

The Poachers and the Stormtroopers

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"The Poachers and the Stormtroopers: Cultural Convergence in the Digital Age"

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Talk presented at the University of Michigan, Spring 1998

Let's start with two recent stories, both involving Star Wars and the internet, which illustrate some of the complexities of popular culture in the digital age.

Earlier this spring, a two page color-spread in Entertainment Weekly profiled aspiring digital filmmaker Kevin Rubio, whose 10 minute, \$1,200 film, Troops, has started to attract the interests of Hollywood insiders. Troops spoofs Star Wars by offering a Cops-like profile of the stormtroopers who do the day-in, day-out work of policing Tatoone, settling domestic disputes, rounding up space hustlers, and trying to crush the Jedi Knights. Rubio's film made imaginative and resourceful use of CGI-work which is as good as found in most big budget productions. As a result, he is fielding offers, from companies like Dreamworks, to finance his first feature film. George Lucas, the producer of the Star Wars series, has announced his own enthusiasm for the short, which has been digitized and placed on the web where it is attracting a phenomenal number of hits each day. Anyone who wants to see Troops had better be prepared to wait a long time to access and download it given the constant stream of traffic to this highly publicized site.

Last fall, the usenet discussion group devoted to Star Wars felt they ought to respond to increased traffic sparked by the re-release of the films and create a separate newsgroup where fans could post and critique original fiction set in the Star Wars universe. Such stories often involve rereading the Star Wars saga from the point of view of Darth Vader, the Emperor, the Stormtroopers, and the other imperial forces. In a rare action, the Usenet hierarchy vetoed the plan, not even allowing it to be presented for a formal vote, claiming that it promoted "illegal activities," i.e. that it encouraged the violation of Lucasfilm's copyright interests in the characters. Interestingly, the same group the official gatekeepers of the internet had previously failed to stop the creation of discussion groups devoted to the circulation of child pornography, information about making terrorist weapons, or the exchange of illegal drugs. Many believe that they made this decision based on a series of cease and desist letters issued by Lucasfilm attorneys aimed at shutting down fan-related Star Wars websites or blocking the circulation of fan fiction about the films. Through the years, Lucasfilm has been one of the most aggressive corporate groups in trying to halt fan cultural production.

Let's pause for a moment and consider what these two stories have in common. Both involve the circulation via digital media of original artworks which appropriate their core themes, images, and situations from Lucasfilm's Star Wars. In both cases, the same core idea is explored what Star Wars would look like from an Imperial perspective. In both cases, this appropriation is unauthorized, even if after the fact Lucas would choose to give his blessings to Troops. Rubio has said that he would seek Lucas's okay before commercially circulating his film, "if nothing else, just out of respect," but he acknowledges that "the pocketbook and morality tend to be on opposite sides of the scale."

Let's consider how they differ. From a classical legal standpoint, Troops would seem to pose a greater direct threat to Lucasfilm's interests. It has high production values, which could easily be confused with official Star Wars materials. It is produced by a professional who seeks entry into the entertainment industry who wants, in short, to profit from his appropriation of Lucasfilm's intellectual property. The Star Wars fan fiction, on the other hand, is clearly of an amateur quality and is explicitly marked as such. Its circulation on the net does not require money to exchange hands and offers little chance for fans to directly or indirectly profit from their cultural output. Lucasfilm's official rationale for shutting down the fan sites, after all, is that if they turn a blind eye to fan's non-profit appropriations, they will lose some of their ability to control the production and circulation of unauthorized commercially-produced materials which attempt to capitalize on Star

Wars.

These two cases speak to some of the complexities and contradictions surrounding popular culture at the current transitional moment. The trends I want to identify in this talk fall loosely under the heading of "cultural convergence," a term I have coined to reflect the fact that the technological convergences being discussed in the information and entertainment industries, the bringing together of all existing media technologies within the same black box in our living room, actually build upon a complex series of cultural and social shifts which are redefining how we relate to media and popular culture. Anyone who wants to see what convergence looks like should visit my house and watch my adolescent son, sprawled on the living room rug, watching a baseball game on our big-screen television, listening to techno on his cd-player, and writing e-mail to his friends or doing homework on his laptop. At the moment, the technologies aren't talking to each other. They're on different sides of the room. But, it doesn't really matter very much in cultural terms, since as consumers, we are already using different media and their contents in relation to each other. Sociologists are starting to refer to the "N Generation," the "Net Generation," or "Gen.Com", children who have come of age in relation to interactive technologies and digital media and who operate under the rather bold assumption that they can be active participants shaping, creating, critiquing and circulating popular culture. "Cultural convergence" describes new ways audiences are relating to media content, their increased skills at reading across different media and their desires for a more participatory and complex media culture.

