

Between Formal and Informal: Digital Film Distribution as a Complex Media Ecosystem

di Mario Tirino

Abstract

The paper aims to examine the evolution of the film distribution system in the digital age. Crossing a middle-ground approach between Media Studies and Platform Studies, the paper aims to explore the dynamics of digital film distribution, considered a complex ecosystem in which formal and informal distribution practices coexist. Internet distribution of cinema has also forced traditional operators to review their content offerings and business models (Lotz, 2017). This has meant a massive transformation of industry players: traditional broadcasters have been joined by media conglomerates, OTTs, and tech players (such as Apple and Google). The definitive establishment of on-demand culture (Tryon, 2013) has pushed even the most conservative operators to guarantee online access to their content, with or without specific subscriptions. If cable and satellite TV had already revolutionized the scenario of film distribution, Internet TV has completed the process of dismantling traditional distribution channels (Lotz, 2018; Lotz *et al.*, 2018). A new film distribution ecosystem was created, in which the younger generation move away from the constraints and limitations of traditional processes to embrace entertainment systems that are fluid and adaptable to each user's personalized needs.

Keywords: Digital Film Distribution, Piracy, Postspectatorship, Media Ecosystems.

Social functions of film distribution

Due to the lack of academic attention, understanding the social functions of distribution in the actual cultural form of cinema (Tirino, 2020) is quite complicated. The common sense in which the term “distributor” is used, i.e., associating distribution with those who hold copyright ownership, presents the problem that these individuals are not usually involved in physically transporting or sending copies to merchants and renters. Copyright holders are more accurately identifiable as publishers and not simply distributors in the technical sense (Vogel, 2001). In the film industry, distributors play a very relevant social function, because

they determine “who gets to watch films, under what circumstances, and why” (Lobato, 2007, p. 113). In the digital era, with the multiplication of distribution channels, an unprecedented sociocultural space is created in which professional distributors confront pirates. Most studies have focused on two topics: the analysis in terms of the harm/benefit of pirate action concerning the film industries; and the analysis of the motivations of pirates.

In the film industry, concentration is highest among professional distributors: few companies can determine which films to disseminate, how to do so, and which audiences to include or exclude from the film’s circulation, affecting the formation of the collective imaginary.

As early as the 1990s, major Hollywood distributors were resorting to the global market to cover their costs. Moreover, the vertical integration of Hollywood systems allows the majors to maintain dominance over the global film industry, where, although countries such as India and Nigeria have been licensing more works for a number of years now, the US remains the highest-grossing country at the international box office (Kanzler & Fioroni, 2024). Given the enormous interest in maintaining dominance, in terms of economic profit but also cultural influence, large U.S. distributors invest considerable resources in opposing informal distribution networks, associating them with criminal forms such as terrorism or human trafficking (Cubitt, 2005). Conceiving piracy in strict opposition to professional distributors prevents us from grasping the social and cultural dimension of this activity, which is part of the broader participatory processes of production and dissemination of contemporary culture (Crisp, 2015, Crisp & Menotti Gonring, 2015; Carroll Harris, 2018).

Piracy and the crisis of the distribution model

Hollywood’s mainstream industry’s dominance over distribution is radically challenged by clandestine practices of film dissemination in various forms (from selling DVD copies in city markets to file-sharing on the Web) (Lotz, 2021). These practices have been interpreted predominantly as threats to the economics of the majors, but they raise the question of what distribution is and who should be identified as the distributor of a film, in an era when the roles of producers, distributors, and consumers of cultural goods can be easily interchanged: although studios undoubtedly exert a marked influence, their control over film circulation is not now absolute. Distribution can be defined

as the space between the production and consumption of the film, in which the release of the film in theaters and/or the production of physical copies of the film for commercial circuits is secured. This general definition excludes a range of activities, practices and discourses that preside over the global dissemination of movies. Exactly as the spectator experience extends far beyond the viewing of the film (Tirino, 2020), distribution is much more than an institutional activity that connects production systems to audiences. Meanwhile, the field of professional distribution includes not only the majors, but also individual distributors, small independent businesses, and quasi-independent distributors. Conceptualizing distribution only as a professional activity conceals the social and cultural dimensions of the practices by which films circulate globally today. The social and cultural dimensions of distribution emerge when films are put into circulation in the form of pirated DVDs or Blu-RAYS, through file-sharing networks or exchange among friends and family. The problem of classification of these practices remains. Scholars have made extensive use of binary oppositions to institutional practices that are not entirely productive in describing the phenomenon. First, the various forms of piracy have been labeled as illegal activities, as opposed to the legality of institutional distribution, ignoring the fact that not all of these practices involve the violation of a norm. Second, the paradigm used has been that of amateurism as opposed to the professionalism of licensed agents: it is empirically demonstrable that unauthorized copying, whether physical or digital, does not necessarily lead to a deterioration in quality standards. Even, there may be cases where the 'submerged' copy brings an improvement over the commercially authorized one, for example through the availability of subtitles in another language, conversion to a format of higher audiovisual quality, and even the inclusion of paratexts (such as trailers). Third, the distinction between official and pirated distribution of the film has been placed on the commercial value front, insisting on the damage done by the latter to the economy of the former. On the one hand, only a small part of piracy obeys objectives of economic gain, whereas another part acts for purposes and motivations of a different nature. On the other hand, it is by no means demonstrable that all media items distributed by pirates produce economic harm to official distributors. On the contrary, Gauer (2012) shows that the choice of viewing format and context responds to radically different motivations, logics, needs, and cultural urgencies: deciding to view a film in digital format, to go to a theater, or to find a DVD (or Blu-Ray) copy are three different practices

