

## 10 The Making of Cultural Commons: Nasty Old Film Distribution and Funding

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On October 10, 2009, the independently financed film *Nasty Old People* became the first Swedish feature film to be distributed for free under a Creative Commons license through the peer-to-peer file-sharing service The Pirate Bay. In conjunction with the release, a viral marketing strategy and donation campaign was launched. The launch, the campaign, and the donation came about because of a collaboration, enabled by the Living Lab the Stage, between the media production companies Tangram and Good, The Pirate Bay, and university researchers and students. Within five days, the film had been downloaded 14,000 times, translated by volunteers into thirteen languages, raised 5,000 euros, blogged about around the Western world, and a few weeks later was covered in traditional media channels. The exposure at The Pirate Bay and in the blogosphere, and a vivid social-media buzz, led to screenings at small theaters across Europe. A year later, Swedish public television (SVT) broadcast the film, which together with the donations paid the bank loan of 10,000 euros and saw the launch of the first Creative Commons Film Festival.

The collaboration between Tangram, Good, The Pirate Bay, and university researchers and students tried out new forms of distributed open innovation and new forms of participatory design. It tried out how collaboration across the knowledge domains of independent film production, the academic fields of media and communication studies and interaction design, media activists—or, according to some, media criminals: The Pirate Bay—and citizens could be carried out; fields that currently rarely engage in research together. The research thus tried out how innovation that cuts across academia and the public and private spheres can be conducted with partners that are seldom given the opportunity to participate in research and development. Swedish research funding to a large degree excludes partners that are economically small, as some of the biggest research and development funders in Sweden will fund only holding companies. This is a policy that is not particularly democratic as many companies within cultural industries are not holding companies and therefore cannot participate in state-funded research and development. The research also tried out what it means to conduct open innovation, as the constellation of partners grew along the way and



**Figure 10.1**

The doodle on The Pirate Bay announcing the release of *Nasty Old People*.

were not predetermined. Finally, it tried out how innovation, or future-making, can be conducted through experimentation in the public, rather than as design scenarios or temporary prototypical practices of future arrangements of people, cultural products, technologies, funding, and law. By trying out the distribution of *Nasty Old People* in public, it interweaved with larger social arenas—national and international—that pointed at how research and development, in particular within participatory design, can simultaneously engage in local development as well as larger social arenas, as the “object” or “issue” tried out is no longer only a boundary object (Star 1989) to be negotiated among known partners, but a contested issue on national and international arenas where various positions held by communities and organizations affect the perceptions and practices around the issue.

More important, the production, distribution, and marketing tried out a new—perhaps complementary—public model for the sharing and financing of film, which is tightly connected to forms of ownership. The distribution imagined and concretely suggested a new form for infrastructure for sharing of cultural products and knowledge in the form of cultural commons. The film went straight to the viewers, who were asked to donate if they could, rather than to distributors, cinemas and festivals—the traditional “bottlenecks” and gatekeepers of good taste and profiteers of cultural

products. This challenged “business as usual” and the traditional order of releasing movies and charging for cultural products. It also challenged who is given the right to tell and spread stories via the art form of fiction film, a right that is tightly connected to film funding, as the production and distribution was to a large degree self-financed. Swedish films are typically funded through a mix of public funding allocated by the Swedish Film Institute and regional film funds, private financing, and citizens as they buy theater tickets. As such, Swedish film funding and distribution is a form of governing of a public sphere that cuts across public and private, the state and the market.

The release thus imagined and concretely suggested a different and complementary form for sharing and financing cultural products and a new form of a public sphere where film production and distribution practices are made accessible to more people, which leads to an increased diversity of “voices” in the making and debating of films, two issues central to democracy.

The collaboration raised several challenges in relation to participation and future-making interventions pertaining to film production.

First, the collaboration pointed at how the future-making activity is both inclusive and exclusive. The researchers have worked with small media actors and cultural producers within film, music, and literature. The small media actors are often excluded from research and development, as are the arts in general. At the same time, the collaboration points at how the success was dependent on gathering resources quickly and at the right time. It also points at how the success was dependent on the combination of highly specialized know-how and access to exclusive networks within the media, the advanced tech-culture, and the cultural sphere. The transferability of the knowledge gained through the project to other marginal actors is thus minimal, as it cannot be “copied” if similar know-how and networks are out of reach.

Second, the collaboration raised questions about how cultural productions can and could be shared and financed in a small country belonging to a small language area. On the one hand, the actors behind the intervention argue for free and open access to culture that others can build upon, something that is difficult to convince current public and private funders to support. A niche activist audience, however, is willing to support such an initiative, as it challenges current distribution and financing infrastructures. The question it raises, however, is whether this is a sustainable funding model for small independent filmmakers, as raising large sums through crowd-funding is difficult and time consuming. It also points to the fact that such an intervention can be interpreted as supporting current neo-liberal tendencies of decreasing state funding of the arts and an increased demand for artists to become market-driven entrepreneurs who should fix their own funding and perhaps even their own audience to be granted state funding—an interpretation that is contrary to the team’s intention to argue for cultural commons, which the current system of funding and distribution system finds problematic.

### Infrastructuring, arena analysis, and commons

Living Lab the Stage has been engaged in experimenting with narrative forms and alternative ways of producing, distributing, financing and marketing film, literature, and music together with small independent companies and cultural workers in Malmö since 2009. The reasoning behind working primarily with small companies was that they are seldom included in exploring future possibilities and that they should be given the democratic opportunity to connect to research centers and participate in the imagining and exploring of alternative futures—an opportunity that should not be available only to large and well-established companies.

Building upon earlier participatory design research (Björgvinsson 2008; Björgvinsson et al. 2010, 2012), the lab has developed new infrastructuring processes as different partners form a temporary working constellation while exploring a particular issue and trying out future practices. Building upon Star and Bowker 2002 and Karasti et al. 2010, infrastructuring means the negotiation and sociomaterial configuration of how local needs can be adjusted and aligned to shared needs. Along similar lines, the lab has built upon Lucy Suchman's work (Suchman et al. 1998; Suchman 2002, 2008) that makes the case for seeing research and development as ongoing networks of relations, and as rearrangements of particular socio-technical arrangements, rather than as free-standing systems developed at some kind of imagined and decontextualized frontier. Here, it will be argued that open innovation and participatory design engaged in the development of new public spheres need, as Suchman (2002) suggests, to pay attention to how research and development connect to wider social systems, which I suggest can be done through arena analysis (Clarke 2005; Clarke and Star 2007). Arena analysis pays attention to communities and organizations and, I would add, to what Callon (1986) calls translation centers—or central networks—that many actors gather around and believe to be important to maintain and defend. In this case, the organizations and communities include the American Film Association, which through its lobbying affects international trade agreements and copyright laws (Lobato 2008), the Swedish Film Institute (SFI), large Swedish media companies and distributors, and The Pirate Bay. On a national level, SFI and media companies gather around the Swedish film agreement. On an international level, governments gather around trade agreements such as Trade Related Aspects of Intellectual Property Rights (TRIPS), General Agreements on Tariffs and Trade (GATT), and now through the World Trade Organization (WTO).

The notion of translation centers can be used both for analyzing current networks and for analyzing how new networks are constructed. As Callon (1986) points out, when actors face a new issue, try to define what the problem is and how it can be solved through an action program, and try to identify pertinent actors and their representatives, the actor who manages to become indispensable to the network becomes the main

actor that all the other actors connect to and have to negotiate and work with. The main actor has managed, in other words, to become what Callon calls an “obligatory passage point” through which all other actors have to pass. All mediation between actors has to go through this obligatory point of passage, which makes the main actor a powerful translation center. The early stages of forming an actor network consist of what Callon calls problematization, intersement, enrollment, and mobilization. Problematization refers to the act of defining the problem and identifying the significant actors. Intersement refers to the stage at which actors are attracted to the problem and negotiations are made on how they should engage. Enrollment refers to the stage at which the actors agree to accept their assigned roles. Mobilization of allies refers to when actors actively support the action program, as the majority of the members in their constituencies support it. An action program can have several obligatory passage points. Local networks, by setting up spaces of negotiation that is channeled through obligatory points of passage, give them certain autonomy from global network actors.

Central to the notion of infrastructuring (Star and Bowker 2002; Karasti et al. 2010) is how overarching or shared needs across contexts can work together with local needs and circumstances. Although this is not stated explicitly, central to infrastructuring is that infrastructures come about through situated politics as agreements and stabilizations are negotiated and performed by the various partners gathering around a particular sociomaterial issue. This is a form of politics and governing that is closely related to Foucault’s (1973, 1977; also see Barry 2001) expanded notion of the political and governing, which is more messy than the idealistic notion of governing often put forth in political science studies, as such distributed politics cut across various contexts; often mixing private and public spheres, the state and the market.

The relationship between local needs and global or shared needs, a central concern to proponents of infrastructuring, is also a central concern of advocates of commons, as they are concerned with common-pool resources or commons as property regimes and with how individual needs and rights and common good needs and rights can be balanced (Ostrom 1990; Hess and Ostrom 2003, 2007; Lessig 2001, 2004). Hess (2012, 25–26) has defined commons as a “cultural resource shared by a group where the resource is vulnerable to enclosure, overuse and social dilemmas,” and she remarks that it is difficult to draw a clear line between commons and cultural commons, as many natural-resource commons “abound with cultural components.” However, many cultural commons, which at times are spoken of as knowledge commons (Madison et al. 2010; Hyde 2010), seldom directly face the dilemma of overuse, which is central to natural-resource commons, as many cultural products, intellectual ideas, or organizations do not face the possibility that the resource might disappear through overuse. On the other hand, some cultural commons entangled in the digital face the specific problems of migration and archiving (Hess 2012), as new digital standards change quickly and demand resourceful heritage organizations.

