Film Distribution in the Age of the Internet: East Asian Cinema in the UK

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I hereby declare that the work presented herein is entirely my own

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Virginia Crisp, April, 2012

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The final thesis is dedicated to my parents.

Abstract

This thesis provides an integrated analysis of formal and informal distribution networks for East Asian Cinema in the UK through interviews and ethnographic-style research. It examines what motivates and shapes the acquisition decisions of distributors in these contexts and how these motivations might conflict, interact with, or complement one another. Whilst existing literature has focused on formal distribution and 'piracy' as distinct phenomena, this thesis considers both in conjunction with each other and also uncovers the distinct social contexts of each environment.

Through anti-piracy discourse, the positions and priorities of 'pirates' and the 'industry' are repeatedly constructed as unequivocally distinct and oppositional. However, on the basis of my research, I argue that these seemingly opposed groups -- professional distributors and filesharers -- are more similar than we might imagine. The connections between the online and offline distributors can be noted in a number of ways. First, the actions of distributors within formal and informal networks involve complex social and cultural interactions rather than purely economic considerations. Second, an individual's position in a socially imagined 'knowledge community' is perceived to be more significant than economic interest in motivating the activities of distributors within both formal and informal channels. Third, by applying Molteni and Ordanini's principle of socio-network effects, I argue that distributors online and offline are engaged in a symbiotic relationship where each party can be said to benefit socially and culturally, if not necessarily economically, from the actions of each other. Overall, this thesis argues that social contexts of distribution in formal and informal settings shape the distribution process. Indeed, rather than just representing the movement of an economic commodity, the act of film distribution also mediates and facilitates the social and professional relationships of distributors across both sectors.

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1. Introduction

This thesis asks how both formal and informal distribution networks for East Asian[1] films in the UK function and interact. The basis for such an examination is the proposition that the social and cultural context of 'film' must be examined in conjunction with the economic in order to produce a holistic understanding of how films circulate transnationally. To examine the dissemination of East Asian film in the UK as a case study two UK distribution companies that specialise in East Asian films and two filesharing forums that are similarly dedicated to circulating East Asian cinema were selected for analysis. Interviews and ethnographic-style online research facilitated the examination of two more focused questions. First, what motivates and shapes the acquisition decisions of distributors in both formal and informal contexts? Second, in what manner, if any, can the motivations of both parties be seen to conflict, interact, or complement one another?

Although these two parties have such a dominant role in the dissemination of film texts and are inextricably connected, there is a lack of research in studies of film distribution and/or piracy that directly examines the nature of the relationship between them. The existing literature on distribution also tends to focus on the dominance of Hollywood and there is a need for more work on the role of 'independent' distribution networks in general. Furthermore, previous studies of filesharing have been too narrow. They have been particularly preoccupied with establishing whether filesharing is damaging or beneficial to the industry. I argue that such a focus assumes that filesharing is in some manner a homogenous activity underpinned by a unified set of motivations, and that it results in a similarly predictable set of outcomes. The field is also weighted toward studies that attempt to establish what motivates filesharers so that they can be forced or persuaded to halt their activities.[2] These dual preoccupations dominate the discussion, leaving a need for more work on the social and cultural aspects of filesharing, which have hitherto been examined in only a few interesting, but regrettably scarce, studies.[3] Finally, many academic and popular discussions surrounding digital piracy focus on the

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[1] The term East Asian cinema is used within this thesis to describe films originating from Mainland China, Hong Kong, Taiwan, Korea and Japan. Both the autonomous and professional distributors tend to use the term Asian cinema to describe the films from these nations. However, for the sake of clarity and to differentiate such films from those produced in other Asian countries such as India and Pakistan, the term East Asian film in used within this thesis.

[2] For example see Jeffrey S. Podoshen, "Why Take Tunes? An Exploratory Multinational Look at Student Downloading," *Journal of Internet Commerce* 7, no. 2 (2008); Twila Wingrove, Angela L. Korpas and Victoria Weisz, "Why Were Millions of People not Obeying the Law?: Motivational Influences on Non-compliance with the Law in the Case of Music Piracy," *Psychology, Crime and Law,* 17, no. 3 (2011): 1.

[3] For example see Mark Cenite, Michelle Wanzheng Wang, Chong Peiwen and Germaine Shimin Chan, "More Than Just Free Content: Motivations of Peer-to-Peer File Sharers," *Journal of Communication Inquiry* 33 (2009); Ian Condry, "Cultures of Music Piracy: An Ethnographic Comparison of the US and Japan," *International Journal of Cultural Studies* 7, no. 3 (2004).

supposedly antagonistic relationship between filesharers and the cultural industries; within such discourse the positions and priorities of each group are repeatedly constructed as unequivocally distinct and oppositional. This thesis seeks to go beyond such a narrow and polarised discussion by questioning whether this construction is an accurate portrayal of either the filesharers or the professionals.

In response to the questions that form the backbone of this thesis, I propose that these seemingly oppositional groups, professional distributors and filesharers, are more similar than we might imagine, and furthermore, are engaged in a symbiotic relationship. The connections between the online and offline distributors can be noted in a number of ways. First, the actions of distributors within formal and informal networks involve complex social and cultural interactions rather than purely economic considerations (as discussed in chapters five and six). Second, an individual's position in a socially imagined[4] 'knowledge community'[5] is more significant than economic interest in motivating the activities of distributors within both formal and informal channels. Whilst the professionals tend to confine their understanding of their 'community' to only include others within the film industry (as demonstrated in chapter five), the online distributors broaden their understanding so their community is able to transcend the subscribed membership of their fan forums (as demonstrated in chapter four). Third, by applying Luca Molteni and Andrea Ordanini's principle of socio-network effects[6] it is proposed (in chapter seven) that distributors online and offline are engaged in a symbiotic relationship where each party can be said to benefit socially and culturally, if not necessarily economically, from the actions of each other.

Whilst making specific observations about the distribution of East Asian cinema in the UK, this case study also sheds light on some broader issues. First, whilst there is a large and economically valuable industry surrounding film, the engagement that individuals themselves have with film cannot be examined in purely economic terms. Secondly, the offline and online, informal and formal, professional and amateur, consumer and producer, cannot be neatly distinguished and demarcated. The fact that distributors exist online and offline and circulate film in an official and unofficial capacity does not necessarily mean that their aims and motivations are necessarily distinct and oppositional.

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[4] Benedict Anderson, *Imagined Communities: Reflections on the Origins and Spread of Nationalism* (London: Verso, 1991).
[5] Pierre Lévy, *Collective Intelligence: Mankind's Emerging World in Cyberspace* (Cambridge, MA: Perseus Books, 1997), 20.
[6] Luca Molteni and Andrea Ordanini, "Consumption Patterns, Digital Technology and Music Downloading," *Long Range Planning* 36, no. 4 (2003): 391.

Furthermore, it will be demonstrated by comparing two filesharing forums that filesharing itself is a varied activity, and not a homogeneous phenomenon that can be assessed easily in terms of a universal code of ethics. To only consider the morality of the issue and the possible monetary loss to the industry (and arguably the artist) is to ignore the multiplicity of different filesharers and filesharing activities that take place on the Internet and the resulting multiplicity of effects this may have on the entertainment industry, both positive and negative. This finding underlines Lee Marshall's insight that filesharing is a cultural and social activity[7] and that any serious academic research must account for this understanding.

With this in mind, it is important to highlight that this thesis does not seek to defend filesharing. However, it does demonstrate that the online distributors themselves maintain the belief that in certain situations, in certain communities, and under certain conditions, filesharing can act as a promotional tool. The filesharers themselves argue that filesharing has the potential to bring fans into contact with films they would otherwise not see, creating demand for a product in places where demand might never have existed. Whilst this appears to be a commonly held view within the filesharing communities under examination, it was by no means the only interpretation of the situation. Indeed, the prevalence of such a perspective is, in part, attributable to the symbolic power held by certain individuals, who are thus able to present their own beliefs and opinions as universal community mores. Furthermore, whilst this thesis does argue that the relationship between online and offline distribution is mutually beneficial, it does not propose that the benefits that each group realizes are necessarily economic.

The examination of the two small UK distributors also makes it clear that there is more at play for individuals working in distribution than the act of selling and promoting a particular product. Knowledge about film allows distributors to generate valuable cultural capital and carve out a niche within distribution more generally. However, such knowledge is a closely guarded commodity and only particular key industry professionals are seen to have the ability to access, create and circulate such knowledge. Indeed, only knowledge seen to originate with key individuals (such as sales agents, distributors, and film critics) and circulate within the industry (at festivals and markets) is validated as worthy of informing the acquisition decisions of the distributors.

These major research findings of this thesis demonstrate that distributors who work within the particular informal online distribution networks under discussion are not simply

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[7] Lee Marshall, "Infringers," in *Music and Copyright,* ed. Simon Frith and Lee Marshall (Edinburgh: Edinburgh University Press, 2004), 196.

motivated by cost avoidance as the anti-piracy rhetoric would maintain, but exist within a complex social community where individuals perceive their activities to be promotional rather than competitive. Moreover, it is precisely the *social* aspect of these filesharing communities that allows members to perceive themselves as part of a wider community of East Asian cinema fans that incorporates the film industry. Similarly, whilst acknowledging that the film industry in general is a business with unavoidable economic concerns, independent professional distributors view their own role as distributors to be primarily concerned with bringing new and interesting films to UK audiences rather than making profits before anything else. However, although the professional distributors carve out their niche in the market by claiming to be cutting edge and innovative, an examination of their working practices in more detail reveals that such claims play an important role in securing the value of their own cultural capital. If distributors can be seen to have unique access to the 'new' and 'exciting' then they reinforce their position as important arbiters of taste and knowledge within the film industry. Overall, this research considers that rather than just representing an object that the members can obtain for free or that they are paid to sell, film holds a cultural significance for these distributors across both sectors. In this sense film must be considered as both an economic commodity and a cultural (art) form. Only in examining film with this duality in mind can we attempt a fuller understanding of how film circulates around the globe.

However, what such a suggestion reminds us is that the term 'film', and its compatriots 'cinema,' 'moving image,' and 'moving pictures,' are historically contested terms. Furthermore, the ontology of film has received renewed attention as technological developments are increasingly threatening the supposed 'essence' of what we might loosely call 'film'. The above terms are often used interchangeably, and thus it might be prudent to be clear exactly how the term 'film' is being used in this thesis and how the term might be challenged by the practices described herein. However, although I might designate my own understanding of the term film, it is with the recognition that simply defining the term here does not fix its meaning in the minds of academics, film critics and audiences. Terms such as 'film' will always eschew definition and continue to have a resonance and meaning beyond that set down through official channels.

> People nowadays don't always mean the same thing when they use terms like "cinema," "film," "movie," film criticism," and even "available" – terms whose timeframes, experiences, and practical applications are no longer necessarily compatible. Older viewers typically refer to what can be seen in 35mm in movie theatres and read about in publications on paper. Younger ones are more likely speaking about the DVDs watched in homes and the blogs on sites accessed on

the Internet.[8]

The question 'what is cinema?' has been preoccupying film theorists since the birth of the art form. Early discussions on the ontology of cinema and the specificity of film were often trying to establish the difference between film and some other art form such as literature or theatre. Such discussions would often verge on essentialism, as if 'different media have 'essential' and unique characteristics that form the basis of how they can and should be used.'[9] The idea that film has certain essential characteristics that dictate how it should be used has been substantially criticized, but the discussion of media specificity has recently been enjoying a resurgence of interest in relation to the development of various 'new' media and technological changes in the cinematic form.[10] Indeed, there is much discussion concerning the future of 'cinema', quite often technological determined and broadly proclaiming either the death or revival of 'film'.[11] Thus, as Janet Harbord states, 'in the wake of film's encounter with digital matter, the question of film's ontology is given a new urgency.'[12]

According to Noël Carroll, medium-essentialism 'is the doctrine that each art form has its own distinctive medium, a medium that distinguishes it from other forms,' it furthermore presupposes what the medium is *for* and what should (and should not) be done with it.[13] However, Carroll suggests that if we understand a medium to be 'the material stuff out of which artworks are made' then we cannot assume all art forms have a singular 'medium' when in fact 'most artforms correlate with more than one medium.'[14] Sculptures can be variously made of stone, plastic, metal and a host of other materials, but all can be named sculpture. Similarly, 'film' is not only produced in the medium of celluloid. Furthermore, to try to establish the 'essence' or 'specificity' of film or any other art form runs the risk of becoming 'normative' and thus serving to 'exclude all manifestations which run counter to it.'[15] Therefore, what was once a discussion of medium specificity runs the risk of rather quickly becoming one of medium purity.[16] However, despite the criticism of the medium essentialism, the discussion of what is meant by 'film', 'cinema', 'moving image' or 'moving pictures' is pervasive and longstanding. Indeed, questions of

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[8] Jonathan Rosenbaum *Goodbye Cinema: Hello Cinephilia: Film Culture in Transition* (Chicago: University of Chicago Press, 2010), xiii.
[9] Steven Maras and David Sutton, "Medium Specificity Re-visited." *Convergence: The International Journal of Research into New Media Technologies* 6, no. 2 (2000): 98, accessed April 5, 2012, doi: 10.1177/135485650000600207.
[10] Ibid., 98.
[11] Scott McQuire, "Impact Aesthetics: Back to the Future in Digital Cinema?: Millennial fantasies," *Convergence: The International Journal of Research into New Media Technologies* 6, no. 4 (2000): 41, accessed April 5, 2012, doi: 10.1177/135485650000600204.
[12] Janet Harbord, *The Evolution of Film: Rethinking Film Studies* (Cambridge: Polity, 2007), 16.
[13] Noël Carroll, "Defining the Moving Image," In *Philosophy of Film and Motion Pictures: An Anthology*, ed. Noël Carroll and Jinhee Choi (Oxford: Blackwell Publishing, 2006), 113 – 114.
[14] Ibid., 114 – 115.
[15] Maras and Sutton, "Medium Specificity Re-visited," 100.
[16] Ibid., 100.

medium specificity have often been concerned with establishing the particular relationship that 'film' has with indexicality, the space of the cinema, celluloid, and the 'screen'.

One of the most enduring discussions stems from André Bazin's writings on the indexical nature of film in *What is Cinema*?[17] For Bazin the *difference* between film and other artforms lay in its realist quality, thus, 'film, like photography, is presentational, not representational.'[18] At the centre of this idea we find the suggestions that film is 'transparent' and in that respect can be said to have an indexical relationship with its referent.[19] That is, unlike paintings or sculptures that 'need not be counterfactually dependent upon the physical properties of what they portray,' the image produced on film is bound to represent the real life referent captured by the camera.[20] However, going beyond the fact that its indexicality might differentiate film from painting or sculpture, Mary Ann Doane suggests that the photographic basis of celluloid film is inextricable and thus provides specific restraints and possibilities for the medium. [21] In this respect, the coming of digital 'film' might be viewed as dangerous and threatening to what we understand as 'film'.

Thus, we have the next close association with film, that of the 'film' itself, that is to say, the celluloid. Celluloid is at the heart of the 'apparatus' of film, just as the camera, projector and screen might be.[22] Indeed, as celluloid is increasingly replaced by digital data, the term film becomes a 'misnomer' as the 'film' itself is shot, mastered, distributed and displayed in digital form.[23] However, one might argue that the term film has been somewhat of a misnomer for a significant length of time, as might 'cinema', when we consider that films have been consumed on VHS and television for quite some time. Thus, for such reasons, the term 'moving image' might be more happily applied to avoid the technical inaccuracy of the word film.[24]

If we take such an approach then we might understand 'cinema' or 'film' as simply members of the overall class of 'moving images.'[25] However, having made such a decision it would still be necessary to consider the ontology of this preferred term. One

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[17] André Bazin, *What is Cinema?* (London: University of California Press, 1967).
[18] Carroll "Defining the Moving Image," 118.
[19] Ibid., 120.
[20] Ibid., 121.
[21] Ji-Hoon Kim, "The Post-medium Condition and the Explosion of Cinema," *Screen* 50, no. 1 (2009): 115.
[22] Ibid., 116.
[23] Nigel Culkin and Keith Randle, "Digital Cinema: Opportunities and Challenges," *Convergence: The International Journal of Research Into New Media Technologies* 9, no. 4 (2003): 81, accessed Match 24, 2012, doi: 10.1177/135485650300900407.
[24] Carroll "Defining the Moving Image," 113.
[25] Ibid., 113.

approach might be to consider moving images or pictures in their broadest sense, that is as '*pictures* which move.'[26] However, such a definition might be so vague as to be practically useless. Furthermore, another issue with the term is its historical context and connotations. To reject the word 'film' as a misnomer and to replace it with another,(more technically accurate) term conveniently ignores that 'film' has a meaning in the minds of people that cannot be recalibrated just because the term is not accurately applied. Words such as 'moving image' and 'moving pictures' are arguably anachronistic and outdated; while they might be preferable for their (rather vague) accuracy, they does not have the resonance with audiences that the term 'film' does. Indeed, Harbord has suggested that using the term film no longer implies the material properties of celluloid, nor does it suggest that the film is 'projected' within the walls of a 'cinema'.[27] Film has had its boundaries blurred and is now made up of 'multiple and proliferating objects.'[28] With this in mind, we might make more headway if we accept that films can be made without cameras, without film and may be shown in somewhere other than a cinema. So, how then do we define film?

Carroll talks of five necessary conditions for the moving image. That is, films are 'detached displays', made of 'templates', contain within them the possibility (rather than the impression) of movement, imply mechanical (rather than artistic) performance, and are two-dimensional. [29] Carroll argues that these factors are *necessary* to produce a film rather than unique characteristics of film and thus suggests that his ontological discussion of film is not an essentialist one.[30] When Carroll talks of 'detached displays' he suggests that when watching the film the audience is unable 'orient themselves to the real, profilmic spaces physically portrayed on the screen.'[31] That is, unlike other artforms like theatre or dance, when one watches the performance of the film one is removed from the action that is being represented. His suggestion that each film is born of a 'template,' (celluloid, DVD, VHS, or digital form) is also of significance because it allows for the fact that film might exist in a medium yet to be discovered as well as proliferate across multiple analogue and digital forms.[32] Carroll's condition that the performance of film is mechanical rather than artistic echoes Danto's suggestions that although the experience of being in the audience affects our experience of film, it is not as 'unrecoverable' as missing an 'inspired' performance of a play or opera.[33] Oddly, Carroll makes no comment or reference here to three-dimensional film, which, while different to

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[26] Arthur C. Danto, "Moving Pictures," In *Philosophy of Film and Motion Pictures: An Anthology*, ed. Noël Carroll and Jinhee Choi (Oxford: Blackwell Publishing, 2006), 108.
[27] Harbord, *The Evolution of Film,* 1.
[28] Ibid., 1 – 2.
[29] Carroll "Defining the Moving Image," 130.
[30] Ibid., 131.
[31] Ibid., 124.
[32] Ibid., 124.
[33] Danto, "Moving Pictures," 101.

its current incarnation had nonetheless been a prominent phenomenon in film history. One might easily explain that three-dimensional film generates an *impression* of three-dimensionality rather than its reality and thus does not remove the necessary condition that film be two-dimensional. However, it seems peculiar to say the least that Carroll simply throws in this condition with very little comment.

While Carroll's conditions allows us to escape the shackles of cinema and celluloid, I would suggest that they do not entirely recognize that films are ' the curious objects of our fascination, with which we undergo an exploration of ourselves in relation to their changing form.'[34] That is, in the suggestion that film showings are not artistic performances Carroll sidelines the social and emotional relationship that we all have with film. What this thesis will go on to show is how is how the consumption and dissemination of film helps to create and cement our social relationships. Indeed, 'film' and 'cinema' are not simply about celluloid or screen, but also about 'social and textual protocols or behaviours (spectatorship, 'going to the movies').'[35]

In terms of what is meant by the term 'film' within this thesis, we might simply replace it with the word 'file', as all of the 'films' discussed herein are available in digital form. However, such a term would be unsatisfactory because on one level defining 'film' is not a tortuous academic task. For many people film is not a vague, slippery or nebulous concept. It is easily understood as a series of moving images strung together to divert, inform and entertain us at home, in the cinema, on an iPad or even on a mobile phone. I would contest that the general populous are largely unconcerned about redefining their own understanding of 'film' or 'cinema' simply because on a technical level these words are misnomers. 'Film' as a concept exists in the minds of the spectators and so a final definition will remain elusive for the film ontologist. Regardless of the problems of definition, 'film,' whether in celluloid form or not, does continue to exist. The theoretical wrangling concerning what is meant by film, or cinema, again fail to recognize that to a certain extent these concepts are created in the minds of audiences, not finally decreed in the tomes of theorists. Cinemas (as physical structures) continue to exist, and in some cases thrive. Films, whether on celluloid or in digital form continue to be made. Indeed, while the filmic experience might be expanded to include DVD extras, merchandising, reviews, theme parks etc. the audience is still able to identify the 'film' within this accompanying chafe. In other words, our experiences and understandings of film or cinema are not being replaced, but expanded.

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[34] Harbord, *The Evolution of Film,* 120.
[35] Maras and Sutton, "Medium Specificity Re-visited," 104.

'Out of the cinema, film comes wrapped in cellophane and contained in a plastic folder of a box,'[36] but no sooner has film escaped the cinema and established itself as a piece of tangible property, it retreats from that form and reduces itself to a file, an encode, digital data in a proliferation of formats. What Harbord points out is that 'a search for film's ontology, the characteristics of its fundamental mode of being, is a futile exercise.'[37] So, perhaps we should not be looking for the fundamental or the essential, but rather contributing to a wider project to examine the way in which film is expanding and proliferating into new spaces and modes. Whilst an attempt to once and for all 'define' film may be futile, the pursuit of mapping its journeys and trajectories into new spheres may not. As Harbord suggests 'in the present moment the method has to be one of addition, of an 'also' and an 'and', elaborating the paradigm of what it is that film does.'[38] This is what this thesis in part seeks to do, to examine and consider what film 'does' when it is circulated within both formal and informal networks.

In order to achieve such a goal, it is first necessary to consider how formal and informal networks of distribution are both defined and discussed within this thesis. As Julia Knight and Peter Thomas eloquently express, distribution is 'the largely invisible link in the chain' between production and exhibition, and it has hitherto attracted surprisingly little academic attention.[39] However, through their 'acquisitions policies, their promotional and marketing practices, and their links with production and exhibition, distributors play a crucial role in determining what we as audiences get to see and hence in helping to shape our film culture.'[40] To provide a straightforward definition, distribution can be seen as the space between production and exhibition where negotiations are made to secure the theatrical release of films in cinemas and/or organise the release of a physical consumer copy of the film on DVD, or more latterly, Blu-ray. However, such a straightforward definition only gives part of the story. Although an everyday understanding of film distribution automatically brings to mind the companies that operate within a particular section of the film industry, a more critical definition must examine a wealth of other activities to which the term film distribution might apply. This situation raises the question, should film distribution simply refer specifically to a particular arm of the film industry or should it describe more generally the process by which film is disseminated across the globe?

This thesis takes the position that film distribution is more than a part of an institutional

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[36] Harbord, *The Evolution of Film,* 127.
[37] Ibid., 144.
[38] Ibid., 144.
[39] Julia Knight and Peter Thomas, "Distribution and the Question of Diversity: A Case Study of Cinenova," *Screen* 43, no. 9 (Autumn 2008): 354.
[40] Ibid., 354.

chain that facilitates the delivery of product from producer to consumer. Furthermore, just as exhibition is more than viewing the latest blockbuster at the local multiplex, distribution must be viewed as a varied activity within the film industry itself. Commercial distribution can include, but is not reduced to, the activities of sole traders, small independent distribution companies, quasi-autonomous 'independent' distributors with links with major studios, formerly independent distributors that (although owned by larger corporations) continue to trade under their own brands, and the distribution arms of the major Hollywood studios themselves. Furthermore, film distribution is more than a professional and commercial activity. If one considers the manner in which films actually circulate globally, then consideration of film distribution companies alone will only tell part of the tale. Distribution is also facilitated through a multitude of alternative distribution networks that serve to circulate both physical and virtual copies of films around the world. Such networks might include organised global piracy of DVDs, online filesharing networks, sharing DVDs within film societies, and even individuals lending films to friends. Whilst all of these activities might come under the banner of distribution, they themselves are vastly differing activities and must be treated as distinct yet interconnected entities.

As such, following on from the work of Ramon Lobato[41] and Cunningham and Silver,[42] the terms formal and informal have been used to describe the various networks of distribution discussed within this thesis. In this sense, 'the formal lies with the legally sanctioned, formal economy on which distribution data and trends are routinely based, while the informal encompasses grey (secondary markets, household-level peer-to-peer exchange).'[43] Thus, formal, in this case is used to refer to 'traditional' distribution, that is a chain of release that typically begins in a cinema, moves to the retail sale and rental of DVD or Blu-ray before filtering down to pay-per-view, satellite or cable before a film is finally available on terrestrial television.[44] Within this traditional form of distribution, 'studios control box office revenues by releasing films for coordinated showing in a system of theatres and then direct them through an inflexible succession of hierarchically ordered windows of exhibition.'[45] However, the previous definition applies to the Hollywood studio system of production, under such a system the distributor is typically attached at the outset and plays a part in funding the film. In this respect the

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[41] Ramon Lobato, "Subcinema: Theorizing Marginal Film Distribution," *Limina: A Journal of Historical and Cultural Studies* 13 (2007): 113.
[42] Stuart Cunningham and Jon Silver, "On-line Film Distribution: Its History and Global Complexion" In *Digital Disruption: Cinema Moves Online,* ed. Dina Iordanova and Stuart D. Cunningham (St Andrews: University of St Andrews Press, 2012), 33.
[43] Ibid., 33.
[44] Thorsten Hennig-Thurau et al., "The Last Picture Show? Timing and Order of Movie Distribution Channels," *Journal of Marketing* 71, no. 4 (2007): 63.
[45] Dina Iordanova, "Digital Disruption: Technological Innovation and Global Film Circulation," In *Digital Disruption: Cinema Moves Online,* ed. Dina Iordanova and Stuart D. Cunningham (St Andrews: University of St Andrews Press, 2012), 1.

distributor wields vast amount of power and so we can understand distribution as 'more than just a sector of the film industry or a set of technical procedures, distribution is also about the regulation, provision and denial of audiovisual content – it is about cultural power and cultural control.'[46]

However, such a definition of formal distribution is far removed from the sort of independent distribution examined within this thesis. The formal distributors here typically secure the rights to distribute films in non-domestic markets long after each film has been completed and shown theatrically in its country of origin. Thus, formal distribution in this context might be better defined as 'where the producers of a film enter a contract with distributors for certain territories,'47 in this case, the UK. Some of the films will enjoy a limited theatrical release but quite often they will only be released on DVD. Thus, formal distribution in this context is the legal acquisition of rights to show a film theatrically and/or produce DVD/Blu-ray copies for retail sale within a given territory.

Informal distribution is more difficult to define as we see a proliferation of means of disseminating film facilitated by rapid technological developments in the audio-visual industries. As such, Lobato has attempted to provide a more inclusive definition of distribution that encapsulates such changes when he describes film distribution 'as the movement of media through time and space.'[48] However, while certainly inclusive, I would suggest that such a definition is too vague and nebulous to be practically useful. Lobato further refers to informal distribution channels as 'subcinema,' that is 'a loose way of *conceptualising* certain forms of film culture, which are incompatible with more familiar paradigms (original emphasis).'[49] Within such a category we might find 'straight-to-video releasing, telemovies, cult movie markets, diasporic media, … 'Nollywood', pornography, special interest cinema' and also piracy.[50] As such, further clarification is needed on the particular *type* of informal distribution under discussion within this thesis. There are two types of informal online distribution examined within this thesis. For these, I have chosen the terms autonomous and intermediary distribution. Autonomous distribution involves an individual acquiring a copy of a film (legally or illegally) that is then (generally) encoded and/or subtitled so that it might be shared through a particular forum-based filesharing community via a peer-to-peer filesharing network. Intermediary distribution refers to when Scene[51] releases, (those sourced, encoded and distributed by

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[46] Ramon Lobato, "The Politics of Digital Distribution: Exclusionary Structures in Online Cinema," *Studies in AustralAsian Cinema* 3, no. 2 (2009), 170, accessed March 20, 2012, doi: 10.1386/sac.3.2.167/1.
[47] Iordanova, "Digital Disruption," 4.
[48] Lobato, "Subcinema," 114.
[49] Ibid., 114.
[50] Ibid., 114.
[51] 'The Scene' refers to a form of organised filesharing that involves individuals coming together to form 'release groups' which then split the tasks of sourcing, ripping, encoding and sharing amongst the group. A more thorough discussion is provided in chapter five and also in J. D. Lasica, *Darknet: Hollywood's War*

loosely connected but largely anonymous 'release groups') are shared by an 'intermediary' within the same forum-based filesharing communities.[52] Both forms of distribution would come under Lobato's definitions of 'informal' distribution channels, certainly come under the technical definition of filesharing and would widely be considered to be piracy.

In recognising the variety of forms of informal and formal channels of distribution for films, this research has chosen to focus on two particular examples. Firstly, this research consists of an ethnographic-style study of two major filesharing websites that specialise in East Asian cinema that are themselves part of a wider filesharing network that is concerned primarily with East Asian cinema. It also involves interviews with some key individuals within these communities who control what films are available. Thus, this arm of the research primarily concerns what I have termed 'autonomous' online distributors; individuals who dictate which titles circulate within their own filesharing communities but who are not members of the wider filesharing 'Scene'. Such individuals acquire East Asian films through commercial DVD purchases, re-encode them and make them available through filesharing networks; they are not members of criminal piracy organisations, and do not gain monetarily from their activities. The online distributors under discussion are self-confessed *fans* of East Asian cinema who obtain, rip, encode and share East Asian films on specific forums dedicated to the circulation of such titles. The research also refers to what I have designated 'intermediate' online distributors; individuals who share links to Scene releases within fan forums. However, as these distributors are far less common in the communities in question they do not form the focal point of discussion.

In addition to the online distributors, the research also focuses on two UK-based professional distribution companies that either focus on, or solely distribute, East Asian films in the UK market. The first company, Tartan Films, was a moderately sized and UK-based distribution company that grew to prominence by distributing an eclectic range of films, but latterly focused on East Asian cinema with its label Tartan "Asia Extreme". Tartan was owned by the renowned film industry personality Hamish McAlpine before going into liquidation in 2008 and being bought by the US-based Palisades Media Asset Fund. The second company, Third Window Films, is a one-man UK -based distribution company that focuses solely on the distribution of East Asian cinema in the UK and is run by a former Tartan employee, Adam Torel. It is important to note that this thesis specifically refers to two small independent UK based distributors that specialize in

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against the Digital Generation, (Hoboken, NJ: John Wiley and Sons, 2005).

[52] Such intermediaries would typically not be a member of the original 'release group.'

distributing films from East Asia in the UK market, and are very much distinct from international distribution companies that may distribute the occasional big-budget film from East Asia on an international scale.

It is also worth mentioning that East Asian cinema has been chosen for this research because, in most instances, each film must be subject to some form of translation in order to be accessible to Western audiences. If the requirement of translation necessitates some form of intermediary, either official or unofficial, then this role is key and it highlights the activity of the distributor. Indeed, even in situations when translation is not required, those who control the channels of distribution are still able to exert considerable influence on what is both produced and exhibited.

However, deciding upon terms that adequately describe the overall nature of the particular types of distribution discussed in this research is not straightforward. For instance, what term should be used when describing those who purchase the rights to East Asian films as part of their employment within a professional and commercially recognized film distribution company? In one sense the term *commercial* might seem appropriate, but it also implies that financial gain is necessarily at the forefront of the activity of these distributors, which is an idea this research moves away from. In this respect, the term *professional* seems like a better alternative, except if one considers its natural binary, the *amateur.* To use the term professional would problematically suggest that those on the other side of the coin, the online distributors, are in some way *un*professional. However, this research intends to avoid the trap of positioning those engaged in online distribution practices as somehow less knowledgeable than their paid counterparts. Just as fan has 'never fully escaped its earlier connotations of religious and political zealotry, false beliefs, orgiastic excess, possession and madness',[53] the word 'amateur' is also constructed as a pejorative term within popular discourse. Distinct from the aficionado or the connoisseur, the amateur is often constructed as someone who is, by definition, not good enough to be a professional; for, it is implied, surely someone who is a leader in their field would reap financial reward for their knowledge and expertise? Aside from the pejorative connotations of the word, the binary of the professional and the amateur still positions the discussion within an arena that is primarily concerned with finance. In other words, the choice of these terms leads one to position the activities of the distributors in relation to whether or not they receive financial remuneration for their labour, an opposition that is worth avoiding. Due to the weight attached to these various terms, the use of 'informal' and 'formal' distribution networks was settled upon. Such terms, whilst by no means perfect, reflect that certain channels

[53] Henry Jenkins, *Textual Poachers: Television Fans and Participatory Culture* (London: Routledge, 1992).

of distribution are recognized and validated whilst others are not.

As such, the term piracy is deliberately not applied to the online distributors upon which much of this research focuses. Within the context of the cultural industries and intellectual property, the term 'piracy' is enthusiastically wheeled out to support a particular corporate agenda and worldview. The connotations of the term are resoundingly negative and serve to support the claims of the film industry that both their livelihood and the future of creativity are put at risk by the intellectual pirates who profit from the symbolic labour of others. Furthermore, the term does not adequately describe the type of appropriation and sharing of digital material that takes place in online communities. The use of the term piracy by the industry is discussed in more detail in the literature review.

The term 'filesharing', on the other hand, places the emphasis on the 'sharing' aspect of the re-distribution of copyright protected content on the Internet and as such does not encapsulate the differences between how different types of media circulate online. Whilst filesharing may be easily applied to the online circulation of music files, it is not as representative of the dissemination of movies. Almost anyone can put a CD in their computer and convert the files thereon to MP3s, whereas it takes a certain type of specialist knowledge to circumvent the copyright protection technology on DVDs, let alone then share them online. Such an emphasis on sharing also ignores that those who benefit from movie filesharing networks may not necessarily contribute to the growth of the pool of available files -- they may simply *leech*[54] from filesharing networks and not actually go on to share the content that they have downloaded. Furthermore, the term filesharing over-emphasizes the role of the individual as both consumer and distributor of content and does not allow for the level of gatekeeping that this study has found to be present within peer-to-peer networks. Moreover, as the findings of this study bear witness, varying degrees of 'sharing' can be noted amongst different peer-to-peer communities. While the term filesharing is used within this research, it is accompanied by the qualification that not everyone who engages in filesharing is both a consumer and distributor in equal measure, nor are they necessarily overly concerned with the notion of 'sharing' whilst engaged in such activities.

[54] 'Leeching' is a common term applied when someone downloads a film through a peer-to-peer network but decides not to subsequently share the files with other users. Much peer-to-peer software has options that allow the user to dictate whether they wish to share their own files and from which folders on their computer. As such, each individual who downloads a file from a filesharing forum is not automatically or technologically obliged to share the file with others. However, amongst many filesharing communities 'leeching' is considered antisocial behaviour.

Chapter Breakdown

Chapter two is the literature review for this thesis. It discusses the small amount of research within studies of East Asian cinema that specifically considers distribution, whilst noting that work in this area tends to sideline such considerations and is overwhelming interested in textual analysis. Furthermore, studies that do exist tend to focus on distribution *within* East Asia or alternatively examine how the spectre of international distribution might influence the production side of the film industries of East Asia. Work on film distribution more generally tends to focus on Hollywood and political economy. Amongst this work, the chapter turns to consider research on cultural intermediaries and gatekeepers to consider how professionals working between the spaces of production and consumption have been examined within other disciplines. The second section of the literature review considers work on piracy and filesharing, and how such studies are polarized between those that ask how best to halt the relentless spread of piracy and those that question whether the actions of pirates and filesharers are as damaging to the industry as the anti-piracy lobbyists have suggested. The literature review also outlines the possible social aspects of filesharing by discussing the social side of filesharing, in particular Markus Giesler and Mali Pohlmann's examination of filesharing communities through the lens of the anthropological idea of gift economies.[55]

Chapter three outlines how a combination of online ethnographic-style research and in-depth interviews formed the methods for this research. The chapter considers in turn the appropriate methodological approaches for studying the two different sets of distributors the research focuses on. The first section considers the independent professional distributors, and settles on an interview-focused method so as to examine in detail how the professionals both present and perceive their working practices. The second section examines the appropriateness of both virtual ethnography and interviews for collecting data in an online environment. The section discusses at length the complications with conducting overt research, gaining informed consent and protecting the anonymity of participants in an online environment, because these issues were of particular concern for this study.

Chapter four asks how online forums function and how this online space is constructed and policed by its members. I argue that distributors online perceive themselves as part of an imagined knowledge community, whose dissemination of East Asian films involves emotional, aesthetic and symbolic (as well as economic) considerations. Benedict

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[55] Markus Giesler and Mali Pohlmann, "The Anthropology of File Sharing; Consuming Napster as a Gift," *Advances in Consumer Research*, 30 (2003): 275.

Anderson's concept of the 'imagined community'[56] is invoked to illustrate how online participatory activities are interpreted by registered forum members as indicative of membership of a larger community of fans of East Asian cinema. In the same way that Anderson uses developments at the end of the eighteenth century to explain how the nation grew to prominence as the focal point for a collective sense of an 'imagined community',[57] the chapter seeks to examine how the activities of distributors converge to generate the conditions whereby an imagined community of fans of East Asian cinema can be established whilst also considering how power is enacted and distributed within the forums.

The findings of chapter four also indicate that the activities of the distributors themselves are varied, as are their ethical and intellectual considerations of such activities. Despite the varied nature both within and across the forums, I argue that online distributors are not simply motivated by cost avoidance (as the anti-piracy rhetoric would maintain), but exist within a complex social community where individuals perceive their activities to be promoting the industry rather than competing with it. Within both forums, but to varying degrees, distributors present their communities as being bound by a moral code that promotes sharing as a form of sampling and asks forum members to support the East Asian film industry in those cases where legal copies are available.

Chapter five asks what motivates and shapes the acquisition decisions of professional distribution companies? The chapter shares Don Slater's standpoint that 'at the level of microanalysis, we can and indeed must grasp cultural and economic action as internally related to one another'.[58] Therefore, I argue that it is necessary to consider that film distribution companies are made up of individuals who negotiate their position within their industry in quite complex ways, and that it would be naive to view such professionals as necessarily primarily motivated by the blind pursuit of profit. I also argue that the acquisition decisions of the distributors are informed by specialist knowledge accrued by the circulation of social and cultural capital within the film industry. Development of an expert knowledge of East Asian cinema is key, but the sources for such knowledge (within the industry or from film fans) distinguishes the distributors in question from each other.

Chapter six discusses what motivates and shapes the decisions of the online

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[56] Anderson, *Imagined Communities.*
[57] Ibid., 7.
[58] Don Slater, "Capturing Markets from the Economists," In *Cultural Economy,* eds. Paul du Gay, and M. Pryke, (London: Sage, 2002), 59.

distributors. By setting out the existing literature that attempts to answer why people share files online, it is established that much of this work is overly concerned with asking why people who download over the Internet break the law and how they can be forced/persuaded to stop. One of the problems with such literature is that it focuses on those who 'steal' music/films/software online and does not examine those who provide the films that others share/steal, nor the possibility of a social or community context of such activities. The chapter considers existing work that does examine the social aspects of filesharing and uses such work as a theoretical basis to analyse the process of preparing the films for release. The chapter examines how the online distributors are motivated by a wish to share, not only because it raises their status within the forum community, but also because they consider their actions to be raising the profile of East Asian cinema and thus furthering the goal of the *wider* imagined community of East Asian cinema fans.

Chapter seven asks what (if any) relationship can be observed between the professional distribution companies and the online filesharing forums. In doing so this chapter develops the arguments raised in the previous chapters by proposing that the activities of the distributors within both formal and informal networks should not be viewed as necessarily antagonistic and oppositional. By drawing parallels between the ways that distributors both online and offline engage with East Asian cinema, a symbiotic relationship can be observed between these virtual and physical distribution networks. However, it is important to note that whilst this symbiotic relationship might be mutually beneficial it is by no means equal, with the majority of gatekeeping power still residing with the industry-based professionals. As such, the professionals seem barely concerned with the activities of filesharers, whilst the autonomous online distributors seem particularly interested in the professionals; who are not only held in high regard and respected for their quality releases but are also relied upon for a constant supply of DVDs. Furthermore, this symbiotic relationship is underpinned by the notion of socio-network externalities, where the activities of both the professionals and the online distributors are perceived to increase the overall value of the wider network of East Asian film distribution.

The conclusion for the thesis draws together all of the chapter arguments and also examines possible avenues for future enquiry that lead on from this thesis. In doing so it is acknowledged that, despite the contribution made by this thesis to the field, distribution remains an under-researched area. Furthermore, as filesharing and digital piracy continue and legitimate online distribution of media content becomes the norm rather than the exception, there is a continued need for research and scholarship in the field to keep pace with the rapidly developing digital environment.

2. Literature Review

This literature review provides a theoretical context for the distinctly interdisciplinary nature of this thesis by drawing on current research into distribution (in film studies, media studies, and the cultural industries) and digital piracy (in cultural studies, marketing theory, behavioural psychology, and criminology). It argues that this thesis is of particular significance in this interdisciplinary field because it draws together work on the political economy of film distribution with studies of cultural intermediaries and filesharers in order to examine what shapes the acquisition decisions of distributors within both formal and informal distribution networks for East Asian film. In doing so, a valuable contribution can be made to a growing but still small body of work that suggests the transnational flow of media texts needs further critical examination and cannot be separated into distinct discussions of formal (Hollywood, independent) and informal (piracy, filesharing) distribution networks.[59]

The literature review begins by establishing that studies of East Asian cinema primarily focus on the analysis of film texts, rather than the institutional and structural processes of their circulation. However, the work that does exist on distribution examines the significant role that global distribution and success on the international festival circuit has on film production in East Asia. Because much acquisition centres on film festivals and markets, this highlights the importance of a thorough examination of the specifics of the acquisition process. The review then continues to consider how film distribution in general is particularly under-researched whilst acknowledging that there is important work in this area that considers how Hollywood is able to maintain its dominance over the global film industry through its control of global distribution networks.[60] As work in this area tends to take a political economy approach, the review then looks to work on cultural intermediaries and gatekeepers in order to examine other work that has considered culturally significant decision-making processes within the cultural industries (news selection, literary reviews). Whilst not specifically concerned with the distribution of film, such studies highlight the importance of considering not just the corporate and political structures that shape the media industries but also how individual human beings operate and negotiate their position within such structures.

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[59] Ramon Lobato, "Subcinema: Theorizing Marginal Film Distribution," *Limina: A Journal of Historical and Cultural Studies* 13 (2007): 115; Dina Iordanova, "Rise of the Fringe: Global Cinema's Long Tail," in *Cinema at the Periphery,* eds. Dina Iordanova, David Martin-Jones and Belén Vidal (Detroit: MI: Wayne State University Press, 2010), 26.

[60] See Allen J. Scott, *On Hollywood: The Place, the Industry* (Princeton: Princeton University Press, 2005); Toby Miller, Nitin Govil, J. McMurria, and R. Maxwell, *Global Hollywood* (London: BFI, 2001); Kerry Seagrave, *Foreign Films in America: a History* (London: McFarland, 2004); Kerry Segrave, *American Films Abroad: Hollywood's Domination of the World's Movie Screens from the 1980s to the Present* (London: McFarland, 1997).

The second section of the review considers work on piracy and filesharing and in particular discusses how much of the work in this area revolves around the substitution/sampling dichotomy. Whilst the focus of this research is not to establish whether downloading and filesharing presents a threat to the industry it is important to discuss such studies because much of the rhetoric from both sides of the debate can be seen to permeate the discussions of filesharers themselves. Furthermore, such a discussion highlights the need to examine the cultural and social aspects of filesharing so as to develop a more thorough picture of how channels and networks of distribution function.

Cultural Intermediaries and Global Film Distribution

The study of East Asian cinema is a vast area, even if one only considers the research published in the English language. However, until quite recently the majority of the academic work in this area concentrated on textual analysis of individual films, which is of little concern to this study and as such will not be discussed. Therefore, this thesis will briefly explore the existing literature on how East Asian cinema has been received and exported worldwide.

East Asian cinema has recently been enjoying a prominent position on the global stage.[61] Furthermore, transnational co-productions are becoming the norm and Hollywood has been pumping out a seemingly endless stream of remakes of East Asian films.[62] The recent renaissance in East Asian film has arguably been shaped by Tartan's "Asia Extreme" label.[63] However, many of the films released under this banner are not particularly "extreme" but are marketed based on their 'otherness' to Hollywood.[64] Furthermore, Chi-Yun Shin suggests that films in the "Asia Extreme" label are more of a representation of the tastes of Western audiences than a reflection of the films that are actually popular or successful in their country of origin.[65] Indeed, the effect of playing to Western audiences has become increasingly prominent in recent discussion of the international distribution and reception of East Asian film.[66]

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[61] Jinhee Choi, *The South Korean Film Renaissance: Local Hitmakers, Global Provocateurs* (Middletown, CT.: Wesleyan, 2010), 2.
[62] Leon Hunt and Leung Wing-Fai, *East Asian Cinemas: Exploring Transnational Connections on Film* (London: I. B. Tauris, 2008); Kenneth Chan, *Remade in Hollywood: The Global Chinese Presence in Transnational Cinemas* (Aberdeen, Hong Kong: Hong Kong University Press, 2009).
[63] Gary Needham, "Japanese Cinema and Orientalism," in *Asian Cinemas: A Reader and Guide,* eds. Dimitris Eleftheriotis and Gary Needham (Edinburgh: Edinburgh University Press, 2006), 9.
[64] Ibid., 9.
[65] Chi-Yun Shin, "Art of Branding: Tartan "Asia Extreme" Films' *Jump Cut* 50 (Spring 2008), accessed May 4, 2009, http://www.ejumpcut.org/currentissue/TartanDist/index.html.
[66] See Yingjin Zhang, *Screening China*: *Critical interventions, Cinematic Reconfigurations, and the Transnational Imaginary in Contemporary Chinese Cinema* (Ann Arbor: Center for Chinese Studies, University

Unfortunately, the academic study of the distribution of East Asian cinema remains largely underdeveloped, save for a few key texts that tend to focus on the distribution of East Asian cinema within the region.[67] On the other hand, the reception of East Asian films beyond regional borders is considered in some detail. In general, such discussions are overly concerned with how films are increasingly produced to cater for a Western audience and in doing so often gloss over the role that distribution has to play in this process. The work of Chi-Yun Shin on Tartan is a notable exception to this focus.[68]

Rey Chow has made the claim that contemporary Chinese cinema is a kind of '*auto*-ethnography', which is first and foremost exhibited for the gaze of the Western viewer.[69] Yingjin Zhang goes so far as to suggest that the majority of mainland directors are almost of no interest to Western critics or academics unless they have been caught up in some sort of political or censorship scandal.[70] In making such claims, Zhang draws on the work of Bill Nichols, who likens the white, middle class and Western festival attendee to the anthropologist or tourist who is engaged in an imaginary role of 'participatory observation' as the festival organisers attempt to introduce an endless succession of 'new cinemas'.[71] According to Zhang, Nichols's self-reflective account places the festival-going experience in a larger transnational context of cultural politics. Nichols posits that there is no search for the authentic; instead festival-goers are content to see what their 'native informants' have designated as worthy of exhibition.[72] The gatekeeping role that film distributors have at film festivals will be discussed in more detail in Chapter Five.

Filmmakers from Mainland China have been criticised for being complicit in this self-orientalising process.[73] However, arguably, given censorship conditions in China and the

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of Michigan, 2002), 32; Yueh-yu Yeh and Sheldon Hsiao-peng Lu, eds., *Chinese Language Film*: *Historiography, Poetics, Politics*, (Honolulu: Univ. of Hawai'I Press, 2005), 97; Ti Wei, "Generational/Cultural Contradiction and Global Incorporation: Ang Lee's *Eat Drink Man Woman*," in *Island on the Edge: Taiwan New Cinema and After,* eds. Chris Berry and Feiyi Lu, (Hong Kong: Hong Kong University Press, 2005),108; Sung-sheng Yvonne Chang, "The Terrorizer and the Great Divide in Contemporary Taiwan's Cultural Development," in *Island on the Edge: Taiwan New Cinema and After,* eds. Chris. Berry and Feiyi Lu, (Hong Kong: Hong Kong University Press, 2005), 23.

[67] John Lent, *The Asian Film Industry*, (Bromley: Christopher Helm Publishers, 1990); Laikwan Pang, *Cultural Control and Globalization in Asia: Copyright, Piracy and Cinema* (London: Routledge, 2006); Laikwan Pang, "The Distribution and Reception of Hong Kong Films in Mainland China," in *Media Futures in China: Consumption, Content and Crisis,* eds. Stephanie Donald, Michael Keane, and Yin Hong, (London: Curzon Press, 2001); Shujen Wang, *Framing Piracy: Globalization and Film Distribution in Greater China* (Lanham, MD: Rowman and Littlefield, 2003).

[68] Chi-Yun Shin, "Art of Branding".

[69] Rey Chow, *Primitive Passions: Visuality, Sexuality, Ethnography, and Contemporary Chinese Cinema* (New York: Columbia University Press, 1995), 221.

[70] Zhang, *Screening China*, 32.

[71] Bill Nichols quoted in Yingjin Zhang, *Screening China*, 29.

[72] Zhang, *Screening China*, 30.

[73] Ibid., 15

shrinking domestic market, the exit strategy of Chinese filmmakers to the global film market is one of both survival and renewal.[74] Indeed, Zhang suggests that such autoethnography on the part of Chinese directors is more a matter of transnational economic coercion than their own personal choice:

> Chinese cinema is in a prefixed cycle of transnational commodity production and consumption: favourable reviews at film festivals lead to production of more "ethnographic" films, and the wide distribution of such films is translated into their availability for classroom use and therefore influences the agenda of film studies, which in turn reinforces the status of these films as a dominant genre'.[75]

A similar concern for global recognition has been noted in the work of Taiwanese New Wave directors as they increasingly realise that international box office receipts could push their films into profit.[76] Sung-sheng Yvonne Chang suggests that modernist features and themes in Taiwan New Cinema served to position it on the global stage, and in particular associated it with the prestige of the international film festival circuit.[77] What such work illustrates is that success on the festival circuit and distribution deals with Western distributors are key for the survival of certain players in the East Asian film industry. This further underlines the importance of the aim of this study to examine how East Asian film travels transnationally.

The study of the cinemas of East Asian countries is a growing field, yet there is still a need to fully consider the missing link between the sites of production and reception. Such studies beg the question; what happens between the production and creation of films in East Asia and their consumption by Western audiences? Indeed, how are decisions made within the distribution industry, an industry that has such an influential role in dictating what films are, and are not, internationally released? Furthermore, if international distribution deals exert such influence on the films that get made in East Asia, the question must be asked whether informal distribution networks might be similarly influential. Indeed, how does East Asian cinema circulate beyond these traditional distribution networks, amongst fans and through peer-to-peer networks? Surely both online and offline networks of distribution must be considered if we are to get a true insight into how East Asian cinema circulates around the globe and how decisions are made as to what films should be distributed through these networks.

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[74] Yeh and Lu, *Chinese Language Film*, 97.
[75] Zhang, *Screening China*, 35.
[76] Wei, "Generational/Cultural Contradiction,"108.
[77] Chang, "The Terrorizer and the Great Divide," 23.

Film Distribution

> Distribution determines who gets to watch films, under what circumstances, and why.[78]

Distribution is a woefully under-examined area of research.[79] Considering the fact that distributors exert considerable influence on what films get seen, where, when, and by whom, the lack of a coherent body of work in this area is both surprising and worrying. Whilst there has been some work on independent distribution in the UK [80] and Australia[81] the main area for enquiry appears to be the distribution of Hollywood films, often tackled through the lens of political economy.[82] Whilst such work is undoubtedly valuable because it explains how Hollywood maintains dominance in the global film marketplace, it does not 'examine how cinema interfaces with the everyday'.[83]

Hollywood dominates the global film industry, both through a lack of foreign films in the US film market[84] and the ubiquity of US films on the global stage.[85] It has been suggested that one of the main reasons that Europe is at a disadvantage in terms of competing in the global film market is because it views film as an art form rather than an industry.[86] However, Hollywood's dominance cannot be explained simply by the fact that it sees itself as an industry rather than a collection of artists. Indeed, the fact that Hollywood controls the lines of distribution can go quite far to explain how it maintains its position in the marketplace. As Knight and Thomas suggest, 'if we are to understand more fully why we have the film culture we do – both historically and contemporaneously – we need to understand the factors that influence and shape the distribution process whereby some films are widely seen and others are not.[87] Toby Miller et.al. point out that the major studios and the larger independents maintain their dominance over the global film industry by organising output arrangements with associated distributors so that one third of production costs will be returned no matter how well the film actually performs at

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[78] Lobato, "Subcinema," 115.
[79] Sean Cubitt, "Distribution and Media Flows," *Cultural Politics* 1, no. 2 (2005): 194.
[80] Julia Knight, "*Cinenova*: A Sign of the Times," *Screen* 33, no. 2 (Summer 1992); Julia Knight, "DVD, Video and Reaching Audiences: Experiments in Moving-Image Distribution," *Convergence: The International Journal of Research into New Media Technologies* 13, no. 1 (2007).
[81] Susan Luckman and Julia de Roeper, "Wagging the Long Tail: Digital Distribution and the Peripheral Screen Production Industries," *Cultural Science* 1, no. 2 (2008).
[82] Lobato "Subcinema," 114.
[83] Ibid., 114.
[84] Segrave, *Foreign Films in America.*
[85] Segrave, *American Films Abroad*.
[86] Finola Kerrigan, "Educating Willy or Freeing Willy: An Exploration of the Marketed Consumer Interface in the UK Film Industry," (Paper presented at the Annual Academy of Marketing Conference, Nottingham University, 2-5 July 2002).
[87] Knight and Thomas, "Distribution and the Question of Diversity," 354.

the box office.[88]

Global distribution is an increasingly important revenue stream for the Hollywood studios. Hollywood is now making fifty percent of its revenues from exports and, since the 1990s, the revenue from the domestic market has not even covered basic production costs.[89] So, Hollywood, like the East Asian film industry, is reliant on global as well as domestic success. Furthermore, the distribution sector is a space of extreme corporate concentration within the film business; where the four largest firms account for nearly eighty-two percent of the industry.[90] Allen J. Scott provides an interesting investigation into the functioning of Hollywood's distribution arm. However, he does not go any further than mapping the structure of *theatrical* distribution, a limitation he points out in his own work as he acknowledges that in 2000 domestic sales and rentals of VHS brought in three times the revenue of domestic box office returns.[91]

However, Dina Iordanova questions the prominence of discussions of Hollywood, and even their domination of the global market:

> It is about time to acknowledge the new realities. A quarter of the world's most commercially successful films come from sources other than Hollywood; many are more profitable and bring higher per screen averages than the studio blockbusters. Not only are many more peripheral films being produced, many more of them are also seen and appreciated, due to the vitality of growing alternative channels of distribution.[92]

She argues that we must cease looking at the channels of distribution as discrete entities if we want to get a complete picture of how film circulates transnationally. She suggests that 'in most cases the focus has been on a single distribution channel that, for the purpose of convenience, is taken out of its complex context'.[93] One notable exception is Janet Harbord's *Film Cultures*. Harbord provides a detailed examination of the sites of distribution, exhibition, official competition and marketing, where she argues the value of a film is created. However although Harbord avoids the pitfalls that concern Iordanova, her work does not consider those methods of dissemination that exist outside

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[88] Miller et al., *Global Hollywood*, 296.
[89] Scott, *On Hollywood,* 78.
[90] Ibid., 140.
[91] Ibid., 143.
[92] Dina Iordanova, "Rise of the Fringe," 24.
[93] Ibid., 25.

the formal and sanctioned sites of the film industry (i.e. piracy).[94] Work that does attempt to bridge such a boundary is the 2002 article by Janet Wasko that discusses traditional distribution, piracy and new forms of digital distribution. Here Wasko makes the point that even though the technology is changing rapidly it is still unclear what the future of digital exhibition and distribution will be. It would seem almost ten years later that the situation is just as uncertain.[95]

The work of Ramon Lobato on 'subcinema' might be seen to be the most apt response to Iordanova's request thus far. According to Lobato:

> Subcinema is a loose way of *conceptualizing* certain forms of film culture, which are incompatible with more familiar paradigms (Hollywood cinema, art cinema, national cinema, independent cinema etc.). It is not a bullet-proof taxonomic category, but rather an attempt to think seriously about kinds of film production and consumption, which don't show up on other maps.[96]

Lobato's discussion is intriguing, but as the author admits, it only breaks the surface of the area and anticipates further lines of enquiry into those channels of distribution that are critically ignored.[97] The work of Sean Cubitt also makes interesting inroads into holistic discussions of distribution that consider the complex international media flows of culture.[98] Cubitt points to the fact that alternative flows of distribution such as fan cultures, voluntary organizations, and diasporas exist alongside the "market" system of mass media. He argues that the attempt to associate unsanctioned distribution channels with unconscionable evils such as terrorism is indicative of 'the extremism with which privileged access to the means of distribution is protected'.[99] However, Cubitt's work is largely theoretical and, like Lobato's, possibly raises more questions than it addresses.

From the above discussion, it can be seen that whilst film distribution is receiving more academic attention in recent years, its study still remains focused on examining the structure of the industry rather than examining how individuals negotiate and navigate their position within that structure. Given that work in the field is limited, it may be wise to look beyond the relatively narrow focus of film studies for a broader consideration of

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[94] Janet Harbord, *Film Cultures,* (London: Sage, 2002), 2.
[95] Janet Wasko, "The Future of Film Distribution and Exhibition," in *The New Media Book* ed., Dan Harris (London: BFI, 2002), 195.
[96] Lobato "Subcinema," 117
[97] Ibid., 119
[98] Sean Cubitt "Distribution and Media Flows,"
[99] Ibid., 207.

media flows. Indeed, film distribution can be understood as part of the broader cultural industries. As such, those individuals working within distribution can also be understood to occupy the role of 'cultural intermediaries'. Such cultural intermediaries occupy a position of mediation between production and consumption, and therefore are able to influence the flows of culture within society. However, their position is often also one on the boundaries of culture and commerce. How cultural intermediaries negotiate their position between these supposedly oppositional realms helps to give an insight into how the space between production and consumption is considered within other disciplines. The following section will detail such work that is of particular interest to this thesis.

Cultural Intermediaries and the Cultural/Creative Industries

In *Distinction,* Pierre Bourdieu situated a new social class, the petit bourgeoisie, in between the bourgeoisie and the working class.[100] Bourdieu saw the petit bourgeoisie as a class engaged in a constant process of distinguishing themselves from the working classes and aspiring to social ascendancy (57). In his analysis of the petit bourgeoisie, Bourdieu identified a sub-set of this class, which he termed the 'new cultural intermediaries'; individuals who were employed in industries concerned with presentation, representation and production of the *symbolic* value of goods or services, what today we might call the cultural industries (325). Bourdieu's work on cultural intermediaries in *Distinction* has greatly influenced work on the cultural industries. His work also has a bearing on this research, as the distributors under examination (both online and offline) inhabit an intermediary position between production and consumption, be it in traditional employment or through their own private practice.

In *Distinction*, Bourdieu also discusses capital in terms of four types; economic, social, cultural and symbolic. Economic capital relates to the money one has in the bank while social capital relates to the people one knows. Cultural capital, one the other hand, refers to the non-economic capital derived from one's education and knowledge of the cultural realm). Bourdieu's concept of cultural capital is far reaching and remains significant in discussions of taste and class,[101] however, the concept of symbolic capital is also of particular resonance to this thesis and comes into play in chapter four. Symbolic capital is the form that any of the previous types of capital might take once they have been legitimized, and it is this capital that allows for the production of symbolic power and symbolic violence (discussed in more detail in chapter four).[102]

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[100] Pierre Bourdieu, *Distinction: A Social Critique of the Judgement of Taste* (London, Routledge, 1984), 14.
[101] David Wright, "Cultural Capital and Tastes: The Persistence of Distinction," in *Handbook of Cultural Sociology,* eds. John Hall, Laura Grindstaff and Ming-Cheng Lo (London: Routledge, 2010), 282.
[102] Bourdieu, *Distinction*, 14.

Work on cultural intermediaries tends to fit into broader research on the cultural/creative industries. Therefore, it is worth examining how the priorities of such research are shaped by external discussions of how we understand both 'culture' and 'creativity'. Research into the cultural/creative industries has been a growing academic field in recent years, with interest from various disciplines such as economics, geography, sociology, cultural studies, media studies and film studies. Research within these various academic disciplines has been concerned with issues including work,[103] geographical clustering, [104] cultural policy,[105] and law,[106] as well as cultural intermediaries. Work concerning the cultural industries is of increasing significance and interest because these industries are no longer playing second fiddle to the 'real' economy. Indeed, the cultural industries not only have the power to influence how we view the world, but also the industries and the texts they produce are at once 'complex, ambivalent and contested'.[107]

However, the importance of such industries has also lead to some discussion about how best to define and label them. The term 'creative' rather than 'cultural' industries has been favoured in policy-making circles. Nicholas Garnham argues that this shift 'is an attempt by the cultural sector and the cultural policy community to share in…the unquestioned prestige that now attaches to the information society and to any policy that supposedly favours its development'.[108] On the other hand, Hartley sees the term 'creative industries' as being a meeting of the older terms 'creative arts' and 'cultural industries.' He believes 'creative industries' represents a breaking down of distinctions between high/low, elite/mass, and sponsored/commercial to herald an era where policy decisions are not bogged down by these weighty distinctions.[109] Although John Hartley's argument that it smacks of elitist traditionalism to hold onto the term 'cultural' when 'creative' is arguably a more inclusive term is persuasive, the term 'creative' nonetheless perpetuates a false impression of the industries under examination because it serves to foster the falsehood that that those connected with the production of symbolic goods are

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[103] Andrew Beck, *Cultural Work: Understanding the Cultural Industries* (London: Routledge, 2002); Richard Florida, *The Rise of the Creative Class: And How it's Transforming Work, Leisure, Community and Everyday Life* (New York: Basic Books, 2003); Keith Negus, "The Work of Cultural Intermediaries and the Enduring Distance Between Production and Consumption," *Cultural Studies* 16, no. 4 (2002).
[104] Graham Drake, "This Place Gives me Space: Place and Creativity in the Cultural Industries," *Geoforum* 34 (2003).
[105] Adam Brown, Justin O'Connor, Sara Cohen, "Local Music Policies Within A Global Music Industry: Cultural Quarters in Manchester and Sheffield," *Geoforum* 31 (2000); David Hesmondhalgh and Andy C. Pratt, "Cultural industries and Cultural Policy, *International Journal of Cultural Policy* 11, no. 1 (2005); Andy C. Pratt, "Cultural Industries and Public Policy: An Oxymoron?," *International Journal of Cultural Policy* 11, no. 1 (2005).
[106] Richard Caves, *Cultural Industries: Contracts Between Art and Commerce* (Harvard: Harvard University Press, 2002); Chris Gibson, "Cultures at Work: Why 'Culture' Matters in the Research on the 'Cultural' Industries," *Social and Cultural Geography* 4, no. 2 (2003); Ruth Towse, *Copyright in the Cultural Industries* (Cheltenham: Edward Elgar Publishing, 2002).
[107] David Hesmondhalgh, *The Cultural Industries* (London: Sage, 2002), 36.
[108] Nicholas Garnham, "From Cultural to Creative Industries: An Analysis of the Implications of the "Creative Industries" Approach to Arts and Media Policy Making in the United Kingdom," *International Journal of Cultural Policy* 11, no. 1 (2005): 20.
[109] John Hartley, ed. *Creative Industries* (Oxford: Blackwells, 2005), 6.

somehow ‘different’ and ‘special’.

Returning to the ‘cultural intermediary’, Keith Negus argues that the term is now far removed from the sense in which Bourdieu first used it.[110] Indeed, Negus identifies that cultural intermediaries are today defined as certain workers who have a pivotal and supposedly ‘creative’ role in the process of mediation, such as journalists, rather than librarians or bankers (504). He argues that this distinction contributes to the shaping of our definition of culture itself (504). Negus wishes to focus on workers who engage in the practices of cultural intermediaries but do not adhere to Bourdieu’s class definition of petit bourgeois (505). He argues that creativity tries to distance itself from manufacturing and the mundane realities of labour (507). Thus, Negus argues that the cultural industries actually *reproduce* rather than reduce the distance between production and consumption (509).

Negus’s observation is significant because it highlights how cultural industries research often reproduces the distinction between the economically motivated and the culturally inspired. An example of such work is Richard Caves’s research into bilateral deals between artists and what he calls ‘humdrum inputs’.[111] Caves defines ‘humdrum inputs’ as individuals and institutions that respond to purely economic incentives, indeed, ‘they do not care who employs them or what task (within their competence) they are asked to undertake.’ (4). Caves suggests that policy directed at creativity has often ignored the role that humdrum parties have to play in the creative process, as he says, ‘the painter needs an art dealer, the novelist a publisher’ (1). For instance, the agent acts as a seal of approval for artists before they come into contact with institutions such as publishing houses and record companies (54).[112] Whilst I would agree that the role of the intermediary is often overlooked, the claim that intermediaries are somehow necessarily humdrum parties that respond to purely economic incentives is problematic, and this is underlined by the research findings of this thesis.

If we look back to the work of Bourdieu, we can find a similar preoccupation with splitting the lines of art and commerce. In his work on the role of literary publishers, *The Rules of Art*, Bourdieu describes two modes of cultural production that ‘obey inverse logics’ and co-exist in an antagonistic relationship on opposing poles. According to Bourdieu, the autonomous pole ‘can acknowledge no other demand than one it can generate itself’

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[110] Keith Negus, “The Work of Cultural Intermediaries and the Enduring Distance Between Production and Consumption,” *Cultural Studies* 16, no. 4 (2002): 502.
[111] Caves, *Cultural Industries,* 4.
[112] The intermediary role of agents is also considered by Paul M. Hirsch, "*Processing Fads and Fashions,*" *American Journal of Sociology* 77 (1972) and Lash and Urry, *Economies of Signs and Space* (London: Sage, 1994).

and is 'orientated to the accumulation of symbolic capital, a kind of 'economic' capital denied but recognized, and hence legitimate – a veritable credit, and capable of assuring, under certain conditions and in the long term, 'economic' profits'.[113] The opposing pole is the heteronomous end, concerned with the pursuit of profit alone and where sales success is the conveyor of 'value'.[114] However, Bourdieu points out that the only way for literary publishers to ensure maximum receipt of both economic and symbolic capital is to mask the profit-orientated goals that they may have.[115] Clearly, Bourdieu's work must be considered in its specific context rather than as universally applicable observations.[116] However, despite the criticisms of Bourdieu's earlier distinctions between the economic and the cultural, recent work on the creative industries has also been criticized for its attempt 'to cast everyone in the unlikely Thatcherite model of one-dimensional profit-motivated entrepreneurs' rather than recognize their status as 'complex and multifaceted human beings'.[117]

A study that posits that there is more to the behaviour of cultural intermediaries than the pursuit of profit is Don Slater's article, "Capturing Markets from the Economists". Here, Slater argues that, 'at the micro level of analysis we both can and indeed must grasp cultural and economic action as internally related to one another'.[118] Slater illustrates two case studies of the practices of advertising agents as 'cultural intermediaries', arguing that a purely economic or cultural analysis of the institutional practices of such individuals would be insufficient and reductionist (77). His study highlights the importance of developing an understanding of the role of cultural intermediaries as deeply informed by the social and symbolic properties of the cultural commodities that they circulate as well as having a concern for the economic imperatives of the industry within which they operate.

Indeed, proximity to creativity is often afforded an unnecessary level of respect whilst connection to economic or corporate concerns is greeted with opprobrium. Thus, cultural intermediaries are almost deemed necessary so that they might provide a useful buffer zone between those who create artistic works but who find the business associated with their passion unfriendly and fake.[119] However, such a distinction between the presumed 'pure' motivations of the 'artists' on the one hand and the baldly 'economic'

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[113] Pierre Bourdieu, *The Rules of Art: Genesis and Structure of the Literary Field* (Cambridge: Polity, 1996), 142.
[114] Ibid., 147
[115] Ibid., 142
[116] Wright, "Cultural Capital and Tastes," 276.
[117] David Berry, *Copy, Rip, Burn: The Politics of Copyleft and Open Source* (London: Pluto Press, 2008), 13.
[118] Don Slater, "Capturing Markets from the Economists," In *Cultural Economy,* eds. Paul du Gay, and M. Pryke, (London: Sage, 2002), 59.
[119] David Hesmonhalgh,"Indie: The International Politics and Aesthetics of a Popualr Music Genre," *Cultural Studies* 13, no. 1 (1999): 53.

considerations of a profit-driven industry on the other ignores the many shades of grey that exist between the struggling artists and the multinational media conglomerates. As such, David Hesmondhalgh argues that collaboration between 'independent' record companies and large corporations should not be simply dismissed as abandonment of principles and aesthetic compromise, but rather, as a wish to achieve global success that has lead to pragmatic decisions to forge partnerships in order to achieve that success.[120] After all, arguably, the aim of independent music labels is to release less commercially viable music. If the trends change and that music becomes more popular, that means the label has succeeded in getting their music recognised by a wider audience. This central theme of collaboration connects Hesmondhalgh's work to this research, because, although his work concerns the music industry, parallels can still be made with online and professional distributors of East Asian films. Both parties are engaged in activities that ostensibly have the same goal, to make niche commodities available to a wider audience. As such, the activities of both online and professional distributors should not be seen as entirely oppositional, but as interrelated. It is true that the issue of whether these films should be available for free or sold for profit divides these two types of distribution, but the extent to which profit is a major consideration for these specialist film distribution companies remains to be seen and is central to this research.

Cultural Gatekeepers

> 'Items, those bits of information that are rejected or selected, shaped and scheduled are the focus of all gatekeeping studies.'[121]

Before the term 'cultural industries' came to prominence, work that dealt with the space between production and consumption often concerned 'cultural gatekeepers'. These figures on the one hand wield great power but on the other are required to constantly negotiate the tensions between artistic and commercial concerns. As with the consideration of cultural intermediaries, the study of gatekeepers allows some theoretical insight into the study of individuals who exist in the gray space between production and consumption. However, rather than considering the broad status and role of any member of the 'creative class',[122] gatekeeper studies are occupied with the examination of how gatekeepers operate their gate through the selection or de-selection of particular cultural items for publication in the public realm. Gatekeeper studies demonstrate that the process of selection (or not) for publication is subject to vagaries of

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[120] Ibid., 53.
[121] Pamela J. Shoemaker, Tim P. Vos and Stephen D. Reese, "Journalists as Gatekeepers," in *The Handbook of Journalism Studies,* eds. Karin Wahl-Jorgensen and Thomas Hanitzsch (London: Routledge, 2009), 73.
[122] Florida, *Creative Class.*

personal subjectivity[123] or bureaucratic routine.[124] Indeed such work is important because it highlights the extent to which gatekeepers themselves may make decisions 'within a framework of values they see no reason to question'.[125]

In his work on literary editors, James Curran suggests that the book review selection in the national press, 'does not reflect what is published. It does not mirror what is important, and it does not correspond to what is popular.'[126] He reports that whilst editors professed that books 'choose themselves', they were actually more bound by 'contingent considerations' such as what books were available, who was free to review, which title lent itself to illustration, and what combination of reviews produced the right internal balance.[127] Whilst Curran's analysis is also heavily shaped by his own preconceptions about what book reviews *should* be,[128] his work nonetheless highlights the power that certain cultural gatekeepers have over the hierarchy of knowledge in society, whilst themselves remaining potentially unaware of their values by maintaining the quite preposterous suggestion that 'the books choose themselves'.[129] Such ideas remain relevant to this study: in chapter five it is discussed that the decision making of professional distributors is often quite predictable and formulaic whilst the distribution companies themselves try desperately to cultivate reputations for being new, innovative and cutting edge.

The gatekeeper strand of research has come under some criticism, and Curran himself makes the point that such research overstates the influence of the senior media workers and ignores wider cultural and institutional influences.[130] Negus suggests gatekeeper studies overly highlight the routinised and standardized nature of the construction of symbolic material and ignore questions of power.[131] Negus further points out that despite its 'liberal' image, the distribution of power within the cultural industries is quite regressive and that decision-making power is often situated within small enclaves of privilege. For example, he suggests that the music industry actually represents 'in

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[123] David Manning White, "The 'Gatekeeper': A Case Study in the Selection of News," In *News: A Reader*, ed. Howard Tumber (Oxford, Oxford University Press, 2000).
[124] Walter Gieber, "News is what Newspapermen Make it," in *People, Society and Mass Communication,* ed. David Manning White and L. A. Dexter (New York: Free Press, 1964).
[125] James Curran, "Literary Editors, Social Networks and Cultural Tradition," in *Media Organisations in Society*, ed. James Curran (London: Hodder Arnold,1999), 222.
[126] Ibid., 221.
[127] Ibid., 216.
[128] Curran makes the point that biography is overrepresented within literary reviews and takes this to suggest that 'important' work from science and technology were ignored. Curran also criticizes the fact that the political books reviewed were written by politicians and journalists rather than political scientists, thus implying that political scientists are the only people with any real authority to speak on the subject. Such criticisms may well demonstrate a preference on the part of the researcher for a certain type of book; a type, which it seems, was underrepresented in the reviews of these literary editors.
[129] Curran, "Literary Editors," 222.
[130] Ibid., 222.
[131] Negus, "The Work of Cultural Intermediaries," 510.

condensed form, the preferences and judgements of a small, relatively elite educated, middle-class, white male faction'.[132]

Such criticisms leveled against gatekeeper studies are acknowledged in this work, and this research does not presuppose that the distributors within both formal and informal networks have ultimate control over what they release. What is released depends on a multitude of factors, such as what is made, what receives funding, what is censored, the language capabilities of the distributors, and a multitude of other factors. The complex web and various stages of selection must be considered before making sweeping statements about the power or ability that online or offline distributors have to bring East Asian cinema to a UK audience. Indeed, this work has noted similar enclaves of knowledge amongst key players within the distribution industry. However, I would maintain that it is important to ask how issues of personal subjectivity and routine actually intersect with such enclaves of knowledge in order to examine how continued reverence for the opinions of tastemakers is maintained both within and beyond their elite cliques.

