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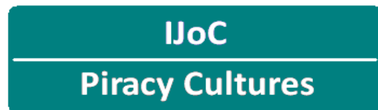


# Piracy Cultures
## *Editorial Introduction*

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What are "Piracy Cultures"? Usually, we look at media consumption starting from a media industry definition. We look at TV, radio, newspapers, games, Internet, and media content in general, all departing from the idea that the access to such content is made available through the payment of a license fee or subscription, or simply because it's either paid or available for free (being supported by advertisements or under a "freemium" business model). That is, we look at content and the way people interact with it within a given system of thought that sees content and its distribution channels as the product of relationships between media companies, organizations, and individuals—effectively, a commercial relationship of a contractual kind, with accordant rights and obligations.

But what if, for a moment, we turned our attention to the empirical evidence of media consumption practice, not just in Asia, Africa, and South America, but also all over Europe and North America? All over the world, we are witnessing a growing number of people building media relationships outside those institutionalized sets of rules.

We do not intend to discuss whether we are dealing with legal or illegal practices; our launching point for this analysis is that, when a very significant proportion of the population is building its mediation through alternative channels of obtaining content, such behavior should be studied in order to deepen our knowledge of media cultures. Because we need a title to characterize those cultures in all their diversity—but at the same time, in their commonplaceness—we propose to call it "Piracy Cultures."

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By addressing the dimension of piracy cultures, we hope to increase our understanding of the practices and cultural drives (both individual and collective—national cultures, generational cultures, etc.) of fruition and consumption of media (cinema, TV series, music, books, games, etc.) under what is labeled, by both legal and managerial cultures, as piracy.

Our aim is to give new insights into how those current practices might either evolve toward new institutionalized market practices and a changed perception of the law, or remain as counter-cultural movements, although ones shared by large portions of the population.

The importance of addressing piracy studies in our societies is also stressed by several analyses. Given that "without piracy, there is no 'legitimate' circulation" (Dent, 2012), the pirate can thus be presented as "the enemy of all" (Heller-Roazen, 2009), an individual who has committed "the definitive transgression of the information age" (Johns, 2009, p. 5).

But should we consider these views as encompassing the overall reality portrayed by the concept of "Piracy Cultures"? Probably not, because we still know little about such social actors, their practices and representations, and their overall contributions to the networked cultures of belonging that map our everyday life.

The different views on piracy cultures that constitute this special section also remind us of the rising importance of information and knowledge as commodities, marking the emergence of a new economic paradigm where manufacturing and energy are no longer the key sources of profit.

Consequently, informational piracy, or piracy of digital goods and services, becomes another key feature to address within the informational capitalism framework analysis. Indeed, for many, "[T]he pirate deserves the worst punishments because he or she has apparently foresworn fundamental social norms—property, ownership, and exclusivity" (Dent, 2012).

The only problem with this simplified picture painted by many governments, news media, multimedia conglomerates and law firms is that the pirates are more often than not all of *us*—including *them*, as several stories of copyright infringement involving these very same actors can testify—and not a "comfortingly distinct outsider" (Johns, 2009, p. 4).

Piracy cultures have become part of our everyday life in the network society, sometimes even without us, fully acknowledging them as such.

Although Adrian Johns aptly demonstrates that piracy "is not peculiar to the digital revolution . . . it has its own historical continuities and discontinuities, and its own historical consequences" (ibid., p. 6), it was only with the rise of networked communication that the issue of intellectual piracy became a more acknowledged theme of academic interest (Benkler, 2006; Boyle, 2008; Gillespie, 2007; Lessig, 2001, 2004, 2008; Netanel, 2008; Patry, 2009, 2012; Vaidhyanathan, 2001, 2005; Zittrain, 2008). However, most of the literature has, until now, carried the mark of its origin in the law schools of the most

prominent universities of the Western world. Not unrelated to this was the fact that the first struggles over copyright involved peer-to-peer file-sharing programs conceived by American developers, programs like Napster and Grokster whose legal status as technological tools was initially challenged.

