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Piracy and Streaming (in a Pandemic): Grey Area Ethics, Gatekeepers, Geoblocking

At the current time of writing this paper, New York City and much of the United States has been at some level of lockdown since mid-March due to the onset of the COVID-19/coronavirus pandemic. The change in media consumption as well as the type of media consumed has been perhaps one of the most visible changes the wider public has seen beyond the visceral pain and loss at the heart of a pandemic that incurs great loss of life in the form of sickness, of loss of income, and the precarity of housing and healthcare in the US. This comes as no surprise, as the vast majority of attention has turned online, where connection to others still exists in a virtual medium in the form of social media, entertainment, and news. This shift in consumption not only comes in increased Internet traffic and streaming but also in a shift in content produced as late night TV has moved to “at home” broadcasts¹, celebrity benefit concerts held over Zoom², and other made-for-pandemic content made over the past couple months has landed online. The focus of this paper is not this new content but rather the re-orienting of traditional film consumption to online platforms. While this paper may not on the surface concern the much more difficult realities of the pandemic, an examination of these changes in light of age-old discussions of intellectual property, surveillance, and censorship in light of a

¹ *The Daily Show*, *Conan O’Brien*, *Stephen Colbert*, etc.

² John Ochoa, “Stephen Sondheim Virtual Benefit Concert to Feature All-Star Lineup,” *Grammy.com*, published 25 April 2020, accessed 14 May 2020, <https://www.grammy.com/grammys/news/stephen-sondheim-virtual-benefit-concert-feature-all-star-lineup-lin-manuel-miranda>.

world-wide shutdown may offer new perspectives on, more specifically, issues of film piracy, geoblocking, and access to films.

While this paper hopes to examine these issues sociologically at a larger scale, it should be noted that many of the perspectives and examples discussed originate out of New York City, which is not the epicenter of the world, despite sometimes believing it so. It is then the hope that an examination of certain examples will be able to provide insight into larger global issues and views. The Internet if not this pandemic has flattened time and space in certain ways, just as issues of media piracy turn American copyright law and ethics global. Everything, *everything*, has become amplified in this pandemic. It is not surprising that some of the first places to close at the start of the pandemic were movie theaters of all kinds, from multiplexes to microcinemas and all the repertory and arthouse cinemas in between, effectively crippling a distribution method that has relied on the event and activity of a film to get customers out of their houses and in through their doors. While the discussion of the faltering movie theater industry in the face of, first home video, and later online streaming, has been an ongoing one, in the pandemic, the movie theater effectively does not exist anymore.

In the past ten years, physical sale of movies in DVD or Blu-Ray form has, for the most part been relegated to niche sales like Criterion Collection, with many films distributed through online streaming not being available at all through a physical carrier. This problem has already stressed out archivists, scholars, and collectors who worry about the future of media housed only on a corporation's server and in their trust.³ Now, with stores relegated to online stores, movie theaters relegated to online streaming, for most folks, online streaming has been the one source

³ David Bordwell, "When media become manageable: streaming, film research, and the Celestial Multiplex," published 22 January 2020, accessed 13 May 2020, <http://www.davidbordwell.net/blog/2020/01/22/when-media-become-manageable-streaming-film-research-and-the-celestial-multiplex/>.

of large catalogues of films and television to consume. Almost immediately, articles began to crop up telling people what to watch.⁴ Most vividly for New York cinema goers, daily listing platform Screenslate has temporarily become Streamslate in order to provide cinephiles recommendations and news on streaming sites. Newly at-home programmer KJ Relth and filmmaker Suki-Rose Simakis began their curating series Remote Viewing Cinema on Instagram, and have consistently programmed double features curated from free or monthly-billed streaming services since the beginning of the stay-at-home orders in Los Angeles.⁵ In an effort to aid hourly cinema workers whose jobs have been lost due to the pandemic, Light Industry programmers Ed Halter and Thomas Beard along with programmer Nellie Killian and writer Sierra Pettengill began the Cinema Worker Solidarity Fund, which raised \$80,000 for 350 workers and used their platforms as programmers to fundraise.⁶ Grasshopper Films and other distributors have worked with local cinemas like Anthology Film Archives and BAM in order to make their films available on VOD and distribute funds to cinemas whose traffic goes through them.⁷ AV Geeks shows recently digitized film prints and ephemera on Facebook during lunch. Academy archivist Mark Toscano uses Instagram Live to stream projection of 16mm avant-garde prints. Countless other distribution platforms have fast-tracked their summer releases to VOD or online streaming.