The discussions here about professional distributors, gatekeepers and intermediaries have highlighted the role that such individuals have in shaping access to cultural goods. However, such discussions would not be complete without a brief mention of a new term that has gathered some prominence in recent years, the 'prosumer', whose supposed rise is seen to be inevitably accompanied by the corresponding demise of the cultural intermediary.[133]

Beyond Cultural Intermediaries: The Rise of the Prosumer

Alvin Toffler first coined the term 'prosumer' in his book *The Third Wave*, where he argued that prosumption was the order of the day in pre-industrial societies and it was only through a process of marketization that the roles of producer and consumer were split.[134] With the development of web 2.0 it has been argued that we were entering a new era of the prosumer, a position that allows audiences to be active through more than interpretation alone, but also to become actual creators of content.[135] They can create their own personal webpage through Facebook, circumvent the music industry through MySpace, contribute to their own encyclopedia through Wikipedia, report the

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[132] Ibid., 512.
[133] Matthew David, *Peer to Peer and the Music Industry: The Criminalization of Sharing* (London: Sage, 2010), 146.
[134] George Ritzer and Nathan Jurgenson, "Production, Consumption, Prosumption: The Nature of Capitalism in the Age of the Digital 'Prosumer'," *Journal of Consumer Culture* 10, no. 13 (2010): 17.
[135] Ibid., 17.

news through their own blog, or create their own photo gallery through Flickr.

However, there has been some criticism of the concept of prosumption and whether it represents the freedom from gatekeepers and middlemen that the term would suggest. A particular criticism is that discussions of prosumption are obviously rooted in a Western context and so it is unclear how universally this concept can be applied.[136] However, the major criticism is that the producer/consumer divide is in many respects a 'false binary' and that 'the focus should *always* have been on the prosumer'.[137] Indeed, according to Celia Lury, what the term highlights is that 'the opposition between producers and consumers was never absolute'.[138]

With the tenuousness of this opposition in mind, I would like to suggest that what all of these studies of distributors, gatekeepers, cultural intermediaries and prosumers show is that there is a need to bring all of these strands of research together in order to consider how film texts circulate transnationally. To that end I would now like to turn to another strand of research that examines an alternative method of distribution for music, software, films and books that has often been cast in a rather less favourable light.

Piracy and Filesharing

Having considered research that examines the formal distribution channels under investigation in this thesis, this study now turns to consider the 'other' side of film distribution; informal distribution networks. I discuss how *film* piracy has received surprisingly little specific academic attention in relation to music and software.[139] Whilst demonstrating a frequent presence within the news and public discourse, academic discussion seems to have been subsumed within wider studies concerning digital piracy more generally. As such, whilst this study is particularly concerned with the dissemination of movies online, research will be examined that concerns piracy and filesharing of software and music, because such studies can offer important insights into how digital piracy functions and how it is perceived across varying disciplines.

This section will examine the rhetoric surrounding both physical and digital piracy and will question not only this discourse but also the prominence given to the controversial debate over whether piracy is damaging to the industry. Although it has been suggested

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[136] Celia Lury, *Consumer Culture* (Cambridge: Polity, 2011), 102.
[137] Ritzer and Jurgenson, "Production, Consumption, Prosumption," 17.
[138] Lury, *Consumer Culture*, 102.
[139] George E. Higgins, Brian D. Fell and Abby L. Wilson, "Low Self-Control and Social Learning in Understanding Students' Intentions to Pirate Movies in the United States," *Social Science Computer Review* 25 (2007): 339.

that piracy might be a form of resistance to Hollywood's dominance,[140] some critics have critiqued this tendency to construct pirates as either outright thieves or black-market activists.[141] Such work tends to focus on the economic consequences of piracy rather than considering its social and cultural context. In contrast, this thesis examines the significant role that community can play in filesharing behaviour. Therefore, the chapter will conclude by examining other work that has considered the social context of filesharing and how such work has informed this thesis more generally.

Sampling/Substitution Debate

> The logic seems unassailable. If music is free, no one will pay for it. If no one pays, artists and producers will stop creating music. How can anyone argue with that?[142]

Much work on piracy seems only concerned with resolving the central question of whether, and to what extent, the cultural industries are being negatively affected by copyright infringing activities. Work that demonstrates this preoccupation can be broadly categorized as defining filesharing as a form of substitution for legal purchases, or as a form of sampling. According to the 'sampling effect' users look at the files they download as a sample copy and if they like it, they buy it, hence theoretically increasing revenue for the rights holder. However, according to the opposing theory, the 'substitution effect', the user downloads for free when they would otherwise have bought a legitimate copy.[143]

The substitution effect[144] argument is usually put forward by the industry and is often based on the broad assumption that each illegal download represents a lost legitimate sale. However, Oliver Quiring, et al. criticize the substitution effect argument on the grounds that there is little evidence to show that people would want the files if they had to pay.[145] They propose 'that under real conditions, not all files which are downloaded illegally from the Internet would be saleable. Therefore, on no account can the number

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[140] Michael Strangelove, *The Empire* of *Mind: Digital Piracy and the Anti-Capitalist Movement* (Toronto: University of Toronto Press, 2005), 74-75; Shujen Wang, *Framing Piracy*, 2.
[141] Barbara Klinger, "Contraband Cinema: Piracy, *Titanic*, and Central Asia," *Cinema Journal* 49, no. 2, (Winter 2010): 108; Jonas Andersson, "Peer-to-peer-based File-sharing Beyond the Dichotomy of 'Downloading is Theft' vs. 'Information Wants to be Free': How Swedish File-sharers Motivate their Action" (PhD diss., University of London, 2010).
[142] Ian Condry, "Cultures of Music Piracy: An Ethnographic Comparison of the US and Japan," *International Journal of Cultural Studies* 7, no. 3 (2004): 347.
[143] Oliver Quiring, Benedikt Von Walter and Richard Atterer, "Can Filesharers be Triggered by Economic Incentives?: Results of an Experiment," *New Media Society* 10 (2008): 435.
[144] This is also often referred to as the competition effect.
[145] Ibid., 444.

of illegally-acquired files be treated as commensurate with music industry losses.'[146] Quiring et al. are not alone in their assessment of the common industry argument.[147] However, it must be acknowledged that the act of assessing the effects of piracy on the cultural industries is notoriously difficult, and under such circumstances it is easier to calculate projected losses rather than potential deferred gains.[148]

Much of the research that considers digital piracy automatically assumes that all forms of piracy, including filesharing, are damaging to the industry.[149] As Gilbert Rodman and Cheyanne Vanderdonckt suggest, within this discourse, 'filesharing is unequivocally immoral and illegal - this is no longer a point for discussion - and filesharing 'evildoers' must be met with devastating force.'[150] This perspective can be found across literature concerning a range of sectors within the cultural industries, including software, music and movies. For instance, the majority of work on software piracy, or 'softlifting', is concerned with the age-old issue of how to eliminate it.[151] The rhetoric is often quite rousing, with some suggesting that 'software piracy is becoming economically devastating to companies that develop and market software worldwide.'[152] As with software piracy, the default question for the recording industry is, 'How can industry deal with this terrifying scourge?'[153] Again, much work in this field reinforces the rhetoric that losses to the industry are staggering and that the main problem lies with youth, mainly college students, viewing piracy as commonplace and acceptable amongst their peers.[154]

Research specifically into movie piracy is less commonplace, but is still dominated by the assumption that all forms of piracy are necessarily reducing profits and acting in

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[146] Ibid., 444.
[147] See also Lawrence Lessig, *Free Culture: The Nature and Future of Creativity* (London, Penguin, 2004); Mark Cenite, Michelle Wanzheng Wang, Chong Peiwen and Germaine Shimin Chan, "More Than Just Free Content: Motivations of Peer-to-Peer File Sharers," *Journal of Communication Inquiry* 33 (2009); Lee Marshall, "Infringers," in *Music and Copyright,* ed. Simon Frith and Lee Marshall (Edinburgh: Edinburgh University Press, 2004); Gilbert B. Rodman and Cheyanne Vanderdonckt, "Music for Nothing or, I Want my MP3," *Cultural Studies* 20, no. 2, (2006).
[148] Eric Chiang and Djeto Assane, "Copyright Piracy on the University Campus: Trends and Lessons from the Software and Music Industries," *International Journal on Media Management* 4, no. 3, (2002): 146.
[149] See Higgins, Fell and Wilson, "Low Self-Control and Social Learning,"; Jenessa Malin and Blaine J. Fowers, "Adolescent Self-Control and Music and Movie Piracy," *Computers in Human Behavior* 25 (2009); Steven A. Taylor, Chiharu Ishida and David W. Wallace, "Intention to Engage in Digital Piracy: A Conceptual Model and Empirical Test," *Journal of Service Research* 11 (2009).
[150] Rodman and Vanderdonckt, "Music for Nothing," 246.
[151] See Timo Pykäläinen, D. Yang and Tony Fang, "Alleviating Piracy through Open Source Strategy: An Exploratory Study of Business Software Firms in China, Journal of Strategic Information Systems 18 (2009); H.V. Ramakrishna, Ranjan B. Kini and B Bindiganavale S. Vijayaraman, "An Exploratory Study of Moral Intensity Regarding Software Piracy of Students in Thailand," Behaviour and Information Technology 22, no. 1 (2003).
[152] Ramakrishna, Kini and Vijayaraman, "Software Piracy of Students in Thailand," 63.
[153] See Thomas J. Holt and Robert G. Morris, "An Exploration of the Relationship between MP3 Player Ownership and Digital Piracy," Criminal Justice Studies 22, no. 4, (2009).
[154] Ibid., 381.

competition with legal revenue streams.[155] Despite the continued growth of users downloading and sharing movies over the Internet and the loud claims of industry bodies such as the Movie Picture Association of America (MPAA) about the damage to the industry, the majority of the academic work that considers digital piracy tends to focus on music rather than movies. This is possibly due in part to the fact that music filesharing as a phenomenon grew to prominence before movie filesharing. Music files are smaller than movie files and when filesharing was in its infancy people were constrained by slower bandwidth and smaller hard drives.[156] Furthermore, the MP3 compression format meant that music file size could be reduced even more. Consequently, it was possible to download and share music files quickly and relatively easily long before the same was achievable with movies.

It has been claimed by some that the rhetoric around filesharing and piracy is not an innocuous, innocent description of the moral 'realities' of behaviour but rather the deliberate naming of an activity as 'deviant' in a bid to dictate and control the activity of others. Indeed, Janice Denegri-Knott argues that the Recording Industry Association of America (RIAA) has sought to label filesharing as unquestionably deviant behaviour. She suggests that the ability to construct something as either normal or abnormal through discourse is 'an act of power, and in keeping with contemporary approaches to deviance, reveals the idiosyncrasies of elites promoting their own interests'.[157] Denegri-Knott further points out that power moves through discourse and as such is not owned by a central person or group; there are elites whose interests are served and who can work to consciously or unconsciously mould discourse and public opinion (and received wisdom/common sense) but they are not a locus of power. As such, one might argue that the MPAA, Federation Against Copyright Theft (FACT) and the Film Distributors' Association (FDA) (amongst others) seek to shape and promote their own interests and ideological standpoint within this discourse by consciously interpellating filesharers as thieves. Furthermore, Martin Kretschmer, George Klimis and Roger Wallis illustrate that such 'naming' supports a deliberate ideological agenda when they suggest that:

> Labelling unauthorized copying as 'piracy' suggests an undue rhetorical certainty about the property conceptions underlying copyright. It is a fundamental premise of any modern, open and diverse society that the

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[155] See Higgins, Fell and Wilson, "Low Self-Control and Social Learning,"; Malin and Fowers, "Adolescent Self-Control,"; W. D. Walls "Cross-Country Analysis of Movie Piracy," *Applied Economics* 40 (2008).
[156] The actual size of a downloadable music or movie file is variable. For music the size of the file depends on the rate at which the MP3 is encoded. In the early days of filesharing films were encoded so they could be easily burnt onto a CD-r, as such they would be below 700mb. As data storage has moved to USB portable data storage devices that vary in size, the need to reduce the size of a movie to something that can easily fit on a CD has lessened.
[157] Janice Denegri-Knott, "Sinking the Online "Music Pirates": Foucault, Power and Deviance on the Web," *Journal of Computer-Mediated Communication* 9, no. 4, (2004): 4.

> dissemination and use of information goods ought to be encouraged. Thus, the onus must be on the proponents of transferable, exclusive copyrights to show that without stronger protection desirable goods would be neither produced nor distributed, or that grave moral inequities towards creators would result.[158]

Lobato further argues that 'piracy is not only a form of deviant behaviour but may offer routes to knowledge, development, and citizenship' in instances where markets or film culture more generally is underdeveloped.[159] Thus, we can consider that the substitution effect argument is not the simple statement of fact that it is presented as, rather, it points to a particular and subjective position within a contested discourse. Furthermore, this perspective belies a particular neo-liberal ideological viewpoint that privileges the proprietary rights of the individual copyright holder over the overall cultural prosperity of society at large.

In addition to the questions that have been raised about the overall capitalist agenda that is perpetuated through the anti-piracy rhetoric, Mattelart and others have sought to question the academic rigour of the research that the anti-piracy rhetoric is based upon.[160] One criticism proposed is that it is difficult to take seriously the statistics provided by the audiovisual industry when they are considering such an underground activity.

> It is somewhat surprising that so many and such precise figures are published in the various studies of the pirating of cultural products, since this is a phenomenon operating by its very nature in the shadows, away from the prying eyes of national and international accountants.[161]

Furthermore, Tristan Mattelart makes the argument that there is an issue with the priorities of both the report makers and the report commissioners. He suggests many reports carried out which provide 'evidence' of the threat of piracy are concerned with changing laws and influencing public opinion rather than with 'establishing a body of

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[158] Martin Kretschmer, George M. Klimis and Roger Wallis, "Music in Electronic Markets: An Empirical Study," *New Media and Society* 3, no. 4 (2001): 434.
[159] Ramon Lobato, "Six Faces of Piracy: Global Media Distribution from Below," in *The Business of Entertainment (Vol. 1): Movies,* ed. R. C. Sickels (Westport, Connecticut: Greenwood Publishing Group, 2009), 16.
[160] See also Majid Yar, "The Global "Epidemic" of Movie "Piracy": Crime-Wave or Social Construction?," in *Media, Culture and Society* 27, no. 5 (2005); Tristan Mattelart, "Audio-visual Piracy: Towards a Study of the Underground Networks of Cultural Globalization," *Global Media and Communication* 5 (2009); and Lessig, *Free Culture.*
[161] Mattelart, "Audio-visual Piracy," 309.

reliable knowledge.'[162] Lee Marshall appears sympathetic with this perspective and also questions the logic of the recording industry when counting the losses to their industry.[163]

Marshall uses the example of when filesharing came to prominence and the RIAA was bemoaning the devastating effect that this was having on the recording industry. The RIAA claimed that whilst CD-r sales and downloading increased, the global sale of CDs fell. Marshall contests that whilst this may be true, it does not automatically demonstrate a simple causal relationship between the two occurrences. As Marshall points out, there were other factors that could just as easily have contributed to the global downturn in CD sales. He suggests the end of the rush to replace vinyl collections on CD, the general economic downturn, and increasingly competition with growth industries such as mobile phones, DVDs, and computer games may all have played their part (along with the growth of downloading and CD-r sales) in the global downturn in revenue from CD sales.[164] Indeed, Rodman and Vanderdonckt suggest that in the same period the music industry reported a downturn in sales, they reduced the number of bands on their books, upped the price of albums and released fewer of them.[165] As such, 'while the industry's aggregate sales declined, their per-album profit margin appears to have risen, and all those self-imposed shifts in industry practices arguably affected the overall profitability of pre-recorded music as much as (if not more than) filesharing did.'[166]

Questions have also been raised about the validity of claims made by the film industry about the damage being done to them by illegal digital downloads. Indeed, despite the cries that piracy is destroying the movie industry, profits actually increased in Hollywood over the first couple of years of the 21st century. As Jon Lewis points out, 'Internet piracy is up, but so are revenues. Profits in 2001 reached an all time high of $7.7 billion. The year 2002 was even better than 2001. And in 2003 profits reached the $9.5 billion mark.'[167] Indeed, the MPAA suggests that worldwide revenues from cinema tickets, videos and DVD sales actually *rose* 9% between 2003 and 2004.[168] Lobato further contests that global theatrical revenues for Hollywood actually rose 20 percent in 2006.[169] Presumably the MPAA would claim that revenue would have risen even more if piracy were not so prevalent but it would seem that the arguments concerning the

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[162] Ibid., 310.
[163] Marshall, "Infringers," 68.
[164] Ibid., 191.
[165] Rodman and Vanderdonckt, "Music for Nothing," 255.
[166] Ibid., 255.
[167] Jon Lewis "'If You Can't Protect What You Own, You Don't Own Anything': Piracy, Privacy, and Public Relations in 21st Century Hollywood," *Cinema Journal* 46, no. 2 (Winter 2007): 145.
[168] "Internet Piracy Fails to Sink Film Profits," *The Guardian,* May 3, 2005, accessed May 5, 2008, http://film.guardian.co.uk/news/story/0,,1475482,00.html.
[169] Lobato, "Six Faces of Piracy," 16.

damage the piracy is wreaking on the industry are very much dependent on which statistics one decides to use and what agenda one is trying to reflect.

Furthermore, it must be acknowledged that the bulk of the profits that the music industry enjoys do not come from the album sales, but rather from the secondary rights sold so the music might be used on adverts, TV shows and video games, and a similar phenomenon can be observed when considering the film industry.[170] Indeed, Hollywood, despite its initial disgust at the birth of VHS, has gone on to reap generous rewards from such new technological developments. 'Tellingly, the film industry thrives today largely because of the technology that they swore would wipe them out, as video rentals have been a far more profitable revenue source than box office sales since the 1980s'.[171]

Majid Yar goes even further than questioning statistics and makes the interesting suggestion that far from a damaging trend, piracy is actually a social construction. 'Rather than taking industry or government claims about film 'piracy' (its scope, scale, location, perpetrators, costs or impact) at face value, we would do well to subject them to a critical scrutiny that asks in whose interests such claims ultimately work'.[172] Yar discusses how the 'epidemic' of piracy is not related to the growth of the Internet and lax copyright enforcement in developing countries as is so often claimed, but instead is attributable to 'shifting legal regimes, lobbying activities, rhetorical manoeuvres, criminal justice agendas, and 'interested' or 'partial' processes of statistical inference' (691).

In making such claims about shifting legal boundaries Yar makes the interesting observation that copyright infringement is gradually moving from a 'regulatory offence' into a criminal act of theft (685). Therefore, whether the practice of something deemed to be a 'crime' is seen to rise or fall is not necessarily straightforward because it is also determined by the categorization of said criminal acts. So, Yar claims that one of the reasons for the rise of piracy is the increase of practices that come under its definition due to fluctuations in Intellectual Property (IP) law. He argues that because adhering to the Trade Related Aspects of Intellectual Property Rights (TRIPS) agreement is compulsory for all World Trade Organization (WTO) members, pressure is exerted upon individual member nations to adopt a United States-style attitude to rights which privileges the rights holder. Yar argues that as this pressure continues, rates of piracy will inevitably increase as WTO members scrabble to fall in line with international

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[170] Rodman and Vanderdonkt, 257.
[171] Ibid., 257.
[172] Yar, "The Global 'Epidemic' of Movie 'Piracy'," 691.

agreements.

> Many countries which previously had no or minimal restrictions on the reproduction and distribution of US copyrighted material have acquired rigorous IP laws which, at a sweep, have brought the behaviour of numerous of their own citizens under the aegis of property theft. This instance shows how the supposed global growth of 'piracy' can be attributed in part to a shifting of the legal 'goal posts', rather than simply to any dramatic increase in practices of copying.[173]

It can be seen from Yar's sentiments that the perceived 'piracy epidemic' could be partially attributed to a global process of redefining the limits of ownership, property and theft. It appears necessary to avoid taking any claims about the impact that both digital and physical piracy is having on the cultural industries at face value, but instead to consider the priorities and perspectives that might be underpinning the claims of the industry bodies and the research that they rely on. The copyright industries have become one of the fastest growing sectors of the US economy and 'copyright legitimises certain forms of media consumption and prohibits others'.[174] The importance and influence of this industry must be taken into account when examining what actions have been constructed as piracy. Law professor Lawrence Lessig suggests that Internet 'sharing' should not be considered in the same way as commercial piracy.[175] He argues that as with photocopiers, CD burners or VCRs, filesharing software does not necessarily threaten the profits of the copyright owners. In fact, Lessig argues that stringent methods to protect intellectual property are damaging to the potential benefits for society that such technological developments allow.[176]

Such discussions demonstrate that an inordinate amount of time has been spent trying to both establish and quantify the damage being done to the industry by the pirates due to the severity of the perceived piracy epidemic. However, it also suggests that the consequences of this 'epidemic' may be overstated and so a disproportionate amount of time may have been spent trying to quantify the unquantifiable. It also demonstrates that further inroads need to be made on research that goes beyond this focus on the economic costs of piracy because the significant impact that digital piracy and filesharing has on the way that individuals consume and share cultural objects remains under-researched. However, it seems that many studies that seek to go beyond the

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[173] Ibid., 686.
[174] Miller et al., *Global Hollywood,* 116.
[175] Lessig, *Free Culture*, 67.
[176] Ibid., 75 – 79.

substitution argument remain caught in the cycle of considering filesharing in light of the damage that it does (or does not) do to the industry by representing the sampling argument. Such an argument is not supported by this research but it is used by the filesharers themselves to justify their own behaviour and so research in this area is considered in the following section.

As well as the numerous attacks on competition theory, there is also notable support for sampling theory. Mark Cenite et al. suggest that 'while downloading as a substitute for purchasing can harm the content industries, downloading to sample could lead to eventual purchase, and accessing otherwise unavailable content is unlikely to harm artists, since the works would not otherwise have been purchased'.[177] In other work, Martin Pietz and Patrick Waelbroeck support the idea that piracy causes *some* people not to buy music through legitimate channels but they also suggest that the positive effects produced by sampling counterbalance this loss.[178]

One of the underpinnings of the sampling argument is that the copy is somehow inferior to the original and that filesharers actually demonstrate a desire for the original (paid for) product.[179] Such a claim at first appears counterintuitive, because in many respects the pirated copy may be no different to the bought copy due to the fidelity of digital copying. Furthermore, the 'bought' copy, despite having an aura of legitimacy placed upon it, is in fact a copy itself. The significance of this finding is that filesharing can be considered beneficial to the industry if the product that they offer can differ significantly from the one on offer from the pirates. Under such conditions, Pietz and Waelbroeck argue that 'file-sharing can lead to lower prices, higher unit sales and higher profits.'[180] The authors suggest that sampling allows consumers to be in control of their purchasing decisions because of the extra information that sampling allows. Thus, they suggest that in their 'model, profits increase for a certain set of parameters because consumers can make more informed purchasing decisions because of sampling and are willing to spend for the original although they could consume the download for free.'[181]

Although they are specifically talking about music, Pietz and Waelbroeck suggest their sampling model could be applied to games and software as well. Although they do not mention movies it would be worth examining if the sampling effect theory could be successfully applied to instances of online movie piracy. Although not explicitly

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[177] Cenite et al., "More Than Just Free Content," 208.
[178] Martin Peitz and Patrick Waelbroeck, "Why the Music industry May Gain from Free Downloading: The Role of Sampling," *International Journal of Industrial Organization* 24 (2006): 908.
[179] Ibid., 908.
[180] Ibid., 908.
[181] Ibid., 912.

connecting itself with sampling theory, the study by Michael Smith and Rahul Telang on how the film industry manages to compete with free content sheds some interesting light on how a broadcast of a film on television impacts both DVD sales and piracy.[182] The authors suggest that competing with free content delivery methods may intuitively seem like an especially serious problem for the film industry because, unlike music, which we might listen to again and again (and therefore desire a permanent copy of), movies are more likely to be a once-only experience (323). However, what they found in their study was that 'movie broadcasts on over-the-air networks result in a significant increase in both DVD sales at Amazon.com and illegal downloads for those movies that are available on BitTorrent at the time of broadcast' (321). Such a result might seem unsurprising, as the user might be motivated to locate their own copy of a film which they either watched on TV and enjoyed or saw scheduled, but missed.

However, more interestingly, the study also found that 'the availability of pirated content at the time of broadcast has no effect on post-broadcast DVD sales gains' (321). As such, not only do they suggest that a TV broadcast stimulates DVD sales, but that if a pirate copy of a film is also available, there is no resulting cannibalization of sales. Importantly, they attribute this to the fact that a 'television broadcast of a movie is sufficiently differentiated from the DVD version (in terms of convenience, usability, and content)' (322). Basically under conditions where the legal and illegal copies differ substantially then distribution for free may even stimulate people to pay for DVD copies. At the very least, 'the presence of free copies need not harm paid sales' (321). Indeed, a similar perspective on how a significantly distinct product is perceived to be a shield against piracy is discussed in chapter five.

However, Thomas Holt and Robert Morris suggest that, whilst there can be instances when unauthorized copying is advantageous to the copyright holder, this is not the case with *all* sampling opportunities.[183] They argue that new copying and distribution technologies can, as was the case with VHS and the movie industry, open up new revenue opportunities, but that the same beneficial effect has not been felt since the birth of filesharing. The authors draw on various economic studies to support their suggestion that people are downloading rather than paying for music through legitimate channels. However, when considering this research it must be acknowledged that each of the studies that they consulted, whilst interesting, were all published in 2006 or before, and concern research that took place some time before. As such, they do not necessarily span a time when there were viable legal alternatives in the marketplace,

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[182] Michael D. Smith and Rahul Telang, "Competing with Free: The Impact of Movie Broadcasts on DVD Sales and Internet Piracy," *MIS Quarterly* 33, no. 2 (June 2009).
[183] Holt and Morris, "MP3 player ownership and digital piracy," 382.

and certainly not when they were commonplace. iTunes only launched in the UK , Germany and France in June 2004 and the rest of Europe in October 2004 having launched in the US in April 2003.[184] However, it was not until 2008 that iTunes actually became a market leader.[185] With this in mind, the findings that individuals are downloading music for free rather than paying for it must be read in light of the fact that, at the time the studies were carried out, paying for digital downloads was not an established industry.

Some work has sought to go beyond the sampling/substitution debate and broaden the discussion to consider that all filesharing behaviour may not be equal and so different forms of filesharing might have different effects. David Bounie, Marc Bourreau and Patrick Waelbroek make the distinction in their work between two distinct *types* of downloading behaviour, which they then argue lead to two different effects: sampling and substitution. They categorize these two types of downloaders as either explorers or pirates.[186] In this situation we can understand some filesharers as contributing to the competition effect (pirates) and some to the sampling effect (explorers). The explorers use filesharing as a method of sampling material before purchase, the pirates use the same facility to bypass the need to part with cash to obtain the items they desire.

> Thus new file-sharing technologies have amplified consumption patterns in the sense that music fans have used MP3 to discover new music and increase their consumption of pre-recorded music while people with low willingness to pay for music have used MP3 files as direct substitutes to legal purchases.[187]

Such research makes the important observation that the motivations of those who share material online are not necessarily consistent with one another (discussed further in chapter six). However, such a discussion still focuses the debate on what effect filesharing has on the industry, and does not consider the possible social context of such activities.

Another theory that is raised in support of the sampling argument is the theory of network effects or network externalities. This is the phenomenon in which 'the utility that

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[184] Darren Waters, "Europe launch for Apple's iTunes," *BBC News*, accessed April 16, 2010, http://news.bbc.co.uk/1/hi/entertainment/3805565.stm
[185] "Apple iTunes become biggest music retailer in U.S.A.," *NME Online*, April 4, 2008, accessed April 16, 2010, http://www.nme.com/news/itunes/35669.
[186] David Bounie, Marc Bourreau and Patrick Waelbroek, "Pirates or Explorers? Analysis of Music Consumption in French Graduate Schools," Brussels Economic Review 50, no. 2 (Summer 2007): 168.
[187] Ibid., 186.

a user derives from consumption of a good increases with the number of other agents consuming the good'.[188] This theory is particularly common during discussions of software piracy. The idea that underpins network effects theory is that, although much software can be useful in isolation, its value increases as more people use it, because they can share files, collaborate, and so forth. Thus, a positive feedback loop is created and the more popular network is in turn likely to be more attractive to new users.

However, it has been suggested that the principle of network externalities cannot be applied outside the realm of software.[189] The argument is made that those products most affected by digital piracy (music, films and software) have distinct properties and thus illegal copying online affects their respective industries differently. Amit Gayer and Oz Shy sum up the argument by suggesting that:

> the assumed user externalities are less applicable for entertainment titles such as the distribution of music and video titles, than for the software industry. The reason is that the 'popularity' of these titles is not always enhanced directly from the build-up of large networks of users.[190]

One could argue that Microsoft might benefit indirectly from a copy of *Word* being used illegally as it increases the overall value of the software, but Disney would not benefit at all if copies of *Toy Story 3* were freely available online. The more people are able to use *Word*, the more the software becomes a standard for both personal and industry use. On the other hand, the more people are able to access *Toy Story 3* for free online, the less people are likely to pay for a cinema ticket or a Disney DVD.

However, Molteni and Ordanini counter this suggestion by putting forward the concept of socio-network effects.[191] This idea is explained in more depth in chapter seven. However, simply put, it suggests that there is a sort of social contagion side to consumption; people tend to like what other people like. Also, tastes tend to cluster and so if someone likes a single film with a particular star or director, then they are likely to seek out other similar work. Thus, the principle of network effects can be extended into a model of socio-network effects when applied to films because it recognizes that whilst an

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[188] Ariel Katz, "A Network Effects Perspective on Software Piracy," *University of Toronto Law Journal* 55 (2005): 35.
[189] Amit Gayer and Oz Shy, "Internet and Peer-to-Peer Distributions in Markets for Digital Products," *Economics Letters* 81, no. 2 (2003); Higgins, Fell and Wilson, "Low Self-Control and Social Learning," 341.
[190] Gayer and Shy, "Internet and Peer-to-Peer Distributions," 202.
[191] Luca Molteni and Andrea Ordanini, "Consumption Patterns, Digital Technology and Music Downloading," *Long Range Planning* 36, no. 4 (2003): 391.

individual film might be consumed for free through piracy, this might act as a gateway for the consumer to develop a taste for (and possibly purchase) connected films. Such an argument runs close to the sampling defense, but also recognizes the important social dimension to taste formation and patterns of consumption.

Filesharing Communities: The Social Side of Piracy

The discussions presented so far have focused on considerations of the economic impact and influence of virtual and physical piracy on the cultural industries. Aside from socio-network effects, what has been absent from such discussions is any examination of the social side of piracy. However, within filesharing -- an activity which the cultural industries would certainly include in the wider label of 'piracy' -- community and social interaction can form an important part of the dissemination process. This is not to suggest that all forms of filesharing are uniquely social, but rather to acknowledge that not all forms of filesharing are alike and that in some instances there may be a distinctly social element to filesharing.

Chun-Yao Huang suggests 'one may see file sharing as a kind of autotelic consumption for which socializing is an important motive'.[192] Thus, within this context, filesharing is an activity that is about more than just acquiring goods; it is also a social activity that takes place within communities with rules, rituals and codes.[193] This is not to suggest that socializing within filesharing communities is a prerequisite for membership. In many contexts, it is by no means necessary in order to download files. However, shopping can be a social or a utilitarian pursuit depending on the individual and the context of their activities. Thus, if we take a lead from consumption theory where consumption is not an end in itself but is a complex social interaction then we can understand 'file sharing as a mode of…consumption [that] may be attacked from another angle: the social one'.[194] Particular studies that consider filesharing from this 'social' angle focus on the reciprocal nature of the activity and how it might be considered in terms of anthropological notions of gift economies.

Claude Lévi-Strauss, drawing on the work of Marcel Mauss, suggests that exchange in 'primitive' societies, is not based on money but on the reciprocal exchange of goods as 'gifts'.[195] However, gift exchange is not simply about the exchange of physical goods *instead* of money, but is a completely different form of exchange with a distinctly social

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[192] Chun-Yao Huang, "File Sharing as a Form of Music Consumption," *International Journal of Electronic Commerce* 9, no. 4 (2005): 43.
[193] Ibid., 42.
[194] Ibid., 42.
[195] Claude Lévi-Strauss, *Elementary Structures of Kinship*, (Boston, MA: Beacon Press, 1969), 52.

element.

> This primitive form of exchange is not merely nor essentially of an economic nature but is what he [Mauss] aptly calls `a total social fact', that is, an event which has a significance that is at once social and religious magic and economic, utilitarian and sentimental, jural and moral.[196]

However, the use of the term 'gift' should not be misunderstood as implying some benevolence on the part of the gift giver. Indeed, it is the very fact that gift giving *seems* voluntary, but it in reality made compulsory by the existence of strict codes and conventions that was of particular interest to Mauss. He thus suggests that 'in theory…gifts are voluntary but in fact they are given and repaid under obligation.'[197] The act of giving gifts may seem optional within a particular social group, but opting out of the socially proscribed gifting rituals would amount to a serious social transgression. Indeed, 'to refuse to give, or to fail to invite, is – like refusing to accept – the equivalent of a declaration of war; it is a refusal of friendship and intercourse.'[198] In order for such gifting obligations to be upheld they must be accompanied by complex rules and conventions.[199] Gifting relationships are rarely about a selfless wish to give to others without concern for reciprocation. Indeed, the concepts of reciprocity and equivalence are integral to gift economies. The gift must be reciprocated, and the 'counter-gift' must be equal in value to the original gift.'[200] Therefore, it is central to the functioning of gift economies that for each gift given, one will be returned, and thus, the cycle of gift-giving is potentially endless.

However important the notion of reciprocity is for gift economies, it is not the case that gifts are *only* given in the anticipation that one might be received in return; gift exchange is not reducible to economic value or reward. According to Mauss gift 'exchange is not exclusively goods and wealth, real and personal property, and things of economic value.'[201] Indeed, he suggests that 'the circulation of wealth but one part of a wide and enduring contract.[202] Drawing on these ideas, Lévi-Strauss suggests that the value attached to objects goes beyond their status as economic commodities. Indeed, they also act as 'vehicles and instruments for realities of another order, such as power,

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[196] Ibid., 52.
[197] Marcel Mauss, *The Gift: Forms and Functions of Exchange in Archaic Societies,* (Mansfield Centre, CT: Martino Publishing, 1954 [2011]), 1.
[198] Ibid., 11.
[199] Bronislaw Malinowski, *The Argonauts of the Western Pacific: An Account of Native Enterprise and Adventure in the Archipelagoes of Melanesian New Guinea* (London: Routledge, 1922 [1966]), 81.
[200] Ibid., 96.
[201] Mauss, *The Gift,* 3.
[202] Ibid., 3.

influence, sympathy, status and emotion.'[203] Thus, the process of their exchange cannot be reduced to the economic, but must be understood as a 'skilful game of exchange', which 'consists in a complex totality of conscious or unconscious manoeuvres in order to gain security and to guard oneself against risks brought about by alliances and by rivalries.'[204] In this sense, gift exchange is about forming and securing social relationships and hierarchies through giving and receiving of objects. To take one example, when talking of the 'potlatch,' a particular gifting relationship within tribes in Alaska and Vancouver, Mauss suggests that 'it is above all a struggle among nobles to determine their position in the hierarchy to the ultimate benefit, if they are successful, of their own clans.'[205] Lévi-Strauss specifically draws parallels between potlatch and gift giving rituals surrounding Christmas in 'modern' society.[206] He suggests the giving and receiving of Christmas cards is a particular method of marking out ones social status inasmuch as 'the quantity sent or received, are the proof, ritually exhibited on the recipient's mantelpiece during the week of celebration, of the wealth of his social relationships or the degree of his prestige.'[207] Thus, gifting relationships, regardless of context, serve to indicate social status through the manner in which gifts are ritually given, received and displayed.

As such, understandably, ideas about gift economies have been readily applied to studies of filesharing communities, that is, structured social situations where reciprocity is often tacitly encouraged and sometimes actively enforced. Cenite et al.'s study emphasises how important community can be in terms of the behaviour of filesharers. They note that 'respondents reported a norm of reciprocity and sense of community that motivated them to upload and an obligation to purchase content they liked.'[208] As such, respondents felt compelled to seek out legal copies of the music they appreciate and musicians they admire. Ian Condry, who noted that community is of similar significance in his own study, backs up this sentiment by suggesting, 'the common ground for fans and artists, it seems to me, is the sense of participation in a shared community supporting music that people care about.'[209] What Condry is arguing is that community exists outside of the filesharing network and is the music community at large. As such, Condry's findings mimic those of Cenite et al.'s, as they suggest that filesharers will pay for music if it is seen to protect an artist, band, record label or community that they have an emotional investment in.

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[203] Lévi-Strauss, *Elementary Structures of Kinship*, 54.
[204] Ibid., 54.
[205] Mauss, *The Gift,* 4 – 5.
[206] Lévi-Strauss, *Elementary Structures of Kinship*, 56.
[207] Ibid., 56.
[208] Cenite et al., "More Than Just Free Content," 206.
[209] Condry, "Cultures of Music Piracy," 358.

Further work in this area by Giesler and Pohlmann divides downloaders into categories where either autotelic (an end in itself) or instrumental (a means to an end) gifting behaviour is prominent.[210] The work of Giesler and Pohlmann on Napster forms an important basis for chapter six and so it is worth exploring at some length. Giesler and Pohlmann split users into those that have agonistic or altruistic motives and use four metaphors to illustrate what motivates gift exchange on Napster: realization, purification, participation and renovation (273). In this case, realization and participation are seen to have an autotelic purpose whereas purification and renovation are seen to have an instrumental purpose (276). They also suggest that realization and purification are more agonistic, whereas participation and renovation are more altruistic (276).

For those motivated by realization, the use of Napster is more of an individual experience. This is the most in line with the industry understanding (276). Because it is more about the act of giving and being given to than anything else, the focus is on the act of music consumption. The purification motivation is also personal rather than communal but is linked to a wish to escape from the controls of mainstream music consumption, 'thus gifting as a means of boycotting at Napster can here be understood as an agonistic act of ethical purification for oneself' (276). Where participation is the motivation, the focus is on the community rather than the activity (276). Here being a part of the community and adding value to it is considered to be paramount. Although defined as altruistic, this is not to be understood as pure 'selflessness' but instead indicates a wish to impress and aid the wider community. Renovation, on the other hand, demonstrates a more political motivation and a wish to break free from the shackles of the corporately controlled (music) industry. The authors suggest that 'it is a widespread practice to attach socialistic, anarchist and revolutionary metaphor [sic] to the gifting economy of Napster' (276). Thus, not only is there a social motivation at play, but also a political one. For certain members of the Napster community, 'gifting becomes a tool for the collapse of the old capitalist system and the end of capitalist market hegemony while serving as an alternative consumption activity at the electronic frontier' (277). Thus, Giesler and Pohlmann's work demonstrates that even among users of one piece of filesharing software there are a number of motivations for filesharing, both autotelic and instrumental, social and selfish.

A Note about (Virtual) Community

The social aspect of filesharing raised in the previous section concerns a decentralised filesharing system that, whilst bound by central servers and common software, is not

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[210] Markus Giesler and Mali Pohlmann, "The Anthropology of File Sharing; Consuming Napster as a Gift," *Advances in Consumer Research*, 30 (2003): 276.

accompanied by a corresponding nexus for social interaction such as an online forum. In chapter six, this thesis will examine whether similar gifting behaviour can be noted amongst members of filesharing communities that are bound together by a common forum as well as a common method of file exchange. In doing so, the chapter will consider the important social aspects of filesharing within specific communities. As such, a note about (virtual) community is required.

One of the major arguments of this thesis is that the social elements of the filesharing forums in question play a key role in shaping the distribution process. As the social aspects of these forums are so important it might be tempting to refer to them as 'virtual communities'.[211] However, whilst such a label has endured, it has also been criticised for creating an unnecessary binary between the online and the offline.[212] This is a drawback that originator of the term Howard Rheingold himself has noted.[213] As one of the principles underpinning this thesis is that distribution networks should be examined in relation to each other, then such a distinction is worth avoiding. Indeed, according to Henry Jenkins, community is increasingly about common interest rather than geographical proximity.[214] And as Benedict Anderson so astutely observed, 'communities are to be distinguished, not by their falsity/genuineness, but by the style in which they are imagined.'[215] As such it is the process of imagining community that is key, and I will return to this idea in a moment.

Whilst the term 'virtual community' might appear to transcend the geographical shackles of physical communities, it is nonetheless defined in acutely spatial terms by the ties it implies to some manner of virtual environment, such as a mailing list or forum. Indeed, it might at first appear that such a connection would be rather apt for the forums under examination in this thesis for they are, in the main, connected through interactions that are mediated through a central hub, the forum. Furthermore, they are connected by a shared fandom of East Asian cinema and so they could also be said to adhere to Matt Hills's concept of the 'community of imagination'. Such a community 'is less interested in itself as a community *per se*, than in constantly confronting and refining the relationships between individual fans and the text as object of fandom.'[216] One could easily apply such an idea to the forums in question here for the individuals are brought together by a

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[211] Harold Rheingold, *The Virtual Community: Homesteading on the Electronic Frontier,* 2nd ed. (Cambridge, MA: MIT Press, 2000).
[212] Matt Hills, "Virtually Out There: Strategies, Tactics and Affective Spaces in Online Fandom," in Sally Munt *Technospaces: Inside the New Media* (London: Continuum, 2001), 151.
[213] Rheingold, *The Virtual Community,* 362.
[214] Henry Jenkins, *Convergence Culture*: *Where Old and New Media Collide* (London: New York University Press, 2006), 27.
[215] Benedict Anderson, *Imagined Communities: Reflections on the Origins and Spread of Nationalism* (London: Verso, 1991), 6.
[216] Hills "Virtually Out There," 154.

wish to share and discuss a single object of fandom, East Asian films.

However, if we return to Anderson's idea that community is defined by how it is imagined, then Hills concept of the 'community of imagination' becomes less applicable because, although initially brought together by their fandom, the forum members are primarily concerned with community participation. Furthermore, in the forums discussed in this thesis the individual members imagine their community to exist beyond the forum itself and beyond the virtual, and thus the term virtual community becomes equally inapplicable. Indeed, I would like to re-orientate attention away from both the spatial existence of the community and the object of fandom and point towards the knowledge that circulates within such communities. Pierre Lévy's concept of 'knowledge communities', though rather idealistically conceived as non-hierarchical, is important for foregrounding the role of knowledge in the process of imagining a shared community.[217] For the communities discussed in this thesis, the fundamental factor that cements their position as knowledge communities is the fact that they revolve around the circulation of knowledge about East Asian cinema. Utilising the term 'knowledge communities' allows the notion of an imagined community to include both the online filesharers and the industry professionals rather than positioning them as existing in different realms of the virtual and the physical.

The exact manner in which both channels of distribution might be understood as imagined knowledge communities is examined in more detail in the following chapters, but suffice to say that an understanding of community is required that recognises that the act of imaging community is intimately tied to the production and circulation of knowledge *about* the film texts (and the mechanisms of their production, distribution and exhibition) as well as the dissemination of the texts themselves. Thus, the term imagined knowledge community is applied within this thesis.

This chapter has outlined research on East Asian cinema, film distribution, cultural intermediaries, piracy and filesharing. During this analysis it has become clear that studies of East Asian cinema rarely consider the question of film distribution, and indeed, it has become apparent that even within film studies, distribution is a field of interest that requires further development. Although there is some work on how Hollywood films are theatrically distributed, little attention is paid to non-theatrical

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[217] Pierre Lévy, *Collective Intelligence: Mankind's Emerging World in Cyberspace* (Cambridge, MA: Perseus Books, 1997), 20.

methods of distribution and the distribution of non-Hollywood films. There is also little work that considers how formal and informal channels of distribution intersect and interact. This lack of inquiry suggests that this research can complement the existing work on distribution and go some way to creating a wider picture of the role distribution has in the film industry at large. Furthermore, by considering distribution both online and offline this thesis moves into new territory and away from an understanding of the interests of professional and online distributors as necessarily oppositional. This thesis aims to develop a clearer understanding of how networks of distribution actually function and thus who wields power over the films from East Asia that are available, both commercially or online.

Despite the lack of research specifically concerning film distribution, considerations of the role of cultural intermediaries illuminates just how much influence these individuals and companies can have over the decisions that dictate which cultural commodities are circulated worldwide. What these studies have also contributed to this thesis is an understanding that the investigation of the independent professional distributors in question cannot be considered without a serious examination of the social and cultural context within which they operate and the emotional and symbolic significance of the films that they distribute.

The chapter has outlined a wealth of research into piracy and filesharing that overwhelmingly focuses on the extent to which piracy is ultimately harming or supporting the cultural industries. This thesis seeks to build on the work that asks for piracy and filesharing to be considered as a social and cultural activity that takes place within specific contexts. This thesis seeks to move beyond the polarising debates concerning whether the film industry as we know it is being destroyed by the spread of piracy or whether it is ultimately benefitting from it and instead consider the motivations surrounding distribution, whether these be profit-related or not.

This thesis seeks to examine how distribution functions in both online and offline settings and how decisions are made about which films to release. Furthermore, what aesthetic and economic criteria are of importance when making such decisions? Importantly, this thesis also considers whether there is any interrelation between online and offline distribution and how the actions of both parties might influence each other, over and above the usual financial concerns. As such, this work addresses a gap within existing research, for not only is film distribution in general neglected within academic enquiry, but no consideration is given to the variety of networks of distribution that exist in parallel and all have a part to play in dictating the films that circulate around the globe.

3. Methodology

As a research project concerned with formal and informal networks of distribution the methodological design had to take into account these diverse environments. The chapter is divided into two sections; the first examines the appropriate methodology for examining the working practises of film distribution personnel through interviews and the second explores the challenges of devising a methodological approach for conducting research online using virtual ethnography.

Professional Distributors

Through examining examples of other research into cultural intermediaries, it was decided to conduct in-depth semi-structured interviews with industry personnel. This particular interview method was chosen so as to allow space for the respondents to drive the focus of the conversation themselves and thus enabled the interview to probe into areas that I myself might not have considered in advance.[218]

There are precedents for the use of interviews in studies about how individuals actually perceive their own work and their position within the cultural industries. For example, David Wright's enquiry, 'Mediating Production and Consumption: Cultural Capital and 'Cultural Workers'',[219] uses interviews with staff from British chain retailers to consider the role of the bookseller as cultural intermediary. Because Wright was primarily concerned with investigating how the employees actually perceived themselves and their role within the company, the use of interviews allowed the researcher to examine such details. In a similar vein, Gina Neff, Elizabeth Wissinger and Sharon Zukin compare the work of fashion models and new media workers through interviews with workers in both fields in order to consider how entrepreneurial labour is entwined with work identities in these industries.[220] The researchers used interviews in order to discover not only the way people worked, but also their overall experience of work within their sector. Through such interviews, Neff, Wissinger and Zukin found that these seemingly different cultural industries are connected by the fact that members of both consider their line of work to be 'cool'.[221] Therefore, workers in both new media and modelling would endure comparatively difficult and unpleasant working conditions because of this 'cool' image that accompanied work in their respective industries. In both

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[218] Simeon Yates, *Doing Social Science Research* (London: Sage 2004), 165.
[219] David Wright, "Mediating Production and Consumption: Cultural Capital and 'Cultural Workers," *The British Journal of Sociology* 56, no. 1 (2005): 105.
[220] Gina Neff, Elizabeth Wissinger and Sharon Zukin, "Entrepreneurial Labour Among Cultural Producers: "Cool" Jobs in "Hot" Industries," *Social Semiotics* 15, no. 3 (2005): 307.
[221] Ibid., 310.

cases, the use of interviews was invaluable when investigating how the respondents actually felt about their own experience of work in their respective industries.

Despite the positive aspects of employing interview techniques in order to get insight into the view that cultural employees have of themselves and their work, Nicholas Garnham has suggested a problem with the interview approach.[222] He considers that research into the cultural industries is too often concerned with the 'superficial glamour' of media industries and that the responses of interviewees should not be taken at face value. However, Angela McRobbie has countered this comment by suggesting that in her particular field of interest, fashion and fashion journalists, interviewing people is of utmost importance.[223] First, McRobbie suggests it is the only way to study such a dispersed and freelance workforce, and second, 'it is precisely the creative dimension, the self-promotion and also the sociological nature of "the glamour" that now ought to be focus of attention in studies of cultural workers'.[224] Therefore, how interviewees present themselves and the social context within which they work becomes as significant as the responses they give during interviews.

Another study that utilises interviews to examine how respondents perceive their work and role within the cultural industries is James Curran's work on literary editors.[225] In order to analyse how literary editors selected books for review Curran interviewed eleven literary editors of national newspapers and weekly periodicals in 1986 and 1999. It was this methodological choice that allowed Curran to investigate the editors' own perception of their decision making strategies. However, as discussed in the literature review, Curran was very critical of the responses given by his participants and suggests that it is important not to take interview responses at face value.[226] Interview techniques can be very effective if the researcher wants to consider how individuals view their own working practises and conditions, but they may need to be considered in conjunction with other methods if the researcher intends to go beyond the experience of the individual and consider the political, commercial and social factors that influence the individual and the decisions they make.

For this research, empirical data was collected through interviews in 2008 and 2009 with participants who have worked, and/or continue to work, in film distribution in London,

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[222] Nicholas Garnham, *Capitalism and Communication: Global Culture and the Economics of Information* (London: Sage, 1990), 11.
[223] Angela McRobbie, "The Return to Cultural Production Case Study: Fashion Journalism," In *Mass Media and Society*, 3rd ed., eds. Michael Gurevitch, and James Curran (London: Arnold, 2000): 255.
[224] Ibid., 255.
[225] Curran, "Literary Editors," 215.
[226] Ibid. 215.

UK. The focus of this research is the distribution of East Asian cinema in the UK and so the UK-based distribution company Tartan was used as a primary case study due to their focus on East Asian cinema, in particular their label “Asia Extreme”. However, during the research Tartan went into administration, an event that could be interpreted as highlighting the precarious nature of independent film distribution in the UK However, regardless of the claim that film distribution is a volatile industry, the study participants have all (with one exception) secured subsequent employment at various different companies either in distribution or closely connected to the film distribution process. All of the participants in this study had worked at Tartan at one point in their careers.

One of the interviews took place whilst Tartan was still trading and the others were conducted after the company folded and when the individuals concerned had moved on to alternative employment. Although Tartan will be the main focus of this research, the case of Third Window Films will be considered in some depth to enable comparisons to be drawn between the companies. Third Window Films is a one-man company run by Adam Torel, an ex-Tartan employee. Third Window deals exclusively with the distribution of little-known East Asian films in the UK market and was founded by Torel in 2005. Third Window was chosen as a secondary focus for this thesis after the interview with Torel established that Third Window might represent an alternative acquisition strategy to that employed at Tartan.

The following section outlines the participants interviewed, their roles at Tartan and their subsequent work in the film distribution industry. The majority of the individuals consulted have continued to work in the distribution sector in some sense; either in the distribution department at a larger organisation, running their own distribution company, working in film marketing or in DVD sales. Only one individual had not been re-employed in the distribution sector at the date of last contact. All participants were happy to be named in the study and did not request that pseudonyms be used.

The choice of participants largely reflects those individuals who were willing to take part in an interview. The process of soliciting participants was particularly complicated by the fact that the fieldwork was conducted in the years during and immediately after Tartan’s liquidation. The interview with my initial participant was conducted at least six to nine months before the other interviewees. This was because it was particularly difficult to both locate and contact ex-Tartan employees once the company had folded. As the following discussion illustrates, my initial contact put me in contact with my next interviewee, who in turn put me in contact with the next respondent and so on. In other

words, a 'snowballing' technique was adopted. Indeed, only those individuals that I was put in contact with through personal recommendation responded to my request for an interview. However, as the company was no longer trading the interviewees were generally not in contact with their former colleagues and so could only provide me with contact details for one or two ex-colleagues each. Furthermore, although positive responses to my request for an interview only came through a personal recommendation, many of the individuals I contacted in such a manner also never responded to my request.

Ideally, the sample would not have been so reliant on each interviewee acting as a gatekeeper for further respondents. Had the interviews been conducted before Tartan went into liquidation then it might have been more straightforward to request interviews from a wider number of employees, as colleagues would have been in daily contact. Furthermore, it is possible to speculate that had the company been flourishing then people might have been more responsive to my request. As it was, those individuals I did interview were very clear about the fact that they did not want to, nor did they think it appropriate to, discuss Tartan's problems. Furthermore, they had each been contacted by the press about Tartan's demise and so were sceptical of any request to discuss the company. I had to make it abundantly clear to each interviewee that I was not interested in 'digging dirt' on Tartan before they would agree to be interviewed. As such, it seems safe to assume that other ex-Tartan employees may have been similarly sceptical of my motives and thus may have been disinclined to respond to my request so soon after the company went into liquidation. Had there not been time constraints on the fieldwork it might have been possible to interview a wider sample. Five ex-employees were interviewed, and whilst this is a relatively small number, it seems adequate when considering that Tartan only had around twenty employees at any one time.

The first person interviewed was Andy Bale. Bale had been employed by Tartan for just under two years and was still working for Tartan when the company went into administration. Bale participated in a total of two interviews, one whilst he was still employed at Tartan and one a couple of months after they had ceased trading. Bale worked in the Marketing Department and began working for Tartan having been previously employed at various film festivals. It was at one of these festivals that Bale met an employee of Tartan and subsequently applied for work at the company. Previously Bale had completed a degree in Film at Nottingham and had done his BA dissertation on one of Tartan's films. In this capacity he had tried to get interviews with people at Tartan who had been less than forthcoming and this was one of the reasons he was keen to assist me with my research. In his last role at Tartan, Bale was working in the Marketing Department and also carrying out various administrative duties.

Although Bale (and indeed the majority of my participants) had no input in acquisition decisions at Tartan, for the purposes of this research it was considered important to consult those not directly involved in the decision making process to gain both an objective and well informed perspective. As it became apparent that the decisions were only made by a select group of individuals, reducing my focus to those key players would have produced problems for my research and limited my study. Had I not managed to gain access to the key decision makers then the research would have fallen at the first hurdle, but it was through the interviews with individuals who did *not* make decisions themselves that an overall picture of how distribution decisions were made within the company began to emerge. Consequently, the strategy was to speak to individuals from all aspects of the company so as to get a well-rounded perspective on the decision making process.

Through Bale I was put in contact with Ben Stoddart, previously Operations Coordinator at Tartan. On leaving, Stoddart had moved straight into operations at Elevation. As a DVD sales company, Elevation is concerned with ensuring that retailers stock products from the companies Elevation represents. The sales department is responsible for this area, whilst 'operations' involves overseeing the production of stock and making sure it reaches the retailers. Elevation was bought by Optimum Releasing / Studio Canal and Lionsgate UK in May 2007.[227] This was following the buy-out of Optimum by Studio Canal in 2006. Elevation itself had been functioning as a DVD sales company since 2004. As a sales company owned by Lionsgate and Studio Canal/Optimum, Elevation has a special relationship with the companies whose products it is entrusted with promoting. As Stoddart suggests, 'we're not just a DVD sales company, we are owned by them (Lionsgate, Optimum/Studio Canal). Therefore there is a very vested interest in everything that happens'.[228]

Stoddart began working at Tartan after a chance encounter with the company's owner, Hamish McAlpine, whilst Stoddart was working at HMV in Harrods, having finished a degree in film two years previously. It was through this meeting that Stoddart applied for a job at Tartan, working first in Marketing before moving over to Operations. Operations involved sales comparisons and basically making sure stock was produced. Stoddart worked closely with World Cinema, the sales agents for Tartan, Artificial Eye, Yume and various other independent distributors.

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[227] 'Optimum Releasing / StudioCanal and Lionsgate UK Forming Joint Venture To Acquire Elevation Sales' *Optimum Releasing Website,* May 23, 2007, accessed 5 May, 2009, http://www.optimumreleasing.com/news_story.php?id=56.
[228] Ben Stoddart, Interview with Author, October 2008.

Through Stoddart I was put introduced to Phillip Hoile, who had also left Tartan when the company went under and had immediately gained employment in another arm of the distribution sector. Hoile had joined Tartan straight out of university having written his MA thesis on the marketing strategies surrounding *Old Boy* (Park Chan-wook, 2003) and *Shaolin Soccer* (Stephen Chow, 2004), released by Tartan and Optimum respectively. He gained an internship at Tartan through the contacts he had made in the marketing department whilst conducting his research for his MA thesis. Phil was the Press and Marketing Assistant at Tartan for approximately a year. At the point of interview his current role was at Organic Marketing where he is an Account Executive dealing with all facets of Organic's operations from PR to marketing and promotions.

All these individuals were employed by Tartan when the company folded. However, one of my respondents had actually left Tartan many years previously and had gone on to form his own distribution company, Third Window Films, which forms another major focus of this research. Adam Torel's name had been mentioned by various contacts, not least because Third Window Film specialises in East Asian cinema. However, Torel was largely recommended for being a general expert in this type of film as well as working to distribute it in the UK

Torel grew up in Florida and did a film history degree in Massachusetts. He briefly taught film history before returning to Florida to run a video store, Video Renaissance. Torel moved to the UK in 2001/2002 and some time later began working for Tartan. Having worked at Tartan for about a year Torel left and subsequently started his own distribution company in 2005. He runs the company alone and outsources for assistance with particular releases. Although Torel has a knowledge of his own selection criteria when buying for Third Window, his knowledge of the selection process at Tartan was, although very well informed, only second hand. This was true of all of my other respondents, but due to the nature of acquisitions in Tartan, only one or two people took part in the decision-making.

In Tartan's case this was the Head of Acquisitions, who from 2004 until 2007 was Jane Giles. Giles was interviewed whilst the Head of Content at the British Film Institute (BFI). Giles has been working in the film industry for over twenty-five years. Her first employment was in regional film theatre management before she moved on to the Scala Cinema as a programmer; she has moved between exhibition and distribution ever since, including working at the ICA, before ending up at Tartan. Previous to being employed in the industry Giles completed an MA in Film at the University of Kent, having

previously studied under such prestigious academics as Laura Mulvey whilst an undergraduate at the University of Reading.

Virtual Ethnography

In order to devise a method for studying online distributors it was necessary to consult previous research that would provide an insight into the practicalities of human subject research within a virtual environment. In this pursuit, the growing field of cybercultures was invaluable when trying to develop a virtual ethnographic approach to studying online communities. Broadly speaking, conducting a virtual ethnography involves transposing ethnographic methods to an online environment. Sometimes this approach is called cyberethnography[229] or netnography[230] and as with traditional offline forms of ethnography it 'is an inherently open-ended practice. It is based on participation and observation in particular cultural arenas as well as acknowledgment and employment of researcher reflexivity.'[231] The nature of the Internet allows researchers to study online communities simply by observing the activities of community members on message boards, forums, message lists and websites. Therefore, ethnography and participant observation have become common methodological approaches to studying online communities. As such, 'ethnography has come to occupy a central yet controversial position in studies of cybercultures'.[232] The benefits and pitfalls of this approach will be discussed as well as the controversial and ethical issues that must be considered by anyone conducting ethnographic research online.

One of the primary benefits of virtual ethnography is that in many respects the manner of data collection can be flexible and can be accommodated around other commitments. In some cases data gathering can even be automated. Marc Smith's work on Usenet demonstrates how the researcher can use software tools to gather information about activity online[233]. In Smith's case, he designed a software tool called Netscan to gather a stream of online Usenet messages and create and maintain a database of these messages categorized according to the subject header of each message. Obviously, not all data can be gathered in this way. But in many cases online interactions are recorded, and, if such records are not created automatically, then it is often possible for the participants to opt for them to be. In addition, online interactions are also often archived, meaning the researcher has the ability to gather information about activity that took

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[229] Laura Robinson and Jeremy Schulz, "New Avenues for Sociological Inquiry: Evolving Forms of Ethnographic Practice," *Sociology* 43, no. 4 (2009): 686.
[230] Robert V. Kozinets, "The Field Behind the Screen: Using Netnography for Marketing Research in Online Communities," *Journal of Marketing Research* Vol. XXXIX (February 2002): 61.
[231] Ibid., 62.
[232] David Bell, *An Introduction to Cybercultures* (London: Routledge, 2001), 194.
[233] Marc A. Smith, "Invisable Crowds in Cyberspace: Mapping the Social Structure in Usenet' In *Communities in Cyberspace,* ed. M. A. Smith, and P. Kollock, (London: Routledge, 1999), 196.

place some time ago.

Indeed, in some respects it can be suggested that with virtual ethnography 'data collection seems more a matter of deskwork than fieldwork'.[234] As such, from the comfort of one's own desk a variety of communities can be accessed and studied with relative ease. Jason Rutter and Greg Smith note a combination of advantages to such an approach: 'there are no complex access privileges to negotiate; field data can be easily recorded and saved for later analysis; large amounts of information can be collected quickly and inexpensively.'[235] The latter comments are undoubtedly true, but the question of access is not necessarily as straightforward. In fact, whilst access may seem straightforward, the ethics of such access is debatable and a cause for much discussion within the field. As Robert Kozinets suggests, ethical issues for virtual ethnographers 'turn on two nontrivial, contestable, and interrelated issues: (1) are online forums to be considered a private or a public site? And (2) what constitutes "informed consent" in cyberspace?'[236] The following section will briefly consider the discussions around these two issues and how they were confronted within this thesis.

The question of whether online forums represent public or private space has not been resolved within cyberstudies. Rutter and Smith suggest that in early cyberethnographic research 'a very naive perspective is taken to this problem, with authors arguing that online interaction in MUDs, newsgroups, and on listservs is public in an absolute sense that has little need for qualification.'[237] They make the further point that, even if we do decide that online forums represent a form of public space, it does not necessarily follow that all conversations that take place within that space are also public. They liken it to the idea that we cannot spy on people in cafés, restaurants or town squares and record their conversations for research purposes just because these conversations took place in 'public' spaces. Rather, they suggest that 'those involved have a recognition that their words and actions are viewable by others but this does not mean that everything that goes on in the groups is essentially public discourse and as such ethically available to the online researcher.'[238] Kozinets bases his understanding of the public/private debate on the idea that 'online forums dissolve traditional distinctions between public and private places, making conventional guidelines of anonymity, confidentiality, and informed consent unclear'.[239] Thus Kozinets concludes that because this debate cannot

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[234] Jason Rutter and Greg Smith "Ethnographic Presence in Nebulous Settings: A Case Study," *Paper presented to the ESRC Virtual Methods seminar series, Research Relationships and Online Relationships,* CRICT, Brunel University, (19 April 2002): 3.
[235] Ibid., 3.
[236] Kozinets, "The Field Behind the Screen," 65.
[237] Ibid., 8.
[238] Rutter and Smith, "Ethnographic Presence in Nebulous Settings," 8.
[239] Kozinets, "The Field Behind the Screen," 65.

be adequately resolved, the researcher must, rather than presuming the space to be public, assume the opposite and go about gaining informed consent from their participants. However, the process of gaining such consent is not necessarily straightforward and will be discussed further on in this chapter.

Initially, the websites under discussion within this thesis provided a simple answer to the question of whether they represented private or public space by having quite strict membership requirements. When the research began the forums were not open access and, furthermore, ordinarily one required a recommendation from an existing member in order to be granted membership. In addition, there were times when new members were accepted without recommendation during sporadic open membership calls. During these periods, the fact that the forum was allowing new members to join was advertised on similar websites. It was during one of these calls that I gained membership to one of the forums and through recommendation that I became a member of the second. The forums were both password-protected and required the user to log in on each visit. However, towards the end of the fieldwork for this research, these rules were relaxed and open membership was allowed, thus complicating the assumption that this was unequivocally private space. Because the fieldwork spanned periods of closed and open membership it was deemed appropriate to take account of the fact that many members would have joined the forums on the understanding that their interactions were only accessible within a closed community. Therefore, the forums were approached as if they were private even after the membership rules were relaxed.

The question of whether forums are public or private is not the only ethical consideration that needs to be acknowledged when conducting any form of research that deals with online communities. Kozinets suggests that 'the researcher should fully disclose his or her presence, affiliations, and intentions to online community members during any research… (and) ensure confidentiality and anonymity to informants'.[240] As such, Kozinets is making a stand on the issue of whether online research should be conducted in an overt or covert manner, another ethical issue that has sparked some debate in discussions of cyberethnography.

Within online ethnographic research there is a temptation to conduct covert research because it might at first appear unnecessary to inform your participants of your research in order to observe their online activities. As such, according to Dhiraj Murthy, 'digital

[240] Ibid., 65.

ethnographic work reveals a disproportionate number of covert versus overt projects.'[241] Arguably, the fact that online research can be conducted covertly is possibly one of the most appealing aspects of this type of research. This has lead commentators to suggest that virtual ethnographers 'are professional "lurkers": The uniquely unobtrusive nature of the method is the source of much of its attractiveness and its contentiousness.'[242] However, simply 'lurking' on message boards is a technique that is widely condemned by virtual ethnographers. [243]

Conducting overt research not only has ethical advantages, but it is also helps to facilitate the process of gaining the support and trust of one's participants. As Denise Carter explains when reflecting on her own research 'presenting myself as both open and informative professionally was essential to the process of building a rapport with them.'[244] Such openness is undoubtedly necessary when one wishes to build trust during research. In the case of this thesis, announcing my own intentions was initially a painful process and many of my prospective participants were understandably wary of my intentions. Rutter and Smith suggest a solution to this problem in the form of face-to-face interviews, which they found invaluable when some of the members of the community they wished to study were hostile. They found that those individuals who had met the researchers in person were later able to vouch for them in the community.[245] Such an approach was not practical for this study, but the participants from my pilot study performed a similar role to the face-to-face interviewees from Rutter and Smith's study. As such, these initial respondents became invaluable as gatekeepers to the rest of the community.

The ease with which one is able to 'lurk' in online environments raises even more problems than the question of how ethical one's behaviour might be. Even having decided to conduct overt research, it can prove difficult to announce one's presence in an environment where lurking is often the default position. Indicating to the members what one is doing and obtaining informed consent can be problematic and there are no strict guidelines on how this might be achieved.[246] As Stephen Webb points out 'consent often cannot be obtained from participants in virtual environments',[247] and this can pose a rather sticky problem if one wants to carry out ethical research.

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[241] Dhiraj Murthy, "Digital Ethnography: An Examination of the Use of New Technologies for Social Research," *Sociology* 42 (2008): 839.
[242] Kozinets, "The Field Behind the Screen," 65.
[243] Murthy, "Digital Ethnography," 840.
[244] Denise Carter, "Living in Virtual Communities: An Ethnography of Human Relationships in Cyberspace," *Information, Communication and Society* 8, no. 2, (2005): 153.
[245] Rutter and Smith, "Ethnographic Presence in Nebulous Settings," 6.
[246] Robinson and Schulz, "New Avenues for Sociological Enquiry," 693.
[247] Stephen Webb, "Avatarculture: Narrative, Power and Identity in Virtual World Environments," *Information, Communication and Society* 4, no. 4, (2001): 567.

Rutter and Smith raise the issue that virtual communities are not static: people join and leave on a regular basis. As such, they question how informed consent can be gained under such circumstances: 'do we opt for maintaining the letter of the law with regular postings that announce our research identities…[and] our presence as researchers or do we, after a general announcement of our presence, slip into a more naturalistic mode?'[248] The answer that Laura Robinson and Jeremy Schultz provide to this question is that 'in addition to announcing initial arrival, cyberethnographers must also remind newcomers of their presence in case they miss the original message signaling entry.'[249] However, it must be questioned how practical this approach is because it raises the question of how often and how many times one should announce one's presence and intentions. If the research is to be carried out over a number of years (as with this study), how might such continual announcements affect one's position and status within the community? Rutter and Smith have suggested that to keep announcing your research may be disruptive for the community, whilst acknowledging that failure to do so would mean that the responsibility would be placed on the shoulders of the unwitting participants to read the original post about the research.[250]

In the end, Rutter and Smith came up with an interesting solution to this difficult problem. They used their signature to briefly mention their research and provide a non-personal contact email address.[251] Thus, every time they posted a message to the forum it would be clear who they were and what they were doing. However, a similar approach was not adopted within this research, because it was decided that such an action would only highlight one's purpose during certain discussions and would not otherwise flag my presence. It was deemed that such an approach would have a limited level of effectiveness. Furthermore, within this research, forum interaction did not include regularly posting to the discussion threads and so a signature indicating research intentions would have had a limited impact.

The approach that was finally devised to obtain informed consent involved multiple strategies. First, a discussion thread was started detailing the research intentions with details of the researcher's credentials and affiliations. Second, the administrators on each message board were contacted and asked for their permission to conduct research on their board. Third, on the discussion thread, a request for volunteers to take part in interviews was posted. For each interviewee, verbal consent was obtained at the start of

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[248] Rutter and Smith, "Ethnographic Presence in Nebulous Settings," 7.
[249] Robinson and Schulz, "New Avenues for Sociological Enquiry," 693.
[250] Rutter and Smith, "Ethnographic Presence in Nebulous Settings," 7.
[251] Ibid., 7.

each interview. Finally, if individual forum discussions were identified as particularly pertinent to my research then the members concerned were contacted and asked for permission to use their discussions. Having established a strategy for seeking informed consent from the participants it was also important to be mindful of how their anonymity might be safeguarded in an online environment associated with activities that might be illegal.

Many members of both forums were suspicious of the request to participate in the study and a debate erupted concerning the motivation behind the research. Some members thought that they were being spied upon so that reports could be made to the movie studios about their activity. Others questioned more generally why this researcher was 'invading' their community. Furthermore, many individuals questioned how their community had been 'found' at all, believing, as they did, that their forum was not subject to the scrutiny of any passing 'tourist'. As such, the issue of assuring anonymity for my participants was even more acute due to the perceived hidden nature of their community.

Webb makes the claim that in online environments the anonymity of participants is 'guaranteed and protected, since individuals invariably do not give their 'real' name but choose to characterize themselves under a name that forms a protective virtual disguise.'[252] Webb makes note of the fact that the participants choose a variety of names that generally bear no resemblance to their 'real' names. He suggests that if their online names do have some sense of being 'real' names they are more often than not literary or film references. Such a preference for adopting the names of famous people and film or literary characters can also be noted amongst the participants in my own research. Webb further points out that individuals can contribute to their own personal biographies, but that most of the time people do not fill in this information and, if they do, it does not reflect their true identities. Again, a similar trend can be noted amongst my participants. However, as Carter points out, quite often, one's virtual identity *is* one's identity online and so the information one uses online is in effect their 'real' name because the handle one uses online tends to be consistent across the various forums and message boards that one might be a member of. As such, one's handle is a sensitive piece of personal information and not any sort of guarantee of anonymity.

As Carter points out,

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[252] Webb, "Avatarculture," 567.

> Entering my own nickname of dutypigeon into the Internet search engine Google returns 10 hits, each one specific to me. Dutypigeon is a very specific identity. The same search on my real name Denise Carter came up with over 180,000 hits, making personal identification impossible. This pattern was repeated when I used the names of my informants.[253]

If one wishes to protect the anonymity of one's participants then care must be taken not only to provide pseudonyms for individual members, but for the communities they inhabit as well. As Sarah Gatson and Amanda Zweerink suggest, 'it is questionable how anonymous ethnographic sites have ever been…also, some field sites are more inherently 'knowable' or 'known' than others.'[254] It has to be acknowledged that there are in reality only a small number of English-speaking filesharing forums dedicated to East Asian cinema. As such, I had to be particularly careful about keeping identifying details to a minimum so that the communities in question, and thus my participants, cannot be identified. Furthermore, pseudonyms were provided for the communities and they are referred to within this study as *Chinaphiles* (*CP*) and *Eastern Legends* (CL). This issue obtains a greater resonance when it is considered that many of the members of the site may be engaged in illegal activities, as the site is, after all, dedicated to the sharing of material that is under copyright restrictions. Furthermore, when I initially announced my presence there was some consternation in the resulting discussion thread concerning how a researcher had been able to find their community, which the members very much considered a closed and hidden community. As it happens, it was remarkably straightforward from my perspective to 'find' them and gain membership.[255] Regardless of this, the significant factor was that the forum members *felt* hidden, however illusory that perspective was. As such, it remained beholden upon the researcher to maintain the anonymity of community members.

Another issue relating to anonymity that is peculiar to virtual research is the fact that the object of one's study may well keep an archive of conversations, which might then be searchable through any search engine. Robinson and Schulz warn that 'if an ethnographer harvests textual data from such a fieldsite and quotes respondents verbatim, it is theoretically possible for any reader to find the real identity of the person quoted thanks to sophisticated search engine technologies'.[256] With this peculiar facet of online research in mind, it was decided that only one to one interviews would be directly

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[253] Carter, "Living in Virtual Communities,"153.
[254] Sarah N. Gatson and Amanda Zweerink "Ethnography Online: 'Natives' Practicing and Inscribing Community," *Qualitative Research* 4 (2004): 182.
[255] It will not be revealed how the forums were actually located because such information might jeopordize the anonymity of the participants.
[256] Robinson and Schulz, "New Avenues for Sociological Enquiry," 693.

referred to. All other work is paraphrased so that it cannot be linked back to anyone or any website in particular.

Another issue worthy of consideration is the complicated nature of analysing the text-based asynchronous conversation that makes up so much of the Internet. As virtual ethnography 'is based primarily on the observation of textual discourse…informants therefore may be presumed to be presenting a more carefully cultivated and controlled self-image.'[257] It is necessary to be wary of this when analysing the interactions that take place within online communities. It could be argued that in any situation when one is interacting with a research participant, or indeed people in our day-to-day lives, those individuals are considering and acting in accordance with their own managed self-image. However, in interviews or focus groups the participant often has to think on their feet, will not have their responses prepared and the researcher has the benefit of being able to read and interpret body language as well as speech. Online participants, on the other hand, often have as much time as they wish to think about and carefully craft a response to discussions taking place online. This is not to say that every individual will take such an opportunity to consider carefully his or her online discussions, but the possibility is there and any virtual ethnography needs to be mindful of this.