As Hess and Ostrom (2007) have shown, common-pool resources, or shared resources, aren't necessarily connected to ownership or to property rights. Property rights, as Hess (2012) states, are just one of many kinds of rights. Other rights include management rights, access rights, exclusion rights, and extraction rights, which Creative Commons licenses address so as to expand and nuance the copyright law. Commons, as Hess (ibid.) states, can have various organizational forms, but are typically characterized by participatory engagement and are self-governing. Such self-governing and participatory forms of organizations can regulate their relations to the state and the market and are often independent of state governing. They demand "social capital, trust, and reciprocity", and they are vulnerable to "social dilemmas, such as non-compliance, free riding, lack of commitment, and so on" (ibid., 23).

The question of commons, particularly cultural commons and Creative Commons, is central to the case discussed here, which deals with how Swedish films can be owned, financed, accessed, and shared. However, approaches to infrastructuring could benefit by connecting to the debate and the practices concerned with commons. First of all, the commons debate has taken a relatively strong stand in relation to the question of how to balance local and global or shared needs. The notion of knowledge and information commons appeared in 1995 (Hess and Ostrom 2003), and the first books focusing on cultural commons were published in 2010 and 2012, namely *Common as Air* (Hyde 2010) and *Cultural Commons* (Bertacchini 2012). The attention to information, knowledge, and cultural commons came about because people building online resources saw problems related to commons emerge, such as free riding, congestion, "pollution," and conflict (Hess and Ostrom 2003). It also emerged, as Hess (2012) states, because of increased threats of enclosure and commodification of cultural resources, but also because networked technologies allowed for the formation of new types of communities. Simply put, an imbalance between private property and private resources and common good had to be addressed. Second, research on commons has clearly identified what characterizes what Hess (2012) calls "long-enduring commons." On the basis of extensive empirical research, Hess and Ostrom (2003) have identified the following set of features that characterize durable commons:

- Clearly defined boundaries should be in place.
- Rules in use are well matched to local needs and conditions.
- Individuals affected by these rules can usually participate in modifying the rules.
- The right of community members to devise their own rules is respected by external authorities.
- A system for self-monitoring members' behavior has been established.
- A graduated system of sanctions is available.
- Community members have access to low-cost conflict-resolution mechanisms.
- Nested enterprises—that is, appropriation, provision, monitoring and sanctioning, conflict resolution, and other governance activities—are organized in a nested structure with multiple layers of activities.

(See also Hess 2012.) Some of these characteristics resemble some of the issues addressed by the discourse on infrastructure, such as the need for local rules and clearly defined boundaries. However, these characteristics also point to the need, which has not been much addressed within the design-driven approach on infrastructuring, to devise a set of explicit rules that can be modified and sanctions that can be carried out. Design-driven approaches to infrastructuring have emphasized exploring the development of new practices through enacting tacit rules. However, these approaches have perhaps not paid enough attention to the value and importance of explicit frameworks that contain explicit rules—such as those that are created by commons organizations—that guide how different stakeholders should collaborate and resolve conflicts.

### Tangram

Common to all the cultural actors that the Living Lab the Stage has collaborated with is that they engage in cultural production mainly because they believe in the value, the power, and the social good of culture. (For a more in-depth analysis of how some of them reason, see Fischer 2010.) Although all of them hope to make a living out of their business, it is a secondary concern. Central to all of them is that they engage in meaningful work and that they can stand for and believe in what they produce.

Tangram, a small independent film production company run by Hanna Sköld, Andrea Kåberg, Vanja Sandell Billström, and Jennifer Malmqvist, is no exception. Like many other small independent film companies, it aims primarily to make films that it believes in and secondly to make a living from them.

*Nasty Old People*, directed and produced by Hanna Sköld, is a film about a nineteen-year-old neo-Nazi girl, named Mette, who works for a municipal home-help service. The theme of the film is the clash between disdain and caring. We follow how Mette and the senior citizens change and manage to come to terms with their shortcomings and become more caring and less disdainful individuals.

The film was largely a do-it-yourself (DIY) production. Hanna Sköld applied for a Rookie stipend, which was funded by SFI, SVT, and Film i Väst and geared toward young directors. However, because Hanna wasn't associated with an established producer, she wasn't qualified for the grant. To make the film, she took out a 10,000-euro bank loan and persuaded actors and a production crew to participate for free. Good helped out with the post-production, and with a small grant from Film i Skåne Hanna was able to complete the film. The production is, as such, a good example that it is possible to make feature films without large funding, thanks in part to cheaper and more accessible production gear, if one has the time, the contacts, and the willingness of a large group of people to work for free.

The collaboration with Tangram happened because the lab had worked with the production company Good on several projects between 2007 and 2009. This long-term collaboration meant that we had good knowledge of each other's competences

and that we shared some common values and trust. When Helene Granqvist, CEO of Good, heard that Hanna needed help with the post-production, she decided to help her out—offering her a place at Good and helped her to get some financing from Film i Skåne and SFI. However, because the film was made outside the official system, gaining access to traditional distribution channels was difficult. And there was no budget for distributing and marketing the film, a problem that Tangram shares with many DIY filmmakers.

The main function of film festivals and theater screenings is promotion and marketing, as the main revenue comes from rental and (more recently) through online subscription streaming services. Because only a fraction of the films made are shown at festivals and theaters, these venues function as “bottlenecks,” or quality controls, which gives the distributors considerable power. Film funders, some of whom also are distributors, thus ensure that films they have funded are screened at festivals and in theaters. Films made outside the official funding system, except those made by well-established film producers who fund their own films and have a guaranteed large audience, do not have access to these distribution channels. The rhetoric that is used is that these channels are quality controls or a form of editorial work that guarantees that only the best films reach the viewers.

At a sneak preview of *Nasty Old People* in Malmö, Richard Topgaard, a Living Lab the Stage co-worker, talked to Hanna Sköld and suggested that we could help her with distribution. On short notice, the author of this chapter connected the case to an interaction design course in which the students were to collaborate with the Living Lab the Stage. The students, who worked on the project for five weeks, came up with various distribution strategies. One idea was to recruit volunteers around the world to premiere the film in their homes, at senior citizen care centers, and in small theaters. Hanna and the students decided to opt for online distribution through the file-sharing site The Pirate Bay, and thus to bypass the traditional practice of releasing films.<sup>1</sup> Thus *Nasty Old People* became the first Swedish full-length feature film to be released on a peer-to-peer file-sharing site under a Creative Commons license. This was a public experiment suggesting a complementary distribution and funding model that believed in free access to culture. The experiment was made possible by a long-term engagement with Good and a quickly formed constellation of partners that included Tangram, The Pirate Bay, and university researchers and students and later expanded to include numerous offline and online collaborators from San Francisco to Kiev.

### **Distributing and marketing *Nasty Old People*: Exclusive inclusion**

According to influential thinkers on creativity and innovation, Tangram and Good should be optimal creative innovators that should be greatly valued by the municipality of Malmö (Florida 2002). Insofar as these companies are close to what Leadbeater

and Miller (2004) call “Pro-Ams,” they should be highly innovative, and if we accept Eric von Hippel’s (2005) argument that innovation has become more democratic as a result of greater access to information, tools, and technological infrastructures, they should be more agile and more open to collaboration and sharing of competences and resources than traditional innovation clusters that gather experts under the same roof. What if the distribution and financing of *Nasty Old People* was an excellent example of these arguments? How did the process affect and transform the collaborators? How democratic can it be said to be? The account of the experiment that follows will show that these claims are partially true. The collaborators are small and agile, but also big and powerful, as is evident in the impact The Pirate Bay has had on the international media landscape. Tangram is valued by some public institutions, but faces constant difficulties of finding funding. Access to technologies and information is central, but so is the access to networks and skills.

The distribution and marketing of *Nasty Old People* started with uploading a torrent file on The Pirate Bay, which lowered the distribution cost to zero and handed over the distribution to the users. How successful the distribution would become depended, consequently, on users’ willingness to “seed” the film (that is, to making your copy of the movie available for others to download through a peer-to-peer file-sharing network) and spread the word. After less than a week, 14,000 copies of the film had been distributed, equaling 12,550.5 gigabytes, a bandwidth that a single distributor would have to pay hundreds if not thousands of dollars to transfer.

To give the release official status, *Nasty Old People* was registered on the Internet Movie Database, an entry on Wikipedia was posted, a trailer was put on YouTube, and a premiere screening and release party was arranged by Luffarbion at Kontrapunkt, an offline event in Malmö emphasizing the importance of coming together and communal belonging.

To gain exposure, the team contacted The Pirate Bay and convinced them to exchange the “doodle”—the image of a pirate ship normally meeting the users of the site—on The Pirate Bay’s front page, which would considerably increase the exposure of the film.<sup>2</sup> Placing a torrent file on The Pirate Bay without the front-page “doodle” would have meant simply placing a link to a file among millions of other pointers, and in order to find it people would have had to know what to search for.