Beyond law studies, another significant branch of research on piracy has also surfaced, one focusing on the measurement of the economic impact of file-sharing on various markets and industries (Grassmuck, 2010; Liebowitz, 2006, 2008; Oberholzer-Gee & Strumpf, 2007, 2009; Rob & Walfogel, 2004, 2007; Zentner, 2005, 2006).

While this hegemony of legal and economic perspectives into piracy studies had been put in dispute by a few authors who, writing from the point of view of developing countries, tried to situate unauthorized uses of copyrighted works in a wider sociocultural context (Larkin, 2004; Liang, 2005, 2009; Sundaram, 2009; Wang, 2003), it was not until very recently that the first studies of global consumption of media emerged. One such example, conducted by the Social Science Research Council (SSRC), is the study on "Media Piracy in Emerging Economies," which comprises the results gathered over a period of four years by research teams in Bolivia, India, Mexico, Russia, South Africa, and Brazil. This report is of interest for us not only because it is based on the intellectual property policy views of developing countries (as opposed to the traditional predominance of developed countries' perspectives), but also because it breaks away from disciplinary divisions by looking at piracy practices from a combined legal, economic, social, and cultural angle.

According to the authors, instead of being "the global scourge," "international plague," or "nirvana for criminals" that it is often presented as being in news outlets, media piracy can be better understood as a global pricing problem resulting from high media prices, low local incomes, and—in our view, perhaps most important—the diffusion of cheap digital technologies and fast-changing consumer and cultural practices (Karaganis, 2011).

By gathering the contributions of authors writing from such different regions of the world as Scandinavia, Southern and Eastern Europe, North and South America, North and South Africa, Oceania, and Asia, we believe that this special section of *IJoC* extends this line of analysis, both combining different academic traditions and focusing on cultural practices as fundamental elements, all in order to understand what, exactly, piracy cultures are, and what their role is in the network society.

Addressing the issue of the sustainability of European cinema in the face of its steady decline in traditional film distribution channels, Gustavo Cardoso et al. compare the consumption of European film in theatres with the availability of seeds and leechers for European productions in BitTorrent trackers in order to show the relevancy of P2P as an alternative means of access for European cinema industries.

Based on a series of interviews with experienced and dedicated users of home recording facilities, Hendrik Spilker documents how the emergence of the network studio, that is, the use of "augmented" home-based studios facilitated by the introduction of the Internet and other digital devices, has paradoxically given more musicians the opportunity to record songs in professional facilities.

J. Richard Stevens and Christopher Edward Bell examine the arguments presented in public discussion forums by comic book fans concerning the downloading of scanned comics and classify the majority of these arguments into eight frameworks organized into "pro-download" and "anti-download" categories.

Writing from perspective opposite the one that is offered to us by the main copyright-based industries, Tristan Mattelart summarizes the main results of a collective research project regarding the physical piracy of audiovisual products in such non-Western countries as Tunisia, Algeria, Morocco, Ivory Coast, South Korea, Colombia, Bulgaria, and Russia.

Yiannis Mylonas explores the findings of a research project that employed small focus groups and private interviews to obtain in-depth knowledge of the usages, experiences, and rationales of people from Greece toward file-sharing practices.

Relying on four case studies of game spaces, Nathaniel Poor starts by observing how entertainment companies not only allow, but encourage the copying of objects originating from other works of popular culture. He then ends with an account of users' impressions of the copying/homage present in these spaces, as well as their understanding of copyright law.

The poisoning of the affective economy of file sharing is the topic of Dan Fleming's article. He warns the reader of the danger posed by these attacks on P2P networks to the sharing economy and writes of the possibility that it represents for a growing of the commercial economy in the online world, thus distancing the users from the promises of a "read/write" culture.

Annarita Guidi outlines the conceptualization that underlies the Italian Web media discourse on piracy and reveals how the representation of the concept still appears to be based in ideology: Piracy is seen as a practice that entails both intentional damage and theft as its purpose, being strongly associated to conceptual metaphors related to war.

Monique Vandresen discusses the organization of fan groups of the television series *Lost* in virtual communities in Brazil, as well as the elaboration of subtitles and distribution of episodes of the TV show by these groups. The implications of these activities on the circulation, access, and exchange of content produced by cultural industries are also analyzed.