Online Methodology

Robinson and Schulz suggest that virtual ethnography is a fluid methodology that has adapted itself to the corresponding changes in online environments and computer mediated communication (CMC). They have identified various phases in the development of cyberethnography, which they refer to as *pioneering*, *legitimizing*, and *multi-modal*.[258] The first cyberethnographers, those that Robinson and Schultz describe as *pioneering,* saw online space as distinctly different from offline space. In particular, 'these first studies conceptualized new media as offering a space of identity play and deception.'[259] In contrast, the *legitimizing* cyberethnographers were more concerned with emphasizing that online and offline space was more similar than previous studies had accounted for. Legitimizing ethnographies started seeing online personalities as extensions of our offline selves, rather than separate online identities.[260] They finally suggest that with the development of web 2.0 ethnographers find themselves grappling with the methodologies required to research online worlds that are not primarily text based, but require the 'methodological tools necessary to examine visual, aural, and

[257] Kozinets, "The Field Behind the Screen," 64.
[258] Robinson and Schulz, "New Avenues for Sociological Enquiry," 686.
[259] Ibid., 686.
[260] Ibid., 686.

other non-text outputs.'[261]

As with the legitimizing ethnographers to whom Robinson and Schultz refer, this research is intimately concerned with the notion that online space is not necessarily distinct from offline space. As Robinson and Schultz suggest, 'it is often inappropriate to examine online communication in isolation because face-to-face and mediated interaction do not take place in dichotomous realms that obey totally different logics.'[262] This is not to say that we must consider the activities of the online distributors in all parts of their lives. As Webb suggests, 'just as one might conduct an ethnography of work place relations without following participants home at the end of the factory working day, one can assume a similar perspective in relation to virtual environments.'[263] However, it is the online network, rather than the individuals that inhabit it, that should not be seen as distinct from the offline network, especially considering that there may well be some overlap between these spheres. As such, the major methodological choice was to examine how the distribution of East Asian cinema functions through an examination of both online and offline networks of distribution.

This thesis is based on an ethnographic-style study of two different filesharing forums that specialise in East Asian cinema. When discussing these communities, this thesis will focus on generic rather than specific features of these forums so as to protect the anonymity of the participants. Furthermore, they will be referred to as *Chinaphiles* (*CP*) and *Eastern Legends* (EL) throughout the study, not only so that the forums themselves cannot easily be indentified, but also to distinguish the forums from each other. As of July 2009 the *CP* board had 64,502 members and the *EL* forum declared 55,084 registered users as of January 2010. However, as will be discussed in more detail in chapter four, the registered membership of each forum far exceed those members that could be said to be active forum participants. Furthermore, another issue that will be discussed at some length in the following chapter is the fact that each forum judges participation in differing ways. On the *CP* forum participation is judged according to length of membership and frequency of posting. On the *EL* forum on the other hand, activity is assessed in relation to a user's upload/download ratio.[264]

Interviews were used in order to probe more deeply into how each filesharer views their own decision-making practices whilst acknowledging that the responses of each

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[261] Ibid., 692.
[262] Ibid., 692.
[263] Webb, "Avatarculture," 567.
[264] This is the amount of data each forum member has uploaded through the forum in relation to how much they have downloaded. If a user downloads more than they upload then they risk being warned by forum administrators or even banned from the community entirely.

participant cannot be divorced from the social context in which the responses were provided. To this end, the use of ethnography in the online environment assists the interviews and enables the researcher to 'get to know the particular norms and understanding of the group and learn to interpret participants' identity performances in the same way that participants themselves do'.[265] Through the triangulation of such methods a more detailed examination of what the respondents say and also the norms and conventions of their social context can be provided. Each online interview was semi-structured and conducted using Internet Relay Chat (IRC) software. When using IRC, the user downloads the software,[266] which allows them to access chat rooms (channels) located on a server. Individuals set up rooms (channels) with online and offline friends and it is then possible to have private chats within a room. The use of instant messaging software like Aim or MSN Messenger was considered but IRC was used in the end at the request of the participants because it allows a greater level of anonymity.

The use of IRC software to conduct online interviews brings with it some practical benefits. First, in IRC there is a visual record of the conversation that has taken place on the screen. It is then possible to cut and paste the interview transcript into another document when the interview has finished. Therefore, there is no need to transcribe interviews, which is both a time saving benefit and also eliminates the possibility of transcribing errors. Second, it allows for a real time interview to take place, unlike other virtual research methods such as e-mail where the participants and researchers experience an inevitable time delay between questions and responses. Third, it is possible to access supporting materials quickly and easily by virtue of being online whilst conducting the interviews. Participants would often refer to websites throughout the interview to elaborate on points they were making or to back up their claims. It was very straightforward to look at these links whilst the interview was taking place without losing the thread of the conversation. Finally, utilizing IRC allows for a greater level of anonymity than other instant messenger software such as AIM or Microsoft Messenger. To utilise such software one has to log in with an e-mail address, which itself will often be tied to real life information about an individual. Also, because the participants were able to choose their own 'venue' for the interview, they were put at ease. They chose chat rooms that they would ordinarily visit and so did not feel their anonymity would be breached and felt at home in the (virtual) environment. This last benefit was of particular importance to the respondents in this research, because it had taken time to build up their trust due to the illegality of the activities the community was concerned with.

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[265] Lori Kendall, "Recontextualising "Cyberspace": Methodological Considerations of On-line Research," In *Doing Internet Research: Critical Issues and Methods for Examining the Net*, ed. S. Jones, (London: Sage, 1998).
[266] Some of the more popular chat clients are mIRC, Pirch, and Virc for Windows and Homer or Ircle for Macs.

As with the professional distributor interviews, the choice of online distributor interviewees was again largely dictated by those that were happy to be interviewed. Many more individuals were approached than agreed to take part in the study. As such, the interviews themselves reflect those members of the community that were interested in talking about their activities, and the limitations of such a sample must be acknowledged. The sample was chosen in two ways. First, a message was posted onto each forum announcing my presence and intentions and requesting volunteers. This request was met with some scepticism although it did result in two forum members agreeing to be interviewed. These were Jo, a member of both forums, and Sills, from the *Chinaphiles* community. When this approach seemed less than fruitful it was decided that key community members from each forum would be identified and then approached individually. On the *CP* community this involved contacting the thirty-eight highest posters, whilst on the *EL* community I approached the twenty individuals with the best ratio. This second approach elicited responses from Naxx and Kolo from EL, and Ancient from *CP*.

It should be mentioned at this point that whilst there are two types of board, there are also two types of distributor. *CP* deals with films from a variety of sources and so distributors can be split into two distinct types, defined in this study as 'intermediary' and 'autonomous' distributors. The intermediary distributors are those who obtain releases from other forums and post the links within the *CP* community. Burble, Mibit and Helo are all examples of such distributors on the *CP* forum. Sills and Ancient were distributors of this type who agreed to be interviewed. Then there are the individuals that this study is most concerned with, the 'autonomous' distributors -- those who obtain the films themselves and encode and share them within the community. Sills is an autonomous distributor on the *CP* forum, as well as being an intermediate distributor. However, as the *EL* forum deals exclusively with DVDs, it has a much higher level of autonomous distributors than *CP*. Examples of key autonomous distributors on the *EL* forum include Jo, Quinn, Vetig and Mellin. Jo, Kolo and Naxx were autonomous distributors who were interviewed for this thesis.

Although this thesis explicitly concerns distribution it must be noted that not all members of either forum would necessarily fit into my autonomous/intermediary distributor categories. Nonetheless, these individuals might be important contributors to the forums in other ways through regular forum posts (*CP*) or by sharing the files they had downloaded with other users (*EL*). Particular key contributors to *CP* forum discussions were Fester, Solo, Mollow, and Fishtank. In addition, Opilit, Luccio and Koil act as moderators for the forum along with intermediate distributors Mibit and Helo. Some of

the most vocal forum members are Helo, Ancient, Burble and Fishtank. These members represent the longest standing members; they are also often rude and aggressive during threads. Indeed, the *CP* forum is generally quite a hostile place; there are often arguments amongst the community members and new members have to work hard to be accepted by the key players. Within the *EL* community the situation is quite different and discussions are not so dominated by a few key individuals, nor are they as unpleasant. Administrators on the forum are Maloi and Vertig, but they are rarely required to keep the peace.

This chapter has considered the methodological approaches necessary for conducting research both online and offline. Through the methodological questions raised by these two relatively separate but interconnected spheres of film distribution the need to engage with what McRobbie calls a 'multi-site' methodology within cultural industries research is highlighted.[267] McRobbie claims that interconnectedness of sites of cultural production means that it becomes increasingly necessary to study multiple organisations in order to get a grasp of the processes at work within a single cultural industry. For example, music production is not only about music, but also PR, branding, advertising, distribution etc. In order to study a cultural industry such as the music industry all these sites of production have to be considered. Such an approach is not always practical, but becomes more and more necessary as the cultural industries comprise a highly interconnected web of companies all contributing to the creation of the final product. It is this interconnectedness that forms one of the central focuses of this study. This work aims to fill the gap left by other work by focusing on the space between production and consumption. However, it also identifies and explores the fact that the cultural industries themselves no longer represent a monopoly over the cultural intermediaries and gatekeepers that populate the cultural spheres. As such, this research represents a multi-site methodology by considering distribution both online and offline through the use of in-depth interviews and virtual ethnography.

[267] McRobbie, "The Return to Cultural Production," 255.

4. The 'Imagined' East Asian Film Fan Community

This chapter outlines the findings of online ethnographic-style research that explores the online dissemination of East Asian cinema through English-language filesharing forums. This chapter asks how these filesharing communities function and how filesharing activity is internally constructed and policed within this context. In doing so, I argue that an examination of these forums indicates that they are about far more than filesharing alone and are imagined and constructed through the perceived existence of a shared ethos of sampling and reciprocity. During the process of imagining, the object of fandom itself fades into the background as the 'community' takes centre stage. Furthermore, these communities maintain ethical codes and belief systems that contribute to their process of imaging themselves as distinct from the 'pirates' who are constructed as solely concerned with the for-profit distribution of tangible goods.

I argue that the codes and conventions that govern these forums correspond to Anderson's observation that 'communities are to be distinguished…by the style in which they are imagined'.[268] As such, the act of imagining the communities in question is simultaneously born of these rules and conventions and also shaped by them. That is, it is the presumed existence of a coherent ethical stance on specific issues on the part of the forum members that allows them to imagine the boundaries of their community. In turn, it is the fact that the community is imagined according to notions of shared goals that allows the imagining of the community to transcend the confines of the registered membership of the forums and extend to include anyone, amateur or professional, who the forum members deem to be engaged in active promotion and distribution of East Asian cinema.

However, it must be noted that it is those who have the ability to shape the community rules and conventions that hold the true power within the forums. Thus, through invoking Pierre Bourdieu's concept of symbolic power, this chapter also examines how certain individuals maintain their dominance within the community and dictate the boundaries through which their community is imagined through acts of 'symbolic violence.'[269] According to Bourdieu, 'symbolic power is that invisible power which can be

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[268] Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (London: Verso, 1983), 6.
[269] Pierre Bourdieu, *Language and Symbolic Power* (Cambridge: Polity, 1992), 167.

exercised only with the complicity of those who do not want to know that they are subject to it or even that they themselves exercise it.'[270] The *power* of symbolic power lies in its ability to construct reality in its chosen image. Symbolic power is enacted within symbolic structures or systems (art, religion, language), which 'can exercise a structuring power only because they themselves are structured.'[271] So, art, religion and other 'symbolic systems' are 'structured structures,' that is, they are able to govern the shape and appearance of the social world.

The chapter is split into three sections that assist in the broad mapping of the 'field,' in this case, filesharing forums. Bourdieu's concept of the 'field allows us to understand these forums as 'social arena[s] within which struggles or manoeuvres take place over specific resources or stakes and access to them.'[272] Grenfell suggests that the exploration of any field should begin with an examination of how it relates to other fields.[273] Thus, the existence of the forums within a wider filesharing 'community' as well as their relationship to other forms of piracy must be considered. In order to elucidate exactly how these particular communities function, and how that might correspond or contrast with other filesharing actions and communities, the first section of the chapter provides a brief history of filesharing before the findings from the two specific forums are examined in more detail. In doing so, a context is provided within which we might examine how these particular forums may be similar or distinct from other methods of filesharing and/or filesharing communities. This involves illustrating how online distribution has been understood and defined within this thesis, as well as briefly outlining what filesharing forums are and how they operate more generally. In doing so, it is also necessary to touch upon how filesharing as a phenomenon developed and how it has evolved over time. In doing so, it becomes clear that the community-based form of filesharing in evidence in these forums is but one of a range of contexts for filesharing and thus plays a key role in shaping the enactment of such activities in distinctly social terms.

As well as considering the context of the field, it must also be mapped 'in terms of its morphology, taxonomy, and the positions occupied within it.'[274] Thus, the second section of the chapter considers how symbolic power and capital are distributed and controlled

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[270] Ibid., 164.
[271] Ibid., 166.
[272] Richard Jenkins, *Pierre Bourdieu* (London: Routledge, 1992), 52.
[273] Michael Grenfell, "Working with Habitus and Field: The Logic of Bourdieu's Practice," In *Cultural Analysis and Bourdieu's Legacy: Settling Accounts and Developing Alternatives*, ed. Elizabeth Silva and Alan Warde, (London: Routledge, 2010), 22.
[274] Ibid., 21.

within the space. According to Jenkins 'the existence of a field *presupposes*, and in its functioning *creates* a belief on the part of participants in the legitimacy and value of the capital which is at stake in the field.'[275] Thus, drawing on Bourdieu's work on symbolic power and capital it is necessary to establish what is, and is not, valued within the particular field as well as the amount of capital each individual holds, and the distribution of power and capital within the wider group.

In doing so, this section considers how membership data is recorded and displayed within the forums in order to express how interactivity and participation are understood within each community. Kozinets's categorisation of forum members into tourists, minglers, devotees, insiders and lurkers[276] is employed to critically examine the variety of forms and levels of interaction that exist within both communities.[277] These categorisations are then used as a starting point to develop a new set of categories for the *Chinaphiles* forum, where membership is understood in terms of each member's written contribution to the forums rather than their presumed interest in the topic. The analysis of how members interact within each forum and how membership is constructed differently gives a sense of how these communities function and how they are distinct from one another and also other filesharing contexts. Furthermore, we can see how the more dominant forum members have the ability to 'structure the structure' of the forums, thus further reinforcing their own privileged positions within the community. Through policing the activity of others by restricting membership or exhibiting hostility toward new members, they engage in acts of symbolic violence within their communities; thus effectively dictating the boundaries of acceptable and ethical behaviour.

The final section of the chapter explores the 'perception' that the forum activities act as a method of sampling East Asian cinema rather than offering a direct competitor to legitimate channels of distribution. This understanding stems from the perceived existence of a community guideline that sharing within each community should be used as a form of 'not-for-profit' sampling of films rather than as a replacement for legal purchases. Furthermore, this perspective is presented by many of the more 'outspoken' community members as representative of a specific 'not-for-profit' ethical code that is

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[275] Jenkins, *Pierre Bourdieu,* 53.
[276] As well as being one of Kozinets' categories, 'lurker' is a commonly used term to describe individuals who are members of forums or message boards but do not contribute to the discussions.
[277] Robert Kozinets, "E-Tribalized Marketing?: The Strategic Implications of Virtual Communities of Consumption," *European Management Journal* 17, no. 3 (1999): 254.

unilaterally supported within the community. Thus, as some forum members spend time and money supporting East Asian cinema and developing extensive film collections, they believe that others within the community would feel a similar sense of responsibility towards the object of their fandom, and therefore they imagine the existence of a community-wide ethical code.

This culminates in an examination of how the community members in question are able to imagine their wider community as transcending the confines of the specific group to which they have registered membership. This imagination of a wider community is achieved through the perceived shared goal of circulating East Asian films to as large an audience as possible. As such, the imagined community of fans of East Asian cinema can include anyone who might have membership of the range of East Asian cinema websites and filesharing forums that exist online, or indeed anyone who is perceived to share the objective of promoting and facilitating the dissemination of East Asian cinema. This broadening of the imagined community allows the online distributors to include the industry as well as the fans, thus strengthening the self-perception of community members that there is a unilateral belief within their communities that their filesharing activities are beneficial and in harmony with the ultimate aims of the industry.

However, it must be acknowledged that the aforementioned 'outspoken' individuals maintain control over the dominant discourse within these forums and thus ultimately control the structure of their 'imagined communities'. In doing so, these individuals are able to present the illusion that reciprocity and sampling are dominant ideas within the community, regardless of whether or not they represent majority opinion on the issues. Thus, it is not with the accumulation of symbolic capital alone that power lies, but it is the action of using that capital to influence the ethics and mores of the community, that is to 'structure the structure,' that enables one to have true influence within the forum.

Before launching into these discussions it is important to briefly delineate what is meant by the term 'online distributors; and how these individuals might differ from the more general membership of the filesharing forums. The term online distributor is used here to refer to people who obtain copies of films (legally or illegally) and make them available to other members of online filesharing forums. This study refers to two types of online distributor that are active on the forums in question; autonomous and intermediary distributors. I have used the term 'autonomous distributors' to describe those who operate largely as individuals who rip, encode and share films within a specific

community. They are autonomous in as much as they are not members of larger 'release groups' who specialize in spreading copies of films through filesharing networks. 'Intermediary distributors', on the other hand, may be peripheral members of release groups, or more commonly, will simply share links to films that they have found on other forums. The process of being an autonomous distributor can be complicated, and the specifics of online distribution will be elucidated further in chapter six.[278] However, in order to sufficiently map the field, it is necessary to explain in general what online forums are, and in particular how filesharing forums work. From looking at the context and then the forums themselves, it is possible to discern how these forums differ from each other whilst both providing a distinct social context for filesharing. As previous research into this area has tended to focus on music rather than movies, the following discussion of filesharing forums and the way they work is compiled from a combination of the academic work on music filesharing, various online how-to guides about Internet downloading and the findings of this particular piece of research into the area.

A Brief History of Filesharing: From Napster to Rapidshare

Online forums[279] are particularly popular hubs for interaction over the Internet and filesharing is arguably becoming a mainstream activity. Indeed, the Motion Picture Association of America (MPAA) claims that 'nearly a quarter of the world's internet users have illegally downloaded a film at one time or another'.[280] Internet forums are ordinarily sections of a website where people come together to 'discuss' a variety of issues that are relevant to the focus of the website. It is often obligatory to create a membership account to participate in forum discussions, although non-members will generally be free to simply observe. Upon gaining membership, an individual chooses a username or 'handle' and is either given, or selects, a password. A user will then need to log in to their account in order to post (leave messages) within forum discussions, start new discussions or send and receive private messages (PMs). However, as it is not always necessary to have a membership account in order to view the topics on the forum, many more individuals than those who actually participate in discussions often use such forums, and such people are typically referred to as 'lurkers'.[281] When this research

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[278] It is also important to note that in order to share films within either forum, an individual must post a link onto the forum. Therefore, lurkers (forum members who have never posted) cannot, by definition, fit into my category of autonomous distributors on either forum. Lurkers may have good ratios within the EL community by sharing a sufficient quantity of films. However, as they have not posted links to films that they have re-encoded or subbed by themselves, they have not contributed to the pool of films that are shared within the community and, as such, do not fall within the categories of the intermediary or autonomous distributors analyzed within this study.
[279] Sometimes also referred to as messageboards.
[280] "MPAA Says 24% of Internet Users Download Pirated Movies" *The Guardian,* July 9, 2007, accessed May 5, 2008, http://film.guardian.co.uk/news/story/0,12589,1257726,00.html
[281] Thomas R. Lindlof and Milton J. Shatzer, "Media Ethnography in Virtual Space: Strategies, Limits, and

began it was necessary to have a membership account even to read the forums in question here. However, during the research, the membership rules on the *CP* forum were relaxed and the forum became viewable to anyone regardless of whether they were a member of the forum or not. Even after this change, it was still necessary to have a membership account in order to post a message to any forum thread or access the movie list. In general, both the *CP* and *EL* conform to the standard conventions of Internet forums and are not remarkable in terms of their general format and membership requirements.

A forum will generally have one or more administrators or moderators (commonly abbreviated to 'admins' and 'mods') who monitor the discussion threads and posts. Moderators deal with the day-to-day running of the forum and have the power to move or delete threads of conversation as well as to edit, remove or comment on posts. Administrators have the highest level of power: they have all the power of a moderator, but can also set permissions for other users, ban users or appoint moderators. Administrators will interject in discussions if members are breaking the rules of the forum. Commonly they will move discussions that are 'off-topic' for one particular section of the forum to a more appropriate area or monitor offensive behaviour.[282] There are five moderators and two administrators on the *EL* forum and these individuals are clearly indicated on an 'admins' page on the website. *CP*, on the other hand, does not advertise the identities of their admins and mods so explicitly, but such information is displayed under the user's avatar when they post to the forum. From examining such information there appears to be one generic account named 'admin' followed by another user, Opilit, who holds the title admin; mods for the whole site, Luccio and Koil; and mods for each section of the site. Again, a combination of mods and admins on such forums is quite commonplace.

A filesharing forum is a website, or part of a website, dedicated to posting links to downloadable files. Similar to other online forums, discussions can concern an assortment of topics relating to the focus of the website. In this case, both the *CP* and *EL* forums are split into sections, and more specific subsections, so the user can identify where to find and (if they wish) to participate in certain categories of discussion. First, both forums have a general discussion section that does not focus on any particular area of Asian cinema. *CP* contains subsections under the general discussion section,

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Possibilities," *Journal of Broadcasting and Electronic Media* 42, no. 2 (1998): 175.

[282] All information on the role of administrators and moderators obtained from forum discussions on *The Admin Zone.com*, Accessed May 5, 2008, http://www.theadminzone.com/forums/showthread.php?t=1401.

which allow users to discuss requests they have for movie releases or to request help and advice from other users when they are experiencing technical problems. *CP* has four further sections: release, subtitles, music and miscellaneous. The release section is split into genres and is where links to specific movies are posted. The subtitles section is split into two subsections which contain links to subtitles for releases and requests for subtitles for films that have either been released without subtitles or for which the users require subtitles in an alternative language to those provided. The music section has its own general music discussion subsection and also subsections for score and soundtrack releases, as well as East Asian pop music releases. The miscellaneous section covers everything that does not fit into the focus of any of the other sections such as anime and manga, East Asian television shows and games, and DVD extras and covers. *EL* has three further sections beyond its general discussion section: Asian media and entertainment, miscellaneous, and support. The media and entertainment section is split into music, movies, television, anime and manga, literature, games, and reviews subsections. The miscellaneous section is for mobile electronics, whilst the support section contains requests and technical support subsections.

Such a setup can be observed on other filesharing sites where a general discussion or introduction thread is followed by subsections relating to specific media or topics depending on the focus of the forum. Indeed, forums will quite often act as the gateway to connect individuals with the files that they wish to download. However, this is not always necessary, and, as the following discussion illustrates, there are a range of ways of downloading files from the Internet that do not involve accessing or participating in filesharing forums. To get a more detailed understanding of the varying contexts and modes of 'sharing' files online and to give a context to the particular forums under examination, the following section will give a brief history of the development of filesharing.

Although downloading music and films illegally from the Internet is an increasingly widespread activity,[283] filesharing can be quite specialized. Whilst some methods can be quite straightforward, other forms take place in closed communities and require the person downloading to have a reasonably detailed knowledge of numerous programmes and methods of encoding and decoding data, as is the case with the *CP* and *EL* forums

[283] According to a 2007 IPSOS survey cited by Federation Against Copyright Theft (FACT) on their website DVD/film piracy is said to be causing losses of over £486 million a year to the audio-visual industry as a whole. "Media Centre/Statistics", accessed June 1, 2011. http://www.fact-uk.org.uk/site/media_centre/DVD_seiz_0405.htm

discussed here. Indeed, specific websites such as Slyck.com exist to share news and expertise on filesharing and associated activities.[284] The specifics of this process will be discussed in more detail in chapter six, but the following section gives a brief overview of filesharing based on the existing work on music filesharing and digital piracy more generally. However, due to the rapidity of technological developments surrounding home computers and the Internet, it must be noted some of the information about the state of filesharing at the moment will quickly become out of date. Such a discussion will illuminate where the *CP* and *EL* forums are situated within this filesharing lineage.

Legal music download services such as iTunes have been available for some time, but the film industry has taken longer to exploit the Internet as a viable avenue for distribution and still seems reluctant to embrace online distribution on a global scale. However, film download and streaming services are beginning to emerge with Netflix dominating the market in the United States.[285] Netflix began their online film streaming service in the United States in 2007, but were still only *discussing* the possibility of entering the international market in 2010.[286] Meanwhile the UK postal DVD rental company Love Film increased their service to include online streaming of films (from a restricted catalogue) in March 2010.[287]

Through such services it is also possible to stream movies direct to a television through a games console such as Microsoft's Xbox 360 or Sony's PS3, or even directly to specific makes and models of televisions. Although a subscription model still applies when accessing Love Film's restricted catalogue, the major film studios have requested through their distribution deals with Love Film that recent and high profile films are only available on a pay per view basis.[288] Other Internet download services are available but most only offer a restricted catalogue and have yet to develop into a mainstream method of distribution.[289] The main source for legal film downloads in the UK appears to be Apple, who launched their movie download service through iTunes in June 2008 and are

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[284] Slyck Website, accessed July 8, 2011, http://www.slyck.com/
[285] Other examples of legal services are CinemaNow, Vongo, ifilm, Movielink, Movieflix, AtomFilms and iTunes video. Most of these services were only available to US customers as of March 2011.
[286] "Netflix Prepares for Another International Venture," *New York Times,* January 28, 2010, accessed March 22, 2011, http://www.nytimes.com/2010/01/29/technology/companies/29netflix.html?_r=2.
[287] Josh Halliday, "Amazon takes full control of Lovefilm" *The Guardian Online,* January 20, 2011, accessed April 27, 2011, http://www.guardian.co.uk/technology/2011/jan/20/amazon-buys-lovefilm.
[288] "Watch Online – General Questions" *LoveFilm Website,* accessed April 27, 2011, http://www.lovefilm.com/help/dyn_faqs.html?faq_cat=watch_online&editorial_id=9336.
[289] The online subscription service MUBI also allows users to download and stream movies over the Internet. http://mubi.com/, accessed June 1, 2011. They are also a discussion forum and specialise in independent and art house cinema. Cinebox http://www.moviemail-online.co.uk/cinebox/, accessed April 27, 2011, and Blinkbox http://www.blinkbox.com/, accessed April 27, 2011, offer a similar service to Love Film and also started out as postal DVD rental services.

able to offer films from all of the major Hollywood studios except Universal.[290] What such a brief examination shows is that despite some movements in this area, there is still no obvious quick and easy legal film download service that has grown to prominence as the market leader in the UK.

However, if one wishes to download music, films and software over the Internet without paying for the privilege, there are a range of alternatives, varying in terms of ease of use and popularity. One of the earliest and most high profile methods was Napster. Napster was 'the first easy to use filesharing programme to make mass distribution of music free'.[291] Launched in June 1999 it was a phenomenal success with over 20 million users by summer 2000.[292] At first this activity was confined to mp3s, but in April 2000 an add-on program called Wrapster was produced which enabled users to 'wrap' files in such a way that Napster identified them as mp3 files. 'Thus movies, pornography, and pirated software could be distributed taking advantage of Napster's popularity and reliability.'[293]

Napster became synonymous with illegal downloading and filesharing, but, in fact, Napster's system of having centralized servers that each user connected to meant that it could not fall under the title of filesharing proper (because files were being downloaded centrally rather than from peers) and also left it particularly vulnerable to attack from litigation. This was to be its downfall and Napster was eventually shut down in summer 2001 after legal wrangling in court with the RIAA (Recording Industry Association of America). Significantly in terms of this study, Napster facilitated filesharing through a computer programme and, whilst there could be a social element to the filesharing process, such activities were not routed through a specific forum or social hub as in *CP* and *EL*.[294]

After the fall of Napster, various other peer-to-peer (p2p) programmes competed to fill the void.[295] One such program was Kazaa, which, 'unlike Napster, did not play a hand in facilitating music-swapping… [One] could thus maintain that Kazaa was no different than

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[290] Olly Richards, "UK Finally Gets Apple Movie Downloads" *Empire Magazine Online,* June 4, 2008, accessed March 11, 2011, http://www.empireonline.com/news/story.asp?NID=226833.
[291] Jack Goldsmith and Tim Wu, *Who Controls the Internet?: Illusions of a Borderless World* (Oxford: Oxford University Press, 2006), 107.
[292] Bob Cotton, *Futurecasting Digital Media* (London: Pearson Education Limited, 2002), 25.
[293] John Alderman, *Sonic Boom: Napster, P2P and the Future of Music* (London: Harper Collins, 2001), 123.
[294] For a discussion of the social side of Napster see Markus Giesler and Mali Pohlmann "The Anthropology of File Sharing."
[295] p2p filesharing involves installing a program on a computer that allows users to search the files available on the computers of other people in the network. It is then possible to locate specific files and initiate a download directly from any other person in the network.

the VCR, photocopier, and any number of technologies that are used for both licit and illicit purposes.'[296] This made Kazaa an even greater success than Napster. Downloaded more than 319 million times by early 2004, it was by then the most downloaded piece of software in history.[297] Kazaa's main benefit, at least in legal terms, was that it did not have a centralised server; users searched the computers of other users and downloaded directly from them. This meant that Kazaa could not monitor the sort of files that their users shared and thus it was difficult to argue that the creators of the software could be held legally accountable for the files shared through their network. However, Kazaa's major benefit also turned out to be its undoing, because the fact that Kazaa did not have any way of controlling its users also meant that the network was not controlled or policed. 'By 2005, Kazaa users were weeding through a junkyard of corrupt files, deliberate fakes, and efforts to advertise porn sites that made the p2p experience a major chore.' [298]

After the collapse of Kazaa, yet more filesharing programs developed and vied for prominence in a growing market.[299] Such filesharing programmes typically connect to decentralised p2p networks such as eDonkey (eD2k) and Gnutella. Meanwhile, filesharing was being revolutionized by Bram Cohen's BitTorrent protocol.[300] This protocol involves breaking down the original file into small chunks. Therefore, each person downloading the file may be downloading the whole file as a series of smaller files from a number of other people (peers) at the same time. Bit Torrent also involves an individual installing software on their computer, but in this instance the user then downloads tiny (a few kilobytes) torrent files that contain information on how big the file is and where it is coming from.[301] After the user has downloaded the torrent file it can be opened using specific BitTorrent software[302] and the user can select the location on their hard drive that they would like the file downloaded to.[303] The BitTorrent software must remain open on a user's computer even when they are not downloading to allow others to continue to download files from the user's hard drive.

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[296] Goldsmith and Wu, *Who Controls the Internet?,* 111.
[297] Ibid., 109.
[298] Ibid., 119.
[299] Examples of filesharing programs/networks include: eDonkey, Overnet. Sheareaza, Limewire, Morpheus, Soulseek, eMule, Ares and BearShare.
[300] Clive Thompson, "The BitTorrent Effect," January 2005, accessed June 21, 2011, http://www.wired.com/wired/archive/13.01/bittorrent.html
[301] Bob Rietjens, "Give and Ye Shall Receive! The Copyright Implications of BitTorrent," (2005) 2:3 *SCRIPTed* 327 http://www.law.ed.ac.uk/ahrc/script-ed/vol2-3/torrent.asp.
[302] Examples of software include Azureus, BitComet, BitTornado and µTorrent. Each different piece of software has different functions but all allow users to download files using the BitTorrent protocol. There is also a BitTorrent plugin (something that allows additional functions within software) available with eDonkey.
[303] "Beginner's Guide," *Mooter's BitTorrent Guide*, accessed May 5, 2008, http://www.bittorrentguide.co.uk/torrentguide.html.

BitTorrent quickly caught on, with certain research claiming that in 2004 BitTorrent was responsible for 'one third of all traffic on the Internet'.[304] Indeed, the BitTorrent protocol is still being used on the *EL* forum and remains the download method of choice on high profile sharing sites such as *The Pirate Bay*.[305] It was at this point in the evolution of filesharing that the sort of networks used by the *CP* and *EL* forums started to come to the fore and that filesharing began to be routed through specific filesharing forums.[306] However, such forum-based filesharing demonstrated on *CP* and *EL* is by no means necessary and many sites that post links to downloadable files are not associated with a particular forum (for example, The Pirate Bay).

Whilst BitTorrent remains a prominent mode of filesharing, downloading movie files through *direct* download links to 1-click web hosting services like Rapidshare or MegaUpload is rising in prominence.[307] Indeed, it has been claimed that in 2008 'RapidShare alone… [was]…responsible for 5 percent of…worldwide Internet traffic.'[308] With 1-click web hosting services people pay to host files on the company's servers. Although this service is in principle legitimate and above board, these servers are also used to host illegal copies of copyrighted material. Although these are not technically p2p networks, links to hosting services such as Rapidshare often make their way onto filesharing forums; although the forums discussed in this thesis do not host such links.

Such new developments show that illegal downloading is not a uniform activity and is not fixed to one method. Academic work on Napster or The Pirate Bay tells us about these particular methods of filesharing, but the context of such activities is rapidly changing and there is currently no academic work on how DDL in particular fits into the evolving digital piracy debate. [309] However, DDL has not escaped the gaze of the industry and sites such as RapidShare are coming under increasing pressure to pay more attention to the files that are available through their services, although so far any

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[304] Simon Waldman, "Coming to a Hard Disk Near You," *The Guardian*, June 17, 2005, accessed May 5, 2008, http://film.guardian.co.uk/piracy/story/0,,1508465,00.html.
[305] The Pirate Bay Website, accessed July 8, 2011, http://thepiratebay.org/.
[306] The *CP* forum provides links to files available on the eD2k network and EL deals exclusively with torrents.
[307] Ernesto, "Filesharing Predicted to Double by 2015," *Torrent Freak* June 3, 2011, accessed July 8, 2011 http://torrentfreak.com/file-sharing-traffic-predicted-to-double-by-2015-110603/
[308] Hendrik Schulze and Klaus Mochalski. "ipoque Internet Study 2008/2009." Accessed 31 March 2011 http://www.ipoque.com/resources/internet-studies/internet-study-2008_2009
[309] See work by Andersson on *The Pirate Bay* and Giesler and Pohlmann on Napster, Jonas Andersson, "Peer-to-peer-based file-sharing Beyond the Dichotomy of 'Downloading is Theft' vs. 'Information Wants to be Free': How Swedish File-sharers Motivate their Action," PhD diss., University of London, 2010; Markus Giesler and Mali Pohlmann "The Anthropology of File Sharing; Consuming Napster as a Gift," *Advances in Consumer Research*, 30 (2003): 275.

criticisms of how the company polices the misuse of its service have not been upheld in court.[310] However, such legal battles have led to DDL services such as RapidShare being banned in certain countries.[311]

Whilst DDL is not a form of filesharing, the links to files are often posted on filesharing forums or other more general Internet forums. While such activity is not filesharing because the user who downloads the files is not simultaneously sharing with their peers, there may be a social context to their activity through the fact that links to files are often only available through membership of particular forums. Whilst each individual's engagement in the community may vary, there is nonetheless a potential for a social context to DDL downloading that is worthy of further examination. Whilst this falls out of the remit of this particular study, it is acknowledged that whilst the files shared on *CP* and *EL* are not DDL, the communities they circulate within may well have similarities.

The previous discussion of filesharing highlights the fact that this practice takes various forms and the social context for sharing is highly variable. Indeed, the very concept of filesharing arguably implies that the user is engaged in a process of giving as well as receiving, and thus further suggests a social aspect to the activity. However, even this very brief engagement with downloading demonstrates that *filesharing* cannot be applied as a universal term for all downloading behaviour. It is true that due to the nature of p2p filesharing anyone who downloads a film may also be sharing it at the same time. In this respect, one could argue that any member of a p2p network is in some ways also a distributor. However, it can no longer be claimed with any confidence that p2p represents the dominant form of downloading behaviour. Indeed, according to the 2008/2009 study by Ipoque, although p2p still generates the most Internet traffic on a global scale, it is nonetheless decreasing in prominence. Whilst BitTorrent remains the dominant protocol and eDonkey still retains its second place, both protocols have reduced in popularity whilst DDL file hosting has increased. Indeed, 'file hosting sites such as RapidShare and Megaupload generate a substantial amount of Web traffic – between 12 percent in Southern Africa and 44 percent in South America – contributing up to 10 percent to the overall Internet traffic.'[312]

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[310] Nate Anderson, "Atari's Copyright Attack on RapidShare Unplugged," *Ars Technica*, January, 2011, accessed July 8, 2011 http://arstechnica.com/tech-policy/news/2011/01/ataris-copyright-attack-on-rapidshare-unplugged.ars

[311] Enigmax, "Turkey Bans RapidShare and FileServe," *Torrent Freak* May 30, 2011, accessed July 8 2011, http://torrentfreak.com/turkey-bans-rapidshare-and-fileserve-110530/

[312] Schulze and Mochalski. "ipoque Internet Study 2008/2009."

Furthermore, it is a specific characteristic of downloading films that, even if users are sharing what they download, they are not actually increasing the range of films available online. Indeed, they are merely sharing those ones already being shared by others. In order for this sharing to take place someone must make the initial conversion of the DVD into a format that others can download. The conversion of DVD (vob) files into a compressed format suitable for download is generally more complicated than converting the songs on a CD to mp3s. Not only are music files smaller, but also most computer music players have the capacity to change uncompressed audio files that exist on a bought CD into the compressed mp3 format.[313] DVDs, on the other hand, come in an encrypted format and cannot be copied directly or converted to another format easily. The Content Scrambling System (CSS) means that specialist software must be used to copy DVDs and convert the film into the compressed video format (typically avi) which is easy to download. When file size was more of an issue before the development of the DVD, films were often re-encoded to fit onto a CD-R (700mb) so that the downloaded files could be easily burned onto a disk.[314] Some very long films (or films where image and sound quality were more of an issue) might be split into two CD-sized files, but it was (and arguably still is) relatively rare that films would be encoded to any other size. Due to the greater bandwidth available now there are some sites that are dedicated to sharing films in an uncompressed format. The *EL* forum is one such community, but this is quite a specialist activity.

This is not to suggest that all films originate in DVD format. Indeed, the source for original files can vary and often depends upon when and where the film in question was released. The following brief investigation of sources for films reveals a range of possibilities for filesharing in general, but amongst the forums in question only two of these methods were prominent; DVD sourced encodes and re-shares of Scene releases.

Through time spent analyzing activity on filesharing forums it is possible to identify roughly five types of release, all from different sources. These are: 'screeners'; 'telesyncs'; television rips; VHS rips; and DVD rips. This is not an exhaustive list, but

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[313] Although mp3 is the most recognised, there are actually other standards for music compression. Sony has its own standard (AAC) as does Microsoft (WMA). However, the mp3 format has become standard because most software will usually convert into mp3.

[314] Some DVD players are capable of recognising certain compressed video (avi) files and as such the burnt disk can sometimes be put directly into a DVD player and played back on a normal television. Furthermore, the compression of files to this size meant that they could be further shared on burnt disk. This capping of files to 700mb has continued despite the fact that memory sticks of various sizes have largely replaced CDs as the transport method of choice.

rather represents the dominant sources for online downloads. First, films that become available online *before* a film receives a theatrical release are generally called 'screeners' and are usually sourced from advance copies sent to journalists or award juries. Not all films become available this way and screeners are generally not perfect copies. They are almost always watermarked in some way that interrupts the viewing experience. This might involve sporadic scrolling messages reminding the reviewer who owns the film and that the copy is not to be circulated, or it may involve other actions that reduce the quality of the copy. For example, the picture may periodically turn black and white or a constant watermark of the production company's logo may obscure some of the image.

Second, when films have been released theatrically they may become available in 'telesync'[315] form. These are usually very low quality releases and are often only used on sites such as those examined here if there is no available 'screener'. Third, television rips are recorded from television directly onto a computer. This is more common with television programmes that would not ordinarily get a theatrical release anyway, are not being considered for awards, and have not been released on DVD yet. Fourth, VHS rips only occur from older films that have not received a DVD or Blu-ray release. These are also generally of very low quality due to the fact that anything in the VHS format degrades over time. The transfer from an analogue format to a digital one does not improve the quality unless the person transferring it has specialist equipment, which most autonomous distributors do not. It is significant that one of the most common sources of films for the distributors under discussion here is commercial DVD or Blu-ray releases. This is especially common with East Asian films in the West, as they have often not been given theatrical releases, VHS releases, or been shown on television outside their domestic market. Although Blu-ray rips are becoming a more significant presence within general filesharing, DVD remains the most common format for East Asian films due to the limited theatrical, television, VHS and Blu-ray releases of East Asian films. Generally, DVD is considered a good quality format and the most straightforward to obtain. The person initially sharing it does not need the contacts to get a screener release, nor do they need to go through the risky business of covertly filming in a cinema. The process of encoding the DVD into a compressed format for download may be time-consuming, but otherwise it is not as complicated as recording from television or transferring from VHS. Furthermore, on the *EL* forum, files are shared in the

[315] Recorded on a professional camera from the projection room of a cinema whilst the audio is recorded straight from the mixing desk. Paul Craig and Ron Honnick, *Software Piracy Exposed,* (Rockland, MA: Syngress Publishing: 2005): 165.

non-compressed DVD format (.vob), which involves even less effort on the part of the person uploading the film. What such a discussion demonstrates is that the tendency on the forums in question to share films that are sourced from DVDs is not particularly representative of other forms of filesharing, where the emphasis is on obtaining new films in screener or telesync form. The final possible source of films is in pre-encoded form from websites sharing Scene releases, such as the re-sharing I have referred to in this thesis as intermediary distribution. As such, a very brief discussion of the Scene is necessary in order to explain the origin of such files.

'The Scene', sometimes referred to as the 'warez scene' is, according to *The Guardian*, responsible for 'pirating 90 percent of the world's music, computer software and DVD movies'.[316] The 'Scene' is made up of various 'release groups', that is, 'clusters of individuals who work secretly in teams to illegally distribute digital goods'.[317] It has been estimated that there were over one hundred and forty release groups in 2005 and the way that these groups function is highly organised, although generally the members will have never met each other face to face.[318] Groups obtain movies from industry insiders that are then sent to the group's 'ripper' who strips out the copy protection. Either the 'ripper' or a separate 'encoder' then 'compresses and optimizes the video file into formats suitable for downloading and viewing on a computer or television screen'.[319] Then a 'distributor' places the file on a 'topsite' (secure underground server) before 'couriers' transfer the file to other 'distribution servers'.[320] Finally 'channel operators' announce that the films are available on IRC channels. Also instrumental in this process are 'administrators' and 'donators' who help by either purchasing or donating the necessary hardware or bandwidth, and 'group leaders' who run the entire operation. Once the films have been released on the IRC channels they filter down to filesharing sites.[321]

This highly organised form of filesharing often involves the online dissemination of theatrically released big budget Hollywood movies. As such, it is not the focus of this particular study (although further work in this area would be fascinating and highly valuable). The MPAA are aware of this highly organised type of filesharing and are

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[316] Tony Thompson, "Online Pirates Revealed as Robbers, not Robin Hoods," *The Observer*, April 25, 2004, accessed May 5, 2008, http://www.guardian.co.uk/uk/2004/apr/25/arts.ukcrime.
[317] J. D. Lasica, *Darknet: Hollywood's War against the Digital Generation*, (Hoboken, NJ: John Wiley and Sons, 2005), 50.
[318] Ibid.
[319] Ibid., 54.
[320] Ibid., 55.
[321] Ibid.

understandably concerned as it often focuses on sharing either new or unreleased films.[322] However, it is important to remember that the circulation of films before or just after their release is not the only type of filesharing. Indeed, this study is particularly concerned with the *individuals* rather than the 'release groups' who choose to share films within filesharing communities, because they are far more common within the communities in question. Scene releases were present on the *CP* forums, and were made available by those individuals that I have termed intermediary distributors. However, it is a specific requirement of the *EL* community that films are only uploaded in an uncompressed DVD (or more recently Blu-ray) format. As such, this community is only comprised of autonomous distributors; those individuals that make the initial transfer from DVD to a downloadable format.

The brief (and admittedly selective) history of filesharing provided has illustrated that the forum-based form of filesharing enacted on the *EL* and *CP* forums is only one of a range of methods of obtaining files over the Internet. Thus, these particular filesharing forums also exist in relation to the wider historical context of filesharing and The Scene. What such an examination of the field illustrates is that these forums provide a social context to the filesharing process, but that other forms of digital piracy, through software or direct download links, do not require the individual to engage in any social or community interaction in order to obtain the files they desire. Thus, when compared to other forms of filesharing, community participation (through forum discussion and sharing of files) and knowledge (of the community 'rules,' the technical aspects of filesharing, and East Asian film) become important forms of capital within the *CP* and *EL* communities.

Indeed, what the following discussion will illustrate is that, on the forums in question, being an active community member plays an important role in the filesharing process. Thus, whilst individuals can theoretically bypass the community to access the files, the communities themselves limit this possibility by having strict membership requirements and implying and enforcing both written and unwritten forum rules.

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[322] "The Pyramid of Piracy", *MPAA Website*, accessed May 5, 2008, http://www.mpaa.org/pyramid_of_piracy.pdf.

Chinaphiles (CP) and Eastern Legends (EL): Community Imagining and Symbolic Power

According to Bourdieu, 'Symbolic power, [is] a subordinate power, [it] is a transformed, i.e. misrecognizable, transfigured and legitimated form of the other forms of power.'[323] The concept of symbolic power has links with the Marxist concept of ideology, in as much as it is 'subordinate' and 'misrecognized.' That is to say, the *power* of symbolic power comes in the fact that it is able to represent certain ideas or beliefs as 'natural,' while serving particular interests.[324] However, while ideology considers the political effects of symbolic systems such as religion, science or art, Bourdieu maintains it misses the significance of their ability to structure the social world. He suggests:

> It is not enough to note that relations of communication are always, inseparably, power relations which, in form and content, depend on the material or symbolic power accumulated by the agents (or institutions) involved in these relations and which, like the gift or the potlatch, can enable symbolic power to be accumulated.'[325]

Thus, for Bourdieu, the *power* of symbolic power is not born of its accumulation alone, but resides in its ability to structure the social world so that one group might dominate another. Indeed, while the enactment of symbolic power might be dependent upon the acquisition of high levels of symbolic capital, the accumulation of the capital alone is not sufficient to produce an act of symbolic violence. As such, it is only those who draw the boundaries of symbolic systems who are able to enact power over those that exist beyond them. For instance, 'members of the laity…[are] *dispossessed* of the instruments of symbolic production,' because it is the clergy who own the dominant discourse.[326] Indeed, it is those who control the dominant discourse, that is, the 'structured and structuring medium' through which the status quo is presented as 'natural,' who hold the power.

Exercising ones symbolic power over others is an act of symbolic violence. However, that act of violence can only be achieved with the complicity of those upon whom it is enacted. 'Symbolic power … is a power that can be exercised only if it is *recognized*,

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[323] Bourdieu, *Language and Symbolic Power,* 170.
[324] Ibid., 167.
[325] Ibid., 167.
[326] Ibid., 167.

that is, misrecognized as arbitrary.'[327] What Bourdieu means by this is that the strength of symbolic power comes from its ability to present itself, and be accepted as, random rather than systemic. Thus, 'what creates the power of words and slogans, a power capable of maintaining or subverting the social order, is the belief in the legitimacy of words and of those who utter them.'[328] It is through this complicity that the more dominant members of the forums in question here are able to maintain their dominance. One of the most obvious ways in which they do this is through the regulation of community membership.

Membership is a prerequisite to posting on the sites or accessing the aspects of the forum that display the links to the files. When this research began, membership of each forum could only be gained by recommendation or applying for membership during one of the infrequent rounds of open membership. The fact that these are largely closed communities sets them apart from other, less specialist, filesharing forums that might be easily located after the most basic of Internet searches. Furthermore, the existence of a membership requirement also further structures the space as a closed 'member's club' with an explicitly social context, but also a space that is carefully monitored and controlled.

As such, the forums under examination could be considered to be what Pierre Lévy calls 'knowledge communities.'[329] That is, the forums are not for posting links alone, but also function as communities where individuals come together to discuss the object of their fascination. They are places where members can learn about new releases, discuss preferences for particular films or genres, and engage in a whole host of other discussions either related to East Asian cinema or not. In many respects, these forums are as much about the exchange of knowledge as they are about the exchange of films. Therefore, it could be argued that these forums are representative of a wider shift towards communities formed around mutual interest rather than geographical proximity. As Henry Jenkins describes:

> New forms of community are emerging, however: these new communities are defined through voluntary, temporary and tactical affiliations, reaffirmed through common intellectual enterprises and emotional investments. Members may shift

[327] Ibid., 170.
[328] Ibid., 170.
[329] Lévy quoted in Jenkins, Henry Jenkins, *Convergence Culture*: *Where Old and New Media Collide* (London: New York University Press, 2006), 27.

> from one group to another as their interests and needs change, and they may belong to more than one community at the same time. These communities, however, are held together through the mutual production and reciprocal exchange of knowledge.[330]

The description Jenkins provides of the emergence of these new forms of community fits the forums under examination in this research. Certainly individuals are brought together by a common interest. They certainly also shift from group to group and maintain membership of multiple groups concurrently.[331] A prime example of this is Jo who is a member of four separate East Asian filesharing forums and a host of related anime and subtitling forums.[332] Indeed, on the *CP* forum, it is in the nature of the intermediary distributors that they will be posting links to films that they have found through their membership of other similar forums and so, by definition, are members of more than one site. Subtitles in particular will also often be shared, with subs for a release available on one forum often being provided by another.[333]

However, the fundamental factor that cements their position as knowledge communities is the fact that they revolve around the circulation of knowledge about East Asian cinema, as much as they concern the exchange of these films. Furthermore, this knowledge is not only about the films themselves, but everything that surrounds them: the production, release,[334] distribution company,[335] release quality,[336] and more. Thus, knowledge acts as a form of symbolic capital and the deployment of that capital is how one gains and maintains status with the community. To a certain extent, this sets these members apart from filesharing or downloading activity that just involves downloading the latest Hollywood blockbuster. That is not to say that this necessarily makes the activity any more legal, ethical or acceptable, but it does mean that it is possible to argue that the context for the activity of filesharing is different for these individuals than it might be for the casual downloader. Participating in filesharing in this setting could be understood as a more complex, community-based activity. Posting releases, providing subtitles or answering the queries of other members all serves to increase the social

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[330] Jenkins, *Convergence Culture*, 27.
[331] On the EL forum there was a specific discussion of cross-forum membership and many members reported having simultaneous membership at five to seven forums, with some regularly visiting as many as twenty-eight. "Forum Membership Discussion Thread" *Eastern Legends Forum,* February 2007.
[332] Jo, ICQ Interview with Author, January 2007.
[333] "Azumi 2 Release Thread," *Chinaphiles Forum,* May, 2005, accessed July 11, 2009.
[334] Discussions will quite often concern which cut of the movie is available. Notable examples are the releases on *Chinaphiles* of *Fearless* in February 2006 and *Kung Fu Hustle* in February 2005.
[335] The details of these particular discussions will be examined at length in chapter seven.
[336] The quality of the release is a specific concern and is discussed at length in chapter six.

status of the individual within the forum community. Such factors cement the importance of an ethnographic approach to the study of filesharing that takes into account the other emotional and affective aspects of the circulation of cultural commodities within a community.

When Lévy originally conceived of the 'knowledge community' he saw it as representing freedom from the shackles of hierarchical and canonical knowledge that exists in the 'real' world.[337] However, this is where the forums under discussion here diverge from Lévy's conception of the knowledge community, because, in many respects, these communities are strictly hierarchical. Jenkins has noted a similar phenomenon in his work on the website '*Survivor* sucks', which is a spoiler website designed to uncover behind-the-scenes information about the reality TV show *Survivor*. Within these websites Jenkins has noted 'brain trusts', or private communities within the larger community who hoard information. Jenkins suggests that these 'brain trusts' are strictly hierarchical and 'attempt to create an elite which has access to information not available to the group as a whole'.[338] Furthermore, they position themselves as 'arbitrators of what it is appropriate to share with the community.'[339] Although the *CP* and *EL* forums do not have specific groups that 'speak' in hushed tones and are password protected, similar methods of safeguarding and protecting specialist knowledge can be noted within *CP* in particular. For example, the technique of ridiculing newcomers for their lack of specialist knowledge (discussed at greater length further on in the chapter) is one example of how access to knowledge is protected. Whilst there are sections on the forums designed to allow new members to ask basic questions, when they do, such requests are often met with sarcasm and derision.[340] Such reactions demonstrate how the community members use their own high levels of symbolic capital as a weapon against new members in a bid to reinforce their own position as the arbiters of community rules and codes.

Since this research began, the fabric of these communities has changed and the *CP* forum has ceased being password protected. Arguably, the fact that the community was originally password protected and required an invitation to join provided the 'gated (knowledge) community' that Jenkins describes.[341] Furthermore, the requirement to be

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[337] Pierre Lévy, *Collective Intelligence: Mankind's Emerging World in Cyberspace* (Cambridge, MA: Perseus Books, 1997), 112.
[338] Jenkins, *Convergence Culture,* 39.
[339] Ibid., 39.
[340] "Help Request Discussion Thread," *Chinaphiles Forum* October 2006, accessed December 14, 2009; "How do I Download Asian Movies Discussion Thread," *Chinaphiles Forum* December 2004, accessed December 14, 2009.
[341] Jenkins, *Convergence Culture,* 27.

recommended and/or approved for membership highlights the way the forums are both structured and structuring. The requirement that key community members 'approve' the addition of others serves to suggest that the approvers are in some manner 'special' and thus reinforces existing hierarchical arrangements. Indeed, even though membership rules have subsequently been relaxed (on the *EL* forum, you do still need an account to access the forum, but it is free and open for anyone to sign up for an account) there is still anxiety surrounding new members entering the community 'unchecked'. The primary concern amongst the more prominent members is that allowing open membership has the knock-on effect that previously banned lechers can simply rejoin under another name.[342]

The *CP* community in particular is markedly hierarchical, with status dictated by length of membership and number of posts. For the online distributors the number of posts is particularly important, because it is often linked to the number of films the user has posted within the community. However, as mentioned before, a distinction lies between the distributor who shares 'Scene' releases on the *CP* forum (intermediary distributors) and those who have encoded the films themselves (autonomous distributors). It is the autonomous distributors who garner more respect within the community because the effort and expertise that has gone into actually creating a release, rather than simply posting the links, is recognised and respected within the community.[343] Thus, such autonomous distribution brings with it a higher level of symbolic capital. Such a distinction only really exists on the *CP* forum, because the *EL* forum, by focusing on sharing uncompressed DVD (and latterly Blu-ray) files only, precludes the sharing of 'Scene' releases because such files are not available in DVD format. However, within the *CP* community, one's position as an autonomous, rather than an intermediary, distributor provides an individual with a higher and more respected social status within the community.

The previous discussion has indicated how each forum protects the exclusivity and hierarchy of their community through strict membership requirements. Whilst this measure has still resulted in membership numbers in the tens of thousands, a more thorough examination of the membership data for each forum reveals that the overall forum membership is not necessarily indicative of levels of what might be considered

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[342] "New Membership Discussion Thread," *Eastern Legends Forum,* January 2010, accessed February 23 2010.
[343] Sills, as an intermediate and an autonomous distributor, makes a point of indicting in his posts those releases that are his own, and those that are from Scene release groups.

‘active’ participation within each community. Membership data from each forum has been considered in some detail in order to ascertain how the forums under examination function and illuminate how key individuals are able to exert considerable influence on shaping the community at large. Arguably, the prominence of certain members over others is dictated by their knowledge of, and ability to shape, the codes and conventions that govern the communities, thus only strengthening their position in the long term.

Analysis of this data shows: first, how the communities differ from one another; second, how both communities are about more than just filesharing; and third, what constitutes involvement and participation within each community. In examining these findings it is then possible to support the central argument of this chapter, as a space that is both structured and structuring, the construction of each forum implies particular codes and conventions, which in turn shapes how the members behave and also how they perceive their activities.

Both forums provide detailed information on their members. (However, providing this data is voluntary and so its accuracy has to be treated with scepticism.) When joining either forum the user provides a name (which is generally their internet handle rather than the name on their birth certificate). They are also offered the opportunity to provide location and basic contact information, but not everyone does. Membership data is available for all members to view. In addition to the information provided by the individual on joining, the membership list on the *CP* forum also includes information on when the user joined and how many times they have posted to the forum. The *EL* forum also includes the user’s ratio (this provides an indication of how much the user has downloaded in relation to how much they have uploaded). This is because *EL* functions using the bit-torrent protocol, whereas *CP* uses the e-donkey network and as such does not record such information about its users.

The following section considers how the membership data from each forum both reflects and constructs its priorities. *CP* privileges how *often* a member posts to the forum and their *length of membership* as indicators of an individual’s commitment to the forum. The *EL* forum, on the other hand, is more concerned with a member’s ratio as a guide to their overall level of participation. Therefore, within *EL*, forum members who would typically be referred to as ‘lurkers’ are as much a part of the community as those who regularly contribute to forum discussions. In this environment, it is how much a member *shares*, rather than how much they ‘*speak*’, that is understood to constitute their level of

involvement. In both cases, this concern about participation indicates that membership is about more than just registering.

Indeed, it can be seen in the following discussion that conforming to both the actual and perceived rules and guidelines of each forum is what grants membership over and above registering one's details on the site. Furthermore, the existence of both written and accepted guidelines for behaviour is exactly what allows to community to exist and also dictates the shape and scope of each community. Indeed, the community then becomes the factor that shapes the filesharing experience. That might be through contributing to the social discussions privileged in the *CP* forum or by adhering to the strict uploading/downloading ratio guidelines within the *EL* community. In either instance, a sense of shared goals, rules and expectations both helps to shape the community and in turn dictates the boundaries and expectations pertaining to the filesharing activities that are enacted within each forum.

Chinaphiles

The membership list for *Chinaphiles* is vast, but the proportion of people who actually contribute to forum discussions through posting is minuscule when measured against the overall membership. As mentioned in the previous chapter, as of July 2009 the *CP* board had 64,502 members. However, 59,175 users (91.74% of the total membership) had never posted a message to the forum and as such would be commonly termed 'lurkers'. Unfortunately, there are no universally recognised terms for other members of forums and their varying levels of involvement. However, Kozinets has gone some way to categorizing these individuals by applying the terms tourists, minglers, devotees and insiders.

> The first of the four types are the *tourists* who lack strong social ties to the group, and maintain only a superficial or passing interest in the consumption activity. Next are the *minglers* who maintain strong social ties, but who are only perfunctorily interested in the central consumption activity. *Devotees* are opposite to this: they maintain a strong interest in and enthusiasm for the consumption activity, but have few social attachments to the group. Finally, *insiders* are those who have strong social ties and strong personal ties to the

consumption activity.[344]

Kozinets's categories are particularly useful as they provide a method of understanding the varying *levels* of interaction that individuals might demonstrate within any online community to which they claim membership. However, they are of limited use within the *CP* forum, because, significantly, within this community, participation is assessed on frequency of contribution to forum discussions rather than the level of interest that an individual has in the 'consumption activity'.[345] If we look back to the literature review, this is precisely why the term 'communities of imagination' was rejected, because the forums in question are less bound together by the object of their fandom than one might expect, and are more concerned with their interaction within their chosen community.[346] As such, for the purposes of analysing the *CP* forum for this research, a method of categorisation has been devised based on frequency of posts to the forum.

Total number of posts	**Member type**	**Number of forum members**	**% of overall forum membership**
>1000	Key poster	38	0.0589%
500-1000	Habitual poster	65	0.10%
200-500	Consistent poster	112	0.17%
100-200	Common poster	173	0.27%
50-100	Occasional poster	234	0.36%
11-50	Sporadic poster	477	0.74%
>10	Minimal poster	4228	6.55%
0	Lurker	59,175	91.74%

Figure 1. Member Categorisation by Total Forum Posts

[344] Kozinets, "E-Tribalized Marketing?," 254 - 255.
[345] Ibid., 255.
[346] Matt Hills, "Virtually Out There: Strategies, Tactics and Affective Spaces in Online Fandom," in Sally Munt *Technospaces: Inside the New Media* (London: Continuum, 2001), 151.

This categorisation of members allows an overview of the actual activity within the forums. As can be seen from the data (Figure 1.), very few individuals actually post to the forums on a regular basis. On the face of it, this would suggest that only a small percentage of the overall members are *active* members of the community. However, it may be that many of the lurkers, minimal and sporadic posters are 'active' in the sense that they share movies within the community regularly through the e-donkey network. In contrast, key, habitual, consistent and common posters may rarely share the movies they download (although this would be unlikely). From looking at the table above (Figure 1.) it is clear that the lurkers make up a majority of the population and so it is difficult to get a clear sense of how the posting members of the forum are distributed. Thus, if we ignore the lurkers we have a total forum membership of 5,327. In this situation the key posters still only make up 0.71% of the posting population and it becomes obvious that the majority of forum members have only limited input in forum discussions (Figure 2 and Figure 3).

Total number of posts	**Member type**	**Number of forum members**	**% of posting forum members**
>1000	Key poster	38	0.71%
500-1000	Habitual poster	65	1.22%
200-500	Consistent poster	112	2.10%
100-200	Common poster	173	3.24%
50-100	Occasional poster	234	4.39%
11-50	Sporadic poster	477	8.95%
>10	Minimal poster	4228	79.37%
TOTAL		5327	

Figure 2. Member Categorisation by Total Forum Posts (excluding lurkers).

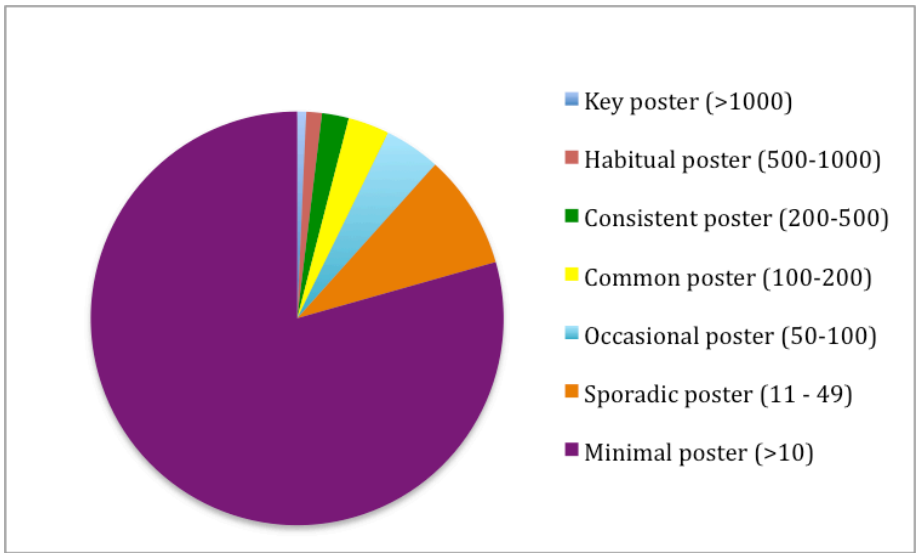

Figure 3. Member Categorisation by Total Forum Posts (excluding lurkers) as a Proportion of Total Forum Membership.

Predictably, amongst forum discussions, frequency of posting is often cited as an indication of status with the community. Thus, the existence of forums surrounding the consumption activity mean that those individuals who choose/are able to contribute to forum discussions are more visibly able to shape the codes and conventions of the community through forum posts that, in turn, reference forum posting as an important facet of community membership. Thus, they legitimise their own preferred method of forum interaction and filesharing behaviour through posting to the forums. As such, the key posters must be considered to have control of the dominant discourse within the CP community. In such a privileged position, they are able to continue deliberately or unwittingly structuring the forum space according to their own best interests.

Another method of accruing high levels of symbolic capital within the CP community is through length of membership. Indeed, each member's date of joining is prominently displayed next to their total number of posts whenever they post to the forum.[347] The foregrounding of frequency of posting and length of membership as primary indicators of status demonstrates that within this forum, interaction, in the form of posting, is of utmost importance in the process of both structuring and imagining the *CP* community. This then serves to reinforce the sense that this is a community bound and shaped by textual

[347] Displaying such information accompanying each post is commonplace and can be noted on other filesharing forums such as *Teh Paradox* (sic) and *ZeroPaid*. Indeed, more general fan discussion forums such as Walford Web the official Eastenders discussion forum also display such information. http://www.walfordwebforums.co.uk/prod/ accessed July 8, 2011.

communication, and significantly, dominated by a number of key posters. In dominating the forum, these posters then establish knowledge of the forum and its rules as other routes to the accumulation of symbolic capital. Thus, in the process of imagining the bounds of the *CP* community, members must be possessed of an expert knowledge of not just the object of their fandom, but also the means of obtaining it through legitimate and illegitimate channels.

The most evident illustration of this in the *CP* forum is the mixed reactions that can be noted towards individuals trying to join the community, and in particular how key forum members react against those who are perceived to be bereft of the requisite knowledge needed to achieve full forum membership. Each new forum member (newbie, or 'n00b' in abbreviated form) is generally accepted as long as they are not seen to ask questions that are deemed to be overly ‘stupid’ or ‘obvious’. There is no official ‘introductions’ thread (as there is on EL), but some ‘newbies’ start a thread to introduce themselves to the community. Such was the case with Botem, who started a thread in the general section in order to introduce himself. Here, he gave away some personal information and expressed enthusiasm at joining the community. Key posters Burble, Mollow, Boser and Derven greeted this gesture warmly and reciprocated by sharing fond stories about Botem’s hometown.[348]

However, when another newbie, Carrel, requested help through the support forums he was greeted rather less favourably by key poster Eleo and habitual poster Ferti.[349] Although Eleo and Ferti answered Carrel’s questions, they both made references to the fact that the newbie would probably not understand the technical language they used, whilst simultaneously criticizing the new member for not *already* having an expert knowledge of the rules of the forum. If newbies ask generic or unspecific questions then the key posters will often respond with sarcasm or open hostility. On one such occasion a new forum member asked the rather blunt question ‘how do I download Asian movies?’. At which point, key poster Burble responded to this initially by being sarcastic and then by referring to the individual as a ‘dumbass n00b’.[350] Thus, hostility towards new members can be seen as an act of symbolic violence whereby established members can reinforce their authority to define ‘acceptable’ community behaviour.

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[348] “Introduction Discussion Thread,” *Chinaphiles Forum,* October 2008.
[349] “Help Request Discussion Thread,” *Chinaphiles Forum,* October 2006.
[350] “How do I Download Asian Movies Discussion Thread,” *Chinaphiles Forum,* December 2004.

Indeed, when I originally joined the forum and explained my intentions, I was accused by Ancient, a key poster within the community, of being a 'n00b' trying to break into The Scene.[351] The term n00b is not only a descriptive term for a new member but is also often used as a pejorative form of abuse to describe any forum member who makes any error that might suggest less than perfect knowledge of the forum's rules and conventions. Indeed, despite his/her own attack on newbies, when Burble asked a 'stupid' question on a particular thread, he was called a 'n00b' by his fellow community members and also ridiculed for his own 'stupidity' at asking for a film that could be easily found using the search facility on this site.[352] As was mentioned earlier, according to Bourdieu, acts of symbolic violence require that there is a consensus among both the powerful and powerless of the boundaries of acceptability and normality.[353] Thus, by applying it to himself, a key poster within the community, Burble strengthens the status of the term 'n00b' as a form of abuse and promotes the idea that individuals joining the community are necessarily ignorant and naive. This, of course, in turn, consolidates the position of key posters as the rightful arbitrators of community standards of behaviour.

Whilst forum membership is open in theory, new members are tacitly discouraged from contributing due to the dominance of certain key community members. Thus, if we return to Kozinets's categorisations we could analyse the *CP* forums as comprised of a combination of minglers and insiders. However, lurkers, tourists and devotees (despite making up the bulk of the membership) remain at the periphery of the community due to their lack of contribution to forum discussions. Furthermore, the key community members control forum discussions to such an extent that new members are not encouraged to contribute. Indeed, Helo, Ancient, Burble and Fishtank are some of the most avid and hostile members of the community, and through their derisory attitude towards new members they have effectively secured their own position as the most 'vocal' members of the *CP* community. Furthermore, in doing so they are able to effectively frame and mould the way the larger community is structured and imagined.

Through their negative attitude to new members, they reinforce the convention within the group that those who have been members for the longest or who post more frequently, and thus have an expert knowledge of the official forum rules and conventions, are somehow also 'representative' of unspoken community rules and moral guidelines. As

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[351] Ancient, "Research Discussion Thread," *Chinaphiles Forum,* January 2007.
[352] "Three Monster Discussion Thread," *Chinaphiles Forum,* August 2004.
[353] Bourdieu, *Language and Symbolic Power*, 170.

such, they also put forward the point of view that their opinions are also indicative of a cohesive community position on various ethical and moral dilemmas related to their filesharing activities. Analogously to Anderson's argument that the rise of print capitalism contributed to the growth of nationalism, the key posters on the *CP* forum are able to use their domination of textual discussions to both foster and dictate an imagined community position on particular issues; such as whether there is a distinction between 'piracy' and 'filesharing' and whether the files available on the forum should be used as a replacement for legal DVD purchases or just as a sample. The specifics of these proposed ethical positions will be discussed in more depth later in the chapter.

Overall, posting regularly and possessing a longstanding membership are presented within forum discussions as elevating the status of the user within the *CP* community. However, these observations are primarily gleaned from observing forum discussions and as such reflect the opinions of those community members who actively contribute to discussions. Therefore, one might expect such respondents to privilege participation in forum discussions. Despite such a sampling drawback, this observation is also supported by the fact that the forum records information concerning number of posts and length of membership, and displays such information when the individual posts to the forum, behaviour that is not mirrored within the *EL* forum. Furthermore, by having a long history of forum membership and posting regularly, such forum members are able to accrue the symbolic capital necessary to reinforce these conventions, thus marginalising new forum members and securing their own position as the community leaders.

On the *EL* forum user information is recorded and displayed in a different way to *CP* and so tells a different story about the structure and priorities of this forum and how power operates within it. Furthermore, due to the focus on how much data each member has shared rather than their contribution to forum discussions, this community also has a different manner of imagining itself. Rather than having key forum members who present a community position on moral and ethical dilemmas through forum discussion, the community position on the same issues can be understood as framed by the underlying emphasis on sharing through the importance placed on each user's upload/download ratio. That is not to say that key community members do not have the same levels of power as those within *CP*, it is simply that their power is enacted through methods other than the domination of forum discussions.

Unlike *CP*, the site does not openly display further information on its users such as

location, length of membership, or date of joining. However, the forum does record and display statistics for the top ten uploaders, downloaders, fastest uploaders, fastest downloaders, best sharers and worst sharers.[354] As such, the site appears to designate a member's contribution to the dissemination of files within the community as paramount, and could be argued to be less concerned with the contribution that each member makes to forum discussions. In addition, rather than displaying number of posts and length of membership with a user's name when they post, the forum includes their ratio; an indication of how much they have uploaded compared to how much they have downloaded.[355] A ratio that demonstrates that the member has uploaded more than they have downloaded is prized and respected within the community and acts as an indicator of their levels of symbolic capital. Thus, as with Quiring et al.'s example of a sharing model of filesharing, a user benefits the more files they add to the filesharing community.[356] However, in this case individuals benefit through raising their standing within the community rather than through reaping a financial reward for their efforts.

When considering the *EL* community, Kozinets's categories become more applicable, because, within this board, there are likely to be some 'tourists' who have come to the forum to find a particular film perhaps but do not have a burning interest in East Asian cinema in general. There are also likely to be less 'minglers' on such a forum as *EL*, because the discussion barely deviates from East Asian cinema and this forum is less concerned with conversations surrounding films than their circulation. 'Devotees', however, becomes a much more useful term, because it can be applied to many members of this forum who would use their membership as a means of obtaining the films that they care for without demonstrating a strong inclination to contribute to the community discussion surrounding such films. A good example of such an individual within the *EL* community would be Dertoy. The member exists in both the list for the top ten 'uploaders' and the top ten 'fastest uploaders' but had only contributed to forum discussions four times in almost three years of membership.[357] The 'devotees' on EL, as opposed to the *CP* forum, could be perceived as more integral to the community and may have significant levels of symbolic capital (through good ratios) whilst posting to the forums infrequently or even simply lurking. Indeed, in the top ten 'uploaders' list in December 2009 only one individual had posted to the forum more than a dozen times.

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[354] "Statistics Thread," *Eastern Legends Forum* (rankings updated daily), August 2009.
[355] Displaying ratio is something peculiar to filesharing forums but I have found no other filesharing forum that displays a user's ratio each time they post, information is recorded for each user but is not usually displayed in such a manner.
[356] Oliver Quiring, Benedikt Von Walter and Richard Atterer, "Can Filesharers be Triggered by Economic Incentives?: Results of an Experiment," *New Media Society* 10 (2008): 435.
[357] "Statistics Thread."

One member had never posted at all; although all of the individuals listed had been active members of the community for at least two years.[358] 'Insiders', again, would be prominent members of the group who demonstrate a strong interest in both East Asian cinema and the discussions surrounding it within the *EL* forum. A significant example of this would be Usef, who regularly features in the top ten lists whilst also habitually contributing to forum discussions.[359]

Within such a community that is not explicitly drawn together through textual communication, the group is imagined in a different manner to the *CP* forum. The *EL* forum administrators have considerable amounts of symbolic power to dictate the parameters for membership by displaying user information so the ratio accompanies each post the member makes to the forum. Thus, forum posts become structuring structures that set the standard for how membership is discussed on the forums by highlighting each user's ratio within forum posts. This then manifests itself as a concern within the community of the damaging influence of individuals that might 'leech' from the community, that is, download more information than they upload.[360]

What such observations tell us is that even within the relatively specialised enclave of filesharing forums for East Asian films, there is more than one community model. Furthermore, what distinguishes these forums from one another is the manner in which each community imagines itself. The *CP* forum is a textually focused community wherein key posters are able to dictate and police the imagining of the community through their control over, and privileging of, textual communication. In doing so, these individuals position themselves as arbiters of both the official and unofficial community rules, in a similar manner to the Brain Trusts observed by Jenkins on *Survivor Sucks*.[361] The *EL* forum on the other hand foregrounds the user's upload/download ratio as the primary indicator of their community status, thus imagining their community membership as bound by the written and implied forum rules dictated by the forum administrators.