The Pirate Bay was difficult to get hold of, since none of the people behind it had public telephone numbers or e-mail addresses. At the time, the mass media were on their trail because The Pirate Bay was facing legal charges and because sale of the site was being discussed. We were able to get in contact with one of them through the microblogging site Twitter, as one member of our team knew the Twitter username of a person who might have information on whom to contact.

The Pirate Bay agreed to put a doodle on their front page because it resonated with their values. The doodle was central to the success of the distribution of the

film, as the ups and downs in the number of page views of the *Nasty Old People* Blog clearly showed.<sup>3</sup>

To gain additional exposure, we sent press releases to traditional media channels and contacted people we knew who worked for some of Sweden's larger newspapers. We also contacted prominent bloggers, among them Unni Drougge (a famous Swedish author and an acquaintance of Hanna Sköld) and Mathias Klang (who is engaged in Creative Commons Sweden and who has a considerable following on social media channels and access to an influential international network). Klang, in turn, contacted the influential journalist, activist, and author Cory Doctorow, who writes for the well-visited website Boingboing.net. After Doctorow's post about *Nasty Old People* appeared on Boingboing, we observed a considerable increase in the numbers of posts in the blogosphere and in online fanzines in the Western world. The amount of exposure hinged on good contacts, cunning use of social media, and a fair amount of luck.

In anticipation of user engagement, a blog had been created so that donations could be made through PayPal. Hanna regularly posted updates on the progress of distribution and donation, so as to be in close contact with the audience and create an as transparent process as possible. A Facebook page was created that enabled the audience to send messages to Tangram and to ask questions of Hanna and the team. The Facebook page was "liked" by 1,500 people, and a dialogue with the team went on for several weeks. Hanna alone was in e-mail contact with about 130 people, something that she appreciated but sometimes found overwhelming.

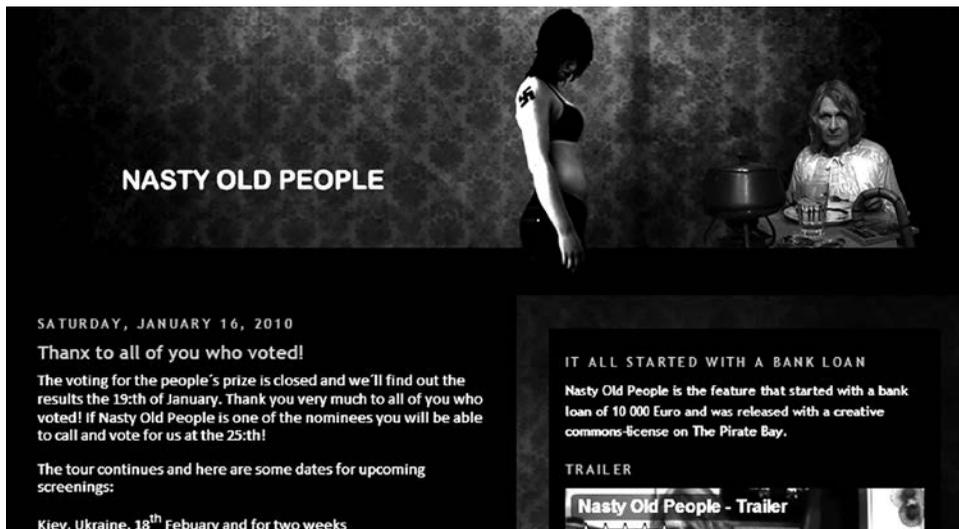


Figure 10.2

A screenshot from the *Nasty Old People* blog.

The above account illustrates how alternative distribution and financing of a movie demands specialized knowledge on how to intertwine social, technical, and economic systems and practices, including knowledge of how various social media platforms work (both technically and socially), of how various online financing systems work and can be set up, and of how to encourage and motivate the audience to donate. Most filmmakers do not have such knowledge, and buying competence in these specialties is too expensive for a small independent film company. In 2009 (when the campaign for *Nasty Old People* was conducted) most filmmakers and production companies wouldn't have known how to create a torrent file or how to seed a film via a peer-to-peer file-sharing network, and most would have had only limited knowledge of the online practices that were considered for *Nasty Old People* and those that were used.

The account also shows how important it was to be able to connect to strong networks in the high-tech world and in the cultural world of bloggers and journalists who share similar values and interests. Without gaining access to The Pirate Bay's front page (which has millions of visitors per week), and without the blog post written by Cory Doctorow, the distribution and financing of the film probably would have been quite meager. Being displayed on the front page of The Pirate Bay, and being given exposure on the online new-media website Boingboing were, thus, essential to the success of the release. In other words, a small and unknown actor needs to associate and adjust itself to important media outlets.

The same goes for niche products, such as avant-garde literature, sold in large online stores such as Amazon. Chris Anderson (2007) has hailed how the Internet makes it possible for niche products to become more accessible through online distribution. He also points out how these products are a considerable source of income for large online stores such as Amazon through what he calls the long-tail effect. But from the perspective of small media companies, such as Tangram, if they were to sell their products on such sites with the aim of reaching a large customer base, it would demand having access to digital windows with high exposure, i.e., many visitors. This is because an online database doesn't reveal much of its content. It is therefore hard to stumble upon less-known titles, and you need to know what you are looking for, as the search field is blank which creates a narrow field of vision. The storefronts, where certain products are highlighted, are for the most part reserved for large companies that are able to pay for the exposure. On The Pirate Bay you cannot buy front-page ads, and without an ad your product becomes a needle in a haystack. The only way to get front-page exposure at the time of the release was to have enough cultural or social capital, and since 2012 one has had to acquire that by going through the Promo Bay application process. Gaining online exposure on The Pirate Bay is therefore, just as on commercial sites, reserved for a few strong actors having either a lot of cultural capital or a lot of money.

The campaign for *Nasty Old People* was based on access to "free" student and research labor and on the film company's ability to devote unpaid time to it.<sup>4</sup> The students

worked on the project full-time for six weeks, and each of the researchers devoted about 40 percent of his or her time to teaching the students and facilitating and documenting the project together with students and Tangram; this included coming up with various concepts, producing visuals, and launching websites and services. Tangram spent considerable amounts of time “living on thin air,” especially when it came to running the campaign itself, which at times became labor intensive for Tangram because of extensive dialogue with the audience. From a strictly economic perspective, the work put into the campaign exceeded the money raised.

Our tracking of the downloading and media exposure shows how short-lived the media attention was. The window of exposure was limited to four high-exposure days. The downloading peaked at 14,000 copies on the fourth day and thereafter slowly rose to 25,000 copies during the next weeks. The media exposure was concentrated to three days. It started with Sofia Mirjamsdotter’s—Mymlan’s—post on Aftonbladet’s blog on October 8, 2009. On October 10, when Klang and thereafter Doctorow had written about the release, between twenty and thirty posts—articles and blog posts—were written per day. Geographically, the media attention was concentrated in Europe and to some degree the United States. No posts south of Italy or east of Turkey were detected. Traditional media covered the story only when the media attention in the blogosphere and in online fanzines was over. *Sydsvenskan*, southern Sweden’s largest newspaper, was the first newspaper to cover it (on October 23). News articles published in traditional media had no noticeable effect on the number of downloads or the number of visits to the *Nasty Old People* blog. Online niche media channels, at least when it came to the topic of a free film and free culture, had greater exposure and audience engagement impact than traditional media channels. Two reasonable assumptions are that readers of online niche media sources are more likely to have activist leanings toward the topic in question than readers of more traditional news sources and that traditional news media rarely hyperlink to blogs and torrent pages and thus do not provide their readers with call-to-action triggers.

The success of the campaign depended to a not-insignificant extent on the ability to gather the right resources, the knowledge, skills, networks of people, and technologies at the right time and have them perform well in a loosely connected and distributed manner. The stages of problematization, interesement, enrollment, and mobilization went quite smoothly. The researchers/teachers, on short notice, added the project to a university course. The people at The Pirate Bay, also on short notice, were willing to give active support to the project and gave us access to their vast network, even though they were facing legal charges and frequent attacks on their servers and were negotiating a sale. Tangram quickly decided to run the alternative distribution strategy. Collaborating with The Pirate Bay meant accepting that The Pirate Bay had become the main network actor and therefore an obligatory point of passage for major translations, which redefined Tangram considerably as they became allies with a piracy organization.

The alliance with The Pirate Bay—an obligatory point of passage—could be considered controversial by the Swedish Film Institute and Swedish film companies and distributors, which in the so-called Film Agreement clearly states their intention to work against illegal downloading and piracy, and Hanna Sköld was potentially risking her career as a director hoping to operate within the traditional film system. Teaming up with The Pirate Bay considerably altered the meaning of the film *Nasty Old People*, the director, and Tangram. Instead of being a cultural product that was to be protected as a commodity, the film advocated not only that cultural products should be accessible to all for free, but also that the people behind The Pirate Bay were spreaders and educators of culture, not criminals. Simultaneously, the film bypassed the traditional translation center made up by the Swedish Film Institute and their partners that co-finance the Swedish Film Agreement, whereof some of the partners own the current film distribution infrastructure—comprised of theaters, video rentals, and online streaming services in Sweden.

