

'BLOODY PIRATES!!! *shakes fist*': Reimagining East Asian film distribution and reception through online filesharing networks

Crisp, V.

Author post-print (accepted) deposited in CURVE May 2015

Original citation & hyperlink:

Crisp, V. (2012) 'BLOODY PIRATES!!! *shakes fist*': Reimagining East Asian film distribution and reception through online filesharing networks. *Journal of Japanese and Korean Cinema*, volume 3 (1): 65-72.

http://dx.doi.org/10.1386/jjkc.3.1.65_1

Publisher statement: This is an Accepted Manuscript of an article published by Taylor & Francis in *Journal of Japanese and Korean Cinema* on 10 January 2012, available online: http://dx.doi.org/10.1386/jjkc.3.1.65_1.

Copyright © and Moral Rights are retained by the author(s) and/ or other copyright owners. A copy can be downloaded for personal non-commercial research or study, without prior permission or charge. This item cannot be reproduced or quoted extensively from without first obtaining permission in writing from the copyright holder(s). The content must not be changed in any way or sold commercially in any format or medium without the formal permission of the copyright holders.

This document is the author's post-print version, incorporating any revisions agreed during the peer-review process. Some differences between the published version and this version may remain and you are advised to consult the published version if you wish to cite from it.

CURVE is the Institutional Repository for Coventry University

<http://curve.coventry.ac.uk/open>

'BLOODY PIRATES!!! *shakes fist*': Reimagining East Asian film distribution and reception through online filesharing networks

Journal of Japanese and Korean Cinema Volume 3 Number 1 pp. 65–72

Virginia Crisp, Coventry University

ABSTRACT

Through an examination of the findings of an ethnographic study of online forums concerned with sharing East Asian films, this article considers how these filesharing forums enable audiences to both reimagine and reconfigure their relationship with the text. Rather than replacing traditional forms of production, distribution and consumption, these activities exist alongside them, but can be considered to further blur the boundaries between such categorizations. On filesharing forums, films will be sourced, encoded, shared, promoted, subtitled, recommended and reviewed by a range of people who cannot be easily categorized as simply consumers, producers or distributors in any traditional sense. As such, the 'linear' industry model where a film is produced, distributed and consumed by people who occupy strict roles in the process explodes into a network model that involves a varied and dispersed group of people (both professional and amateur). Perhaps more significantly, these forum members see their online activities as adding value to the product; far from viewing themselves as revenue-stealing 'pirates' they conceive of themselves as almost part of the East Asian film industry. By viewing their activities as promotional and adopting ethical codes they interpret their own behaviour as positively contributing to an industry that they hold in the highest regard.

INTRODUCTION

This article considers the worldwide distribution and reception of Japanese cinema facilitated by filesharing forums dedicated to East Asian films. Drawing on online ethnographic research conducted from 2006 to 2009 this work considers how these filesharing forums enable fans of Japanese films to both reimagine and reconfigure their relationship with the text. The quote in the title of this article, 'BLOODY PIRATES!!! *shakes fist*' is taken from a discussion thread within one of the filesharing forums that concerned the discovery within the community that an individual member had been using the files made available on the forum to make counterfeit DVDs to be sold on eBay. The comment hints at the widespread condemnation of such 'unethical' activity within the filesharing community. Within the discussion thread community members pointed towards the presence of an unspoken ethical code that dictated that their activities should be exclusively not-for-profit and that there was a responsibility to use the forums as a means of sampling movies rather than as a replacement for DVD purchases. Furthermore, a tendency could be noted within the community to perceive forum activities as adding value to the films being distributed; as such, the counterfeit DVD seller's behaviour was considered to be explicitly unethical because it capitalized on the labour of other forum members without permission. The article will discuss the distribution process within these forums and why the members, none of whom can be easily categorized as simply consumers or distributors in any traditional sense, see their online activities as both adding value to the films that they distribute and ultimately promoting the Japanese film industry. Neither the forums nor the individual members will be identified in this article to protect the anonymity of the participants in this study.

RECONFIGURING RELATIONSHIPS

Members of these forums reconfigure their relationship with the text by contributing their time, money and expertise to the promotion and distribution of Japanese film within the fan community. Without compromising their status as voracious consumers with considerable DVD libraries, they also occupy additional roles as distributors, promoters, subtitlers and reviewers within the online community. Rather than displacing their DVD purchasing habits, their multiple roles within the filesharing communities reinforce and complement their position as avid DVD consumers. Indeed, in relation to music consumption, Levin et al. (2004) report that downloaders are more likely to have larger overall music collections than other music consumers and have paid for more music through legitimate channels in the last six months than people who do not download as much music. Similarly, the forum members discussed here can also be perceived as enthusiastic consumers and ownership of a large bought DVD collection carries weight within the community. Members often boast about the size of their DVD collections, and will also criticize others on the grounds that they are not able to contribute such an impressive array of films to the community. While it is important to be sceptical of such claims and recognize that the size of individual DVD libraries cannot be verified, it does appear to indicate that purchasing DVDs is considered an important aspect of community membership.