The previous discussion has illustrated that both the *CP* and *EL* forums imagine themselves in distinct ways. The former privileges length of membership, forum contribution and access to community knowledge, whilst the latter concentrates on how

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[358] Ibid.
[359] Ibid.
[360] "New Membership Discussion Thread," *Eastern Legends Forum,* January 2010, accessed February 23 2010.
[361] Jenkins, *Convergence Culture*, 27.

much data a user shares when assessing the user's engagement with the community. However, the fact that certain modes of behaviour and certain members are dominant within each community should not be viewed as a naturally occurring event, but rather as a direct result of the fact that those individuals are able to play a strong role in dictating the way the forums are imagined. Then, as they structure the forums so that their own preferred modes of behaviour (posting regularly or maintaining a good ratio) are the key routes to the accrual of symbolic capital, they perpetuate their cycle of control by implying that their own methods of interaction as the more 'natural' and in line with universal community values. Indeed, they further shape the sense that their own opinions are somehow representative of universal community values and ethics through the way that the ideas of reciprocity and sampling are discussed and enacted within the forums.

Reciprocity, Sampling and the (Extended) Imagined Community

The final section of this chapter will illustrate how the notion of sharing as a form of sampling has been debated within both forums and how such discussions of a perceived 'sampling ethic' contribute to the imagining of the community. Within these forums, there was much discussion of the questions surrounding piracy and filesharing. Some individuals questioned whether piracy and filesharing were actually as damaging to the industry as has been maintained and took a relatively hostile attitude towards the industry. However, many members from each forum saw their activities as very much in line with the interests of the industry and saw their distribution activities as promoting East Asian cinema more generally by bringing it to a wider audience. Thus, one of the underpinnings of such a perspective was the assumed presence of a 'sampling ethic'; a community guideline that dictated that rather than replacing traditional DVD sales, downloading films from the forums should be used as a means to 'try before you buy'. This ethic played an important role in the process of imagining the communities on both forums, especially as it allowed the imagining of the community to transcend the registered membership of the forum and extend to anyone with a shared aim of disseminating East Asian films. However, whether there was consensus regarding the 'sampling ethic' is certainly debatable, and arguably the 'ethic' itself, if it could be said to exist, was largely dictated by the fact that certain key forum members had a disproportionate amount of influence over the way each community was structured and imagined.

Beyond how the community is internally constructed and how social position is

determined, a further observation can be made about both the *CP* and *EL* communities: in both cases, individuals contextualize and rationalize their filesharing behaviour by 'imagining' their community to extend beyond the enrolled membership of the forums. So, whilst it might be reasonable to claim that participation in the community is, on one level, defined by the contribution that one makes to the forum or by the files that one shares, membership is also 'imagined' to extend to fans of East Asian film that need not ever post, share movies, or even visit the forums in question. Their membership is guaranteed by their shared interest and mutual fandom and not by their actual 'presence' on or participation in the forums.

As such, for the online distributors in question, the social context of sharing is not necessarily restricted to sharing among registered members of the online community but expands to include a wider 'imagined' community of East Asian film fans. As Anderson suggests, 'all communities larger than primordial villages of face-to-face contact (and perhaps even these) are imagined. Communities are to be distinguished not by their falsity/genuineness, but by the style in which they are imagined.'[362] As such, for any community to exist there needs to be some process of imagining. Whilst the online forums may require membership to join, the part that one plays in that community is connected to how that community is perceived and constructed by those people who hold membership. Indeed, what counts as symbolic capital within the community, how that capital might be accrued, how it may be used (in the form of symbolic power to structure the community or as symbolic violence to dominate others), is dictated by the key members and necessarily facilitated by the general consensus of the majority.

In addition, for members of the forum the boundaries of their imagined community are not restricted to the individual online forums. Indeed, many forum members do not construct their identities surrounding membership of one online community because often individuals will be members of multiple East Asian film filesharing forums. [363] They will also often hold membership of other forums that are tangentially connected to, but not necessarily focused on, East Asian film (e.g. subtitling forums, technical filesharing forums, general filesharing forums such as the Pirate Bay, anime forums, and more). As such, the imagined community is not bound by membership of one forum but is arguably constructed in the minds of the members of multiple forums. Furthermore, the forum

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[362] Benedict Anderson, *Imagined Communities: Reflections on the Origins and Spread of Nationalism* (London: Verso, 1991), 6.
[363] "Forum Membership Discussion Thread," *Eastern Legends Forum,* February, 2007, accessed February 23, 2010.

members also do not restrict membership of their imagined community to *online* forum interactions. They perceive the net of membership to be far wider, and to even include members of the film industry itself. This conclusion can be made by examining how forum members discuss their relationship with the film industry and how they debate the effect that their sharing and distributing activities might be having on the East Asian film industries.[364]

One of the ways that the communities were able to imagine themselves beyond their registered membership was through referencing to a sampling ethic. Thus, it was possible for forum members to understand their acts of sharing as benefiting the wider imagined community (through promoting East Asian cinema), as well as the forum community (through sharing files).

Within discussions on both forums, an emphasis is often put on the fact that filesharing activities *should* be used as a form of sampling. Thus forum discussions might be seen to indicate that the more 'vocal' members of the community do not view their activities as unethical or morally reprehensible, and that this might be in part attributable to the fact that they perceive their actions to be ultimately beneficial to the East Asian film industry. Such an observation is in line with the work of Aron Levin, Mary Conway and Kenneth Rhee who suggest that downloaders show 'a greater willingness to endorse ethically questionable acts, and that [they]… are more likely to believe that downloading files does *not* harm the company or the artists.'[365] In general, and across both communities, the online distributors could be understood as viewing their circulation activities as providing a service both to the filesharing community within which they interact as well as the larger community of East Asian cinema fans.

Even many of those who protest against the more radical perspective that all culture should be free often boast large and expensive DVD libraries that contain a combination of legal, bootleg and downloaded copies of movies. *EL* forum member, Avves, goes so far as to list the films he has on order from various companies to illustrate his commitment to Asian film.[366] Avves is very clear that he/she supports the industry, and has respect for the filmmakers and copyright restrictions. He/she argues that he/she only

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[364] This is discussed further in chapter seven.
[365] Aron Levin, Mary Conway and Kenneth Rhee, "Money for Nothing and Hits For Free: The Ethics of Downloading Music from Peer-to-Peer Web Sites," *Journal of Marketing Theory and Practice* 12, no. 1 (2004): 48.
[366] Avves, "eBay Discussion Thread," *Eastern Legends Forum,* June 2009, accessed December 3, 2009.

uses the forum for sampling and nothing more. Within the same thread other forum members offer support for Avves assertions by also listing their substantial DVD collections.[367]

Indeed, Levin, Conway and Rhee also report that downloaders are more likely to have a larger overall music collection than other music consumers and to have paid for more music through legitimate channels in the last six months than people who do not download as much music.[368] As such, Levin, Conway and Rhee tentatively claim that 'downloading music is not always a substitute for purchasing. The qualitative data also indicate that for some downloading may actually be a form of product sampling'.[369] However, the fact that keen filesharers are also likely to buy lots of music in addition to their filesharing activities does not mean that filesharing itself is ultimately beneficial. Alejandro Zentner argues that people who download are the sort of people that are more likely to spend their money on music, but that using p2p means that people buy 30% less music than they would if they did not fileshare. Based on such calculations, he argues that in 2002, with the absence of filesharing, music sales would have been 7.8% higher.[370]

Furthermore, the studies by Zentner and Levin, Conway and Rhee concern music downloading, and so we must be sure not to extrapolate the findings from one medium to another uncritically. Indeed, one criticism of the sampling argument when applied specifically to films is that movies, unlike music or software, are considered to be single-use items. Indeed, Bounie, Bourreau, and Waelbroeck argue that music and movies differ in important ways. [371] Movies are often single use; burning DVDs is more expensive and complicated that CD burning; and ultimately it results in a different product from the bought DVD or cinematic experience. Furthermore, they suggest that watching a movie is often an exclusive and full-time activity. They claim that under such conditions the sampling effect is weaker for movies than it is for music.

With this in mind, we might also examine the other claim made by Bounie, Bourreau, and Waelbroeck, that their respondents indicated that piracy actually increased their

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[367] Puulo, "eBay Discussion Thread,"
[368] Levin, Conway and Rhee, "Money for Nothing and Hits For Free," 56.
[369] Ibid., 57.
[370] Alejandro Zentner, "Measuring the Effect of Music Downloads in Music Purchases," *Journal of Law and Economics* 49, no. 1 (2006): 66.
[371] David Bounie, Marc Bourreau, and Patrick Waelbroek. "Pirates or Explorers? Analysis of Music Consumption in French Graduate Schools," *Brussels Economic Review* 50, no. 2. (Summer 2007): 168.

demand for films, a finding in line with the perceptions indicated on the forums that this study is concerned with.[372] However, in both this thesis and the work of Bounie, Bourreau, and Waelbroeck it is imperative to note that just because individuals *perceive* their behaviour to be beneficial it does not necessarily mean that it actually is. Indeed, as Higgins, Fell and Wilson suggest, would we not largely expect filesharers to view their activities as acceptable? [373] Surely one would expect that if they saw such behaviour as ethically dubious then they would be considerably less likely to be members of filesharing forums in the first place. However, what we have seen is a much more complicated engagement with the legal and ethical questions concerning their behaviour than Higgins, Fell and Wilson might acknowledge. As James Coyle et al. suggest, filesharers are very capable of making their own distinctions between different forms of piracy and their own decisions about the ethical nature of each activity. [374]

One particular discussion on the *CP* forum that highlights these issues came after a BBC article about some antipiracy raids.[375] Indeed, Levin, Conway and Rhee's observation that downloaders do not see their activities as damaging to the industry was reflected in the comments of one sporadic poster, Detset, who was angry at the excessive profits made by large companies whom, he/she felt, failed to recognise that ordinary people were not affluent enough to afford the inflated prices that were charged for rare DVDs.[376] These sentiments were supported by occasional poster, Elegent, who made the claim that strict copyright enforcement was just greed on the part of people who were already rich.[377] However, key poster Fishtank responded in support of the copyright owners and suggested that forum members often use the 'greed argument' to justify their activities but that in many respects filesharers are just as 'greedy' by circulating files that they do not own.[378] Consistent poster Garfeld countered this by arguing that the users were not 'greedy' -- they just did not have the money to purchase very expensive DVDs. He/she also pointed to how many DVDs he/she personally owned and suggested that the majority of those would not have been bought had he/she not downloaded them first.[379]

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[372] Ibid., 168.
[373] George E. Higgins, Brian D. Fell and Abby L. Wilson, "Low Self-Control and Social Learning in Understanding Students' Intentions to Pirate Movies in the United States," *Social Science Computer Review* 25 (2007): 344.
[374] James Coyle, Stephen J. Gould, Pola Gupta, and Reetika Gupta, '"To Buy or to Pirate": The Matrix of Music Consumers' Acquisition-Mode Decision-Making,' *Journal of Business Research* 62 (2009): 1034.
[375] "BBC News Article Discussion," *Chinaphiles Forum,* July 2005, accessed September 4, 2009.
[376] Levin, Conway and Rhee, "Money for Nothing and Hits For Free," 56; Detset, "BBC News Article Discussion."
[377] Elegent, "BBC News Article Discussion."
[378] Fishtank, "BBC News Article Discussion."
[379] Garfeld, "BBC News Article Discussion."

Such a comment highlights the common reference amongst forum members to a 'sampling ethic'. Many online distributors on both forums proffered the suggestion that it would be beneficial to East Asian cinema as a whole if films were disseminated to as wide an audience as possible, thus increasing the total fan base. Far from viewing their activities as damaging to the industry, the forum members saw their role as beneficial, because they viewed their behaviour as encouraging and enabling consumption of East Asian cinema, in a similar manner to the filesharing respondents described by Cenite et al.[380] and Condry.[381] This is linked in with an ethos that permeated discussions on the *EL* forum, which suggested that the forum was primarily for sampling and that individuals had a 'duty' to legally purchase films that they particularly enjoyed.

However, there was some debate on the *CP* forum about whether purchasing commercial DVDs actually assisted the industry at all. Consistent poster Murb suggested it was naive to think that money from commercial DVD sales goes back to supporting the East Asian film industries.[382] Furthermore, common poster Lesvel raised a specific criticism against the *CP* forum that so many of the films available on the forum were quite easy to purchase legitimately.[383] Lesvel suggests that as such, the forum is not supporting Asian cinema, but he/she was careful to say that he/she did not want to denigrate the hard work of the people who share on the forum. Fishtank, a prominent member of the community, questioned how many people actually bought the films they had downloaded from the forum.[384] Fishtank suggested that he/she both enjoyed something for nothing and getting one over on 'the rich guys'. He\she agrees that much is overpriced but questioned whether word of mouth was actually enough reward for the struggling artist.

In response to Fishtank, Helo, a key poster, one of the forum moderators, and a staunch supporter of the sampling ethic, suggested that he/she always bought what he/she downloaded and he/she knew of many others who did this, too.[385] Helo suggested that if forum members really wanted to support East Asian cinema then they should purchase

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[380] Mark Cenite, Michelle Wanzheng Wang, Chong Peiwen and Germaine Shimin Chan, "More Than Just Free Content: Motivations of Peer-to-Peer File Sharers" *Journal of Communication Inquiry* 33 (2009): 214.
[381] Ian Condry, "Cultures of Music Piracy: An Ethnographic Comparison of the US and Japan," *International Journal of Cultural Studies* 7, no. 3 (2004): 356.
[382] Murb, "Thanks Discussion," *Chinaphiles Forum,* June 2004, accessed September 9, 2009.
[383] Lesvel, "Thanks Discussion."
[384] Fishtank, "BBC News Article Discussion."
[385] Helo, "BBC News Article Discussion."

the 'overpriced' DVDs available through legitimate channels.[386] This sentiment is reflected in other threads where users are encouraged to show their support for the forum and the community at large by purchasing commercial DVDs.[387] Helo also suggested that if he/she had more money then many more legitimate purchases would be made, at which point Fishtank made the concession that if the company was small then people will want to support them.[388] Such an attitude reflects those described by Condry; that when individuals have an emotional or community attachment to a particular artist, musician or type of music they feel more inclined to seek out legal purchases and support the artist and the music scene to which they belong.[389]

Referring to a 'sampling ethic' within forum discussions that specifically tackled the ethics of their activities was common on both forums. In the process of imagining the community it appeared to be important for forum members to be both seen to (and understand themselves as) aiding the community. As such, it could be argued that reciprocity was an important facet of community membership. This was particularly obvious in *EL*, where the user's 'ratio' was given as a key indicator on each post they made.

Through the observation of a sampling ethic it is possible to perceive the *CP* and *EL* forums as exhibiting some of the traits of gift communities. However, as Giesler and Pohlmann suggest, within filesharing networks the reciprocity is not between two individuals (dyadic), but between individuals and the wider community.[390] Thus, in the context of filesharing forums the need to repay the gift is not to an individual, but to the network at large. Such an analysis provides important insight into how one might conceive of gift exchange operating within a networked context. Indeed on both *EL* and *CP* reciprocity is a principle that is prized. Specifically in the case of *EL*, through the privileging of a user's ratio as a sign of each member's contribution to the community, reciprocity can be seen to be central to the act of imagining the community.

However, Giesler and Pohlmann's analysis specifically relates to Napster and so differs in one fundamental way from the filesharers being considered in this study. This is particularly evident in their claim that the Napster gift economy is parasitic: 'In Napster's

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[386] Helo, "Thanks Discussion."
[387] Kolmon, "Thanks Discussion."
[388] Fishtank "BBC News Article Discussion."
[389] Condry, "Cultures of Music Piracy," 353.
[390] Giesler and Pohlmann "The Anthropology of File Sharing."

parasitic economy driven by gift exchange consumers enrich themselves; they assume the role of host, troublemaker and parasite at the same time.'[391] Napster's parasitic gifting community is not based on a central textual communication such as a forum. Thus, this form of community is distinct from those that are the concern of this study. Within Napster's community, it is possible to simply download material and not share the files that one has downloaded. In contrast, on the *EL* forum in particular, reciprocity is not only prized but also enforced. The moderators of *EL* will take steps to halt the activities of any community member who does not share as much as they download. This is because, in addition to including a member's download ratio on each post, the site also has a minimum ratio requirement for membership. If you have downloaded above a certain amount, then you are required to maintain a certain ratio. If this is not done then you are sent a warning. Failure to respond to the warning results in download privileges being revoked.[392] As such, sharing within the community is required and solely downloading is viewed as a form of leeching and is neither permitted nor tolerated.

Whilst positioning reciprocity as a central principle underpinning all other community interactions, community discussions on both forums also demonstrated that community members were acutely aware that this alone was not sufficient to address the wider ethical and legal concerns that surrounded their activities. Such issues were considered at length within the forums and despite the comments of some members, the opinions expressed fell far short of representing a cohesive community perspective on the issue. There was much discussion of, and disagreement concerning, larger questions of ownership, copyright, and the free circulation of information and intellectual property. Such questions considered explicitly whether profit should be made from filesharing, whether and how their own intellectual labour could be protected, and generally whether information and cultural commodities should be freely available. Despite this, within discussions members often presented their own points of view as though they were in some way representative of a specific moral code that underpinned their particular community. Thus, despite the fact that a coherent ethical code was not observably present in either community, it was nonetheless *presented* as existing in both forums. Furthermore, this leads on to another interesting finding of this study, that forum members constructed their own identity as filesharers in opposition to the revenue-stealing, for-profit pirates.

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[391] Ibid., 275.
[392] "Forum Rules," *Eastern Legends Forum*, accessed February 23 2010.

One rather heated and lengthy debate that took place on the *EL* forum serves to illustrate how some forum members assumed the existence of a forum-wide ethical code when the content of discussions themselves suggested a far less cohesive community moral compass. The discussion in question was particularly interesting because it involved the community reaction to the discovery that DVDs of rips and subtitles of films made by forum members were for sale on eBay.[393] The debate revealed some interesting attitudes to copyright and ownership that were surprising given the wider context of the discussion within a filesharing community. Many members of the *EL* community clearly indicated that they considered their activities to be explicitly not-for-profit and this position was dictated by both practical and ethical concerns. It was also presented as part of a specific moral code present in the community that one member was seen to have grossly breached, causing that member to be pejoratively (and perhaps hypocritically) labeled a 'pirate'.

Disgust and anger was almost universally displayed on the *EL* forum when it was discovered that copies of DVD files that were originally posted on the site had been downloaded, burnt to DVD and were now being sold on eBay. One of the forum administrators, Maloi, offered a reward if any of the forum members could identify who amongst them was selling their material online. Members exhibited concern for two primary reasons; the activity was seen to breach an implicit moral code whilst also placing the wider community at risk.[394] The following section details how some of the community members suggested that the individual concerned must have *misunderstood* what the community stood for and the ethical stance that it took on profiting from piracy. However, this prompted some other members to contribute to the discussion by contesting the idea that such a set of universal ethical principles existed within the community.

A major concern raised during the discussion was that it was explicitly the not-for-profit nature of the community that protected it from the watchful eyes of the copyright holders. There were various discussions on the forums when the authorities shut down other movie filesharing websites.[395] Furthermore, it was generally felt that such websites were targeted because they in some manner *sought* to make profit from their activities. As such, many community members considered the association with a bootleg DVD seller on eBay would jeopardize the anonymity of the entire community.

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[393] "eBay Discussion Thread," *Eastern Legends Forum,* June 2009, accessed December 3, 2009.
[394] Sojjoi "eBay Discussion Thread."
[395] "Newzbin Discussion Thread," *Eastern Legends Forum,* March 2010, accessed May 4, 2010.

One further particularly intriguing finding that came out of these discussions was the extent to which community members debated whether it was unethical for the individual selling the DVDs on eBay to be capitalizing not just on the hard work of the film producers, but also of the community member(s) who re-encoded, fansubbed and shared the movie on EL. Community members actually expressed disgust at one of their number profiting from the hard work of others within the group.[396] The intricacies of the distribution process will be discussed at greater length in chapter six but the significant issue here is the difference in how forum members perceived their own activities in opposition to other copyright infringing behaviour. For instance, at this juncture some members chose to specifically describe the bootleg DVD seller as a 'pirate'.[397] This highlights an interesting conceptual distinction common amongst community members on both the *CP* and the *EL* forums.

The distinction was made between the actions of 'sharing' online and 'piracy'. One particular forum member, Gouy, described the activities on the EL board as individuals sharing their collections of bought DVDs, and so he/she saw their actions as very different from bootleggers or The Scene.[398] Piracy, on the other hand, was defined by forum members as something that exclusively concerned the for-profit distribution of physical goods. Significantly, downloaded material (obtained legally or illegally) was not considered to be in any way physical or tangible, even if it was subsequently burnt to a disc. Indeed, Helo made the particular observation that one of the downsides of filesharing was that one's download collection lacked the 'shelf impact' of bought DVDs.[399]

In another instance of a user referring to the forum 'sampling ethic', Quill suggested that low quality versions just act as samples.[400] In support of this, and whilst acknowledging that some of the movies are meant to be burnt as DVDs and so lend themselves to non-replacement, Murb contested that even if you can burn them they are not equivalent to legitimate DVDs.[401] Key poster Restel supported this statement but suggested that forum downloads, regardless of their quality, were no substitute for the 'real thing'[402].

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[396] Wassrel "eBay Discussion Thread."
[397] Solon, "eBay Discussion Thread."
[398] Gouy "eBay Discussion Thread."
[399] Helo "Best Movie Discussion Thread," *Chinaphiles Forum,* August 2003, accessed September 9, 2009.
[400] Quills "Thanks Discussion," *Chinaphiles Forum,* June 2004, accessed September 9, 2009.
[401] Murb "Thanks Discussion."
[402] Restel "Thanks Discussion."

Such a distinction is similar to those noted by Wingrove, Korpas and Weisz when arguing that filesharers perceive a distinction between physical theft and the appropriation of intellectual property in non-tangible form.[403] In the *EL* and *CP* communities, many members were quite insistent about the fact that their activities should be exclusively not-for-profit. As such, it could be suggested that members sought to distance themselves from the illegal and unethical connotations of the more pejorative term, 'piracy'. Community members perceived those who profited economically from copyright infringement as the 'pirates' and those who 'shared' films within the community as simply fans that 'swap' films online. It seemed important for some of the community members that they were able rationalize their behaviour as more akin to sharing than theft. Arguably, the visibility of the sampling ethic within both communities might be more to do with the power of certain individuals to mould the dominant discourse rather than a straightforward reflection of a community moral code.

Indeed, not all members considered their own activities as distinct from the 'for-profit' pirates. Such members did demonstrate recognition that their activities are illegal (and widely considered unethical). Mellos in particular felt that the forum members had no right to complain if someone else was benefitting financially from their labour, for he/she acknowledged that they were all benefiting culturally from the efforts of both the online distributors and the film industry more generally.[404] Whilst there was by no means an overall ethical consensus within the community, there was regular mention of the idea that if a film is appreciated it should be purchased. Members repeatedly referred back to the principle that sharing on these sites should be used as a form of sampling. This is not to suggest that the activities observed support the sampling effect argument, but rather to indicate that this particular discourse was dominant within the community.

The manner in which it was most appropriate to deal with the perceived 'transgression' of the eBay seller was discussed at length on the *EL* forum. Maloi suggested that the user should be reported on eBay if they could not be tracked down within the group. Such a strategy of reporting someone for selling bootleg DVDs online seems a counterintuitive response for an online filesharing forum. However, it becomes even more fascinating when one considers that of concern to the community members was not that someone was profiting from the labour of the filmmakers without remuneration filtering back to the copyright owners, but that someone was profiting from the

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[403] Wingrove, Korpas and Weisz, "Why Were Millions of People Not Obeying the Law," 11.
[404] Mellos, "eBay Discussion Thread."

intellectual labour of members of their own community. Rather than a concern for financial payment for their labour, the desire was for proper recognition of their efforts. Some felt that the action would have been permissible had there simply been some acknowledgement of the effort of the community members. Issilon argued that it was not the act of selling, or even profiting, that was wrong.[405] It was the fact that the DVDs were being advertised and sold as 'promotional' copies and as such were being sold under false pretenses. Thus, it was the fraudulent nature of the activity, rather than the copyright infringement, that was perceived as ethically dubious.

Xirit proposed the solution of including a watermark in the fansubs that indicated where the subtitles originated and who had made them.[406] Avves, a well-known subber on the board suggested he always watermarked his subs so they could be traced back to him. He took a particularly hard-line response to the eBay seller, consistently branded him a 'pirate' and suggested that the police be informed about his/her actions.[407] However, it was suggested by common poster, Usef, that such behaviour might itself put the community in a dangerously exposed position.[408] At this point, Hunnish makes the point that the board is not quite as 'hidden' as some members seemed to believe. However, it was also acknowledged that whilst the forum might be easy to find if one was to look for such a site, it would be inadvisable to unnecessarily draw attention to their forum. Therefore, it was suggested that the watermark need not identify the forum itself but might instead warn of the deceptive nature of the eBay seller. However, such a strategy was also criticized, because it was considered largely impractical and ineffective.

The use of watermarking is a particularly noteworthy response to the eBay seller's transgression, because it is one of the methods employed by the studios themselves when attempting to curtail advance copies of new films circulating online before the release date. As such, it further highlights the peculiarity of such a response to bootleg DVDs being expressed on a forum dedicated to sharing files under copyright protection. Indeed, it emphasizes the extent to which the forum members distinguish themselves from other 'pirates' and attempt to secure the 'ethical' nature of their own activities by demonizing any circulation of copyrighted goods that seeks to make profit.

Pillsok made the interesting point that if a legitimate distribution company had used his

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[405] Issilon, "eBay Discussion Thread."
[406] Xirit, "eBay Discussion Thread."
[407] Avves, "eBay Discussion Thread."
[408] Usef, "eBay Discussion Thread."

fansubs without permission not only would he not mind, but also he would actually purchase a copy of the film that used his subtitles.[409] Significantly, this was not because he would like to see his 'handiwork' in action, but because he would view such a copy to be of superior quality to the downloaded copies he already possessed. Such a perspective belies an underlying respect for the official distribution companies. As with the ethos of a commitment to purchasing legal copies when available, it points to a general wish to support the community of East Asian cinema fans, including both online filesharing networks and professional distribution companies. As such, the aims of the distribution companies are not seen to be at odds with the filesharers. Rather, it is believed by forum members that they both share a common goal of wishing to achieve the widest possible dissemination of East Asian cinema.

However, the hypocritical nature of complaints about the unauthorized use of the intellectual property heralding from a filesharing website was not lost on all members, and one individual likened the outcry amongst community members to an anarchist sitting in line at the job centre.[410] This backlash against the complaints among the community has two faces. Some members demonstrate recognition that their activities are illegal and widely considered unethical. Other members proposed the argument that no-one owns culture, not the people who make it, distribute it, or add value to it (via re-encoding or fansubs), and suggested that people should not share their fansubs if they are not happy for their wares to circulate in unexpected ways.[411] However, those members that represented this point of view did so with a tacit recognition that their perspective was also underrepresented on the board. Indeed, while there was not consensus on the forums, even the dissenting voices seemed to accept that they were not in the majority. This again highlights how certain community members, while not actually representing majority opinion on the board, are able use their symbolic power to present their own opinions as universal and natural rather than peculiar and subjective.

The differing opinions expressed within this particular discussion thread suggest that a cohesive ethical standpoint is not in evidence on the *EL* forum. Nevertheless, it seems that forum members perceive such a code to exist and that the actions of the eBay seller amounted to a serious transgression of this imagined moral code. Furthermore, this ethical code is based on the presumption that forum members also accept that their sharing activities are distinct from the sort of for-profit physical piracy that they consider

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[409] Pillsok, "eBay Discussion Thread."
[410] "eBay Discussion Thread."
[411] Usef, "eBay Discussion Thread."

to be at odds with the aims of the industry. Thus, there is an acceptance that there is a sampling ethic within the community's moral code despite the fact that some forum members suggest that such an ethic is neither widely adhered to within the forum nor effective in routing revenue back to the artists.

This chapter has considered in some detail the two forums that are the focal point of this study and their position within the wider context of the development of filesharing and other forms of digital piracy over the last decade. In doing so, it has been established that illegal downloading takes all manner of forms, not all of which can described as filesharing. What this discussion has also shown is that downloading and filesharing may be routed through a social hub (forum, website or programme) that may to a greater or lesser extent provide (or even proscribe) a certain level of community interaction in order to access the files the user desires. On the *CP* and *EL* forums, interaction is imagined in different ways, but both communities are 'imagined' as bound by a shared set of codes and conventions.

Beyond Anderson's claim that to a certain extent 'imagination' is a prerequisite to any community, these particular communities imagine themselves through reference to the ideas that the communities share explicit and implicit goals and ethical codes. That is, their activities should be exclusively non-profit, used as a method of sampling rather than as a replacement for commercial products, and underpinned by an ethos of reciprocity. It is through such a binding set of shared beliefs that the communities are able to imagine their boundaries, but it is also through the same process that they are able to extend themselves beyond their 'gated' online existence and see themselves as sharing goals and aims with the industry as well as each other; an issue that will be explored in greater depth in chapters six and seven.

However, it must be acknowledged that a few key individuals are able to exert a considerable influence on the way these communities are imagined and structured by presenting their own actions, opinions and beliefs as somehow representative of the wider community. It is their ability to structure the structure of the forums that gives them power within the communities and allows them to maintain their dominant position. By privileging their own patterns of behaviour as the markers of 'true' community participation they effectively create a self-perpetuating cycle whereby as they accumulate more symbolic capital through their normal practices, they attain yet more power to suggest that such patterns of behaviour represent the only route to community

status. This in turn cements the idea that the current forum structure, with all its associated hierarchies, represents the forum in its ‘true’ and ‘proper’ state.

Looking back to the literature review it was discussed how many studies try to represent the opposing arguments that filesharing is either damaging the industry through cannibalizing sales or provides an informal method for potential consumers to sample products before they risk the cost of a legitimate purchase. This thesis is not concerned with proving or disproving either argument, but it is of significance that the sampling argument plays such an important role in forming the perceived ethical codes of both of the forums discussed in this chapter. As such, I would argue that attempts to resolve the sampling/substitution debate may have missed the point. The fact that filesharers *perceive* their actions to be a method of sampling in no way proves that they are, but such a belief nevertheless plays a key role in the manner in which the community is imagined. It demonstrates that a sampling ethos plays an instrumental role in forming a sense of a shared community with shared ethics, codes and conventions. As such, this chapter has considered how these notions of sampling, and also reciprocity, have been absorbed into this perceived moral code of the communities and how this serves to create a sense of a wider ‘imagined community’ of East Asian film fans.

5. Formal Networks of Distribution: Tartan and Third Window Films

Chapter Two established that film distribution is a relatively under-researched area, especially in respect to considering film as a *cultural* artefact. The work that does exist is a rich resource for understanding the nature of the business of film. However, the approach of authors who have dealt with the industry as a business has often come from a political economy perspective, and so has tended to sideline the significance of film as a cultural form.[412] Furthermore, many of the studies that have centred on the business have also tended to focus on Hollywood due to the immeasurable influence that it has on all aspects of the film industry. However, as Iordanova suggests, Hollywood's dominance of the global film business has been somewhat overstated and the repetition of such a myth only serves to focus academic attention on Hollywood and leaves other networks of film dissemination under-examined.[413] This thesis aims to contribute to the growing body of research that takes a more holistic approach to networks of distribution, by considering not just distribution practices that have been under-researched within film and cultural studies (including non-mainstream, piracy, and filesharing), but also how these networks of distribution intersect and interact with one another.[414]

As well as the enduring focus on Hollywood, previous work on distribution has focused on examining the *structure* of the industry rather than analysing how individuals negotiate and navigate their position *within* that structure. In doing so, such work again grounds the discussion of distribution within the context of a profit-driven industry. Whilst it is undoubtedly important to examine how control over the channels of distribution enables one sector of the industry to maintain its position as a market leader, such discussions prioritise an examination of how film circulates in a resolutely industrial and economic context. Even when looking beyond film distribution to academic work on cultural intermediaries more broadly, it seems the recent focus on the 'creative industries' and the 'knowledge economy' have served to cast all cultural intermediaries in distinctly profit-driven terms.

Rather than seeing intermediaries as providing a necessary buffer between the aesthetic concerns of the artists and the economic motivations of the industry, this chapter looks

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[412] Richard Caves, *Cultural Industries: Contracts Between Art and Commerce* (Harvard: Harvard University Press, 2002); Toby Miller, Nitin Govil, John McMurria, Richard Maxwell and Ting Wang, *Global Hollywood 2* (London: BFI, 2005).
[413] Dina Iordanova, "Rise of the Fringe: Global Cinema's Long Tail," in *Cinema at the Periphery,* eds. Dina Iordanova, David Martin-Jones and Belén Vidal (Detroit: MI: Wayne State University Press, 2010), 24.
[414] Sean Cubitt "Distribution and Media Flows," *Cultural Politics* 1, no. 2 (2005); Dina Iordanova "Rise of the Fringe,"; Ramon Lobato, "Subcinema: Theorizing Marginal Film Distribution," *Limina: A Journal of Historical and Cultural Studies* 13 (2007).

at distributors as cultural intermediaries who are engaged with the social and symbolic properties of the cultural commodities that they circulate, as well as being mindful of the economic imperatives of the industry within which they operate. Furthermore, recent work on prosumers tells us that the distinction between production and consumption has at the very least been eroded, and may even have been illusory all along. Thus, this chapter looks at film distributors, not as mediators between distinct realms, but as individuals working within a specific industrial, cultural and social context.

Therefore, whilst industrial context will always have some significance, it is dangerous to focus exclusively on the larger economic imperatives of an industry as having the final say over everyday professional practice. The brief discussion of gatekeeper studies in the literature review showed that key decision makers may repeat patterns of habitual behaviour in operating their 'gate', and furthermore, may do so unquestioningly. However, with such a point in mind it is important not to entirely discount influence and power exerted over gatekeepers from above in examining the acquisition decisions of film distributors; the individual gatekeeper is never the sole arbiter of what is seen, reviewed, or accessible.

This chapter outlines the behaviour of film distribution companies within the larger context of the dissemination of film around the globe. Taking East Asian cinema as a case study, it seeks to examine how the cinemas of a group of East Asian countries, through traditional channels facilitated by distribution companies buying the rights to films and releasing them in certain territories (in this case the UK). The chapter focuses primarily on Tartan, the distribution company that sought to brand East Asian cinema under its influential label "Asia Extreme". A secondary focus is Third Window Films, a one-man UK -based distribution company that deals exclusively with East Asian cinema. This chapter will first provide an introduction to film distribution generally before focusing specifically on independent film distribution in the UK and discussing Tartan Films and Third Window Films in some detail. The main bulk of this chapter will concern the decision making process, who is responsible for making acquisition decisions and the process of gathering intelligence on films, before ultimately considering the possible criteria that inform the decision-making process.

This chapter addresses the question of what motivates and shapes the acquisition decisions of two independent distribution companies. I find that the process of acquisition is driven and shaped by accepted sources of film knowledge and not only by commercial considerations of economic return. This indicates that we cannot discuss film distribution in exclusively economic and industrial terms, as has been the case in

previous work on Hollywood. Nor can we look at the work of the cultural intermediary as providing a necessary buffer between the creatively inspired artist and the economically driven industry, because such a construction ignores the fact that both artists and the industry are motivated by a combination of creative and economic concerns.

Leading on from this central argument, I propose a series of sub-arguments. First, the boundaries between commercial/aesthetic priorities and production/consumption contexts must be recognised as false binaries. Nevertheless, the continued perception of such a distinction allows the distributors to believe that their emphasis on aesthetic priorities makes them 'superior' to the rest of the industry. Despite the fact that profit and cost must be considerations within film distribution, as they are within any business, they are not discussed by the film distributors I have spoken to, as a major factor within their decision-making process. Indeed, individuals working in distribution view themselves as film enthusiasts whose main aim is the dissemination of film, whilst paradoxically seeing the rest of the 'industry' to be predominantly commercially rather than aesthetically orientated.

Second, coming from Slater's perspective that culture and economics are inescapably intertwined, this chapter considers film distribution companies as concerned with both the social and symbolic life and significance of the films they disseminate.[415] The wider context of the global film business is one of an industry increasingly controlled by multinational conglomerates who provide significant financial backing for films, whilst also imposing concomitant economic return requirements. However, such a wider context should not lead to a presumption that concern for economic imperatives are pervasive throughout film production, distribution, exhibition and consumption. Whilst such wider shifts in the ownership and control of multimedia conglomerates should never be ignored, they should equally not be allowed to eclipse the social and cultural significance of film on an everyday level.

Third, the circulation of social and cultural capital within the distribution business is pivotal in shaping the acquisition decision-making process. Key in the accrual of such capital is the ability to develop and command an expert knowledge of East Asian film. However, each company prizes contrasting sources and types of knowledge. At Tartan, expertise developed within the industry, or whilst in higher education is preferred, whilst knowledge of fans, and developed within fan communities, is privileged by Third Window

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[415] Don Slater, "Capturing Markets from the Economists," In *Cultural Economy,* eds. Paul du Gay, and M. Pryke, (London: Sage, 2002), 59.

Films. Thus, one of the central findings of this chapter is that those perceived to have specialist film knowledge, where that knowledge is acquired from, and how it takes shape are highly influential within the acquisition decision-making process. Knowledge is considered paramount, but certain 'types' of knowledge are *preferred* within certain organisations. Knowledge about film becomes a contested area, where fan-based knowledge, critical knowledge and industry knowledge compete for prominence and superiority. Certain arenas provide space for different types of knowledge to be formulated and to develop. Film festivals, for instance, provide a space for film knowledge to circulate, which in turn contributes to the expertise that informs the acquisition decision-making process.

Finally, in a similar manner to the processes of literary reviewers studied by Curran, the distributors discussed in this chapter make acquisition decisions based on standards and criteria that they see no reason to question.[416] Thus, whilst distributors like Tartan have the gatekeeping power to influence how Japanese, Chinese and Korean cinema is perceived in the West, the power to decide what films are distributed (or labelled as "Asia Extreme") is the responsibility of a handful of people and informed by their close knit professional industry network.

Before considering the question that forms the conceptual focus of this chapter, "What motivates and shapes the decisions of the independent professional distributors?", it is first necessary to provide an industrial and professional context for this discussion. The following section will consider the nature of the global film industry before focusing in on how distribution fits into the wider business. In doing so, it will be possible to elucidate the relative position that each company has within the wider industry so as to examine the central claims that the distributors in question are not as profit-driven as one might expect.

The Business of Film: Tartan and Third Window

The distribution sector of the wider film industry cannot be viewed as a homogenous entity. There are numerous independent players within production, distribution and exhibition, and Third Window Films and (until recently) Tartan are just two of the independent players within the global film industry. However, Hollywood continues to dominate the international film business and is itself controlled by a small number of key players who create the illusion of diversity by picking and choosing from a vast 'network

[416] James Curran, "Literary Editors, Social Networks and Cultural Tradition," in *Media Organisations in Society*, ed. James Curran (London: Hodder Arnold,1999), 222.

of subcontracted firms and individuals'.[417] The New International Division of Cultural Labour (NICL) described by Miller et. al. points to a workforce typified by employment that is uncertain, insecure and in all other ways distinctly precarious.[418] Arguably, the structure of Hollywood, where all aspects of film production, distribution and exhibition come under the control of a few major transnational corporations, allows them to secure and perpetuate their dominance.[419]

> Conglomerates that are horizontally integrated own production facilities, distribution networks, and exhibition outlets in a number of different media industries. They all join together to create an efficient and synergistic media environment in which the whole of the company is greater than the sum of its parts.[420]

As such, the division between what is defined as 'independent' within this industry and what is not has become unclear. Consequently, it is no more possible to view the independent distribution sector as homogenous than it is to generalise about the film industry overall. Indeed, Chris Holmlund and Justin Wyatt question whether the growth of big-budget 'independent' films such as *Gangs of New York* (Martin Scorcese, 2002) or *Chicago* (Rob Marshall, 2002), made by 'mini-majors' or 'independent' offshoots of the large studios represents a shift into the mainstream for 'independent' film.[421] Such reasoning has lead them to question whether ''indie' [has] become merely a brand, a label to market biggish-budget productions'.[422] As Holmlund and Wyatt suggest, independent film distribution is being augmented by the increasing prominence of the majors in funding independent distributor companies.[423] Thus, it might be argued that 'independent' as a category becomes increasingly defined not by *independence* from the studios but by certain *types* of film.

Indeed, no commercially made and released film can ever be completely divorced from the industrial and commercial context of the wider film industry, regardless of the specific conditions of its own production. Each film will still need to engage with the wider structure of film distribution deals, film markets and festivals and wider commercial

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[417] Toby Miller, Nitin Govil, John McMurria, Richard Maxwell and Ting Wang, *Global Hollywood 2* (London: BFI, 2005), 116.
[418] Miller et. al., *Global Hollywood 2,* 116.
[419] Ibid., 116.
[420] Ashish K. Vaidya, *Globalization: Encyclopedia of Trade, Labor and Politics* (Santa Barbara, CA: ABC-Clio, 2006), 399.
[421] Chris Holmlund and Justin Wyatt, *Contemporary Independent American Film: From the Margins to the Mainstream* (Abingdon: Routledge, 2005), 5.
[422] Holmlund and Wyatt, *Contemporary Independent American Film,* 5.
[423] Ibid., 5.

competition for audiences and so can never be truly independent of commercial considerations, influence and imperatives. As Thomas Guback writes:

> The motion picture is not only a means of communication and an art form. In a capitalist-orientated economy, filmmaking is a business – well organized, heavily capitalized, and powerful. A film is often conceived, produced, and marketed in much the same way as many other commodities. One could point to factors which seemingly separate film from other products, but on closer examination many differences would prove illusory.[424]

Although written over forty years ago, the significance and resonance of this statement has not diminished. The suggestion that film is a product not dissimilar to any other in consumer society is not a particularly radical one. The nature of the film industry as a business and the control that large corporations have over film as 'product' has been extensively researched, especially in relation to Hollywood and its dominance of the global film marketplace.[425] However, regardless of the fact that the film industry is a business and certainly, in the USA at least, forms an important part of the economy, it is imperative to consider that film holds a cultural significance as well as an economic one. Indeed, much of the marketing of film plays on the importance that film has in our lives, in forming our sense of self and in negotiating our individual identities. Thus, any examination of the film industry must recognise that films themselves have a dual existence as both economic commodities and cultural objects. With this in mind it is also important to remember that those working within the film industry are also likely to be invested in the cultural as well as the economic potential and significance of film texts. Indeed, it was certainly the case with all of the participants interviewed for this study that their intense love of film prompted them to pursue their career in the first place, and distribution was certainly not a profession entered into on the understanding that there would be any significant financial reward.

In order to understand the professional distribution of East Asian cinema in the UK it is first necessary to understand the distribution sector of the UK film industry. To this end, here, I outline the Hollywood model of distribution to illuminate how the UK model might differ. Arguably, Hollywood's control over global distribution plays no small role in securing and perpetuating its privileged position in the global film industry more generally. A discussion of Hollywood may at first seem like a diversion, but it is not if one

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[424] Thomas Guback, *The International Film Industry* (Bloomington: Indiana University Press, 1969), 7.
[425] See, in particular, Janet Wasko *How Hollywood Works* (London: Sage, 2003) and Toby Miller et al. *Global Hollywood* (London, BFI, 2001).

wishes to consider the globally integrated nature of the film industry as a whole. One territory may be considered as a case study but should not be examined in isolation from the global and industrial context within which it operates.

Hollywood is the key player in UK distribution; it continues to dominate the UK sector, ensuring that its products are exhibited prominently on UK screens.[426] This situation is by no means peculiar to the UK market; in 2002 eight media conglomerates were the recipients of 95 percent of box office revenues from the North American market.[427] Furthermore, the major Hollywood studios are branching into the independent film market by acquiring or developing 'independent' subsidiaries such as Miramax (previously owned by Disney) and New Line (acquired by Time Warner AOL). Therefore, the division between the sectors is being blurred. In addition, these subsidiaries dominate the distribution of independent films in the North American market.[428] Indeed, if, as Anne Jackel suggests, 'a significant number of small independent distributors are struggling to remain in business as the major groups are now acquiring the more promising arthouse titles'[429] then the line between the major Hollywood studios and the independents becomes further obfuscated.

With this complication in mind, it is necessary to attempt to clarify what the term 'independent' means in relation to film distribution. Accordingly to Julian Petley, 'the word 'independent' has usually been taken to denote that the distributor in question is not tied to the products of any particular Hollywood studio'.[430] However, as the majors move into the 'independent' film market one might seek to explore a definition of 'independent film' that is based on questions of style, content, focus and country of origin, rather than commercial affiliation. Petley suggests that an 'independent' film company is defined not only by its separation from Hollywood but also by the kind of product it chooses to distribute.[431] As such, according to Petley, an independent should not only maintain its autonomy from the US majors but it should furthermore have a commitment to British, European, Third World and 'left-field' US cinema.[432] Aside from the fact that Petley lamentably overlooks some other important non-US film industries in this suggestion, his expansion of the term 'independent' allows it to transform into an assertion of a kind of genre rather than an indication of independence from the multinational media giants.

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[426] Julian Petley, "Independent Distribution in the UK : Problems and Proposals," in *New Questions of British Cinema*, ed. Duncan Petrie, (London: BFI, 1992); Doyle, *Understanding Media Economics* (London: Sage, 2002).
[427] Wasko, *How Hollywood Works,* 60.
[428] Robert Marich, *Marketing to Moviegoers* (Oxford: Focal Press, 2005), 228.
[429] Anne Jackel, *European Film Industries* (London: BFI, 2003), 112.
[430] Petley, "Independent Distribution in the UK " 78.
[431] Ibid., 78.
[432] Ibid., 78.

Indeed, Janet Harbord's discussion of arthouse cinema provides an indication of how certain classifications (such as arthouse, independent, and speciality film) can speak to the aesthetic features of the film as well the industrial context of production, distribution and consumption. Harbord suggests that, whilst there are no solid rules for defining arthouse films, there are certain ideas that are evoked by the term, both political and aesthetic. [433] Harbord makes the point that, 'at its best, arthouse cinema attempts a heterogeneous programme of films made outside of the studio system, embracing at least three forms of filmic classification: the formally innovative film, the socially realist text and foreign films'.[434] Whilst Harbord's definition of arthouse confirms the understanding that, normally, such films originate outside the Hollywood studio system, such a description also highlights how the designation 'independent' is also synonymous with certain assumptions about the type of cinematic experience that will be on offer. Thus, we might understand the definition of an 'independent' distributor as intimately concerned with both the types of films that they choose to distribute as well as the financial backing for each organisation. Indeed, Marich makes the distinction between the 'true independents' who are not backed financially by the major studios, and the 'indie-film divisions' of the majors (e.g. Miramax and New Line Cinema) when classifying the independent distribution sector.[435] As such, in understanding the nature of independents we must also consider their status within larger media structures and how this may differ from the organisation of the major Hollywood studios if we are to make the case, as this chapter does, that the independents discussed here are less driven by profit than one might expect given the distinctly risky nature of the business.

One way that the majors protect themselves from the financial risks inherent in the film business is by being part of larger multimedia conglomerates; Paramount is a subsidiary of Viacom Incorporated, Columbia of Sony Pictures Entertainment, 20th Century Fox of News Corporation, Universal of Vivendi, and Warner Bros. of the Time Warner AOL company.[436] Often, the major Hollywood studios are in control throughout the life of their products; they oversee the films from pre-production to production and further through distribution, exhibition and the progression of films to seek profits in a multitude of ancillary markets.[437] This, the media economist Gillian Doyle suggests, is one of the major reasons that independent filmmakers have trouble getting their films exhibited at all.[438] The status of the majors as one of many interests of multinational corporations,

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[433] Janet Harbord, *Film Cultures* (London: Sage, 2002), 43.
[434] Ibid., 43.
[435] Marich, *Marketing to Moviegoers*, 228.
[436] "The Hollywood Studios," last modified, May 5, 2009, accessed March 11, 2011, http://www.bfi.org.uk/filmtvinfo/researchers/distribution/hollywood.html
[437] Doyle, *Understanding Media Economics*, 108.
[438] Ibid., 113.

and their control over product from conception to consumer, allows the majors to absorb some of the high levels of risk that are said to accompany film production and distribution. Hollywood has the ability to bankroll large productions regardless of whether they will be a success, safe in the knowledge that one blockbuster will make up for the losses of multiple films.[439]

Arguably, the 'true' independents do not have the ability to spread risk across multiple productions or multiple business interests in quite the same way. However, risk can be avoided by other means. For instance, it is rare for a small distributor to be an active contributor to the funding of a film before it is finished.[440] For both Tartan and Third Window Films, acquisitions tended to take the form of negative pick-ups, that is, 'when a distributor (or international sales agent) acquires rights once a film is completed but without previously having had any involvement in production finance'.[441] Negative pick-ups are arguably less risky than being part of the financing of a film, because the financial outlay only involves securing the rights, the costs of reproducing prints, and promotion and marketing. However, regardless of at which point in the process the distributor enters, film distribution is still reputedly a risky business.[442] In fact, in extreme cases, one unsuccessful film can bring down a previously profitable company. As Jackel points out in her examination of film distribution networks within Europe, the French company Amorces Diffusion was brought to its knees by the failure of just one film, Mañoel de Oliveira's *O Convento* (Mañoel de Oliveira, 1995) starring John Malkovich and Catherine Deneuve.[443] It was reported that the film simply cost too much. But, whatever the reasons, because one single film did not return the investment put into it, Amorces Diffusion was no more.

The riskiness of the business is further highlighted by the fact that one of the main subjects of this study, Tartan, went into administration in June 2008. Indeed, the instability of distribution and the influence of the majors in the independent sector was not lost on Tartan's former employees interviewed for this study. It was particularly mentioned by one respondent that, because other distributors like Pathé had the financial backing of the Fox corporation, they could afford Almodovar's films even *after* the director had become world renowned. These were rights that had previously resided with Tartan on VHS, but which the company could not afford to renew once the director's fame had transcended the arthouse audience.[444]

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[439] Ibid., 108.
[440] Jane Giles, (Ex-Head of Acquisitions, Tartan), Interview with Author, October 2008.
[441] Jackel, *European Film Industries,* 92.
[442] Ibid; Wasko, *How Hollywood Works*; Petley, "Independent Distribution in the UK "
[443] Jackel, *European Film Industries,* 108.
[444] Ben Stoddart, Interview with Author, October 2008.

So, Tartan and Third Window Films were both operating within a global business that was dominated by Hollywood and was renowned for being financially risky. Some of that risk was offset by the focus on negative pickups. However, as the *O Convento* example and Tartan's own downfall attest, the industry still remains financially perilous. Within such a context it might be expected that the acquisitions process would be heavily influenced by the concern to achieve a return on one's investment; not necessarily to secure profit, but at least to safeguard the continuation of the company. However, the following section, which takes a more detailed look at the companies in question, reveals this to be a less significant consideration than might be expected.

Having considered the context of the independent distribution sector, this chapter will now consider the specific distribution companies that form the focus for this study. The spotlight will be on Tartan Films, whose "Asia Extreme" label actively promoted Asian cinema in the UK However, the study will also consider the much smaller distribution company Third Window Films, which specialises exclusively in bringing East Asian cinema to UK audiences. Furthermore, other distributors in the UK who release East Asian cinema, but not necessarily as their main focus, will be considered briefly to provide context for the overall market for East Asian cinema in the UK . It will also serve to demonstrate the varied nature of the UK independent distribution sector and how both companies were or are placed within this industrial context.

Tartan Films

Film producer Don Boyd, Scottish distributor Alan Kean and entrepreneur Hamish McAlpine founded Tartan Films in 1984.[445] Tartan formed a brief alliance with Metro Pictures in 1992 to form Metro Tartan but reverted to Tartan Films in 2003. Tartan Films was an independent distributor boasting a catalogue of over 300 films in 2005.[446] The Tartan brand expanded overseas in 2004 with the birth of Tartan Films US, but this venture was short-lived and Tartan Films USA. went into administration in May 2008, followed closely by Tartan Films UK in June of the same year. Tartan's film releases, theatrically, on VHS, and latterly on DVD and Blu-ray, were renowned for their diversity. Their impact on the face of UK film distribution cannot be underestimated, and Tartan has been described as one of the 'most adventurous independent companies in the UK for more than 20 years - and one of the few with a recognizable brand name'.[447]

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[445] Geoffrey Macnab, "Death of a Salesman," *The Guardian* July 4, 2008, accessed September 15, 2008, http://www.guardian.co.uk/film/2008/jul/04/filmandmusic1.filmandmusic1.
[446] "About Tartan," *Tartan Website,* accessed September 15, 2008, http://www.Tartanvideousa.com/pg_profile.asp
[447] Macnab, "Death of a Salesman."

Although, arguably, Tartan became synonymous with Asian film through their "Asia Extreme" label, their output was remarkably varied. *Time Out* marked their passing with an article about a few films from their 'impressive canon';[448] films as diverse as *Wild Strawberries* (Ingmar Bergmann, 1957), *Society* (Brian Yuzna, 1989), *El Topo* (Alejandro Jodorowski, 1970), and *Mysterious Skin* (Gregg Araki, 2004). Tartan's founder, Hamish McAlpine, was said to be an important influence on the company in general.[449] A controversial figure at times, McAlpine once got into a fistfight with director Larry Clark over the 9/11 bombings, an incident that led Tartan to withdraw distribution of Clark's film *Ken Park* (Larry Clark and Edward Lachman, 2002). However, he was also described by Tartan co-founder Boyd as a 'brilliant, creative distributor with passion for what he does'.[450]

Tartan's financial health started to deteriorate and they announced they would be making no new acquisitions from November 2007, and they maintained this position until they went into administration in June 2008.[451] Tartan Video USA went first, with Palisades Media Group acquiring Tartan's US back catalogue of 101 films in May 2008.[452] The UK catalogue of over 400 films was also taken over by Palisades some two months later.[453] The company is now run out of the US and under the new name Palisades Tartan. Palisades Tartan suggest that they intend to continue being a theatrical and DVD distributor, and Chairman/CEO Vin Roberti suggested they 'will be aggressively ramping up future acquisitions'[454] with the aim of achieving a back catalogue of over 2,000 films by 2010. When Tartan finally closed its doors it was reported that twenty-two employees were made redundant.[455] According to my interviewees the company had been downsizing and restructuring for some time.[456] However, as will be discussed later, despite the difficulties within the company and its eventual demise, Tartan employees generally viewed their decisions to be less concerned with profit than one might imagine.

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[448] Tom Huddleston and David Jenkins, "A Farewell to Tartan Films," *Timeout,* July 3, 2008, accessed September 15, 2008, http://www.timeout.com/film/features/show-feature/5133/a-farewell-to-Tartan-films.html.
[449] Stoddart, Interview.
[450] Macnab, "Death of a Salesman."
[451] "Tartan Films Goes into Administration," *Screen Daily,* June 27, 2008, accessed July 19, 2008, http://www.screendaily.com/ScreenDailyArticle.aspx?intStoryID=39611.
[452] Patrick Frater, "Tartan Admits Financial Problems," *Variety,* May 20, 2008, accessed June 1, 2008 http://www.variety.com/article/VR1117986153.html?categoryid=13&cs=1&query=Tartan+video.
[453] "About Palisades Tartan," *Palisades Tartan Website,* accessed January 9, 2009, http://www.palisadesTartan.com/AboutUs.asp.
[454] Sharon Swart, "Tartan Library to Palisades," *Variety,* July 8, 2008, accessed July 28, 2009, http://www.variety.com/article/VR1117988641.html?categoryid=13&cs=1&query=Tartan+video.
[455] "Tartan Films into Administration," *The Scotsman,* June 28, 2008 accessed January 5, 2009, http://thescotsman.scotsman.com/6500/Tartan-Films--into-administration.4232541.jp.
[456] Giles, Interview.

Third Window Films

Although the original intention of this study was to focus on Tartan Films, the interview with Adam Torel, an ex-Tartan employee and founder of Third Window Films, allowed for an interesting comparison to be made between Tartan and Torel's more specialist company. Torel is the only full-time member of staff at Third Window Films; jobs that require more personnel are contracted out to PR, sales, or marketing agencies. Third Window Films deals exclusively in East Asian films and Torel, unlike all of the other participants interviewed, regards himself as a film 'geek', and openly describes himself as a 'fan' of East Asian cinema. Torel suggests that his concern has always been to seek out new Asian cinema and circulate it to as many people as possible. Although Third Window is a one-man company and was only founded in 2005, by April 2009 the company had released nineteen films and had a steady stream of titles showing at arthouse cinemas around the UK , most notably at the ICA in London.[457] Third Window relies on the success of each film to finance the next, so arguably the company exists in a permanently precarious situation. But, as will be discussed later, Torel is primarily concerned with bringing the films he sees as new and innovative to UK audiences and downplays the importance of securing the financial future of the company.

There are other players in the market who release East Asian film, but not as their primary focus. The British Film Institute (BFI) does release East Asian cinema but only those films that fit within its focus on the 'classics'. According to Jane Giles, formerly the Head of Acquisitions at Tartan and now the Head of DVD at the BFI, the BFI's definition of 'classic' incorporates 'films that traditionally have been critically revered'.[458] According to Giles, the BFI have a 'cultural programme', which is really their release schedule. Part of this cultural programme is 'rediscoveries', in other words, 'films that people don't really know are classics but they come from the history of world cinema and they have been overlooked for one reason or another'.[459] The BFI has commercial concerns, but as a registered charity with a range of interests and funding streams, these differ considerably from those of a small independent commercial distributor. One might expect financial considerations to be less prominent within the acquisitions process at such an organisation, where they are not so dependent on the financial success of each film for the continued success of the entire organisation. However, both Tartan and Third Window seemed equally unshackled by commercial concerns despite their reliance on the commercial success of each film.

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[457] "Product," *Third Window Films Website, accessed April 6, 2009,* http://www.thirdwindowfilms.com/product.htm.
[458] Giles, Interview.
[459] Ibid.

Another key player in the distribution of East Asian cinema in the UK at the time the data was gathered was Optimum Releasing, a company that started their own "Optimum Asia" brand in 2004, two years after Tartan.[460] However, Optimum was never pitching to the 'extreme' market in the same way as Tartan. Their "Optimum Asia" label released a preponderance of Japanese anime, due to a deal with Studio Ghibli (the company responsible for the work of acclaimed anime director Hayao Miyazaki) to release their films in the UK. Other significant distributors in the sector include Artificial Eye, Yume, Axiom, ICA films and Soda. All of these distributors are independent and release a selection of East Asian titles but this does not represent the focal point of their business and so they are not discussed in detail in this thesis.

Such a range of key players within the distribution of East Asian cinema in the UK represents not just some differences in terms of output (e.g. "Asia Extreme" vs. the Studio Ghibli back catalogue), but also in terms of the financial arrangements and backing for each distributor. Third Window is reliant on each release being a success in order to fund the next. Tartan could spread their risk over a wider range of titles, but were still dependent on income from films for their continued existence. The BFI enjoy a range of funding streams and so are not so dependent on the success of their distribution arm. Optimum, as a subsidiary of Studio Canal, had a much larger company behind it that allowed the distributor an element of financial security and also clout when securing the bigger deals. Such a combination of financial arrangements demonstrates the variety of the field, but also highlights how much both Third Window and Tartan were reliant on the performance of individual films in a way that their direct competitors were not.

The Acquisition Process: The Golden Triangle and Knowledge Sources

Whilst the overall industrial context for distribution has been examined in the preceding section and in the academic literature more generally, still to be addressed is how the acquisition process functions more specifically. Although there is work within gatekeeper studies that has discussed the process of decision-making across a range of industries, there is no work that examines how distribution companies select films for release. As such, this chapter now moves on to discuss the acquisition process and what factors are most influential in shaping this process and influencing the films that reach UK audiences. In order to investigate this process four central issues are addressed; first, who is ultimately responsible for acquisition decisions? Second, how do the films come

[460] "Optimum Releasing Expands into the DVD Market," *Optimum Releasing Website,* February 11, 2004, accessed May 5, 2009, http://www.optimumreleasing.com/news_story.php?id=3.

to the attention of the distributors in the first place? Third, what is the role of film festivals and markets in the acquisition process? And finally, what aesthetic, commercial and financial criteria contribute to judgements of quality and suitability? Such questions allow us to consider in more detail the motivations of distributors and also the significance of *types* of knowledge in shaping the acquisitions process.

By examining who had the power to make acquisition decisions it is possible to see both how particular types of insider knowledge were privileged and protected within Tartan, but also how external sources of knowledge were sought within the industry itself (cinema programmers, critics, and sales agents) rather than looking to fans or audiences.

At Tartan the responsibility for deciding what films the distributor released, on DVD and theatrically, was primarily in the hands of the Head of Acquisitions.[461] The Head of Acquisitions would also consult what one respondent referred to as 'the golden triangle'[462] during the acquisition process. This 'golden triangle' was made up of the Head of Theatrical, the Head of DVD and the owner Hamish McAlpine.[463] Although the Head of Acquisitions carried out the work of actually seeking out films and keeping in touch with sales agents, the final decision was not laid entirely at her door.

One respondent suggested that in fact Hamish McAlpine had a significant amount of control over the films that finally got selected.[464] The Tartan "Asia Extreme" label was reputedly born out of McAlpine watching *The Ring* (Hideo Nakata, 1998) and *Audition* (Takishi Miike, 1999), and noting that this was 'the next big thing'.[465] Thus McAlpine was influential in steering Tartan in this direction. In any event, regardless of the extent to which the owner could influence the Head of Acquisitions, control over which films got selected (and which did not) appeared to be focused in the hands of the most senior members of the company. Most respondents did not question this, but one suggested that concentrating decision making power in the hands of a couple of people would result in a narrow idea of the kind of films that should be released: 'you can't just make all the decisions yourself. Effectively you'll get pigeonholed ideas'.[466] This represents how knowledge about film was seen to reside primarily with the most senior members of the company.

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[461] Releasing a new film to DVD no longer has the stigma attached that it once did but furthermore is quite commonplace in somewhere like the BFI where their main remit is to release 'classic' cinema.
[462] Stoddart, Interview.
[463] Andy Bale (Ex-employee, Tartan), Interview with Author, March 2008.
[464] Torel, Interview.
[465] Hamish McAlpine, "A Personal Forward," *The Tartan Guide to Asia Extreme* (London: Startlux, 2004), iv.
[466] Torel, Interview.

Situating decision-making power only within the 'golden triangle' might imply that those within this privileged group were the only ones within the company who were perceived to have the necessary expertise to make such decisions. Indeed, screeners were regularly sent to Tartan and it was part of the job role of junior members of staff to watch these, but it was rare that such a process would result in a film being acquired by the company.[467]

However, it must be recognised that decision by committee might not exactly be practicable, even in a relatively small organisation such as Tartan, and that, despite the concentration of decision making power amongst key individuals, acquisition decisions were not just left to the whim of subjective personal opinion but were informed by a variety of sources. This was described best by Jane Giles who suggested, when commenting on her role at the BFI, 'it is my final responsibility, but it is not just what I like or I think…it is kind of like a consensus opinion once we have worked out the sort of things that we want to do.'[468] In the case of the BFI, this consensus was developed with Margaret Deriaz, the Head of Film Distribution, Sam Dunn, the Head of DVD and Jeff Andrew, the Head Programmer at the BFI Southbank. Furthermore, according to Giles, these individuals would also listen to other voices outside of the organisation, like Jason Wood of City Screen Circuit, an influential cinema programmer.[469] So, to suggest that decisions were completely centred on key members of the management might be a little misleading, because their opinions were in turn formed by external influences.

However, such external influences were also often confined to key individuals within the film industry, e.g. other distributors, agents, producers etc., and did not often extend to considerations of the opinions of the fans of East Asian cinema. The strategy was markedly different at Third Window, where Torel had sole responsibility for deciding what films were released. Despite the seeming monopoly Torel has over deciding what to release, his decisions are nonetheless informed by a detailed knowledge of other fans of East Asian cinema. Fan discourses surrounding East Asian cinema are of high importance to Torel and he uses these to gauge what films would be of interest to his audience and what sectors of East Asian cinema might have been overlooked by other independent distributors. Such an attitude demonstrates a marked difference from all of the other professionals interviewed, who all took a rather less favourable attitude to fandom.

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[467] Ibid.
[468] Giles, Interview.
[469] Ibid.

All of the professional participants studied Film Studies at university, and so their knowledge of film was at least partially informed by the canon of that discipline. The tastes of the respondents varied in terms of the types of films that they would actively seek out and enjoy. Looking to the work of Bourdieu, capital exists in more than economic terms and, as such, it could be argued that the professionals had amassed a certain amount of cultural capital whilst at university and their position within the film industry only served to increase that capital.[470] Arguably, knowledge is another form of capital and has become increasingly prominent within the current 'knowledge economy'.[471]

There have been claims that we are living in a knowledge economy or a knowledge society, but what is exactly meant by 'knowledge' has not been adequately theorised in such discussions.[472] Furthermore, work has tended to focus on 'knowledge' in terms of disciplines such as science and engineering and has failed to recognise the economic prominence of culture and the creative industries within the so-called knowledge economy.[473] Not only is culture at the forefront of such an economy, but it is also individuals who hold such knowledge that become increasingly valued and respected.

> Traditionally accepted economic thinking says that increasing economic returns for investors involves the pursuit of self-interest through the exploitation of resources (human, natural and other resources) to supply the demands of the market. However, with the emergence of the knowledge society and the 'knowledge worker', human resources are no longer perceived as merely a passive asset that just performs routine tasks in the cycle of production and supply.[474]

As such, those who possess knowledge are able to use it, trade on it, exploit it and transfer it into other forms of capital, whether social, cultural or economic. However, as knowledge is such a valuable commodity, it is reasonable that it also becomes guarded, gated and protected, so it is not available to all. This is not just through the official instigation of intellectual property controls such as copyright, but also through the

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[470] Pierre Bourdieu, *Distinction: A Social Critique of the Judgement of Taste* (London, Routledge, 1984).
[471] Hitendra Pillay, "Knowledge and Social Capital," in *Handbook on the Knowledge Economy* ed. David Rooney, Greg Hearn and Abraham Ninan (Cheltenham: Edward Elgar Publishing, 2008); 81.
[472] David Rooney, Greg Hearn and Abraham Ninan, "Knowledge: Concepts, Policy, Implementation," in *Handbook on the Knowledge Economy* ed. David Rooney, Greg Hearn and Abraham Ninan (Cheltenham: Edward Elgar Publishing, 2008): 1.
[473] Ibid., 3.
[474] Pillay, "Knowledge and Social Capital," 83.

valorisation of particular types of knowledge and the denigration of others. As such, not all knowledge is created equal and at Tartan certain forms of knowledge of film gained through traditional channels for legitimate culture were favoured. It became evident that amongst the majority of the participants, the sort of knowledge about film generated at university or in professional circles was considered superior to the kind of knowledge amassed within other arenas, in particular those associated with fandom.

The respondents were all keen film enthusiasts, but on the whole would not identify themselves as film 'fans'. In Giles's case this was specifically in relation to Asian cinema: 'I was never particularly a fan of Asian film, I just found myself working for companies, first the ICA, which had a legacy of working with Asian arthouse cinema.'[475] Only Torel, the owner of Third Window, is a self-identified fan, and he actively encourages fandom around the products he distributes. One example of this is the Third Window online forum. Active since March 2007, the forum provides information on Third Window's films, but also creates a space for fans to have general discussions on Asian cinema.[476]

In addition, Third Window has a Facebook[477] and MySpace page.[478] However, this is not so unusual, because, as social networking becomes a part of everyday life for many people, a large number of companies and organisations now have a presence on these sites. Tartan, for one, previously had both a MySpace and a Facebook page. However, the interesting distinction between the pages that Tartan and Third Window both have on social networking sites is whether those pages are constructed as primarily promotional or explicitly social.

The tagline on the Third Window MySpace page is 'for the fans'.[479] Tartan, on the other hand, used the tagline space to promote their next film on release, the last one before they folded being 'P2 in cinemas nationwide May 2'.[480] Furthermore, Tartan's page does not list any directors or any interests, in complete contrast to Third Window's, which provides an extensive list of East Asian directors. Although it would be incorrect to say that Third Window's social networking pages are exclusively social (there is undoubtedly a promotional element), the difference is that Torel runs the pages himself, responding directly to questions posted. In the case of Tartan, and many other organisations for that matter, responsibility for monitoring the social networking pages falls to the most junior

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[475] Giles, Interview.
[476] "Third Window Films Discussion Board," accessed March 10, 2009, http://thirdwindow.proboards.com/index.cgi.
[477] "Third Window Films Facebook Page," accessed April 11, 2011, http://www.facebook.com/thirdwindowfilms.
[478] "Third Window Films MySpace Webpage," accessed March 10, 2009, http://profile.myspace.com/index.cfm?fuseaction=user.viewprofile&friendid=154226245.
[479] "Ibid.
[480] "Tartan Films MySpace Webpage," accessed January 5, 2009, http://www.myspace.com/Tartanfilms.

members of staff.[481] What this indicates is a differing relationship to fans, fandom and audiences. For Torel, it would seem that the fans are central, and creating a dialogue with them is paramount. For Tartan, social networking is not used to open up a discourse, but is a space that can be capitalised upon for promotional purposes.

In fact, the general attitude toward fandom amongst employees of Tartan was one of distancing. It is interesting to note that, although the respondents all identified themselves as keen film *enthusiasts* (as indeed they all seemed to be), they would never go so far as to refer to themselves as *fans*. Furthermore, as well as wishing to distance themselves from fans, the respondents often also referred to the rest of the industry in a less than favourable manner. Although they saw *themselves* as enthusiasts, the respondents overall considered the industry in general to be bereft of such connoisseurs. In fact, Torel even claimed that having a passion for film was a curse rather than a blessing when working in distribution.

> They're all business people, they could be selling anything…but the problem with knowing about film is it is not good when you [work in the] film industry…You just become really cynical of the whole industry, it could be selling paper towels. If you love a film you could get blind to the fact that it could make any money.[482]

Despite this suggestion that expertise was a hindrance, it seems that -- in contrast to other respondents -- Torel's knowledge of film is attached to notions of passion and enthusiasm, rather than a preference for knowledge developed through formal education and professional practise. This is not to suggest that Torel in any way lacks knowledge in these areas, but rather to assert that in contrast to his counterparts at Tartan he holds fan-based knowledge in high regard. Indeed, Torel was also the most outspoken about the lack of film knowledge within the rest of the industry, although such comments were noted from all of the respondents except Jane Giles.

In recognition of the value of knowledge of both film and the film industry, Tartan and Third Window were both concerned with capitalising on the expertise of their staff. However, where that expertise was attained was the important distinguishing factor between the companies. At Tartan, fan knowledge appeared to be less highly regarded than industry knowledge or knowledge of film developed through tertiary education,

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[481] Bale, Interview.
[482] Adam Torel (Owner, Third Window Films), Interview with Author, March 2009.

while the reverse appeared true at Third Window. Despite Torel's claims that knowledge of film can be a drawback if working within the film industry, it is not so much knowledge in general, as specific (and perceived) types of knowledge that may be a blessing or a curse. For instance, Ben Stoddart, ex-Tartan employee and now at Elevation (a DVD sales company), got his job at Tartan after a chance encounter with Hamish McAlpine at his previous place of work. He was subsequently employed on the basis that he had an impressive knowledge of film accumulated whilst at university. At the time, he had no specific knowledge of the industry but his enthusiasm and knowledge of films was deemed to be a valuable asset.[483]

Whilst not wishing to be aligned with fan knowledge, some of the respondents were also not keen to be regarded as film 'snobs' or as having a particular interest in 'inaccessible' cinema. Phillip Hoile, ex-Tartan employee and now working in film marketing, suggested that he tended to watch 'fairly serious foreign language cinema',[484] but was keen to point out that he also regularly goes to watch the same big blockbuster films as everyone else. In fact, some respondents were quite derisive about people who were 'all about' world cinema.

> Once I started studying [film]…I just got more into it and stuff. But I'm not…pure into world cinema and I'm not pure into…mainstream stuff…I've met a lot of people at University who were like hardcore film nuts. Do you know what I mean?...And it is all about Bergman,…Almodovar or whatever. And it is all about all the names that pop into your head when you think of world cinema… And it is very much all that. ... I tend to be like, yep, there is some great stuff out there, there is some quite frankly cack stuff out there. But, obviously you have to watch it to know that. But equally I like going to stuff, switch my brain off, sit and watch it. I'm perfectly happy with that, you know, I don't like to be pigeonholed.[485]

So, on the one hand, knowledge about film was prized by the respondents and, on the other, *too much* knowledge or interest in film (or particular types of film) was deemed to be distinctly negative. This was despite the fact that Tartan was particularly cited as a good place to work precisely because everyone working there had a keen interest in film. Stoddart stated, 'it was a good company and everyone who was there really liked the product, was really behind it'.[486] Stoddart suggested that working at Tartan 'expanded his horizons' because he watched films that he wouldn't have ordinarily. He

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[483] Stoddart, Interview.
[484] Phillip Hoile (Ex-employee, Tartan) Interview with Author, January 2009.
[485] Stoddart, Interview.
[486] Ibid.

particularly cited the release of *The Death of Mr Lazarescu* (Cristi Puiu, 2005) as an example, suggesting it was 'one of those things that I just didn't think I'd be vaguely interested in but kind of gave it a go and actually really like it. That is what Tartan is great for, it is a great company to work for like that.' He described the film as a 'sleeper film', 'one of those breakthrough things' but also as 'inaccessible' partially because it was very long and in Romanian.[487]

In summary, at Tartan key senior members of staff made decisions about individual films. Whilst the decision process might be influenced by other prominent industry figures, within the organisation, knowledge regarding film was seen to reside almost exclusively within the 'golden triangle'. That ultimate decision-making power resided with key senior members of staff in both companies is perhaps no surprise, but how the decisions of these members of staff were informed was paramount. Furthermore, the difference lies in types of knowledge of film, where that knowledge is seen to reside, and how it is acquired.