that are not necessarily self-excluding. In light of these observations, probably the most convincing proposal to describe the phenomenon is to reason in terms of a formal distribution, associated with validated and stable circuits, and an informal distribution, associated with unstable, spontaneous, self-organizing circuits (Lobato, 2012). Formal distribution identifies traditional models in which studios control box office revenue, releasing the film through a coordinated system of theaters and hierarchical control of subsequent viewing windows (Jordanova, 2012). Traditionally, this chain of steps involved, after theatrical screening, transit first to video stores, then to pay-per-view and satellite and cable TV, and then to traditional broadcasters (Perretti & Negro, 2003; Hennig-Thurau *et al.*, 2007). As a consequence of the emergence of new forms of spectatorship related to digital media (streaming, video on demand, digital downloading), this chain has been modified, either by significantly shortening the time intervals between viewing windows or by opening multiple windows at the same time. In addition, in other cases, distributors purchase the rights to films from a particular country to distribute them on the foreign market: these films may also have little or no theatrical circulation but are almost always released on the home video market. So, in these cases, formal distribution can be understood as the legal acquisition of rights to screen the film in theaters or make copies in various formats (DVD, Blu-Ray, files) for rental and sale on the domestic market. Informal distribution encompasses a range of practices that are difficult to define as technological advances make accessible a growing set of opportunities, formats and channels for the dissemination of film products. Faced with these difficulties, Lobato (2007, p. 114) defines informal distribution as “the movement of cinema through space and time”. The scholar, to obviate the vagueness of his definition, lists several ‘informally’ distributed media products, defining them as ‘subcinema’: “straight-to-video releasing, telemovies, cult movie markets, diasporic media... Nollywood, pornography, special interest cinema” (Lobato, 2007, p. 114) and also piracy. Even this list, however, does not exactly clarify the perimeter of media objects and cultural practices of informal distribution nor its social dimension.

Formal distribution

The entire history of digital film distribution can be approached around two fundamental concepts: the differentiation between data

stream (first in analog format, then in digital format) and physical copy, and the notion of control. The framework of control allows us to frame the dialectic between official and public distributors: the former tend to work with formats, media and channels that can ensure regulated forms of access, which guarantee the maximum possible profit from sales and rentals; the latter, conversely, are looking for modes of consumption based on full access and maximum availability of purchased or rented content.

Film distribution, formal and informal, has cyclically confronted two modes of content circulation: flow and physical copying of filmic content. Data streaming – somewhat akin to Internet streaming – has been the privileged mode of formal distribution of audiovisual content, both through official theatrical circuits and through broadcasting, since after World War II. Only a privileged few can purchase and operate domestic film projection systems (in formats such as Super8 or 16mm). The advent of the VCR enabled audiences to turn the audiovisual stream into physical copies, which, thanks to remote control, could be manipulated in various ways (stop, rewind, and so on). Since that time, the majors and distribution companies have been grappling with the issue of content control, conveyed either in stream form or through physical copies. The shift from the analog medium (VHS, Betamax) to the digital medium (DVD, Laserdisc) can be interpreted as an attempt by copyright holders to regain full control of the physical copies of films, which are placed on the market through formal channels. Unlike VHS, official DVDs are encoded with a proprietary algorithm (Copyright Scrambling System), created and regulated by the DVD Copy Control Association, an association of studios and manufacturers of hardware (such as DVD players, external and embedded in computers). An additional way designed by the studios to protect and control content was the division of the world DVD market into seven areas or regions. DVDs produced for a particular geographic area are unreadable in another area – although the audiences have developed strategies to defend themselves (Greenberg, 2008, p. 157). Another distribution system devised to address the control needs of the majors is Digital Video Express, which, launched in 1998, allowed users to purchase a Dvix (a lower quality format than DVD), viewable for eight hours, at the same rental cost charged for traditional DVDs. The main advantage of this system was that users did not have to return twice to video stores to return the copy, which, after the time interval for which rights had been acquired, automatically became unreadable. This system facilitates the studios, which strengthen their