Although we did not know if neither traditional nor more experimental online media channels would catch on, when they did, the speed of it was not surprising as that is a common characteristic of online social media. The novelty of the distribution and funding strategy was also a resource played upon. As Kerrigan (2009) points out, “calling cards” can be an effective way to become recognized and receive attention. But being first would not necessarily have meant much if it had not been for a strong alignment of humans, media, and technical actors; a driven and communicative director, a DIY film, university resources, The Pirate Bay and The Pirate Bay doodle, Doctorow and Boingboing, PayPal, and the audience.<sup>5</sup> Gathering the right resources meant drawing upon existing networks that shared common values and trust, but also effectively inserting or aligning us (that is, Tangram and the university actors) with a new powerful obligatory point of passage and translation center in the form of The Pirate Bay and their actor networks. What allowed this temporary but effective infrastructure to develop was a shared value system that enabled the actors to gather around the boundary object, which in this case was a free Creative Commons film.

Many would agree that the release tried out a new and innovative way of distributing and funding film and suggested an alternative view of the value of cultural products. But what were the politics of participation, and how democratic? The collaboration came about primarily through personal contacts and through networking.<sup>6</sup> The Living Lab the Stage, making use of earlier research and development conducted with Good, connected to Tangram, which together with the researchers teamed up with The Pirate Bay and with various media and tech people, and finally made the experiment public and debatable. This initial phase of “connecting” was therefore highly exclusive and not particularly accessible to other film companies—a feature it shares with most state-funded or regionally funded research and development projects. This

is not particularly democratic if you don't consider lobbying to be a new viable form for conducting democracy. (See chapter 9.) However, given that many EU research and development funds, exemplified by the research and development accounted for here, are considered to be democratizing arenas (Erlingsson 1999), the lab took the stance to work with partners typically excluded from research and development. The reasoning behind this stance was that a central aspect of democracy is not only to cater to the majority rule, but also to pay attention to those in minority and at times ignored by those in power. When the release was made public, participation and discussion were welcomed. However, the discussion it generated was one-sided, coming primarily from people who had positive attitudes toward open, shareable, and free culture. Those controlling the current film financing and distribution in Sweden remained silent, perhaps because they didn't want to enter the debate, as that would acknowledge that there was an issue to be debated. The release, thus, was highly political, as it wanted to address who gets to tell stories, in what way stories are made accessible and to whom, and how they can be reworked.

### **A commons battle: Creative commons, remixing, and funding**

The close relationship between innovation and copyright, which the release of *Nasty Old People* challenged, is well documented (Frow 2000; Vaidhyanathan 2001). The battle over the last two decades has been largely about how to protect creative work and how it can be cited, reworked, and monetized, which in turn relates to and affects how it is financed. The copyright law, as Lobato (2008, 2012) argues, came about to ensure that cultural producers would be rewarded for their work and to foster future innovation. Copyright has become so entrenched in the Western culture that it for a long time was considered as “a common-sense way of protecting the rights of cultural producers” (Lobato 2008, 17). However, as Lobato argues, “copyright is also a historically and culturally specific ideology, one founded upon modernist notions of innovation and deeply embedded in capitalist thought and practice” (ibid.). The common sense of copyright has more recently been questioned in the struggle for redefining how we approach the future in innovative ways.

The release of *Nasty Old People* was seen in this light by the journalist Sofia Mirjamsdotter (2009), who presented it as forward-thinking and modern. In the same post, she contrasts *Nasty Old People* to the new Swedish film commission report: “Yesterday, the new film commission report was presented, which was done by Mats Svegfors. He suggests, among other things, higher taxes on cinema tickets. Another suggestion is that the state takes over the film politics. It really does not feel like 2009, more like 1939, or something like that” (author's translation).

The release, clearly, cannot be analyzed in isolation. The intervention challenged current film distribution and funding practices by trying out new forms for distribution

and funding. As such, it connects to national and international debates and sociomaterial struggles relating to film distribution and funding; a debate and struggle that has to a large degree centered around copyright and piracy in relation to networked technologies. This demands what Clarke (2005) calls “social worlds/arena analysis,” or what Clarke and Star (2007) call “infrastructure arena mapping”—that is, an analysis that focuses on the main discursive perspectives as well as on how meso-level human and nonhuman stakeholders (communities and organizations) act. The aim of such an analysis is to identify commitments and how the actors (be they communities or organizations) frame and interpret the issue.

### **The Swedish funding and distribution infrastructure**

Since the early 2000s, Sweden has seen the emergence of The Pirate Bay, the largest file-sharing service on the Internet, which has taken a critical stance toward how cultural products and knowledge is locked down, monetized, and controlled by largely big corporate interests. On the other hand, Swedish film financing and distribution—which is one of many important public spheres in Sweden that cut across public and private funding—has during the last decade adamantly wanted to protect copyrighted material and fight piracy and ensure that the existing distribution infrastructure is protected.

The Swedish Film Institute’s objective, on behalf of the Swedish government, is to “support the production and development of valuable Swedish film; to support the distribution and screening of films of value in various viewing formats across the whole of Sweden; to preserve and develop the Swedish film heritage and make it accessible; [and] to collaborate internationally and strengthen the export and screening of Swedish film abroad” (Svenska Filminstitutet 2012, 4). Swedish films, produced within a small language area, are highly dependent on state financing and rarely break even (Statskontoret 2013). SFI’s yearly production budget for films is only about 23 million euros, 51 percent of which is tax-based funding from SFI, regional film funds, and Swedish public television. The film producers, through their own investments, fund 19 percent. The remaining 30 percent comes from private media companies and to the largest degree from theater ticket sales paid by Swedish cinemagoers. Since 2007, the media group Bonnier controls SF, a company that owns 95 percent of all theaters in Sweden and is, according to the Swedish Film Agreement, obliged—just as all theater owners are—to pay 10 percent of proceeds from ticket sales of Swedish and foreign movies to SFI. Accordingly, the funding and the distribution of film in Sweden are tightly connected, as they cut across public and private funders. Only the distributors (more precisely, one distributor—SF) make sizeable profit through ticket sales, which raises the issue whether state funds should support private profiting of cultural products by supporting actors that considerably limit the access to these largely state-funded products.

The two latest Swedish Film Agreements (Svenska Filminstitutet 2006, Svenska Filminstitutet 2013) state that the partners, besides the SFI objectives listed above, should increase the number of visits to theaters and should support the work against illegal viewing of Swedish film, on which SFI spends 900,000 euros per year.<sup>7</sup> It is interesting that these film agreements were negotiated without the representation of Swedish directors. Two statutes that address accessibility connect to governmental guidelines, which demand that SFI should make a wide assortment of films available in a variety of media outlets to as big and as diverse audience as is possible in the whole of Sweden (Statskontoret 2013). The government-commissioned inquiry carried out by Statskontoret states, however, that SFI to a small degree has worked on making films broadly available and has focused mainly on theater distribution (*ibid.*). This at a time when the average Swede sees two films per year in the theater, while 78 out of 80 films are seen in other media outlets. (On average, Sweden has 15 million theater visits per year, which can be compared to the 1950s when visits to the cinema amounted to 80 million per year) (*ibid.*). Also, as Bonnier is a privately held commercial company, it understandably prioritizes theater screenings of productions that it has funded (Hirschfeldt 2012). Furthermore, outside Stockholm, Gothenburg, and Malmö, the number of titles available is small and mainly consists of U.S. blockbusters. The Film Agreement partners—the state, SFI, regional film centers, theater owners, and film production companies—therefore can be said to work for upholding the current infrastructure for funding and distributing film. The Film Agreement also doesn't pay much attention to, or cater to, the fact that the consumption of film—which has increased—has changed as viewers more frequently choose other media outlets than theaters, at times illegal media outlets as viable legal alternatives have not been available.<sup>8</sup>

Film distribution, as the above account shows, is not a mere technical infrastructure but rather a complex interweaving of socio-technical-economical arrangements that are culturally and geographically specific. But, although they are geographically specific, the local is entangled in the global networks in a complex way, as Lobato argues (2008, 2012). Another word for socio-technical arrangements is infrastructure, which are ongoing negotiation processes between various local circumstances and more overarching needs of defining common socio-technical standards and conducts (Star and Bowker 2002; Star and Ruhleder 1996). Infrastructure is not a given stable entity, and considerable work is needed to uphold infrastructures. If an infrastructure stabilizes over an extended period of time, it often becomes a "frozen discourse," naturalized, invisible, and normative. When it breaks down, or when cracks appear, it becomes visible. That an infrastructure needs constant maintenance work to be upheld means that one can step into these infrastructures and reconfigure and influence them to some degree. This is, however, not easy to do, although Star (1991) argues that a renewal is possible in the margins or by those marginalized by prevailing infrastructures. The notion of infrastructures and socio-technical arrangements helps to make visible how

distribution and financing of film stretches across state institutions, markets, private artistic ambitions and norms, and technical aspects. These spheres are highly entangled and cannot be separated, which is in line with Barry's (2001) notion of technological zones. The distribution of *Nasty Old People* created, temporarily, a new infrastructure through new alliances and alignments of actors that had not worked together before.

### **Arena analysis of piracy and the qualities of Creative Commons**

Lobato (2008) effectively summarizes some of the main perspectives on an international arena on the topic of piracy and how it relates to copyright, shared knowledge, and future possibilities. His "arena analysis" points at how great the divide is between how culture should be shared and how various organizations and communities "meet" and perform around the topic. Furthermore, he suggests that the debate needs to move from focusing on whose *properties* we want to support to focusing on whose *future* we want to support.