The landscape of anti-piracy enterprise is surveyed by Ramon Lobato and Julian Thomas. The authors claim that, instead of just representing lost revenue, piracy generates a whole new range of commercial opportunities. Revenue is thus obtained from copyright infringement through the means of technological prevention, revenue capture, knowledge generation, and policing/enforcement.

Jonas Andersson looks at how Swedish file-sharers justify their own media use in the face of the activity's portrayal as a deviation from the conventional acquisition of media content. In contrast to the person-to-person gift-giving metaphor peculiar of gift economies that prevails in current interpretations of file-sharing, Andersson opts for the metaphor of blood donation.

Confronting file-sharing as a set of alternative social relations premised on a commoning of resources, Brett Robert Caraway attempts to map the intersections of the social structures implicated in these activities. To do so, he makes use of survey research encompassing a number of individuals found in file-sharing forums, IRC channels, and private BitTorrent sites.

Jinying Li's article gives weight to the notion that piracy can function as an alternative mode of cultural circulation and consumption in urban China. It does this by exposing the results of extensive field research, consisting of in-depth interviews and data gathered from an online survey, on the cultural and material life of film piracy in Beijing.

The figure of the digital collector is the focus of Abigail de Kosnik's article. One person's methods of acquiring goods are described and analyzed in order to try to understand file-sharing as a global collecting practice. The habit of collecting digital files of films and television programs through peer-to-peer networks is contrasted to older, analog modes of collecting depicted by Benjamin and Tashiro.

Angela Xiao Wu provides us with an account of the underlying structural conditions of Chinese pirate film consumption from the mid-1980s to 2005. The data collected stems from newspapers, memoirs, essays, movie-related books, blogs, and other online publications, as well as from informal conversations with ordinary people in the context of ethnographic research in Zhongguancun, Beijing.

Writing about the experience of Radio Dialogue, a radio station operating from within Zimbabwe, Last Moyo shows how the station's innovative use of ward committees and such digital media technologies as the Internet and mobile phones enhances audience participation and civic engagement, further strengthening its hybridized model of community and pirate broadcasting.

To explore the cultural significance of creative media consumption through file-sharing networks, Bingchun Meng makes use of data originating from face-to-face and online interviews, thematic analysis of online posts, and extensive online observation to describe the case of the Chinese online volunteer community of Zimuzu, which specializes in the translation of foreign media content into Chinese subtitles.

In an attempt to investigate the interconnections of cinematic distribution and the illegal P2P marketplace in an Eastern European country (Hungary), Balázs Bodó and Zoltán Lakatos match box office statistics with transactional data regarding the traffic of movies on three National BitTorrent trackers to signal the failure of traditional cultural markets in an online environment.

Ilya Kiriya analyzes media consumption in Russia and traces the roots of a subversive media culture in the social tradition of the country. Within this tradition, Kiriya identifies two key dimensions that continue to structure hidden practices in the post-Soviet regime. The first, media accessibility, looks at piracy from an economic point of view. The second can be seen as a parallel public sphere made of the protest activity among narrow groups of the population using alternative media.

Expanding upon Benjamin's notion of the blurring of the line separating production from reproduction, Raúl Rodríguez-Ferrándiz observes how the cultural pirates of the new digital era extend and

radicalize this tendency, so that not only do production and reproduction converge, but they both also converge with reception and postproduction. The hierarchy between original and copy is thus definitely broken.

It is our hope that the geographical and scientific diversity on display in these articles will allow our readers to obtain a more realistic and thorough outlook on the unauthorized distribution of copyright-protected cultural goods within communities throughout the world.

But the 20 contributions that constitute this special section also recall older and new questions: What do piracy cultures tell us about ourselves as actors in a network society? Are piracy cultures the product of the cohabitation in our societies of practices of self-mass communication, one to many communication, multimedia interpersonal communication, and mass communication? And what is the link, if any, between piracy cultures and the adoption of a networked cultural paradigm of belonging through the widespread use social networking sites? Not all of these questions will be answered, but we hope that this special section will contribute to their respective conversations.

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