control over the circulation of their products, circumventing the risks of video piracy and the physical circulation of media. Under the first sale formula (McDonald, 2007) the purchase of a medium authorizes viewers to lend it out and possibly sell it in turn. Dvix distribution nullified the consequences of first sale since the film could only be seen by the person renting and for the time for which he or she paid. The studios' control over the products was such that, if they wanted to, they could easily remove a title from the Dvix catalog. The same control orientation can be seen in the management strategies of film streams, distributed mainly by cable and satellite TV broadcasters and groups (McMurria, 2007). In the late 1990s, a series of commercial prototypes were experimented with that laid the groundwork for formal digital distribution via streaming. As Wasko (2003) and Tryon (2013) point out, there are services (Movie Flix) that provide access to a catalog of products in exchange for a monthly subscription, anticipating the Netflix model, and services (Movielink), organized directly by the majors for legal downloads of files, anticipating the major-customer distribution model adopted a few years later by the UltraViolet project (Tryon, 2013). The latter is the most significant example of the conflict between the growing power of the majors to control forms of consumption, through restrictions and limitations, and the willingness of audiences to emancipate themselves from these obstacles. Essentially, UltraViolet is a cloud server for unlimited storage of files containing access licenses to digital copies of films, reserved for registered users with legitimate rights of use. It is, therefore, primarily a channel through which the majors, emancipating themselves from the power of intermediaries, such as Netflix, can distribute digital content directly. UltraViolet presents itself as a simplified form of managing one's digital movie archive, giving the viewer greater control over when, where, and how to view content. By allowing multiple devices to access and eventually download content, UltraViolet promises its users that they will no longer need to make the costly conversions of their collections from one format to another, as happened with the transition from VHS to DVD and DVD to file. However, UltraViolet acts as an unprecedented form of control over viewer consumption (Dixon, 2011): thanks to digital rights management (DRM), software codes embedded in digital files to prevent abuse in the circulation and reproduction of copies, the service is always able to know what, how, and when the user is consuming. DRM prevents a file from being lent out and allowed to be played on another unauthorized device, allowing media institutions to bypass the first sale problem typical, as seen, of physical

media distribution. The UltraViolet project is finally shelved in July 2019, while some partners have meanwhile migrated to the competing Movies Everywhere platform, launched by Disney back in 2014.

The Netflix model

In the platform society (van Dijck *et al.*, 2018), the favored model of digital film distribution is the one defined over the years by Netflix (Lotz, 2018; Lotz *et al.*, 2018). The main elements of Netflix's industrial strategy can be summarized as follows:

- 1) the exploitation of broadband connections, which enable rewarding streaming experiences without the annoying buffering blockages;
- 2) the adoption of the Subscription Video On Demand (SVOD) system, which, for a monthly subscription, allows access to one or more devices in various modes (SD, HD, 4K);
- 3) the entering into revenue sharing (profit and loss sharing) agreements with independent studios and producers, which enables the acquisition of broadcast or retransmission rights to a library of tens of thousands of TV series and films;
- 4) the transformation into OTT (Over-the-Top), i.e., into a service that is neutral with respect to the devices (smartphones, tablets, PCs, smart TVs, video game consoles, satellite or digital terrestrial decoders) connected to the Net on which it is enjoyed (Marinelli, 2012);
- 5) the extensive use of algorithms for the collection, management and processing of data related to users' preferences to ensure that the service is increasingly tailored to their needs;
- 6) the global expansion of the service (presence in about 190 countries), which, while allowing the creation of a cosmopolitan audience élite characterized by similar consumption, also allows the integration of specific local policies, in terms of price and production;
- 7) the use of a collection of different algorithms, the Netflix Recommender System, which, by aggregating information about the different ways in which users enjoy content (browsing, choice, actual viewing, etc.), allows them to suggest additional similar content to them, through the classification of products into homogeneous categories;
- 8) the full season release (FSR) system of distribution of TV series;
- 9) the production of an increasing number of products (TV series and feature films) in-house (Netflix Originals), through which

- the company produces a vertical integration of the supply chain (production, distribution, release) aimed at managing content, exploitation and exclusivity;
- 10) the long tail mechanism (Anderson, 2006), whereby it is more cost-effective to conquer different market niches, since the lower the cost of storing and preserving a product, the more cost-effective the expansion of the library.