In addition to being keen consumers, the role that community members play as online distributors goes far beyond just making films available to other forums members. The following section will detail this process but it is important to note that in general no single person will complete each part of the process and the tasks will be spread across the community (see Figure 1) An examination of this online distribution process

uncovers the considerable amount of effort that goes into preparing a film for dissemination among community members. When detailing the financial and intellectual commitment made by the community distributors it becomes possible to understand how such activities can be understood by all community members as 'adding value' to the films that are released. For without the labour of the individuals who source, subtitle, review and revise these films, most of them would remain unobtainable or incomprehensible to the community at large.

Initially, the distributor must make some decisions about which films to share; this involves quite considerable levels of research into the Japanese film industry and in particular the distribution sector both within and beyond Japan. The distributor must also monitor community release activity so as not to unwittingly and unnecessarily duplicate the labour of another online distributor. When it has been established that no release is available, or that the current release is in some manner lacking, the distributor must acquire the film. The original acquisition will usually be in the form of a bought DVD, often purchased at great expense as the majority of the films disseminated within the community are shared precisely because they are rare and generally not released outside of their country of origin. After the 'original' has been sourced, the film needs to be ripped to a computer and then re-encoded into a format suitable for upload, both of which require an initial financial outlay for the hardware and considerable time investment on the part of the community distributor to develop the requisite specialist knowledge.



Figure 1: The online distribution process.

At this point, key community members start to play a more pivotal role in the process, as a greater level of specialist knowledge must be used to prepare the release. The majority of the films that are shared on these forums need to be subtitled because they will often only be available in their country of origin in the original language. The subtitles will generally be available in a separate file to the film to enable community members to download subtitles in a range of languages to suit their needs. The subtitles will be made available at a separate subtitling forum but links will be provided on the discussion thread attached to the release. A set of subtitles may also be created by the original online distributor but a far greater range of languages will be available at the subtitles website. The initial sharing process also involves some key community members playing a greater part so that the wider community might benefit. The file is initially shared among the key community members so that when it is released to the wider community a greater number of feeds are available, facilitating more rapid download speeds.

Once the release of the film starts to circulate, the wider community members begin to contribute reviews to the release discussion thread. Interestingly, these reviews will not only concern the film itself but also the quality of the 'encode' and sound transfer, the source DVD, the subtitles and the 'cut' of the film. Almost as soon as the reviewing process begins, other versions of the film are made available that attempt to address some of the concerns raised by the community reviewers. Thus, the 'linear' film distribution process, whereby a film is produced, distributed and consumed by people who occupy strict (generally professional) roles, is no longer applicable when considering amateur distribution online. In the model presented here, the film is held within this cycle of revision (see Figure 1) and responsibility for acquisition, encoding, sharing, subtitling, reviewing and revision of the film is shared out within the community.

An examination of the online distribution process within these filesharing forums calls into question one of the presumptions that form the backbone of the anti-piracy rhetoric, that is, that filesharing is easy. The music, software and film industries all lament the fact that with one click of a button the pirate can obtain anything they want both quickly and easily; it is suggested that 'the ease, simplicity, and anonymity involved make the Internet an attractive tool for individuals to pirate movies' (Higgins et al. 2007: 342). However, an examination of these particular forums indicates that quite a high level of specialist know-how is required by community members in order to allow high-quality digital copies of films to circulate. Higgins et al. (2007) suggest that a high level of involvement with peers who both engage in piracy and view it as acceptable allows the individual access to a knowledge base that enables them to engage in piracy in an effective manner (see also Higgins et al. 2009; Holt and Morris 2009).

On these filesharing forums the process of making films available within the community is not straightforward. Indeed, it is through an engagement with the social aspect of the filesharing community that the distributors are able to learn the specialist knowledge required to engage in such an activity. Furthermore, forum members show the utmost respect for the considerable communal effort that goes into each unique release, and it is the recognition of such labour that contributes to the widespread perception among forum members that their actions are 'adding value' to the films that they disseminate. For without their pains, the films disseminating through the filesharing communities would be accessible to a much smaller pool of individuals. Thus, the community

members see themselves as positively encouraging and enabling the consumption of Japanese film online.