The "piracy as theft" perspective, put forth by strong trade associations such as the Motion Picture Association of America, aims to protect large Hollywood-based film studios' special interests even though it is unclear whether there is a strong link between file sharing and a loss of revenue. The opposite perspective, "piracy as free enterprise," argues for liberating and even doing away with copyright. According to proponents of the "piracy as free enterprise" perspective, it would supposedly increase creativity and economic development (Kinsella 2008; Choate 2005; Paradise 1999). This extreme *laissez-faire* position mainly frames the debate in relation to a market-driven logic where piracy is not considered a problem. The "piracy as free speech" perspective, promoted by Lessig (2001, 2004), the Creative Commons movement, and Libertarians, argues that a balance between private interests and commons is needed. For proponents of the "piracy as free speech" perspective, it is essential to check big business monopolies. According to Lobato (2008, 2012), this perspective is strongly Western, mainly supports and benefits the Western creative class, and is admired by an academic elite that fetishizes the cut-and-paste remix culture. The "piracy as resistance" perspective, which is closely linked to the Copyleft movement, builds on Marxist labor perspectives that point at how media productions are created by a large body of workers, but only a few workers gain economically from the labor. From this perspective, file sharing—as Lobato (2008, 2012) states—becomes a political agenda where the aim is to work against this division of labor. Many proponents of this perspective are, not surprisingly, against market-driven media productions. The "piracy as access" perspective, which has grown out of postcolonial, legal, and developmental studies, is interested mainly in the power of dissemination of knowledge and culture, rather than in the ethics of property. We need, Lobato (2008, 2012) argues, to refocus the debate to whose future we want to support instead of whose property needs protection. The main concern of

the “piracy as access” perspective is how information and knowledge production can be made accessible to those disempowered, so that they can uphold their activities and their work, which today demands engaging in piracy as many copyrighted products are too expensive to purchase. (See, for example, Philip 2005 or Sundaram 2001.) The loss of revenue due to piracy, Lobato (2008, 2012) argues, is often highly exaggerated, as piracy is often a form of what Davis (2003) calls “cockroach capitalism” that operates in markets which the media institutions have found uninteresting, where pirated materials are the only options available. Piracy, he argues, can therefore be seen as “routes to knowledge, development and citizenship,” rather than primarily as “deviant behavior” (Lobato 2008, 16). Tangram, not surprisingly, views piracy as free speech, as resistance, and as access, while the film agreement views it as theft.

Hanna Sköld, the director of *Nasty Old People*, was at first indecisive whether she should release the film under a Creative Commons license, mainly because she felt that it was her work and that it should not be opened up for others to rework. Creative Commons was developed as an alternative to intellectual-property licenses because



**Figure 10.3**

The premiere of *Nasty Old People* in Kiev.

the copyright law was considered to have become too restrictive and mainly benefiting large media companies. This licensing scheme thus aims to create a better balance between (on the one hand) private ownership and rights and (on the other hand) the common good and cultural heritage.<sup>9</sup>

“It of course felt strange for me to let anyone remix the film,” Hanna Sköld stated in a newspaper interview (Arbsjö 2009, author’s translation). In the end, however, she decided to release it under a Creative Commons Attribution-NonCommercial-Share-Alike (CC:BY-NC-SA) license, which meant that the film may be copied, distributed, and shown as long as the author is credited, the use is not commercial, and derivative works are licensed in the same manner as the original. Hanna motivated her decision with the following statement posted on the *Nasty Old People* blog (nastyoldpeople.org 2010):

To us it’s important with free art and culture, and if all features are made by big corporations and funded by the same institutes all over the world, the culture is no longer free. Then the stories that reflect and create the societies we live in will come from just a few sources, perspective on the world will be excluded, and there will be voices around the world that will never be heard.

This is why we started the shooting with just our passion to tell the story and a bank loan of 10 000 euros, to cover the most basic expenses. We worked together for hundreds of hours of non-paid work and despite lack of money and equipment we managed to finish the shooting of *Nasty Old People* on 32 days over a period of nine months.

With no money you need something else: Creativity, nights, lots and lots of tape and many very kind people. Most of the scenes in the feature are shot in the homes of the team and the actors.

In a later interview, she stated:

To me, it’s a principle: the less ownership you demand the more you can do together and the better it becomes. If the film can live on and be used for other expression it is super good.” (Arbsjö 2009, author’s translation)

When interviewed by *Helsingborgs Dagblad*, she stated:

At first, I was in doubt. I wanted the film to be as we wanted it, but when the first remix that others had done came, I felt ‘God, this is really exciting.’” (Bergdahl 2009, author’s translation).

These motivations resonate with arguments put forth by creative producers using Creative Commons licenses. Andrea Hemetsberger (2003), as Rachel Cobcroft (2010) notes, has identified “publicity,” “legal certainty,” “reciprocity,” “public good,” and “co-creation” as the main incentives for using the licenses. “Publicity” and “legal certainty” point at how the license allows creators to distribute their work freely without making fans engage in illegal activity. At the same time, they can maintain creative integrity and legal control, which is trustworthy, transparent, and cheap, as no expensive lawyers are needed. And, as Hanna says, she wants the film to spread as much as possible and not be locked down by strict copyright laws and agreements between

artists, companies, and institutions, but at the same time she has expressed how she wants to maintain certain creative and financial control over the material. Many artists feel that Creative Commons gives them greater control over their work than other legal agreements.

“Reciprocity” builds on the expectation that contributing to the commons will benefit the creators economically, socially, and culturally. Hanna Sköld has, on several occasions, expressed how an open and giving attitude is rewarding, as people give back. The *Nasty Old People* release also shows how the fans were willing to help distribute and market the film, subtitle it into various languages, and arrange home screenings. Fans actively engaged in the distribution not only by seeding the film but also in helping to spread the word, which at times met unexpected resistance. For example, Facebook blocked links posted on Facebook leading to the *Nasty Old People* torrent file on The Pirate Bay, apparently assuming that any link to The Pirate Bay equaled a link to illegal copyrighted material. Fans, however, gave each other tips on how this could be circumvented so that the news about the release could be spread on Facebook. One of the translators of subtitles stated that he thought his contribution was worth more than donating a small sum of money. The social gain was thus considerable for the *Nasty Old People* team.

The release also provided additional social and cultural capital. Tangram gained many followers, became well known in Sweden and in parts of Europe, and has been invited to show the film in small theaters from Kiev to Los Angeles. Hanna Sköld has been invited to talk about “alternative film distribution” at seminars and conferences (including the Barcelona Creative Commons Film Festival, which was started as a result of the release of *Nasty Old People*). The concept of the Creative Commons Film Festival, itself licensed as NonCommercial-ShareAlike, has since spread to South America and Africa. In 2013, the first Scandinavian Creative Commons Film Festival was held. Interestingly, the festivals also aim at establishing a new way for directors and producers to distribute their films directly to independent theaters and the audience.

The notion of “co-creation” concerns making works available for others to build upon through remixing and mashups. The remix and mashup culture commonly questions, as is well known, the position that a work can be viewed as belonging to one person; it believes that cultural expressions always build upon and appropriate others’ work. Hanna Sköld, as stated earlier, was at first reluctant to let others build upon her work. Her initial reluctance turned, however, into positive excitement as she saw the first remix posted to YouTube.

“Reciprocity” and “co-creation” show that the audience is willing to help and contribute to the media production if there is a sense of belonging, if there is a shared concern, and if a shared value system is in place. The sense of belonging and the shared concern can vary depending on whether the perspective is that of “free culture,” that of “independent cinema,” or that of “alternative stories.” A common ideal sought after,

however, is connection. Being in a close relationship—perhaps even an intimate relationship—with the creative team is valued. This is a relation that goes beyond mere consumption and includes, in various degrees, creative engagement. However, intimacy is hard to scale up, as it asks for a one-to-one relationship, which is hard to maintain if there are more than a few relationships.

The “public good” perspective concerns making publicly funded research and cultural productions, as well as state-funded institutional documents, more open and accessible. To work for “public good” may be tricky for purely state-funded institutions, but it is considerably trickier for actors who have to operate in a mixed economy of state and private funding. The *Nasty Old People* team’s fight for Creative Commons and the common good has met with considerable resistance in Sweden and Europe. Finding a balance between private property, capital, and commons remains a challenge; it raises fundamental questions about how independent actors can operate outside the system, about the current infrastructure of film funding, about how the relationship between private funding and state funding can be configured, and about how independent initiatives are to be understood given the current state of cultural politics and policy in Sweden.

### **Crowd-funding in relation to broadened financing and Swedish cultural politics**

Film financing is tightly connected to copyright and distribution, and thus to ideological and political perspectives that concern creative autonomy, audience relations, and the politics and policies of cultural funding. For some time it has been debated whether Sweden should open up for widened cultural financing. Fundamental to that debate is the relationship between culture and commerce. Swedish film is considered both culture (since it receives public funding) and as an industry (since it is expected to survive on the market even though only one tenth of Swedish films break even). Broadened financing is thus already a central part of Swedish film production. However, very few films get funding from other public and private sources if they have not received funding from SFI.

