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## Vernacular cultures in the digital age

It is hard to find anyone who does not condemn the illegal swapping of digital cultural goods<sup>1</sup> in the public discourse on file sharing networks. Copying is killing the music, the music industry, it hurts national economies and the global economy and terrorist organizations are financed through piracy<sup>2</sup>. But this vision of the Intellectual Property<sup>3</sup> Armageddon is only one way of looking at the impact of file-sharers on the flow of cultural goods. When it comes to small and secluded linguistic cultural communities beyond the global English language universe, file-sharing might have a surprisingly significant impact on the accessibility of cultural goods.

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<sup>1</sup> Only very recently can one find groups openly and publicly supporting piracy like the International Pro Piracy Collaboration.

<sup>2</sup> Estimates on the economic impact of piracy are collected by many organizations, for example by the International Intellectual Property Alliance.

<sup>3</sup> We are aware that neither of the terms 'Piracy' and 'Intellectual Property' are innocent. They should be read with keeping in mind how they have gained a legitimate position in current discourse. On the history of the term 'Intellectual Property' see (Fisher,1999).

## 1. Digital outlaws

On the morning of 5 July 2006 a user of the Nostalgia Music Forum<sup>4</sup> by the name of ‘Kirill’ asked for some songs of Tamas Balassa. Balassa was the pianist in the Orchestra of the Hungarian Public Radio, leader of Balassa Group and author of several hits in the 60’s, early 70’s. Having had his 15 minutes of fame, the majority of his work was never released again except a few songs on a few compilations. It takes years of digging in flea markets to find his remaining singles. Who knows where ‘Kirill’ heard about him? Maybe his parents were a fan of Balassa? Maybe he heard something on a late night radio show? What is known, is that 12 hours later, a senior user of the forum by the name ‘helper’ posted some links pointing to several Balassa songs. The files have an obscure .ati extension – they should be renamed to .mp3 to reveal the freshly digitized content. ‘Kirill’ can now download the songs along with the other 8000 users of the forum.

In January 2005, the administrator of the Silent Library Project<sup>5</sup>, an emergent archive scanning, digitizing, OCR-ing, reviewing, formatting, collecting texts asks the 10000 strong community if anyone has a hardcopy of Italo Calvino’s book ‘Eleink’ - a collection of his short stories in Hungarian. The book is not a *very* rare one, it was published in around 60.000 copies in the 70’s, and from time to time one can buy a used copy in a second hand book store for around 5 dollars. But it seems that the admin does not want to wait for his lucky day at the bargain bins and he is right. Another user named ‘scan\_dal’ has the book and immediately starts to scan it. He is done within a week or so and they start organizing the OCR, review and formatting tasks among each other. The complete text is ready within a few months and 8 months after the publication the download counter surpasses the 1400 mark.

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<sup>4</sup> Accessible at <http://nosztalgiazene.bakelit.hu/>

<sup>5</sup> Accessible at <http://slp.dwalin.ru/>

During our recent visit in Bucharest, Romania, our friends there have advised us to go and see Lucian Pintilie's film *Balanta – the Oak*<sup>6</sup>. The film tells a story during the Ceausescu dictatorship, and we were keen to get to know a bit more how the communist regime was operating in our Middle-European neighbor. The film seemed to be unavailable in Hungary. We could not find copies to rent or buy, the Romanian Cultural Institute also declined us. There were some used VHS' to buy from Amazon.com, but second hand sellers cannot ship and receive payments to/from Hungary, so this transaction was not possible either. Luckily there are some Romanian film fanatics, who have posted the entire Romanian film-archive to an IRC channel<sup>7</sup>, where anyone can request a chat-bot to send him/her the files. Within a few hours, not only the film, but also the English (French, Danish, as you wish) subtitles were downloaded. It was only months later when we stumbled upon a single copy in a small cinema in downtown Budapest released by a company specializing in Eastern-European art movies that we at last bought the DVD.

The examples can be freely continued: bootleg recordings of officially never published early Hungarian punk groups, manga only available on the Japanese market, banned Chinese films and contemporary Hungarian documentaries broadcasted only once on public TV after 1 AM are up on the network waiting to be downloaded, listened to, viewed, enjoyed by people who are interested in that particular piece. But these downloaders are hardly only consumers: they are the ones who digitize, preserve, add subtitles and catalogue records, share with everyone or only with their close peers pieces of the local and global mainstream and marginal culture. Copyright infringement? – You bet. Pirating, stealing from the authors, publishers? – may be, may be not. And in the meantime, they create and maintain the world's most extensive cultural archive.