A decade ago, when I published my first work on fans as "textual poachers," I was describing a subculture that was oddly alien to a good percentage of the audience I was addressing. I wrote: "From the perspective of dominant taste, fans appear to be frighteningly out of control, undisciplined and unrepentant, rogue readers. Rejecting aesthetic distance, fans enthusiastically embrace favored texts and attempt to integrate media representations into their own social experience. Unimpressed by institutional authority and expertise, the fans assert their own rights to form interpretations, to offer evaluations, and to construct cultural canons. Undaunted by traditional conceptions of literary and intellectual property, fans raid mass culture, claim its materials for their own use, reworking them as the basis for their own cultural creations and social interactions." Non-fan readers had little basis for understanding this account of an active subculture which produces new artworks through their appropriations from pre-existing media content. Fan culture had been pushed so far underground that it was only visible in distorted forms, through media stereotypes of crazed fans who needed to "get a life." Few enjoyed direct access to its rich, varied, and politically challenging modes of subcultural production.

Even would-be fans had trouble finding their way into the fold. Today, thanks to the internet, fan sites are much more visible; fan traditions are discussed on the front page of the New York Times; and aspects of fan practice are influencing commercial media in a much more direct fashion. In the process, then, fandom is posing some core questions about intellectual property.

For those who have not read *Textual Poachers*, let me offer a fairly schematic and simplified account of the history of cultural production. Historically, our culture evolved through a collective process of collaboration and elaboration. Folktales, legends, myths and ballads were built up over time as people added elements that make them more meaningful to their own contexts. The Industrial Revolution resulted in the privatization of culture and the emergence of a concept of intellectual property which assumes that cultural value originates from the original contributions of individual authors. In practice, of course, any act of cultural creation builds upon what has come before, borrowing genre conventions and cultural archetypes, if nothing else. Fans respond to this situation by preserving the traditional practices of a folk culture in responding to mass culture, treating film or television as if it offered them raw materials for telling their own stories and resources for forging their own communities. Just as the American folk songs of the nineteenth century were often related to issues of work, the American folk culture of the twentieth century speaks to issues of leisure and consumption. Fan culture, thus, represents a participatory culture through which fans explore and question the ideologies of mass culture, speaking from a position sometimes inside and sometimes outside the cultural logic of network television. The key difference between fan culture and traditional folk culture doesn't have to do with fan actions but with corporate reactions. Robin Hood, Pecos Bill, John Henry, Coyote, and Br'er Rabbit belonged to the folk. Kirk and Spock, Scully and Mulder, Luke and Lea, or Xena and Gabrielle belong to corporations. Fan fiction repairs some of the damage caused by the privatization of culture, allowing these potentially rich cultural archetypes to speak to and for a much broader range of social and political visions than can be accommodated through what David Thorburn calls the "consensus narrative" of network television. One of the real potentials of cyberspace is that it is altering the balance of power between media producers and media consumers, enabling grassroots cultural production to reach a broader readership and enabling amateurs to construct websites that often look as professional and are often more detailed and more accurate to the original than the commercially-produced sites. In such a world, the category of the audience, as a mass of passive consumers for pre-produced materials, may give way to the category of cultural participants, which would include both professionals and amateurs. We will certainly need and value the contributions of skilled professional storytellers but we will also provide the tools to

empower popular creativity, often in response to what the storytellers put before us.