Karlsson (2010) describes how those who favor broadened funding believe that the state should not have the sole influence on what culture should be funded, an ideological argument favored by right-wing parties that want to break the hegemonic power of the state. Very few, if any, of these proponents believe it is realistic with a completely neo-liberal market-driven culture, Karlsson (ibid.) argues, even though they may argue for broadened financing and increased entrepreneurial ways of working. Karlsson also points out that the cost for culture constantly increases while the tax base decreases. From a state financial perspective, broadened financing is therefore a necessity. Karlsson (ibid.) also discusses how broadened funding can be favorable for cultural workers. Having the opportunity to turn to different funders when one funding source turns a project down makes cultural workers less vulnerable and may ensure diversity and more

artistic freedom. He describes, for example, how cultural workers can turn to regional or state funds when municipal funds fail, or vice versa. Karlsson thus favors broadened funding. He cites Sven-Eric Liedman's remark that "a work practice that is always dependent on economic support from the outside (even donations) survives best if it has more than one master." (ibid., 70, author's translation). However, getting film funding in Sweden is for the most part highly centralized, and hinges on the judgment of two film consultants at SFI, since other financiers are reluctant to fund projects that have not received the blessing of SFI. In an international perspective, as Karlsson states, the cultural politics of the Swedish government is unusually strong, as tax-deductible donations are not possible and private independent foundations are few. As Karlsson points out, the only example of larger independent cultural foundation was Framtidens kultur, which started in 1994. In 2011 it was turned into Kulturbryggan by the right-wing government whereby the government demanded that independent cultural institutions and workers needed to match Kulturbryggan's funding with private funding.

The need to act outside established systems has a long tradition, and do-it-yourself and independent scenes have existed for decades for the arts in general and films in particular. Today, DIY actors and non-governmental organizations can fund their projects through online crowd-funding sites or by setting up their own donating campaigns (as the *Nasty Old People* team did when governmental and regional film funds were out of reach). It isn't easy—especially for un-established and unknown actors—to act outside the state funding system and finance film productions through donations or crowd-funding. Two additional questions are whether such funding strategies spur the Swedish government toward a more individualized entrepreneurial and liberal cultural funding policy and whether financing through donations or crowd-funding is a viable option for small cultural producers.

Before the launching of *Nasty Old People* on The Pirate Bay, the group discussed various financing strategies and which values should be promoted. For example, should there be non-monetary forms of donation, in order to enable participation for those who can't donate money? The idea of accepting other forms of donations was inspired by the Canadian musician Jane Siberry, who had experimented with online financing even before Radiohead's famous 2007 experiment in which one could purchase the album *In Rainbows* by paying however much one wanted to pay. Siberry's "pay-what-you-can" policy showed that buyers were willing to pay more for songs than the iTunes Store charged. When buying her songs, one could see the average price that the customers were willing to pay, which created transparency and made the customers aware of what her fans were willing to pay or how they valued her music. For a while she even encouraged people who felt that they could not pay at all to pay by "doing a good deed," more specifically to send a postcard to a loved one that they had not been in contact with for some time. It is difficult to say if this was a genuine gesture or if she wanted to point at what small amounts she was asking for: the price of a stamp.

Donations, as Vasiliev (2011) argues, means that the audience or consumer sets the price instead of the market. Donations can also be made to support the creators (which can be a form of activism, the product or experience being seen in relation to a political and cultural context that the donator wants to influence). Donation, according to Cox (2010), is often tied to an underdog position and seen as authentic. Cox also argues that film, music, and other forms of cultural productions should be viewed as public goods, and that the cultural industry should be financed through various mechanisms controlled by the public sector.

In the end, the *Nasty Old People* team decided to go for monetary-only donations and to accept them through the *Nasty Old People* blog. A decision to use PayPal as the payment service was made after several other options were considered. The biggest disadvantage of using PayPal was the business model, which is expensive if only small amounts of money are contributed. Another problem was that PayPal sets its own currency rates, which were to PayPal's favor if the donation was in another currency than the account you donated to.

About 250 people, out of the approximately 35,000 who downloaded the film, donated a total of approximately 5,000 euros. Another 5,000 euros came from SVT, which broadcast the film as part of their series on new independent filmmakers; that made it possible to pay back the bank loan in full.

The ratio between downloaders and donators may seem poor, but it fits well with participatory trends on the Internet. It is commonly known that only about 1 percent of users of a particular site or community are actively engaged, about 10 percent are moderately engaged, and the rest are passive onlookers, also called lurkers. This goes for most forms of online engagement, whether money is involved or not. Running the campaign was quite time consuming, since it was necessary to build up trust and to be in constant dialogue with the audience. Getting the whole loan funded through donation would have required getting considerably more people to download the film, which would have required an even larger campaign.

A distribution and financing campaign such as that for *Nasty Old People*, however, cannot be measured from a monetary perspective. The campaign builds up a considerable network, a potential future audience, reputation, and cultural capital, at least within certain subcultures. The members of the audience, at least some of whom share common values, such as free culture, not only donate money but also become ambassadors and even team members as they help to spread the film, provide new subtitles, and arrange theater screenings in their home countries. Nevertheless, the distribution and the financing of a film needs to address what it means for a small independent filmmaker to operate outside the established system, specifically in relation to access to media outlets and in relation to broadened and independent funding.

When it comes to media outlets, I have previously argued how important it was for the distribution of *Nasty Old People* that it got a front-page exposure at The Pirate Bay.

However, getting such an exposure on the Web is more easily said than done. The Web has its own bottlenecks and media consumption practices. There are indications that Chris Anderson's (2007) "Long Tail," which some believed to be the savior for small niche products, doesn't seem to hold true. The Long Tail, as is now well known, was an argument that the range of offerings of niche products would increase due to the Internet, as more consumers can find niche products. Chris Anderson's study focused on the distributors, not the small producers who drown in the large media landscape. This means that small independent production companies need to create their own promotion and sales windows lest they drown in the media noise. Customers need to know what they are searching for, which today demands that one keeps updated and actively search for niche sites that cover niche topics. Today, in a time of what Gourville and Soman (2005) call "overchoice," there are so many products that we find it difficult to navigate among them. Furthermore, we are social creatures, and we consume media to be able to share and talk about the experience. This makes us want to see the same films and read the same books as the people around us.

Vasiliev (2011), referring to McPhee (1963), points out that there is a big difference between "light consumers" and "heavy consumers." Light consumers consume mainly popular products and prefer these even when they are exposed to more niche products. Heavy consumers consume both popular and niche products, but prefer the later. The Internet is therefore, not surprisingly, dominated by a few "hit" products. Large companies can buy good placements at important distribution and sales windows such as Amazon and Google. Old economically strong bottlenecks are thus replaced by new, large, and economically strong media-company bottlenecks.

For Tangram, broadened financing in the form of crowd-funding was necessary since state and regional funding were not within reach. Crowd-funding, which has gained ground particularly in the U.S. but also in Sweden, raises interesting questions related to the relationship between state funding and private funding. Many crowd-funding platforms, such as the U.S.-based Kickstarter and the Swedish Funded by Me, are privately run businesses that make money from those who use their services. More important for the discussion here, Sweden has seen the emergence of public crowd-funding initiatives. Crowdculture, one such initiative, allocates public funding if the "cultural entrepreneurs" manage to gather a crowd and reach the amount of crowd money they have asked for. In a similar fashion, Kulturbryggan, a state-run funding body geared toward independent creative groups and individuals, demands private co-funding. For every euro contributed, the independent cultural workers need to obtain one euro from private funders—something that many of them find time consuming and difficult because they are not as attractive as larger, more mainstream cultural institutions and because cultural funding is not tax-deductible. In its former incarnation as Framtidens Kultur, which Karlsson (2010) welcomed as widened form for cultural financing, Kulturbryggan was an independent foundation not governed by the

state. Kulturbryggan's demand for private co-funding shows that it isn't independent from political steering and that its aim may not be to broaden the funding possibilities further but rather to push cultural workers in a more entrepreneurial direction so that the state can get more culture for less funding. Kulturbryggan, it should be noted, has presented Tangram as a good example of what Kulturbryggan wants to promote and has funded parts of Tangram's next production, *Granny's Dancing on the Table*. Is this a sign that the politicians wish to decrease the state's funding of culture? Do they wish to hand over more responsibility to the creative entrepreneurs, and to see cultural products adjusted to audiences' expectations? In other words, if consumers or private funders aren't willing to support a project, should the state fund it? Does this imply that our "successful" experiment risked pushing cultural productions toward even more entrepreneurial activities that increasingly become dependent on opaque corporate bottlenecks, driven by market populism and private funding interest, rather than state-funded bottlenecks that are supposed to ensure democratic plurality?

### ***Granny's Dancing on the Table* and ongoing infrastructuring**

Because Living Lab the Stage functioned as a "future-making" environment with an open-ended structure, rather than as a project-based research project with predefined goals, the lab was able to collaborate with Tangram and Good on *Granny's Dancing on the Table*, a film project that explored how current modes of production can allow the filmic media to expand and include gaming and become more transparent and open to vernacular storytelling without losing the enchantment and aura of the silver screen. How this could be done was highly unclear at the start of the project. (For example, should the gaming elements push toward role playing, or toward more traditional online gaming?) Owing to this lack of clarity, a range of concepts were sketched, tried, and scrapped. Furthermore, it was unclear how participatory storytelling could be combined with the director's creative vision.

The ambition of opening up and expanding the filmic medium meant that new competences needed to be connected to the team. The lab contacted Ozma Game Design, a firm that had developed traditional games as well as more participatory gaming experiences. It also commissioned Kore Film and Transmedia to develop characters and the initial plot for the "transmedia" world that became partially included in the story world put together by the extended *Granny's Dancing on the Table* team. This expansion created some confusion about roles, responsibilities, and creative autonomy.