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<sup>6</sup> <http://www.imdb.com/title/tt0103969/>

<sup>7</sup> File-sharing on IRC can be tracked by specialized search engines like <http://www.ircspy.com/>

## **2. Share and enjoy!**

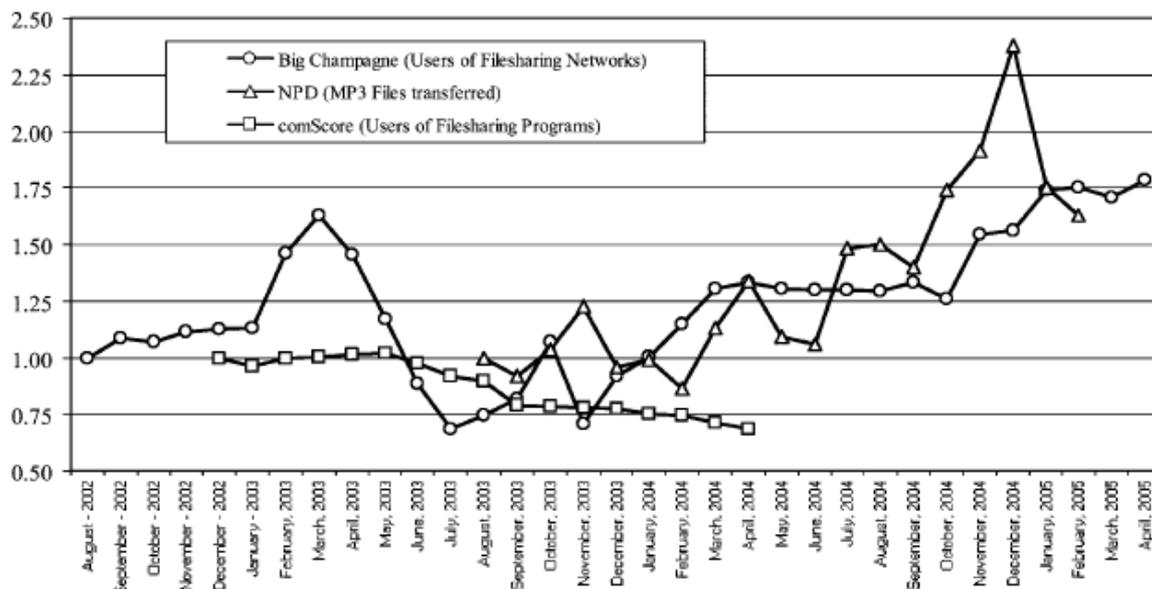
File sharing on the internet became mainstream at the end of 1999. The story of Napster and Shawn Fanning has been told many times (most recently by Liebowitz 2006) so we do not reproduce the whole story here, however, it is worth noting that the growing penetration of broadband internet, CD and DVD readers/writers and MP3 players have all contributed to an ever growing number and variety of cultural goods available for online exchange. One might also take into consideration the sophistication and multiplication of file-sharing technologies and the relative safe haven of darknets when explaining the significant increase of swapped files as well as file-sharers. But the fact that illegal file-sharing activity has grown during the time when wide-scale lawsuits were targeted against individual users as well as technology companies suggests some other explanations as well<sup>8</sup>. The literature on file-sharing (see for example Gerald's 2001; Liebowitz 2006; IFPI 2006) may not agree on the exact numbers and causes but the increase is consensual.

It is quite difficult to get a clear understanding of the amount of cultural goods available on file sharing networks or of the exact number of illegal file-sharers and downloaders. Those who are trying to measure such activities (comScore Media Metrix, Nielsen NetRatings, BigChampagne, Pew Internet and the American Life Project in the US, collecting societies, IP advocacy groups elsewhere) often report numbers of different magnitudes which is a direct consequence of the lack of a commonly accepted measurement methodology. Methods based on the automated monitoring of the networks are problematic because the high number and diversity of networks, and methods based on self –reporting tend to underestimate the real weight of file-sharing due to its illegal nature.

If we try to compile the different sources into one graph the differences become apparent:

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<sup>8</sup> There are numerous press articles discussing the effect of legal actions to file-sharing and see (Bhattacharjee et al. 2006) for an academic approach.



**Fig 1.:Users of file sharing networks and the numbers of files transferred. Source: (Liebowitz, 2006)**

We find a similar situation if we try to estimate the size of this illegal library, the number of cultural items available for downloading. Various measurements from different years estimate that between 500 and 1000 million songs were available during the last few years. These estimates hardly count files outside of the traditional file-sharing networks, thus they do not take into account the files available through BBS', IRC, FTP and all the other protocols. They do not deal with goods other than music, so no movies, software, pictures and texts are included in these estimates.