But this paper is not about these mostly legal re-orientations towards online viewing from the organizations and people who champion in-theater viewing. By focusing on digital film

⁴ “The Greatest Films You’ve Never Seen,” Museum of Modern Art Resources, published 24 April 2020, accessed 13 May 2020, <http://www.davidbordwell.net/blog/2020/01/22/when-media-become-manageable-streaming-film-research-and-the-celestial-multiplex/>.

⁵ Remote Viewing Cinema, accessed 13 May 2020, [instagram.com/remotewatchingcinema](https://www.instagram.com/remotewatchingcinema).

⁶ Thomas Bear, Ed Halter, Nellie Killian, and Sierra Pettengill, “Cut. And Action.,” published print May/June 2020, accessed 13 May, 2020, <https://www.artforum.com/print/202005/thomas-beard-ed-halter-nellie-killian-and-sierra-pettengill-on-the-cinema-worker-solidarity-fund-82816>.

⁷ Grasshopper Films, accessed 13 May, 2020, <https://grasshopperfilm.com/film/the-hottest-august/>.

piracy during the pandemic, we can re-examine primarily Western views of pirating in the face of extreme loss of access and the silo-ing of film exhibition into paying for streaming services. This paper also contends with the smaller population of self-identified cinephiles and issues of taste and gatekeepers while analyzing views of piracy with respect to geoblocking – the difference in access as a spatial issue - and social mores. In this sense, this paper examines the Western view of piracy in the East as heroic in the face of censorship or as hurtful to the American economy based on American concepts of freedom and correct access in the global economy through its own view and championing of American copyright law. A history of film piracy in the US also helps us analyze the current use of peer-to-peer (P2P) file sharing services and invite-only torrent communities as holding ancestry in duping prints and film piracy. Ultimately, this paper stems from an examination of two new film programming streaming services that use pirated material to appeal to cinephiles without access both to these torrenting sites and to repertory programming and how they epitomize our relationships to pirated material.

Film piracy has always existed. During the nascent history of film, prints circulated loosely and exhibitors often made copies and re-distributed films without paying due to the studios.⁸ On his blog, “Observations of film art,” David Bordwell discusses film piracy primarily in relation to the academic field of film studies, which traditionally has had a relationship to general cinephilia. In the 1960s, often seen as a more latent period of American film production, the distribution of pirated prints, new prints made by duping stolen or abandoned prints, films appearing on television, and television prints helped these cinephiles and academics watch and re-watch films. Often, film piracy at this stage was not necessarily for financial gain – the film

⁸ David Bordwell, “Sweet 16,” published 4 March 2013, accessed 13 May 2020, <http://www.davidbordwell.net/blog/2013/03/04/sweet-16/>.