Experiments in opening up the production process have included inviting followers to participate in scriptwriting. Through the film's Facebook page, people were asked to contribute anecdotes and their thoughts on three topics addressed in the film. More ambitiously, the team designated August 21, 2011, a celebratory Granny Day—a day dedicated to bring forth, in a commemorative gesture, multitudinous vernacular stories



**Figure 10.4**

Still from the *Granny's Dancing on the Table* feature film pilot.

about grandmothers, stories that had not been acknowledged or been considered worthy to be included in public memory practices. Through vernacular storytelling workshops and online participation, people from all over the world contributed stories about grandmothers. These stories were also made public through street art and media guerilla tactics by posting them in the streets of Malmö. Later in 2011 the Serbian city of Novi Sad held a Granny Day activity, and on August 21, 2012 the Swedish team arranged its second Granny Day, which included an exhibition at Malmö's Form and Design Center. These events, where audiences have engaged in active creation, has influenced the script and film production. Hanna Sköld, for example, has used some of the Granny stories when shaping the Granny character in the film.

The financing of the project has included considerable pitching and project application work, with both hits and misses, as is common in the film industry. The successes have included being awarded the 2010 ARTE Pixel Pitch Award, which besides the recognition included 6,000 British pounds in prize money. In 2011, *Granny's Dancing on the Table* received 60,000 euros from Kulturbryggan and 20,000 euros from Kulturkontakt Nord to develop "Art Pieces," a production that explored how to develop



Figure 10.5  
Granny Day.

participatory artistic processes that engage the audience in the development of, for example, the film music, the set design, and the clay animations that are one of the aesthetic expressions used in the film. Getting funding for exploring how participatory audience engagement can be creatively put into play has been fairly easy, and is where the production team has expanded the most. Getting funding for the feature film and the game has been more difficult, because the competition for film money is fierce, because there is hardly any national or European funding for transmedia productions, and because the gaming concepts developed have been heavily character-driven and story-driven (something that game funders tend to shun). And financiers have found it difficult to accept the demand that the film be released under Creative Commons and released in parallel online and in theaters. Nonetheless, the producers were able to get several co-funders on board. SFI was at first quite receptive to the script and the pilot, but suddenly withdrew from engagement. What was behind the sudden change is far from clear, but it is not far fetched to guess that SFI and other film funders found it difficult to team up with a film company that had sided with The Pirate Bay.

During the spring of 2012, the difficulty of finding funding led the team, in an act of frustration, to launch a Kickstarter campaign that was simultaneously promoted at The Pirate Bay's Promo Bay. The campaign raised 50,000 U.S. dollars, which meant that the first shootings of the film could be made. That campaign had many similarities to the first one, as it built on good contacts and clever viral marketing and once again showed that online outreach played an important role, whereas exposure in traditional media, such as newspapers, had no impact at all. When it comes to the funding of the film, the team has had to operate, as with the *Nasty Old People*, as DIY filmmakers that aren't able to enter the official funding system, at least not yet. This implies that engaging in cultural commons film production doesn't go well with the current mix of state and private funding that dictates how films are produced and distributed in Sweden.

## Conclusion

Collaboration on *Nasty Old People* and *Granny's Dancing on the Table* has provided opportunities to try out, and to some degree challenge, current models of film distribution and to explore new expanded forms of filmic storytelling. These activities have, in turn, given insights into the practicalities and politics of future-making activities related to Swedish film production, in particular how such activities relate to infrastructuring, democratization, cultural commons, and funding.

The collaboration described and analyzed above points at how an open-ended and ongoing infrastructuring approach to collaborative explorations of future-making practices opens up for ways of working that are different in form from the classical research and development project. Open-ended infrastructuring allows for partner constellations to grow as issues become defined. It also shows how the form enables both quick-footed organizing and longer-term engagements in which issues, roles, and

interventions take longer to define, as there is a tolerance for drifting and trying out various ideas and identities as the actors have gained insight into each other's constituencies, skills, and accountabilities.

The collaboration furthermore shows that there is a close connection between the ways of organizing activities and interventions and the emergence of a new distribution infrastructure—and distribution practices—for film, as a new film distribution and financing infrastructure may grow out of the network constellation through the work of the Creative Commons Film Festival and The Promo Bay. The collaboration points toward the closeness between a particular issue and socio-technical networks. Infrastructure is never solely technical; it is a lived practice in which techniques of access and control and social relations are fostered and kept at bay.

Given that infrastructuring are socio-technical processes and techniques involving agreements, alignments, and distribution of power, designers and researchers with democratic ambitions need to consider how democratic ideals can be promoted. Whereas von Hippel (2005) argues that innovation has been democratized because citizens have greater access to tools and information, I argue that access to knowledgeable and skilled networks of people is more essential. Thus, if innovation is to become truly democratic, a diversity of citizens should be given the opportunity to connect with skilled and knowledgeable people. The reason that Living Lab the Stage started to collaborate with Tangram and Good was based on the democratic ideal that those often excluded from the making of futures should be given the opportunity to influence how aspects of Swedish film's future could look like. At the same time, I point at how the constellation of partners builds on established connections, and how it was successful and agile because it operated, at least to begin with, as a closed, highly skilled, and exclusive network. On the other hand, the number of participating actors exploded as the project went public, which led to unforeseen actions such as the launch of the Creative Commons Film Festival and the establishing of The Promo Bay.

Working for cultural commons within the current financing and distribution culture appears to be difficult. One reason is that the discussion around commons is locked down in a discourse focused on the producer-consumer battle, rather than a discourse on whose future we want to promote. Taking the step for cultural workers to work for cultural commons is not just a question of access and commerce, but also relates to how willing cultural workers are to ease on their "moral" rights so that other cultural workers can build upon their work. For Hanna Sköld, it was not—at first—evident that *Nasty Old People* should be released under a Creative Commons license, with the attribute share-alike, as that meant giving up the control over the artistic creation and the team's professional integrity. Opening up a production so that others can build upon it can, as we have seen, be highly rewarding. There are, of course, instances where share-alike is not applicable; for example can it be problematic when it comes to sensitive and controversial documentaries, as they could be reworked into propaganda by regimes and radical groups. However, the main obstacle for Tangram has been to

convince financiers of the value of a cultural commons practice, which is not necessarily embedded in the Creative Commons licenses, by making Hanna's next film freely accessible on the Web. The film "industry," it seems, favors enclosure and commodification over access and re-workable knowledge.

In a more speculative manner, the issue is raised whether the *Nasty Old People* and *Granny's Dancing on the Table* projects risk becoming "good" examples of how cultural workers, if they are willing to be entrepreneurial, can largely manage on their own, with reduced or no state funding. Current funding and distribution infrastructures that mix state funding and the private market have their bottlenecks. However, I argue that if the current infrastructure were to become even more private and commercial then cultural workers might have to operate within an infrastructure that would have other forms of bottlenecks and would be even less transparent, less democratic, and less likely to work for the diversity of cultural expression.

## Discussion

Lobato (2008, 2012) argues that there is a need to refocus the debate on copyright, which has been too narrow. He suggests that it needs to focus on whose future we want to support, rather than on how products can be increasingly locked down and protected in a producer-consumer battle, as we have seen with stricter copyright laws, increased fines and various attempts with Digital Rights Management. Within co-design and participatory design, there is a similar discussion on where the focus of design should be: Is the designer to focus primarily on developing new tools or rather new mediated practices? As I have argued before (Björgvinsson 2008), participatory design from the beginning (Ehn and Sjögren 1991) saw design primarily as a broad open-ended activity of exploring and opening up for new practices rather than more narrow tool-centric and system-centric approaches common within IT research at the time. Suchman et al. (1998) argued for viewing design as the making of emergent practices through "occasional technology design and use" that accountably reconfigures current practices and their constituencies. The starting point of the activities carried out by the members of the *Nasty Old People* and *Granny's Dancing on the Table* team was current concerns that explored changed future practices, rather than specific tools or mediated forms. They saw the making of futures as cultural processes where the new is approached, as Suchman (2008) describes, by disrupting particular and historically and culturally located socio-technical arrangements.

The collaboration was also made possible by the lab's ability to engage in co-production open-endedly and through an ongoing process of infrastructuring. The lab's funding was not dedicated to specific predefined projects; rather, the lab was given the opportunity to approach the future—whom to work with, what issues to address, and

how—in a more explorative manner. This meant that new collaborations and new partner constellations could be established according to what issues were being addressed, and more quickly than if the lab had had to apply for funding for specific projects. The lab had thus a greater space of autonomy to direct the inquiry than many research projects are given these days. This has given the lab and its collaborators the opportunity to go from one case to another more smoothly than if the interventions had been based on a traditional project format with pre-defined budgets, deliverables, and schedules.

Building understanding and trust across practices, institutions, and people through long-term engagement has been central to this form of work. This perspective builds on Suchman's notion of co-development as an ongoing "networks of working relations—including both contests and alliances" (2002, 92), rather than being delimited to project phases with the aim of creating free-standing systems. Understanding each other's constituencies and accountabilities takes considerable time, even though it can at times be quick-footed (as happened with *Nasty Old People*). The long-term engagement was, however, important as the team started working on *Granny's Dancing on the Table*, as the constellation of collaborators expanded, and as the issues addressed were more unknown—namely to open up the creative film-making process and expand the filmic medium to include gaming and participatory storytelling. Without funding that allowed for certain autonomy, the work accounted for here would not have been possible.