From the user's point of view, the Netflix Experience is configured around certain ways of relating to content distributed in the form of a digital stream:

- 1) time-shifting: users are freed from any constraints, as they can access series and movies anytime, anywhere and across multiple devices;
- 2) binge-watching: although this practice is primarily associated with sequential viewing of multiple episodes of a television series, it can also refer to multiple chapters of a film saga. Binge-watching has been an integral part of the promotional campaigns of Netflix, which has claimed this peculiarity of the streaming viewing experience and has also fostered it, through mechanisms that – through a window of choice of a few seconds – allow access to subsequent episodes of the same series (Pilipets, 2019);
- 3) speed-watching: in the face of the abnormal supply of audiovisual products, one weapon of defense of audiences is the increased speed watching of episodes and movies, to concentrate a greater number of viewings in the same time.

Several factors contribute to shaping a comfortable film-media experience. Netflix experience fuels phenomena of micro-intimacy with one's mobile device, which, being held in the hand or at least at a reduced distance from the eyes, becomes a kind of prosthesis of the viewer's sentient/percipient body, outlining new possibilities for screens as environmental media.

Various studies have explored the disruptive nature of Netflix, challenging precisely the concepts of control and choice that underlie the brand's rhetoric. These critical readings start from the common assumption that Netflix has not substantially affected the power relations between audiences and media industries (Tirino & Castellano, 2021). These studies can be traced back to two main disciplinary approaches, Television Studies and Platform Studies. Television Studies have often focused on the fact that television has been thought of as an unstable medium, capable of providing access to a wide variety of media content (radio, cinema, theater) (Uricchio, 2004). In the digital

era television acquires the logic of digital media (Wolff, 2015) and, similar to computers and smartphones, is now configured as a media machine open to multiple streams of content, encoded according to different logics (stream and on-demand) and by different actors (OTT, satellite TV, traditional broadcasters, etc.). Lotz (2017) points out that the distribution formulas of on demand TVs, such as Netflix, bring TV streams closer to the logic of the disc, book and DVD. Uricchio (2004) pointed out how the tension to emancipate from the logics of television programming precedes the arrival of Netflix by many years and can be associated with the introduction of cable and satellite TV, the introduction of VCRs, DVDs and the remote control itself. These technologies allow a primordial level of control over the flow of moving images (Thomas, 2008). On-demand cultures, with reference to the possibilities of choice and control offered to the user, can be viewed not as radical revolution, but rather as the sedimentation of viewing practices, institutions, different technologies (cable, satellite, Internet, mobile technologies), coexisting within what is still perceivable as television (Turner & Tay, 2009). New digital distribution technologies are social spaces in which entrenched meanings and consumption habits are renegotiated (Gitelman, 2006). In this sense, the rhetorics of innovation should be balanced given the entrenchment of long-established media production, distribution, and consumption habits (Chun, 2016). More specifically, the most significant device in emancipating users from linear broadcasting is the digital video recorder (DVR), which allows users to become more involved in the recorded products. By storing movies on the recorder's internal hard disk, viewers can perform a series of re-packaging actions on these media objects (removing advertisements, splitting them into chapters, burning them, inserting a background to the menu of the DVD to which they are transferred, etc.), through which they increase their 'grip' on the movie itself.

Platform Studies (Anable, 2018; Apperley & Parikka, 2018; Burgess, 2021) allows us to analyze how the material and symbolic dimensions of platforms shape everyday media experience. For a critical reading of the modes of experience related to the Netflix platform, we will focus here on (1) interface design; (2) recommendation algorithms; and (3) catalog structuring.

(1) Netflix's interface needs to be considered about the characteristics not only of competing streaming platforms, but also of social networks (Facebook, Twitter, Instagram, TikTok), electronic program guides (EPGs), video game consoles, PC desktops, and smartphones

(Lobato, 2019) – as the contemporary media user navigates daily through these media environments. Netflix exhibits a different interface from social media, as it is not a social, collaborative, and open medium. Moreover, Netflix is also different from platforms that rely on advertisements (such as YouTube), in that sources of revenue are exclusively subscribers' subscriptions. Lobato (2019) shows the symbolic relevance of Netflix's interface transformations. Until 2015 it exhibited a gray background and vertical formatting of content units, in a style similar to DVD covers and with a video store effect. The current interface has a dark background, as in a movie theater, and the content units are arranged horizontally, in a format reminiscent of celluloid frames from a film, which are accessed by scrolling to the right, offering readers the perception of an overabundant offering. From a symbolic point of view, this shift repositions Netflix within the contemporary mediascape, "by moving the idea of Netflix away from video-store and DVD culture – surely a fading memory for most of its users – and realigning the service with that most resilient medium, cinema" (Lobato, 2017b, p. 189). The analysis of the evolution of Netflix's interface highlights that Netflix is a highly unstable sociotechnological system that remixes a set of previous media technologies, in a constantly changing manner, at different times and for different purposes: Netflix self-promotes itself as a digital media service; it refers in public activities to television; it resorts to an interface that evokes the filmic experience; and it is founded on recommendation algorithms, typical of digital platforms.