Captain Celluloid vs. the Film Pirates (1966), which features an appearance from legendary film collector William K. Everson, is an excellent example of these collectors and pirates seeing themselves as forces of good, creating access from big studios who closed their archives of older films. Bordwell identifies them as the “Fans of Old Films” (FOOF) contingent.⁹ Many deemed themselves saviors of a bygone film history at the time – Bordwell calls Kevin Brownlow a demigod for saving *Napoleon*.¹⁰ Alongside this FOOF contingent were for-profit film pirates like Woody Wise, a former projectionist who used his connections during the 1960s to buy distribution prints destined for a landfill, create dupes, and re-sell them.¹¹ The FBI eventually set Wise on the run in the mid-1970s as the Motion Picture Association of America (MPAA)’s pressure to halt the re-sale of films. Even so, Wise belonged to this group of collectors, who shared and distributed pirated prints within their community. Bordwell, whose visits to archives in the 1960s, archives that often relied on collectors, says his film study was built on these small-gauge prints that allowed him to watch and re-watch the films he was writing about. As Ramón Lobado calls them, these “informal media economies,” sidelined forms of distribution existing on the periphery of the formalized film industry, were essential to the creation of a rigorous film studies field in academia.¹² Bordwell reinforces this concept by noting how the close visual study of films did not emerge in academia until the advent of home video made pausing and re-watching more widely accessible.¹³

⁹ Bordwell, “Sweet 16.”

¹⁰ Bordwell, “Sweet 16.”

¹¹ Matt Novak, “How 1960s Film Pirates Sold Movies Before the FBI Came Knocking,” published 29 May 2018, accessed 13 May 2020, <https://paleofuture.gizmodo.com/how-1960s-film-pirates-sold-movies-before-the-fbi-came-1826287332>.

¹² Ramón Lobado, *Shadown Economies of Cinema: Mapping Informal Film Distribution* (London: BFI Publishing, 2012), 39.

¹³ Bordwell, “Sweet 16.”

Film piracy changed with the advent of home video. The landmark case the Supreme Court found in favor of “fair use” in 1984, *Sony Corp. v. Universal City Studios, Inc.*, but the burden of piracy on the pirate and not the technology. This setback for the MPAA did not last long – in 1994, the No Electronic Theft (NET) Act of 1997 condemned piracy even where financial gain was nonexistent, removing the “fair use” of time-shifting that the Supreme Court had affirmed just over a decade earlier.¹⁴ Only a few years later, the Digital Millennium Copyright Act (DMCA) “effectively eliminated the fair use exemption for digital media” preempting the use of recreational file sharing as a means of distribution.¹⁵ American views of piracy are built on the backbone of intellectual property law, but these ethics do not apply evenly outside of the States, where ethics change based on other American values despite the globalizing force of copyright lobbyists. What emerges is a differentiation between acceptable piracy and unacceptable piracy, regardless of the law, that is often based on perceptions of cultural advancement (i.e. Westernization) in the face of state censorship.

There exist countless examples of this view, where far away from the American lawman – and potential markets that the motion picture industry should be reaping from – American values of self-interest and freedom have championed foreign piracy. Lobato briefly discusses the ways in which piracy has been celebrated abroad: the popularity of Hollywood films in Communist Romania, of *Footloose* (1984) in post-revolutionary Iran, of *Titanic* (1997) in Afghanistan, the list goes on.¹⁶ It seems American infrastructures are fine with piracy as long as it is seen as a democratizing force abroad in un-friendly countries. Compare that with the strictness towards domestic piracy or towards film piracy in countries where piracy constitutes a

¹⁴ Caetlin Benson-Allott, *Killer Tapes and Shattered Screens* (Berkeley: University of California Press, 2013), 182.

¹⁵ Benson-Allott, 182.

¹⁶ Lobato, 47.

major economic enterprise, such as in the Philippines or in China. Moreover, writes Lawrence Liang, the Othering view of Asia by the West through moralizing on legality and piracy only reinforces America's view of itself as authentic and the Other as fake and therefore as corrupted.¹⁷ While America's, and therefore Hollywood's, control over these ethical views of piracy may color the landscape of discussion more broadly, by examining the distribution of more niche or independent productions through piracy, perhaps these views become cloudier.