The net -- which emerged as a platform for collaboration within the scientific and engineering communities -- provides the ideal basis for the kinds of multi-authored and collaborative fantasies which are the core of fan cultural production. New software, such as Photoshop, seems ideally designed for a culture of poachers, providing tools for duplicating and transforming images already in cultural circulation. Did anyone really expect us to only monkey around with personally-produced photographs of friends and family members when we can strip Tomb Raider's Laura Crofts naked and put her out on the web! Members of a net community build upon each others' ideas and contributions, often literally incorporating other people's words into their new text. Fans respond to the mass produced texts of film and television in this same collaborative fashion. Consider, for example, this statement made by a fan: "What I love about fandom is the freedom we have allowed ourselves to create and recreate our characters over and over again. Fanfic rarely sits still. It's like a living, evolving thing, taking on its own life, one story building on another, each writer's reality bouncing off another's and maybe even melding together to form a whole new creation....I find that fandom can be extremely creative because we have the ability to keep changing our characters and giving them a new life over and over. We can kill and resurrect them as often as we like. We can change their personalities and how they react to situations. We can take a character and make him charming and sweet or coldblooded and cruel. We can give them an infinite, always-changing life rather than the single life of their original creation." Such an argument rejects the idea of a definitive version produced, authorized, and regulated by some media conglomerate. Instead, it pushes towards a world where all of us can participate in the creation and circulation of central cultural myths.

One of the reasons that the cultural logic of fandom seems less strange to people today is that core aspects of fan aesthetics and politics have been appropriated by the culture industries themselves. The principles of cultural convergence are perhaps most visible at present in the work of popular artists like Kevin Smith, Quentin Tarantino, Mike Judge, Matt Groenig, and Kevin Williamson, whose films and television series deal with the process of forming one's own mythology or shaping one's own identity in response to the complex structure of media images and narratives that surround us. These works deal with characters who are themselves poachers from popular culture. *Scream* depicts a world where digital phones, camcorders and VCRs are second nature and where not being able to answer a trivia question can cost you your life. *Scream* depends upon the competencies of viewers who have seen countless previous slasher films before, operating like the cinematic equivalent of Babe Ruth

pointing to where his next home run is going to fly. Williamson reveals the cliché, comments on it, discusses it, and then puts it to use and proves that it can still be damned effective even when we know it is coming. These works draw upon an appropriative aesthetic which depends upon complex references and quotations from previous work. Jackie Brown, for example, sparked Blaxploitation film revivals all of the country so that generation Xers could study what they needed to know in order to make sense of Tarantino's latest work. In turn, these films provide the basis for subcultural appropriation, becoming the models for a "cool" new "fan boy" style that lives both inside and in opposition to the culture industries.

This appropriative aesthetic carries over into the realm of popular music, for example, where we are seeing a growing number of albums which depend for their appeal on the juxtaposition of previously distinctive musical traditions (as in the global pop or fusion movement in world music) or which depend upon the transformation of familiar songs by dramatically different musical artists (as in the release of a CD of Saturday morning cartoon themes cut by grunge bands or the release of Mozart TV, where TV theme music is redone according to the style of various classical composers) or which depend on digital sampling and morphing (which forms the basis of much techno and hip hop music). As I was writing this talk, my son barged into the study and played for me a techno work that his friend from the local high school had mixed from various bits of dialogue from Star Trek: The Next Generation and then posted on the web. Are we to understand this mix as another fan cultural production or as part of the semi-commercial realm of techno music? Does it matter whether the person making unauthorized use of these cultural materials is a high school student posting them on the web or a commercial artist, like Puff Daddy, who has a major record contract? The technological toys available to these high school students enable them to reach a level of polish easily mistakable for the professional product, paving the way for big budget splash on a garage band budget.

As corporations are learning to exploit more fully the properties associated with cultural convergence, they are starting to profit from audience interests in the potential for archiving, retrieving, transforming and rewriting materials of popular culture. The entertainment industry is shifting from exploiting the grassroots fan culture by putting Star Wars logos on everything to exploiting it by generating products that operate more fully within a fan aesthetic and more systematically reward the community's cultural competencies. The presence of the VCR, for example, has dramatically altered the ways that many viewers relate to television content, freeing producers to construct longer and more elaborate story arcs which depend upon a much stronger sense of program history. When Hill Street Blues first introduced the idea of a more serialized form of prime time drama, there was general concern that this format would confuse and alienate