(2) Netflix has played a central role in the development of consumer recommendations, used to package automated content selections organized around data generated from individual user profiles (ratings and viewing history) and collaborative filters (predictions based on the activities of other users). These elements of the platform and interface prompt various scholars to reconsider the frameworks of control and choice in light of phenomena such as datafication of culture, filter bubble (Pariser, 2011) and big data politics (boyd & Crawford, 2012). By restricting access to libraries, Netflix operates, according to Alexander (2016), a kind of 'mathematization of taste,' defined by algorithmic operations whose comprehension and manipulation remain beyond the user's grasp.

(3) Netflix operates as a portal (Lobato, 2019). The relationship of media users with video platforms is essentially a database experience (Lovink, 2008): there is no stream of content to enjoy, but a set of options from which to choose. A video platform's catalog is essen-

tially “revolving collections of licensing agreements” (Hoyt, 2014, p. 200) which also change over space and time. Netflix’s catalog consists of thousands of units of (viewable) content, which in most cases are available through licensing from the respective networks and producers. These agreements are also differentiated temporally, as access to content is guaranteed within the chronological window of the assignment agreement, and spatially, as content is only available in certain geographic areas (Lobato, 2019). This second practice, known as geoblocking (Lobato & Meese, 2016; Elkins, 2018), is also used to restrict global access to content distributed through streaming. By this spatiotemporal differentiation, which emphasizes the ephemeral dimension of online catalogs, more correctly Netflix can be defined as “a series of national services linked through a common platform architecture” (Lobato, 2017, p. 246). Netflix’s experience as a database confirms that SVOD platform catalogs are increasingly contestable objects, constructed to re-present, albeit in changing configurations, the same anxieties about inequalities of intensity, direction, and access to media streams. The study of the algorithmic practices of filtering and personalization devised by Netflix allows us to illuminate how, from the availability of a list of units, at a given time and territory, an automatic selection of such content that is diverse for each user is realized. The database experience that Netflix users have concerns a set of interactive and personalized recommendations determined algorithmically, based on the user’s viewing history and location: therefore, the catalog remains an abstraction that is unattainable to the Netflix user.

Streaming Wars. Models of digital distribution

The launch of streaming platforms by Apple, Disney, HBO/Warner, Paramount and others is an indication of the industrial and cultural ferment running through the formal digital distribution field. In light of the diversification and overabundance of supply, starting with the fundamental distinction between video-on-demand services (rental or digital download of single units of content) and subscription video-on-demand (streaming access to packages of content, through periodic subscriptions), we can propose a classification of on-demand operators into five types:

- 1) supranational SVOD platforms, capable of distributing packages of original and non-original content, mainly covered by exclusive licenses (such as Netflix);
- 2) national SVOD platforms, which offer streaming access to more or less extensive libraries of products made by other operators, such

- as entities operating in the fixed and mobile telecommunications sector (in Italy, TIMVision);
- 3) studio portals and VOD catch-up services (such as RaiPlay in Italy or CBS All Access in the US), free and paid, which extend, through streaming, the accessibility of content already broadcast;
 - 4) hybrid platforms, such as YouTube, which distribute both licensed content, in VOD mode, and a constellation of free audiovisual products;
 - 5) heterogeneous operators, often made for narrow niches of users, according to very specific distribution models (such as DA Films, Indiefilmchannel, Indie Cinema, and others).

The current streaming war generates a profound restructuring of the ecology of digital distribution. First, the need to take out multiple subscriptions for access to films available on competing platforms increases the appeal of resorting to informal forms of distribution. Second, the distribution of film and TV offerings across multiple competing streaming platforms could revitalize the compass role of on and offline TV guides and trade magazines, which can be used to navigate the fragmented and dispersed stream of content. Third, direct distribution by conglomerates such as Disney and Apple causes the disintermediation of antecedent distribution arrangements based on the sale of broadcasting and retransmission rights by producers to various types of retailers, forcing a rethinking of the distribution strategies of the entire supply chain. Retailers try to reconfigure themselves as assemblers of global and local SVOD service offerings, according to more convenient purchasing formulas than those determined by the sum of individual subscriptions. Fourth, video streaming platforms could accelerate the ultimate reconfiguration of film distribution windows. The new modes of online distribution have significantly altered the social perception of moviegoing, as a sociocultural act by which viewers adhere to a collective spectacle. As sales of physical media plummeted and audiences became increasingly familiar with SVOD and VOD, Hollywood majors dramatically eroded the time interval between theatrical release and the film's availability in digital format. This situation has intensified since March 2020 due to the COVID-19 pandemic (Li *et al.*, 2023). Many films, intended for theaters, have been distributed directly via platforms. The inability to use theaters for distribution has strengthened the negotiating power of platforms, which, even more, have become the most relevant interface for cinema consumption.