Piracy has allowed access to independent films and orphan films – films with no or difficult to ascertain copyright status; this level of access, which operates both in public and in these informal media economies, is viewed perhaps with ambivalence. Often state censorship and larger political issues can foreground issues of access, but in this case, access takes on an ambivalent, almost apolitical, guise in the individual act of piracy because of its banality, its everyday-ness. Less an act of resistance and more one of necessity because of the lack of any legal access, this form of piracy is rarely addressed, perhaps because it does not affect larger economic stakeholders. These acts are less the daring exploits of film pirates and more the community distribution of abandoned prints. Examples are Thai cinephiles purchasing pirated Bergman and Fassbinder DVDs that have user-made Thai subtitles, where the 2006 Bangkok International Film Festival neglected to supply Thai subtitles to its programmed films;¹⁸ a screening of *The Color of Pomegranates*, a banned Soviet film, off a pirated 16mm print in England¹⁹; and the “*giallo* project” hosted on an invite-only torrent site to be discussed that

¹⁷ Lawrence Liang, “Piracy, Creativity, and Infrastructure: Rethinking Access to Culture,” in *The Global Flow of Information*, ed. Ramesh Subramanian and Eddan Katz (New York: NYU, 2011), <https://www.jstor.org/stable/j.ctt9qfr5n.7>, p. 67.

¹⁸ Lobato, 83.

¹⁹ Lobato, 47.

collects unavailable Italian *giallo* films and translates them for an English-speaking audience.²⁰ Lobato remarks that these instances are less a Marxist act of resistance against capitalist infrastructure and more “non-oppositional and non-countercultural.”²¹ Quoting Ravi Sundaram, instead, an act of apolitical piracy “a strategy of both survival and innovation on terms entirely outside the current debates on the structure and imagination of the net and technoculture in general.”²²

The traditional economic framework used to discuss piracy as an act of morally wrong theft does not necessarily stand up to this sort of piracy that accesses films illegally where there is no possible access legally. In the US, however, this act is still illegal and condemnable. At least this is what the NET Act and the DMCA alongside countless PR campaigns have instilled within the American public.²³ While in some countries abroad, the pirated physical copy DVD or Blu-Ray may still be a common form of purchase, in the US, pirated DVDs are often only in other languages. For English-speakers, the main form of access is through online streaming, digital download, buying DVDs, or seeing films in theaters. For the most part these types of objects require no additional work from the pirate in order to copy and distribute them, perhaps lending them easily to a physical or legal online distribution method. Tessa Dwyer credits some part of the large move to online piracy to fan community practicing “fan-subbing,” or the creation of subtitles specifically for a pirated object.²⁴ Unlike items that require no encoding where “deployment remains largely ‘off-line’” for objects that are rare and require additional

²⁰ Oliver Carter, *Making European Cult Cinema: Fan Enterprise in an Alternate Economy* (Amsterdam: Amsterdam University Press, 2018), 154.

²¹ Lobato, 83.

²² Ravi Sundaram quoted in Lobato, 83.

²³ Benson-Allott, 182.

²⁴ Tessa Dwyer, “Media Piracy, Censorship and Misuse,” in *Speaking in Subtitles: Revaluing Screen Translation* (Edinburgh: Edinburgh University Press, 2017), 128.

attention by a person, the need for online community and labor necessitates new means of digital distribution that defy completely the model not only for physical piracy but also for mainstream digital piracy.

This brings us to digital piracy in the United States, primarily through torrent sites. Unlike sites like Pirate Bay, which has been around for over a decade, invite-only private torrent sites exercise not only great selectivity in their user-base but the same level of selectivity in the kinds of torrents available on their sites. These sites pride themselves on extending tenets of decentralization and intra-community self-monitoring by implementing harsh rules and criteria that keep users involved and tithed to the site through something resembling community responsibility. Unlike a traditional download, P2P file-sharing uploads a file with tracking information that lets users “seed” and “leech.” Leeching is the equivalent of downloading in this model where seeding is uploading. Unlike larger torrent sites like Pirate Bay, these invite-only sites, namely Karagara and Cinemageddon, use these trackers to keep track of users ratio, or upload to download ratio. Users with a bad ratio, i.e., users who download but do not upload, are then at risk from being kicked off the site. Tracking ratios is the primary way by which these private torrent sites can monitor their userbase and maintain a level of exclusivity.