viewers. Yet, Hill Street Blues quickly became the most taped program on American television at the moment that the VCR was making its initial impact in the marketplace. A symbiotic relationship has subsequently emerged between the VCR and such series as Twin Peaks, The X Files, E.R. or Babylon 5, which seek to exploit the potentials of television narrative for unfolding over time in a more novelistic fashion. The internet has become an important player in this relationship, generating website program guides which fill in gaps in any given viewer's knowledge, and allowing for collective, expert annotation of the episodes as they air. Media producers, such as Babylon 5's J. Michael Strazinski and X Files' Chris Carter, go on line, engage with fans about their ongoing series, and help to clarify points of confusion about program mythology. However, in doing so, their presence also serves to police what can and can not be said within the fan community, since the producers are told by their lawyers they will have to leave the lists if they receive too many fan speculations about the future directions of the series. Such speculations could be confused for script suggestions and pose subsequent issues of plagiarism. Yet such speculations form the building blocks for the fan cultural creation. "JMS" is trading access to the author in return for the right to purge their own subcultural traditions. This case suggests the degree to which intellectual property law has distorted the relationship between authors and readers. Charles Dickens received countless letters from readers when he was publishing his novels as magazine serials, and evidence strongly suggests that he routinely revised his plans for the novels based on feedback from his fans.

From one perspective, the result of this cultural convergence is a more complex and compelling popular culture. As a fan, I am finding myself more fascinated and better satisfied by the popular works available to me than ever before. I look upon texts ranging from the comic book Astrocity to the science fiction novels of Neil Stephenson, from Buffy the Vampire Killer to Dark City not as examples of postmodern "in-difference," but rather as rich, multi-layered works that reward my own knowledge of the cultural traditions which generated them. From another perspective, the result is a more powerful cultural industry which co-opts fan politics and defuses its threat to corporate power. An important part of the fan statement quoted earlier is its assertion that the right to participate within popular culture comes from the fan community itself and not from the producers. Thus, despite the growing explicitness of Xena's much touted lesbian subtext, the web is full of original fan fiction which pushes the erotic relations between Gabrielle and Xena much further than the producers will ever go. Grassroots groups are seizing the potential of the internet to transmit their materials, to reach a much larger public with their ideas, and they are thus making their own cultural appropriations and productions more visible than ever before. The result is a likely legal battle over the question of who owns our

culture and who will be allowed to participate within it. We are on a collision course between technologies that encourage collaboration and full participation in cultural production and economic and legal structures which are pushing to further privatize our culture.

The cultural industries are trying to spark commercial interests in interactive media, while regulating and restricting the forms of interactions people can have with their cultural materials. They want to tap into fandom as a powerful niche market, while denying fans the power to shape the popular culture being produced. I think that's what's at stake when Hollywood seeks to incorporate Troops's Kevin Rubio into its own ranks, while using its lawyers to shut down grassroots fan activities that can not be so readily assimilated. Rubio, as an employee of Dreamworks or whichever corporation ultimately secures his talents, will be a professional poacher, who can generate new forms of commercial media that reflect the popular audience's more complex and participatory engagement with popular culture. But the Star Wars fans who wanted to post their stories on the internet remain outside the clubhouse, unable to either circulate their own stories or to have their ideas incorporated into official Lucasfilm product.

As this discussion suggests, cultural convergence involves more than simply digital media. It involves the interplay between the full range of media technologies in contemporary culture. Cultural convergence points towards the needs for academics to develop a comparative media perspective if they are going to understand contemporary cultural phenomena that matter. It no longer makes any sense to study a single medium in isolation. It makes no more sense to create new departments for the study of digital media than it does to preserve old departments which isolate the study of film from the study of television, books, theatre, photography, popular music, painting, or other storytelling traditions. As cultural convergence builds upon both audience members' and industry insiders' access to the archive of previously circulating media materials, then it demands forms of academic analysis which are historically informed. We need to trace and recontextualize the ongoing process of quotation and appropriation, to suggest what meanings get accrued and which get lost as images and stories circulate from one period to another, from one medium to another. To make sense of the current moment, we need theories of collaborative or appropriative authorship, theories that recognize the dialogic dimensions of our culture. And we need to be asking those question on a global rather than national basis, examining the multi-directional transmission and appropriation of popular texts across national borders.