REIMAGINING RELATIONSHIPS

Forum members, in a manner consistent with their interpretation of their online role as facilitating the wider consumption of Japanese film, make a distinction between 'piracy', which they understood as exclusively concerning the for-profit distribution of physical goods, and 'sharing' films online. In contrast, organizations such as The Motion Picture Association of America (MPAA) in the United States and the Federation Against Copyright Theft (FACT) in the United Kingdom promulgate the interpretation of filesharing as indistinguishable from any other form of property theft. Such a construction is also based on the understanding that filesharing can be seen as direct cannibalization of legitimate sales of cultural goods and therefore has a negative effect on the life and future of the cultural industries (Taylor et al. 2009). 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' (Rodman and Vanderdonck 2006: 246). However, it has been noted that 'labelling unauthorized copying as "piracy" suggests an undue rhetorical certainty about the property conceptions underlying copyright' (Kretschmer et al. 2001: 434). As such, it has been argued that the discourse around filesharing should not be perceived as straightforward description of the moral 'realities' of a certain set of behaviours but rather as the deliberate naming of an activity as 'deviant' in a bid to dictate and control the activity of others (Denegri-Knott 2004).

The oft-cited industry argument, that illegal downloads negatively affect the revenues of the film industry as consumers download films for free as a replacement for a cinema ticket or DVD purchase, is commonly referred to as the competition (or substitution) effect. However, the opposing argument, the sampling effect, suggests that filesharing could, under certain circumstances, boost sales rather than damage them as consumers 'try before they buy' (Quiring et al. 2008). Under such an argument, illegal downloads are not seen as direct replacements for legal purchases; instead, they work as a means for sampling products online before deciding whether (or not) to purchase the item. I would propose that the forum members discussed in this article have internalized the sampling effect argument and make recourse to this defence when describing their online activities. While it would be ambitious to suggest that there is a unilateral ethical consensus among community members many individuals perceive there to be an ethical code underlying their behaviour. Within forum discussions it is often expressed that if a downloaded film is appreciated it should be purchased. Members see themselves as a community of friends and constantly refer back to the principle that sharing on these sites should be used as a method of sampling rare and difficult to locate Japanese films rather than as a replacement for legitimate DVD purchasing.

Such results echo Cenite et al.'s findings that within a filesharing community context where a 'norm of reciprocity' is promoted, community members feel 'an obligation to purchase content they liked' (2009: 206). 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' (2004: 358). What these findings suggest is that community has a strong influence on encouraging a 'sampling' discourse within filesharing communities, where members appear more inclined to purchase legal

copies of a film, song, book, etc. if it is seen to protect an artist, band, record label or community in which that have an emotional investment.

While in popular discourse there is an overall tendency to align filesharing with other forms of theft or deviance, there have been some attempts to consider the motivations of filesharers in more subtle and nuanced terms. Coyle et al. (2009) suggest that while those who download music through filesharing networks are buying less music through traditional means they are also the perfect targets for online music retailers because of their familiarity with the associated technology. Thus, as legitimate channels for online music and movie purchasing are developed, the existing downloaders should be courted rather than alienated. While such an approach seems counterintuitive it does highlight that in many respects those who the industry has branded 'pirates' and 'thieves' could equally be perceived (and approached) as potential customers. Bounie et al. (2005) contribute to this debate by making the distinction in their work between two types of downloading behaviour, which, they then argue, lead to two different effects. They have suggested that rather than there being two possible effects of all illegal downloading there are, in fact, two different types of downloaders producing two different effects. They categorize these two types of downloaders as either pirates or explorers. They suggest that the 'pirates' only wish to obtain something for nothing and that they do produce a competition effect. Explorers, on the other hand, are interested in investigating products and try before they buy; they produce a sampling effect. Molteni and Ordanini (2003) also use the term explorers to describe those individuals who use downloading as a form of sampling and they suggest that this group (along with the duplicators) should be an initial target market as these two groups have been downloading for some time and have considerable experience in this area. Such research recognizes that the motivations of those who share material online are not necessarily consistent with one another and allows us to break with the industry rhetoric that forces us to perceive of all filesharing as primarily motivated by a wish to obtain cultural items for free.

However, while it is critical to note that the community members discussed here perceive their activities as promotional, it is equally essential to acknowledge that this does not in itself suggest that this behaviour can be understood as necessarily benefiting the industry as they believe and it would be beyond the scope of this research to make such claims. However, despite the general use of the sampling argument in defence of their activities, the community at large appears to be well aware of the ethical questions that surround the filesharing debate. Such questions are considered at length within the forums but the opinions expressed cannot be seen to provide a cohesive community response. There is 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 their activities, whether and how their own intellectual labour could be protected and generally whether information and cultural commodities should be freely available. Unfortunately, such discussions are beyond the scope of this article but provide ample material for further research.