The illegal supply might be difficult to measure, but it is pretty easy to judge against the size of legally available libraries. According to the International Federation of the Phonographic Industry Report 2006 there are two million songs that can be downloaded from hundreds of legal online services. This is exactly two million more compared to the time when Napster started, and much of the hard work convincing record company executives was done by Apple with its iTunes - iPod DRM protected marketplace-player hardware combo. Not only the credit, but much of the success goes to them as well, - if one can call a success when the one billion songs sold still use only a tiny fraction of the overall capacity of all the iPods ever

sold<sup>9</sup>. But the difference between the 2 million strong legal library and the one billion strong illegal one is way too big not to examine more deeply the reasons behind this difference.

### **3. Cultural industries – not again!**

Let's suppose for a moment that this number of one billion cultural goods is more or less accurate at least in magnitude. This supply was created out of the individual archives and by the individual efforts of the users: CDs ripped, old movies on VHS and Super8 digitized, books scanned and OCR-ed. The huge cost of the digitization effort was covered by the users themselves. The incentives to bear these costs are numerous, out of which the insurmountable urge to share is only one. Making existing cultural goods available in digital format is surely one of the strong factors behind the phenomena. Users needed these things in digital format well before any of the cultural industries were willing to release their inventory in digital formats. Filling in the white spots of the official supply must be another reason. People were digitizing because they had seen that there was little or no access to certain goods in any other way<sup>10</sup>. Also, while the demand for goods – manga comics, garage rock, academic textbooks- were already global, the markets were still local, so the users - in need for something their conventional suppliers thought they would never need - simply circumvented the inadequate system. And finally the simple economics of sharing networks, which promise a huge return on a small investment also kicked in. These motives might seem dismissible, but at the end they are responsible for the one billion goods outside legally available channels and they have shaped an emergent digitization process that is quicker, cheaper and more thorough than any other market driven or government sponsored program.

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<sup>9</sup> According to reports (British Music Rights) P2p accounted for 18 per cent of all the digital tunes on the British mp3 players, with a further 11 per cent copied from friends' CDs'; 65 per cent ripped from purchased CDs with the remaining six per cent originating from paid-for download.

<sup>10</sup> This was finally also acknowledged by the industry representatives: "The reason why piracy's come along is that there weren't enough products at the right price soon enough," - Tony Vaughan, managing director of CAV Warner Home Entertainment Co., according to BusinessWeek Online (Companies fight back against China piracy, [http://www.businessweek.com/ap/financialnews/D8IK33080.htm?sub=apn\\_tech\\_up&chan=tc](http://www.businessweek.com/ap/financialnews/D8IK33080.htm?sub=apn_tech_up&chan=tc)).

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The question is whether there is a limit to the size of the currently two million strong legal library. Chris Anderson would argue (Anderson 2006) that there is no reason to think that market forces eventually will not digitize their whole back catalog and make it accessible through some purely digital or hybrid marketplace. But then again, we need to examine if the rules governing cultural distribution and accessibility in the past have changed enough so we can expect the market players in general to come forward with a complete digital back catalog. Also we have to look at whether rules applicable in a global, English speaking, digitally advanced context still apply for small, vernacular, poorer cultural entities.

Cultural industries tend to thrive around the technologies that allow mass reproduction and distribution of cultural goods. Benkler has noted (Benkler 2006) that we can experience a quick rise in the entry barriers in nearly all of these technologies, and the huge early profits sooner or later lead to an industry-wide concentration, a vertical and horizontal consolidation and eventually result in quasi-monopolies.

The market based systems of cultural production and distribution – not unlike any other industry – are a deeply interconnected structure of legal, economic, technological and moral-normative contexts (Lessig 2000). During the second half of the 20<sup>th</sup> century the technology of mass reproduction and the economics of producing, distributing and marketing these cultural goods have co-evolved with a system of copyright and intellectual property regulation that was the best fit for these economic and technological circumstances. By the end of the century this complex system has matured in every sense, resulting in cultural industries with strong marketing and distribution powers suited to create demand for and sell products globally. Some of these companies have an annual income comparable to the GDPs of most of the nations around the world. These economic entities, even though they directly or indirectly own a large segment of the contemporary popular culture and thus push for more and stricter legal protection of their back catalog (Akelof et al. 2002) are nevertheless providing a very strangely structured supply that hardly makes but a small number of all the legally protected works available on the market (Schultz 2002).