One of the key roles within the company was the Head of Acquisitions. Much of the job of the Head of Acquisitions at Tartan was keeping up to date with developments in East Asian cinema. Information regarding the sort of films being produced in East Asia was gleaned from a variety of sources. These included visiting festivals and markets, reading reviews, maintaining relationships with sales agents, and developing other informal networks.[488] Information about releases was gained *before* festivals and markets, so that pragmatic decisions about what to view and who to speak to were made in advance and a game plan was developed before attending these events.

There were various channels through which films would come to the attention of the Head of Acquisitions. Generally, this was by keeping a close eye on films in production and maintaining close ties with sales agents, whose job it is to secure distribution for the films they manage.

> [the role of the] Head of Acquisitions…was about being aware of films that were in production and when they were going to be finished, being aware of what the budgets were. Most of the films had a sales agent attached, so keeping relationships going with those sales agents to talk about the progress of the

[487] Stoddart, Interview.
[488] Giles, Interview.

film...[489]

Maintaining close ties on both sides was mutually beneficial. The agent had more chance of selling their product and the distributor was keeping up to date with what was available.

There may be situations where distribution rights for films are bought before the film is even finished; this is called pre-buying. However, Tartan did not often pre-buy the films they distributed, especially not their Asian releases.[490] The reason given by Giles was that Asian films are not star-driven in the UK . Thus they have no immediate draw for UK audiences, because arguably most Asian stars are not easily recognisable to UK audiences in the way that American stars would be. Consequently, pre-buying a film would represent a substantial risk. According to Giles, in the absence of high profile stars, the director in East Asian cinema was deliberately marketed as an auteur. Therefore, pre-buying, although generally rare, might be a consideration if the director of the film already had a substantial reputation as an auteur.

Despite the fact that films would rarely be pre-bought, the job of the Head of Acquisitions at Tartan involved keeping up to date with the films that were currently in production. Although rights deals would not be made before the film was finished, the company would already have an idea of the product they might wish to acquire when it came to attending film markets and film festivals. Furthermore, because many of the films under consideration had already been released in their country of origin, it was possible to gain information about both the box office and critical acclaim of the films domestically before entering into talks over rights to UK or US distribution of the films. Box office and critical acclaim in one country (especially the country of origin) does not guarantee similar success across the globe outside of the cultural sphere within which the film was produced. However, this information was still influential in allowing Tartan to consider films as potential releases. Reviews from *Screen International* were one such source of information, although Giles commented that it took the publication some time to start reviewing East Asian films after they started to become popular in both the UK and the US.[491] Nonetheless the opinion of critics was highly influential, and whether it was considered likely that critics in the UK would receive a film favourably was an important factor when deciding on the suitability of a film for release.[492] Interestingly, the opinion of critics, rather than audiences, was considered a key influential factor, another indicator

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[489] Ibid.
[490] Ibid.
[491] Ibid.
[492] Ibid

that certain forms of 'legitimate' cultural knowledge were privileged over others during the acquisitions process.

Informal networks of information were also utilised to ascertain the domestic success of possible releases in their countries of origin. These might be friends, relatives or informal industry contacts in various East Asian countries.[493] Through these informal networks, the Head of Acquisitions or other senior members of staff at Tartan would discover which films were generating significant levels of interest, both critically and commercially, in their country of origin. Here, the social capital of the person responsible for acquisitions became key. It was important that the distributor had a sense of the market; such a sense was only possible through creating and maintaining informal personal and industry networks.

Despite the necessity of having many contacts in East Asia, it was not a specific strategy at Tartan to visit East Asian countries to gather intelligence about what films were performing well or to attend festivals just to identify films that might be of interest. It might be possible to attribute the lack of these tactics to the fact that they would produce highly unpredictable results. Whilst it is conceivable that a film that might otherwise 'slip through the net' could come to their attention through these means, employing such methods could not be seen as a guarantee of finding a 'great film'. Despite the promotional line that Tartan were 'searching' for the new and innovative, that search involved liaising with others in the industry and charting industry opinion on particular releases rather than scouring East Asia for the next big thing.

This discussion of sources of knowledge about films demonstrates that even though films were not pre-bought by Tartan, decisions were made about what films would be of interest before those films were seen. As such, decisions could not be made by recourse to an individual's aesthetic judgement, but rather through a reliance on the opinion of critics, informal social networks and other members of the industry. Therefore, particular critical and industry judgements of quality would be reproduced during the acquisition process.

Furthermore, as the following section will outline, acquisition is not a matter of trawling through films at festivals looking for surprise hits; it is rather a matter of adhering to a festival agenda. Thus, for Tartan at least, film festivals and markets are about seeking

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[493] Torel, Interview.

out the pre-planned rather than hoping to happen upon the unexpected. Whilst such a strategy differs from the majors who are more likely to finance the films that they distribute, it also differs from Torel's strategy at Third Window, where festivals and markets are genuinely used to try and discover new and unexpected 'gems' hidden within their vast programmes. Thus, we now need to examine the role that film festivals and markets play in the reproduction, circulation and legitimation of certain types of knowledge, given that information about releases is predominantly gained beforehand so a strategy of what films to see can be established before the event.

Film festivals and film markets are related but in some ways distinct entities. In addition, some film festivals also act as markets as well as arenas to showcase film. Film markets emphasise film as a commodity, something available for exchange, and thus they align film with any other product available for sale to the highest bidder.[494] This is not to suggest that those involved in the exchange of film in this setting are not concerned with, or have no conception of, film as a cultural art form. Rather, it is to specify that this arena gives prominence to film as a cultural commodity. This fundamental fact provides a context for later discussions of the more complex intermingling of art and commerce on the international festival circuit.

Torel confirmed how film is positioned at these markets:

> Film markets are places where you go and it is basically just exhibition halls…There's stands and it is like being at any sort of exhibition market where they sell toilets, toiletries or comics or anything. This is companies saying 'we've got this product'.[495]

Despite the commercial focus, which is at odds with Torel's conception of film, he does use markets to find films. However, he suggests he is always interested in seeking out new and different titles and, as such, claims he does not attend with the sort of pre-planned agenda utilised at Tartan. Torel went into some depth about the film market and film festival circuit. He explained that film markets are primarily, as one might imagine, arenas to market films to potential distributors. At markets films are advertised, viewed, bought and sold, with none of the cultural allure of the international festivals.

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[494] Daryl Chin and Larry Qualls, "To Market, to Market," *PAJ: A Journal of Performance and Art* 20, no. 1 (1998), 40.
[495] Torel, Interview.

Some film markets deal specifically with independent cinema. But as the definition of independent becomes one based on a certain *type* of film, rather than on how that film is funded, making oneself heard at one of these markets is increasingly difficult for the independent filmmaker.[496] Daryl Chin and Larry Qualls argue that this situation is also partly attributable to the fact that all of the major festivals are jumping on the 'emerging titles' bandwagon. They suggest that even at the International Independent Film Market (IIFM) (which is supposedly dedicated to showcasing independent cinema), it would be difficult to find an independent film that did not already have distribution secured.[497] Because of the attention given to emerging filmmakers at the major festivals, with sections dedicated to showcasing independents and looking for the next breakthrough success, it is only those which have *already* got recognition through these channels at festivals that are likely to achieve attention at markets like IIFM. Therefore, clamouring for recognition at these festivals is difficult unless attention has already been given on the festival circuit. Thus for someone like Torel, the search for the 'unknown' is becoming increasingly complicated amongst the mass of high-profile independent releases. In addition, for larger distributors like Tartan, ignoring the films that have been heralded as 'the next big thing' would presumably be interpreted as a misguided professional decision.

Film festivals, as well as being an integral part of the film business are also sites of spectacle and glamour. As such, they serve to convey status on both the films and professionals that circulate within them. Indeed, their role in the industry is much more about developing the reputation of films and industry professionals than it is about showcasing films. The following discussion will illustrate how attendance at the big festivals is imperative for distributors, but that they will attend such events with a pre-existing plan of what films they wish to acquire. As such, the importance of festivals lies not in their ability to bring films to distributors, but in their capacity to accord cultural capital to the films and the attendees.

In 2001 there were over five hundred film festivals worldwide.[498] Film festivals originated in Europe in the 1930s but came to prominence in the post-war era,[499] not least in order to rejuvenate the city centres of European cities and position them as significant centres of culture. As such, festivals, at least the major European ones, have assisted in developing the cultural reputation of the cities that they inhabit. It was not until the 1970s

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[496] Chin and Qualls, "To Market, to Market," 40.
[497] Ibid., 40.
[498] Julian Stringer, 'Global Cities and the International Film Festival Economy' in *Cinema and the City: Film and Urban Societies in a Global Context,* eds. M. Shiel and T. Fitzmaurice, (Oxford: Blackwell, 2001), 137.
[499] Daryl Chin, "Festivals, Markets, Critics: Notes on the State of the Art Film," *Performing Arts Journal* 19, no. 1 (1997): 64.

that film festivals began to spread into the United States, and even then Hollywood stayed clear because festivals were initially seen as elitist and highbrow.[500] However, today film festivals are very much part of the film business, and, as time has gone on, some of the larger festivals have been dogged with accusations of commercialisation and 'selling out' to Hollywood and big business. However, accusations of bowing to commercial interests are not new. Curtis Harrington made similar observations when commenting on the fifth Cannes Festival in 1952.[501] This indicates that film as an art form and film as commodity have long been uncomfortable bedfellows.

The most famous large festival that also acts as a film market is Cannes. This has caused film theorist Duncan Petrie to suggest Cannes can be seen as crossing 'the perceived divide between the cultural and the commercial sides of the industry'.[502] It is important to note Petrie's acknowledgement of the fact that separating film as culture from its existence within a commercial industry is a matter of perception. Such sentiments were echoed during this research where the respondents unilaterally expressed disappointment that within the industry so few individuals seemed to actually like films.[503]

On joining the industry they were surprised at the fact that it appeared to be normal within the business to see films as products. However, they were also keen to point out that that it was 'elsewhere' in the industry that this perspective was dominant, and not in any organisations they themselves had worked for. Such comments indicate that those within the business share the belief that the 'rest' of the industry is too profit-orientated, but in a manner not dissimilar from the online distributors discussed in the previous chapter, they do not see themselves as motivated by economic factors. However, such a belief was noted from the Tartan employees when comparing Tartan with the rest of the distribution sector, but was described by Torel when judging his own company against Tartan. Thus, the perception that one's own working practices are aesthetically driven whilst others are not seems to be a mechanism of reinforcing one's own position as an arbiter of taste rather than a salesperson.

Indeed, a similar opposition is often made between Hollywood, as the profit-hungry business, and the European film industries as struggling artists. Finola Kerrigan has suggested that it is this very perception of film as business rather than as an art form that has allowed Hollywood to prosper, whilst the European film industries have

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[500] Ibid. 61.
[501] Curtis Harrington, "Film Festival at Cannes," *The Quarterly of Film Radio and Television* 7, no. 1 (1952): 43.
[502] Duncan Petrie, *Creativity and Constraint in the British Film Industry* (London: Macmillan, 1991), 118.
[503] Giles, Interview; Torel, Interview; Hoile, Interview; Bale, Interview; Stoddart, Interview.

floundered.[504] However, such a distinction also serves to reinforce the notion that somehow European films are 'art' whereas Hollywood cinema is generic commercial fare. As such, film festivals act as spaces where Hollywood 'products' can increase their artistic standing, and 'arthouse' films can reinforce their aesthetic credentials whilst securing distribution deals.

The internationally recognised festivals such as Cannes or Sundance deal with the big Hollywood films and major movie stars, acting to both celebrate and award prizes to the 'best' in cinema whilst functioning as markets to screen films for potential distributors. There are numerous festivals of this nature and they tend to be the larger international ones. 'You've got the big film festivals like Cannes which are film festivals and markets where they're sort of split, but it is mainly just the bigger titles'.[505] Cannes describes itself in a similar vein as reflecting 'the dual nature of cinema at the crossroads of art and industry'.[506] However, large festivals like Cannes are awash with choice. There were one thousand and seventy films shown at Cannes in 2008,[507] and therefore the struggle for recognition is fierce and practical decisions need to be made about which films to actively pursue out of the myriad being screened.

Furthermore, the person in charge of acquisitions at a distribution company could not possibly hope to attend all of the festivals across the globe. Therefore, 'film companies go to the big film festivals and big markets'.[508] Furthermore, when they are there, decisions need to be made about what films to see and which to avoid. Large festivals are competitive places and so distributors need to have a strategy before attending. Consequently, Tartan 'just go and meet the big companies and say, "what's your big film?" and then watch that'.[509] This is where the close ties with sales agents for particular films really comes into play because it is through those channels that the Head of Acquisitions has gleaned information to inform their festival agenda.

So if film festivals, at least from a distributor's point of view, are not about showcasing film, what purpose do they serve? Arguably, some practical uses include being able to see films on the distributor's pre-planned agenda and allowing the distributor to maintain

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[504] Finola Kerrigan, "Educating Willy or Freeing Willy: An Exploration of the Marketed Consumer Interface in the UK Film Industry," (Paper presented at the Annual Academy of Marketing Conference, Nottingham University, 2-5 July 2002).
[505] Torel, Interview.
[506] "Who We Are," *Festival De Cannes Website,* accessed April 8, 2009, http://www.festival-cannes.com/en/about/whoWeAre.html.
[507] "Comparative Table for Film 1994 – 2008," *Festival De Cannes Website,* accessed April 8, 2009, http://www.festival-cannes.com/assets/File/Web/about/enchiffres/En%20chiffres_media_GB_2008(2).pdf.
[508] Torel, Interview.
[509] Ibid.

and develop the all-important industry contacts. Furthermore, festivals have a certain amount of cultural cachet attached to them, and by association, so do the films shown at them. As such, festivals add cultural value to the films themselves and, importantly, also to those individuals who circulate at them. Indeed, Harbord writes in *Film Cultures* about how festivals are connected to the perceptions of individual films.[510] Harbord points out that festivals tend to take place in prominent international cities, metropolises that are competing against each other to be globally renowned centres of culture.[511]

Furthermore, through hosting film festivals they can acquire some of the prestige attached to films, and some of the glamour attached to Hollywood stars. Festivals also construct themselves as centres of knowledge and culture. In addition, Harbord argues that by providing only limited access to the public, they present themselves as places for people 'in the know' to circulate insider knowledge.[512] They also classify films before they are released to the general public, thus making a cultural judgement and in the process securing their position to do so. The attendance at said festivals allows industry personnel access to the perceived filmic knowledge that is so crucial in their professional lives.

Indeed, the presence of the film at one of the major festivals adds cultural capital to the item and that capital is then arguably transferred to the audience member who subsequently views the film. Even if a film is not seen by a patron at the festival her/himself, but is watched sometime later on a DVD whose sleeve is adorned with icons that indicate the film's presence in competition at various festivals, then the viewer can rest safe in the knowledge that they are taking part in a cultural pursuit rather than engaging in a moment of mindless escapism. As Bourdieu suggests, consumption practices are very much a matter of distinction. [513] So in this instance taste can be interpreted as not a simplistic reflection of preference, but formed as much by what it is *not* as by what it is.[514] Harbord continues this thinking in her work, specifically relating it to film.

> Filmic taste is not simply an arbitrary projection of individual preferences onto a range of film texts. Films themselves, as they are circulated through different paths and networks, different institutional and discursive domains, are produced and presented as a range of aesthetic objects and practices competing for

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[510] Harbord, *Film Cultures,* 66.
[511] Ibid., 61
[512] Ibid., 68.
[513] Bourdieu, *Distinction,* 226.
[514] Ibid., 172.

status.[515]

Thus, as the film acquires prestige by virtue of being present at the festival in the midst of all this 'high culture', the distributor too, both benefits from the prestige generated by the association with film festivals, whilst also lending the festival that same prestige through the distributor's status as a privileged member of the film industry. Chin has suggested that film festivals are just about proving you are 'in the know' and is rather derisory about the experience of attending the big North American festivals.

> You find yourself part of the New York film industry mob, a swirl of publicists, journalists, distributors, producers, directors, all clamoring, not so much for attention, as for the ability to be in the know…the idea of a critical perspective on specific films in these events is rather superfluous. It becomes merely an exercise in vanity, the need to assert an opinion.'[516]

Without entirely accepting Chin's rather pejorative assessment, it seems clear that festivals do function as spaces where knowledge about film circulates, and that that knowledge is an incredibly important commodity at a film festival; for filmmakers, distributors, critics, and the press. As Chin claims, 'everybody wants to be in the know, which translates to being part of the pack that picked a winner'.[517]

However, not all film festivals act as markets to the extent that an international event such as Cannes might do. The world is littered with smaller, sometimes more specialist, film festivals, which Torel suggests are much better for finding the smaller, and, in his opinion, more interesting titles. According to Torel, Third Window was more concerned with utilizing these more specialist avenues when seeking out films to release.[518] Although Third Window does acquire films from Cannes and major film markets, Torel also attends smaller festivals, without markets attached, to seek out what he regards to be the 'interesting' titles. He meets with smaller companies and looks for titles he perceives to be 'quality' releases, and also films he has observed to be already generating a buzz within fan communities. In some senses there is an agenda for Third Window as much as there is for Tartan. However, that agenda is to a much greater degree informed by discussions within fan communities as well as Torel's own subjective judgements of 'quality' and 'interest'.

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[515] Harbord, *Film Cultures*, 2.
[516] Chin, "Festivals, Markets, Critics," 62.
[517] Ibid., 64.
[518] Torel, Interview.

In looking at the role of Markets and Festivals in the acquisition process it seems that, at least for Tartan, these events are about far more than watching films, they concern the validation of those who are in 'the know' vs. those who are not. They are places where distributors gain knowledge, not only about particular films, but also about the industry itself. The knowledge about what films to watch has to be gained in advance so one can be there for the 'right' films. Furthermore, attending the event allows individuals to meet the contacts that increase their social capital and aid them in planning future festival agendas. Torel's attitude to the festivals and markets, on the other hand, reflects his rejection of the commercial side of the industry. However, he still used these events to identify 'films that all people like me know about but that no-one else knew about.'[519] Thus, Torel was concerned with releasing what he termed 'fan films',[520] and deliberately wanted to acquire the films that fans were interested in but that other distributors were unlikely to pay much attention to. Thus, Torel also values insider knowledge and social capital, but his contacts and concerns are within fan communities rather than the film industry.

When distributors like Tartan attend festivals and markets there is already a pre-established idea of the types of films being sought for acquisition. As such, it is important to consider what ideas and priorities serve to construct this acquisition plan. As one might imagine, there were a number of factors influencing decisions. The opinions of other senior members of the organisation and considerations of the Tartan brand in general and the specific criteria for Tartan's labels such as Tartan "Asia Extreme" and genres linked with that label, were all important. In addition, running through all of these considerations were issues of the potential profitability of titles.

> Tartan was a really wide range of interests and this was part of Tartan's problem at the end of the day.[521]

Despite the focus on the "Asia Extreme" label, the company's general remit was far broader. During the nineties 'it was all about the breakout, it was all about films that were unavailable…that people wanted to be able to own and couldn't own, let alone go and see in the cinema'.[522] The remit in the early days was all about the controversial; 'looking

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[519] Torel, Interview.
[520] Ibid.
[521] Giles, Interview.
[522] Stoddart, Interview.

for films that people needed to see'.[523] *Hard Boiled* (John Woo, 1992), *Battle Royale* (Kinji Fukasaku, 2000) and *Old Boy* (Park Chan-wook, 2003) were some of those films. Stoddart was keen to emphasise that it is often forgotten that Tartan's output was far more varied at first, before they became synonymous with "Asia Extreme".[524] As he pointed out, Tartan released some of Pedro Almodovar's early films on VHS, but their ownership of the rights lapsed: 'a lot of the stuff the BFI have done on DVD, Tartan had back in the day on VHS'.[525]

Torel's description of Third Window suggests the company had a similar mission to Tartan, that is, to bring new and undiscovered films to UK audiences. However, Torel represented the motivation behind the company as one of bringing these films to audiences rather than receiving recognition for 'discovering' the next big thing. Having said that, the films released by Third Window are not restricted to the incredibly obscure, as is demonstrated by the fact that Johnny To's *PTU* (2003) was one of their first releases. However, it must be asked at this point, what constitutes a discovery? For whose sake are companies trawling the globe for the next big thing? Is it in the name of art, audiences, distributors, or all three and some others besides? In the case of "Asia Extreme", the label was very much the brainchild of Tartan owner Hamish McAlpine. 'He hit on the fact that there was something particularly interesting going on in Asian cinema around the time of *The Ring'.*[526] Consequently Tartan experimented with releasing films from East Asia, found they sold well, and then set about establishing the label. Tartan marketed the label at a young and predominantly male audience, their publicity materials emphasizing 'the subversive and explicit aspect of the titles'. [527] However, 'the strategic designation "Asia Extreme" has undoubtedly created a regional affiliation among these [Park Chan-wook, Miike, Kim Ki-duk and Fukasaku] directors' films, but the category itself is purposefully flexible in order to include a range of Asian cinema that seems exportable.'[528]

At the turn of the new millennium East Asian film was receiving increasing attention in the West, not least due to the efforts of Tartan and the development of their label Tartan "Asia Extreme" in 2002.[529] Indeed, Tartan was not alone in seeing 'a distinct growth in terms of audiences for Asian films'[530] at that time. Tartan "Asia Extreme" was

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[523] Ibid.
[524] Stoddart, Interview.
[525] Ibid.
[526] Giles, Interview.
[527] Chi-Yun Shin, "Art of Branding: Tartan "Asia Extreme" films' *Jump Cut* 50 (Spring 2008) [online] accessed May 4, 2009, http://www.ejumpcut.org/currentissue/TartanDist/index.html.
[528] Jinhee Choi and Mitsuyo Wada-Marciano, eds., *Horror to the Extreme: Changing Boundaries in Asian Cinema* (Aberdeen, Hong Kong: Hong Kong University Press, 2009): 5.
[529] Mark Pilkington, "Introduction," *The Tartan Guide to Asia Extreme* (London, Startlux, 2004), v.
[530] Daryl Chin and Larry Qualls, '"Here Comes the Sun": Media and the Moving Image in the New Millennium,"

synonymous with a type of film rather than a distribution company, which lead films like *Ichi the Killer* (Takishi Miike, 2001) to be considered part of "Asia Extreme" even though it was distributed by another company.[531] Tartan's focus on Asian cinema led to a spate of other distributors trying to capitalise on the trend. As such, Jinhee Choi and Mitsuyo Wada-Marciano makes the important point that '"Asia Extreme" is a distribution/marketing term rather than a production category such as melodrama or western, which are largely based on narrative structure and components'.[532] However, despite its status as a marketing term in many respects, 'it also carries a set of cultural assumptions and implications that guides – and sometimes misguides – the viewer in assessing the political and ideological significance of the films.'[533]

The focus on the bizarre and the shocking has provoked comment from some about the image of the Far East that this presents to the West. As Shin suggests, 'the output of the label, and indeed the name of the label itself, invoke and in part rely on the western audiences' perception of the East as weird and wonderful, sublime and grotesque'.[534] Although "Asia Extreme" titles came to be associated with Asian films in general Shin argues they are not really representative of what fares well domestically or even the types of genres that succeed in East Asian territories, these being on the whole melodramas, comedies and romances.[535] Indeed, when speaking about Hong Kong comedy in the eighties, Jenny Kwok Wah Lau makes a similar point, when she claims that Hong Kong remains famous for their Kung Fu and arthouse films despite the prevalence of comedies being made in Hong Kong and their popularity with domestic audiences.[536] Lau attributes this to the fact that comedy does not travel well, and whilst this may be true. The focus on certain types of genres from East Asia and the popularity of the "Asia Extreme" label would seem to, as Shin suggests, reveal 'more about the Western perceptions and obsessions about the East Asian countries rather than what people or societies are like there.'[537]

The question of how the label presented an image of the Far East to UK audiences aside, it is now important to consider how the development of "Asia Extreme" influenced the type of films that Tartan earmarked for distribution. When Tartan 'broke out' Asian cinema in the UK with *Battle Royale* (Kinji Fukasaku, 2000), their focus became securing

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PAJ: A Journal of Performance and Art 24, no. 2 (May, 2002): 50.
[531] In this case released in the UK in 2003 by Contender Entertainment Group, *IMDB,* accessed May 4, 2009, http://www.imdb.com/company/co0106236/
[532] Choi and Wada-Marciano, *Horror to the Extreme,* 5.
[533] Ibid., 6
[534] Shin, "Art of Branding."
[535] Ibid.
[536] Jenny Kwok Wah Lau, "Besides Fists and Blood: Hong Kong Comedy and Its Master of the Eighties," *Cinema Journal* 37, 2 (Winter 1998): 23.
[537] Shin, "Art of Branding."

more East Asian films because these films were making money. Stoddart suggested that some of this money was then ploughed back into 'key' European releases, 'but a lot of it was ploughed into buying Asian cinema.'[538] This resulted in Tartan amassing a huge back catalogue of Asian films. The focus was on Asia for a couple of reasons: first to ensure continued success; second, to make films available to UK audiences; and finally, to 'stop other people getting a lot of the gems coming out'.[539]

Tartan described "Asia Extreme" as a genre, amalgamating thrillers, horrors and a whole host of other filmic types under one classification.[540] However, describing "Asia Extreme" as a genre might arguably provide Tartan with ownership rights over a whole range of films. Indeed, Shin argued that 'such genrification of certain East Asian films should be understood as an integral part of providing illusions of discovery; a way of knowing and classifying East Asian cinema'.[541] Shin's comments become particularly interesting if we examine owner Hamish McAlpine's statement that 'unfortunately, I can't take any credit for having discovered "Asia Extreme", because I didn't. It found me. I merely gave it a name'.[542] Despite this self-effacing proclamation, Tartan also referred to the fact that they had brought the 'genre' of "Asia Extreme" to Western audiences by scouring the globe to find the new and interesting.[543]

Furthermore, the directors were positioned as auteurs, as masters of their trade; these were not simply directors, they were craftsmen. 'Determined to seek out new areas of cinematic experience, Tartan uncovered a new breed of directors, crafting wilder, scarier and darker stories that ever before.'[544] We must be aware though that positioning directors as auteurs was necessary in order to generate star appeal. In fact, one might argue that for some directors, being acclaimed as auteurs ran very short of the mark. Takashi Miike, for instance, is generally part of the straight to video market in Japan.[545] Nonetheless, the emphasis on star directors mirrors the findings from William Bielby and Denise Bielby's study that genre and stars are pivotal for cultural intermediaries when considering how to reproduce previous commercial success.[546]

Tartan's films were very much positioned in opposition to the mainstream and in

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[538] Stoddart, Interview.
[539] ibid.
[540] Shin, "Art of Branding,"
[541] Ibid.
[542] McAlpine, "A Personal Foreward," iv.
[543] Pilkington, "Introduction," v.
[544] Ibid., v.
[545] Shin, "Art of Branding."
[546] William Bielby and Denise Bielby, "All Hits are Flukes: Institutionalized Decision Making and the Rhetoric of Network Prime-Time Programme Development," *American Journal of Sociology* 99, no. 5 (1994): 1292.

particular Hollywood. The Spring 2005 release catalogue suggests, 'see the originals now before the inevitable Hollywood remakes'.[547] The inference is that Hollywood lacks originality and backbone. Consequently, it would suggest that, in terms of securing the cultural capital of the organisation, Tartan were defining "Asia Extreme" against what it was not; it was not boring, not 'run of the mill', not suburban. It was edgy and exciting, and by extension so were Tartan and anyone who watched their films. By concentrating on the label, Tartan was developing the image of their own expertise, fostering the notion of themselves as searching 'the globe to bring back the most exciting and provocative films it can find.[548]

This chapter has examined what motivated and shaped the acquisition decision-making process at both Tartan and Third Window films. It has been established that neither company was as concerned with economic considerations as might be imagined. Distribution companies do now, and arguably always will have, economic concerns. Producing a DVD or screening a film invariably involves monetary costs. Distribution companies are part of an industry and as such need to generate profit from one title to provide the necessary capital to acquire the rights to subsequent releases. In comparison to Third Window, Tartan might at first seem overly concerned with dolling out generic fare and reproducing previous successes to turn a quick buck. Third Window is relatively free to perceive film in cultural terms (qualitatively and aesthetically). However, larger independent distributors need to have more market driven perceptions whilst still securing their position as arbiters of quality artistic creations.

Moving on from motivations and considering what factors were key in shaping the acquisitions process it became apparent that specialist knowledge and cultural capital were key. Responsibility for acquisition decisions was placed in the hands of relatively few key individuals who were perceived to have the requisite specialist film knowledge. However, for Tartan, industry knowledge and expertise was paramount and was acquired and circulated at the larger film festivals and markets. These places form important arenas for the circulation and demonstration of such industry knowledge. For Third Window, knowledge was also an important commodity, but fan knowledge and spaces where this was circulated (including smaller festivals, social networking sites, and online forums) were preferred over the perceived commercial focus of industry knowledge. Thus, when making acquisition decisions, specialist knowledge is called upon. Consequently, how knowledge is perceived and where it is to be obtained ultimately influenced the decisions of both companies over what to release.

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[547] *Tartan Video Catalogue: Issue One* (Spring 2005)
[548] Pilkington, "Introduction," v.

What this thesis points to more generally is that more work needs to be conducted that considers the specifics as well of the context of film distribution. This chapter, and indeed this thesis, only focus on a very specific case study of film distribution. However, in looking at one example, East Asian cinema, it is possible to examine formal and informal networks of distribution and how they intertwine and intersect to generate a more thorough picture of how film texts travel transnationally.

Furthermore, opening up the question of distribution allows both formal and informal networks to be considered in social and cultural (rather than only economic) terms. This chapter has shown how the paths of film dissemination are shaped by more than just the economic wiles of the film industry. Indeed, even those within the industry must be acknowledged as autonomous and independent human beings who are neither solely nor ultimately shaped by their profession or its associated commercial concerns. Whilst it may seem reasonable to talk in abstract terms of a profit-oriented industry, such a generalisation ignores that fact that any institutional structure is comprised of, and influenced by, networks of individuals who cannot be reduced to economic incentives. As such, to produce a more rounded account of distribution, further work is needed that considers distribution on both a macro and micro level, and that does not seek to create distinctions between the professional/amateur, commercial/aesthetic, product/art and production/consumption. The following two chapters will make inroads in this area by considering the motivations of distributors within informal networks (chapter six) and the possible relationship between these informal networks and the formal distribution channels (chapter seven).

6. Informal Distribution Networks: Sharing in the Community

Moving on from chapter five's examination of how distributors are motivated in formal settings, this chapter asks what shapes and drives the distribution process within informal distribution networks. This chapter makes the central claim that the motivation to share files online is driven by the social context of the community and a wish to participate in it through the sharing. In making this claim, a secondary set of arguments is proposed. First, previous research has primarily focused on why people download files from the Internet rather than asking why they might share those files with others.[549] Therefore, I argue that such studies have only provided a partial description of filesharing; one that assumes selfish rather than altruistic motivations. I draw on the work of Giesler and Pohlmann to propose a 'participation' model of motivation, where motivations are neither purely altruistic nor selfish, but rather concern a wish to participate in, and contribute to, a community.[550] Second, whilst the motivation to 'share' might have been overlooked, filesharing is not a universal activity with everyone uploading and downloading in equal measure. I therefore argue that the distribution process on the forums in question is collaborative and community-based, with a range of individuals contributing in a variety of ways. The wider significance of such claims is that we must consider filesharing as a varied activity that takes a range of forms, some of which have acutely social and altruistic (rather than economic and selfish) motivations.

The chapter is split into two sections. The first section of the chapter looks at the motivations of online distributors and argues that these motivations are framed in acutely social terms. As Marshall rightly points out, it is inadvisable to focus on the nature of filesharing as 'an *economic* activity when it is actually a *social* one'.[551] That is not to say that cost is not an influential factor in downloading behaviour. For many individuals, it may well be an important consideration when they share films over the Internet. However, the following chapter will show that cost is just one of many factors influencing their decision to share films over the Internet, and even then it is constructed in specifically social terms. Drawing from Giesler and Pohlmann's work on gift economies, this section of the chapter makes the argument that 'participation', rather than their other concepts of 'realization', 'purification' and 'renovation', is the most significant motivation.[552] According to Giesler and Pohlmann those motivated by 'realization' are

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[549] One notable exception is Mark Cenite, Michelle Wanzheng Wang, Chong Peiwen and Germaine Shimin Chan, "More Than Just Free Content: Motivations of Peer-to-Peer File Sharers," *Journal of Communication Inquiry* 33 (2009): 208.
[550] Markus Giesler and Mali Pohlmann, "The Anthropology of File Sharing; Consuming Napster as a Gift," *Advances in Consumer Research*, 30 (2003): 273.
[551] Lee Marshall, "Infringers," in *Music and Copyright,* ed. Simon Frith and Lee Marshall (Edinburgh: Edinburgh University Press, 2004), 195.
[552] Giesler and Pohlmann, "The Anthropology of File Sharing," 273.

concerned with the act of music consumption itself whereas the 'participation' model describes those who are more concerned with community rather than the act of music consumption. Their 'purification' model refers to individuals who use downloading as a method of escaping mainstream music consumption, whereas those who are concerned with 'renovation' see downloading as a means to subvert and challenge the corporately controlled music industry. I argue that on the *CP* and *EL* forums, while realization plays a role, this is primarily in instrumental terms (aiding one's ultimate contribution to the community), rather than in the autotelic terms that Giesler and Pohlmann propose.

Within this broader 'participation model', I will focus on how, whilst the main motivation is participation, this is not purely an agonistic or an altruistic act. Community members show a strong motivation to share with the community, but they are also concerned with displaying their generosity and skill and receiving recognition for their pains. So, the aim of the distributor may be to assist the community by providing copies of previously inaccessible films, but they in turn benefit as this act of generosity improves their own standing within the community.

The second section of the chapter goes into some detail about the process of preparing films for release in an online setting. It is thus established that this process is also about building and contributing to the community. The discussion of filesharing provided in chapter four examined how the term implies that files are simultaneously uploaded and downloaded, making each individual in the filesharing network both consumer and distributor at once. However, whilst this is the principle behind p2p filesharing, it is by no means always necessary to share in order to download. Furthermore, even if each user is sharing data with their peers, they are not necessarily adding to the pool of films available online. As such, the act of distribution that these individuals are engaged in does not involve selecting and preparing films for 'release' in the same way as the autonomous distributors described in this study. However, even though not all of the individuals on the *CP* and *EL* forums fit into the categories of intermediary or autonomous distributors, within the community context described here, forum members may contribute beyond simply sharing the files on their hard drives. Indeed, the distribution process involves contributions from across the community. Therefore, sharing in this context has a distinctly community feel, even though the responsibility for acquisition tends to be restricted to the autonomous and intermediate distributors.

Although the argument has been made in previous chapters that we cannot (and should not) demarcate strict boundaries between producers, distributors and consumers, it is important to nonetheless recognise that the actions of the forum members discussed in

this chapter are complex and community-based and as such may differ from other downloading and filesharing practices. Whilst those I have labelled the online distributors decide which films to release and provide the actual films in file form, many other members of the community each have a role to play in the distribution process; whether this be a major one (such as subtitling) or a minor contribution (such as reviewing).

Pirates, Piracy and Gift Economies

According to the MPAA, one of the major reasons people illegally download movies is because they are free.[553] Whilst my findings point towards the fact that there is more to filesharing than simply obtaining something for nothing, it cannot be denied that price is an influential factor in motivating people to download files illegally from the Internet.[554] In fact, being unable to afford certain items at the price at which they are sold legally can be influential in encouraging individuals to seek what they desire through non-legitimate means. Francesco Sandulli and Samuel Martin-Barbero suggest that there is some evidence that current pricing of online music retailers deters individuals from making the leap from illegal to legal downloads.[555] Furthermore, Tristan Mattelart suggests the price of films in developing countries is so high as to preclude many individuals from being able to afford them and thus participate in the 'information society'.[556]

However, in the context of filesharing, Condry suggests we should 'unpack the overly simplistic image that people are sharing music 'just to get something for free'.[557] In reference to music filesharing Condry points out that our interest in obtaining music may have as much to do with the relationship we have with other human beings as the relationship that we have with music.

Looking back to the literature review, it was established that a number of studies exist that consider filesharing from a social angle. Of these studies, a number are based on the concept of gift economies, most notably Giesler and Pohlmann's work on Napster. In their study, Giesler and Pohlmann acknowledge that people sharing files on Napster might have either agonistic or altruistic motivations. Thus, they avoid the construction of

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[553] Dominic Timms, "Online Piracy Dogs Movie Industry," *The Guardian,* July 9, 2004, accessed July 18, 2011 http://www.guardian.co.uk/media/2004/jul/09/newmedia.business
[554] Mark Cenite, Michelle Wanzheng Wang, Chong Peiwen and Germaine Shimin Chan, "More Than Just Free Content: Motivations of Peer-to-Peer File Sharers," *Journal of Communication Inquiry* 33 (2009); Francesco Sandulli and Samuel Martin-Barbero, "68 Cents per Song: A Socio-Economic Survey on the Internet," *Convergence: The International Journal of Research into New Media Technologies* 13, no. 1 (2007).
[555] Sandulli and Martin-Barbero, "68 Cents per Song," 74.
[556] Tristan Mattelart, "Audio-visual Piracy: Towards a Study of the Underground Networks of Cultural Globalization," *Global Media and Communication* 5 (2009): 319.
[557] Ian Condry, "Cultures of Music Piracy: An Ethnographic Comparison of the US and Japan," *International Journal of Cultural Studies* 7, no. 3 (2004): 345.

filesharing as an intrinsically selfish act. [558] Furthermore, they consider that the user of Napster might view their activities as either autotelic (an end in themselves) or instrumental (facilitating social interaction), and thus the actual act of obtaining the file is not necessarily the focal point of filesharing (276). Giesler and Pohlmann's four metaphors to illustrate what motivates gift exchange on Napster, *realization, purification, participation and renovation*, allow us to consider in some detail the range of community and consumption-based motivations that individuals might have for both downloading and uploading files through Napster (273). The more detailed discussion of these terms in the literature review illustrates how Giesler and Pohlmann argue that sharing might be an individual experience of consumption (realization) or a method of avoiding the mainstream music industry (purification). It may even be used as a means of facilitating social interaction in an online community (participation) or might be viewed as a political reaction against the commercialization of music (renovation) (273). In doing so, the authors argue that there are a number of motivations for filesharing, both autotelic and instrumental, social and selfish.

Leading on from this, Cenite et al. use Giesler's understanding of a gift system as 'a system of social solidarity based on a structured set of gift exchange and social relationships among consumers'.[559] Considering the work of Giesler and 'gift systems', and Lessig's classification of the purposes of filesharing, the authors of this study apply these theoretical frameworks to the motivations of filesharers in Singapore. Their study finds that, in line with the typology of filesharing proposed by Lessig, filesharers in Singapore were found to utilise filesharing to gain content not freely available to them on the open market (206). The study found that individuals would engage in filesharing for a number of reasons: to avoid the long wait they would have before cultural imports would make their way to Singapore; to circumvent censorship restrictions; as a method of sampling; to find rare or obscure material or simply because 'downloading is convenient and free' (206). Thus, while acknowledging that cost may be a motivating factor, Cenite et al.'s study also emphasises how community and availability can also shape the behaviour of filesharers.

The social side of filesharing also comes to the fore in the work of Condry, who argues that fans are motivated by their community. But in a similar manner to the extended imagined community argument made in chapter four, Condry extends the community to include the wider music community. In so doing, he suggests that if filesharers respect artists and labels they will pay for their music rather than illegally downloading it.[560]

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[558] Giesler and Pohlmann, "The Anthropology of File Sharing," 276.
[559] Giesler 2006 quoted in Cenite et al., "More Than Just Free Content," 209.
[560] Condry, "Cultures of Music Piracy," 358.

Therefore, in a similar manner to the *renovation* model of motivation provided by Giesler and Pohlmann, Condry's work suggests that there might be political motivations behind filesharing activities; filesharers may wish to influence the current music business by paying for music from small artists and labels whilst resisting paying for music from a wider industry that is seen as selfish and out of touch.[561]

Indeed, work on gift economies, recognizes that there are personal, social, selfish and altruistic facets to filesharing. The model that Giesler and Pohlmann provide acknowledges that filesharing has a variety of motivations not necessarily connected to profit. Using Giesler and Pohlmann's model of *realization, purification, participation and renovation*, the following section will examine how well these models of motivation might be applied to the forums under analysis here. It becomes clear that 'realization', 'purification' and 'renovation' have less significance in these particular filesharing contexts. Without wishing to reduce the filesharing activity on either forum to one single motivational model, it would seem that participation in the community is of particular significance within both forums. However, as the following section will illustrate, sharing with the community is both an agonistic and altruistic act as the distributors are motivated by a wish to share in order to assist their community, but receiving recognition for one's skill and expertise is also a significant motivating factor.

As discussed above, Giesler and Pohlmann provide four motivational models for filesharing on Napster, 'realization', 'participation', 'purification' and 'renovation'.[562] I will argue in this section that, within the *CP* and *EL* forums, the participation model of motivation is of most significance. Whilst the act of acquiring files was undoubtedly important for online distributors, in the context of the *EL* and *CP* forums, acquisition could not be understood as the selfish act of 'realization' that Giesler and Pohlmann describe. In their model of 'realization' the focus is on the act of consumption itself, and whilst the distributors described here are undoubtedly concerned with the consumption activity through filesharing, this is more instrumental than autotelic because the act of consumption facilitates their participation in the community more generally.

Through this model of 'participation', we can see other motivational factors emerge that are framed within the larger participatory model. The lack of legal, affordable or quality releases of certain films in certain territories or languages was a major motivational factor for the distributors. However, it was whether films were available to the community at large that concerned them, rather than whether they as individuals could get hold of

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[561] Condry, "Cultures of Music Piracy," 358
[562] Giesler and Pohlmann, "The Anthropology of File Sharing," 273.

such films. As such, the distributors were primarily motivated by a wish to make East Asian cinema more accessible to their community, and, cost, quality and poor distribution were considered significant barriers for fans that could be overcome by filesharing. However, rather than acting as a means of 'renovation' or 'purification' for fans who wish to provide an alternative method of distribution, overcoming these barriers was a way of securing one's position within the community rather than subverting the industry. The following discussion will illustrate how online distributors were motivated by a wish to share rare and quality releases with their community, but also how that sharing impetus was grounded in a wish to display one's knowledge and expertise and thus receive recognition and praise from other forum members.

In the case of the forums under discussion here the fact that many films were simply not distributed in many territories were seen by some online distributors as important incentives to seek, and also distribute, films through alternative means. As Sills commented 'I got into file sharing because I couldn't get hold of the Asian films I wanted because of poor distribution or extreme prices.'[563]It has been suggested that many of the files that are shared through peer-to-peer networks are no longer available through legitimate channels.[564] Indeed, in examining how piracy enables access to cultural goods for individuals across Eastern Europe, Asia, Africa and Latin America, Mattleart suggests that people turn to piracy because they are looking for an alternative to what is commercially available.[565] Mattelart makes the argument that underground digital networks are allowing high-speed access to Western cultural goods to those in developing countries and that the importance of access cannot be underestimated. He further suggests that accessing pirated materials allows the poorer members of society to feel as if they can in some way participate in the global 'information society' from which they are so often excluded.[566] Thus, Mattelart's analysis points towards a more sophisticated understanding of piracy, which recognizes that obtaining pirated material is not only about avoiding cost but also about participating in a wider cultural sphere. Furthermore, Mattelart suggests that underground networks not only allow access to materials that are not commercially viable, but also to cultural work that is subject to political censorship. Thus, again, the issue is not free content, but access to material that is otherwise unavailable. However, it is important to scrutinize the claim that the particular films available on the forums discussed here would be ordinarily unavailable through legitimate channels.

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[563] Sills, ICQ Interview with Author, August 2009.
[564] Lawrence Lessig, *Free Culture: The Nature and Future of Creativity* (London, Penguin, 2004), 113.
[565] Mattelart, "Audio-visual Piracy," 316.
[566] Ramasoota, 2003 quoted in Mattelart, "Audio-visual Piracy," 319.

Up until 2008, when Tartan went into liquidation, the UK had two distributors with specific lines dedicated to Asian cinema (Tartan and Optimum) and a further selection of art house distributors who carry a selection of East Asian films (BFI, ICA, Eureka, and Momentum). In addition, as an English speaker someone from the UK also had access to the further variety of East Asian films that are released in the USA. (where there is a larger market) and Hong Kong (where many films are given English subtitles). Yet Sills claims that access to Asian cinema is difficult due to 'poor distribution'.[567] As such, his/her claim seems, at first, difficult to support. It would thus seem reasonable to assume that filesharing might simply be more straightforward or cheaper than seeking out an English-language copy from Hong Kong or the USA. However, it must be taken into consideration that, simply because there is an English or Hong Kong release, does not mean that this will be accessible to someone in the UK. This is because of the region coding of DVD releases.

According to J. D. Lasica, in 1996 'like Allied powers carving up Europe and the Middle East as spoils of war, Hollywood moguls…carved the world into six regions'.[568] This action was taken to protect the existing system of sequential global release dates for films. Therefore, in terms of DVD sales, the world is split into Region 1 (Canada and the USA.), Region 2 (Europe, Japan, the Middle East and South Africa), Region 3 (South East Asia), Region 4 (Australia and South America), Region 5 (Africa, Russia and the Rest of Asia), and Region 6 (China). Therefore, a DVD purchased from the USA. would not usually play on a DVD player in the UK at the time this research was conducted.[569] That is the case unless the purchaser is somewhat technically savvy, in which case there is often a way of removing region locking from a DVD player by entering a simple code. Various websites exist where a user can simply enter in the make and model of their DVD player and receive instructions on changing the region settings on their DVD player.[570]

However, simply removing the region locking from your DVD player does not mean one can easily play a disk from another country. This is because there are two technical standards for televisions; PAL (25 frames per second) and NTSC (30 frames per second).[571] The USA., Canada, Korea, Japan and some South American countries use

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[567] Sills, Interview.
[568] J. D. Lasica, *Darknet: Hollywood's War against the Digital Generation*, (Hoboken, NJ: John Wiley and Sons, 2005), 23.
[569] In recent years this has changed and it was at the time of writing more commonplace for some major manufacturers to produce DVD players that are not region locked.
[570] One example is the DVD Hacks website, accessed June 17, 2008, http://www.DVDhacks.co.uk/.
[571] There is actually another standard, SECAM, which is used in France, Russia and some countries in West and Central Africa. However, SECAM standard televisions can actually play DVDs in the PAL format so I have excluded an explanation of this standard from my discussion.

NTSC, whilst most of Europe, Africa, the Middle East and the Far East use PAL.[572] If a person from the UK buys a Region 1 disk from the USA., even if they have a DVD player that will play all region disks, the picture might not be correct if the disk is meant to play on an NTSC-standard television. Buying a television that can handle NTSC as well as PAL is not difficult, and obtaining a code to remove region locking from your DVD player would not take much searching online, but the presence of these obstacles in the way of fans of East Asian cinema frustrates their ability to legally purchase a DVD from another territory and watch it in a straightforward manner. Thus, there are many technological strategies designed to discourage individuals from buying import copies of movies, and this might make non-region controlled pirate copies an even more attractive option.[573]

However, let us further examine Sills's claim that there is 'poor distribution' of the specific types of films that he/she wants to see. This respondent is from the UK and a member of four separate file sharing forums dedicated to East Asian cinema.[574] The films available on each forum vary. However, if we are to assume that the respondent is interested in the types of films released on these various forums, then it is reasonable for him/her to suggest that the films he/she wishes to watch are unavailable because the majority of East Asian films are never released in the UK In 2007, four hundred and seven Japanese films were released domestically,[575] while in the same year only two Japanese films received theatrical distribution in the UK [576]

At this juncture, it should be mentioned that, although this study primarily concerns distribution in the UK, the Internet transcends geographical boundaries and so the forums under discussion have a more international membership. Indeed, many of the members of the forums, although communicating in English, were not native English speakers and were not located in English-speaking countries. Whilst both of the websites requested that all forum posts be in English, the forum members appeared to be from a range of countries around the globe. As English was the primary method of communication, the discussions tended to focus around releases of films in English-speaking countries, specifically the UK, the USA. and Australia. Although the membership was international, many discussions about DVD companies and expected release dates for specific films showed a distinct bias towards UK -based information.

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[572] Joshua Pettigrew, "Beginner guide to Asian Cinema: DVDs and VCDs," *KFC Cinema Website*, June 26, 2006, accessed May 8, 2008, http://www.kfccinema.com/features/articles/DVDguide/DVDguide.html.
[573] Rajiv Sinha, Fernando Machado and Collin Sellman, "Don't Think Twice, It's All Right: Music Piracy and Pricing in a DRM-Free Environment," *Journal of Marketing* 74, no. 2 (2010): 41.
[574] Sills, Interview.
[575] "Statistics of Film Industry in Japan," Motion Picture Producers Association of Japan Website, accessed August 3, 2011, http://www.eiren.org/statistics_e/index.html.
[576] "Research & Statistics Bulletin October 2007," UK *Film Council Website,* accessed August 3, 2011, http://www.ukfilmcouncil.org.uk/theatrical.

However, what this decidedly international membership served to illuminate was how availability was arguably of even greater concern for individuals for whom English was not their first language, and so who did not even entertain the hope of importing films with English subtitles from the US or Hong Kong. This was illustrated by Jo from South America who described the process of sharing his first film as an online distributor; the Wong Kar Wai film, *Days of Being Wild* (Wong Kar Wai, 1991). The respondent explained why he chose that particular film as his first release:

> **<Jo>** first i am a BIG fan of wong kar wai. i discovered him through P2P. emule to be more specific and after seeing a couple of his movies i bought all of them.
>
> **<Interviewer>** Are his film's readily available where you are?
>
> **<Jo>** Of all his movies, i think Days of Being Wild was the movie with the worst releases. nope, none are available. no, i think In The Mood For Love and 2046 are available.[577]

It is interesting to note that Jo claims to have discovered the films of Wong Kar Wai thorough peer-to-peer download software. Indeed, the fact that individuals have been introduced to films on the forums and have subsequently bought official copies is often mentioned in support of the sampling argument and is often raised in defense of filesharing. Such discussions would appear to support the sampling argument presented on the forums more generally and are in line with the claims that filesharing might be producing a sampling effect rather than a competition effect.[578] However, the perceived obligation to sample does also raise the contradiction present in the combination of the sampling and availability arguments raised on the forums. Although members suggest that sharing should be predominantly used as a form of sampling, they are also quick to bemoan the fact that official copies are often not available. How are the membership at large expected to use sharing as a form of sampling, if the majority of the films they would wish to locate are in fact not available to them through legal channels?

Heralding from South America, the DVDs that would have been commercially available to Jo would have been Region 4. Wong Kar Wai is one of the most famous directors to come out of Hong Kong and his films have received international critical acclaim, but the

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[577] Due to the nature of IRC conversations some questions/comments/responses will appear to be in the wrong order but this is simply because the often people type at the same time as each other and conversations can become a little confused. All conversations are reproduced as they appeared on my computer screen, due to the nature of such conversations it is possible this is not identical to that of the respondent.
[578] Coyle et al. ,"To Buy or to Pirate," 1036; Cenite et al., "More Than Just Free Content," 208; and Sinha, Machando and Sellman, "Don't Think Twice," 42.

majority his films were not released in Region 4 at the time this individual started to share Wong's films online.[579] This distributor suggested a justification for his actions on the basis that the films he was sharing were not widely available within his region. Furthermore, he suggested that he was fortunate because, as an English speaker, he was able to source imports from abroad with English subtitles, whereas many other individuals within his region would not have this option available to them.

This highlights a related issue, that of the availability of a release in the appropriate language. There are a number of ardent fans on forums who take great pains to learn one or more of the languages of East Asia, in order to enjoy the object of their fascination without being reliant on the accuracy of subtitles or dubbing. Therefore, certain individuals might be able to purchase films direct from their country of origin and would have no need for an official release in their first language. Furthermore, there is a reasonably large market for East Asian cinema in the USA, and (as mentioned earlier) many films from Hong Kong come with English subtitles. Thus, for individuals who can speak English as a second language, there is also the option of sourcing an English language version of certain films. However, there was recognition amongst respondents that not all Asian cinema fans can necessarily speak English, let alone Japanese, Korean, Cantonese, or another East Asian language.

Ancient, an intermediate distributor on the *CP* forum, commented:

> I like to share my love for Asian movies. Online and offline. For example my father in law likes Asian cinema a lot but he can't read English. So he enjoys Asian movies with 'fansubs", and, while i am at it, I can share the effort with many people online.[580]

To get around this issue of language, some filesharers produce 'fansubs', which are, as the name suggests, subtitles produced by fans. Fansubs themselves are not circulated on either the EL or *CP* forums. Generally, links to other websites that specialise in

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[579] It appears that as of 2009 only the following Wong Kar Wai films are released in Region 4. *In The Mood for Love* by Magna in 2002, *Magna Pacific Website,* accessed June 12, 2009, http://www.magnapacific.com.au/index.cfm?action=dsp_title&catnumber=DVD05510, *2046* by Madman in 2004, *Madman.com,* accessed June 12, 2009, http://www.madman.com.au/actions/catalogue.do?releaseId=5978&method=view, *As Tears Go By* and *Days of Being Wild* on Roadshow in 2005, *HopscotchFilms.com,* accessed June 12, 2009, http://www.hopscotchfilms.com.au/flash.html, and *Fallen Angels* on Accent in 2004, *AccentFilm.com,* accessed June 12, 2009, http://www.accentfilm.com/product.cfm?id=MTAwMDAwOA%3D%3D&cat=MQ%3D%3D. The respondent was interviewed in January 2007 and said that he had started sharing about 18 months previously. Consequently, As *Tears Go By* and *Days of Being Wild* had not yet been released in Region 4 when he began.
[580] Ancient, ICQ Interview with Author, August 2009.

fansubs are posted by individuals to accompany their releases or by other helpful forum members. There is often more than one set of fansubs available for each release and consequently there is often some discussion about the preferred fansubs for a particular release and which fansubbers are known for their quality. Fansubs are discussed in more detail later in the chapter.

Another factor that contributes to a distributors' choice to share films within the community is a concern for the quality of existing releases, official and unofficial. A significant reason given for sharing films online was the quality of releases available to the individual and the community at large. Even if an official release was distributed in the user's country or language, the quality of that release was an influential factor in whether that release was purchased and ultimately shared within the community. The fact that the official version available in their territory was perceived to be of inferior quality was given particular preference by one respondent, but was mentioned by all participants and frequently discussed on both forums. An example was the release of Wong Kar-Wai's *Days of Being Wild* (1991). As an ardent Wong Kar-Wai fan, Jo noted a particular problem with the release:

> Cristopher Doyle (sic), Wong Kar-Wai's cinematographer gave the whole movie a greenish tone. the people releasing the DVDs thought it was an error and 'corrected' it. so most edition don't stay true to Christpher Doyle's (sic) vision.[581]

Jo considered this a serious issue. He had taken great pains to try and track down a copy of the movie that had not been 'corrected'. This was both for himself and so he could share this edition online. It was considered of utmost importance that the film was seen as the director and cinematographer had meant it to be seen, and so Jo saw it as his duty to share a copy of the movie that was of optimum quality. Such attention to detail was one of the reasons that this particular individual was held in high regard across both forums.

The concern of the forum members with quality might indicate something about the particular type of distributors that this study is concerned with. These respondents are more than casual moviegoers. They are fans, aficionados and highly concerned with quality and 'authenticity' in their movie consumption. Furthermore, the concern with quality is currency within the community and the better quality the release of an

[581] Jo, ICQ Interview with Author, January 2007.

individual distributor, the higher his or her standing in the community. This is of particular significance, because of the pivotal role that the notion and sense of community has to play in such filesharing forums.

It should be noted that within gift communities, sharing is not only motivated by benevolence and a belief in reciprocity, but is also driven by the sharer's wish to *display* their expertise and skill.[582] In this case, the primary manner in which individuals displayed their expertise was through producing and distributing quality releases of East Asian films. Indeed, gaining respect and praise for distributing requested or quality releases is a very important factor for online distributors within both communities. If a distributor posts a link to a movie, then other members post thanks and reviews of the release. One distributor stated that getting thanks from other users for quality releases was 'part of the fun! :)'.[583] Also, there are discussions within the forums as to the proper etiquette involved in providing thanks to the online distributor once a film has been 'released'.[584]

Distributors were ultimately driven to share by a wish to participate in the community, but an important part of that motivation was being *seen* to participate by other forum members. One manifestation of this was forum threads where members boasted about their film libraries. Indeed, as was discussed in chapter four, many of the forum members had extensive DVD collections and ownership of such impressive libraries elicited respect within the community. In fact, on the *EL* forum there was a thread started by Gouy, so that members could post pictures of their DVD collections as evidence of their commitment to their fandom.[585] Accompanying these images were annotations giving titles of films with an indication of their rarity. Indeed, discussions around the cost of DVDs were not generally used as a justification for illegal downloading or distributing activities, but often concerned the 'disapproval' that the members had to endure from their respective partners about the amount of money that they spent on their passion for rare import DVDs.[586] Indeed, the distributors did not complain about the cost of DVDs but would actually boast about the financial outlay required to keep up with their fandom.[587]

East Asian cinema is still a niche market in the West, and many of the films released are

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[582] Manuel Castells, *The Internet Galaxy: Reflections on the Internet, Business and Society* (Oxford: Oxford University Press, 2003)
[583] Sills, Interview.
[584] "Thanks Discussion," *Chinaphiles Forum,* June, 2004, accessed September 9, 2009.
[585] "DVD Collections Thread," June 28, 2009 *Eastern Legends Forum* accessed Dec 4, 2009.
[586] "Tai Chi Master Thread," July 13, 2005, *Chinaphiles Forum* accessed Dec 4, 2009.
[587] "Tai Chi Master Thread."

at the top end of the market in terms of DVD pricing. Average price of a DVD in the UK was just under £10 in 2007,[588] whereas import DVDs can be considerably more expensive. It is the rarity of these films, and the fact that they are imported from other territories, that can contribute to the generally high prices of such films. For instance, Jo mentioned that he hoped to buy Wong Kar-Wai's *Happy Together* (Wong Kar Wai, 1997) soon but that the only edition that he believed worthy of purchase was US$182.99. Even though the respondent found this price expensive, he did indicate that it merely *delayed* his purchase of the DVD rather than discouraging it altogether.[589] Similarly, Kolo mentioned the prohibitive expense of buying foreign import DVDs, but did not cite this as a reason to download films rather than pay for them.[590]

Thus, whilst cost was obviously a consideration for distributors, this was only in relation to how it enabled them to boast about how much money they had spent on their DVD collections. As such, considerations of the price of DVDs were not generally of importance to individuals, but only gained significance when distributors could use the high price of DVDs as a method of quantifying and displaying their dedication to their fandom within their community.

The preceding section has discussed how the online distributors on the *CP* and *EL* forums can be seen to adhere to Giesler and Pohlmann's 'participation' model of motivation. However, although participation is their primary motivation, a drive to share rare films within the community cannot be viewed as a purely altruistic act. Indeed, being an online distributor attracts respect within the community in recognition of the time, cost and effort that is required to distribute films online. However, the online distributors and their activities are enabled and facilitated by the wider community. As such, this chapter will now examine the distribution process within the *EL* and *CP* communities and discuss how this process is a social, collaborative and community driven project.[591]

The Online Distribution Cycle

Leading on from the previous discussion of communities and gift economies, the following section will consider how films are selected and prepared for release within the *CP* and *EL* forums. In doing so, I will illustrate how the process involves both major and

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[588] Katie Allen, "Retailers Singing in the Rain" *The Guardian,* July 25, 2007, accessed April 16, 2010. http://www.guardian.co.uk/business/2007/jul/25/citynews.media.
[589] Jo, ICQ Interview with Author, August 2008.
[590] Kolo, ICQ Interview with Author, September 2009.
[591] The following examination specifically concerns the autonomous distributors on both forums. The process for the intermediate distributors is not as complex as they simply post links to Scene releases that they have found on other forums. However, as the intermediary distributors do not form the main method of films entering into the communities they are not examined in detail here.

minor contributions from a range of forum members. Furthermore, going far beyond the traditional role of the consumer, autonomous online distributors and other community members do much more than simply disseminate films within online communities. Online distributors go far beyond just sharing the movies in their virtual collections; they dedicate a large part of their spare time, money and expertise to the pursuit of filesharing. Indeed, sharing films online is not the same as most music sharing. It is not as easy as putting a CD in a computer, pressing “convert to MP3”, and then choosing to share the right folder on your hard drive. The process of making films available online and sharing them within filesharing forums is far from straightforward and is a collaborative effort on the part of the entire community.

The online distribution process does not involve the online distributors alone, but also requires the input of some key community members and the wider forum community to contribute to some important parts of the distribution process. Facilitated by such contributions, the film then embarks on a cyclical distribution journey. From being located, then ripped and encoded by the online distributors, subtitled and finally shared by key community members, the community at large then reviews the release; even following this process, the film may then be revised by the same (or another) autonomous online distributor before it then re-enters the distribution cycle (see Figure 4).

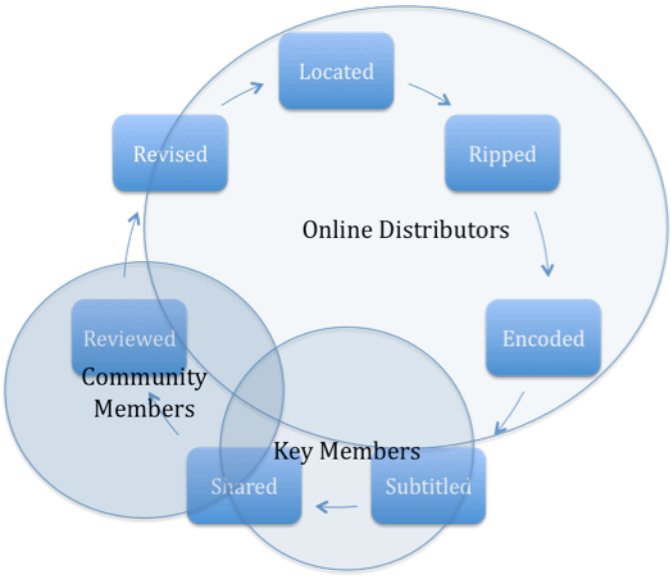

Figure 4: The Online Distribution Cycle

What this distribution cycle illustrates is that the process of distribution involves contributions from a range of community members. Thus, filesharing cannot be

considered a standard activity because contribution levels vary across the community. Whilst those I have dubbed the online distributors are responsible for the selection of *which* films to release, they require other key community members to help them share and subtitle each release. Even those who are not involved in the sourcing, encoding and subtitling stages will still contribute to the wider process by both sharing and reviewing the release. The following brief outline of the varying stages of the process goes into further detail about the collaborative and community based nature of the distribution process.

Before locating and distributing a film, distributors on EL or *CP* need to decide which film to acquire. In many ways, what influences the individual films selected for release is inextricably linked with why online distributors choose to share films in the first place; availability and quality. However, in some respects, the selection process is at once both more subjective and in many ways more practical. Issues of quality and availability are combined with practical concerns over what other people in the community are releasing or requesting and the personal preference of the releaser.

Starting with the practical considerations, it is clear even at this stage that the community plays a key role in shaping the acquisition process. First, online distributors tend to pay considerable attention to what others are releasing before choosing to distribute a particular film. This is because it is perfectly possible for two distributors to be working on the same release at exactly the same time.[592] It is time consuming to encode a movie, so there is no point in two members of a community coding the same release simultaneously. The community is not highly organised, but if someone is planning to create a release, they post on the forum what they intend to encode so others will not duplicate their efforts.

As Naxx points out when referring to the *EL* forum:

> We are a small community…so it really makes no sense to compete if you are going to release something with similar specifications.[593]

As such, it is clear that at this stage of the distribution process the autonomous distributors are careful to work in collaboration rather than in competition with one another. This is in stark contrast to the Scene, where specific release groups will often compete with one another for prominence and so several different versions of a film will

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[592] Naxx, ICQ Interview with Author, December 2008.
[593] Ibid.

be released simultaneously by a number of disconnected groups.[594]

Another way that the community shapes acquisition decisions on a practical level is through request threads. On both *EL* and *CP*, sometimes films will be released because other members have requested them. More commonly, a film might be made available as a response to more general discussions on either forum about the lack of a quality release of a certain title, or the fact that one or other distribution company is releasing a newer version.

As well as these community-based considerations, personal preference played a strong role in decision-making and distributors often chose to release films that they particularly enjoyed. Some would pride themselves on providing the best 'quality' release of all of their favourite director's films. For instance, Jo, an autonomous distributor on both *EL* and *CP*, first chose to share the films of Wong Kar Wai because he was a 'big fan'.[595] However, along with personal preference, the issue of whether the film would be ordinarily accessible to community members was also key in shaping the acquisition process.

Many of the films shared on the *CP* forum were originally sourced from bought DVDs, whereas on EL it is a specific requirement that only uncompressed DVDs and Blu-rays are shared. Before purchasing the original DVD, each distributor would conduct some research into the best version of a film available before purchasing it.[596] For example, Jo would look at various DVD comparison sites[597] before judging the best quality release worldwide. The respondent would then purchase this particular release in order to share it. He commented that:

> The R4 (my DVD zone here in Argentina) versions of In The Mood For Love and 2046 are terrible. I bought the Criterion version of In The Mood For Love and the Korean version of 2046. 2046: the movie was released as DVD9 (DVD of aprox 9GB), but the R4 versions of 2046 was compressed and butchered into a DVD5 (aprox 5GB). there are some compression artifacts, blurred colors. When I bought them, these were the best versions available. and the spanish subtitles are not even good. so i bought the korean DVD. it comes with english subs

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[594] "p2p vs Scene Explained," *ExtraTorrent.com* October 22, 2009, accessed July 18, 2011, http://extratorrent.com/article/69/p2p+vs+scene+explained.html
[595] Jo, Interview.
[596] Ibid.
[597] Examples of DVD comparison websites include *DVDCompare.net, accessed May 5, 2009,* http://DVDcompare.net/, and *DVDBeaver.com,* accessed May 5, 2009, http://www.DVDbeaver.com/.

which is fine by me.[598]

As we can see from Jo's comments, the issue of quality was paramount for this distributor, but so was the issue of availability. As the best quality release was invariably not the Region 4 release, he would quite often source a copy subtitled into English and then produce his own fansubs in his native language. His primary motivation for choosing a film was that he had enjoyed it, but that he knew it was difficult to obtain in Region 4. Thus, he would seek the 'best' release so as to be able to share it with people who might otherwise never have access to it.

Indeed, particularly on the *EL* forum, many of the DVDs used as 'originals' would not be available through traditional channels to the majority of community members. Many of the films will only be available in their country of origin. As such, unless the fan has the requisite language skills then the film would be inaccessible. If the film is particularly rare, then downloads on the *CP* forum might be sourced from a VHS or recorded from television.[599] In such a case, the same language issues generally apply. In many cases, the process of acquisition can be somewhat laborious, although not always. Sometimes the online distributor may have gone to some effort to locate a film in order to share it within the community.[600] That copy might be a rare (and often expensive) import and often the distributor will have spent a considerable amount of time and effort locating a good quality version of the film.

Though personal preference played a role in dictating which films distributors chose to release, the fact that those films would be released into a specific community was also significant. The fact that forum members would specifically request films, or the fact that other distributors had not already provided an adequate release, all served to encourage distributors to release specific films. Furthermore, the issue of whether films had been released in certain territories and thus would be inaccessible to the community through legitimate channels also served to shape acquisition decisions.

After the correct version of the film has been acquired, the film needs to be ripped and re-encoded into a format suitable for uploading and downloading by community members. As mentioned before, on EL only uncompressed DVD or Blu-ray rips are

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[598] Jo, Interview. (Original spelling, punctuation and grammar retained).
[599] If a film has never been released on DVD then in exceptional cases it can be released on EL, but permission must be sought in advance from one of the admins, "Forum Rules," *Eastern Legends Forum* 2009, accessed May 24, 2009.
[600] Sollam, " Park Chan-Wook Back-Catalogue Thread," *Eastern Legends Forum,* May 2009.

permitted. On *CP*, the film will normally be compressed to a smaller file size in preparation for sharing on the forum.[601] The process of encoding the DVD into a compressed format for download may be time-consuming, but it is not as complicated as recording from television or transferring from VHS. As such, this part of the process was generally completed by lone distributors and did not require the collaboration of other members of the community.

Possibly the most significant contribution that is made by community members to the overall distribution process is the provision of fansubs. As mentioned before, the films shared on the forums will often not have received a release outside of their country of origin and so will not have any official subtitles. Then the role of the online distributor gives way to key community members who have the appropriate language and technological skills required to provide fansubs for each film.

Fansubbing is a very common activity and is an interesting area of research in itself. However, there has been a tendency in the literature to restrict focus on the activity to anime fan communities.[602] A broader definition would allow the term to be usefully applied to any subtitles made by fans for use with fan-distributed content. The important factor to note about fansubs is that the creators often have no formal subtitling education and do not profit from their activities.[603] However, fansubbing groups may be quite professional whilst also developing and nurturing a strong brand identity.

> Fansub groups can get very sophisticated. Groups often have "Help Wanted" sections where they advertise jobs with the group. Some groups maintain a certain level of brand identification and even have "subsidiaries" that release other genres of anime, typically adult-oriented material, often called *hentai*, under a different label.[604]

In forming their brand identity, fansubbing groups will often go far beyond simply translating what is being said on screen.[605] Some fansubs use different colours or spacing on the screen to indicate who is talking. They might also include information

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[601] Naxx, Interview.
[602] Ian Condry, "The Shift From Ratings to Relevance: Intimacy, Youth Media and Nationalism in Contemporary Japan," USJP Occasional Paper, 2007, accessed June 27, 2011, www.wcfia.harvard.edu/us-japan/research/pdf/07-04.Condry.pdf; Jordan Hatcher, "Of Otakus and Fansubs: A Critical Look at Anime Online in Light of Current Issues in Copyright Law," *Script-ed* 2, no. 4 (2005): 518.
[603] Hatcher, "Of Otakus and Fansubs," 531.
[604] Ibid., 520.
[605] Tessa Dwyer and Ioana Uricaru, "Slashings and Subtitles: Romanian Media Piracy, Censorship, and Translation," *The Velvet Light Trap* 63 (Spring, 2009): 50.

about yawning, background music, and so forth. In certain releases the fansubs go even further and provide footnotes to explain plotlines and cultural references.[606] There will often be fansubs available in a range of languages, and so the film files themselves will be in the original language without any subtitles, enabling various fansubs in various languages to be coupled with the release. Fansubs are created as a separate file (.sub or .srt) with the same name as the compressed video file (.avi) and when burnt onto a disk together, or in the same folder on someone's hard drive, the film will play with subtitles.

The ethics of fansubbing is a contentious debate, with some arguing that the process allows access to previously inaccessible material, while others contest that fansubbing damages markets before they are even created. Furthermore, fansubbers themselves are renowned for having a specific ethical standpoint on their activities and specific actions to counteract the possible negative implications of the behaviour. Hatcher suggests that fansubbers consider ethics in an 'interesting twist on the stereotypical p2p "pirate" paradigm'.[607] In other words, they admit they are doing something that is illegal but they also suggest that 'their fansubs help to build interest in a show and generate income for the show's producers: a "no harm, no foul" argument'.[608] Indeed, there is a common myth that fansubbing groups adhere to strict ethical codes, most notably that shows should only be subbed if they had not been licensed for distribution in North America.[609] However, Rayna Denison has critiqued this, suggesting that 'the extent to which fansubbing groups follow, or care about, rules and guidelines for fansubbing is debatable'.[610] Even Jordan Hatcher, who is quite positive about the potential of fansubbing to open up the anime market, suggests ethical guidelines are not always adhered to and that the work of fansubbers often makes its way onto counterfeit DVDs and VCDs and that therefore fansubbers may be supporting other forms of piracy.[611]

Regardless of the ethical, legal and economic ramifications of fansubbing, in the context of the *EL* and *CP* forums, the work of fansubbers is of utmost importance. Without the work of the forum fansubbers, the majority of forum members would never be able to understand the films released within their community. Although they do not select the films to distribute, the fansubbers play a key role in making the films accessible to the rest of the forum and thus are prominent members of the community.

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[606] Ibid., 50.
[607] Hatcher, "Of Otakus and Fansubs," 531
[608] Ibid., 531
[609] Laurie Cubbison, "Anime Fans, DVDs, and the Authentic Text," *The Velvet Light Trap* 56 (2005): 48
[610] Rayna Denison, "Anime Fandom and the Liminal Spaces Between Fan Creativity and Piracy," *International Journal of Cultural Studies* (April 8, 2011): 12, accessed May 12, 2011, doi: 10.1177/1367877910394565
[611] Hatcher, "Of Otakus and Fansubs," 537.

In addition to the fansubbing process, the film needs to go through an initial sharing phase between key forum members before being released into the community at large. In order for community members to download the films quickly the files need to be shared between key members (who have high bandwidth) first. Filesharing requires peers to be both uploading and downloading for files to be disseminated quickly and successfully, and so each community member plays a vital role in the distribution process by hosting files on their computer. Such a fact might lead one to suggest that any member of a filesharing network is automatically a distributor. However, it is not necessarily the case that each peer will seed as much as they leech. Thus, it would be incorrect to assert that all filesharers are consumers and distributors in equal measure. Although hosting files is an important part of the process, this alone does not make each peer a distributor. As can be seen from the discussion above, the process of distribution is complex and involves a variety of contributions at varying stages and to varying degrees, but I argue that the participation of each individual does not make them a distributor unless they contribute to the acquisition process.