Both Karagara and Cinemageddon have received some attention in scholarly articles discussing piracy and niche film groups as well as issues of taste, diversity, and access. I have chosen to name them both, as Caetlin Benson-Allott does, although Oliver Carter gives Cinemageddon the alias CineTorrent, potentially because of his interviews with users. It is unclear how long they have been in operation, but they have been for some time, at least since 2007 if not earlier. Both Cinemageddon and Karagara operate on strict user rules that define the tone of each site, the curatorial goals of each site, and the intended userbase. For an in-depth look

at Cinemageddon, I recommend Carter's examination of the *giallo* project hosted by the site, which looks at the ways in which the Cinemageddon user community creates curatorial projects intended to unearth, compile, and share sets of films that have received little to no previous access by English-speaking audiences. While Cinemageddon's focus is narrower, specifying in films that do not exist on IMDb, have a low rating on IMDb, or have a low rating on IMDb as well as any film that conforms to their existing projects and is not one of their forbidden films. Karagara similarly has a Masters of the Month page that acts as a projects-type list, encouraging uploads in categories like Polish TV, Pre-Code America, or Central Asian Cinema. Karagara's scope is wider, encouraging all manner of rare, experimental, foreign, and unavailable material. Karagara's only upload rule is "No Hollywood/Bollywood mainstream," letting the userbase expand on this stipulation in the forums.

Additionally, the language used by Cinemageddon (CG) and Karagara (KG) differs greatly. Carter touches on the aggressive, male language that dominates the site, noting that "it would appear that the majority of members are male," judging from avatars, language, profiles, and handles, although he does acknowledge the difficulty of gendering online profiles.²⁵ That being said, the language of Cinemageddon follows similarly aggressive language from horror film subcommunities, calling their forums COCKS (Cinemageddon Organised Collection of Knowledge Submissions). This observation no way implies that Karagara's demographic is different – it probably is not – but the language on Karagara reads as much more measured, perhaps appealing to a different userbase interested in a different array of films.

Much like archives, both CG and KG have analogous mission statements, guidelines on best formats and instructions on how to use mediainfo, collecting policies, and curatorial

²⁵ Carter, 146.

projects. These secretive online private sites act as taste guardians, purveyors of films the community has deemed special and worthy of the extra attention of an upload, a user-written summaries, user-created art, and, often, user-created subtitles, sometimes the first and only translations of movies that have otherwise been completely inaccessible to English-speaking audiences. Members of these de facto clubs are protective of their status and their credits, which are used to gain invites for new members. The difficulty of getting a login to either CG or KG only makes their exclusivity, like any members-only club, even more desirable and the online labor of maintaining these torrents an even more coveted position as an aggregator, curator, and, yes, gatekeeper.

The labor that CG and KG members put into both communities cannot be understated. These are not just folks who upload to maintain a good ratio. Carter documents the trouble that users go to in order to obtain obscure VHS tapes of *giallo* films that never made it outside of Italy, to learn how to rip them (there are full instructions written by CG members on how not to drop frames, how to use time-based correctors, and how to use preservation tools to ensure quality copies), and to translate them.²⁶ This work that should be familiar to archivists and those working in institutions with preservation and access goals, but work that has been forbidden due to copyright law or geoblocking. Coining the term “guerilla translator,” Dwyer outlines the immense amounts of labor that go into making these films accessible through P2P communities, and how these translations often become definitive versions of films outside of their linguistic home.²⁷ Dwyer and Carter additionally both note instances of fan subtitle creators translating their pro bono work for P2P sites into jobs and credibility in the legal framework of film

²⁶ Carter, 156.