There have been many estimates on what percentage of all the works in copyright are available on the market. The numbers are surprisingly low, they are systematically somewhere between 10-30%. To get more exact data one needs to have some kind of a registry that would list all works in copyright. Unfortunately there is no such registry of copyrighted works, so one trying to get numbers must start with an estimate of the number of

works produced in the period that still have protection and combine that data with other sources that tell the current market supply.

One market we can examine is the US book market. According to the Book in Print Database there were 2.854.123 titles available on the US book market in November 2005. Sadly, we don't know how many works were produced since 1910<sup>11</sup>, the year when works generally fall in the public domain according to the US regulation, but we can look at the dates of the first publication of these nearly 3 million books:

<i>Year of first publication</i>	<i>The % of these books in the overall supply</i>
1990-2005	82,85%
1970-1989	15,09%
1950-1969	0,96%
1930-1949	0,18%
1910-1929	0,16%

**Fig 2.: The distribution of books in current supply according to the date of their first publication. Source: Books in Print**

The bulk of the current book supply is made up of relatively recent books, which is not very surprising. New authors, new works, new bestsellers keep the multi-million dollar marketing machines alive, and the distributors and merchants also have their interest in newer and newer waves of fashionable works, these works are high in circulation and low in shelf life. The average shelf life of a book is around three months and most of the bestsellers are not reprinted after two years (Miller 2006). There is a simple reason for that: books with the highest demand are the best candidates to pay for the physical costs (work, storage, stocking) of the distribution. This simple economic logic limits the stock of an average brick-and-mortar bookstore to somewhere between 40.000-100.000. Any book beyond this limit does not pay for the cost of physical space needed to carry it.

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<sup>11</sup> US copyright law grants protection to works from their creation plus 95 years. Some data were collected during 2005, hence the date 1910 as the first year of protection.

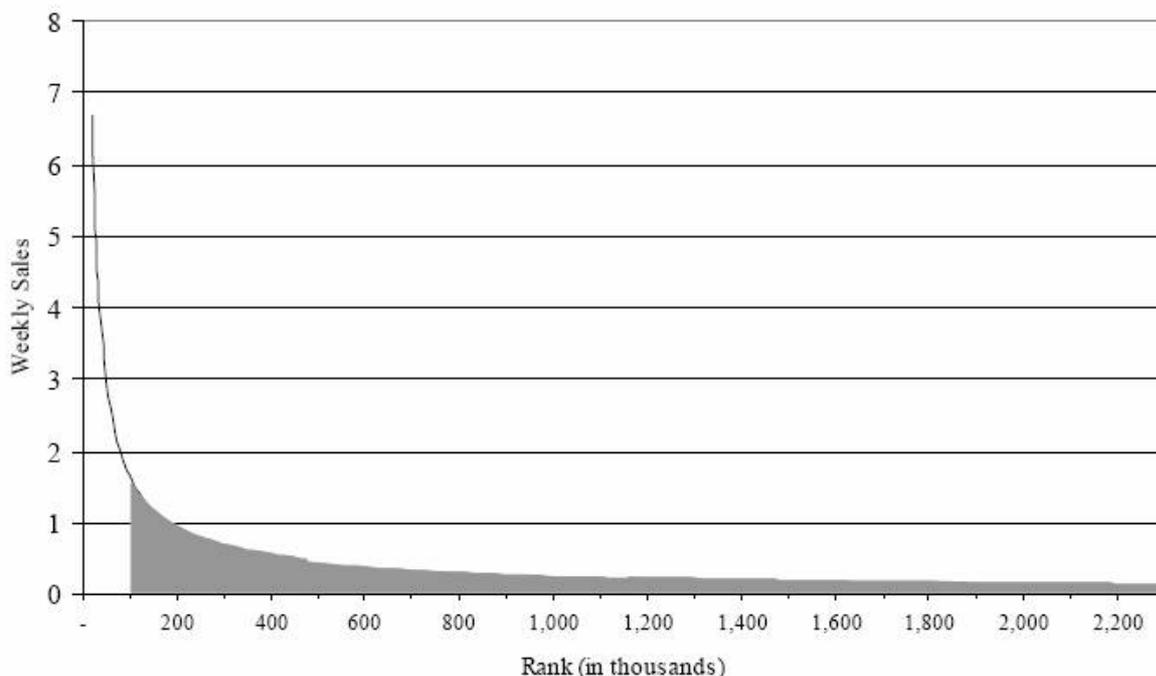
We find the same situation if we turn to the US film market, which has much more detailed data available:

Year	Films released in the period	Available on the market (DVD or VHS)	Percentage of all films released in that period available now.	Percentage of films of that period in the current supply.
1990-2005	21495	6895	32,08%	39,27%
1970-1989	7741	4181	54,01%	23,81%
1950-1969	9611	3082	32,07%	17,55%
1930-1949	16446	2891	17,58%	16,47%
1910-1929	33810	509	1,51%	2,90%
Summa	89103	17558	19,71%	100%

**Fig. 3: Films released and available on the DVD and VHS market in November 2005 by the year of first release. Source: imdbPro**

Even though that audiovisual works has a much higher global appeal and many more channels of distribution than texts, only 20% of copyrighted films were available on the market in November 2005. What is striking is the apparent lack of movies from the 10's and 20's, where only 509 works were commercially available out of more than thirty thousand.

That being the supply of course does not tell us anything about the shape of the demand on the market. We have to suppose that there is a demand for *all* cultural goods at *any given time at any give place*, even though this demand is far from being uniform in every case. Some works are more fashionable, canonical and others address marginal audiences and marginal issues. On a purely physical infrastructure it is nearly impossible to aggregate enough demand for these latter works to carry them economically. Works, at the end of the long tail became widely available only with the advent of the internet and the online marketplaces like Amazon.com or eBay.



**Fig 4.: The long tail in the inventory of Amazon.com**

As one former Amazon employee put it “We sold more books today that didn't sell at all yesterday than we sold today of all the books that did sell yesterday.” The internet has definitely changed this distribution pattern, but less than one would expect. On NetFlix, an online DVD rental service they advertise to have more than 60.000 titles in the catalogue 5000 of which is under the category ‘Foreign’. So we can observe that even though a hybrid distribution model goes further down the long tail, it still fails to cover 40% of the US films and carries only a tiny fraction of the world’s film production. Needless to say, NetFlix is only available to US customers. So the serious question of the missing supply of cultural goods that “did not sell at all yesterday” generates the problem of forgetfulness which is not quite solved in a an online environment either.

Before the net, this 70-90% gap between the supply and the demand was bridged with secondary markets like used book stores, community involvement such as book sharing clubs and public institutions like libraries and archives. In the digital environment the question is, from whom we can expect the same? Will the market digitize and make everything accessible? Will public institutions find their role in this context? Will Google do it? Will EU funded initiatives be able to achieve this goal? Or will it be the users who eventually need to solve the problem?

All the examples discussed above were from the US, a rich English speaking country with 250 million customers, with mature and more or less well functioning markets. But how does this problem look in countries that are neither rich, nor English-speaking, that do not have mature markets and have only a fraction of 250 million customers.

#### **4. “*Nous ne sommes rien, soyons tout*”<sup>12</sup> – the reconfiguration of the Hungarian cultural sphere after the fall of the wall.**

To fully understand the scope of the changes that happened in 1989 and afterwards one needs to go back at least a decade in time and look at how the last decade of the communist system has handled the issues of cultural production and distribution. There are several, often conflicting readings of the cultural policies of the Kadar<sup>13</sup> regime. It was without question the cultural policy of a communist dictatorship. But in the same time it had an undeniable emancipatory drive as well.

As in any dictatorship, the production, reproduction and distribution of all forms of communication and culture were strictly controlled by the authorities. Cultural works and authors were classified into the three categories: Supported, Tolerated, and Prohibited. Supported cultural goods enjoyed full support from the State and Party, received funds that allowed high circulations, high publicity, etc. Tolerated works and authors were left to exist, but have not enjoyed the privileges of the Supported works. Prohibited culture could only exist in Samizdat, under the close scrutiny and harassment of the authorities. Unlike in other ideologically more stiff communist countries, the works that fell into the Supported category were not necessarily ideologically faithful to the party lines. The high culture of Hungary, Europe and the world, poetry, literature, movies and music were released in several hundred thousand copies, distributed for a few dollars or cents and made available freely in the

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<sup>12</sup> Excerpt for the Internationale: [http://en.wikipedia.org/wiki/The\\_Internationale](http://en.wikipedia.org/wiki/The_Internationale)

<sup>13</sup> Janos Kadar was the chairman of the Hungarian Socialist Workers' Party from 1956 till 1988. The minister responsible for cultural affairs was György Aczél from 1957 till the mid eighties. Aczél had an overall influence to the cultural sphere not only by administrative means and measures, but through his overarching interpersonal relations with more or less everyone working in that field. He was responsible for the infamous policy of categorizing works and authors as Supported, Tolerated, and Prohibited.

libraries. The Stalinist approach to demand ideological faith was supplanted by a strange emancipatory program that allocated a huge amount of resources to create a cultural canon based on the ideal of literacy, education and the common European cultural heritage. The price for this was to accept the hegemony of the Party. If one did not question this hegemony, one was free to publish almost anything. So if we judge the decades before 1989 not by those works that were prohibited, but by the fact that what was available, it was available freely for everyone, we can say that the communist system has created the ideal state in terms of cultural accessibility.