After its initial release, the film will begin a process of review and this is where the wider community will start to take a more active and influential role. Notably, often the focus of the review is not the film itself but the quality of the release.[612] This might be the quality of the work of the online distributors, the fansubbber, or the original DVD transfer. Indeed, specific distributors or fansubbers will often develop a reputation within the community for producing work of a certain type. For instance, within the *CP* forum Burble releases mainly martial arts films, whereas Mibit focuses on anime.[613] On the *EL* forum, Jo is particularly concerned with the films of Wong Kar Wai, Jufoy concentrates on anime, and Lopis only releases films from Japan.[614]

As well as having their own area of expertise, the distributors will develop a reputation for producing work of a particular standard or quality. This is similar to Denison's observations that fansubbing groups develop subcultural brand-like capital through the production of subtitles.[615] Although not operating in groups, the online distributors develop a reputation for producing work of a certain standard and are thanked and respected for their contribution to the wider aims of the community.[616] However, the

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[612] There are many such discussions of this type but notable ones include "*Fearless* Release Thread," *Chinaphiles Forum* February, 2006 – January, 2007, accessed January 13, 2010; "*Battle Royale* Release Thread," *Chinaphiles Forum* April 2003, accessed January 13, 2010. "Tartan UK Discussion Thread," *Chinaphiles Forum* November 2003 accessed January 13, 2010.
[613] "Movie List," *Chinaphiles Forum*, accessed Jun 12, 2009.
[614] "Release List," *Eastern Legends Forum*, accessed January 13, 2010.
[615] Denison, "Anime Fandom," 8 – 9.
[616] "Thanks Discussion," *Chinaphiles Forum,* June, 2004, accessed September 9, 2009.

significance of the reviewing stage of the distribution process goes beyond developing the subcultural capital of the distributor and drives the next stage of the process, revision.

After the review process, the 'release' will often then be revised. If there are considered to be issues with the existing version, then the original uploader or another member will often produce another version.[617] This might fix problems with the sound quality or the audio/video/subtitle synchronization, or it might even be a new version of the film. The new release might be from another distribution company, another country, a longer cut, or a different edition. This will then go through the same recommendation and review process, thus creating a situation where multiple versions of the same film are available for download within the forums.

The existence of multiple versions of the same film on the forums calls into question one of the common arguments raised in relation to the difference between movie piracy and other types of digital piracy; that is that films are a single use item, whereas software (and music) are used again and again.[618] This argument does not hold up to scrutiny when we examine the manner in which individuals on these forums engage with the films that they watch. The films are not only watched multiple times, but multiple *versions* of each film are watched multiple times. In fact, each different version of the film is considered as distinct and is examined and reviewed in terms of its relationship to all of the others.[619]

For instance, the first version of the film that is available on the forum might not necessarily be considered to be the 'superior' version. Initially, there may be no fansubs available and so members will have to weigh up their wish to watch the film as soon as possible with whether their enjoyment will be diminished if they cannot understand the dialogue.[620] This forms a major part of discussions on the forums. Often people will watch the film without subtitles but then talk at length about how they wish to watch the film with fansubs.[621] Some users will also then watch the film when English subtitles are available (English being the dominant language on the forum), but before fansubs are available in their own languages.[622]

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[617] Naxx, Interview.
[618] Chih-Chien Wang, "Factors that Influence the Piracy of DVD/VCD Motion Pictures," *Journal of the American Academy of Business* 6, no. 1 (2005).
[619] "*Fearless* Release Thread," *Chinaphiles Forum* February 2006 – January 2007, accessed January 13, 2010.
[620] "*Fearless* Release Thread."
[621] Burble "*Fearless* Release Thread."
[622] Helo "*Fearless* Release Thread."

Even when fansubs are available, there will then often be some discussion about whether this particular version of the film is the best. In this case, the film will often have been released in a variety of countries. In each location, a slightly different cut of the film will have been made available (due to local censorship arrangements). As with the *Days of Being Wild* example from earlier in the chapter, sometimes the official version available in a certain territory was of questionable quality, and so alternative versions of the film were sourced to be made available on the forum.[623]

What this discussion of the distribution cycle shows is that the process of distribution is far from straightforward and involves contributions from a wide range of individuals and groups within the wider community. Thus, the process of preparing a film for release is not an individual effort. The distribution cycle demonstrates how autonomous distributors, key community members (especially fansubbers), and the population at large all contribute to a greater or lesser extent throughout the life of the online distribution process. Therefore, filesharing in these contexts is a distinctly social activity.

The central theme that underpins the preceding examinations of the motivations of distributors and the process of distribution is that both of these activities are shaped by the social contexts of the *EL* and *CP* forums. Previous work on the motivations of filesharers has placed too much emphasis on the motivation to receive, rather than give, and thus has ignored one of the central aspects of filesharing; that files are simultaneously uploaded and downloaded by peers within the network. Thus, overshadowing such discussions has been a presumption that filesharing is focused on the act of obtaining and consuming music or movie files. However, drawing on Giesler and Pohlmann's 'participation' model of motivation, this chapter has shown that contribution to, and participation in, the filesharing community can be as, if not more, significant in motivating filesharers than the prospect of downloading the files that they desire.

The discussion of the distribution cycle in this chapter demonstrates that there is an important collaborative and community aspect to online distribution in this setting. It shows that the films themselves are not the primary focus, but act as the facilitator to community participation. Therefore, filesharing can be a complex process that is facilitated by a range of individuals who contribute at various stages of the process and to lesser and greater degrees. As such, we must acknowledge that not all filesharing is

[623] Jo, Interview.

equal and that, in this context at least, the act of sharing films online is a complex and community-based process. In concluding this chapter I would return to the words of Marshall in arguing that we cannot look at filesharing as 'an *economic* activity when it is actually a *social* one'.[624]

[624] Marshall, *Infringers*, 195.

7. 'I'll Scratch your Back…': Symbiotic[625] Relationships

The final chapter of this thesis returns to the work of Markus Giesler and Mali Pohlmann, but in contrast to the 'parasitic' model of gift exchange applied to Napster by these theorists, I propose a 'symbiotic' relationship model to understand the relationship of the Internet forums and the distribution companies under consideration here.[626] According to Giesler and Pohlmann, within 'Napster's parasitic economy driven by gift exchange consumers enrich themselves; they assume the role of host, troublemaker and parasite at the same time.' They suggest such a feature applies to how the community functions internally and also describes Napster's relationship to the wider music industry.[627] However, in this chapter I go beyond the parasitic gifting community model applied by Giesler and Pohlmann, where filesharers are seen to 'leech' from both the industry and the wider community, and instead propose a mutually beneficial *symbiotic* gifting community model when examining the *CP* and *EL* forums in relation to Tartan and Third Window. By drawing on Luca Molteni and Andrea Ordanini's principle of socio-network effects, I make the argument that the relationship between the pirates and the professionals can be mutually beneficial, but that this benefit can only be measured in terms of cultural (rather than economic) capital.[628] By developing the idea of a wider imagined community of East Asian cinema fans that was expounded on in chapter four, this symbiotic gifting community model extends beyond filesharing to include the professional distribution sector. Therefore, an understanding of the relationship between online and offline distribution is developed that perceives the actions of both sets of distributors as aligned rather than opposed. So, rather than perceiving filesharers to be parasitic pirates illicitly benefiting from the creations of the cultural industries, we might understand their actions to be part of a mutually beneficial symbiotic relationship.

Symbiosis, rather than heralding from a natural world which focuses on survival of the fittest, brings to mind a reality where cooperation (rather than competition) allows life to flourish and develop. The term is synonymous with animal relationships and conjures up images of Nile Crocodiles and Egyptian Plovers living in balanced harmony on natural history programmes. However, beyond such famous relationships, in nature it is the

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[625] In biological terms, symbiotic simply means 'living together' and parasitism, mutualism and commensalism are all symbiotic relationships with different benefit outcomes for different parties. Parasitism is where one party benefits to the detriment of the other, mutualism indicates a mutually beneficial relationship and commensalism occurs when one party benefits with no effect on the other. The term 'symbiotic' is often used in place of the more specialist biological term of mutualism and I have used the term 'symbiotic' within this thesis to mean any mutually beneficial symbiotic relationship. Cecie Starr, Christine Evers and Lisa Starr, *Biology: Today and Tomorrow* third edition Brookes/Cole, 2007, 173.

[626] Markus Giesler and Mali Pohlmann, "The Anthropology of File Sharing; Consuming Napster as a Gift," *Advances in Consumer Research*, 30 (2003): 275.

[627] Ibid., 275.

[628] Luca Molteni and Andrea Ordanini, "Consumption Patterns, Digital Technology and Music Downloading," *Long Range Planning* 36, no. 4 (2003): 391.

multitude of symbiotic relationships that exist on a bacterial level that allow the global ecosystem to function at all.[629] Broadly speaking, a symbiotic relationship is one that takes place between apparently dissimilar organisms. As will be elaborated below, whilst calling into question the distinct nature of those organisms, the term symbiosis is generally used to describe a relationship that is mutually beneficial, but does not necessarily indicate a relationship where power resides equally with both parties.

The first section of the chapter shows how the professionals and the members of the *CP* and *EL* forums are not as dissimilar as they might at first appear. This is achieved through an examination of their attitudes towards each other gleaned from interviews and forum discussions. It is central to the idea of symbiosis that the relationship is between 'two dissimilar organisms'.[630] Thus, it is generally applied in those instances where a relationship arises between two entities that one would ordinarily expect to be at odds. However, in biological terms, the concept of symbiosis also 'challenges the boundaries of the organism',[631] because it allows us to understand a complex ecosystem of relationships, rather than a series of distinct species competing with each other for survival in a world of scarce resources. Indeed, this points to why this chapter proposes that 'symbiotic' is an apt term to describe a more holistic view of distribution where the stark contrast between the 'pirates' and the 'professionals' is blurred. Thus, the term has been used within this chapter to discuss both professional and online distributors, in recognition of the fact that, while they might appear dissimilar, under closer examination each group might be understood as sharing similar aims and motivations.

The second section discusses how their relationship suggests a mutually beneficial symbiotic relationship by employing Molteni and Ordanini's concept of socio-network effects.[632] The idea of symbiosis has biological roots. Yet it has permeated popular consciousness to such an extent that it is now commonly used as a term to describe any mutually beneficial relationship; be that between bacterial organisms, animals, human individuals, organisations or countries.[633] The mutually beneficial aspect of the relationship is perhaps the most surprising and is argued by using the more socially orientated model of network effects developed by Molteni and Ordanini.[634] The theoretical underpinnings of network effects/externalities and socio-network effects will

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[629] Myra J. Hird, "Indifferent Globality: Gaia, Symbiosis and 'Other Worldliness'," *Theory Culture Society* 27 (2010): 55.
[630] John A. Nidds and James McGerald, "Educational and Commercial Institutions in the United States: Symbiosis and Cooperation," *NASSP Bulletin* 78 (1994): 99.
[631] Keith Ansell Pearson cited in Myra J. Hird "Indifferent Globality : Gaia, Symbiosis and 'Other Worldliness," *Theory Culture Society* 27 (2010): 59.
[632] Molteni and Ordanini, "Consumption Patterns," 391.
[633] Hird, "Indifferent Globality," 56.
[634] Ibid., 391.

be examined later in the chapter.

The final section will argue that, although the symbiotic relationship observed might be mutually beneficial, it is also decidedly unequal. Gatekeeping power is understood as residing primarily with the professional distributors, despite the liberatory potential that filesharing technologies could represent. Rather than providing a new avenue for distribution unfettered by the need for cultural intermediaries, the professional gatekeepers still have a significant influence over what films reach UK audiences, whether through legitimate or illegitimate channels. However, even though power is not equally distributed, I argue that the relationship between the informal and formal distribution networks is mutually beneficial rather than parasitic, with the benefit of such a relationship realised in social and cultural, rather than economic, terms.

These features of the term symbiosis serve as a reminder that the world is not easily split, demarcated and pigeonholed into discreet categories. Furthermore, whilst there may always be a dominant side to the binary, 'revolutionaries, oppressors, pirates or victims, both producers and consumers depend on each other'.[635]

In order to contextualize the following discussions it is first necessary to provide a brief discussion of network effects. According to the principle of network effects and externalities, in certain circumstances, although piracy cannibalizes profits in the short term, it actually increases the value of the network in the long term. The effect is usually described in relation to software and may work in one of two ways. First, if a user pirates a piece of software, they then form part of the user network and will theoretically be more inclined to purchase the software once they have the disposable income to do so.[636] Thus, piracy 'plays a dominant role in the generation of buyers over the software's life cycle'.[637] Second, the product's value is directly proportional to the number of users in the network. For example, Microsoft's *Word* software increases in value for both the end user and Microsoft if more people use it. In many respects, software like *Word* has become such a standard piece of word processing software for PC users that people have little choice but to use it. To opt out of using Microsoft *Word* might put the user at a severe disadvantage, because any documents produced using alternative software might not be compatible with the documents of others. As such, the major competitors to *Word*, namely Apple's *Pages* and the open source *Open Office* package, make it

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[635] Janice Denegri-Knott, "Sinking the Online "Music Pirates": Foucault, Power and Deviance on the Web," *Journal of Computer-Mediated Communication* 9, no. 4, (2004): 15.
[636] Kathleen Conner and Richard Rumelt, "Software Piracy: An Analysis of Protection Strategies," *Management Science* 37, no. 2, (February 1991): 125.
[637] Ariel Katz, "A Network Effects Perspective on Software Piracy," *University of Toronto Law Journal* 55 (2005): 168.

possible to save documents made with their software as .doc files, the format associated with *Word*. Documents created in *Word*, on the other hand, cannot be saved in the formats associated with *Pages* and *Open Office.* Thus, according to the principle of network effects, if individuals around the world download a copy of *Word* illegally and continue to use it without paying, they actually reinforce the overall dominance of *Word* as the word processing software of choice. This creates an environment where companies across the globe choose (or are effectively forced) to pay Microsoft for licenses to use their software, because *Word* has become an industry standard.

It has been argued that software manufacturers are well aware of this phenomenon and actively capitalize on it when developing their approach to piracy.[638] Ariel Katz suggests 'that the failure to protect software is a conscious business profit-maximizing strategy.'[639] Katz argues that having an initial tier of individuals obtaining the product for free is part of an overall strategy to generate a larger and more valuable user network, thus enabling the publisher of the software to become the dominant player in their field. [640]

Katz argues that strong copyright protection, rather than forcing the user to buy the legal version of the software, actually pushes the user out of the network and into the network of a competitor. If it is possible to protect software and reduce the rate of piracy, a software publisher's decision not to protect his software is equivalent to a decision to price discriminate and let non-paying users copy the software for free. By doing so, the publisher may achieve the greatest network effects in the shortest time and thus win the race to become the monopoly. Creating a bigger network results in a higher value for the network and can have a positive effect on the publisher's profits.[641]

However, such discussions only pertain to software piracy and it has been argued that movies are not a network product.[642] In contrast, Ian Condry argues that even if music and movies are not network products, 'peer-to-peer systems follow the principles of network economics, which hinge not on supply-side economies of scale, but on demand-side economies of networks'[643] As such, 'the more participants, the more sharing, and the more distributed users and content, the more valuable the network is.[644] So, regardless of whether we accept the fact that music and movies are network products, it is reasonable to argue that the peer-to-peer networks are subject to the principle of

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[638] Katz, "A Network Effects Perspective," 192.
[639] Ibid., 156.
[640] Ibid., 166.
[641] Ibid., 167.
[642] Higgins, Fell and Wilson, "Low Self-control," 341.
[643] Ian Condry, "Cultures of Music Piracy: An Ethnographic Comparison of the US and Japan," *International Journal of Cultural Studies* 7, no. 3 (2004): 348.
[644] Ibid., 348.

network effects.

However, it is possible to go further than Condry's consideration of the technology of distribution and make the claim that both movies and music can be considered to be network products if one considers the social relations that exist around them. Films and music do not exist in isolation, but are part of wider networks of movie and music fandom, and the proliferation of individual movies and songs has the capacity to raise the value of other products created or circulated by the same artist, band, director, record label, film studio, distribution company or even online distributor. As Gilbert Rodman and Cheyanne Vanderdonckt argue, 'the worth of intellectual property - measured economically, culturally, politically, and/or socially – is often dramatically enhanced by the extent to which it circulates'.[645] This is why the music industry wants their products to be played on the radio, on TV programmes and on advertisements: the more people hear the music, the more valuable it becomes. Although the argument seems less straightforward in the case of movies, as they are traditionally considered more of a single use product, the argument becomes more convincing when taking into account the social context of film viewing and consumption.

Indeed, Molteni and Ordanini argue that the tastes of consumers usually organise themselves in clusters, and so an interest in one product normally encourages consumption of another similar and connected product.[646] Therefore, exposure to one film from East Asia might encourage users to consume other films from the region. On the surface such a proposal might appear to support the sampling argument often raised by the forum members: that is, if they enjoy a film then they purchase it, and exposure to a wider range of films within the forum actually encourages further legal purchases. Although there might be some support for such an argument, it is not the concern (nor the proposal) of this particular thesis. It is the contention of this chapter that the relationship is mutually beneficial due to the action of socio-network effects, but this benefit concerns cultural rather than financial capital.

According to the principle of socio-network effects, exposure to one item will encourage consumption of other similar items.[647] This can be said to be mutually beneficial for both online and offline distributors because the level of cultural capital that they each have is tied to the overall profile of East Asian cinema. Each distributor's cultural capital increases with each film they distribute themselves. But it also increases with each

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[645] Gilbert B. Rodman and Cheyanne Vanderdonckt, "Music for Nothing or, I Want my MP3," *Cultural Studies* 20, no. 2, (2006): 248.
[646] Molteni and Ordanini, "Consumption Patterns," 391.
[647] Ibid., 391.

release from each other distributor (online and offline), because this raises the profile of East Asian film more generally. Conversely, if East Asian film languishes in obscurity, then being a distributor that deliberately deals in and is knowledgeable about that specific type of film does not carry the same cultural cachet. Therefore, a symbiotic relationship is present if one looks beyond the financial alone and also considers the cultural associations with film and the social motivations behind distributing it. The concept of socio-network effects will be examined in more detail later in the chapter.

The anti-piracy rhetoric originating from official bodies such as the MPAA, FACT and The Film Distributors Association (FDA) would lead us to imagine that filesharers and distributors have distinct and opposed goals. However, as discussed in the literature review, there is debate surrounding whether the actions of filesharers have a damaging, neutral or beneficial effect on the film industry. Furthermore, there is a wealth of work that examines the motivation behind filesharing, and which comes to equally varied conclusions. Moving beyond existing debates, this research has already drawn parallels between the motivations of the online distributors and their professional counterparts who work within the film distribution sector in the UK The previous chapters have argued that, on a fundamental level, both groups see their ultimate goal as the promotion of East Asian cinema. Individuals on both sides of the so-called divide demonstrate a strong urge to bring East Asian cinema to new audiences and are passionate about what they do.

For the online distributors, this drive to promote East Asian cinema more generally is tied to a sense that they belong to an imagined wider community of East Asian film fans. Significantly, the film distribution companies were also perceived to be part of this 'imagined' community by the online distributors. While the professional distributors often sought to distance themselves from fan behaviour, they still sought to see themselves or their companies as somehow distinct from the rest of the industry, which was perceived as primarily profit-driven. Furthermore, key individuals in both groups have the major say concerning which films are distributed, whether that be the 'golden triangle' at Tartan, Adam Torel at Third Window, or the relatively small contingent of online distributors within the *EL* and *CP* communities.

Having made the case for convergent goals on the part of offline and online distributors, it is also necessary to briefly discuss the attitude of each group to each other in order to further develop this chapter's symbiosis thesis. Each member of the symbiotic relationship does not need to be explicitly aware of the mutually beneficial nature of their relationship with their symbiotic partner. However, in the case of our particular example,

pirates and distribution companies, popular discourse would have us imagine that each group is acutely aware of the existence of the other and also hostile to their activities. However, as discussed in previous chapters, the online distributors view themselves as part of a wider community that actively includes the film industry. Indeed, the attitude towards the artists and small distributors would appear to be one of utmost respect and understanding. On both the *EL* and *CP* forums, users demonstrate considerable amounts of respect for the work done by independent distributors, and the online distributors feel that they have a joint aim with the independent distributors. Furthermore, rather than being concerned over the devastating effects that piracy and filesharing might be having on their livelihoods, the reaction of professionals to filesharing behaviour ranges from ignorance to indifference and even to active encouragement (see Chapter Five).

That the *EL* and *CP* communities might have a positive attitude to the film industry may appear to contradict the observations of theorists who have looked into music filesharing communities. They have found that 'for the younger generation, the image of record labels is far from benign'.[648] In those studies, there is evidence of a general contempt for the industry and a perception that those in the 'business' are making record profits whilst the artists struggle. In this case, too, although the members of both forums would wish to actively support the small distributors and the 'struggling artists', they were quite hostile to any aspect of the film industry that they perceived to be primarily driven by commercial concerns. This observation can be demonstrated by analysis of the attitudes of forum members to the *business* of film, of which Hollywood appeared to act as the figurehead.

Within forum discussions, Hollywood was repeatedly represented as concerned only with profit, unnecessarily greedy, and bereft of any sort of artistic integrity. The reaction to a *New York Times* article on co-productions between Hollywood and China was indicative of some of the extreme reactions to Hollywood and what the US film business was seen to represent by the forum members.[649] Consistent poster on the *CP* forum, Mybit, criticized Hollywood for being largely ignorant of the size and power of other film industries such as Hong Kong and Bollywood.[650] Key poster Boser was concerned that any intervention by Hollywood in the Chinese film industry would effectively 'ruin' Chinese film.[651] Occasional poster Carfort expressed that monetary investment would be

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[648] Chun-Yao Huang, "File Sharing as a Form of Music Consumption," *International Journal of Electronic Commerce* 9, no. 4 (2005): 49.
[649] "New York Times Article Discussion Thread," *Eastern Legends Forum* November 2010, accessed March, 12 2011.
[650] Mybit, "New York Times Article Discussion Thread."
[651] Boser, "New York Times Article Discussion Thread."

fine as long as Hollywood was not able to 'influence' what films were made and how they eventually 'looked'.[652] Overall, the discussion illuminated just how profit-driven Hollywood was perceived to be by forum members and how negatively economic motivations were understood. As such, it would seem that the forum members here make a distinction between the business of film and the 'artists' who work within in, as has been observed in studies of music filesharing.[653]

However, this disdain towards Hollywood often contrasts starkly with how the forum members reacted to other (generally smaller) distributors. The reaction towards small distributors was more favourable, suggesting that the relationship between the filesharers and the industry was not as straightforwardly oppositional as it might at first appear. On the EL and CF forums there seemed to be recognition that niche distribution is not necessarily a profitable pursuit, and that small distributors are doing a good job in the face of conditions that make the release of certain films in certain territories economically unviable. Indeed, whilst forum members were hostile towards some aspects of the film 'business', they were careful to make distinctions between those sections that they perceived as needing their support and those that were considered unworthy of it. As such, a generally favourable attitude was only present towards the artists (directors, actors, cinematographers) and the small distributors. Other facets of the industry were seen as a concern if they allowed commercial priorities to take precedence over aesthetic ones. This was presented as a specific concern if the 'money men' and were seen to have taken liberties with individual films.

For instance, on the *CP* forum in February 2006 there was a discussion about a release of the film *Fearless* (Ronny Yu, 2006). One member, Burble, suggested that this was likely to be a great film considering the previous form of the director and the stars, and so he/she urged other forum members to wait for the quality official release.[654] Fickle also suggested that the film was brilliant, but said that despite having seen both the Cantonese and Mandarin versions on downloads he/she was eager to purchase the official release, too.[655] At this point, Mashup contributed by saying that the film was indeed very good but that someone had obviously instructed the director to make the film conform to an action movie formula.[656] Burble agreed with this assessment and said

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[652] Carfort, "New York Times Article Discussion Thread."
[653] James R. Coyle, Stephen J. Gould, Pola Gupta, Reetika Gupta '"To Buy or to Pirate": The Matrix of Music Consumers' Acquisition-mode Decision-making," *Journal of Business Research* 62 (2009) 1036; Huang, "File Sharing as a Form of Music Consumption," 40.
[654] Burble, "*Fearless* Release Thread," *Chinaphiles Forum* February 2006 – January 2007, accessed January 13, 2010.
[655] Fickle, "*Fearless* Release Thread."
[656] Mashup, "*Fearless* Release Thread."

he/she would wait for an uncut version before downloading or purchasing this film.[657] The focus of concern within this discussion surrounded the perceived interference of commercial concerns in the artistic vision of the director. It demonstrates that the forum members were markedly hostile towards any economically motivated activity that was perceived to weaken the quality or artistic merit of a film. Thus, the opposition that might appear to exist between the 'industry' and the 'pirates' should in fact be understood as a distinction between those primarily concerned with the 'quality' of the film, and those with other (usually profit-driven) concerns.

This issue of the quality of official releases was a constant theme within the *Fearless* discussion thread, which was added to intermittently for almost a year. The conversations generally concerned the range and quality of the versions available commercially and also the quality and length of the rips that were available on the forum.[658] As this discussion took place on the *CP* forum, links to a range of Scene and 'homegrown' releases were provided within the same discussion thread. Despite this range, the community releases were deemed to be of superior quality and sourced from 'better' original versions that the Scene releases.[659] The Scene releases were not provided by individuals with a specific knowledge of East Asian cinema and so would generally not include the DVD extras or respect the high quality of the original transfer to DVD. According to Burble, the specific issue with the scene releases was that they were invariably available as 700mb downloads so they could fit onto a CD; as such Burble suggested that quality was compromised in favour of competing priorities.[660] He/She acknowledged that some of the Scene releases might be acceptable but only if they produced three CD versions which managed to maintain what he/she suggested was an acceptable level of quality from the original DVD.[661] This would add weight to the argument that the opposition of industry and filesharers is misleading, because forum members reacted to specific filesharers who did not share their overriding concern with quality just as harshly as they reacted to the Hollywood studios.

Indeed, the issue of quality was of paramount concern on the *CP* forum in particular, and official distribution companies were subject to high levels of scrutiny concerning the quality of their products. In a discussion specifically concerning Tartan on the *CP* forum, one particular forum member, Tate, warned other users to avoid Tartan releases because of the poor quality.[662] On this same thread, another user, Fester, raised specific

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[657] Burble, "*Fearless* Release Thread."
[658] "*Fearless* Release Thread."
[659] Burble, "*Fearless* Release Thread."
[660] Ibid.
[661] Ibid.
[662] "Tartan UK Discussion Thread," *Chinaphiles Forum* November 2003 accessed January 13, 2010.

complaints against Tartan's releases, suggesting the subtitles were always 'hardcoded'[663] and the transfers always too dark.[664] Fester went as far as to suggest that any of the releases available on the *CP* forum were of much better quality that the Tartan ones. However, despite these rather negative comments the discussion itself was brief; no further members joined in with the criticism nor did anyone attempt to defend the distributor. Furthermore, Tate had actually praised the *high* quality of Tartan's version of *Battle Royale* (Kinji Fukasaku, 2000) in a different thread seven months previously.[665] As such, criticisms of Tartan on the basis of producing bad quality releases were most probably localised to a couple of individuals, but the discussions do illustrate that attitudes towards the smaller distribution companies were often centered around questions of quality.

Other distributors were discussed in more favourable terms, but quality was referenced again as key when assessing their output. Criterion releases were particularly respected, with Simpson suggesting that a Criterion release indicated that both the film and the release would be of good quality. However, he/she also felt that this quality always came with a high price tag.[666] Kinsky indicated a preference for more films to get the 'Criterion treatment', but also suggested that their wish was probably not very 'realistic'.[667] On the EF forum, the downloader Niku directly compared different releases of Ozu's *Tokyo Story* by both Tartan and Criterion.[668] Moons then contributed to the comparison by stating that he/she owned both copies and could confirm that the picture quality of the Criterion edition was better, but that there were many more and much better extras available with the Tartan version. Indeed, such discussions indicate that if the distributors were perceived within the community to produce DVD releases of good quality, then they were generally mentioned in favourable terms.

There was little evidence of criticism leveled at Tartan on the grounds of quality on the *EL* forum. A range of Tartan films were available on the forum and were shared precisely because they were Tartan releases with specific extras or cuts of films that no other distribution company provided. For instance, there was general praise for sharing the extras disc from the Tartan edition of Wong Kar Wai's *In the Mood for Love* shortly after it was released, and then further thanks were provided each time it was re-seeded until February 2011.[669] Furthermore, during a discussion of *Warm Water* in November

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[663] Hardcoded subtitles are part of the file that contains the film and play automatically whereas softcoded subtitles must be downloaded as a seperate file.
[664] "Fester Tartan UK Discussion Thread," *Chinaphiles Forum* November 2003 accessed January 13, 2010.
[665] "*Battle Royale* Release Thread," *Chinaphiles Forum* April 2003, accessed January 13, 2010.
[666] Simpson "*Youth of the Beast* Release Thread," *Chinaphiles Forum* January 2005, accessed June 12, 2010.
[667] Kinsky, "Hollywood Discussion Thread," *Chinaphiles Forum* July 2002, accessed June 12, 2010.
[668] Niku, "*Tokyo Story* Release Thread," *Eastern Legends Forum* March 2011, accessed April 12, 2011.
[669] "*In the Mood for Love* Extras Release Thread," *Eastern Legends Forum* February 2011, accessed March

2010, Kadar remarked that the passing of Tartan was a great shame because it meant that so many of their old titles, like *Warm Water*, would now be even more difficult to get hold of. Kadar further stated that Tartan was responsible for promoting East Asian cinema in the UK and that their demise was a significant blow for fans of East Asian cinema.[670] Such comments underline that members of the *CP* and *EL* forums take a kind view of the distributors that brought them a range of quality East Asian releases. Such acceptance highlights why their relationship might be seen to meet one of the central criteria of symbiosis, because these seemingly dissimilar entities are connected by a joint respect for quality.

The respect shown towards small distribution companies on the forums is even more favourable in relation to Third Window, which was actively promoted on the *EL* forum as well as being praised for the quality of their releases.[671] The Third Window version of *Confessions of a Dog* comes with a specific request from the uploader, Sass, to support Third Window.[672] The request even comes with a link to the Third Window website and details of special features you get with the first thousand copies of the film. Votid and Assis both posted to the discussion to second this request and suggest that UK audiences should support their small distributors. Both users also expressed regret that they did not have equivalent companies in their respective regions.[673] Zuzu responded to the uploader's request by noting that he/she had already pre-ordered the Third Window version of the film and urging others to do the same.[674] Xant boasted that their copy of the film had just arrived and Kader added to the discussion by saying that Third Window really 'care' about their customers and that they are always friendly and polite.[675] Interestingly, Third Window was not discussed directly on the *CP* forum and none of the editions shared on this forum were sourced from this particular distributor.[676]

The reaction on the *EL* forum to both Third Window and Tartan demonstrates a keen respect for and wish to support smaller distributors. Whilst members of the *CP* forum can be quite critical of distributors who do not meet their exacting quality standards, those distributors that do are actively respected and supported. I argued in chapter four that online distributors see themselves as part of a wider imagined community when examining their own downloading behaviour. Here, a more nuanced version of that

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12, 2011.
[670] "*Warm Water* Release Thread," *Eastern Legends Forum* November 2010, accessed March 12, 2011.
[671] "*PTU* Release Thread," *Eastern Legends Forum* July 2007, accessed March 12, 2011.
[672] "*Confessions of a Dog* Release Thread," *Eastern Legends Forum* March 2011, accessed April 21, 2011.
[673] Ibid.
[674] Zuzu, "*Confessions of a Dog* Release Thread," *Eastern Legends Forum* March 2011, accessed April 21, 2011.
[675] "*Confessions of a Dog* Release Thread," *Eastern Legends Forum* March 2011, accessed April 21, 2011.
[676] It is not clear why this is the case but the absence of the distributor from forum discussions would suggest that Third Window is unknown on the board rather than indicating a dislike or disinterest in the company's releases.

argument must be developed when considering the attitudes expressed upon the board towards distribution companies and the film industry more generally. Distributors are considered favourably if they demonstrate a respect for, and knowledge of, the films by producing what the community members perceive to be 'quality' releases. However, they are perceived less kindly if they prioritise monetary considerations or are seen to in any way interfere with the quality or aesthetics of the individual films.

What about the professionals and their attitudes towards the fans and the filesharers? Perhaps unsurprisingly, the industry itself does not unilaterally demonstrate enthusiasm or respect towards the fans and filesharers. However, the distancing from filesharers is not as straightforward as contempt for the people who might be perceived as jeopardizing their livelihood. In fact, the attitude towards filesharing appears to be largely one of indifference and ignorance on the part of the Tartan employees and even enthusiasm from Third Window Films. This, again, illustrates that whilst the fight against film piracy is seen to be led by the 'industry', the individual professionals within it do not necessarily take such a dim view of the activities of filesharers and 'pirates' as one might expect.

The findings differed between the two companies. At Tartan, the activities of filesharers were largely ignored. This was in part due to the perceived unenforceability of copyright internationally and difficulties in determining which companies actually owned the distribution rights to the 'version' of a film that was being shared. This was coupled with ignorance of filesharing, because none of the respondents from Tartan (with the exception of Torel) had any significant level of knowledge about filesharing. They were certainly not aware of the community-based sharing this thesis analyzes. The major concern appeared to surround films being available on YouTube or eBay rather than people actually downloading their films.

Hoile suggested that when he first started working at Tartan as an intern he was asked to do some research into which films from Tartan's catalogue were easily available through online channels.[677] The discussion surrounding this investigation raised some interesting questions about the level to which piracy of their content was a concern at Tartan and also the extent to which the company was actually able to address these issues. Hoile mentioned that during his research it came to light that some of the films that were easily viewable on online video streaming sites might be films that Tartan had the rights to distribute in the UK, but that the viewable version of the film might not be

[677] Phillip Hoile, Interview with Author, January 2009.

the edition that Tartan owned the rights to.[678] As such, despite the fact that it was ostensibly the same film, Tartan would have found it difficult to combat such an instance of potential copyright infringement. Hoile reported that the information was passed on and suggested that it may have been dealt with subsequently at a level that he was not aware of.[679] However, it does raise the issue of the decidedly difficult nature of enforcing copyright law in a global context when the Internet is not bounded by the confines of national legal jurisdictions. Any number of 'versions' of a film that Tartan had the rights to distribute in the UK might be circulating online, but their ability to address such an issue was seriously impeded by the simultaneous existence of multiple versions of the same film. Indeed, almost all of Tartan's releases were available on either the *CP* or *EL* forums, but these films were often not originally sourced from the Tartan versions unless, as was the case with *In the Mood for Love* mentioned earlier, the DVD extras were of particular interest.

With the exception of this one case, the general response to the issue of piracy and downloading at Tartan appeared to be ignorance or indifference. Each of the respondents was aware of downloading. Some even suggested they might have even watched an illegally downloaded film, but they were careful to suggest that this was just statistically likely considering the widespread nature of the activity rather than something they were consciously aware of having done.[680] Whilst one would expect people within the industry to wish to distance themselves from any suggestion of involvement in illegal activity, they also showed only a cursory level of awareness of filesharing and downloading. For instance, Hoile rather noncommittally suggested that illegal downloading was undoubtedly a big issue, but was also quick to point out that actually most of what he said was conjecture and he was not really sure what impact downloading was having on the industry.[681] He used the example of the fact that there might be two to three years between the domestic release of some East Asian films and their release in the UK to indicate that anyone who watched the film illegally in that time was probably very unlikely to want to watch the official version when it was eventually released. However, he then quickly provided a counter example of TV viewing of a film stimulating DVD sales to suggest that downloads might not necessarily be so harmful. He summed his discussion up by suggesting he was basing most of his ideas on 'assumptions' and, while his response did show some concern over the effects of downloading, it certainly did not represent the sort of distress or anger that one would expect of someone whose career and livelihood were perceived to be significantly under threat.

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[678] Ibid.
[679] Ibid.
[680] I have not provided a reference for this information due to its sensitive nature.
[681] Hoile, Interview.

The situation at Third Window was very different. Torel was very familiar with fan-based downloading and filesharing activity and perceived it as something that was actually beneficial for the wider profile of East Asian cinema. Torel suggested that he was not concerned if people were sharing films that they could not access through legal channels. He did admit to getting a bit 'mad' if he discovered his films were being bootlegged, but he also suggested that this was not a major issue because of the extras available with each of his films.[682] Torel described the fans of East Asian cinema as 'collectors'. As such, he saw their motivation as the acquisition of as many quality titles as possible. He suggested 'collectors liked features' and that this was a major reason why the fans would still buy the films. He felt that the extra features disk was not usually available through the pirate networks and so his copy of the film would always have an edge over the film-only online release.[683]

As mentioned earlier, some of the Tartan films were shared specifically because of their extras, and so Torel's belief that the extras provided protection against piracy might be optimistic. However, the sharing of DVD extras appeared to only be popular on the *EL* forum and was not very common within the *CP* community. Indeed, key poster Burble identified the fact that they often did not include the extras as one of the major problems with releases found within the *CP* community.[684]

So, while the online distributors appear to be generally sympathetic towards and supportive of the small distributors, the distributors themselves show varying levels of engagement. Third Window actively supports the activities of fan communities online, even if this brings with it some accompanying copyright infringement. Tartan, despite some cursory investigations into bootlegging and illegal streaming of their films, appeared to be generally unaware of the type of complex communities that exist online and are dedicated to sharing films that Tartan might have the right to distribute in the UK or US Such findings would seem to suggest that these groups are not as at odds as they might appear and as such can be considered to fulfill this central criterion for the foundation of a symbiotic relationship.

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[682] Torel, Interview.
[683] Ibid.
[684] Burble, "*Fearless* Release Thread."

Doing Their BitTorrent: Socio-Network Effects

Perhaps the key characteristic of a symbiotic relationship is that is must be mutually beneficial for both parties. However, in this case, it must be emphasized that the benefits are not necessarily economic and should be seen as social and cultural gains. With this in mind, the relationship between small distributors of East Asian cinema and the members of the *CP* and *EL* forums can be said to be mutually beneficial if the principle of socio-network effects is applied. This principle adds a social element to the network effects/externalities argument ordinarily applied to software piracy. As mentioned in the chapter introduction, the network effects argument suggests that the value of an individual product increases proportionally with the size of the network of users. By extending this idea, the socio-network effects argument suggests that because people's interests and tastes tend to cluster, the more popular a cultural item is, the more attractive similar items become to potential audiences. Using such a proposition, it is possible to claim that, through their promotional activities, distributors both online and offline contribute to enhance the value of East Asian films. This argument is examined in greater detail in the following section.

Furthermore, it is possible to link the profile of East Asian film in general to the value of the cultural capital that the online and offline distributors are able to trade on in their respective professional and online communities. As both groups claim to be heavily motivated by a wish to promote and share East Asian cinema, their online/offline dissemination activities can be understood to be mutually beneficial because the actions of both groups serve to raise the profile of East Asian films. If the socio-network effects principle is applied, then the more people who see and hear about a film the more popular it becomes. As the films gain more acclaim, so distributors both online and offline benefit from the resulting increase in their own status within their own professional or filesharing communities for the role they have played in raising the profile of East Asian cinema more generally.

The software industry is not oblivious to this principle of network effects. As mentioned before, Katz has gone so far as to argue that it informs the marketing strategies of the entire software industry.[685] He claims that the fact that some people decide to pay nothing for software is built into overall pricing strategies within the software industry. For instance, *Word* is available in a variety of editions with associated prices to attract different sectors of the market according to the user's perceived ability and willingness to pay for expensive software. So, a cut-price *student* edition is designed to attract a lower income sector of the market that may not have much disposable income now, but stands

[685] Katz, "A Network Effects Perspective," 167.

a good chance of turning into the full-price customer of the future. Pricing structures mean that there are tiers of consumers, all paying according to what they can afford (or opt to pay), but also that this combination of consumers creates the largest consumer base while also maximizing profit. So, to enforce against piracy too heavily will not protect revenue, but will rather discourage the user from joining the network in the first place.[686] Furthermore, by joining the network through piracy when one cannot afford to pay the full price (in an extreme version of the student example), the individual then becomes more inclined to pay for continued membership of the network down the line.[687]

It is often claimed that the principle of network effects cannot apply to films because they are considered to be single-use.[688] The idea that films are single-use items was critiqued in the last chapter on the grounds that within the *CP* and *EL* forums not only are films often multiple-use, but often multiple versions of the 'same' film will be available through these forums. To take one example, the aforementioned *Fearless* release thread involves a variety of *CP* forum members discussing the relative merits of a variety of releases of the same film.[689] Indeed, for the members, they are not only aware of the differences between each version, but will also often enjoy the film in all or many of these multiple incarnations. For instance, the consistent poster to the *CP* forum, Coco, suggested that she/he had watched the unsubtitled version that was already available but was actively anticipating watching the film again with subtitles and then watching the three hour version of the film to see how it compared to the one hundred minute version that she/he had already watched.[690] Indeed, the general consensus amongst members contributing to this discussion was that it was great that they had seen a 'version' of the film now, but that they all were looking forward to a variety of other 'versions' as they became available, and in particular the director's cut.[691]

Another issue that causes users to be interested in more than one version of a film is the different 'cuts' of the films available from different distributors and in different countries. One example is the Korean film *Sympathy for Lady Vengeance* (Chan-wook Park, 2005) where two distinct versions of the film are available, the standard version and the 'fade to black and white' version.[692] The discussion of this film on the *CP* forum explains that the Tartan version is the fade to black and white version, and that this version is

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[686] Conner and Rumelt, "Software Piracy," 125
[687] Conner and Rumelt, "Software Piracy," 125 and Katz, "A Network Effects Perspective," 166.
[688] Higgins, Fell and Wilson, "Low Self-control," 341.
[689] "*Fearless* Release Thread."
[690] Coco "*Fearless* Release Thread."
[691] "*Fearless* Release Thread."
[692] Rob Daniel, *Sympathy For Lady Vengeance*, accessed March 15 2011 http://www.fareastfilms.com/reviewsPage/Sympathy-For-Lady-Vengeance-1744.htm

preferable because it was the director's intention for this to happen.[693] Within the *Fearless* release thread there is also a rather lengthy debate about the Thai version of the film and the fact that it includes a deleted scene that no other versions of the film have.[694] There may also be alterative versions of a film available in different countries where the censorship rules are different. For instance, the UK version of Kim Ki Duk's *The Isle* (2000) was censored by the BBFC for animal cruelty. This was discussed when the film was released on the *CP* forum and members were keen to watch both the censored and uncensored versions to see how they compared.[695]

Indeed, many film distributors cater to this wish to see multiple versions of the film by producing various editions of the same film, so as to encourage repeat purchase and repeat viewing. The fact that different cuts of a film might be released sequentially rather than simultaneously suggests this strategy is designed to encourage multiple viewings rather than cater to varying preferences.

Another problem with the argument that films are not subject to network effects is that such a perspective considers the individual product in isolation and does not factor in the existence of a network beyond this discrete entity. Although an individual piece of software (*Word*, for example) is subject to network effects, it might also be possible to argue that associated software by the same manufacturer (*Microsoft*) or in the same package (*Office*) might also be subject to network effects through association with the original product. Such an extension of the network effects argument in software terms then lends weight to a suggestion that this theory could be applied to objects of digital piracy more generally. This is because music and films do not exist in isolation, either. They are connected to other films or songs made by the same artists, owned by the same companies, released by the same publisher or distributor, associated with the same stars, part of the same genre or hailing from the same country.

These networks associated with movies and music are not the network of users of an individual product, but the network of users of sets of associated products. Each new Disney film that appears solidifies Disney's status as a quality provider of animated movies for all ages. Thus it is the network surrounding Disney films in general that we should concern ourselves with, not the network surrounding *Toy Story 3* in particular. Therefore, both movies and music can be considered to be network products if their social context is considered. As Rodman and Vanderdonckt argue, 'the worth of

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[693] "*Sympathy for Lady Vengeance* -Tartan Edition Release Thread," *Chinaphiles Forum* April 2007, accessed July 5, 2009.
[694] "*Fearless* Release Thread."
[695] "*The Isle* – Tartan Edition Release Thread," April 2007 *Chinaphiles Forum*, accessed July 5, 2009.

intellectual property - measured economically, culturally, politically, and/or socially – is often dramatically enhanced by the extent to which it circulates'.[696] Furthermore, the more people see *Toy Story 3*, the more it becomes a 'must see' movie.

Such an argument implies what Molteni and Ordanini refer to as *socio-network effects*. Under this model 'the social dimension of consumption is a further element of complexity and explains how tastes for cultural goods are essentially group-based and built around different clusters or profiles of consumption'.[697] Simply put, this is the idea that, in the absence of an objective marker of quality, people often tend to like what other people like and therefore are easily influenced by what other people think. Therefore, fan-based communities that exist to share and discuss movies form a good example of socio-network effects. Molteni and Ordanini are talking specifically about music. But they indicate that their observations may be generalized across the cultural industries, because they refer to things that are common across the sectors.[698] Such an argument can hold weight here, as it allows for the fact that we can identify clusters of consumption. In this respect, the network effects theory that is ordinarily rejected for cultural products such as movies can be more usefully applied as socio-network effects, and it points toward the mutually beneficial nature of the relationship between online and offline distributors.

Molteni and Ordanini point out that various fan-based activities can form the locus for information that influences consumer spending. 'Cultural preferences emerge following a *social contagion* process, where individual tastes are subject to continuous interactions with others', often by means of institutions that facilitate social intercourse and cohesion, such as, for instance, music fanzines, clubs or Internet user groups'.[699] However, it must also be pointed out that Molteni and Ordanini are not defending filesharing, as their work comes from a marketing perspective. Rather they seek to consider the range of activities taking place online, so that consumers can be lured back to paying for the music that they currently consume illegally. To this end, they attempt to make sets of 'consumption profiles' so that these groups of consumers might be more effectively targeted by the music industry.

This thesis applies the principle of socio-network effects to consider how tastes cluster, not just around genres of film or films by the same directors, but also around the filmmaking output of entire regions. Taking Hollywood as an example, Wang and Shu

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[696] Rodman and Vanderdonckt, "Music for Nothing," 248.
[697] Molteni and Ordanini, "Consumption Patterns," 391.
[698] Ibid., 390.
[699] Ibid., 391.

argue that 'even though piracy has cut into the profit margin of the Hollywood majors, it has also reinforced Hollywood dominance in global image markets by circulating Hollywood products and consequently cultivating and creating an environment and demand for more of these products.'[700] To take our earlier example, pirate copies of *Toy Story 3* available online might cannibalize Disney's profits in the short term, but they also may cultivate a future audience for Disney's subsequent films (not to mention their merchandising, theme parks, stores, and so forth.) On a broad level, Hollywood's dominance of the international film industry is brought into being by a constant demand for the products they produce.

The cultural capital of distributors both online and offline is inextricably linked with the value of the films that they distribute. Thus, if the profile of those films is raised, then the cultural capital that each distributor enjoys increases proportionally with the visibility of the film. Furthermore, if the films are not considered in isolation but are positioned within taste clusters, then the circulation of a range of East Asian films both offline and online increases the profile of East Asian films more generally. The relationship can be said to be mutually beneficial, because what each distributor trades upon (either economically or socially) is their cultural capital. Regardless of whether there are direct economic benefits for each distributor from each film that is distributed (online or offline), there are indirect benefits through the corresponding increase in their cultural capital as the profile of East Asian cinema more generally is raised. However, whilst it could be argued that in many respects the relationship is mutually beneficial, it is nonetheless decidedly unequal.

Distribution Companies: The Locus of Power

At first glance, it might seem that online channels of distribution could facilitate a utopian exchange network. Filesharing exists outside of the market and is therefore not tethered by the necessities of securing financial returns for films distributed through its channels. It might appear that the 'free' exchange of goods online allows the criteria for distribution to be based solely on the 'quality' of the film and its perceived 'critical success', rather than its likely box office success and associated financial reward. Indeed, many of the films that are shared online are difficult to find through traditional channels. They may have only been released in their country of origin, often have no subtitles, or may have been deleted so that copies are extremely difficult to come by. The community functions on the basis that, whilst it would be difficult for each individual to track down every film, as a collective they share the spoils of their cumulative searching powers. In addition,

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[700] Shujen Wang and Jonathan J. H. Zhu, "Mapping Film Piracy in China', *Theory, Culture and Society* 20, no. 4 (2003): 118.

even if each individual were able to track down each film, they would need to speak multiple languages in order to enjoy all of them. In contrast, within the community there are teams of fansubbers, who are able to provide subtitles in most major world languages.

This utopian exchange network may facilitate the exchange of a variety of films that many community members would otherwise never gain access to, but it is dependent on the professional distributors in some fundamental ways. Indeed, the professional film distribution sector is able to influence what films are released, which 'cut' of the film is released in certain territories, the technical quality of that released version and sometimes even which films get produced in the first place.

On the *CP* forum there are a mix of Scene releases and releases made by forum members, so the source of those 'originals' used to make individual releases varies. Scene releases might come from screeners, VHS copies, DVDs or recordings from theatrical exhibition. Releases made by forum members will almost exclusively be made from DVD (and latterly Blu-ray) copies that the members themselves have acquired. It is a specific requirement of the *EL* forum that only DVDs may be used as 'originals' to make releases.[701] This is because on the *EL* forum each film must be shared in an uncompressed format. As such, all online distributors that exist outside the 'Scene' rely on a constant supply of officially released DVDs in order to share films. Due to this reliance on official DVD releases, arguably the professionals exist at the dominant end of the power relationship between online and offline distributors because they control the supply of officially released DVDs.

Not only do professional distribution companies have the power to decide which films are worthy of a commercial release, but they are also able to dictate the quality of the initial transfer to DVD. As was discussed earlier in the thesis, quality appears to be a serious concern for members of the both the *CP* and *EL* communities. Some individuals will go to great lengths to obtain a copy of a film that meets their quality requirements or is in some manner considered to be artistically 'authentic'. This can be seen with the previously mentioned examples of *In the Mood for Love*[702] and *Sympathy for Lady Vengeance*[703] where standard versions released commercially had in some manner 'corrected' colour issues with the print that were actually deliberate stylistic decisions on the part of the director and/or cinematographer. Whilst it was possible in both of these

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[701] This has recently been extended to allow Blu-ray releases.
[702] Jo, ICQ Interview with Author, January 2007.
[703] *"Sympathy for Lady Vengeance* -Tartan Edition Release Thread," *Chinaphiles Forum* April 2007, accessed July 5, 2009.

instances for the forum members to locate their preferred versions, they did have to wait a considerable amount of time or spend time researching different releases to do so.[704] Indeed, there are many discussions on both the *CP* and *EL* forums that concern the quality of releases, the varying cuts of films available and which of these are considered 'best'.

The final issue that illustrates the significant role of the professional distributor in controlling distribution channels both offline and online is their role in film financing. This issue did not specifically relate to the film distributors under consideration here, because most of the films they acquired as negative pickups, meaning films had already been made before the distribution rights were sold. However, it is often considered preferable for a distribution deal to be arranged even before a film goes into production, because this makes it easier to secure funding to cover production costs.[705] As guarantees of distribution deals are so important to the initial financing of a film production, the role that professional distributors play in dictating which films get produced in the first place cannot be underestimated.

Thus, by controlling what makes it to DVD and the quality of the film transfer, film distributors still exert considerable sway over the films that circulate within the *CP* and *EL* communities. Therefore, although the relationship might be considered beneficial for all concerned, the professional distributors still exert a considerable level of influence over the films that audiences are able to enjoy, and the quality of those films.

This chapter has outlined the various requirements of a mutually beneficial relationship and in doing so has indicated why 'symbiosis' might be apt to describe the interlinked and mutually advantageous actions of both online and offline distributors. Although popularly perceived to be at odds, through an examination of the attitudes of the online distributors and film distribution professionals to each other, some interesting conclusions can be established. The members of the *CP* and *EL* forums have the utmost respect for distributors that they feel share their concern with quality but are sceptical of the influence that economic considerations have on the artistic vision of the filmmakers. On the other hand, the professionals are not particularly knowledgeable about the type of filesharing represented in the *CP* and *EL* forums, and seem less concerned about the effect that piracy might be having on the film industry than one might imagine. In fact, the attitude of Adam Torel of Third Window was rather positive towards the activities of filesharers, but also indicated that he thought the 'extras' provided with his products

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[704] Jo, Interview.
[705] Film Distributor's Association Website, accessed April 25, 2011 http://www.launchingfilms.tv/acquisition.php

provided an added incentive to pay for his releases rather than just download them.

A positive response likes Torel's links in with the mutually beneficial aspect of the proposed symbiotic relationship. As online and offline distributors are able to trade on the cultural capital they accrue by being able to access and being knowledgeable about East Asian cinema, the fact that the films are circulated officially and unofficially serves to increase the value of that cultural capital. As such, utilizing Moltani and Ordanini's principle of socio-network effects, the relationship between the two sets of distributors can be understood as symbiotic rather than parasitic. However, it is important to reiterate that the mutually beneficial aspect of the relationship is not necessarily translatable to economic return and can only be understood in social and cultural terms.

8. Conclusion

This thesis has looked at the distribution of East Asian films in the UK and within filesharing networks through a case study of two distribution companies, Tartan and Third Window, and two filesharing forums, *Eastern Legends* and *Chinaphiles*. In so doing, I have investigated how some of the formal and informal channels of distribution for East Asian films within the UK function and interact. I have made the case that these seemingly oppositional groups, professional distributors and filesharers, are more similar than we might imagine, and furthermore, are engaged in a mutually beneficial symbiotic relationship. In addition, the actions of distributors within these formal and informal networks involve complex social and cultural interactions rather than purely economic considerations. The work has broadened the scope of the limited pre-existing academic work on film distribution by investigating how informal and formal networks intersect and interact rather than considering them in isolation. Along the way, I have argued that both professional distribution and online dissemination must be considered holistically and culturally if we are to truly understand the transnational flows of cultural texts.

The chapters of this thesis have examined how informal and formal distribution networks function. They have asked how films are selected and prepared for release in these settings. It has been established that distributors in both scenarios see their goal as facilitating the dissemination of East Asian films to as wide an audience as possible. Furthermore, community plays an important role in shaping acquisition decisions within both formal and informal networks. For the online filesharers, this is as part of an imagined knowledge community that constructs itself in opposition to the 'pirates' and views filesharing as beneficial to the East Asian film industry. For the professional distributors, the acquisition and circulation of social and cultural capital within the film industry has a key role in shaping the acquisition process.

This thesis has not addressed or answered whether filesharing is economically damaging to, or beneficial for, the film industry. While I would maintain that it is important to ensure the continued production of cultural life, it is reductive to restrict 'culture' to tangible goods that can be sold for profit or to imagine that 'artists' will only be motivated to produce such goods if they receive the appropriate financial reward. As such, academic research in this area needs to move beyond the dual preoccupations with quantifying the damage inflicted on the film industry by non-formal methods of distribution and asking how illegitimate forms of distribution can be curtailed. Indeed, to that end, this thesis raises some questions and avenues for further research in the area of filesharing and film distribution more generally.

First, distribution needs to be considered in broader terms and should not be confined to strict distinctions between professional 'distribution' and illegal 'piracy'. The work of Iordanova, Lobato and Cubitt has asked for a wider discussion of distribution, but this thesis has only just begun the task of examining film distribution beyond formal channels.[706] This thesis has examined filesharers and distributors as interdependent actors within a larger network of distribution, but only in one very specific case study. Further work is needed that examines the multiple channels and networks through which films might circulate transnationally. Such work needs not only to consider the multiple channels of distribution, but also how the process of dissemination itself shapes, positions and problematises the act of film consumption.

Second, although I have mentioned the Scene in relation to the *CP* forum, this was only a passing reference. Future research into filesharing and digital piracy needs to tackle the Scene, because very little is known academically about this area of activity.[707] It would be particularly interesting to consider how these groups are organised and whether there is any factual basis to claims that downloading files from the Internet has a direct or indirect connection with criminal organisations and/or and terrorism. Further work is also needed to consider the range of filesharing activities that exist online and, in particular, the specific implications of the growth of direct download links from file hosting services and the corresponding reduction in peer-to-peer traffic. It would be of particular interest to consider such a shift in light of the fact that downloaders actually pay for subscription membership to file hosting sites such as RapidShare and MegaUpload. If illegal downloading is actually something that users are willing to pay for directly through subscriptions to hosting sites, rather than indirectly through their Internet subscription, then questions surrounding the economic impact of digital piracy on the cultural industries should be centred on how revenue has shifted into other industry sectors rather than how it has disappeared altogether.

Third, as legal film download and streaming services enter the market, how will filesharing and digital piracy adapt and develop? It is worth considering that the last ten years of movie filesharing and downloading activity represent a distinct period of time when illegal movie downloading could not exist alongside legal alternatives because those legal services had yet to be established. It is now possible to download and stream films direct into the home, with ever increasing ease and speed, sometimes on the same day a film is released in cinemas. As such, film distribution and filesharing are both faced with new challenges and new possibilities. Wasko has asked some questions

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[706] Iordanova "Rise of the Fringe," 26; Lobato "Subcinema," 115 ; Cubitt "Distribution and Media Flows," 194.
[707] The only example I could find that considers the warez scene in any detail is J. D. Lasica, *Darknet: Hollywood's War against the Digital Generation*, (Hoboken, NJ: John Wiley and Sons, 2005).

about how the film industry might develop as digital distribution offers new possibilities, but largely this area remains underdeveloped and warrants further attention.[708]

Fourth, enquiries into the social aspect of filesharing have only begun with this thesis, and they beg further development. Cenite, Marshall and Condry have all separately suggested that filesharing should be seen in social terms, and it would be interesting in particular to examine whether the distinctly social aspects of the *CP* and *EL* forms are in evidence on other filesharing forums that are not concerned with East Asian film.[709] It would be naive to assume that the community-focused forms of filesharing discussed in this thesis represent the dominant method of downloading and filesharing activity. However, research still needs to be conducted that examines the varying forms of digital dissemination (such as direct downloading, filesharing and streaming) and how individuals might employ a range of these activities in their pursuit of a variety of different media (such as films, music, and games).

This leads on to the final area of interest that I would like to highlight -- gift economies. If we understand distributors as motivated by social rather than economic factors then the question of how these social transactions are mediated and shaped remains. The principle of gift economies allows us to consider filesharing as a complex social interaction where altruistic, agonistic, instrumental and autotelic factors are at play. However, I would argue that there is scope to consider the activities of cultural intermediaries in similar terms whilst still acknowledging the impact of the larger industries within which they operate. Indeed, the idea of gift economies may well open up a larger avenue of investigation that allows us to consider paid and unpaid labour as a matter of social as well as economic transactions. Such examinations would also assist the aforementioned aim of examining the varying methods of film distribution in unison rather than treating them separately.

What all of these lines of enquiry indicate is that there is still much to be learnt about film distribution. This might be through a detailed examination of how further developments in digital technology will impact on potential and existing channels of distribution, or by supplementary work that considers, as this thesis has done, the relationship between formal and informal distribution networks. What remains certain, for the time being at

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[708] Janet Wasko, “The Future of Film Distribution and Exhibition,” in *The New Media Book* ed., Dan Harris (London: BFI, 2002), 195.
[709] Mark Cenite, Michelle Wanzheng Wang, Chong Peiwen and Germaine Shimin Chan, “More Than Just Free Content: Motivations of Peer-to-Peer File Sharers,” *Journal of Communication Inquiry* 33 (2009); Lee Marshall, “Infringers,” in *Music and Copyright,* ed. Simon Frith and Lee Marshall (Edinburgh: Edinburgh University Press, 2004); Ian Condry, “Cultures of Music Piracy: An Ethnographic Comparison of the US and Japan," *International Journal of Cultural Studies* 7, no. 3 (2004).

least, is that film distribution is rapidly developing and cannot be restricted to its traditional characterization as a link in the chain between industrial film production and exhibition. Whilst concepts like the ‘prosumer’ question the boundaries between production and consumption, professionals and amateurs, and the economic and the social, we must be mindful of the interconnected complexity of cultural life and acknowledge that the Internet may not be actually breaking boundaries but rather drawing into sharp focus the fictitious basis of such distinctions.

Bibliography

"About Palisades Tartan," *Palisades Tartan Website.* Accessed January 9, 2009. http://www.palisadesTartan.com/AboutUs.asp.

"About Tartan," *Tartan Website.* Accessed September 15, 2008. http://www.Tartanvideousa.com/pg_profile.asp

Alderman, John. *Sonic Boom: Napster, P2P and the Future of Music.* London: Harper Collins, 2001.

Allen, Katie. "Retailers Singing in the Rain." *The Guardian,* July 25, 2007. Accessed April 16, 2010. http://www.guardian.co.uk/business/2007/jul/25/citynews.media.

Anderson, Benedict. *Imagined Communities: Reflections on the Origins and Spread of Nationalism.* London: Verso, 1991.

Anderson, Nate. "Atari's Copyright Attack on RapidShare Unplugged." *Ars Technica*, January, 2011. Accessed July 8, 2011. http://arstechnica.com/tech-policy/news/2011/01/ataris-copyright-attack-on-rapidshare-unplugged.ars

Andersson, Jonas. "Peer-to-peer-based File-sharing Beyond the Dichotomy of 'Downloading is Theft' vs. 'Information Wants to be Free': How Swedish File-sharers Motivate their Action." PhD diss., University of London, 2010.

"Apple iTunes become biggest music retailer in USA." *NME Online*, April 4, 2008. Accessed April 16, 2010. http://www.nme.com/news/itunes/35669.

Bazin André. *What is Cinema?* London: University of California Press, 1967.

Beck, Andrew. *Cultural Work: Understanding the Cultural Industries*. London: Routledge, 2002.

"Beginner's Guide." *Mooter's BitTorrent Guide*. Accessed May 5, 2008. http://www.bittorrentguide.co.uk/torrentguide.html.

Bell, David. *An Introduction to Cybercultures*. London: Routledge, 2001.

Berry, David. *Copy, Rip, Burn: The Politics of Copyleft and Open Source.* London: Pluto Press, 2008.

Bielby, William, and Denise Bielby. "All Hits are Flukes: Institutionalized Decision Making and the Rhetoric of Network Prime-Time Programme Development." *American Journal of Sociology* 99, no. 5 (1994): 1287 - 1313.

Bounie, David, Marc Bourreau, and Patrick Waelbroek. "Pirates or Explorers? Analysis of Music Consumption in French Graduate Schools." *Brussels Economic Review* 50, no. 2. (2007): 167 – 192.

Bourdieu, Pierre. *Distinction: A Social Critique of the Judgement of Taste.* London: Routledge,

1984.

Bourdieu, Pierre. *Language and Symbolic Power.* Cambridge: Polity, 1992.

Bourdieu, Pierre. *The Rules of Art: Genesis and Structure of the Literary Field.* Cambridge: Polity, 1996.

Brown, Adam, Justin O'Connor, and Sara Cohen. "Local Music Policies Within A Global Music Industry: Cultural Quarters in Manchester and Sheffield." *Geoforum* 31, no. 4 (2000): 437 – 451.

Carroll, Noël. "Defining the Moving Image." In *Philosophy of Film and Motion Pictures: An Anthology*, edited by Noël Carroll and Jinhee Choi, 113 – 134. Oxford: Blackwell Publishing, 2006. Originally published in Noël Carroll, *Theorizing the Moving Image* (New York: Cambridge University Press,1996).

Carter, Denise. "Living in Virtual Communities: An Ethnography of Human Relationships in Cyberspace." *Information, Communication and Society* 8, no. 2 (2005): 148 – 167.

Castells, Manuel. *The Internet Galaxy: Reflections on the Internet, Business and Society.* Oxford: Oxford University Press, 2003.

Caves, Richard. *Cultural Industries: Contracts Between Art and Commerce*. Harvard: Harvard University Press, 2002.

Cenite, Mark, Michelle Wanzheng Wang, Chong Peiwen, and Germaine Shimin Chan. "More Than Just Free Content: Motivations of Peer-to-Peer File Sharers." *Journal of Communication Inquiry* 33, no. 3 (2009): 206 – 221.

Chan, Kenneth. *Remade in Hollywood: The Global Chinese Presence in Transnational Cinemas.* Aberdeen, Hong Kong: Hong Kong University Press, 2009.

Chang, Sung-sheng Yvonne. "The Terrorizer and the Great Divide in Contemporary Taiwan's Cultural Development." In *Island on the Edge: Taiwan New Cinema and After,* edited by Chris Berry and Feiyi Lu, 13 – 25. Hong Kong: Hong Kong University Press, 2005.

Chiang, Eric, and Djeto Assane. "Copyright Piracy on the University Campus: Trends and Lessons from the Software and Music Industries." *International Journal on Media Management* 4, no. 3 (2002): 145 – 149.

Chin, Daryl. "Festivals, Markets, Critics: Notes on the State of the Art Film." *Performing Arts Journal* 19, no. 1 (1997): 61 – 75.

Chin, Daryl, and Larry Qualls. "To Market, to Market." *PAJ: A Journal of Performance and Art* 20, no. 1 (1998): 38 – 43.

Chin, Daryl, and Larry Qualls. '"Here Comes the Sun": Media and the Moving Image in the New Millennium." *PAJ: A Journal of Performance and Art* 24, no. 2 (2002): 42 – 55.

Choi, Jinhee, and Mitsuyo Wada-Marciano, eds. *Horror to the Extreme: Changing Boundaries in*

Asian Cinema. Aberdeen, Hong Kong: Hong Kong University Press, 2009.

Choi, Jinhee. *The South Korean Film Renaissance: Local Hitmakers, Global Provocateurs.* Middletown, CT: Wesleyan, 2010.

Chow, Rey. *Primitive Passions: Visuality, Sexuality, Ethnography, and Contemporary Chinese Cinema*. New York: Columbia University Press, 1995.

"Comparative Table for Film 1994 – 2008," *Festival De Cannes Website.* Accessed April 8, 2009. http://www.festival-cannes.com/assets/File/Web/about/enchiffres/En%20chiffres_media_GB_2008(2).pdf.

Condry, Ian. "Cultures of Music Piracy: An Ethnographic Comparison of the US and Japan." *International Journal of Cultural Studies* 7, no. 3 (2004): 343 – 363.

Condry, Ian. "The Shift From Ratings to Relevance: Intimacy, Youth Media and Nationalism in Contemporary Japan." USJP Occasional Paper, 2007. Accessed June 27, 2011. www.wcfia.harvard.edu/us-japan/research/pdf/07-04.Condry.pdf*;*

Conner, Kathleen R., and Richard P. Rumelt. "Software Piracy: An Analysis of Protection Strategies." Management Science 37, no. 2 (1991): 125-139.

Cotton, Bob. *Futurecasting Digital Media.* London: Pearson Education Limited, 2002.

Coyle, James R., Stephen J. Gould, Pola Gupta, and Reetika Gupta. '"To Buy or to Pirate": The Matrix of Music Consumers' Acquisition-Mode Decision-Making.' *Journal of Business Research* 62, no. 10 (2009): 1031–1037.

Craig, Paul, and Ron Honnick. *Software Piracy Exposed.* Rockland, MA: Syngress Publishing, 2005.

Cubbison, Laurie. "Anime Fans, DVDs, and the Authentic Text." *The Velvet Light Trap* 56, no. 1 (2005): 45 – 57.

Cubitt, Sean. "Distribution and Media Flows." *Cultural Politics* 1, no. 2 (2005): 193 – 214.

Cunningham, Stuart and Jon Silver. "On-line Film Distribution: Its History and Global Complexion." In *Digital Disruption: Cinema Moves Online,* edited by Dina Iordanova & Stuart D. Cunningham, 33 – 66. St Andrews: University of St Andrews Press, 2012.

Culkin, Nigel and Keith Randle. "Digital Cinema: Opportunities and Challenges." *Convergence: The International Journal of Research Into New Media Technologies* 9, no. 4 (2003): 79 – 98.

Curran, James. "Literary Editors, Social Networks and Cultural Tradition." In *Media Organisations in Society*, edited by James Curran, 215 – 239. London: Hodder Arnold, 1999.

Currid, Elizabeth. "The Economics of a Good Party: Social Mechanisms and the Legitimization of Art/Culture." *Journal of Economics and Finance* 31, no. 3 (2007): 386 – 394.

Daniel, Rob. *Sympathy For Lady Vengeance.* Accessed March 15, 2011. http://www.fareastfilms.com/reviewsPage/Sympathy-For-Lady-Vengeance-1744.htm

Danto, Arthur C. "Moving Pictures." In *Philosophy of Film and Motion Pictures: An Anthology*, edited by Noël Carroll and Jinhee Choi, 100 – 112. Oxford: Blackwell Publishing, 2006. Originally published in *Quarterley Review of Film Studies* 4, no. 1 (1979): 1 – 21.

David, Matthew. *Peer to Peer and the Music Industry: The Criminalization of Sharing*. London: Sage, 2010.

Delfino, Robert A. "Justice for All?" *The Philosopher's Magazine*. July 14, 2009. Accessed March 10, 2010. http://www.philosophypress.co.uk/?p=458.

Denegri-Knott, Janice. "Sinking the Online "Music Pirates": Foucault, Power and Deviance on the Web." *Journal of Computer-Mediated Communication* 9, no. 4 (2004). Accessed October 1, 2007. http://jcmc.indiana.edu/vol9/issue4/denegri_knott.html

Denison, Rayna. "Anime Fandom and the Liminal Spaces Between Fan Creativity and Piracy." *International Journal of Cultural Studies* 14, no. 5 (2011): 1 – 18. Accessed May 12, 2011. doi: 10.1177/1367877910394565.

Doyle, Gillian. *Understanding Media Economics.* London: Sage, 2002.

Drake, Graham. "This Place Gives me Space: Place and Creativity in the Cultural Industries." *Geoforum* 34, no. 4 (2003): 511 – 524.

Dwyer, Tessa and Ioana Uricaru. "Slashings and Subtitles: Romanian Media Piracy, Censorship, and Translation." *The Velvet Light Trap* 63 (2009): 45 – 57.

Enigmax. "Turkey Bans RapidShare and FileServe." *Torrent Freak,* May 30, 2011. Accessed July 8, 2011. http://torrentfreak.com/turkey-bans-rapidshare-and-fileserve-110530/.

Ernesto. "Filesharing Predicted to Double by 2015." *Torrent Freak,* June 3, 2011. Accessed July 8, 2011. http://torrentfreak.com/file-sharing-traffic-predicted-to-double-by-2015-110603/.

"Film Council Statistical Yearbook 2005/06." *UK Film Council Website.* Accessed May 8, 2008. http://rsu.ukfilmcouncil.org.uk/?pf=&low=&y=2005&c=5&s=.

Florida, Richard. *The Rise of the Creative Class: And How it's Transforming Work, Leisure, Community and Everyday Life*. New York: Basic Books, 2003.

Frater, Patrick. "Tartan Admits Financial Problems." *Variety,* May 20, 2008. Accessed June 1, 2008. http://www.variety.com/article/VR1117986153.html?categoryid=13&cs=1&query=Tartan+video

Garnham, Nicholas. *Capitalism and Communication: Global Culture and the Economics of Information.* London: Sage, 1990.

Gatson, Sarah N., and Amanda Zweerink. "Ethnography Online: 'Natives' Practicing and

Inscribing Community." *Qualitative Research* 4, no. 2 (2004): 179 – 200.

Gayer, Amit, and Oz Shy. "Internet and Peer-to-Peer Distributions in Markets for Digital Products." *Economics Letters* 81, no. 2 (2003): 197 – 203.

Gibson, Chris. "Cultures at Work: Why 'Culture' Matters in the Research on the 'Cultural' Industries." *Social and Cultural Geography* 4, no. 2 (2003): 201 – 215.

Gieber, Walter. "News is what Newspapermen Make it." In *People, Society and Mass Communication,* edited by David Manning White and L. A. Dexter, 173 – 192. New York: Free Press, 1964.

Giesler, Markus, and Mali Pohlmann, "The Anthropology of File Sharing; Consuming Napster as a Gift." *Advances in Consumer Research* 30, no. 1 (2003): 273 – 279.

Grenfell, Michael. "Working with Habitus and Field: The Logic of Bourdieu's Practice." In *Cultural Analysis and Bourdieu's Legacy: Settling Accounts and Developing Alternatives*, edited by Elizabeth Silva and Alan Warde, 14 - 27. London: Routledge, 2010.

Goldsmith, Jack, and Tim Wu. *Who Controls the Internet?: Illusions of a Borderless World*. Oxford: Oxford University Press, 2006.

Guback, Thomas. *The International Film Industry.* Bloomington: Indiana University Press, 1969.

Halbert, Debora. "Sharing as Piracy: The Digital Future of Music." In *Resounding International Relations,* edited by Marianne Franklin, 55 - 78. New York: Palgrave, 2005.

Halliday, Josh. "Amazon takes full control of Lovefilm." *The Guardian Online,* January 20, 2011. Accessed April 27, 2011, http://www.guardian.co.uk/technology/2011/jan/20/amazon-buys-lovefilm.

Harbord, Janet. *Film Cultures*. London: Sage, 2002.

Harbord, Janet. *The Evolution of Film: Rethinking Film Studies.* Cambridge: Polity, 2007.

Harrington, Curtis. "Film Festival at Cannes." *The Quarterly of Film Radio and Television* 7, no. 1 (1952): 32 – 47.

Harris, Lloyd C., and Alexia Dumas. "Online Consumer Misbehaviour: An Application of Neutralization Theory." *Marketing Theory* 9, no. 4 (2009): 379 – 402.

Hartley, John, ed. *Creative Industries*. Oxford: Blackwells, 2005.

Hatcher, Jordan. "Of Otakus and Fansubs: A Critical Look at Anime Online in Light of Current Issues in Copyright Law." *Script-ed* 2, no. 4 (2005): 514 – 542.

Hennig-Thurau, Thorsten, Victor Henning, Henrik Sattler, Felix Eggers, and Mark B. Houston. "The Last Picture Show? Timing and Order of Movie Distribution Channels." *Journal of Marketing* 71, no. 4 (2007): 63–83.

Hesmondhalgh, David, and Andy C. Pratt. "Cultural industries and Cultural Policy." *International*

Journal of Cultural Policy 11, no. 1 (2005): 1 – 14.

Hesmondhalgh, David. *The Cultural Industries*. London: Sage, 2002.

Hesmondhalgh, David. ”Indie: The International Politics and Aesthetics of a Popular Music Genre.” *Cultural Studies* 13, no. 1 (1999): 34 – 61.

Higgins, George E., Scott E. Wolfe, and Melissa L. Ricketts. “Digital Piracy: A Latent Class Analysis.” *Social Science Computer Review* 27, no.1 (2009): 24 – 40.

Higgins, George E., Brian D. Fell, and Abby L. Wilson. “Low Self-Control and Social Learning in Understanding Students' Intentions to Pirate Movies in the United States.” *Social Science Computer Review* 25, no. 3 (2007): 339 – 357.

Hills, Matt. “Virtually Out There: Strategies, Tactics and Affective Spaces in Online Fandom.” In *Technospaces: Inside the New Media,* edited by Sally Munt, 147 – 160. London: Continuum, 2001.