The increasing relevance of streaming and on-demand as forms of

distribution has raised a debate among critics about the fate of the social quality of film experience. The most developed critical argument is that these modes provoke isolation and fragmentation of audiences, without taking into account that much of the social experience that matures with and around the film has unfolded online, in the dense web of forums, blogs, social media in which emotions, affections, interpretations related to the film reverberate. Probably, formal distribution will for a long time be oriented towards a coexistence of two distribution types: the majors will continue to focus on the profitability of the theatrical circuit; online distribution can flank, replace, precede or follow the theatrical distribution of a film, by contextual choices of the different actors in the distribution chain.

Informal Distribution

The protagonist of the informal distribution of films is a segment of spectators, defined by Tryon (2009, p. 41) as ‘resistant mobilities’, which further extends the area of cinema-related experiences. The digital post-spectator experience is thus substantiated not only in a series of activities related to the promotion, production and consumption of the film project (Tirino, 2020) but also in a further chain of practices related to its distribution. We can recognize two macro-typologies of informal distribution:

- 1) autonomous informal distribution: a viewer acquires a copy, legally or illegally, re-processes, re-encodes (often by adding subtitles) and uploads it to file-sharing communities based on discussion forums (Benson-Allott, 2013). One of the operating principles of autonomous informal distribution is ‘reverse engineering’, i.e. the detailed analysis of the functioning of a system or object (in this case, the copy of the film), to construct a new entity that functions similarly;
- 2) intermediated informal distribution: digital film products, already encoded and reworked by members of specific underground communities, are shared by viewers who do not materially take part in the production of the releases, but are members of particular forums and groups and act, therefore, as intermediaries between the underground communities and the broader file-sharing communities.

By the excessive scaremongering fomented by media companies since the 2000s, one might think that informal distribution is a relatively recent phenomenon, fueled by peer-to-peer networks, torrents,

and, in general, digital technologies for sharing and exchanging media objects of cultural content. The phenomena of piracy and copyright infringement in the film industry have been known as far back as the 1910s (Decherney, 2007). Telematic networks, open-source cultures, and multimedia devices, however, have made it much easier to access films, to recode and reprocess them, and, most importantly, to establish communities of practice and interpretation. Through an ethnographic approach to such communities, the social and cultural character of informal distribution practices can emerge.

4.1 *The 'Scene' case*

'Warez Scene' (or simply 'Scene') is the most extensive network of release groups capable of procuring huge numbers of movies, music albums, software, and ebooks, removing all protection from these digital objects, and releasing them into specific channels for sharing and downloading by audiences. These groups, in addition, produce software capable of circumventing protection mechanisms.

The first sociocultural question invests the composition of these groups. Meanwhile, by the high level of computer expertise required to ensure the anonymity and survival of the networks, they are animated by communities of individuals promoting the cultures of open-access and open-source (St. Amant & Still, 2007). An analysis of the quality of material uploaded by release groups in recent years suggests a diverse composition of these communities. The media companies' increasingly strict control over clandestine theatrical recordings of films has almost zeroed out the circulation of these products in peer-to-peer networks and dedicated forums. Despite the success of the crackdown on these practices, the quality of video material distributed by Scene has increased, reaching a standard equal to DVD or even 4k, thanks to access to screener discs (preview copies), normally distributed to the press for reviews. It was assumed that members of the media industries and critics would also take part in the release groups, as these are the only categories that have access to works not yet released. Scene takes on the characteristics of a network of actants (individuals, groups, technologies) capable of relating externally and interfering in the processes of the social construction of the imaginary, raising focal issues in contemporary sociological debate (e.g., the relevance of copyright legislation, the legitimacy of intellectual property, the supranational nature of distribution). This community, although made up of anonymous groups operating using illegal software and servers, can feed such a constant flow of materials, at least until the early