The statistics also support that claim. For ten million citizens there were more than 10.000 libraries, nearly 5000 of which were to be found in factories, plants, workplaces. 10.000 different book-titles, several hundred records were published every year in quantities unseen ever since.

<i>Year</i>	<i>Books published</i> <i>(in millions)</i>		<i>Libraries</i> <i>(in millions)</i>			<i>broadcast hours</i> <i>(public broadcasters)</i>	
	titles	circulation	stock	rented	readers	radio	television
1980	9254	104	41	52	2222	380	87
1981	8810	103	43	51	2224	383	88
1982	8836	104	45	51	2215	386	89
1983	8649	108	47	50	2227	386	91
1984	10421	116	48	51	2249	395	95
1985	9389	103	49	50	2261	414	95
1986	9857	113	51	49	2243	412	103
1987	9111	113	52	48	2207	428	101
1988	8621	113	53	47	2127	431	109
1989	8631	124	53	45	2001	448	132
1990	8322	126	52	43	1856	566	151
1991	8133	100	50	42	1764	582	183
1992	8537	88	50	41	1646	664	193
1993	9170	77	49	41	1609	640	219

1994	10108	76	48	41	1584	647	222
1995	9314	67	47	40	1520	618	217
1996	9193	53	46	39	1444	545	322
1997	9343	48	47	39	1430	440	367
1998	11306	50	47	37	1445	435	406
1999	10352	47	46	37	1461	438	402
2000	9592	37	46	36	1441	471	452

**Fig 5: Book publishing, libraries and public broadcast in Hungary between 1980-2000.**  
**Source: (KSH 2002)**

Table 5. shows not only the rise but the fall of the cultural production and distribution. On the book-market the average circulation fell to its one-sixth from 20.000 to nearly 3.000. The chance to create a cultural canon by publishing books in high circulation has ended: while in the eighties more than 240 works were published in every year in more than 100.000 copies, this number has fallen to 173 in 1990, 15 in 1996 and only 4 in 2004.

And not only to amount of cultural goods has changed but the content as well. The fall of the (cultural) iron curtain has exposed the well protected Hungarian cultural markets to competition from the global and popular culture. In 1990 the average circulation of works by Hungarian authors was more than 21.000, a decade later less than 3.000. The average circulation of poetry fell from 7.500 to 900 between the eighties and 2003. Literary works fell from 33.000 to 5.700 in the same period. While the sales of works from foreign authors gave less than 20% of all sales, by middle of nineties this number has doubled. Foreign authors enjoy an average circulation more than three times higher that of a Hungarian author. (Cserta 2002). On the top of the bestseller lists Hungarian high culture gave place to pulp fiction authors and J. K. Rowling.

Other cultural fields follow the trends of the book industry. Similar landslides buried music publishing (Vályi 2006), motion picture production and consume-away-from-home cultural forms<sup>14</sup>. (Cserta 2002). And with the changes in production, there were similar changes in the

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<sup>14</sup> Namely cinema attendance, theatre, concerts, exhibitions and various hobby groups.

distribution systems as well. The library network was decimated by the collapse of workplace libraries of eliminated workplaces. The rich network of rural cultural institutions serving as cinemas, music halls, libraries and community places has simply disappeared, the houses were closed. The terminals of culture distribution have receded to where effective, solvent demand was to be found: into urban centers. “The quick change in economic and legal environment erodes the basic cultural supply. This is true in qualitative, content-wise terms, in terms of the physical state of infrastructure, costs of operation and in human resources, which is an especially serious problem because due to their cheap accessibility these institutions were mostly used by lower income social groups in need for an access to cultural goods.” (Bárdosi et al. 2004)

<i>Year</i>	<i>Number of libraries</i>	<i>Cinema screens</i>
1980	10498	3624
1981	10490	3552
1982	10272	3556
1983	10010	3700
1984	9580	3794
1985	9647	3745
1986	9320	3600
1987	9049	3279
1988	8731	2943
1989	8215	2608
1990	7350	1960
1991	6585	1025
1992	5848	697
1993	5264	638
1994	4727	595
1995	4468	597
1996	4248	558
1997	4092	594
1998	3908	628
1999	3786	604
2000	3585	564

**Fig 6.: The number of libraries and cinema screens between 1980-2000. Source: KSH.**

And indeed, this circle of regression is a vicious one: the lack of solvent demand and adequate funding ruined the distribution infrastructure, and the collapse of the distribution infrastructure left those unserved who would have been able to pay for these services, but were not numerous enough to be served economically.