Hinduja, Sameer. “Neutralization Theory and Online Software Piracy: An Empirical Analysis.” *Ethics and Information Technology* 9, no. 3 (2007): 187 – 204.

Hird, Myra J. ‘Indifferent Globality: Gaia, Symbiosis and 'Other Worldliness.'' *Theory Culture Society* 27, no. 2 (2010): 54 – 72.

Hirsch, Paul M. "*Processing Fads and Fashions,*" *American Journal of Sociology* 77, no. 4 (1972): 639 – 659.

Holmlund, Chris, and Justin Wyatt. *Contemporary Independent American Film: From the Margins to the Mainstream.* London: Routledge, 2005.

Holt, Thomas J., and Robert G. Morris. “An Exploration of the Relationship between MP3 Player Ownership and Digital Piracy.” *Criminal Justice Studies* 22, no. 4, (2009): 381 – 392.

Huang, Chun-Yao. “File Sharing as a Form of Music Consumption.” *International Journal of Electronic Commerce* 9, no. 4 (2005): 37 – 55.

Huddleston, Tom, and David Jenkins. “A Farewell to Tartan Films.” *Timeout,* July 3, 2008. Accessed September 15, 2008. http://www.timeout.com/film/features/show-feature/5133/a-farewell-to-Tartan-films.html.

Hunt, Leon, and Leung Wing-Fai. *East Asian Cinemas: Exploring Transnational Connections on Film*. London: I. B. Tauris, 2008.

Ingram, Jason R., and Sameer Hinduja. “Neutralizing Music Piracy: An Empirical Examination.” *Deviant Behavior* 29, no. 4 (2008): 334 – 366.

“Internet Piracy Fails to Sink Film Profits.” *The Guardian,* May 3, 2005. Accessed May 5, 2008. http://film.guardian.co.uk/news/story/0,,1475482,00.html.

Iordanova, Dina. “Rise of the Fringe: Global Cinema’s Long Tail.” In *Cinema at the Periphery,* edited by Dina Iordanova, David Martin-Jones and Belén Vidal, 23 – 45. Detroit: MI:

Wayne State University Press, 2010.

Iordanova, Dina. “Digital Disruption: Technological Innovation and Global Film Circulation.” In *Digital Disruption: Cinema Moves Online,* edited by Dina Iordanova and Stuart Cunningham, 1 – 31. St Andrews: University of St Andrews Press, 2012.

Jackel, Anne. *European Film Industries.* London: BFI, 2003.

Jenkins, Henry. *Convergence Culture*: *Where Old and New Media Collide*. London: New York University Press, 2006.

Jenkins, Henry. *Textual Poachers: Television Fans and Participatory Culture*. London: Routledge, 1992.

Jenkins, Richard. *Pierre Bourdieu.* London: Routledge, 1992.

Katz, Ariel. “A Network Effects Perspective on Software Piracy.” *University of Toronto Law Journal* 55, no. 2 (2005): 155 – 216.

Kendall, Lori. “Recontextualising "Cyberspace": Methodological Considerations of On-line Research.” In *Doing Internet Research: Critical Issues and Methods for Examining the Net*, edited by Steve Jones, 57 - 73. London: Sage, 1998.

Kerrigan, Finola. “Educating Willy or Freeing Willy: An Exploration of the Marketed Consumer Interface in the UK Film Industry.” Paper presented at the annual Academy of Marketing Conference, Nottingham University, July 2 - 5, 2002.

Kerrigan, Finola, and Mustafa F. Ozbilgin. “Art for the Masses or Art for the Few: Ethical Issues for Film Marketing in the UK.” *International Journal of Nonprofit and Voluntary Sector Marketing* 7, no. 2 (2001): 195 – 203.

Kim, Ji-Hoon. “The Post-medium Condition and the Explosion of Cinema.” *Screen* 50, no. 1 (2009): 114 – 123.

Klinger, Barbara. “Contraband Cinema: Piracy, *Titanic*, and Central Asia.” *Cinema Journal* 49, no. 2, (2010): 106 – 124.

Knight, Julia. “*Cinenova*: A Sign of the Times.” *Screen* 33, no. 2 (1992): 184 – 189.

Knight, Julia. “DVD, Video and Reaching Audiences: Experiments in Moving-Image Distribution.” *Convergence: The International Journal of Research into New Media Technologies* 13, no. 1 (2007): 19 – 41.

Knight, Julia, and Peter Thomas. “Distribution and the Question of Diversity: A Case Study of Cinenova.” *Screen* 43, no. 9 (2008): 354 – 365.

Kozinets, Robert. “E-Tribalized Marketing?: The Strategic Implications of Virtual Communities of Consumption.” *European Management Journal* 17, no. 3 (1999): 252 – 264.

Kozinets, Robert. “The Field Behind the Screen: Using Netnography for Marketing Research in Online Communities.” *Journal of Marketing Research* 39, no. 1 (2002): 61 – 72.

Kretschmer, Martin, George M. Klimis, and Roger Wallis. “Music in Electronic Markets: An Empirical Study.” *New Media and Society* 3, no. 4 (2001): 417 – 441.

Lash, Scott, and John Urry. *Economies of Signs and Space.* London: Sage, 1994.

Lasica, J. D. *Darknet: Hollywood’s War against the Digital Generation*. Hoboken, NJ: John Wiley and Sons, 2005.

Lau, Jenny Kwok Wah. "Besides Fists and Blood: Hong Kong Comedy and Its Master of the Eighties." *Cinema Journal* 37, 2 (1998): 18 – 34.

Lent, John. *The Asian Film Industry*. Bromley: Christopher Helm Publishers, 1990.

Leonard, Sean. “Celebrating Two Decades of Unlawful Progress: Fan Distribution, Proselytization Commons, and the Explosive Growth of Japanese Animation.” *UCLA Entertainment Law Review* 12, no. 2 (2005): 1 – 72.

Leonard, Sean. “Progress Against the Law: Anime and Fandom, with the Key to the Globalisation of Culture.” *International Journal of Cultural Studies* 8, no. 3 (2005): 281 – 305.

Lessig, Lawrence. *Free Culture: The Nature and Future of Creativity.* London: Penguin, 2004.

Lévi-Strauss, Claude. *Elementary Structures of Kinship*. Boston, MA: Beacon Press, 1969.

Levin, Aron M., Mary Conway, and Kenneth Rhee. “Money for Nothing and Hits For Free: The Ethics of Downloading Music from Peer-to-Peer Web Sites.” *Journal of Marketing Theory and Practice* 12, no. 1 (2004): 48 – 60.

Lévy, Pierre. *Collective Intelligence: Mankind’s Emerging World in Cyberspace.* Cambridge, MA: Perseus Books, 1997.

Lewis, Jon. “’If You Can't Protect What You Own, You Don't Own Anything’: Piracy, Privacy, and Public Relations in 21st Century Hollywood.” *Cinema Journal* 46*,* no. 2 (2007): 145 – 150.

Lindlof, Thomas R., and Milton J. Shatzer. “Media Ethnography in Virtual Space: Strategies, Limits, and Possibilities.” *Journal of Broadcasting and Electronic Media* 42, no. 2 (1998): 170 – 189.

Lobato, Ramon. “Subcinema: Theorizing Marginal Film Distribution.” *Limina: A Journal of Historical and Cultural Studies* 13 (2007): 113 – 120.

Lobato, Ramon. “Six Faces of Piracy: Global Media Distribution from Below.” In *The Business of Entertainment (Vol. 1): Movies,* edited by Richard C. Sickels, 15 – 36. Westport, Connecticut: Greenwood Publishing Group, 2009.

Lobato, Ramon. “The Politics of Digital Distribution: Exclusionary Structures in Online Cinema.” *Studies in Australasian Cinema* 3, no. 2 (2009): 167 – 178. doi: 10.1386/sac.3.2.167/1

Luckman, Susan, and Julia de Roeper. “Wagging the Long Tail: Digital Distribution and the

Peripheral Screen Production Industries." *Cultural Science* 1, no. 2 (2008): 1 – 10.

Lury, Celia. *Consumer Culture*. 2nd edition. Cambridge: Polity, 2011.

Macnab, Geoffrey. "Death of a Salesman." *The Guardian,* July 4, 2008. Accessed September 15, 2008. http://www.guardian.co.uk/film/2008/jul/04/filmandmusic1.filmandmusic1.

Malin, Jenessa, and Blaine J. Fowers. "Adolescent Self-Control and Music and Movie Piracy." *Computers in Human Behavior* 25, no. 3 (2009): 718 – 722.

Malinowski, Bronislaw. *The Argonauts of the Western Pacific: An Account of Native Enterprise and Adventure in the Archipelagoes of Melanesian New Guinea.* London: Routledge, 1922 [1966].

Maras, Steven and David Sutton. "Medium Specificity Re-visited." *Convergence: The International Journal of Research into New Media Technologies* 6, no. 2 (2000): 98 – 113. Accessed April 5, 2012. doi: 10.1177/135485650000600207

Marich, Robert. *Marketing to Moviegoers.* Oxford: Focal Press, 2005.

Marshall, Lee. "Infringers," In *Music and Copyright,* edited by Simon Frith and Lee Marshall, 189 - 208. Edinburgh: Edinburgh University Press, 2004.

Mattelart, Tristan. "Audio-visual Piracy: Towards a Study of the Underground Networks of Cultural Globalization." *Global Media and Communication* 5, no. 3 (2009): 308 – 326.

Mauss, Marcel. *The Gift: Forms and Functions of Exchange in Archaic Societies.* Mansfield Centre, CT: Martino Publishing, 1954 [2011].

McAlpine, Hamish. "A Personal Forward." *The Tartan Guide to Asia Extreme*. London: Startlux, 2004.

McQuire, Scott. "Impact Aesthetics: Back to the Future in Digital Cinema?: Millennial fantasies." *Convergence: The International Journal of Research into New Media Technologies* 6, no. 2 (2000): 41 – 61. Accessed April 5, 2012. doi: 10.1177/135485650000600204

McRobbie, Angela. "The Return to Cultural Production Case Study: Fashion Journalism." In *Mass Media and Society*, 3rd ed., edited by Michael Gurevitch, and James Curran, 255 – 267. London: Arnold, 2000.

"Media Centre/Statistics." *Federation Against Copyright Theft* (*FACT*) website. Accessed June 1, 2011. http://www.fact-uk.org.uk/site/media_centre/DVD_seiz_0405.htm

Miller, Toby, Nitin Govil, John McMurria, and Richard Maxwell. *Global Hollywood*. London: BFI, 2001.

Miller, Toby, Nitin Govil, John McMurria, Richard Maxwell and Ting Wang. *Global Hollywood 2.* London: BFI, 2005.

Molteni, Luca, and Andrea Ordanini. "Consumption Patterns, Digital Technology and Music Downloading." *Long Range Planning* 36, no. 4 (2003): 389 – 406.

"MPAA Says 24% of Internet Users Download Pirated Movies." *The Guardian,* July 9, 2007. Accessed May 5, 2008. http://film.guardian.co.uk/news/story/0,12589,1257726,00.html

Morris, Robert G., and George E. Higgins. "Neutralizing Potential and Self-Reported Digital Piracy: A Multi-Theoretical Exploration Among College Students." *Criminal Justice Review* 34, no. 2 (2009): 173 – 195.

Murthy, Dhiraj. "Digital Ethnography: An Examination of the Use of New Technologies for Social Research." *Sociology* 42, no. 5 (2008): 837 – 855.

Needham, Gary. "Japanese Cinema and Orientalism." In *Asian Cinemas: A Reader and Guide,* edited by Dimitris Eleftheriotis and Gary Needham, 8 - 16. Edinburgh: Edinburgh University Press, 2006.

Neff, Gina, Elizabeth Wissinger, and Sharon Zukin. "Entrepreneurial Labour Among Cultural Producers: "Cool" Jobs in "Hot" Industries." *Social Semiotics* 15, no. 3 (2005): 307 – 344.

Negus, Keith. "The Work of Cultural Intermediaries and the Enduring Distance Between Production and Consumption." *Cultural Studies* 16, no. 4 (2002): 501 – 515.

"Netflix Prepares for Another International Venture." *New York Times,* January 28, 2010. Accessed March 22, 2011. http://www.nytimes.com/2010/01/29/technology/companies/29netflix.html?_r=2.

Nidds, John A., and James McGerald. "Educational and Commercial Institutions in the United States: Symbiosis and Cooperation." *NASSP Bulletin* 78, no. 266 (1994): 99 – 104.

"Optimum Releasing Expands into the DVD market." *Optimum Releasing Website,* February 11, 2004. Accessed May 5, 2009, http://www.optimumreleasing.com/news_story.php?id=3.

"Optimum Releasing / StudioCanal and Lionsgate UK Forming Joint Venture To Acquire Elevation Sales." *Optimum Releasing Website,* May 23, 2007. Accessed 5 May, 2009, http://www.optimumreleasing.com/news_story.php?id=56.

Pang, Laikwan. "The Global-National Position of Hong Cinema in China." In *Media in China: Consumption, Content and Crisis,* edited by Stephanie Donald, Michael Keane, and Yin Hong, 55 – 66. London: Curzon Press, 2001.

Pang, Laikwan. *Cultural Control and Globalization in Asia: Copyright, Piracy and Cinema.* London: Routledge, 2006.

Peitz, Martin, and Patrick Waelbroeck. "Why the Music industry May Gain from Free Downloading: The Role of Sampling." *International Journal of Industrial Organization* 24, no. 5 (2006): 907 – 913.

Petley, Julian. "Independent Distribution in the UK: Problems and Proposals." In *New Questions of British Cinema*, edited by Duncan Petrie, 76 – 89. London: BFI, 1992.

Petrie, Duncan. *Creativity and Constraint in the British Film Industry.* London: Macmillan, 1991.

Pettigrew, Joshua. "Beginner Guide to Asian Cinema: DVDs and VCDs." *KFC Cinema Website*, June 26, 2006. Accessed May 8, 2008. http://www.kfccinema.com/features/articles/DVDguide/DVDguide.html.

Pilkington, Mark. "Introduction." *The Tartan Guide to Asia Extreme*. London, Startlux, 2004.

Pillay, Hitendra. "Knowledge and Social Capital." In *Handbook on the Knowledge Economy* edited by David Rooney, Greg Hearn and Abraham Ninan. Cheltenham: Edward Elgar Publishing, 2008.

Podoshen, Jeffrey S. "Why Take Tunes? An Exploratory Multinational Look at Student Downloading." *Journal of Internet Commerce* 7, no. 2 (2008): 180 – 202.

Pratt, Andy C. "Cultural Industries and Public Policy: An Oxymoron?." *International Journal of Cultural Policy* 11, no. 1 (2005): 31 – 44.

Pykäläinen, Timo D. Yang and Tony Fang. "Alleviating Piracy through Open Source Strategy: An Exploratory Study of Business Software Firms in China." *Journal of Strategic Information Systems* 18, no. 4 (2009): 165 – 177.

Quiring, Oliver, Benedikt Von Walter, and Richard Atterer. "Can filesharers be Triggered by Economic Incentives?: Results of an Experiment." *New Media Society* 10, no. 3 (2008): 433 – 453.

Ramakrishna, H.V., Ranjan, B. Kini, and B.S. Vijayaraman. "An Exploratory Study of Moral Intensity Regarding Software Piracy of Students in Thailand." *Behaviour and Information Technology* 22, no. 1 (2003): 63 – 70.

"Research & Statistics Bulletin October 2007." UK *Film Council Website.* Accessed August 3, 2011. http://www.ukfilmcouncil.org.uk/theatrical.

Rheingold, Harold. *The Virtual Community: Homesteading on the Electronic Frontier,* 2nd ed. Cambridge, MA: MIT Press, 2000.

Richards, Olly. "UK Finally Gets Apple Movie Downloads." *Empire Magazine Online,* June 4, 2008. Accessed March 11, 2011. http://www.empireonline.com/news/story.asp?NID=226833.

Rietjens, Bob. "Give and Ye Shall Receive! The Copyright Implications of BitTorrent." *SCRIPTed* 2, no. 3 (2005): 327 – 344.

Ritzer, George and Nathan Jurgenson. "Production, Consumption, Prosumption: The Nature of Capitalism in the Age of the Digital 'Prosumer'." *Journal of Consumer Culture*, 10, no. 13 (2010): 13 – 36.

Robins, Derek. *Bourdieu and Culture.* London: Sage, 1999.

Robinson, Laura, and Jeremy Schulz. "New Avenues for Sociological Inquiry: Evolving Forms of

Ethnographic Practice." *Sociology* 43, no. 4 (2009): 685 – 698.

Rodman, Gilbert B. and Cheyanne Vanderdonckt. "Music for Nothing or, I Want my MP3." *Cultural Studies* 20, no. 2, (2006): 245 – 261.

Rooney, David, Greg Hearn, and Abraham Ninan. "Knowledge: Concepts, Policy, Implementation." In *Handbook on the Knowledge Economy,* edited by David Rooney, Greg Hearn and Abraham Ninan, 1 – 16. Cheltenham: Edward Elgar Publishing, 2008.

Rosenbaum, Jonathan. *Goodbye Cinema: Hello Cinephilia: Film Culture in Transition.* Chicago: University of Chicago Press, 2010.

Rutter, Jason, and Greg Smith. "Ethnographic Presence in Nebulous Settings: A Case Study." *Paper presented to the ESRC Virtual Methods seminar series, Research Relationships and Online Relationships,* CRICT, Brunel University, London, April 19, 2002.

Sandulli, Francesco and Samuel Martin-Barbero. "68 Cents per Song: A Socio-Economic Survey on the Internet." *Convergence: The International Journal of Research into New Media Technologies* 13, no. 1 (2007): 63 – 78.

Schulze, Hendrik, and Klaus Mochalski. "ipoque Internet Study 2008/2009." Accessed 31 March 2011. http://www.ipoque.com/resources/internet-studies/internet-study-2008_2009

Scott, Allen J. *On Hollywood: The Place, the Industry.* Princeton: Princeton University Press, 2005.

Segrave, Kerry. *American Films Abroad: Hollywood's Domination of the World's Movie Screens from the 1980s to the Present*. London: McFarland, 1997.

Segrave, Kerry. *Foreign Films in America: a History*. London: McFarland, 2004.

Shin, Chi-Yun. "Art of Branding: Tartan "Asia Extreme" Films." *Jump Cut* 50 (2008). Accessed May 4, 2009. http://www.ejumpcut.org/currentissue/TartanDist/index.html.

Shoemaker, Pamela J., Tim P. Vos, and Stephen D. Reese. "Journalists as Gatekeepers." In *The Handbook of Journalism Studies,* edited by Karin Wahl-Jorgensen and Thomas Hanitzsch, 73 – 87. London: Routledge, 2009.

Sinha, Rajiv, Fernando Machado and Collin Sellman, "Don't Think Twice, It's All Right: Music Piracy and Pricing in a DRM-Free Environment." *Journal of Marketing* 74, no. 2 (2010): 40-54.

Slater, Don. "Capturing Markets from the Economists." In *Cultural Economy,* edited by Paul du Gay, and M. Pryke, 59 – 73. London: Sage, 2002.

Smith, Marc A. "Invisable Crowds in Cyberspace: Mapping the Social Structure in Usenet." In *Communities in Cyberspace,* edited by Marc A. Smith, and Peter Kollock, 195 - 219. London: Routledge, 1999.

Smith, Michael D., and Rahul Telang. "Competing with Free: The Impact of Movie Broadcasts on

DVD Sales and Internet Piracy." *MIS Quarterly* 33, no. 2 (2009): 321 – 338.

Strangelove, Michael. *The Empire* of *Mind: Digital Piracy and the Anti-Capitalist Movement.* Toronto: University of Toronto Press, 2005.

Stringer, Julian. "Global Cities and the International Film Festival Economy." In *Cinema and the City: Film and Urban Societies in a Global Context,* edited by. M. Shiel and T. Fitzmaurice, 134 – 144. Oxford: Blackwell, 2001.

Swart, Sharon. "Tartan Library to Palisades." *Variety,* July 8, 2008. Accessed July 28, 2009. http://www.variety.com/article/VR1117988641.html?categoryid=13&cs=1&query=Tartan+video.

"Tartan Films Goes into Administration." *Screen Daily,* June 27, 2008. Accessed July 19, 2008. http://www.screendaily.com/ScreenDailyArticle.aspx?intStoryID=39611.

"Tartan Films into Administration." *The Scotsman,* June 28, 2008. Accessed January 5, 2009. http://thescotsman.scotsman.com/6500/Tartan-Films--into-administration.4232541.jp.

Tartan Video *Catalogue: Issue One.* London: Spring, 2005.

Tartan Video *Catalogue: Issue Two.* London: Summer, 2006.

Taylor, Steven, A. Chiharu Ishida and David W. Wallace. "Intention to Engage in Digital Piracy: A Conceptual Model and Empirical Test." *Journal of Service Research* 11, no. 3 (2009): 246 – 262.

"The Hollywood Studios," *British Film Institute Website.* Accessed March 11, 2011. http://www.bfi.org.uk/filmtvinfo/researchers/distribution/hollywood.html

"The Pyramid of Piracy." *MPAA Website*. Accessed May 5, 2008, http://www.mpaa.org/pyramid_of_piracy.pdf (content removed).

Thompson, Clive. "The BitTorrent Effect," January 2005. Accessed June 21, 2011. http://www.wired.com/wired/archive/13.01/bittorrent.html.

Thompson, Tony. "Online Pirates Revealed as Robbers, not Robin Hoods." *The Observer*, April 25, 2004. Accessed May 5, 2008. http://www.guardian.co.uk/uk/2004/apr/25/arts.ukcrime.

Timms, Dominic. "Online Piracy Dogs Movie Industry." *The Guardian,* July 9, 2004. Accessed July 7, 2011. http://www.guardian.co.uk/media/2004/jul/09/newmedia.business.

Towse, Ruth. *Copyright in the Cultural Industries*. Cheltenham: Edward Elgar Publishing, 2002.

Vaidya, Ashish K. *Globalization: Encyclopedia of Trade, Labor and Politics*. Santa Barbara, CA: ABC-Clio, 2006.

Waldman, Simon. "Coming to a Hard Disk Near You." *The Guardian*, June 17, 2005. Accessed May 5, 2008. http://film.guardian.co.uk/piracy/story/0,,1508465,00.html.

Walls, W. D. “Cross-Country Analysis of Movie Piracy.” *Applied Economics* 40, no. 5 (2008): 625 – 632.

Wang, Chih-Chien. “Factors that Influence the Piracy of DVD/VCD Motion Pictures.” *Journal of the American Academy of Business* 6, no. 1 (2005): 231 – 237.

Wang, Shujen and Zhu, Jonathan J. H. “Mapping Film Piracy in China.” *Theory, Culture and Society* 20, no. 4 (2003): 97–125.

Wang, Shujen. *Framing Piracy: Globalization and Film Distribution in Greater China*. Lanham, MD: Rowman and Littlefield, 2003.

Wasko, Janet. “The Future of Film Distribution and Exhibition.” In *The New Media Book,* edited by Dan Harris, 195 - 208. London: BFI, 2002.

Wasko, Janet. *How Hollywood Works.* London: Sage, 2003.

“Watch Online – General Questions.” *Love Film Website.* Accessed April 27, 2011, http://www.lovefilm.com/help/dyn_faqs.html?faq_cat=watch_online&editorial_id=9336.

Waters, Darren. “Europe launch for Apple's iTunes.” *BBC News*. Accessed April 16, 2010, http://news.bbc.co.uk/1/hi/entertainment/3805565.stm

Webb, Stephen. “Avatarculture: Narrative, Power and Identity in Virtual World Environments.” *Information, Communication and Society* 4, no. 4, (2001): 560 – 594.

Wei, Ti. “Generational/Cultural Contradiction and Global Incorporation: Ang Lee’s Eat Drink Man Woman.” In *Island on the Edge: Taiwan New Cinema and After,* edited by Chris Berry and Feiyi Lu, 13 – 26. Hong Kong: Hong Kong University Press, 2005.

White, David Manning. “The 'Gatekeeper': A Case Study in the Selection of News.” In *News: A Reader*, edited by Howard Tumber, 66 – 73. Oxford, Oxford University Press, 2000.

“Who We Are.” *Festival De Cannes Website.* Accessed April 8, 2009, http://www.festival-cannes.com/en/about/whoWeAre.html.

Wingrove, Twila, Angela L. Korpas, and Victoria Weisz. “Why Were Millions of People not Obeying the Law?: Motivational Influences on Non-Compliance with the Law in the Case of Music Piracy.” *Psychology, Crime and Law,* 17, no. 3 (2011): 1 – 16.

Wright, David. “Cultural Capital and Tastes: The Persistence of Distinction.” In *Handbook of Cultural Sociology,* edited by John Hall, Laura Grindstaff and Ming-Cheng Lo, 275 – 284. London: Routledge, 2010.

Wright, David. “Mediating Production and Consumption: Cultural Capital and 'Cultural Workers." *The British Journal of Sociology* 56, no. 1 (2005): 105 – 121.

Yar, Majid. “The Global "Epidemic" of Movie "Piracy": Crime-Wave or Social Construction?.” *Media, Culture and Society* 27, no. 5 (2005): 677 – 696.

Yates, Simeon. *Doing Social Science Research*. London: Sage 2004.

Yeh, Yueh-yu, and Sheldon Hsiao-peng Lu, eds., *Chinese Language Film*: *Historiography, Poetics, Politics*. Honolulu: University of Hawaii Press, 2005.

Zentner, Alejandro. “Measuring the Effect of Music Downloads in Music Purchases.” *Journal of Law and Economics* 49, no. 1 (2006): 1 – 49.

Zhang, Yingjin. *Screening China*: *Critical interventions, Cinematic Reconfigurations, and the Transnational Imaginary in Contemporary Chinese Cinema.* Ann Arbor: Center for Chinese Studies, University of Michigan, 2002.

Filmography

Audition directed by Takishi Miike (Japan: AFDF, 1999) DVD.

Battle Royale directed by Kinjo Fukasaka (Japan: Toei/Battle Royale Film Production Committee, 2000) DVD.

Chicago directed by Rob Marshall (USA: Miramax, 2002) DVD.

Days of Being Wild directed by Wong Kar Wai, (Hong Kong: In-Gear Film, 1991) DVD.

EL Topo directed by Alejandro Jodorowski (Mexico: Producciones Panicas, 1970) DVD.

Gangs of New York directed by Martin Scorcese (USA: Miramax, 2002) DVD.

Happy Together directed by Wong Kar Wai (Hong Kong: Block Two Pictures, 1997) DVD.

Hard Boiled directed by John Woo (Hong Kong: Golden Princess Film Production Limited/Milestone Pictures,1992) DVD.

Ichi the Killer directed by Takishi Miike, (Japan: Omega Project, 2001) DVD.

Ken Park directed by Larry Clark and Edward Lachman (USA: Busy Bee Productions, 2002) DVD.

Mysterious Skin directed by Gregg Araki (USA: Desperate Pictures, 2004) DVD.

O Convento directed by Mañoel de Oliveira (Portugal/France: Madragoa Films, 1995) DVD.

Old Boy directed by Park Chan-wook (South Korea: Egg Films/Show East, 2003) DVD.

PTU directed by Johnny To (Hong Kong: Mei Ah Films, 2003) DVD.

Shaolin Soccer directed by Stephen Chow (Hong Kong: Star Overseas, 2004) DVD.

Society directed by Brian Yuzna (USA: Society Productions, 1989) DVD.

The Death of Mr. Lazarescu,directed by Cristi Puiu (Romania: Mandragora, 2005) DVD.

The Ring directed by Hideo Nakata (Japan: Omega Project,1998) DVD.

Wild Strawberries directed by Ingmar Bergman (Sweden: Svensk Filmindustri, 1957) DVD.

Appendices

Appendix 1. Topic Guides

These topic guides represent the general topics that were covered within each interview. All topics were covered in each interview but specific questions were only used as guidelines and the specific wording of questions and the order in which topics were covered varied between interviews.

Formal Distributors

Topics	**Questions**
Role at company	What is your current role? What did you do before? How you came to be where you are now?
Personal	What are your own film preferences? What is your academic background?
Structure of company (if not Tartan)	What films does the company release? How are films selected? Who has responsibility for selection? How does the acquisition/distribution process work?
Tartan	What films does the company release? How are films selected? Who has responsibility for selection? How does the acquisition/distribution process work? What are your feelings about Tartan? What does it mean now Tartan is out of the market?
Filesharing/Piracy	Are you aware of filesharing of East Asian cinema? Is your company aware? Is it a concern? What are your personal opinions?

Informal Distributors

Topics	**Questions**
Online distribution process	How does the online distribution process work? What was the first film that you made available? How long does it take you to prepare a release? Where do you get the films/file from?
Fansubbing	How do you get fansubs? Do you make fansubs yourself?
Motivation to share films online	Why did you start sharing/distributing? Why do you continue sharing/distributing? How long have you been doing this? How many films? Do you ever respond to requests?
Community interaction	How involved are you with *Chinaphiles/Eastern Legends*? Do you ever prepare releases with other people? How often do you look at the forum? How often do you post on the forum?
Formal distribution	Is there a market for East Asian films in your territory? How available are the films you wish to watch? What are your preferred distributors (if any)?

Appendix 2. Interviews

Formal Distributors

Full interview transcripts have been provided for the interviews with all of the interviewees employed within distribution companies. The transcripts for the two interviews with Andy Bale have been omitted because unfortunately the original audio files and the transcriptions were lost during the transfer of data from one computer to another.

Interview with Jane Giles

The interview took place on Friday 17th October 2008 in Jane Giles' office at the BFI, London.

Interviewer	Well thank you again. I'd like to have that on record.
JG	You're welcome.
Interviewer	Also, um, I just need to sort of say that this um that this research is just for my own personal use at the moment. It may well end up getting published in one form or another at some point in the future but there are no current plans for that.
JG	Ok.
Interviewer	And you're happy with that?
JG	Yep, that's fine.
Interviewer	Lovely. Ok, well basically my research is about the decision making strategies of distributors of East Asian cinema in the West.
JG	Uhu.
Interviewer	I am looking both at professional distributors and what I have up until now termed amateur distributors. These are quite a niche group of illegal filesharers. Um, but they're not people…
JG	I see what you're saying.
Interviewer	…they're not people who make any profit off of the activity, they don't do it on a wide scale.
JG	Fans.
Interviewer	Yeah, they're fans, they have small community forums and they share things that way.
JG	Sure.

Interviewer	So that's the kind of people I'm looking at
JG	Yeah.
Interviewer	As well as professional distributors. Because of the focus on east Asian cinema I was trying to focus on Tartan, obviously Tartan are no more. Um, having said that I have managed to get in contact with quite a few people who used to work there.
JG	Yeah.
Interviewer	So, I'm still kind of looking at them but in a 'post' kind of a way.
JG	Yeah, no, no, its good to be able to have a self-contained case study like that of a company that did that with Asian film. You've still obviously got other companies that do still work with Asian film like the ICA and third window and people like that, so, yeah, it's fine.
Interviewer	Ok, so if it is ok with you I'd like to start off but just asking a couple of general questions about yourself, not too personal but just how you got into the industry, what sort of job role you have now that kind of thing.
JG	Yeah.
Interviewer	And then ask you a bit about some of the work you did at Tartan, and obviously, more importantly, some of the stuff you're doing now…
JG	Yeah, that's all fine.
Interviewer	…at the bfi. And also your opinions and company opinions on filesharing.
JG	Yeah.
Interviewer	Ok, so that's enough of me. Right so if you could just sort of say a little bit about how you got into the industry, how you ended up being where you are now.
JG	Yeah, sure. I did a combined studies degree that was film, drama and art at reading. Which was Bulmershe college which is now reading university. Which was being taught at the time by people like Laura Mulvey, Stuart Cosgrove, Dan Pie, Jim Hillier and those sort of, you know, kind of big names in film studies. And I got into that basically because I wasn't good enough to get into art school but there was an art component but I was really interested in film.
Interviewer	Yeah.
JG	And then that led on to me then applying to do an MA in film at Kent. By research and thesis because one of my teachers at Reading had been to Canterbury, to Kent, and led me that way. And there I really learnt about the art of speciality. I was writing about Jean Genet and cinema, I was writing about *Un Chant d'amour*. 25 minutes of film, the only film he made as a director. And I really understood that, you know, if you focus down really small then you could make something of something.

Interviewer	Mmm.
JG	When I finished that my first job, actually, and this was 25 years ago now, was for, funded by the BFI. It was a training placement in regional film theatre management. So I was just kind of as you are when you leave college, casting around for work. um, and that lead to a job in exhibition at the Scala cinema as a programmer and that just like, on thing lead to another and i've worked back and forth between exhibition and distribution and festival programming, script development for channel 4 for the film 4 features and various other work in teaching as well and journalism. So everything around the cultural sector of film.
Interviewer	Mmm.
JG	Sometimes in full-time employment and sometimes freelancing and here I am.
Interviewer	Fantastic, ok. So, um, quite personally what kind of films do you enjoy watching.
JG	That's a really good question. When I was at Tartan I was watching hundreds and hundreds of films as their head of acquisitions. Now at the BFI I'm not in that situation so I'm much more selective. So I, as a consumer, rather than as a privileged member of the film industry, I tend to watch the films that watch 5 star reviews in the Guardian like *Gomorrah* and *I've Loved You for So Long* and those kind of films. Um, also import/export, those films that sort of get critically revered. So I've followed the same path as most consumers but I love the classics as well. And I love the history of film so I'll always be seeking out 'the great', and you can never have seen everything. You know, however much you view. So I am seeking out you know, classics of world cinema to screen particularly if they get restored or remastered. And the lonfon film festival is great for that. Um, I was never particularly 'a fan' of Asian film, I just found myself working for companies, first the ICA which had a legacy of working with Asian arthouse cinema, particular the Chen Kaige type films. *Yellow Earth* and those kind of, um, you know, 1980s Chinese films and then when I went to work at Tartan, actually I wasn't in charge of what Hamish used to call 'oriental', I was in charge of what he called occidental. I was the head of occidental because Tartan had a Japanese American consultant who lived in LA who was really brought in because she spoke Japanese and the Japanese films were the bulk of the commercial business at that point in the beginning with Tartan when it was doing *The Ring*, *Battle Royale*, those kind of films. When she left I took over her responsibilities as well as my own because obviously Tartan worked with a wide range of film from Europe and North America as well as Asia. Um, and that was the point at which I had to get into Asian films really

	quickly.
Interviewer	Yeah. Ok, fantastic, right. Ok, if I could just talk a little bit about your work here at the BFI. Um, am I right in thinking you're the head of content, director of content?
JG	I'm called the Head of Content and effectively that is head of distribution. So, um, what my department does is, it does the theatrical, which is commercial cinemas. Non-theatrical, which is non-commercial cinemas such as film societies, educational. So on and so forth. Um, film releasing, whether it is on the digital screen network or on 35mm or, um, we've got a high library of, um, er, tens of thousands of films that relate to the national film archive. Er, my department is also in charge of video releasing. So we have a very busy DVD department, releasing 4 new titles a month. We're also in charge of digital distributionm which is a new thing for the industry and us as well so we're tipping a toe in the water with that.
Interviewer	Ok, so, um, in terms of the sort of things that the BFI distributes, either theatrically, or no DVD, or now in digital format, whatever that might be. How are the decision made, um, is there a group of people, is there one person? What sort of process does it go through?
JG	Well, um, we have what we call a cultural programme, which is really just our release schedule and it is my responsibility to be able to articulate what the, what our cultural priorities are. So the way in which we're defining it at the moment is, we're interested in presenting 'classics' on the big screen. classics being films from the history of word cinema. E.g. anything that is not particulary new. And films that traditionally have been critically revered. That's what a classic is. On top of that, and for example, so this year our classics on the big screen were the Bertolucci film *The Conformist*, the Truffaut film *Jules et Jim*, errr, the Terrance Malick film *Badlands*. A few others as well. Kurosawa film *Ikiru*. Um, there are what we can then rediscoveries, films that people don't really know are classics but they come from the history of world cinema and they have been overlooked for one reason or another. Either they have been misinterpreted critically when they were first released, um, and now they're being reassessed. Or they were just kind of minor films for whatever reason. And a film like Charles Burnett's *Killer of Sheep* is one of those. Sort of people had heard of it but nobody had seen it because there were rights problems, which meant the film could never be very widely released. Um, so [*coughs*], excuse me, it has taken years to clear those rights problems and now we put the film out. We is essentially, um, myself, Margaret Dereaz who is my head of film distribution and Sam Dunn who is our head of DVD. We also work very closely in collaboration with our collegues on the south bank. So with Jeff Andrew as

	the head programmer and the BFI southbank because that's our flagship cinema. But we also realy listen to what people say. Like, um, Jason Wood at the city screen circuit is very influential programmer and operates lots of cinemas in London and around the country. So, essentially that is kind of like the way the pyramid works. That, it is finally my responsibility, but, it is not just what I like or I think, it is what people really, it is kind of like a consensus opinion once we have worked out the sort of things that we want to do.
Interviewer	Right. Um, is it a case, I mean how do you, how do the films come to you? DO you go to lots of film festivals, is it submission basis?
JG	We're not really working with new films at the moment.
Interviewer	Right, OK.
JG	I mean, historically we have done, and the BFI from time to time, like for example I was actually working here 10 years ago as head of film distribution and I picked up the Simon Yang film *The River* because I thought it was a modern classic. And a year ago, David Sin, who is most famous for having worked at the ICA was doing the job that I'm doing now and he picked up, um, er, the Thai film *Syndromes and a Century* and also the Chinese films by Zhang Ke Jia called *Still Life*. So, again because he thought they were classics and they fitted in with what the BFI Southbank wanted to be doing.
Interviewer	Yeah.
JG	So we do go to film festivals. My colleague Margaret and myself go to film festivals. We have an awareness of what is going on in contemporary world cinema. Um, but actually we're really focusing on classics. So, the way that works is, we think ooo, yeah, we think it's time for a revival of Cleo from 5 – 7 or whatever it is. So then we go to the French rights holder of that film, we make a negotiation. We talk to the cinemas, make sure they're interested. We put the film out, we do the press and marketing around it.
Interviewer	Right, ok. That's interesting. Ok. Ummm, right, in terms of your work at Tartan, if you don't mind me moving on to that?
JG	Yeah, yeah, that's fine.
Interviewer	Um, you were the head of acquisitions there, yes?
JG	Yeah.
Interviewer	Um, what sort of films would you say were generally released by Tartan?
JG	Well Tartan was a really wide range of interests and this was part of Tartan's problem at the end of the day. That it was just interested in everything. From Ingmar Bergamn to Hersh Ward so from like, really high end, very, very, difficult European arthouse cinema, like *The Death of Mr Lazarescu*. Through to some incredible piece of pulp fiction or, you, know, English

	language horror film. Like *P2*. And everything in between, you know, documentaries, everything, it just never stopped. Um, but alongside all of that, the company had, um, discovered that there was an area, from having those very broad interests the company owner, Hamish McAlpine, he hit on the fact that there was something particularly interesting going on in Asian cinema around the time of *The Ring*. Um, and because horror film is always really good for distributors, because it really sells on DVD. Even if people don't really go to the cinema to watch it, you've got a good commercial back end. So he started experimenting with putting those films out and they sold really really well. So the company built up its, identified a trend, built up its Asia Extreme label added to it, added to it, added to it and then set up an American distribution company. And, mostely to replicate the Asia Extreme label in north America. Which is what it did which is why we ended up buying so many, um, horro films. And, from time to time, like the Japanese stopped making them or there wasn't many and then the South Koreans really took over and there were like tons of films from South Korea. And then they got a bit, kind of, you know, erratic and then suddenly the Thai film industry was making loads of horror films. So, you know, it kind of moved around different countries within East Asia.
Interviewer	Ok, so what sort of role did you have?
JG	Well, head of acquisitions basically, was about being aware of films that were in production and when they were going to be finished, being aware of what the budgets were. Most of the films had a sales agent attached so keeping relationships going with those sales agents to talk about the progress of the film. Arranging to see little bits of them in advance and seeing the finished film. Sometimes we would pre-buy which means you'd do a deal before a film was finished but mostly you wouldn't want to do that. Particularly with Asian film, which is, um, obviously in the UK not star driven. But in common with European art house cinema, um, we were trying to build up the name of the director as something that people recognise that's kind of like, um, er, obviously you know that in Hollywood films are driven not by directors names but by stars' names. Because in the UK we don't recognise Asian stars in the same way they are recognised in their home countries. We have to say right, well, Park Chan Wook, we're going to have to try and make his name really well known as an auteur. In the same way that, it sounds a bit stupid, but people didn't really know who Jeanne Moreau were, but they knew who Francois Truffaut was in the 1960s.
Interviewer	Ok, that's fantastic. Ok, so did you spend, in terms of securing the rights to East Asian films, um as you've already said, you would, you wouldn't normally get those before they'd actually been made were they the sort of

	things that were normally picked up at film festivals or would you have an awareness more before sort of when they're released domestically.
JG	Ummmmmm, there would be an awareness and sometimes one of our friends who lived in one of the countries would tell us that they'd been to see the film. Or for example in screen international, um, they weren't very 'on the ball' in the beginning at sending their local correspondents like Jean no for Screen international in s. Korea, um, you know into a cinema to review an Asian horror film. But as the market broke out in the uk and in north America screen got better at doing that. So sometimes you would pick up on a review before but mostly the Asian production turnover was very quick. So you'd hear about a film and then it would be ready at the next market because when you think about it the markets are, and the Asian sales agents were attending Cannes, they were attending Berlin, they were attending the American film market in LA. So, you'd see them three times a year and there'd always be something ready for you to look at. So you'd go to the market screenings to have a look at it and see if it was any good.
Interviewer	Ok, in terms of picking things up did you sort of have preset criteria of, well we need this kind of film or we need that kind of film, or were you looking for 'surprises'?
JG	Well, the thing to remember was that Asia Extreme was about horror films, which is pretty self explanatory. I mean its like if you watch it and it feels, if it is scary, relatively fresh. It got a problem with all those long-haired wet ghosts. But, you know, a horror film is a horror film. It's a genre it's a formula and if it seemed to work then that was fine. If it was not scary or, you know, just not very good, we'd just put it to one side. I think what gets more difficult [*coughs*], what gets more difficult is when you're talking about, not so much about the high end art level because the thing is if you get directors who are invited to competition like Wong Kar Wai or Kim Ki Duk or one of those sort of directors. Then those films will be in competition in major festivals and you'll have a range of art house distributors who are interested in those films. And the critics say on the ground at the festival is it a good film, is it not a good film. You know, there is consensus opinion. You get a sense of how it will play. The films that were much, much more difficult to assess where kind of like the mainstream Asian product that were not horrors, not arthouse, drams or comedies, romantic comedies or thrillers or you know, sort of blockbusters. Those sort of films were really like 'how are we gonna get a uk audience in to see this film?' because it doesn't have the hook of horror, it's not, it doesn't have the hook of arthouse. The indigenous audience is not big enough to represent an audience. How are we going to sell this? Our critics are not going to particularly like these films, they won't

	see the point. They're culturally very different.
Interviewer	Yeah.
JG	Particularly the weepies, you know, all of those kind of death films that got made, you know, sick kids and stuff like that. It just didn't really have a market and also there was an assumption that the, particularly in Chinatown that, you know, local Asian audiences would be able to find the films in the DVD stores in Chinatown before we even had a hope of putting them out on DVD or in the cinemas even. So that kind of stuff fell between the cracks.
Interviewer	Were the ever sort of films that you thought this is amazing, I really want to take this, I want to secure the rights to this, but I don't think it will sell.
JG	Um, it was difficult at Tartan because we did have very broad, because we did incorporate arthouse and genre. So we were doing films like *Samaritan Girl* which is not really a kind of, its not really a horror film, it's a real arthouse film. Or *Spring, Summer, Autumn, Winter and Spring*. And we were going you know, films like, oh god what's a really good example, they've all gone out of my head now, those Asian films. I don't know, the thing that we can never agree on I remember was the *Sinking of Japan*, that Japanese blockbuster. I bought it for America, um, but I think we ended up not buying it for the uk because the uk market was really declining. And it was, you know, a big budget blockbuster movie. It wasn't horrifying, it was a special effects film. Um, I can't really think of a good example. We bought everything. It just felt like we bought everything. You know, or nobody bought it, you know.
Interviewer	Yeah. Ok, fantastic. Right, um, you mentioned earlier on that the BFI is sort of going for digital release of films a big more these days. I'm just kind of interested in what ways you're kind of innovating in terms of the internet. Both in terms of, as a form of a kind of distribution, but also in the terms of sort of, um, a promotional tool and also kind of a data mining tool to find out what people want.
JG	Ok, there's two things. There's digital on the big screen and that's the digital screen network which means you do a high definition digital version of a film and it gets put onto the severs of cinemas that have digital projection. And most distributor are doing this in one form or another. Well, in that form at the moment. Um, so we deal with our classics and you get a little bit of funding from the film council to contribute to the process and it opens up the range of the way in which you can show film. However there is a lot of fuss about this at the moment. There was a big article in the times about the um, today about the film council saying that lots of little regional cinemas are going to close down if they don't go digital. And our position is that 35mm is still valid and 75% of our library is on 35mm so, and is on back catalogue,

	so. Anyway, so that's on the big screen, it has a digital representation.
Interviewer	Mmm.
JG	On the small screen, um we have a digital download store which comes off the BFI website. And the way it works is that people put in their credit card payment and they can download films to their PC and watch it like that. And you know, the technology is digital rights managed so you can only use it on PCs, you can't forward files, you can't fileshare but you know we're gathering intelligence and gathering, you know, what's the word, experience by, um, by experimenting with that. In terms of marketing we obviously do viral marketing like everybody does. We have email list out, we do banner headline advertising on people's websites. We have information that we gather about our members, but we don't at the moment have the resources to buy into kind of, very sophisticated, big brother style, you know, kind of um, you know, that sort of thing, where you suddenly find yourself being sent an email or receiving something in the post because you've inadvertently signed up to something. You know Sainsburys has sold on your address to someone.
Interviewer	Yeah,
JG	But, no, we really try and seek out niche interests groups through online, like, um, it is not Asian, but we did a film called *The Animals Film* which is a sort of 1980s documentary about the way in which our society treats animals. And we went out through the PETA, what's it called, the People's Ethical Treatment of Animals Organisation. And they have huge mailing lists and they do campaigning work. So we try and partner with organisations that have really good online presence. And in terms of selling DVDs obviously we do a lot of work with Mazon.com. They do a lot of, you know, special offers, discounts and try and match people to products so, you know. They're like our partner in terms of we sell to them and they sell on.
Interviewer	Yeah, ok, well. The last sort of topic, almost the elephant in the room I suppose is the whole filesharing thing. Um, I mean obviously everyone has different conceptions of what filesharing is, and obviously mine is quite crazily in-depth now. Um, but as I sort of said, the sort of filesharing I'm looking at its where people are sort of fan based, they exist on forums that are generally closed. You have to have a password and membership and that sort of thing. Um and they share ONLY East Asian cinema. Um, and they're not sort of interested in anything else. Um, how aware, are you now and also were you at Tartan of that kind of activity?
JG	Um, when I was at Tartan the bulk of our anxiety, and this tended to be in the US actually rather than in the UK, was over the actual retail, um, the physical retail activity that went on over, um, what would typically happen, a

	bit like the china town stores here. Is that, um, the Asian DVD editions would have English subtitles and they would be available in stores day and date with the Asian releases. And by the time, because we liked to work with film festivals on arthouse films but also with our Park Chan Wook type directors, or you liked to work with horror film festivals and you have that whole slightly more lumbering struture, what we would find happening is that we'd go through that process and the thing would be in stores.
Interviewer	Mmm.
JG	Filesharing I think, you know, was sort of at the same level, maybe, maybe less. I mean I have always had an assumption that, I'm not a kind of big Internet user personally, I've always had an kind of assumption that people can get what they want online. Yes, strictly speaking it is illegal, um, does it damage retail, does it damage cinema going? I don't actually think it does. I think if you've got something of incredible niche interest then it might be that if you're only ever going to sell 500 units on DVD it might be that 200 of those people are filesharers, but what that doesn't take into account is what it is like to either through 'e-tail' or through retail buy a DVD that has got, um, a package, that has got a book in it. Has got 'additionality,' has got beautifully done subtitles, has got technical standards that are really amazing and that you can watch on your television at home and watch in a certain way. It certainly doesn't take into account the kind of communal congregational experience of going to the cinema and watching, um, you, know, the new, you know, old boy or something like that with a big audience. So I think that the online experience it is interesting, um, its certainly interesting for researchers and people who want to be on top of things. To me, it really doesn't represent a kind of quality of experience in terms of what the production values of the film are and what the consumption values of the film are. So, I mean it is not that we're turning a blind eye to it because it is illegal and if we had [*phone rings*], sorry we'll just have to wait for it to stop.
Interviewer	Are you sure? You can get it.
JG	No. Ok, um, alright it is illegal and um, I suppose, you know, the industrial perspective has to be that we wish it doesn't exist. But that's like a publisher saying we wish photocopying didn't exist. You know, it is, you know, it doesn't massively damage. But we're not a Hollywood studio. You know, we're not Warners looking at, you know, the Asian market for something being wiped out by filesharing. We're [the BFI] a cultural organisation where are sales are small or relatively modest and, you know, are priorities re for quality of information and presentation. On the other hand, you could take

	the argument and it sounds like really heroic, you know, to make available things that aren't available. And I've been in that situation in the past where, you know, when I worked at the Scala cinema *Clockwork Orange* wasn't available so I showed it at my cinema and I got prosecuted for it. So, you know, you can take that kind of, you know, robin hood type stance, um. I think that the, you know, the 'questionabilty' would have to come for example, ah let me think for example if the new Wong Kar Wai film was coming out and people decided that 'guys, you don't need to wait, three, six months, you can see it now, lets get it out there now' and I'm like sorry, you should be waiting 6 months because somebody has paid a lot of money for the territorial rights to this film and this is the way in which they want it to be presented. You know, that said, If a researcher really needs to see it, for whatever reason, but then again, you know, they should be able to then, hook into a kind of journalistic, wrap around of the film release. So, I guess I do have less sympathy over the bigger films that are going to get released and a bit more sympathy over the films that will never get released because, you know, that is a clearer motivation for wanting to do that.

Interview with Phillip Hoile

The interview was conducted on January 14th 2009 in a public house close to Phillip's office in Soho, London.

Interviewer	So basically, first of all what I need to ask is if it is ok to record this. I just need to kind of get your consent on tape basically.
PH	Ok.
Interviewer	I'll put it a bit closer to you actually because otherwise I'll just hear myself rather than anything else. Ok, so basically just so you know there are no plans at the moment to get any of my work published but it may be the case in the future. If I ask you any questions that you don't want to answer, obviously that's fine just say. And basically I've told you what my research is about and you're happy that you generally understand that?
PH	Yes.
Interviewer	Great, um, the kind of way that I'm going to do this is I am going to ask you some really general questions and just ask you to discuss things rather than ask really specific questions. Um, so, first of all if you just want to tell me a little about your current role just as a kind of segue into the whole thing and what, is it Organic Marketing? What they do? And what they're like basically.
PH	Ok, basically Organic are a, they're an agency, or we're an agency. We do marketing, promotions, PR and online. Um, we're a small company but we, we can either sort of do those individual disciplines to either pad out a distributor. It is mainly distribution clients that we've got. Either working on theatrical or DVD releases. So we might just sort of fill in doing, you know, if they need a PR team for a certain release. Its so silly, I mean, they might not need a pr team at all or it may be a distributor who've got too many titles one month to, you know, to kind of do everything in house. Um, or because we do all of the disciplines, different disciplines sometimes we'll work with, um, with distributors who don't actually have, it may only be a couple of people who are more kind of acquisitions and management and then we are like, fill out the rest of the distribution company. And we also, in the same way, help, um, producers self distribute their films as well. And I, I am part of the marketing department so, I mean, sometimes we actually are their head of marketing and we'll do everything, kind of cutting trailer sometimes, making posters and artwork generally all the time and we're part of a group of

	companies including a media agency so we also do all the, kind of, media planning and booking for, yeah, for the release as well. Yeah, that's basically what my involvement in the company [is] and what we do.
Interviewer	And what is your actual job title?
PH	Um, its, it is like an account executive.
Interviewer	Right, ok. In PR speak kind of.
PH	If I was a distributor I would be a marketing executive. But as it is an agency it is account executive.
Interviewer	Ok, so, you said Organic is quite small. How many people roughly work there?
PH	About 10
Interviewer	It is pretty small.
PH	Yeah, yeah. Very small yeah.
Interviewer	And how long have you been there?
PH	Just over a year.
Interviewer	Just over a year, ok, yeah. So, um, am I right in thinking that previous to that you were at Tartan?
PH	Yeah I worked at Tartan video before that.
Interviewer	Ok so what was your role at Tartan?
PH	At Tartan? I was at Tartan for about a year as well. And I was the press and marketing assistant so, um, it was kind of a mix of support, you know kind of general admin and support work for both. I say, at the time Tartan video was actually smaller than Organic personnel wise. So the marketing team was me and one other person the press team was me and one other person as well.
Interviewer	Yeah.
PH	So there was a lot of kind of support work. Managing databases and doing mailouts and all that kind of stuff. Um, in the marketing aspect I could get involved in more kind of junior product management work which was kind of similar to what I've been saying I do at Organic kind of getting sleeves, getting sleeves designed so making sales brochures for the sales team for selling DVDs to retail. And because it was a small company I did a bit of everything. Sort of answering emails from the website, developing the new website that we were doing at the time. Probably a lot of other things. Just ding a lot of online PR work as well. Kind of setting up competitions, trying to kind of create 3rd party brand partnerships and also doing, trying to arrange a lot of non-theatrical screenings. Kind of, where we'd let people show a film for free, use it as a kind of talker, just a purely promotional context. Getting no, like rental revenue, like, theatrical would get from exhibitors. Just going

	to, like maybe a club night or a venue, a bar, that kind of thing. And just trying to get a series of screenings. Whether it is a back catalogue, which is obviously great, we had a high back catalogue and it was just kind of rekindling and reminding people. Also if it was a good brand, one of the places was Cargo which is a bar in Shoreditch and its got a bit of a kind of young, trendy brand identity if you want to call it that. And with a lot of that kind of, independent, niche and crazy brands. So, each, you know, sort of borrowing from each other's company's following and everything like that. And just like, give them DVDs from the back catalogue or new releases to screen at, to get a kind of…
Interviewer	To generate buzz around…
PH	…yes. Its more about, from having a poster on the wall and getting a few people see it. That what you get out of it, as opposed to the money for letting them play the film in the first place, that kind of thing. So, I mean there's probably a load of other levels of things that come up but in the main that was what I was doing there.
Interviewer	Right, and you said you worked there fore about a year. How did you, how did you get the job basically?
PH	Well I got the job, as we spoke about briefly before, not the only reason I'm helping you out. But, um, I did an MA, I did a degree at Southampton in Film and Image.
Interviewer	Where's that?
PH	In Southampton. And then I did an MA in film and cultural management and my dissertation was looking at the promotion and release of foreign language films for UK audiences. And so my two case studies, one of them was *Shaolin Soccer* and another one was Optimum. So I was speaking, through…email contact … to the old head of Tartan's marketing department. But the time I actually finished my degree she didn't, she was on maternity leave. And there was a new person there but I ended up speaking to her and the woman I had spoke to said yeah let me come in and do some work experience which was what I was emailing about after I had finished. So I went there for I dunno maybe a month in theatrical and then, um, they were potentially looking for someone to do similar stuff in video and so I went there for a few weeks and that's how I ended up working there.
Interviewer	Yeah.
PH	From a situation not unlike this.
Interviewer	Weirdly enough that quite interesting because a lot of the people I have spoke to have sort of got jobs places, not sort of through traditional means, seeing an advert in the paper and applying. Everyone I have interviewed so far have got their jobs through, yours is actually the most normal.

PH	I was going to say, mine compared to Ben [Stoddart]'s. [brief discussion of this is removed because it is covered in Ben Stoddart's interview]
Interviewer	Obviously considering your degree you're very into film but what kind of films do you generally like?
PH	Um, my, my main interest, actually I do a bit of writing for this website that I have done for years and I set up with some mates form uni, and I was looking at the top five films I picked for last year [2008] and it kind of cemented the fact I do kind of like a lot of generally serious, kind of, more thoughtful kind of film. Most of the time. I say the majority of DVDs I own are kind of fairly serious foreign language cinema but at the same time, I, I have a Cineworld unlimited card and I go to the cinema and watch, not so much now because I moved away from the cinema I was right next to, but I still go and watch a load of big blockbuster films. I mean most of the time, most of the time it is probably, yeah, kind of, not always foreign language, but more kind of slightly art house or whatever you'd put on it, specialised, intelligent
Interviewer	Cerebral maybe?
PH	Or, you know, films that are even kind of frustrating or depressing. That kind of stuff, you know…
Interviewer	Thought provoking?
PH	…a bit more meaty, most of the time. But then, you know, if it's a good thriller I'll love it just as much. If a film's well made and its, you know, its well acted then. If its basically a good film.
Interviewer	[brief discussion about mutual acquaintance at Southampton University removed] What was your role at Tartan, again?
PH	What did I do at Tartan?
Interviewer	What was your job title?
PH	Press and marketing assistant.
Interviewer	Sorry I forgot. So did you actually plan to get into distribution? Or did you just have a general idea that you wanted to do something with film?
PH	Um, my, my aims were, yeah I liked the idea of working in marketing in distribution. I'd only really kind of been thinking that as I was doing my MA. I absolutely wanted to be a journalist for years but then I wasn't really ever sure. I wasn't really 100%, I was just like that will be what I'll try and do. I decided to do the MA and try out the new course and it seemed more pointed towards, it was basically a lot more vocationally oriented. So I thought well I'll try this and then through then realised that, I think more distribution than production, um, I'm not necessarily sure why but then I mean yeah, looking at the marketing aspect obviously. Marketing is

	something which does happen throughout or should probably happen throughout every stage of a film. You know, from conception and through production and everything. But, at the time, you know, it seemed quite interesting to me at the distribution stage when you're doing, when you're doing the work towards the actual release.
Interviewer	Ok, um, so if I could also ask you some general questions about filesharing and your opinion of it and that kind of thing. Like so, first of all, how kind of aware are you of filesharing as an activity.
PH	I'm very aware of it. I think, especially, at university. I don't know how long, its probably been going on for years. It is one of those things that as everything kind of electronic and to do with the internet, you know, is kind of growing exponentially, I'd imagine year on year. But I think it was more at university than anywhere else that there was obviously a lot of people with, feeling like they didn't have any money where, their income was probably more than it would be now but that's a completely different discussion, but, you know there was a lot of people I was aware of downloading films or music if they could. Yeah they weren't able to afford to actually go and see a film or buy the CD. So I became very aware of it then and I mean I still know loads of people now who will, you know, will download films. I'm meeting this friend from uni, he asked me maybe a month ago whether I'd seen a film that I'm actually working on now ready for release next month because he'd seen it and yeah, I'm sure he's not the only person I know he does do that and he's not the sort of person who doesn't go and see films in the cinema or doesn't buy CDs or go to gigs and would just kind of download anyway. I've never, you know I've never actually, I'm sure, I've probably watched a downloaded film with other people at uni. I can't think of what one, I'm almost certain I have. I've never actually downloaded a film myself. So I mean, you always, I think if you're google searching I think if you google a film the majority of the time within the first two pages of google searches you'll see like a kind of torrent database type website in there. But I actually did, one of the first things I did when I was just like an intern at Tartan video is go through a number of the films in their catalogue and search online to make a database to try and work out what availability, was the availability of their films was on the internet on filesharing websites, yeah.
Interviewer	That's very interesting.
PH	I don't think I nicked the database when I left, I'm positive it got left. But the catalogue was about 300 films and I picked um, I don't know, probably about 20 films which… went across the different types of film. Because obviously Tartan's film library, I mean they've had several labels, Tartan video, then there was Tartan Terror, which actually was phased out ,and kind of semi

	replaced by Tartan Grindhouse. And as you know there's Tartan Asia Extreme. So I kind of picked ones from all of those, you know, you know, some of the main films you'd think of. Within Tartan video there's foreign language, American indie, some bigger some smaller, you know, something like *Belleville Rendezvous* is obviously quite different so lets see what, you know a film that people have heard of but its not the kind of film you'd instantly think of as a film you'd download. You can imagine target audience so that's kind of cutting across, trying to get a decent variety of films and then going online and looking at sites, you know, looking at torrent sites but also looking at, um, sites that you can watch video on. Whether it is youtube or those others, vio, daily motion. I don't know whether that was around then or not but those kind of sites as well. I mean, back then, I think youtube was too short to actually host, you were limited to host anything more than about, like, I don't know. You could probably get like ½ hour if it wasn't great quality but…
Interviewer	Its normally like 15 minutes…
PH	…yeah until like google video. Google video came up kind of, other websites have developed stuff that you could actually host or upload 2 hours of video. So I was kind of looking through all those and, I mean, there was a lot of things that I found. I can talk more about what I actually did find later if you'd like.
Interviewer	Yeah, yeah.
PH	As you'd expect the most, you know, the most widely available, not just on torrent sites, pretty much on torrent sites you can find most things. A film like *Driving Lessons*, you know, isn't part of the target audience of what you'd put on there but if we've heard of the film, if the film is relatively well known and its in the public consciousness then there is probably someone who's got it. And you know, the people who, I get the impression, they will pretty much upload everything they've got because they're philosophy is that if they've got it they'll put it up. You know, they want someone that has obviously got something else. So in that way they don't think ah, whose going to download this? So even things like that were up there. Like I say on torrent sites you can mostly, you can find most things. Obviously I didn't actually then go and download those so I have no idea whether they were Tartan video or not. So we didn't necessarily do things about that, but then. There were a few films where you could see the entire film, whether it was in bits, on youtube. You know in 5 parts. Or whether it was live digital I think may have been one of the other sites where there were a couple of films quite bit. The majority of films you used to watch on actual streaming video sites were the Asian films.

Interviewer	Yeah.
PH	And the majority of those weren't actually Tartan's copies therefore you aren't actually, it's a tricky copyright position because if its not, you know, if you can't prove it is your copy then in, I don't know, it was a really kind of strange international law and it. I mean, after I'd done the work I didn't actually get hold of all of the sales agents or whatever. I kind of handed it over to someone else who dealt with more acquisitions and things who was going to let people know to find out if, its more kind of like the sales agent than us, being that we only have the UK rights to those films. You couldn't necessarily do anything because it wasn't your jurisdiction. Without your logo you don't necessarily have anything to say. But in certain circumstances on another film we worked on which was a Swedish film, right at the start it the production/distribution the copyright owners logo and it was their version. We weren't releasing it for another few weeks but because it is in our or their rights, or interest for it to be taken down we can't say we failed to pass on that intelligence so that they could then try and rescue it. But as I say the majority of film we'd find the European or American film on those streaming sites.
Interviewer	It does raise a lot of interesting questions about the whole thing. So, was it your impression by virtue of being given this job that this was sort of a serious concern?
PH	It was something that I think had been spoken about, you know,... whether it was entirely of their own accord because maybe, it is one of those things that is like a kind of entertainment industry concern with the rise of the internet and copyright infringement. You know I don't know if there are more concerns than people shouting its benefits but you generally hear people putting up, you know, unregulated content whether its their comment which might cross, you know between freedom of speech and, you know, defamation of character, or being racist or, yeah people having mp3 logs up of that kind of thing. These are the kind of thing, it kind of got into [a] general kind of cultural debate and so I think I think it might just have been like that. Like they were wondering oh, 'what of our content is available online?' and you know, whether there is anything we can do about it or not it is interesting o track that. But especially as Tartan were one of the companies that were investigating, you know, via Love film had been looking at video on demand services. So it was kind of looking as well, are the films that we've got, you know for people to watch on their computer are those films available so easily to someone else for free? It is not that you can ever completely get a handle on it, the actual mathematical thing, but, if you've got two films that are quite similar and you found one of them on you tube and the other one

	you haven't and the amount of people on love film who hire you can get a kind of correlation. So it is basically I think they must have been kind of thinking about it so to have a look to find out, if only to be aware of what is out there you might be able to do something with it, whether it is get it taken down or just I guess be aware of what kind of products it might happen to which as well. I mean, even if you can't do anything, as frustrating as it may be it is just kind of, I guess it is a good thing to be aware of especially as people are starting to talk about all these things.
Interviewer	As it is, as you say, part of the general cultural debate. It is something that you're gonna start thinking we should be aware of this. So, do you know what actually happened after, what they actually did with the information you collected?
PH	Well as I say it was one of the first things I did when I was there and I was there for near on a year. I know that a few months later I, I had to re-send the document to the person who it had been sent to originally because they were speaking to sales agents so I sent it to them again. Some conversations were had and as I say I actually email the copyright holder about that one film. Some things were done that way but then it wasn't necessarily our content so I'm not, you know, we had to kind of hand those things over and I'm not actually sure unfortunately what happened with that, with that content, whether it stayed up or not.
Interviewer	Did you look at any sort of kind of community sites where that you might need to have membership to go into or anything like that? Or was it just kind of listing sites that you could find through Google?
PH	Yeah, it was mainly those, I think then I maybe followed a few links from those but they were mainly, if there was a community membership involved I never actually signed up to any of them. I would, as far as I can remember, all those that I was were ones that just kind of, had a list of sites you could get it from and followed those links and I pretty much couldn't. I, as I say, I didn't actually try to download anything so it may have been I would have had to sign up or it wouldn't have worked.
Interviewer	Is it your sort of general sense of that kind of activity is damaging to the industry?
PH	I think it is hard to tell. Obviously DVDs are still bought of titles that can be downloaded. I don't think it will be good for the industry because there will be a lot of people who will, might, download something and for that, because they've already seen it won't get it again. But then, a lot of this is obviously complete guess work, my thoughts are that there is, there are probably still people, say it is an Asian release so someone has put the, what is it, the region 3 DVD up when it has come out. It might not be released over here

	until a year later, sometimes, you know, Asian cinema might take 3 years to get released over here. So in that time people might have downloaded kind of copies off the region 3 DVD. But I think that there is a lot of people who would still buy the English version if they like the film. People watch films on TV and then think, oh that was great I'll buy the DVD. As kind of strange as it sounds sometimes that does actually happen. Because it stimulates an interest, I mean it may not be people who've watched it, people may have only watched a bit. But you know DVD sales figures on certain films, I couldn't tell you which ones or tell you where there is evidence, but I am sure that, I've had conversations and looked it up that certain films have kind of peak sales figures after being on TV which would suggest that it is not straightforward that if you see a film you don't buy it on DVD. Because obviously a lot of DVD buyers buy DVDs that are films they've seen at the cinema as well. So you know, I wouldn't by any means say that downloading completely stops people buying DVDs even if they are people that have downloaded them. But I still think that there is a certain amount of people who, you know, might be watching a film that's been downloaded, whether they've downloaded or not. Someone gives them a DVD that they've made, that they've ripped from a download, that person might just, you know, want to see the film and so there's, you know, definitely a kind of damaging effect of people who might get to see it through that, so they've seen it so they wouldn't worry about paying to go and see it at the cinema or buying it on DVD, whatever it actually is. I mean, I've, yeah, it is hard to see how.
Interviewer	I do realise it is an unanswerable question, nonetheless it was, it is kind of difficult because I'm trying to ask a bunch of questions that in many ways have no answer. Um, in order to get your general opinions about things. Um, but, er, obviously you still work in this kind of industry so, um, I'm not going to publish anything in my research that says by the way 'Phil thinks that filesharing filesharing is amazing and ok'. It is not going to happen like that. Because I realise it must be a little bit difficult being taped and … it might come back to bite you in a couple of years time. Generally I think we've covered a lot. One kind of final thing. We talked about the kind of films that you like and that kind of thing but would you say that you're a fan of East Asian cinema?
PH	The reason that I actually developed the dissertation idea that I had, apart from the fact that it was, you know, looking at the marketing or promotional subtleties involved in it because that's the kind of what I need to do to fulfil my course requirements. But you know I didn't pick any types of film to look at, I mean I was looking at *Shaolin Soccer* and *Oldboy* because they were

	films I wanted to be looking at. I think to be honest the, yeah, a lot of the, I think maybe the main foreign language cinema apart from actual kind of film studies cannon classics that I was watching as part of my course. I think probably, while I was at uni, I'd say if I was to watch foreign language film probably 1 in 5 would have been Asian film. You know, probably either by Park Chan Wook or Miike Takashi or, you know, a handful of Cantonese and this kind of thing. Or Johnny To or that kind of thing. I don't really watch as much of it anymore. I saw the last Johnny To film that got released *Mad Detective*, we nearly worked on that so I watched that a while back. And I worked on a film called *Protégé*, which was very similar to *Infernal Affairs*. Most of the time, I don't watch a lot of the Asian cinema because a lot of, not as much gets released over here, modern, nowadays because it kind of got overdone in the wake of the kind of original Tartan Asia Extreme thing.

Interview with Ben Stoddart

The interview was conducted on October 28th 2008 at a pub close to Ben's office in Soho, London.

Interviewer	OK, lovely so just to give you an overview of the kind of things I'm gonna ask you about. I'm just going to ask you about your current role at Elevation. A bit about your role at Tartan. A bit about the structure of both of those companies. And also various questions to do with the Internet and filesharing. And also your personal likes and dislikes to do with film. That kind of thing.
BS	Uhu.
Interviewer	And just so I have it for the record is it fine for you to be interviewed and is it fine for me to record it?
BS	Yes it is, no problem.
Interviewer	Lovely. Ok, wonderful, right. If you could just give me an idea about your current role to sort of start…
BS	Um, well. I have only been at Elevation since the start of July, literally straight after I finished at Tartan. So, I went from one to the other almost straight away. Um, I now work, obviously Elevation is a DVD sales company, rather than a sort of label. So it is a slight switch for me anyway. Ah but basically my job is operations.
Interviewer	Yep.
BS	So along with one other person we look after all the DVD for Lionsgate Optimum and D & C. Who are the three labels Elevation look after. Elevation itself is owned by Lionsgate and Optimum, who have a 50/50 share and actually bought Elevation. So there is a very close relationship between the two, there's not just, we're not just a sales company we are owned by them therefore they've a very vested interest in everything that happens. Um and basically my job is to ensure that the DVD is manufactured properly. That its packaging is done, whether it is special packaging, standard packaging, we get the best price for everything. And also to then facilitate getting stock into the marketplace. So we have sales guys, whose, obviously, job it is to actually sell it to Woolies (well in the UK predominately) HMV, LoveFilm Renaissance etc. etc. SO you'll have all of that um and then it comes over to ops to manufacture the stock, well make sure it is manufactured, place the orders, get it there and then pretty much ensure that everything is where it is supposed to be. Um with standard DVD that is a very simply, relatively simple process. With special editions, box set collections, rental things, where you've got rental windows and stuff like there's obviously, more complications come in. So it requires a bit more communication with the

	labels themselves.
Interviewer	Yeah.
BS	To find out exactly what the product is, what they want to do with it, there they want to get it, how much they want to spend making it. All that comes into play obviously because every product has its budget so its making sure that we are not spending a ridiculous amount of money creating a special edition DVD that is only going to sell 'x' amount of units.
Interviewer	Yeah.
BS	So that's when it comes in with the sales guys and their forecasts. The product managers and the label with their aspirations of what they want and then from our point of view its like 'yes, we can do it/no we can't' or we might not have enough time we might not have enough materials. It might not be feasible to do it. So then, yeah, more conversation occurs between the three essentially.
Interviewer	OK, great. So, um, to kind of backtrack. What, how did you come to be working in distribution in the grand scheme of things?
BS	Good story. Um, I used to work in Harrods in the DVD department.
Interviewer	Oh, right, ok.
BS	And I met Hamish McAlpine in Harrods.
Interviewer	Right.
BS	And we just got chatting about film and stuff and he was there, he was actually there with his partner at the time and…he was, we were literally having a conversation about Ingmar Bergman or something and I was actually due to leave Harrods at the time because HMV are actually now in Harrods. So we were sort of selling our bit and they were coming in and taking it over. And I sort of mentioned that and he was like well what are you doing and I was like, well I just want to get into film basically. I mean that's what I did my degree in and I've been working here two and a half years and stuff.
Interviewer	Yeah.
BS	And he said well drop me your CV and I'll see what I can do. So I sent it in to him and he sent it to my old manager, the marketing manager at the time. It was, it was still known as Tartan video, it was obviously DVD, but sort of Tartan Home Entertainment or whatever. That got sent to him, I had a couple of interviews and I got a job there. And I was there two and a half years, literally, bang on, er, until I obviously left there into Elevation.
Interviewer	That is an interesting story.
BS	So, slightly random.
Interviewer	Ok, mind you Andy's was quite random as well.