2010s, when the size of the phenomenon seems to have significantly declined to the benefit of legal streaming. However, as a community of practice, 'Scene' represents an interesting research object from a sociological perspective because of its internal dynamics. First, release groups are conceivable as grassroots producers of media objects, in that the files uploaded online are cultural artifacts with autonomous characters from the source text (the film master or screener disc). Such objects are processed through various processes (re-encoding, subtitling, ripping, etc.) and are then distributed, informally, through dedicated networks: by this step, releasers are directly classifiable as distributors. Second, those who reshape audiovisual information and distribute it are also those who, to a large extent, consume it. This interchangeability of functions, which produces a more complete and layered spectator experience, confirms that the traditional partitions of the film cycle (production, distribution, consumption) are somewhat outdated in the postcinematic scenario. Third, to speed up the whole informal distribution process, release groups can also proceed to internal specialization, based on the division of tasks among members based on mutual expertise. This analysis could show that if operations within groups are governed by procedures that reward collaboration and the merits of individual members, the conflict expunged within the individual group re-emerges in the relations between the different groups in the network. Competition is one of the motivations behind the performance of the various release groups, which seek to outperform competing formations by anticipating the distribution of products, improving their quality or increasing their quantity. Release groups represent, again, a sociologically challenging object, because they are capable, in de Certeau's (2001) terms, of both tactical acting, that is, tied to changing contingencies and opportunities, as well as strategic acting, which presides over the definition of the procedures by which group members can contribute to the production of releases, establishing tasks and access rights in detail. Each community is organized according to operational principles to regulate how viewer-distributors interact: one of the indicators for measuring the value of members is an index that measures the ratio of downloads to uploads. Based on this rate, those members with a higher upload index are rewarded, contributing to the enhancement of common cultural resources that all other members can access. The motivation for the individual's action lies in the opportunity to enhance his or her reputation within the group, not in the acquisition of a material or economic benefit. Kozinets (2010) identified several types of members of on-

line communities, which can be applied to intermediated distribution communities: ‘tourist’ come to the forum in search of a specific film, but do not have a particular interest in the activity of the community; ‘devotees’ are most interested in uploading, sharing and obtaining the films they care; ‘experts’ are interested both in the films as cultural objects and in the discussion they generate in the community. Another tool widely employed by forums is to assign different visibility to posts according to the ratio of proposing members. This is a system of gratification for the members who are most productive in feeding the supply of films and other cultural materials. Moreover, there are different models of file-sharing communities; what distinguishes one community from another is the way they are designed (Crisp, 2012). The concrete ways in which certain members become dominant in a community constitute the outcome of the social processes whereby those members have been able to impose in the community discourse their way of imagining the forum.

Another practice attributable to informal distribution is fansubbing, which consists of the production and dissemination of downloadable files containing subtitles, through specific platforms, variously structured. Fansubbing is the media form that best represents the instability of informal film distribution. Subbing practices experienced by users globally are configured as part of the processes of audience participation in the distribution of film cultures on a transnational level. Forms of audience agency can be appreciated in the processes of subtitle translation, which do not merely replicate or disseminate content, but alter its quality, format, definition, and packaging (Dwyer & Lobato, 2016). Fansubbing contributes greatly to broadening the distribution of audiovisual products, both by reinvigorating cross-cultural communication practices and by allowing linguistic minorities access to otherwise unattainable film materials. Finally, access to fansubbing practices requires a range of linguistic, transcultural, and media-technological skills.

The distribution ecosystem

The scholarly debate on informal distribution is incapable of formulating a shared theory and methodology within media studies (Lobato, 2012; Crisp, 2015). However, the theoretical proposal put forward by Lobato (2012) is useful in incorporating the analysis of informal distribution into an ecosystem theory of digital film distribu-

tion. He proposes to examine film piracy as part of an interconnected film economy, instead of being perceived as a separate and threatening phenomenon for the 'official' film industry. To pursue this ambitious theoretical project, Lobato (2012, pp. 88-89) borrows from economic anthropology the notion that economics is not a set of pre-established and pre-existing phenomena, but rather the product of the particular modes of analysis with which we approach them. This assumption allows us to highlight the processes through which commonly used measurement systems (e.g., box-office results) shape our conceptions of how the global film industry is structured. The idea that there is no single real economy, but a reality that consists of an "ecology of differentiated economies" (Lobato, 2012, p. 92), criticizing the assumption that capitalism must be considered the only 'real' and 'natural' economic system, unveils other economic formations. Building on the contributions of Polanyi (2001) and Gibson-Graham (2008), Lobato (2012, p. 91) extends this argument to the film industry, stating that there is no single film economy, but "a diverse series of overlapping and co-constitutive economies each comprised of different processes, transactions, currencies, materials, norms, values, and forms of labor". Crisp (2015, p. 157) suggests that these informal film economies (file-sharing, counterfeit DVD sales, etc.) are often judged problematic because "their action might be perceived as having parasitic, promotional, or instrumental effects". Within this framework, parasitic effects are determined by the fact that pirate practices use the same distribution channels as formal products, but do not restore profits to the intellectual property owners of the formal products. Potential promotional effects are related to the fact that some pirated products allow the public to 'try out' the product before buying it: for example, they allow people to download a file of a movie before buying the official DVD. Instrumental effects are related to the idea that some forms of piracy could open up markets in new territories, paving the way for the development of legal markets, as happened in the United States with the informal distribution of anime that preceded the development of VHS marketing (Leonard, 2005). It is based on pre-judgments, fueled by how acts of piracy are perceived, that the social discourse of the potential economic threat to media industries spreads. The argument of the potential promotional effects of certain types of piracy establishes a distinction: some acts of piracy can be tolerated, if they allow the reaction of potential new markets to certain products to be gauged. To defend some acts of piracy based on their alleged ability to open up the transformation of informal distribution