²⁷ Dwyer, 110.

distribution.²⁸ Often private P2P sites, including anime and TV show specific sites, have clear guidelines on how to interact with film distributors – CG has a “twelve-month” rule that allows distributors a year without piracy, and often anime guerilla translators will remove their work once a formal translation is made.²⁹

Still, the necessary exclusionary aspects of KG and CG make a paradox out of their pro-access manifestos advocating for making content available across borders and language barriers. The onset of the COVID-19 crisis has made some of these boundaries more explicit and at the very least has, at it has with most things, amplified differences different people have in access to rare material. This case study will hopefully point towards issues of gatekeeping and taste-making that have existed since the dawn of cinema and cinemagoing. It highlights divisions in issues of high and low art, commercial and independent artwork, and the ways in which piracy has great effect on issues of access, especially to material that does not have proper pre-existing distribution. Before the pandemic, New Yorkers especially had access to a wide variety of films: through streaming, buying physical copies of films, and seeing films in the many repertory theaters across the city. With cinemas the first to shut down, suddenly many folks who were used to regularly seeing curated programs of unseen films had to rely on the offerings of Netflix, Amazon Prime, Tubi, Mubi, Hulu, the Criterion Channel, Fandor, Shudder, and more. The offerings may seem endless, and in some way they are, but the lack of curatorship or purposefulness has been a great upset to those wanting to engage in a community of cinephilia.

Within a week, an Instagram meme page formerly known as NotScreensLate and now known as The Cinephobe created a 24-hour livestream hosted through Russian site

²⁸ Carter, 161.

²⁹ Dwyer, 123.

Odnoklassniki. The Cinephobe originated as a niche meme page that poked fun at the New York art cinema scene, although they expanded to wider appeal within a couple months. Their following has moved traditional forms of cinephilia online and combined it with the snarky, anti-establishment tone of a meme page. What is perhaps ironic, then, is that their blatant use of Karagara only routes them firmly back into a gatekeeper position of cinephilia that is not quite successful in democratizing access. This examination of Cinephobe is not intended to find answers in how to pirate responsibly or how to conduct a livestream, but instead to raise questions about this unique type of distribution. Already, Cinephobe has received attention from MoMA's picks for online streaming³⁰ and a write up in Bmore Art championing the new channel for "fighting snobbery."³¹ In the latter article, representatives from the anonymous Cinephobe describe their project as "a stopgap until that time [when cinemas reopen] comes."³²

Cinephobe has not been cagey about where their access to these films comes from, especially in this interview which is the only one of its kind. In the interview, they poke fun at the idea of the curator as a celebrity and insist that what they're doing "demonstrates that curation is still meaningful when done with genuine knowledge and appreciation."³³ Still, one of the greatest critiques of their programming is that it often has very little to do with conventional programming techniques based on thematic similarities, director retrospectives, artist retrospectives, etc. and is mostly concerned with the rarity and obscurity of the films selected to show on the channel. It is clear to many programmers and people who do have access to private clients that Cinephobe has taken all of its digital copies from Karagara. In some instances, their

³⁰ MoMA.

³¹ Brandon Soderberg, "The Cinephobe Fights Snobbery, Streams Cult Cinema Day and Night," published 8 May 2020, accessed 13 May 2020, <https://bmoreart.com/2020/05/the-cinephobe-fights-snobbery-streams-cult-cinema-day-and-night.html>.

³² Soderberg.

³³ Soderberg.

programming mirrors the Master of the Month, especially from the Eastern European themed ones. Cinephobe also acknowledges that they have received criticism from other users

“who think these films should stay on those private networks, seen only by the people who have access to them. Because we’ve decided to exhibit the work publicly, they’ve accused us of somehow being disrespectful to the pirates who ripped/subtitled the work in the first place...These people view their deep knowledge of film as a form of cultural currency and they’ve built their lives around the anemic sense of power that comes with possessing it.”