BS	Usually is with Andy, but uh. Most stories have a 'randomness'. But uh, yes, so I got into it through that and was working purely on DVD. And I started in marketing…as a, essentially, a marketing assistant essentially. And, ur, because the person who was leaving was actually slightly more senior, I came in, obviously not with any experience. I wasn't pretending I did have any to be honest. And um, they said, well, rather than drop you in at the deep end so start with this, see what you're suited to doing. And I kinda moved from doing marketing and working with the press to… going into operations. So then my job was really to make, to look after all of our stock lines, make sure we had everything. And do a lot of comparative studies and sales comparisons on different titles. How things sell, where they sell, why they sell. Um, you know, what's on thing, what's one Asian film doing week one compared to what we're doing week one. Why is it they're doing better than we are or we're doing better than they are? Um, and having a look at that and because campaigning has becoming massively more important with DVD now it is not so much about new release, particularly for an indie with a strong catalogue which is what Tartan were. Is, it became much more relevant to have a look at, you know, different sales dynamics, which retailers were doing well with it and not doing well with it. Price points and all that. So I kind of got involved in a lot of that and worked a lot with World Cinema who are kind of the equivalent to Elevation but for Tartan. Obviously they did Tartan, Artificial Eye, Soda, Verve, Yume etc. So yeah I was kind of working very, very close to them and I was like the go between Tartan DVD and our distributor basically. So most things when back and forth between us. Um yes, so I kind of moved into that area and kind of, and then, because of the,…there was then a restructure at Tartan. A few people left and the whole thing was downsized. Um, still going but smaller and I then got involved back again with marketing and with press and with acquisitions a little bit as well. Because literally we didn't have that many people and I had been there quite a while. So it was kind of like utilising what I knew into different areas. So I was kind of like yeah returned to doing a bit of marketing again and just helping out people who purely had been before working in theatrical and now were doing DVD which is a completely different prospect obviously. So I was kind of there to help those people out, give them a bit of advice about what we're doing and what the general procedure is for DVD and deadlines. That kind of stuff so. And then working a bit on acquisitions as well.
Interviewer	Oh, right. Ok, so when you say you'd been there a long time, was there quite a high turnover of staff?
BS	Generally yeah, I mean Tartan had quite a long serving core of people in

	fairness. Longer than probably a lot of studios and some other indies as well. But generally film has a relatively high turnover of people.
Interviewer	Yeah.
BS	When I was there I think there was a couple of different heads of press. In 2 ½ years there was a couple of different heads of press at theatrical. DVD stayed very, very, very tight and the same personnel. But then DVD, the whole of Tartan DVD was only 8 people. And that was like and MD and a deputy MD who had been there since the inception of Tartan.
Interviewer	Yeah.
BS	That was Sam who works at the BFI with Jane.
Interviewer	Yes.
BS	So he'd been there since day one.
Interviewer	Is that Sam Dunn?
BS	Yeah, Paul Smith who had done press for theatrical and had then moved to doing DVD press. And he was there like 7 years or something. So the DVD side was very sort of long serving sort of bunch. Theatrical there were probably a few more comings and goings to people, um, but we didn't have a high amount of staff so there was less opportunity for people to go. And it was a good company. And everyone who was there really, really liked the product. Was really behind it. So I couldn't say it was a bad thing.
Interviewer	Um, ok, that's great, um, just trying to make sure I get everything in the right order. So, yeah, lets go onto a bit more sort of personally about what sort of films you like why you wanted to work in the film industry in general.
BS	Well, I think, well to be honest my Dad's in film, my dad is a film writer, a screenwriter so I was always kind of into it anyway. And then I never wanted to do it as a career at all. Um, not for a long time, and then I didn't do it, I didn't do media studies at a level, I wasn't really interested in doing it. I wanted to do very much academic stuff and then literally I sort of finished a-levels, didn't get great grades at a-levels and was kind of like umming and arring about what I should do. And then my dad kind of put me in the direction of, he just sort of said to me, he said do something that you love to do. What is it that you actually enjoy? And I was like, well, watching films. That's it. I love watching different stuff. My dad used to take me to see like arthouse cinemas in London and all that kind of thing. Which nobody my age was watching stuff like that and it was kind of like ok. And I used to really like it. And it kind of went from that really. And then I just sort of when well ok I'll apply to do film and stuff. Got in, so I started studying it and then that really opened me up to so much more stuff. Because I've seen, because when you're quite young you're watching all the mainstream. You're watching, like I said I saw a couple of things that my dad had taken me to

	see and we had conversations about people he'd worked with and stuff. And I was like, but he, you know I was a bit too young to be kind of really well into this stuff properly, you know in a foreign language. Um, but, um, yeah, so once I started studying it I kind of got, I just got more into it and stuff. But I'm not sort of pure into world cinema and I'm not pure into sort of mainstream stuff. I like to have a complete mixture. I just don't think, I don't think, I don't think it is the right way. I know I've met a lot of people at university who were like hardcore film nuts do you know what I mean.
Interviewer	Yeah.
BS	And it is all about Bergman, it is all about this, it is all about like you know, Almodovar or whatever. And it is all about all the names that pop into your head when you think of world cinema.
Interviewer	Yeah.
BS	And it is very much all that. And it's like, and they're very much, um. I tend to be like, yep, there is some great stuff out there, there is some quite frankly cack stuff out there. But, obviously you have to watch it to know that. But equally I like going to stuff, switch my brain off, sit and watch it. I'm perfectly happy with that, you know I don't like to be pigeonholed.
Interviewer	So, there's a place for *Die Hard* and *The Goonies*.
BS	Oh yeah! I don't like to be pigeonholed into one of the other. I just think it is the best way with films just to kind of open yourself up to everything. And like if you watch it and you hate it then fair enough. If you watch it and you absolutely adore it then Asian cinema is the perfect example. There is some great stuff and there is some absolutely awful stuff. But you know, you start to gauge what is good and what's bad and you know, um. But, um, really going from that watching a lot of stuff and then going into Tartan. And I said the same thing when I had my interview with them, I was like, they said, 'oh. what kind of film do you like?'. I said well, I own a few that you've put out. I had, you know, *Capturing the Friedmans* and *Oldboy* and *Mean Creek* and things like that. And I said a mixture of what Tartan had done themselves and I was like, look, but, I'm really into all this, I'm really into my TV stuff. Big TV series, a lot of 80s TV. Lots of Steven Berkoff stuff. And I said you know I just like to watch anything really. And some of it I'm gonna like and some of it I am sure I'm going to hate. I'm sure there is Tartan stuff that I'll watch that I'll absolutely loath, you know, those things happen. But, so yeah, and ever since then I think my likes and dislikes have probably become much more varied. I mean before I might well have been quite dismissive of certain types of cinema, like whether it bit Asian horror stuff. But there are a few little gems which are actually well worth watching. Um, and then we did, we've done films like The *Death of Mr Lazarescu*. Which I watched and I

	absolutely loved. But when I looked at it, I was like oh my god I can't think of anything worse.
Interviewer	Yeah.
BS	It is 3 hours, it is Romanian, this isn't going to be good. And everyone was giving it 4 starts 5 stars. Everybody loved it. Absolutely bizarre, but it was like. But it is such a bizarre film. Such a kind of inaccessible film. Really, like to go and see. But that was one of our best results from like a 5 print release. Sort of £70-80,000 just from a print circulating round London.
Interviewer	Really?
BS	Yeah, something like that. And it was one of those like sleeper films it kind of stuck around, and Jonathon Ross kind of championed it. And every critic loved it. It was one of those breakthrough things. I think it picked up the world cinema award for best film that Jonathon Ross does, like hosts and everything like that. And so, it was, you know, one of those interesting things that I just didn't think I'd be vaguely interested in. but kind of gave it a go and actually really liked it. That is what Tartan is great for it is a great company to work for like that. You see stuff you'll never see. So, and I'll be honest. I wouldn't have bought it for £20. Even probably £7/8. I wouldn't have just gone 'oh, I think I'll pick up this', you know, just on the off chance. But when you get to see it, you know for free or whatever. It is well worth actually seeing it and then you go yeah I probably would buy this had I actually made an effort. But, yeah, no, that's kind of expanded my horizon quite a lot.
Interviewer	That's good.
BS	And at Optimum Lionsgate now it's the definition of variety. It's *Saw 5* and it's Ealing comedies and it's kind of foreign language and it's you know. It's er, they've got stuff coming out next year with, they've got French New Wave stuff coming out, they've got this ridiculous catalogue from Studio Canal. So there's a lot of variety of stuff there. So they've got everything from Melville, to, yeah, to like the big releases and they've got Shane Meadow's stuff, who they pretty much always put out now. *Somers Town* obviously like next year. So they're a great, they're really good people to work for at the moment because it is a definition of variety really they have such tiny films, that you probably make 1,000 units ship or 500 units into the trade for the 1st week.
Interviewer	Um.
BS	But then they've also got like *Bankjob* and it's, you know what I mean, it's like, it is as far as you could get from each other. But it does work, you know what I mean, it works as a company because they just mix it up and they're very good at doing big releases but … Optimum in particular are good at doing big and very, very small so its pretty good.

Interviewer	Um, do you have to have the big releases in order to sort of bankrole the smaller ones?
BS	Um.
Interviewer	Or are they almost self-sufficient?
BS	I think, um, I think with Optimum its, because it's a slightly different scenario because they obviously bought Studio Canal last year, early last year. And they were literally just given a catalogue of stuff. And so, and also they still have to, there's still money to be spent on those titles. There's still quite a lot of budgeting that goes on in order to be able to release those titles and still make revenue back off them. And the revenue stream is going to be quite slow, quite small and quite slow, so you're going to need a year to probably make back decent revenue on a tiddly little title that you ship out 600 units on for the first week. So, there's no point in having that title. The main quandary is having that title and not having long enough, not having the rights long enough to get revenue back. Because they'll have them and they'll have to have long enough to go justifiable well it is worth us releasing this because we can, we'll shift this much in a year, we spent this much putting it out. We spent this much on the sleeve, this much on the replication, this much on the authoring. Because that's the thing, they have the catalogue but there is still the production cost. They've got like a one inch master for each film. They've still got to get that to a company to author it, they've got to get a DLC to the replicator they've got to do checklists, then they've got to check to make sure they're ok and get them approved. Then we've got to replicate it, then we've got to do the sleeves. Design costs and then print costs. So there is still everything attached to it even though you're given the title you've still got obviously quite a lot of money to actually shell out on something that you're actually going to do very, very small numbers on. So their main thing is justifying, when they've got, how long they're got the film for, how much rev they're actually gonna generate for that film. And if it, and if the math works then they'll put it out, you know what I mean.
Interviewer	Yeah.
BS	But they're often under a lot of pressure to put out films very, very quickly. Which obviously in itself has its own problems because you're kind of filling a release schedule full of huge like, large numbers of films which obviously you've got to keep, yeah it is much more like a production line. Whereas Tartan was much more, much more a labour of love shall we say. With 5 titles a month. That, you know, you'll have one maybe slightly bigger title and then 4 small titles. 2 straight to DVD Asian Extreme titles and particularly towards the end when we had quite a lot of the very, very small Asian titles. That were bought quite a long time ago but for various reasons

	it took a long time for them to come out. And when they go out the market is dwindling at the point anyway. Like in the last probably in the last 6/8 months that I was there the market for Asian films had already started to noticeably dip.
Interviewer	Yeah.
BS	HMV were kind of like, yeah we'll take it but we're gonna take only a very small amount of it. Whereas previously, they were like, they were very supportive and kind of yeah we'll take those. But they were taking them into stock and not selling them. They can't, no company can carry on doing that. Particularly when they're being hounded to take everything from every other label at dirt-cheap prices and they know they'll sell. They were kind of having to go 'yeah, we'd like to but its not going to sell, it's not been selling. We can't just have this stock sitting here you now what I mean. And you don't obviously want us to return it because that's going to cost you money'. So, it got to that stage and particularly with the Asian titles and stuff like that. But yeah, Tartan was much fewer releases and we had our big ones that were there to help justify a lot of the smaller ones as well. We had *Black Book*, which was probably our last really big, really successful release that we had. Which was April last year [2007].
Interviewer	Yeah.
BS	Which was brilliant, it did really, really good business and outsold stuff we didn't think we were gonna get close to. Um, I think it was about £36,000 in the first week, on DVD, that's over the counter sort of thing.
Interviewer	Yeah, yeah.
BS	So, it was a great film, great result and obviously that meant we could, the revenue from that obviously meant we could spend more on putting out other films or acquiring other films as well so. And that 's often the thing it is probably more goes into your acquisitions budget. So you've got a big film, it performs so you've got good box office, good box office should give you a good DVD. It doesn't always work like that, but sometimes. Ah, and then you've got that money to go an buy another, a bigger film and hopefully, you have success with something like *Black Book*, you go out an buy a bigger film that *Black Book* or whatever. And then you can keep going but the danger is obviously you get something that you pay a lot for that doesn't work and the reverse happens instantly. And your cash flow is really, really badly hit and you're like hmm 'I can't really justify this and justify that because we thought this was going to do £1,000,000 and it did £200,000'. And that happens a lot with a lot of different labels and you know, Tartan had its fair share of those, which, kind of obviously, gets very, very difficult at

	that point, because you're banking a lot on those films doing well and if they don't it is very, very difficult. So, you are relying on a certain amount of success.
Interviewer	Hmm, so, in terms of, the kind of structure of Tartan, how would you describe the structure of the company.
BS	Like I said there was a very separate division between theatrical and DVD. Which was, which I think there always is to a certain extent. It's always like well one's one, one's the other. But we were in two different buildings for start so it was a very kind of separate thing. I don't think that is really the way to do it, and actually when it was downsized it all went into the same thing. But it was a better structure at that point. But obviously, the DVD worked with, there was literally one person in press, two in marketing an MD, a deputy MD, a production manager, and I think the most we ever had in marketing was three people but that was pretty much an interim moment. And then one person left so we were back down to two. Um, we had people coming in to help with press but never actually someone actually hired to do press. So that was very, very small and then we had Jane who was acquisitions. She was acquisition across theatrical and DVD so she was looking at straight to DVD stuff and she was also looking obviously at theatrical prospects as well. Although she was actually base din with us at our office. Theatrical had generally three in press, three in marketing, all working on the same prospects, on the same films. Um, and then two in production. So you know print movement to actually making the prints and sourcing the extras and that kind of stuff. All the technical stuff. And the finance department and, the way, when I started. Obviously Hamish was the company owner, Laura who was head of theatrical and Alan who was head of DVD. So this was the kind of triangle kind of thing. In the restructure Hamish actually headed up Tartan,…Alan was still head of DVD but there was, but he kind of took over theatrical but then was overseeing part of DVD as well. After the restructure it was probably a lot better, it was a lot better layout, a lot better structure of the company. Everyone had a much more defined role, there were people who left, it wasn't best in the way that it happened but it was probably for the best, you know. If Tartan was going to survive it had to do something with the structure. Because it was just too many people in two separate places and all kind of a bit of a mess. But, an, yeah, so it was quite, it was better by the time, ironically, by the time it finished it was actually probably a better structure anyway.
Interviewer	Yeah.
BS	It was quite well done.
Interviewer	Ok, um, so I'll move onto a little more about the acquisitions side. I realise

	this wasn't your primary role but what sort of criteria do you think was in the minds of the head of acquisitions and that kind of thing in terms of everything Tartan would release?
BS	I think it dramatically changed over a period of time. Obviously when Tartan first kind of hit the big time which was with *Hard Boiled* back in what 84/85 whenever it was. Um, and obviously, when that came out it, it launched Asian cinema in the UK for a start and then our remit became very much focussed on that. Bu then we were also looking at other, it was all about the 'breakout', it was all about films that were unavailable. That had done amazing business in their native country, films that had been a big success in Spain, a big success in France. Even films that had broken out in America but hadn't like, on the indie circuit in New York and like that, but hadn't come out over here. But a lot of it was the Spanish cinema, the French cinema, um a lot of classic British stuff. And British art house, like Derek Jarman movies and things like that. That people wanted to be able to own and couldn't own. Let alone go and see at the cinema. And I think acquisitions remit at that point was, it was looking for cotraversial cinema, it was looking for films that people needed to see. That was the tag, you know. That was the whole thing, 'these are films you have to see'. That was the thing. And *Hard Boiled* became that film and it became like you have to see *Hard Boiled*. *Battle Royale* became that film, *Old Boy* became that film. It was like if you're only going to see three Asian films, *Hard Boiled*, *Battle Royale*, *Old Boy*. It became a remit that that was what you should do. And when we put out obviously *Irreversible*, but before that when we did all the Almodvar stuff like a lot of it on video. We did all of it on VHS. And people kind of forget now, because we didn't have a lot of those films on DVD because the rghts lapsed and stuff, but when we were acquiring it for theatrical release and straight to video releases these were film that nobody had seen and it was like, ok, you get to see these films, its shocking and, and some of it was out and out really shocking and some of it was just great filmmaking. Um, and I think that was the thing, get your controversy in, get all that, get in the must see movies from Europe and break them out into the UK. And then also it was pooling the talent of british filmmakers who had sort of been forgotten. Like the early works of Rick Roe and as I said Derek Jarman and Peter Greenway and all those people. And we, a lot of the stuff the BFI have done on DVD, Tartan had back in the day on VHS.
Interviewer	That have become sort of classics…
BS	Yeah, exactly! And there are films now that even when we released them people were like 'yeah, whatever' you know what I mean and now they're like, they are considered to be sort of some of the best of British cinema.

	And certainly when you look at Almodovar's stuff and he is so mainstream now compared to what he was, before he was just some sex-crazed Spanish guy who make kind of graphic gay cinema and people were like 'god, why is any of this over here!' you know what I mean? Whereas now people can't get enough of it. Sort of…
Interviewer	Box sets in HMV.
BS	Everyone loves it. Optimum have got most of his catalogue and they do really, really well now because he has now had breakout success. And I think that is the thing with him. Sort of back in the day no-one in this country knew who he was, and no-one in American certainly cared to be honest. And now he's an Oscar winner and everyone goes to see his films. So I think that was the early remit. And then when, when Asian cinema really hit and with, which was, I mean even though *Hard Boiled* was a long time before when *Battle Royale* came out in 2002, well I think we bought it in 2001. When that kind of broke out, and even then people were like this film won't do anything over here. It's really fucked up, what is it about, I don't know, a bit scary. When they got that, broke it out the critics were just kind of blown away by the idea of what it was. The reason it then became Asian cinema, big style, um, and obviously there was a lot of money made from Asian releases. And we kept, that was then plowed back into some European releases as well, sort of key European releases. But a lot of it was ploughed into buying Asian cinema. Which is why we went from having a handful of Asian films to having a big catalogue of the Asia Extreme. Which a) we invented that Brand and Hamish said this is what it is, Asia Extreme, this is what it is all about. And at that point Jane, I think, when she came in that was her.., a big part of her remit was to buy Asian cinema. And I think for a couple of reasons, I think 1) we'd had success we wanted to have continued success we wanted to continue making these films available. And obviously we also wanted to stop other people getting a lot of the gems coming out. So a lot of deals were done for packages of films. Kind of like, well if you want this you've got to take these two as well. Which we knew probably weren't maybe great but if we've got a really good film you can do something with the other two that will probably do OK on DVD. Um and that's where it started with that and then that was the big drive. Because we had already amassed a lot of other catalogues and now it was kind of switching over to Asian cinema, which was then just becoming more and more popular and kind of getting, breaking out amongst people through word of mouth and all that stuff. So I think that became then the focus, big style. The problem that came with that is that so much of it was bought, but so much of it, you signed to sort of put out a film and then the next kind of,

	and the obviously you have to pay a lot of money to put it out and as the Asian market dwindled in this country. You were kind of thinking and that's when you get to that point is it justifiable spending this much putting this film out when you know it is only going to do this amount of money. Because it was all straight-to-DVD, you couldn't release these things theatrically, they were kind of like, that moment had passed. Um, I mean, not many of the asia extremes were ever done theatrically. Yeah, significantly, the Park Chan Wook's were, the *Battle Royale 1 & 2* were the Kim Ji Boon films were but it was really the big auteurs of Asian cinema that you could do that with. But even further down the line the Kim ki Duk films didn't get released in any kind of theatrical profile whereas back in the day. Like with his early stuff, *The Isle* did, *Bad Guy* did, *Spring Summer*, that did. But when you got to like *The Bow*, *Samaritan Girl* and things like that, which weren't bad films, not all of them, *The Bow* was almost painful. But *Samaritan Girl* won the Silver Bear at Berlin. But you couldn't get that into a cinema. It was not going to happen so it was straight to DVD and it was a bit of a shame because that was actually a really good film when some of his others were blatantly hit and miss. Um, I think we were due to release two more of his but I think he made too much film for his own good. Some were a bit like, 'oooh god'. So again I think at that point the remit then shifted again from focus on Asian cinema from ok, let's just wind down on the Asian cinema a little bit. Because even with all the stuff we did release there was still a load of stuff that we hadn't released that we still apparently had in some form or other. And then really it was, we spent a lot of time then going back through a lot of things where the deals had been done. Thinking can we release this, is it worth doing it? And really kind of reduce the amount we were buying and kind of deal with what we already had on the books. But then there was still great films picked up, like *Lazarescu* for example the Carlos Reygadas movies, *Silent Night* and *Battle in Heaven*. Which both did phenomenonal business for what they are, which is unbelievably niche world cinema.
Interviewer	Yeah.
BS	But again critics absolutely adored them. I think Artificial Eye had his first film, Hamish actually produced the other two or was executive producer on the two so we were always in tight with him anyway to put his films out. And they're so arthouse, they're so world cinema. The defintion of I suppose, but again critics absolutely lauded over them. 4/5 stars, *Silent Night* is one of the greatest cinematic openings ever, do you know what I mean, even though most people are sitting there going, 20 minutes later, what?. I don't know if you've evr seen it but it is essentially a dawn chorus [long explanation of

	opening of film removed]. Again that was a tiny release that did really really well for what it was. *Battle in Heaven* did even better. Maybe because it had a lot of real sex in it that kind of sells. It certainly sells DVDs. It did well theatrically, again I think just critically because people thought it was very good. The DVD, we did ridiculous amounts on the DVD. Considering it is not the film you think it is going to be. If you bought that thinking it is going to be this really sexy film. It's so not. There are some really quite 'oh, god, no' scenes. And the cover art was great. It was an example of taking a film that was, you know, very, very niche and very, very world cinema and turning it into a film that many people were buying having known nothing about it, purely because of the sleeve. Um, she is obviously very, very beautiful. The man in it is not.
Interviewer	That doesn't normally seem to factor.
BS	And nor was the woman who played his wife either. But, yeah, that was a really good break out film from an acquisition point of view. But certainly the acquisition slowed anyway, there were a couple of bigger films that were picked up, that were brokered, that took a long time to broker, like *Black Book* and like *Fast Food Nation* which was another big film but never ever performed anywhere near it was supposed to. Or where it was hoped to.
Interviewer	Yeah.
BS	It was the wrong moment. It was the wrong time to release that film, it had all been and gone. The whole sort of McDonalds obsession and stuff. Oh, my god it is so shocking fast food is bad for you. At this point everyone was just like' yeah I know, but I'm still going to go for a Burger King.'
Interviewer	Yeah.
BS	"I don't care what happens to the cows, I don't care" and so that was an example of something that really didn't perform, theatrically or on DVD. But, yeah, I think the remit for acquisition at that point was still looking for interesting film but I think as well when we bought a lot of our films that were very successful the amount of money you had to spend to get those films was very small in comparison to what it is now. I think when you look at some of the *Palme d'or* winners now and you look at some of the titles Artificial Eye picked up, which are very, very good titles, and they're not cheap. I mean I remember hearing about how much some of these films were worth and just thinking really, are they gonna do enough to even warrant spending that kind of money? Is it going to have a theatrical? If it is, its going to be what, 2 maybe 3 prints. And these are films companies are spending $100,000 on to pick up this film which is probably going to do $30,000 theatrically if it gets released. Let alone your print costs, your DVD

	replication costs, etc. etc., that are then going to do very small amounts on DVD. Well you couldn't see them doing big numbers. Some of them broke out and did very well, but some of them we looked at afterwards and went 'god, we looked at this' and this company bought it who've got money, who've got quite a lot of influence to put something behind it. And had a real opportunity to do something and even they struggled to get a result. And you're kind of like 'jesus',… This is the way it is getting to now I think, it's that world cinema a lot of the sales agents who look after these films now understand how much these films are worth I think and they're kind of like. 'Ok, we can go in with big numbers and some people will just pay it'. And some people, even if they get them down are probably gonna get £20k more than they thought, more than they really know it is genuinely worth. But they start at such a high point that they'll just sort of go 'yeah, we'll sell it to you at $8,000' and they're probably thinking initially it is only probably worth $4,000. So it is kind of like, there is a lot of people buying a lot of films for a lot of money and I think we got caught kind of. We looked at a lot of films that I think we got pretty much priced out of. We sort of made tentative enquiries and said we're only willing to offer this. Which was probably the right decision, probably the right amount we were offering. But they were like 'oh no, Icon are going to buy it for this or Artificial Eye bought it or Optimum bought it or whoever.' There were obviously a lot of people who had a lot of money to spend on these kind of big show case world cinema films. And the studios started taking more. Doing their own sort of spin off studio. Studios that are their indie studios. So you know Almodovar is suddenly tied in with Fox or whoever. His stuff is through Pathé, which is obviously owned by Fox.
Interviewer	Yeah.
BS	So he's on Pathé, but yeah, they're bankrolled by Fox. It's like well, who've got…
Interviewer	Its like Mirimax and Disney.
BS	…astronomical amount of money. So, yes, he's on Pathé but honestly it isn't like a Pathé bought film. This is something they've said we want to buy this. We can get a result and they got a really good result with Almodovar.
Interviewer	Yeah.
BS	But it still took Fox's money to still kind of go, 'ok we can justifiably allow you to have this and then you can do the marketing and all that'. So, that's happening more I think now as well. Um, I don't think a lot of people realise that, that they're actually a lot of money being pumped in by other people to pick up these films, just because they're not putting them out themselves. Its like Working Title and Universal. Yeah, Working Title first started you look at

	the films they were doing, that's because it was just Working Title and it was a real struggle and now its, they're in with Universal so whatever they buy, if it is a success, Universal put it out in the states and over here. It'll become huge. It has shifted a lot I think.
Interviewer	There is very little conception of the levels of ownership of so-called 'independent' companies. They're no longer, independent.
BS	Yeah, exactly, which was the thing that happened with. It was one of the reasons things became hard for Tartan was simply because in the marketplace you haven't got, you're not heavyweight anymore. At one point we were really heavy weight independent label. But then obviously Optimum got bought by Studio Canal, I mean Studio Canal have got 7,500 titles on their books. So they instantly, Optimum gained 7,500 titles to put out and they have a certain amount of time to put those titles out. So, you know, that is an incredible difference from what Optimum were. Because Optimum were doing extremely well and obviously built up their company to be worth a lot of money but at the moment when that happened they became this kind of, independent, but not quite so independent outfit. With this ridiculously sized hugh catalogue. And now they're picking up the bit indies, they've got *The Wrestler* and they've got *Shane*. And then obviously Lionsgate came in and Lionsgate have very much more of a studio ethic anyway. I mean stuff like *Saw 5*, you would pencil that as a studio film. That is not independent cinema. Huge marketing campaigns.

Interview with Adam Torel

The interview was conducted on March 12th 2009 at Carluccio's in Hampstead, London.

Interviewer	Um right so first of all can I first get your permission on tape to actually record the whole thing. I know it sounds really weird but I just…
AT	Yes, well, permission granted.
Interviewer	[brief discussion of academic publishing removed] Ok, great. So, first of all do you just want to start off with a little bit of a mini biography of what you've been doing and how you got into the industry you now work in.
AT	Um, I was brought up, well I lived most of my teenage years in Florida. Um, actually I went to University in Massachusetts but I went when I was sixteen and I graduated when I was 20 and actually taught film history. I've always been a film buff and I've got about 3,000 DVDs at home and I've just got a whole room full of DVDs and videos.
Interviewer	You're doing better than me. I've got about 500 and I thought I was doing well.
AT	I'm obsessive. So I used to run a video shop in Florida, called Video Renaissance, which is the biggest…it think it is the biggest or the second biggest video store in the world. And we have 30,000 titles. So, working there for years its better that any school or anything. I did a film theory degree and all this. But you learn more about film just talking day in day out. Watching films in the shop all this. And we had everything and my bosses were just encyclopaedias. So I learnt everything there and I got into Asian cinema through there. I think maybe when I was…I think maybe before then…I think I saw *Hard Boiled* in the cinema when it came out initially which was I think 1992.
Interviewer	Yeah.
AT	That got me into it and then working in the video store got me into it a little bit more. I've always been, I'm obsessive compulsive, I've always been interesting in finding about things and obsessing about things. I'm also a record collector.
Interviewer	Oh, really…
AT	A total anorak.
Interviewer	You can't have much space in your house anymore.
AT	I don't, just records and DVDs.
Interviewer	Wow.

AT	Um I've always been interesting in and finding out about things that other people don't know about. Because what it the point in studying about Godard or anything when everybody else already knows this. It is better to find something that nobody else knows about and specialise in it.
Interviewer	Yeah.
AT	And so I initially got into a lot of, at the time it was relatively well know Suzuki and all this, and Masumura but I was maybe, I don't know. When I got into that I was maybe fifteen. Or maybe a bit younger.
Interviewer	Yeah.
AT	All the old Janis videos, which became Criterion in America.
Interviewer	Yeah.
AT	Um, and New York companies like that. I then I just started going and getting titles from Japan, Hong Kong, Korea and watching them. And it was around the time that the Korean film boom started in 1997/1998. I don't know. Yes, 1997/98.
Interviewer	Yeah, I'll trust your judgement on that.
AT	Coz it was like *Green Fist* and *Ginko Bed* was 99. But it was 1997/98. With that I just thought, 'what's this?' Let me get really into Korean cinema before anybody else does.
Interviewer	Right, yeah.
AT	I already knew Hong Kong quite well, but everyone did.
Interviewer	Yeah, its been big for a while.
AT	Coz Hong Kong died around 94/95 and the Korean cinema took over. So I specialised in Korean cinema and started teaching about it. Would teach a bit about Korean cinema at university in Florida and with the Korean cinema boom because no-one else really knew about it until, it wasn't until about 2001/2002 that people really started to pay attention. It was very specialised so when I moved over here and saw that Tartan was starting to do this. I moved back over here in 2001/2002 and I started working for them. But it was a bit disillusioning because I went in there thinking they were this company that bought all these great films.
Interviewer	Yeah.
AT	And then it was because I went in there just as Patrizia had left they just started buying rubbish. So with that I thought I know all this about cinema, about certain groups of cinema people don't know about. I can use that to buy and release film nobody else is ever going to see and show that to them. So I started up my own company. I left Tartan and started up my company around 2005 with the goal to release fan films. Films that all people like me knew about but that no-one else knew about because no-one

	else was going to. Because you really have to seek out these films.
Interviewer	Yeah.
AT	People like, who work, all the bigger companies you know all they do is they meet with the very large companies to buy the very larger films. The *Ong-Bak*s and *Battle Royale*s. I mean these aren't small films, they never were. People may think 'ooh what's this obscure film?', but it is not obscure, it's a massive film.
Interviewer	It seems obscure to a Western audience's…
AT	Yeah.
Interviewer	…perspective but it is not really. They're big budget.
AT	People were going on about *The Ring* when it came out, when Tartan released it. But I didn't know one person that hadn't seen it years before.
Interviewer	Umm.
AT	I mean we have VCDs of it. So I mean my goal was to release all these other sort of films and also mainly to, I mean over time its changed. Sorry, I tend to go back and forth a bit.
Interviewer	No, no, it's fine.
Waitress	[omitted]
AT	What Tartan were doing, Tartan built up in England the Asia Extreme thing, or the Asia thing. Criterion did it in the states years before but no-one ever gives them credit. Um, and what they did is they basically, they built it up with these certain films but there only were a few good films initially and that was, you, know, *Battle Royale*, things like that. The problem is, is they just stuck British people's interpretation of Asian cinema as 'extreme'. And then flooded the market with, first of all it was B title and then it was the C and D titles. That were just, you know, covering the same old thing. I mean how many long-haired ghost films did they release?
Interviewer	Yeah, quite a few.
AT	And the problem with that is with their success everyone just copied and you can only. Now there are only certain types of films, and certain types of quality of films you just keep on taking all those. You're just copying rubbish and one point. I mean it was only the first year or two that Tartan were releasing good films and then it was … really, really bad films. And Optimum were doing the same thing, not to the same degree.
Interviewer	Yeah, they didn't call it Asia extreme but they still had their Asia section.
AT	Optimum are probably the best of the bunch. Tartan were releasing all of these films for 20 quid and they were selling like hotcakes.
Interviewer	I'm amazed by that to be honest.

AT	Yeah, I mean it is a different market nowadays because of everybody releasing their films at £5 but they were selling all these films for 20 quid. But when you release rubbish…So you've got a person who is buying a title. When Tartan released all these great films, because people didn't know about them, the next film that came out people were going that's the same company that released this therefore it must be as good. I'll buy it, blindly. So, people were spending their £20 blindly over and over and over again.
Interviewer	Yeah, buying the next one.
AT	Just buying the next one. So there is only so long that you're going to do this before you've released that the last five films I've spent £20 on have been rubbish, I'm not going to do it anymore. And with this everyone started thinking like this and nobody bought Asian films anymore because after a year of spending £20 on rubbish films you're not going to do it anymore. And if you look at the number of, and I'm not talking the ring I'm talking average titles like *Full Time Killer,* which isn't terribly good at that. When they released that at £20 they sold maybe 5,000 units. And you take another Johnny To film that is 10 times better two years later like *PTU* or *Election* or *Exiled*, and they're doing barely 1,000 units. But it is because people have been put off.
Interviewer	So you think that sort of saturation of the market was really a negative thing for the industry in general?
AT	For the *Asian* film industry?
Interviewer	For the *Asian* film industry, yeah.
AT	Because, you know, you're releasing one genre of film, the same film in essence. I mean how many long-haired ghost films were made, 30/40….?
Interviewer	I don't know.
AT	…in a year?
Interviewer	It certainly fits in with your theory of people stopping buying them for a while yeah.
AT	Especially at £20. So everyone was dropping their prices and…
Interviewer	Especially as it's, it's still quite niche anyway. You know, your core audience is still going to be, um, you know, people who feel they want to watch Asian cinema in the first place.
AT	But it wasn't that. Tartan managed to open it up to the general public that were getting into it and I think they just got bored and turned it back to the niche people. Who have already bought these films when they came out in Hong Kong or Japan or Korea. So it just ruined, they're no market left. So what I've done, when I first picked up titles I was looking at titles that I liked, but were more genre orientated. Because you know it is a business in

	a way. I thought what I would do is release them so they'd probably make more, but at least they would be good.
Interviewer	Yeah.
AT	So I picked up films like *No Blood No Tears* by Seung-wan Ryoo and *PTU* by Johnny To…These are all titles that are loved by fans but fit into genre. And they just did terribly, because I caught it on the wrong time. So what I've released now is, I'm going to try and change what people's interpretation of Asian cinema is. So I started picking up a lot of titles…award winning dramas that aren't extreme. From Korea a lot of people know Kim Ki Duk, who is extreme drama in essence, you know films like *The Isle* or *Coastguard*. They're more dramas but they're a bit…
Interviewer	…Edgy I suppose…
AT	…Yeah. So I tried to pick up films that represent more of the country. Like Lee Chang-dong films. He represents Korea better than other directors that people know of. *Peppermint Candy*, *Oasis*,…and now I've just come with Japanese films. Films, like *Memories of Matsuko*, *Kamikaze Girls*. They really represent Japan, in a really different mould that what people have seen so far. *Fine Totally Fine* that played last week at the ICA. I mean it is completely different to what people have seen. And yet it is a good representation of what that country is doing. You need to, a type of film has to be Japanese/Korean/Chinese in more than a way that they're just speaking that language. A lot of Korean films ever since the boom made them so popular, have been making American films in Korean basically. They're action films… that don't represent they're country in any way other than the language. So you can't say this is really what Korea/this is really what Japan is like, its not. It's an American film.
Interviewer	But made in another language.
AT	And the irony behind it is America remaking films that in essence are a remake of American films.
Interviewer	Yes.
AT	I mean *The Chaser* this new Korean film that Metrodome released. I mean that is an American film, and it is being remade.
Interviewer	It's so weird.
AT	I mean it is no different that *Seven* or some police procedural thriller. What is the point in remaking it because it is just a remake of an American type film?
Interviewer	Well, it is the 'irritating' language film.
AT	It is, but these films don't represent their countries. So I am attempting to sort of change public perception.
Interviewer	That's really interesting… So you're more about changing the kind of stereotypes that have been built up by companies. I'm just trying to make

	sure I'm getting what you're saying right and not misinterpreting it.
AT	I think it is working though. Because, I mean the films did, *Matsuko* and *Kamikaze* did well theatrically as well as reviews. Critically it did quite well. And since then films like *Sakuran* have been released which I don think would have been released otherwise. And *20th Century Boys* is coming out through 4 digital. And a lot of titles that I don't think would have been released a year ago, or two years ago. So I think because of this we're going to see a new rise especially in Japanese cinema. Um, of more that the usual genre horrors.
Interviewer	Ok, so how do you actually…I want to discuss a bit how you decide what type of films to release. How do you actually go about sourcing them?
AT	Well…
Interviewer	What's the actual process?
AT	The Tartan process, the point where I'm into this. They pre-buy films. So they'd see a trailer, say it looks like a good trailer and they would buy a film. Which is why they released so much crap films because they didn't actually watch the film first.
Interviewer	Um.
AT	The problem with this, especially with Korean cinema is that anyone can cut a good trailer.
Interviewer	Yeah.
AT	Especially Korean films because they're very high production. So I mean, what I did, especially to ward off any people that might compete on a title, therefore putting the price up is just go to smaller companies smaller production companies as well as going to Japan, just meeting everyone, seeing what new films they have seeing what catalogue titles they have. Obviously I buy pretty much everything that comes out and get screeners of everything. I watch every single thing that comes out. So I know what is out there, what will do well, what people don't know about, go on messageboards to see what fans have written, oh I've just seen this film that's just come out, but I've never heard of it so you go and call up the production company and get a copy of it. You know, things like, this is the only way to find out about obscure titles.
Interviewer	Its interesting you mention that, because I don't know if I have mentioned to you or not that the other part of my research is to do with fans sharing East Asian cinema within certain messageboards.
AT	Yeah.
Interviewer	So not just discussion messageboards but the messageboards where people actually… post links to download the films as well. And I was quite sort of surprised from speaking to other people that it doesn't seem to be an

	industry tactic to go and look at these messageboards and decide to find out what people are talking about.
AT	Yeah, but you know, you talk to people. I'm sure you'll never speak to somebody like Hamish because he doesn't speak to people below a certain level. But you're never gonna, you're releasing films for a certain type of people. You should know what these people think. You should talk to these people. Either one on one or you should go on messageboards and find out what they want. And then give it to them. There is no point. I mean you don't know, there's no point in just thinking you know about everything. You have to know.
Interviewer	Yes.
AT	Yeah, I mean. That is how you learn about film is through other people like myself who are just otakus, as the Japanese say.
Interviewer	[anecdote about my BA thesis, not transcribed]
AT	I go to Aki Harbour and hang out in cafes, really, you couldn't get any more otaku than that.
Interviewer	Yes, no, no, yeah, and I am definitely nowhere near that. Because a lot of my research deals with fan based activities and I feel I have a good knowledge of things and then I meet other people, interview them or whatever and then think no, I know nothing. In comparison to the people I end up interviewing I know nothing. But anyway, I digress. Um, so are you a member of various messageboards, do you interact with people or do you…?
AT	I mean, um, I used to a lot more than I do now, mainly because, the problem with messageboards. A lot of the fans [hesitates over words], um, aren't analytical enough over film and a bit too otaku. In a 'oh, this film must be good because it sounds good' type of way. I mean *Twitch* is a great website. Do you know *Twitch*?
Interviewer	No I don't actually.
AT	It is probably the most read website for obscure cinema in the world, um, not obscure, more fan-based cinema. And it is great for learning about stuff but it is bad at the same time. They get too excited over things. Oh, this film has got zombie cheerleaders in bikinis, it must be good.
Interviewer	Yeah yeah…
AT	But, These films sound good but they never are. But the problem with them is that even when they watch it they still think it is good because they've built it up so much.
Interviewer	Yeah, kind of a *Snakes on a Plane* kind of thing.
AT	Yeah, like *Snakes on a Plane.*

	Or for one recently *Tokyo Gore Police* which I looked at initially and I thought, 'this must be good'. I watched it and it is terrible, but it is still getting bought and people arte still saying it is brilliant, it is not a good film. It's, it sounds good but you know when you watch it is actually boring…
Interviewer	Yeah.
AT	…and not good. *Machine Girl* is great, it is one for the few films that comes through as sounding great and actually being great. But these films, most of the time are not good, but the problem with fans is they get too obsessed over them.
Interviewer	Yeah, yeah, and therefore thing become sort of immediate cult classics.
AT	Exactly.
Interviewer	For no apparent reason.
AT	They're not. They've built it up so much that when they come out they're just blind.
Interviewer	Yeah.
AT	So, I've sort of strayed from that and gone more to festival circuits, um, that. I mean there are a few levels of film, but there is film festivals and film markets. Film markets are places where you just go and…
Waitress	[excluded from transcripts]
AT	Film markets are places where you go and it is basically just exhibition halls and there's stands it is like being at any sort of exhibition market where they sell toilets, toiletries or comics or anything. [There are] companies saying we've got this product. Then you've got the big film festivals like Cannes which are film festivals and markets where they're sort of split, but it is mainly just the bigger titles. And then you've got more fan-based festivals like Nippon Connection in Germany…where they're really more about doing retrospectives you know grabbing those small films from those small companies that you wouldn't see anywhere else. And these I've found are the best place to find and learn about films. And Nippon Connection and Edonai … and New York Asian film festival, things like this which are quite small, run by a few guys and these are film dorks. These places are, yeah, you really learn. But no film companies will ever go to these places.
Interviewer	Right.
AT	These are places that only fans go to.
Interviewer	Ok.
AT	Film companies go to big film festivals and big markets and they never really see. Because when you go to markets you've got sales agents who are

	trying to sell you their biggest film. They don't really care about selling for the smaller companies, [they] aren't gonna make big deals on small films. Because you don't actually see the films there most of the time. Normally you have to go and enquire and meet these small companies in a small group in the corner. Find out what they've got and get screeners for them but if you don't know what you're looking for you won't find it.
Interviewer	So, this is at film markets.
AT	At film festivals it is all big films. You know at Cannes there is maybe 600 films get screened and if you don't know exactly, because of the cost of renting a cinema is quite high you don't normally see the small films so you really have to know who the production company are, know who the sales agents are. You have to know what film you're looking for and really search out for it.
Interviewer	So you have to go with a strategy?
AT	Yeah, and that's why companies like Tartan will never find the smaller titles because they just go meet the big companies say 'what's your big new film?' and then watch that. There are no breakthrough titles that are going to be found. All the companies are like that. But little film festivals I mean you know, I wouldn't say Raindance because they're a bit rubbish, but a festival like that, which has a better programming team is where you'll, is where no distributors will go, just general public and fans will go. And that is where you'll find the good titles.
Interviewer	Because that is more really about showcasing films as opposed to selling it? …
AT	If you've got a good programmer. The guy who programmes the Japanese titles at Raindance, Jasper Sharp, there is always great Japanese titles there. Titles that I don't know and I find out and watch them. But without a good programmer…
Interviewer	I've heard of Jasper Sharp, but I can't think…because I find the more people I have spoken to the more people have mentioned the same names of who I need to speak to if you see what I mean. And most of the people I have spoken to have kind of said that I have to speak to you, because they seem to think you know what you're talking about, which I'm sure you do.
AT	Sometimes, depends what they know.
Interviewer	But, um…
AT	Yeah, Jasper's great.
Interviewer	What was I going to say? So when was it that you worked at Tartan?
AT	It was only for a year.
Interviewer	Um.

AT	I didn't do much either.
Interviewer	What was your job role there?
AT	I just sort of helped Jane out. I started there interning and then they started paying me but I didn't really do much, I just sort of sat around, and Jane, Jane you know gets all the screeners. She needed somebody to watch them so I watched them and said you should buy this, but they never listened.
Interviewer	What was your, I know we've already talked about this a bit, but what was your impression of their decision making process in terms of what to release?
AT	I mean the problem is they had somebody like Jane, who's brilliant, knows her stuff. I don't know why they hired her because they didn't actually listen to her. I mean Hamish…. Patrizia was the first in who, you see Hamish is very stubborn and he's got a massive ego and if he doesn't think about something then it's not worth it. So if you give him the best film in the world and if he hasn't thought about it himself then he won't listen to you. So Jane would probably get films pushed across to him, she was incredibly, she's a very good woman. She was very funny about, she would just, I'd meet her at a festivals and she'd go yeah I've gotta watch this shit film because Hamish wants to buy it. Its rubbish but it will make money. Things like that. And because, you know, like anything you need opposing points of view, you can't just make all of the decisions yourself. Effectively you'll get pigeonholed ideas.
Interviewer	I mean I was quite surprised when I first started interviewing people to find out that the decision making didn't seem to be by many people, it seemed to be by many people, it seemed to be, you know, the acquisitions, the head of acquisitions and then the CEO or whatever ….
AT	Yeah
Interviewer	…would approve or not and I thought that's, I mean I know Tartan is quite a small company but I was surprised at that sort of, that there wasn't more, I don't know, openness about it. There weren't more people making those decisions.
AT	No, with Tartan it was a problem because of Hamish's ego and I mean some companies will listen to other people's decision but it all comes down to the egos. In most companies is that big people don't think the people below know anything and the thing is I've never actually met anybody. Maybe, not really anybody at a relatively large company that knows anything that's high up.
Interviewer	Yeah
AT	Nobody at Tartan really with the exception of Matt Hass and Jane knew anything about film. They're all business people. They could be marketing

	anything, I mean. But the problem with knowing about film is it is not good when you run a film industry and loving film.
Interviewer	Yeah, no, that's true I suppose.
AT	Yeah, you just become really cynical of the whole industry, it could be selling paper towels. If you love a film then you could get blind to the fact that it could make any more.
Interviewer	Yeah, I suppose that's the thing, you could, if you're too invested in the art form then you won't necessarily make any money.
AT	Exactly, my sales company World Cinema, we used to own Tartan film. The guy who runs it he watches maybe one foreigh film a year and he handles maybe every single small foreign film company. Yume, Artificial Eye, ICA, myself, Tartan and all that.
Interviewer	Really?
AT	And he admits to it. He says you can't watch this sort of stuff because you get emotional about it and then you can't really sell it well.
Interviewer	That is, yeah, I suppose both surprising and interesting and also understandable is suppose when you think about it.
AT	I mean I think it is terrible.
Interviewer	Well…
AT	But that's how it goes.
Interviewer	Yeah, but then of course I'm trying as much as possible to take an objective view when doing all these interviews…
AT	Yeah, I mean. Like I said when I started I was really starry eyed and, 'ohh Tartan it must be brilliant' and after a year there I though this industry is so corrupt, nobody watches any film, nobody loves film. The only people that do are runners. But it is how it is. I mean, nobody believes me when I tell them that Tartan, a company like Tartan, had maybe one person there who knew about film.
Interviewer	No.
AT	And that was Matt and he was a runner.
Interviewer	Yeah, I was very surprised. I did actually get to speak to Matt briefly and he also mentioned your name. I don't think he thought he was really a good person to talk to because he was like 'I know a lot about films but I don't really know a lot about the process'. But I mean I spoke to, the people I've spoken to I think who are, who else did I speak to? Ben Stoddart who used to work there.
AT	Yeah.
Interviewer	That would have been after you. And another guy called Andy
AT	Yeah, but they're just going to tell you what I'm telling you I can imagine is

	that the just get infuriated and cynical and pissed off at how it is done.
Interviewer	Yeah, but then again from my perspective that is quite interesting. If you see what I mean so I'm not, I am of course concerned with how things happen but I am also concerned with, because I am looking largely at the cultures of distribution. How people, not just how distribution works but how people interact with the whole process. Without telling you too much about without giving the whole game away, um, to me speaking to anyone is an interesting thing. Because everything everyone says is interesting for my purposes. If that makes sense?
AT	Yeah perfect.
Interviewer	So in terms of third window, um, is it just you or is it bigger?
AT	No, it is just me.
Interviewer	Just you?
AT	I mean I've got a marketing company, a PR marketing company called The Associates who do PR and marketing for other titles/other companies like me. They do Contender, Shellbox, 4 digital, ICA, all that kind of stuff. And that is Paul Smith actually, who you should probably try to speak to. He was at Tartan for about, longer than anybody else.
Interviewer	Oh, right.
AT	He was their head of press and marketing. And he is a really nice guy and he knows his stuff. I'll give you his email.
Interviewer	Mm, that would be fantastic.
AT	And then my sales were through Metrodome but they were terrible.
Interviewer	Mmm?
AT	Absolutely abysmal. So I moved to World Cinema who are now called Fusion. And World Cinema were part owned by Hamish and the World Cinema office is over the Tartan video's office. So World Cinema works with Tom Kelly and Marie Dibbs they were working on Poland street. And then when Tartan went under, Hamish really screwed them over along with everyone else. And now they're in another office and they had to change they're name and all this. But they're, they're just a sales company who work, you give everything, they go to the stores they sell it and they take a cut. And I don't terribly do that much myself actually. Only because I am a really shit businessman but you know I've got a graphic designer and I've got a guy who makes the DVDs so I just sort the titles. Find out what I want to release for how much. I mean I don't do press for theatrical I book for the cinemas but it doesn't pay that much.
Interviewer	Ok, The thing is for this kind of interview is I don't have set questions just kind of general topics. If I could, if we could, because the other part of my research is to do with filesharing. Basically to do with these messageboards

	where people paste links to download East Asian films. And I'm looking at a couple of key specialist sites. So I'm dealing with something that is really quite incredibly niche but there we go. But I am just wondering what sort of opinion you have about filesharing in general.
AT	I mean I'm sure your talking about illegal filesharing?
Interviewer	Oh, yes, illegal.
AT	For legal filesharing there is companies like Film On, which I put my films through so you can legally download them for a certain price. For illegal, I mean, without saying too much, I got, when I started to get really into cinema I lived in the middle of nowhere in Massachusetts. I think there were maybe 1,000 people in the city lived and just one main street. But I had a brilliant internet connection and the only way I could get titles was to download them. I got into trouble about it. Basically download and then fileshare. Before, back when we had broadband,…I would fileshare and save movies and we even encoded new, you know MP4?
Interviewer	Yeah.
AT	We started this, I was in a group we all got in trouble by the government but…
Interviewer	Oh dear.
AT	…we started all these messageboards of an initial filesharing years and years ago before VCDs sort of thing, at the beginning of VCDs. And you know, at the time it was great, but I'm a collector. And also the thing with Asian and foreign films is that people will spend more to buy a title that they can have an own. For two reasons, one… just for the idea of collecting it. Second of all, especially for foreign films and fringe films people like to feel more intellectual when they've got friends come over and they've got some really fancy French film on show.
Interviewer	Yeah, you've got a whole line of very posh films, yeah?
AT	Exactly, nobody really wants to have…*Spideman 3* on display. It is not going to impress anybody. People might think you're a bit of an idiot, if you've got… I mean I'm being a bit general.
Interviewer	No no, I'm thinking about my own DVD collection, because it is mixed in with my boyfriend's there is lots of *Spiderman 3* and *Die Hard* and stuff like that, which I actually like.
AT	I love that.
Interviewer	Yeah, no, Die Hard was not the best example, he's go action films and then there is my films are interspersed with it because we've got a joint DVD collection and occasionally I do get a little bit like 'please don't come round and judge me by his films.'
AT	Exactly, that's just how it is, this is life. People look when they come by, they

	look at your books and they judge your character or your intellect. Um, I mean it is like, I'm reading a magazine like Heat and they say what sort of person is he? I do it. You say you don't, but you do.
Interviewer	Oh we all do.
AT	Yes. So, you know, with that and also people don't want to spend so much on library films, that's why they're all released for £5 and all that. And with those sort of films I will download, I mean I don't want a whole wall, I don't have any room to put all these films on, but I want to watch them. So I go to rent or digitally copy them and I download them. I think with the foreign films, the only reason people download them is because they don't have access to them. A lot of these people who watch Asian films are collectors, um, they are all like me. Have big collections. Especially because, in places like Korea every DVD is released as a box set which is always nice.
Interviewer	Yeah, yeah, yeah.
AT	Here people maybe aren't so much collectors. Because the disk itself is not so collectable. I mean the *Old Boy* box set was great over here but other than that one disk one is not that nice looking. I love, I buy all Korean films, whether they're good or not, because the box is unbelievable, that big sometimes [indicates size]. Unbelievable. So you've got that collectors front. People will research out films like to collect and own.
Interviewer	Yeah.
AT	So, you know, I think it is just, it is just about availability. Where they can buy it. Japanese films are the worst for piracy because they charge! To buy a DVD in Japan, first of all most of the films don't come with subtitles, if it does, we're talking £40/50 a DVD. A basic DVD, not a box set. So because of that people will bootleg. But I don't really think it is that much of an issue.
Interviewer	Um…
AT	I'll get a bit mad, I mean, if someone is bootlegging my title. But you know I think also with the bootleg, the thing with collectors is they like features. If you put a DVD out with extra features, nobody bootlegs the extra features when you download. No-one downloads the features. People like all that on the disk. So if you make an effort. Towards the end of Tartan they never put any extra features on disks. And that was a lot of the problem was that people don't want to spend that much and get just the film.
Interviewer	No.
AT	So if you, all this can stop people pirate. Put a nice disk out, nice packaging for people to look at it. Extra features. If you can afford it a box set, all this stuff will. Because people, back in the day the only way, there used to be a guy in

	New York and what he would do is he would get a Japanese DVD and then he would create subtitles for it and then put it online. And that is one of the things you get a lot with file…messageboards, people create subtitles. And this is very important because it is the only way you can see it. You can't buy it. Because the subtitles aren't on the disk so that that's you know I'll let them get by, I'll do it, I mean it is no skin off my back. If it is not released and somebody creates subtitles and releases it then good job.
Interviewer	So you don't, you know, you don't feel particularly threatened by in terms of your won industry and the fact that you're trying to make money out of. I realise you're primary motivation is not making money.
AT	I don't make any money I'm broke.
Interviewer	Ok, I think I have mainly covered everything.

Informal Distributors

The interviews with the informal distributors were all conducted over IRC chat software for the reasons discussed in the methodology chapter. As these interviews were rather lengthy, frequently covered issues completely unrelated to the research topic, and often included potential sensitive information, edited extracts have been provided rather than full transcripts. Due to the nature of IRQ conversations, information frequently appears out of order. As such, the sequence in which information appears in each extract has been edited to make sense to the reader rather than reproduced faithfully from the IRC transcripts. It should also be noted that because IRQ is a textual form of communication the transcript is produced automatically at the time of interview, as such, the transcript reproduces what the interviewee typed and spelling and grammatical errors have not been corrected. Furthermore, only the first extract contains the section of each interview where interviewees were given background information on the research and asked for their consent. This extract is not replicated in any of the following transcripts but it was given to each interviewee in the same form at the beginning of each interview.

Extract from ICQ Interview with Ancient, an intermediate distributor on the *CP* forum.

August 2009.

<Interviewer>
There are a couple of things i have to go through before you start to make sure you understand the purpose of my research and what i am going to use the info you give me for.

< Ancient>
ok, i think i got it, but tell me.

<Interviewer>
it's a formality i am afraid

<Interviewer>
The research I am undertaking into internet distribution will also complement the other side of my research project which is into the industry practice of distribution companies who specialise in East Asian cinema.

< Ancient>
ok

<Interviewer>
I am carrying out this research over the next few years so the final product will probably not be finished until at least 2010. After the interview has been conducted I can send you a copy of the interview transcript (if you would like) in case you would like some to make some amendments. I have no plans at present to get all or part of my PhD thesis published. However, there is a possibility that this might happen.

<Interviewer>
Ordinarily before an interview it would be necessary for you to fill in a consent form just to show that you are happy to take part in the study and for the information that you give me to be used for the purposes of my research. In the absence of a consent form could you please say whether or not you consent to this interview and whether or not you to consent to what you say in this interview being quoted in my research project.

<Interviewer>
is this ok?

<Interviewer>
How did you come to join the forum?

< Ancient>
not sure really. I've likked this kind of stuff [East Asian films] for a while and I knew the forum existed. I think there was a post on [name of forum removed] that said they were lettin ppl join so I did.

<Interviewer>
When did you start sharing?

< Ancient>
like I said, I was also s member of [name of forum removed]. They mostly do other stuff, aanime and Japanese shit. I got releses from there and then shared on [*Chinaphiles*] as well.

<Interviewer>
What was the first film that you made available?

< Ancient>
mustve been years ago so not to sure.
< Ancient>
Probably something I thought the guys would like, maybe something someone

requested.

< Ancient>
I'll often find things on other forums and put them up here. I have lots of links with other sites so I like to share them.

<Interviewer>
Do you always get files from other forums?

< Ancient>
Yeah, wots the point in going to the effort myself is someonese already done it ;)

< Ancient>
i mostly want stuff with spanish subs anyway so I try to find releases where someone has done the subs already.

<Interviewer>
do you every translate subtitles from English to Spanish yourself?

< Ancient>
i usually don't need to.

<Interviewer>
ok

< Ancient>
at [name of website removed] there are tons of movies already translated

<Interviewer>
i see

< Ancient>
and older subs usually fit to newer encodes

<Interviewer>
aha

< Ancient>
sometimes you need to fix the timing a bit

< Ancient>
the most tipical problem is the framerate

< Ancient>
you have in europe the PAL system

< Ancient>
it has a higher resolution and 25 frames per second

<Interviewer>
uhu

< Ancient>
[In the] USA for example

< Ancient>
the DVDs are NTSC, a little bit lower resolution and 23.976 Frames Per Seconf

< Ancient>
*Second

< Ancient>
so there is a 4% speed difference between the 2 systems

< Ancient>
but there are many programs that help you with that.

<Interviewer>
so you have to fiddle about with the timing?

< Ancient>
with a little luck it is just one button click and you are done

< Ancient>
the problem is when the DVD editions are different.

<Interviewer>
it sounds like a lot of work though, why bother?

< Ancient>

i like to share my love for Asian movies. online and offline

< Ancient>
for example my father in law likes Asian cinema a lot

< Ancient>
but he can't read english

<Interviewer>
aha

< Ancient>
so he enjoys Asian movies with spanish 'fansubs'

< Ancient>
and while i am at it, I can share the effort with many people online

<Interviewer>
do you think there is a market for Asian films in spanish speaking countries?

< Ancient>
sure, but I don't know how big

< Ancient>
perhaps it is not profitable

<Interviewer>
do you think that is why the distribution companies stay away?

< Ancient>
certainly

<Interviewer>
what about [name of website removed] is it popular?

< Ancient>
it is THE meeting point for spanish speaking people that love Asian cinema

< Ancient>
but [*Chinaphiles*] is many times bigger than [name of website removed]

<Interviewer>
so it spans all spanish speaking countries?

< Ancient>
that's another issue

<Interviewer>
in what way?

< Ancient>
spanish spoken in spain is different than the spanish spoken for example in latinamerica

<Interviewer>
oh i see

< Ancient>
at [name of website removed] most subs are made by spaniards

< Ancient>
so there is another site! [name of website and hyperlink removed]

< Ancient>
[name of website removed] focuses more on latinamerican spanish

< Ancient>
but this site is even smaller

<Interviewer>
i see

<Interviewer>
how involved are you with [name of website removed] and [*Chinaphiles*]?

< Ancient>
i am ok with spanish subs made by spaniards

< Ancient>
i release perhaps 1 movie every month

< Ancient>
and i try to get, adapt or translate the subs in spanish for [name of website removed]

< Ancient>
from time to time there is a great movie not released by me that need spanish subs (adaptations or translation) and i do them.

Extract from ICQ Interview with Jo, an autonomous distributor on the *CP* and *EL* forums

January 2007.

<Interviewer>
what was the first film that you made available for download?

<Jo>
there are many levels

<Jo>
just using a P2P program you are making the stuff you download available

<Interviewer>
good point

<Jo>
but the first movie i encoded and shared, I think it was Days of Being Wild

<Jo>
a film directed by Wong Kar-Wai

<Interviewer>
that was what i meant...thanks for unpicking my meaning

<Interviewer>
why that particular film?

<Jo>
first i am a BIG fan of wong kar wai

<Interviewer>
understandably

<Interviewer>
so am i

<Jo>
i discovered him through P2P. emule to be more specific

<Interviewer>
really, that's very interesting

<Jo>
and after seeing a couple of his movies

<Jo>
i bought all of them

<Interviewer>
are his film's readily available where you are?

<Jo>
nope, none are available

<Jo>
of all his movies, i think Days of Being Wild was the movie with the worst releases

<Jo>
no, i think In The Mood For Love and 2046 are available

<Interviewer>
but they're very recent ones

<Jo>
The R4 (my DVD zone here in argentina) versions of In The Mood For Love and 2046 are terrible

<Jo>

I bought the Criterion version of In The Mood For Love and the Korean version of 2046

<Interviewer>
can you explain why they are terrible?

<Jo>
When I bought them, these were the best versions available

<Interviewer>
are they subtitled into your first language?

<Jo>
2046: the movie was released as DVD9 (DVD of aprox 9GB), but the R4 versions of 2046 was compressed and butchered into a DVD5 (aprox 5GB)

<Jo>
there are some compression artifacts, blurred colors

<Jo>
and the spanish subtitles are not even good. so i bought the korean DVD. it comes with english subs which is fine by me,

<Jo>
BTW, before I buy a DVD I research a lot about the different editions

<Jo>
i start mainly here: http://DVDcompare.net/

<Jo>
and here: http://www.DVDbeaver.com/

<Interviewer>
so you decide to buy the best edition available?

<Jo>
for example here you see that the korean version of 2046 has the highest rating:

<Jo>
http://www.DVDbeaver.com/film/DVDCompare7/2046.htm

<Jo>
yes

<Jo>
sorry, that was not the link with the review of the korean 2046 edition

<Interviewer>
that's really interesting, i did not realise that these DVD comparison sites existed. Did you use one of these to get hold of your copy of your Days of Being Wild DVD

<Jo>
yes and no. yes i tried to get the best edition, but I couldn't

<Interviewer>
why not?

<Jo>
days of being wild is pretty interesting in that area.

<Interviewer>
can you explain why?

<Jo>
Cristopher Doyle, Wong Kar-Wai's cinematographer gave the whole movie a greenish tone. the people releasing the DVDs thought it was an error and 'corrected' it. so most edition don't stay true to Christpher Doyle's vision

<Interviewer>
really!

<Jo>
the copy I got was the only available at amazon

<Jo>
and the good ones were not available at yesasia at that time

<Interviewer>
is this 'correction' true of the vhs as well?

<Jo>

you can look at my days of being wild release thread at [*Chinaphiles*]

<Interviewer>
I will do, thanks.

<Jo>
a true fan of wong kar-wai asked inmediately what my source was.

<Jo>
it was probably corrected in the VHS versions, but I am not sure

<Interviewer>
did your source have the correction?

<Jo>
[url to release thread removed]

<Jo>
yep, sadly

<Jo>
the 'good' version is still in my 'to buy' list

<Jo>
you see in the NFO [text information accompany releases on filesharing forums] of my release that I wrote that my source was the Kino on Video version

<Jo>
this is the review page that includes the korean version of 2046:
http://www.DVDbeaver.com/film/DVDCompare11/2046.htm

<Interviewer>
so, to clarify, did you decide to make this film available because of the poor quality of the available releases?

<Jo>
quality is my main reason and availability the second. so a mixture of these both things is what I use to decide what to release

<Interviewer>

As you are a fan have you encoded and shared all of wong kar wai's films?

<Jo>
I still want to do Happy Together. A few months ago a 10th anniversary DVD was released. I still want to buy and encode that one.

<Jo>
and then it's Eros. a movie with 3 parts and WKW directed one of them

<Interviewer>
has that come out there yet?

<Interviewer>
Eros i mean

<Jo>
yes, it was a 2004 movie: http://www.imdb.com/title/tt0343663/

<Interviewer>
are the films that you release generally with english subtitles?

<Jo>
mostly. but I own some DVDs of Asian movies that don't have english (or even less spanish) subs.

<Interviewer>
do you ever makes subs yourself?

<Jo>
there is for example a classic wuxia-pian movie by Tsui Harks: The Blade

<Jo>
[url to film release thread removed]

<Jo>
the previous chinese DVD was VERY VERY BAD

<Jo>
a new french remasterisation came out last year

<Jo>
and those french...

<Jo>
the DVD came out without english subs

<Jo>
you see in my NFO:

<Jo>
Note: The DVD has only French subs, the English subs are

<Jo>
from an older DVD release. Thanks to [name removed] from

<Jo>
[website name removed] for the English subtitles.

<Interviewer>
so how did you get hold of these subs from [name removed]?

<Jo>
there is this other ed2k site in spanish. i gave you the URL in one of my PMs [private messages]: [website name removed]

<Interviewer>
i see

<Jo>
[name removed] is a member there

<Interviewer>
can you describe to me the process of taking his subs and putting them with his release? sorry if this seems like a silly question.

<Interviewer>
* your* release

<Jo>
off topic: this is why i haven't bought happy together yet: US$182.99

<Jo>
http://global.yesasia.com/en/PrdDept.aspx/code-c/section-videos/pid-1004280657/

<Interviewer>
wow!

<Jo>
you have the other link: [website link removed]

<Jo>
there you have links, support forums and general info for us people doing encodes

<Interviewer>
ok, thanks.

<Jo>
there is for example a a program called: VobSub Indexer

<Interviewer>
ok...

<Jo>
with this program you can copy the subs of a DVD as a single file (2 files)

<Jo>
subs in a DVD come as 'pictures'

<Jo>
you can watch them, but you can edit them

<Jo>
so you have another program called: SubRip

<Jo>
it's an OCR program for subtitles

<Interviewer>
sorry, OCR?

<Jo>
Optical Character Recognition

<Interviewer>
ok

<Jo>
it is used for example when you scan a text

<Interviewer>
i getcha

<Jo>
then you use OCR to put those characters into real text

<Jo>
the same applies to subtitles

<Jo>
and after that, when you have them in text format

<Jo>
it is very easy to adjust timings, correct or translate them

<Jo>
you can open them even with somthing as simple as Notepad

<Jo>
there are tons of sites dovted just to subtitles

<Jo>
[website name removed] is a subtitle site just for english subs of Asian movies

<Interviewer>
i think i've heard of that

<Jo>
then you have [website name removed]

<Jo>

or [website name removed] (which is not working as usual)

<Jo>
subtitles are a huge thing, not just for Asian cinema

<Jo>
here you have a page with links to many subtitles sites: [link to website removed].

Extract from ICQ Interview with Kolo, an autonomous distributor on the *Eastern Legends* forum.

September 2009.

<Interviewer>
how long have you been doing this?

<Kolo>
i started downloading with emule in 2000-1

<Kolo>
in 2002-3 i also started using bittorrent

<Kolo>
but releasing and translating my own stuff, only last yeatr

<Kolo>
year

<Interviewer>
how many films would you say you have done so far?

<Kolo>
let me see... I also do some western movies which I release at [website name removed] (the mecca of the ed2k world)

<Interviewer>
hehe

<Kolo>
aprox 35 movies in total. 22 were Asian movies. but of all those 35, i think there are 5 or 6 that i haven't released yet.

<Interviewer>
Were the Asian films on [*Eastern Legends*]?

<Kolo>
Not exclusively, I might have added the links on other sites as well. I would imagine they would work there way elsewhere anyway.

<Kolo>
i share on [*Eastern Legends*] mainly. Suspect the links end up all over the place

<Interviewer>
Do you ever prepare releases with other people?

<Kolo>
no. that's more a Scene thing. Us on [*Eastern Legends*] tend to work alone.

<Kolo>
im not against them [the Scene]. But is not what I'm about.

<Kolo>
The Scene groups will work together but they turn out far more stuff. They're organise, you know.
<Kolo>
it s not just about the movies, it's the sharing.

<Kolo>
they share to make a name for themselves. They're not all about the films like we are.

<Kolo>
☺

<Interviewer>
how long does it take you to prepare a release>

<Interviewer>

?

<Kolo>
minutes in fornt of my PC, perhaps not that many. 1-2 hour if they movies don't need subs

<Kolo>
but the computer runs aprox. 20 hours for one encode

<Kolo>
and i usually do 3-5 versions to make a good release

<Kolo>
so the computer can run perhaps 100 hours just for one release

<Kolo>
i can use the computer in the meantime for anything else i want. i run the encoding at a very low priority

<Interviewer>
so it doesn't use up all your cpu?

<Kolo>
it uses all the CPU when nothing else need it, but if i need the CPU for something else, then the encoding uses 1%-5% of it.

<Interviewer>
i see

<Kolo>
*needs

<Interviewer>
Why go through the process?

<Kolo>
of encoding etc?

<Interviewer>
yes

<Kolo>
many reasons I suppose. Because I can. Hehe.

<Kolo>
srlsly, it isn't much bother. I want things to be available to em [me] and others.

<Kolo>
theres so much that never gets out there. So much i wouldn't see if i didnt do this.

<Kolo>
some Asian stuff comes out on DVD here but not much. If it does come out it usually costs an arm an a leg if you know what I mean. Hehe.

<Kolo>
obviously they have to make a living but iimport stuff is pricey.

<Kolo>
that's not why I do it though. If I can buy I do. Don't like how much it costs though ☺

Extract from ICQ Interview with Naxx, an autonomous distributor on the *Eastern Legends* forum.

December 2008.

<Interviewer>
do you ever prepare releases with other people?

<Naxx>
there are many levels for collaborative work

<Naxx>
Asian movies tend to have bad masters that need a lot of filtering to get the best out of them

<Naxx>
many people ask me what filters to use in certain situations

<Naxx>
so that is a bit of a team work

<Naxx>
then i made just couple of subs for movies released by others.

<Naxx>
and then a release is spread first among a small group of users to make the spreading after that a bit faste

<Naxx>
*faster

<Naxx>
i also helped sometimes with that

<Interviewer>
is a release always spread amongst a small group of users first?

<Naxx>
no, but when you do it that way the final spreading goes faster

<Naxx>
an example of bad crosstalking among websites was for example my release of Seven Samurai

<Interviewer>
uhu

<Naxx>
[hyperlink to another section on the *Eastern Legends* forum removed]

<Naxx>
seven samurai was one of the first criterion releases back in 1999 or 2000 i think

<Naxx>
critirion is known for quality DVDs (non-mainstream movies, including Asian cinema)

<Naxx>

but their first release of Seven Samurai was BAD

<Naxx>
last year they did a new version: http://www.criterionco.com/asp/release.asp?id=2

<Naxx>
i made a rip of it, and at the same time [name of person] also did a release

<Naxx>
at [name of website removed]

<Naxx>
if he would have know i was doing it, or the other way around

<Naxx>
we wouldn't have made a double release.

<Interviewer>
i see, so you're not competitive about releases then?

<Naxx>
it is a loss of efforts for us, not only because of the time spent during the encode

<Naxx>
but also the spreading is not going to be as good.

<Interviewer>
true

<Naxx>
we are a small community at [name of websites removed], so it really makes no sense to compete if you are going to release something with similar specifications

<Interviewer>
are releases coordinated over and above trying to make sure two people are not working on the same release at the same time?

<Naxx>
well, Asian cinema is not that big, and we guys releasing it are not that many, so this usually does not happen.

<Naxx>
but i announce my encodes at [name of websites removed] to avoid this situations

<Naxx>
for example: [hyperlink post on the *Eastern Legends* forum removed]

<Interviewer>
i see

<Naxx>
[hyperlink post on the *Eastern Legends* forum removed]

<Naxx>
[hyperlink a post on the *Eastern Legends* forum removed. This post discusses preferred compression rates and software in some detail.]

<Interviewer>
the other members of the board seem to appreciate the effort you put into quality releases

<Naxx>
that part of the fun! :)

<Naxx>
*thats

<Interviewer>
do you ever respond to requests?

<Naxx>
already answered here: [[hyperlink post on the *Eastern Legends* forum removed, the link goes to a post on the *Eastern Legends* forum where Naxx has posted a particular film in response to a specific request. The discussion thread is rather long. Thanks are given to Naxx, who dutifully produces revised versions of the release in response to community feedback.]

<Naxx>
;-)

<Interviewer>
:)

Extract from ICQ Interview with Sills, an intermediary distributor on the *Chinaphiles* forum.

August 2009.

<Interviewer>
What was the first film that you made available for download?

<Sills>

i don't rip DVD's myself either, so might be a spanner there.

<Sills>
I am a member of many sites and I share between them all.

<Interviewer>
Why share films within [*Chinaphiles*] and the other sites?

<Sills>
I got into file sharing because I couldn't get hold of the Asian films I wanted because of poor distribution or extreme prices.'

<Sills>
getting thanks from other users for quality releases was 'part of the fun! :)'

<Interviewer>
Do you think there is a market for Asian films in your country?

There is and there isn't you know.

<Sills>
some things get through but generally distribution is poor.

<Sills>
stuff like hero, you know, crounching tiger type stuff. You get all that.

<Sills>
anime's not too bad. Much better than it was anyway.

<Sills>
the mainstream stuff is esy to get hold of but the non-mainstream. No, I reacon theres not really a market. Why would there be.

<Sills>
some of the stuff on here [*Chinaphiles*] is pretty niche, I wouldn't expect most people to be into it.

<Sills>
you have to really know about this stuff to get into it.

<Sills>
most people aren't really gonna come across. As is say, its pretty niche.

<Interviewer>
How involved are you with [*Chinaphiles*]?

<Sills>
Very

<Sills>
but I'm a members of lots of sites

As you might have gathered from cruising the forums here it's not really fans getting loved up over cinema.

<Sills>
In fact this is probably the most brutal forum I belong to, so not sure you'll find exactly what you're looking for here (although I could be wrong).

<Sills>
Other sites are different.

<Sills>
[name of website removed] is mostly recent films and mostly stuff that's been taken from chinese trackers.

<Sills>
Most people here don't rip the DVD's themselves (although some do) because there's a whole scene (called The Scene) who compete with each other to get new movies out as quick as possible.

<Sills>
Often the DVD's are released without english subs and have to be translated by fans, which is where a place like this does stand out.

<Sills>
[name of website removed] is another smaller torrent site (with many of the same members) where a lot of smaller or older films and newly remastered classic stuff gets upped.

<Sills>
A lot of stuff there is ripped by members, including tv dramas and docs.

<Sills>
Again a lot of fan subbing going on there.

<Sills>
[*Eastern Legends*] is exclusively DVDs (whole DVDs not compressed into avi files).

<Sills>
Very enthusiastic fans but not that many people have bandwidth to handle such large file sizes (although more and more do).

<Sills>
Many people here rip their own DVD's.

<Sills>
There are a number of DVD-only sites and most carry the latest Asian blockbusters and new releases (mostly Scene), only [*Eastern Legends*] does the older stuff.

<Sills>
[name of website removed] is a specialist site for all non-mainstream movies (no

hollywood blockbusters) including Asian and people up a lot of quality Asian filmage.

<Sills>
[This site] is special because, apart from the great flicks, it works as a library.

<Sills>
Films are never deleted like at most sites, even when no one is seeding them (you can request reseeds - and get them).

<Sills>
Scene releases are generally discouraged so almost everything is personal rips.

<Sills>
In terms of file sharing East Asian films I'd say those were the main ones.

<Sills>
Most recent/blockbuster/special edition releases are ripped by Scene groups.

<Sills>
More specialist, rare and older stuff gets ripped by general members at the devotee sites. Anyway, hope that helps a bit.