into formal distribution is to use the economic factor again as a lever for the action of informal distributors, who are instead often driven by other motivations. Moreover, the argument can be easily manipulated by noting how, while pirates have prepared the ground for landing in other markets, Hollywood majors have long ignored the business opportunities opened by the Web, marginally exploiting file-sharing and digital downloading. Finally, tolerance if not instrumental exploitation of some informal distribution channels for promotional purposes uses as criteria of moral legitimacy only economic parameters related to the profitability that these illegal practices can generate.

To arrive at the formulation of an ecosystem theory, however, we must emancipate from the formal/informal dichotomy. Lobato (2012, p. 93) suggests adopting a both/and kind of thinking, in which film distribution is imagined not as a zero-sum game of revenue capture, where pirates cannibalize producer profits, but as a space of economic plurality in which both formal and informal distribution systems interact – sometimes antagonistically, other times to mutual advantage. This perspective allows us to elaborate the hypothesis of a media ecosystem of distribution, further integrating the model based on two contributions: 1) Ravi Sundaram's (2010) approach to contemporary piracy, which highlights its ambiguity, refusing to interpret it as an alternative and oppositional modernity, and 2) Molteni and Ordanini's (2003) socio-network effects theory, which emphasizes the value of social contagion of taste (people tend to like what other people like) and the tendency of preferences to structure themselves into clusters. This ecosystemic structuring makes it possible to analyze the relationship between formal and informal distribution, reconsidering the actions of two types of distributors as potentially integrated rather than opposing, based on some assumptions:

- 1) the actions of distributors within formal and informal networks include complex social and cultural interactions, rather than mere economic exchanges;
- 2) in the individual actions of the members of such networks more than economic interest, personal gratifications, related to increasing visibility, achieving a specific purpose and attaining apex positions in the community, have significant weight;
- 3) applying the principle of socio-network effects (Molteni & Ordanini, 2003), instead of perceiving informal online distributors as parasites exploiting the creations of media industries, we can understand their practices as part of a more complex symbiotic relationship with formal distributors;

- 4) the social contexts of distribution, in its formal and informal arrangements, shape the evolution of the distribution process, incentivizing some patterns at the expense of others;
- 5) instead of representing film distribution as a technological or economic process, it should be emphasized that it mediates and facilitates social and professional relationships between distributors of both types, defined by Crisp (2015) as pirates and professionals.

The ecosystem approach enables the study of how the dissemination process problematizes the relationships between producers, distributors and consumers, disintegrating traditional dichotomies. It allows us to examine the internal organization of communities, understood as spaces in which file-sharing manifests itself “as a complex social interaction where altruistic, agonistic, instrumental and autotelic factors are at play” (Crisp, 2012, p. 201). Moreover, we can analyze the practices implemented by informal distributors and their impact on formal distribution: informal distribution can be conceived of as a media incubator of new economic models (Guertin, 2013): for example, pirates’ subscriptions to become members of file hosting services such as RapidShare and Mega Upload, to take advantage of faster downloads and more capacious cloud archives, predated by a few years the launch of legal SVOD services.

Conclusions. Postspectatorship and the experience of distribution

The filmic experience, typical of the pre-digital era, expands into further levels, as much during the complex of activities by which productions ‘engage’ audiences as during the moment of consumption (Tirino, 2020). I interpret this transformation using the paradigm of media experience: in this light, the involvement of audiences in informal distribution practices of film products can be revealed as an additional level of media experience. In taking part in informal distribution processes, whether autonomous or intermediary in nature, viewers experience an additional experience that is social, because it is hinged in a system of intra- and inter-community relations, and cultural, because it is inherent in the forms of circulation of culture. The ecosystemic approach to distribution also illuminates the spheres of interaction between formal and informal distribution: as part of the activities by which audiences express the media and social bearing of participatory cultures, informal distribution is further evidence of the

power of grassroots cultures to negotiate spaces of dialogue and autonomy with media institutions. Postspectatorship can be understood as a set of media experiential processes that, embedded in a range of sociocultural practices, is manifested throughout the life span of the film project (design, promotion, engagement, production, distribution, consumption, interpretation).

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