The work on *Nasty Old People* and *Granny's Dancing on the Table* also shows that infrastructuring is not inherently democratic. This doesn't mean that designers and researchers with democratic ambitions should not engage in infrastructuring activities. Rather, it suggests that design and media researchers engaged in action-oriented research on future possibilities and future practices should carefully consider what actors are given the opportunity to participate in the making of futures. This is essential, as access to tools means very little if it is not paired with access to skilled and knowledgeable people and organizations. It also means that those engaged in affecting current infrastructures, or making new infrastructures, should consider how they can do so in a democratic way rather than solely catering to special interests. Making infrastructuring more entrepreneurial and market-driven, I suggest, will most likely not make it more democratic or open for diversity. The market, consisting of private actors and corporations, doesn't have to be as transparent as governmental institutions. Neither are corporations expected to pay attention to diversity and minority issues, nor can the civil society vote on their policies or company politics.

The work on *Nasty Old People* and *Granny's Dancing on the Table* also raises the question of how to organize explorations into futures. Should all actors affected by the issues be on board from the start? The work discussed here suggests that it is not fully possible to know what actors would be involved. An experiment that fifteen years

ago would have been a local, regional, or national concern now connects to global networks of actors and people, making it impossible to predict what actors to include. Thus, the enrollment of actors happened on the go. However, on a more critical note, we need to ask ourselves if, early on, we should have aimed to enroll more established actors—such as SFI—in the process, or at least started a more active and organized dialogue with them.

The making of infrastructure on the go seems to imply that it is difficult to know and control how activities can be reinterpreted and used for purposes that differ from initial intentions. For example, I raised the question whether the work carried out with *Nasty Old People* and *Granny's Dancing on the Table* has been reinterpreted to be an exemplary case of more entrepreneurial and market-driven cultural politics. Further, have *Nasty Old People* and *Granny's Dancing on the Table*, as boundary objects, been too plastic and not enough immutable across boundaries? Can an object be negatively mutable in an all too fiery and fluid world? If so, does this mean that Tangram, as a small film company, is too weak an actor to confront the established system? Does this, in turn, mean that the *Nasty Old People* and *Granny's Dancing on the Table* team should connect with non-governmental organizations that work for promoting cultural commons?

The distribution of *Nasty Old People* and the financing of it and *Granny's Dancing on the Table* were singular productions. These productions, and in particular the distribution of *Nasty Old People*, had considerable impact, as they led to international engagement and to the launching of the Creative Commons Film Festival. However, for a more fundamental rebalancing of how cultural products are made and made accessible, one production after another—although important—will not suffice. Laws will have to be changed, or alternative licenses (such as Creative Commons licenses) will have to become more widely spread, and durable organizations capable of countering the strong lobbying and singular view on piracy and the monopoly of cultural funding and access will have to be established. The attributes of durable commons identified by Hess and Ostrom (2003) seem to fit the Creative Commons organization, although cultural producers point out that they have no way of monitoring whether their licenses are respected, and that they don't know of any sanctioning systems that can determine whether a license has been breached, nor do they have access to inexpensive ways to resolve a conflict. The Creative Commons Film Festival, as it is nested within a Creative Commons licensing regime, has some of the attributes of durable commons. However, becoming a durable commons organization for distribution and archiving, which includes migrating films to new formats and platforms, requires stable resources. Basing such an organization entirely on free labor leads to precarious work and a precarious organization. The Creative Commons Film Festival has worked hard to build up its reputation as a respectful organization. It has done so by ensuring that they are covered by established news channels and that the festival is arranged in collaboration with established museums and arts and performance centers. The problem it faces as

a commons organization is that, like any commons, it needs to be politically autonomous. Durability is particularly tricky for cultural commons organizations because they do not have natural resources they can cultivate. Getting funding from the SFI, or from some other governmental body, or from MEDIA Antenna (a European audiovisual program) probably isn't a viable option, as it would risk political filtering. Also, in view of how SFI and the European Union have favored stricter copyright laws, it isn't particularly plausible that they would be willing to support such an initiative. Many directors and producers would welcome broadened financing for film production in Sweden, which today is to a large degree based on a mono-funding structure, which in turn makes the film career for many directors and producers highly precarious. However, given the cultural political climate, it again is not plausible that the state would fund a commons film organization with complete political autonomy, and no political filtering, especially since it would have little interest in market-driven film production. Thus, it is likely that a cultural commons organization will have to concentrate mainly on do-it-yourself productions.

The notion of the marginal, the importance of actors operating outside established systems, and the importance of in-between practices are common tropes in the innovation discourse. But whether a practice is marginal depends on from where those engaged in the discourse situate themselves and where they speak from. In the case of *Nasty Old People*, it can be argued that Tangram is a marginal actor that has been admitted only marginally into the established film system in Sweden. Those engaged in cultural commons, as well as those engaged in alternative distribution formats that bypass the established order, are not as powerful as the anti-piracy agenda and the distribution infrastructure controlled by the hegemonic actors within the film industry. From another perspective, it can be argued that those engaged in cultural commons are powerfully networked and agile actors that have some impact on both the national level and the European level, as evidenced by the fact that The Pirate Bay still plays an important role in the international media landscape and the fact that the Creative Commons Film Festival is gaining increased international momentum.

The actors that have engaged in collaboration on *Nasty Old People* and *Granny's Dancing on the Table* have, because of the collaboration, changed considerably. New networks have been established, leading to access to new competences and infrastructures. For the film and gaming companies, new ways of telling stories and engaging with audiences and new ways of sharing creative work have been opened up. For the researchers, it has meant approaching the future starting from current issues and facing practices entangled in specific socio-technical arrangements. And, when doing so, the researchers have been engaged in an activist way when rearranging, at least temporarily, not only local arrangements but also arrangements that operate on the national and transnational levels. What implications this has for the methods and the credibility of research will require further analysis. At least, it seems to imply that approaching

the future can be done through local preoccupation with exploring and trying out new practices, rather than decontextualized R&D operating at an imagined empty frontier (Suchman 2008). The collaborative exploration in new practices also seems to imply that such old structures as the university and new “agile” actors can fruitfully work together, and that making something new doesn’t inevitably mean that the old has to be wiped out.

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### Notes

1. Several alternative distribution and financing initiatives have been launched internationally the last five years; distribution strategies that challenge the traditional order of exposure windows, which traditionally have been festivals, followed by theater releases, followed by DVD releases, to thereafter be shown on television. More recently releasing a title on DVD and online simultaneously has become more common. Michael Moore released *Slacker Uprising* in 2004 for free for Americans and Canadians—if they registered their e-mail addresses. Wayne Wang launched *The Princess of Nebraska* the same year on YouTube’s Screening Room with the aim of maximizing viewers rather than venues; it was later sold on DVD. It thus bypassed theaters, traditionally considered one of the most important distribution and promotion windows. Sites that offer a mix of free streaming and pay-per view have become more frequent over the last five years. These sites, such as Voddler in Sweden, are partly financed by advertisements. In 2010, Voddler premiered the Swedish film *Insane*. We have for some time had file sharing on the Internet. Like *Slacker Uprising* and *The Princess of Nebraska*, *Nasty Old People* challenged the order of exposure and did so by teaming up with The Pirate Bay rather than commercial actors and by arguing for the sharing of cultural products with the help of Creative Commons. A different but related trend is place-intensifying screenings. Among big commercial productions, special-effects films that can only be experienced in the theaters have become more common. Such place-intensifying strategies play upon the aura of exclusivity. For smaller niche films, such as documentaries, viewing clubs have also become more popular. Such initiatives emphasize the collective, communicative, and discursive aspects of cultural productions and are closely tied to Rasmus Fleischer’s (2009) notion of the post-digital.

2. Similar promotion had been conducted before on a few occasions at The Pirate Bay. To promote the release of the album *En hi-5 och en falafel*, the Swedish artist Timbuktu released the single "Tack för kaffet" on The Pirate Bay with an accompanying doodle.
3. We do not have exact data from the traffic from The Pirate Bay, since they did not save any such data. According to The Pirate Bay's press secretary, such data is not stored, since it can be used as evidence during a court proceeding.
4. The students were not expected to participate in running a sharp project, but did so freely.
5. Certain non-human actors played important roles. As was argued earlier, having no doodle would have made for a weaker alignment.
6. The lab was open to any cultural actor and to IT and design companies in the region, and was constantly meeting new regional actors.
7. The partners are the Swedish government, Sveriges Biografägareförbund, Folket Hus och Parker, Riksföreningen Våra Gårdar, Sveriges Filmuthyrningsförening, u.p.a., Film och TV-producenterna i Sverige och Nätverket för Regionala Filmproduktionscenter, Sveriges Television (SVT), Television AB, TV4 AB, Modern Times Group MTG AB, SBS TV AB och C, and More Entertainment AB.
8. As of 2013, Svensk Filmindustri (SF) makes some titles available through the streaming service Netflix.
9. Creative Commons was adjusted and translated to Swedish law by Mathias Klang and Karl Jonsson at the University of Gothenburg and was released in 2005.

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## Webpages

<http://www.facebook.com/nastyoldpeople>

<http://www.facebook.com/grannysdancing>

<http://nastyoldpeople.blogspot.com/>

<http://thepiratebay.org/torrent/5117424/Nasty.Old.People.2009.XviD>

