abby, Production ~ Todd, I.T. Captain



String Bean from Portland asks:

We've been in Black Rock City for less than a day and my campmate is already complaining that he's bored. Meamwhile, I'm running around like a chicken with my head cut off. What should I do with loser-boy?

The Playa Chicken responds: Awwwwk! Please do not use that horrid phrase! It reminds me too much of the time I was in a foxhole with Dan Rather and we started talking about the merits of vice-grip pliers, and well, one thing led to another, and before I knew it, Dan's head had come clean off. If you think a chicken with its head cut off is a sorry sight, you don't want to see what it's like when it happens to a newscaster.

But that doesn't solve your sorry little problem, does it? And just let me say, this could be one of the most whiny little self-absorbed problems I've ever heard about. You're managing to keep busy and I presume have a good time, but Mr. Poo-Poo-Pants is being a stick in the mud and you somehow feel responsible. What is it with you featherless bipeds that makes you want to help each other in situations like this? In the chicken coup it's every beak-wielding bird for herself, and the weak don't trouble us with complaints of boredom. If they dare whine, we simply peck their eyes out and move along.

But since you are not nearly as advanced as us chickens, I guess I'll have to help you out. Grab Mr. Yawn and head straight to DPW camp and have them weld a nice solid chain to his left ankle. Stop by Alien Love Nest and have him perform a stirring rendition of "Back on the Chain Gang" to earn his pendant, and then swing by the Temple of Atonement to have someone whip his ass. Finally, drag him over to the closest Johnny On The Spot truck and attach the loose end of the chain to the bumper. Wave bye-bye and continue on with your fun.

Do you have a question for the Playa Chicken? Drop it off at the Gazette office in Center Camp and you might see your silly little problem in print! ☞

~ Dani Price, Distribution Reps Captain ~ Sunburn Sarah, PSAs and Operations ~ Copy Editor/Proofer, Alexandria Davies ~ Bequi Mari, Illustrator ~ Jools, Production Angel

The views expressed in this newspaper do not necessarily reflect the views of the Burning Man or its principals. We try; but afterall, we're volunteers. We make mistakes. And this is a camping trip. A big gloss, trussed up, kick-ass camping trip in the middle of the desert. Don't take this too seriously, just enjoy the ride...