With the advent of commercial broadcasting the traditional book and cinema-based (high) cultural sphere had to face another serious challenge. Even though the legal foundations for

commercial radio were framed by the Broadcast Treaty of 1996, several commercial stations were operating in a legal loophole since the end of eighties. This Treaty has also established the legal framework for commercial television, and in late 1997 the first commercial channel was started. Hungarian and foreign (satellite and later cable distributed) commercial broadcasters radically rearranged the time-use of audiences. By the end of the nineties 80% of the time allocated for cultural activities and entertainment was used to watch television, and only 10% to read a book or a magazine.

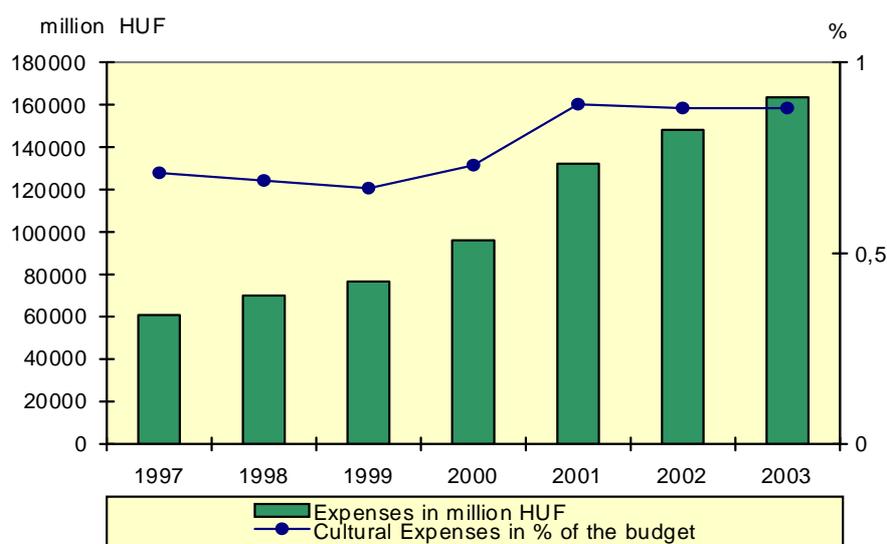
1986-87		1999-2000	
<i>Cluster</i>		<i>Cluster</i>	
Watches TV a lot	49,3%	Watches TV a lot	58,2%
watches TV little and spends time with		watches TV average and spends time with	
Family	30,4%	family	28,2%
Friends	7,7%	friends	7,7%
reading books	6,7%	hobbies	3,7%
reading press & magazines	5,9%	listening to radio	2,2%
Summa	100%	sum	100%

**Fig. 7.: The change in how free time was spent between 1986- 1999. Source: KSH**

## 5. where's the government? – the public infrastructure of cultural accessibility

Markets – in the US or in Hungary – will never be able or willing to supply all the demand that exists, nor will the structure of demand be conveniently servable. Realizing this we use significant public resources to bridge the gap between supply and demand on the distribution side in forms of public libraries, archives, museums, and on the production side in form of public subsidies and grants to authors, publishers, producers.

In Hungary in recent years the public funds going into culture were in the range of 0,7-1% of the Gross Domestic Product. A large portion (around 40%) serves as the financial background for the public broadcasters, the rest is divided up between the various cultural fields.



**Fig. 8. Cultural expenses in Hungary's budget between 1997–2003. Source: Bárdosi et al. 2004**

Supporting the library system cost between 10-19% of all (national and local) cultural expenditures. Beyond that museums, theatres, concert halls also needed support to be able to stay in the market. All this effort was needed to keep the cost of accessing culture affordable:

	Average distance from home in minutes	Visited at least once in the last one year %
Bookstore	22	67
Community house of culture	16	54
Exhibition place	36	45
Cinema	29	42
Library	16	37
Theatre	47	33
Concert hall	48	11

**Fig. 9. : The density and use of cultural distribution systems Source: (MTA 2004)**

The other part of the support went into subsidizing production. Billion of Forints went into movie production, to the support of orchestras, publishers, artists, writers, translators to finance the part that the market, due to its small size cannot take care of. In 2003 the book market amounted to 50 billion HUFs, the movie market produced 10 billion in admissions, DVD sales added up to 3 billion. These sums are comparable to the amount of public support for cultural activities which also means that without public subsidy these markets would have difficulty financing themselves even in this reduced form.