This opinion of the consumer’s relationship to torrents, which certainly flies against the community guidelines of either site, raises serious questions not only about how accessible torrents are if they are blocked behind a private gate, but also what our responsibility is to the labor of ripping and subtitling rare films.

The frustration from Cinephobe’s critics is clear: Cinephobe has unwittingly become a public face of Karagara by using their resources to create an interface all users can access. Outside of the confines of COVID-19, this would be impossible to support. Does Cinephobe’s programming subvert or celebrate film programmers who work at physical institutions and have to jump through the hoops of licensing, sourcing prints, and wrangling audiences? Should we respect pirates, no matter how much labor they input into an object? Or is pirating a pirate’s object just another level of revealing access? It is frustrating to programmers and to people who regularly use Karagara and Cinemageddon to see adulation flow into Cinephobe’s website praising them for sourcing rare movies when they are just downloaded from Karagara, which, it should be noted, extended free leach during the early months of quarantine. Therefore, most of the films showing on the Cinephobe channel have not been paid for in Karagara currency, i.e.

through uploading. In that sense, they are truly pirated from the pirate, with no exchange. While this spat might seem like an insular and irrelevant quarrel within an extremely niche informal media economy, it poses questions about piracy and access and perhaps signals a new evolution as more people become aware of private torrent sites and demand access on a grander scale.

Based out of Los Angeles, newcomer MoviePassed, also based on Instagram and playing off of the failed enterprise Movie Pass, is modeled off of the Cinephobe model but has more of a traditional view of programming. Each day has a more concrete theme or a guest programmer: movies programmed by our moms for Mother's Day, a program of black queer representation in the 80s and 90s guest programmed by Chance Calloway, and a program of Holy films grappling with Christianity by Chicago-based programmer Will Morris.³⁴ MoviePassed streams on Twitch, which is a more conventional streaming platform, going live every day. Additionally, MoviePassed has trailers and clips in between films that also request donations to a variety of charities and worker funds, with handy links on the Twitch page.³⁵ In Morris's program, which included notoriously censored film Ken Russell's *The Devils* (1974), MoviePassed claimed they were showing the rarest extended cut. This cut was pieced together by Cinemageddon users from a variety of VHS rips and other scraps sourced in order to recreate the original orgy and rape scenes. *The Devils* is a film that "critics encourage viewers to watch via an illegal stream, simply because it must be seen," claims Jamie Righetti in Film School Rejects.³⁶ Should credit be given to diligent Cinemageddon users who reassemble films like an archive restoring *Metropolis* would? Even though these copies are essentially behind a gatekeeper-wall based on user clout?

³⁴ Moviepassed, accessed 13 May 2020, [instagram.com/moviepassed](https://www.instagram.com/moviepassed).

³⁵ MoviePass, accessed 13 May 2020, [twitch.com/moviepass](https://www.twitch.tv/moviepass).

³⁶ Jamie Righetti, "The Devils: Sex, Hysteria and Censorship," published 18 July 2016, accessed 13 May 2020, <https://filmschoolrejects.com/the-devils-sex-hysteria-and-censorship-75711ba3e015/>.

When pirated copies of rare and niche films suddenly find themselves in the public domain, in these cases through public streaming, they become troubled objects. Unlike a public film screening where the provenance of a print or restoration is something that is advertised, these objects are still shrouded in a mystery that perhaps enhances the air of rarity and specialness that many find frustrating about their programming. Where is the context, the intent, the purposefulness in programming something just because it is rare and you have access to it? Should the Cinephobe be deferential to Karagara users, to which it owes all of its programming? And how does the use of pirated material in public confuse access to other objects and obfuscate the clear labor and energy that has been put into the maintenance of these works. Clearly, Karagara and Cinemageddon are no longer secretive communities that exist in the shadows of the Internet. Still, they operate illegally in light of the DMCA, and it could be said that Cinephobe flies in the face of their aims of self-preservation.

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