Neither fans nor the culture industry are playing a game which respects medium-specific boundaries; they both understand popular mythology or intellectual capital (choose your term and your theory

and politics will follow) as moving fluidly and rapidly across the various operations of horizontally integrated cultural conglomerates. It becomes increasingly clear that digital media will join rather than displace the structure of existing media. At the same time that the digerati are predicting the decentralization of our culture, a movement towards what George Gilder calls "first choice media," Titanic has become the top money earner of all time. Forget about predictions that winning academy awards will increase a film's box office take. Titanic took in another million dollars during the Academy Awards broadcast itself! At a time when many are predicting the death of the book and of book culture, amazon.com, an on-line bookstore, has emerged as one of the most successful internet businesses. At a time when digital advocates are celebrating the declining number of hours the average American spends watching television, individual broadcasts of cultural or political significance are setting all-time ratings records. At the same time that we are celebrating the participatory potential of the net as a medium without traditional gatekeepers, we are watching the increased consolidation of all other branches of the entertainment industry in the hands of smaller and smaller numbers of major players. And if we look at the list of newsgroups which receive the most subscribers and the most posts, many of them center around television or popular music product, suggesting that people are choosing to go on-line in part to interact with others who share their interests in materials which are initially circulated within centralized or broadcast media channels.

For the foreseeable future, television and other mass media will still frame our cultural and political agendas, while digital media will become the place where new ideas first surface and where cultural innovations occur. For the internet to be successful in forging new community ties between geographically dispersed populations, it will depend more powerfully than ever before on the creation and maintenance of a shared cultural frame of reference, and for the present moment the most likely source of that frame of reference is the infrastructure created by centralized commercial media. Ask yourself why it matters that Rubio's Troops website got a two page spread in a major national publication or why amazon.com paid for multiple commercials during the television broadcast of the Academy Awards. All kinds of interesting cultural material is originating on the web, but most of it only reaches a larger community when it attracts the attention of traditional media.

At the same time, we are witnessing some profound relocations in the economic and cultural hierarchy. For example, who would have anticipated that a small local newspaper like the San Jose Mercury would have become a major force on the web, existing alongside such national newspapers as the New York Times or USA Today. Something similar is occurring with RealAudio and radio. I have students who regularly listen to news and music from their favorite stations in

Bosnia or Croatia, much as Hamid Nafficy has described the underground circulation of national-language films and programs on video within immigrant or exile communities. One can picture the emergence of stations which service specific language groups or specific musical genres that could not develop an economically viable following in any local market but which have a large listenership around the globe. Here, digital media overcomes traditional problems of transmission or distribution, enabling new cultural entities to compete more aggressively with the existing powers in the entertainment industry.

As RealVideo reaches the level already being achieved by RealAudio, it is not hard to predict the emergence of narrower-cast television channels aimed at core demographic groups and supporting kinds of programming which do not currently reach the airwaves on network or cable. Is it hard to picture, for example, the creation of a national or international gay, lesbian and bisexual channel, which will find a ready market, even if the fight to get the channel onto most local cable outlets seems like an impossible up-hill battle? Even in a climate where the web is increasingly commercialized, its decentralized structure can support the creation of viable alternatives to the now-dominant media and expand the diversity of our existing popular culture.

We live in a polyglot society -- one with many competing cultural interests, which are not being fully served by the existing structure of broadcast and cable television. Some of these interests may best be served through the creation of original material. Others will be served through the revitalization of older cultural traditions. Still others by the cultural appropriation and reworking of commercially available materials -- not on the basis of personal profit but on the basis of communicating within a mediated society those things that are most important to us.

The web contains enormous potentials for the creation of a more diverse and democratic popular culture -- one which allows much broader opportunities for grassroots participation. We can point to many examples of the power of net communities to work around the centralizing authority of traditional gatekeepers. This is what makes the digital revolution a cultural revolution. But, we should not allow the utopian promise of cyberspace to blind us to the real struggles which will need to be fought if we are going to secure a place for all of us to participate in popular culture. We are going to be watching increasingly bloody fights about intellectual property rights in digital media over the coming decade and those fights are going to determine -- in part -- the cultural logic that will structure the 21st century. The question of whether Star Wars fans can or can not post erotic stories about Hans and Luke may seem, at first glance, a relatively trivial matter, but its repercussions could be enormous. Those of us -- as citizens and academics -- who want

to believe that the net has a transformative potential in our culture, society, and politics, should be lending our voices to the fans who are on the front lines exploring how this media will be used in relations to the entrenched power of the culture industries.

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