The Hungarian social, economic, cultural and geographic situation – 15 million native speakers out of which 10 million live in Hungary, 20% in the capital, the rest with predominantly lower incomes living in less urbanized settings dispersed around the country, spending most of their time in front of the television - makes the task of maintaining a purely market based distribution infrastructure which is capable of aggregating demand for anything but the very head of the cultural long tail very difficult. In other words, public support will play a central role in supporting cultural production and distribution in the future as well.

This situation might change with the advent of file-sharing communities and the internet. The known phenomena of book-sharing –which serves half of the readers with books borrowed

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from friends and family (MTA 2004) – gains a new meaning on the net. In the cases mentioned in the introduction, users share cultural goods that are very difficult and/or costly to get through the traditional systems of distribution. But through the efforts of users digitizing and sharing these goods many segments of culture suddenly become accessible: works that were buried by the ever new bestsellers, works that have never had the chance to become a classic, or were never intended to become one, works produced for and by marginal groups of marginal interests, works that have never had a chance to be commercially viable, works that would not be able to cross geographical and/or cultural distances otherwise, work that are well beyond the collecting scope of local libraries. Works, that are part of culture and somehow not part of culture.

The works found in the Silent Library, or on the forum pages of the Nostalgia Music are the results of community efforts to be taken seriously. It is easy to rip a CD but much more difficult to digitize a vinyl single or convert a book into a txt file. Commons based peer production networks (Benkler 2006) thrive in niches left free and unserved by markets serving their own needs in their own manner, sharing and coordinating community resources to create a true commons.

Some of these commons based peer production networks operate in a legal manner: identify craters or search for extra terrestrials out in space. Others rip old hits from tapes and create Hungarian subtitles to some obscure manga series only available on Japanese TV. These networks have enormous potential. The publicly financed book-digitization program in Hungary managed the scanning of 900 books in 7 years, Silent Library digitized more than 2000 in less than two. Out of these 2136 titles, only 194 were on the market. The rest, (90%) were almost lost for good before they were revived again. And this revival should not be understood only in physical accessibility terms. File-sharing communities are also remembering communities. They direct attention and thus demand, they discuss and thus keep alive cultural goods. When something is posted as available for download, not only those fetch it have requested a particular item, but also those who were standing nearby. These individuals are reciting work long forgotten like those who in Bradbury's Fahrenheit 451 memorize books to be able to share them with others.

The closest library might be only 16 minutes away in average, but for millions of Hungarians this 16 minutes of travel leads to a library with only 7.300 titles – this is the average size of a village library. Even with the current level of internet penetration there is no denser

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distribution network that of the internet terminals. And when you reach for your desk, or go down to the nearest community access point, you not only find the a global library in front of you, but the fellow readers as well.

## **6. *Pirate Republic***

The transformation we witness now is how a change in technology dismantles the economic and legal frameworks of how cultural industries operate. What was once critiqued by scholars from Benjamin, via Adorno till McChesney seems to be over for good. The demand for cultural goods has become visible at last and it turns out that the supply has little to do with what people want to have. Maybe this also signals the end of the traditional discourse in media and cultural studies on the ownership and control of media and content, and on how this content shapes societies. This library of Babel built, catalogued, maintained and served by dozens and millions of users raises different questions. It raises questions on the pragmatic level: how to navigate this library, who are able to oversee at least parts of it, what technologies serve the maintenance and the recommendations within? It raises questions of economies: in which direction will entry barriers move in this context? What will happen to back catalogs? Who will make and finance the move to the digital domain? Will there be niches still left not covered by recommendation systems and PayPal checkout gates? It also raises legal questions. If current copyright laws are defined by the economic realities of an offline context, how will the new economics tweak the laws governing cultural goods?

And in countries like Hungary, where during the last 100 years there was a complete change in the economic, political and cultural systems on average every 9 years (leaving very little of any archive and collection intact) can this be translated into a policy question? Where weak market potential meets weak public institutions, what kind of policy would not prevent the users, citizens and consumers of culture to make cultural heritage accessible by every means?

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