Thus, through an internalization of the sampling discourse and the perception of an underlying moral commitment to purchase films sourced through the community that they have enjoyed, we can see how the fans on these forums can be understood as reimagining their relationship with the film industry. Far from viewing their activities as damaging, the distributors saw their role as beneficial as they viewed their behaviour as

encouraging and enabling the consumption of East Asian cinema. In a manner similar to the filesharing respondents described by Cenite et al. (2009) and Condry (2004), these individuals view their activities as positive and far from harmful. This is linked in with an ethos permeating discussions on the forums that suggested that files should be used primarily for sampling and that individuals had a 'duty' to legally purchase films that they particularly enjoyed. Such an attitude reflects those described by Condry, when individuals have an emotional or a 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.

CONCLUSION

This article has discussed how filesharing forums facilitate a process whereby audiences are able to both reimagine and reconfigure their relationship with the text. As they move between their communal roles as encoders, sharers, promoters, subtitlers and reviewers, community members blur the boundaries between the traditional roles of consumer, producer and distributor. Furthermore, through their varying online activities these forum members see themselves as adding value to the films they distribute. By viewing their activities as promotional and adopting ethical codes that actively promote an ethos of 'try before you buy' they interpret their own behaviour as adhering to a 'sampling' ethic that they perceive as working to promote, rather than damage, the film industry.

REFERENCES

- Bounie, D., Bourreau, M. and Waelbroek, P. (2005), 'Pirates or explorers? Analysis of music consumption in French Graduate Schools', Telecom Paris Working Papers in Economics EC-05-01.
- Cenite, M., Wang, M. W., Peiwen, C. and Chan, G. C. (2009), 'More than just free content: Motivations of peer-to-peer file sharers', *Journal of Communication Inquiry*, 33: 3, pp. 206-21.
- Condry, Ian (2004), 'Cultures of music piracy: An ethnographic comparison of the US and Japan', *International Journal of Cultural studies*, 7: 3, pp. 343-63. Coyle, J. R., Gould, S. J., Gupta, P. and Gupta, R. (2009), "'To buy or to pirate": The matrix of music consumers' acquisition-mode decision-making', *Journal of Business Research*, 62: 10, pp. 1031-37.
- Denegri-Knott, J. (2004), 'Sinking the online "Music Pirates": Foucault, power and deviance on the web', *Journal of Computer-Mediated Communication*, 9: 4, http://jcmc.indiana.edu/vol9/issue4/denegri_knott.html. Accessed 28 July 2010.
- Higgins, G. E., Fell, B. D. and Wilson, A. L. (2007), 'Low self-control and social learning in understanding students: Intentions to pirate movies in the United States', *Social Science Computer Review*, 25: 3, pp. 339-58.
- Higgins, G. E., Wolfe, S. E. and Ricketts, M. L. (2009), 'Digital piracy: A latent class analysis', *Social Science Computer Review*, 27: 1, pp. 24-40. Holt, T. J. and Morris, R. G. (2009), 'An exploration of the relationship between MP3 player ownership and digital piracy', *Criminal Justice Studies*, 22: 4, pp. 381-92.

Kretschmer, M., Klimis, G. M. and Wallis, R. (2001), 'Music in electronic markets: An empirical study', *New Media and Society*, 3: 4, pp. 417–41.

Levin, A. M., Conway, M. and Rhee, K. (2004), '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: 1, pp. 48–60.

Molteni, L. and Ordanini, A. (2003), 'Consumption patterns, digital technology and music downloading', *Long Range Planning*, 36: 4, pp. 389–406.

Quiring, O., Von Walter, B. and Atterer, R. (2008), 'Can filesharers be triggered by economic incentives? Results of an experiment', *New Media Society*, 10: 3, pp. 434–54.

Rodman, G. B. and Vanderdonckt, C. (2006), 'Music for nothing or, I want my MP3', *Cultural Studies*, 20: 2, pp. 245–61. Taylor, S. A., Ishida, C. and Wallace, D. W. (2009), 'Intention to engage in digital piracy: A conceptual model and empirical test', *Journal of Service Research*, 11: 3, pp. 246–62.

SUGGESTED CITATION

Crisp, V. (2011), "BLOODY PIRATES!!! *shakes fist*": Reimagining East Asian film distribution and reception through online filesharing networks', *Journal of Japanese and Korean Cinema* 3: 1, pp. 65–72, doi: 10.1386/jjkc.3.1.65_1