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The united states of unscreened cinema: The political economy of the self-distribution of cinema in the U.S.

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MSc in Media and Communications

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ABSTRACT

With the hope of contributing to the political economic analysis of the film industries, this dissertation investigates the practice of self-distribution of cinema in the U.S. Self-distribution—the management and implementation of a film’s distribution by the producing filmmakers—is directly related to broader questions of media equity, access, and ownership. Popular discourse within filmmaker circles finds much debate regarding how new technologies and changes in the industries are promoting and restricting opportunity for self-distributing filmmakers. Unfortunately, despite the fact that the significant majority of U.S. films are self-distributed, there is a dearth of academic research into this changing field. To help fill this research gap, this study asks how practices of film self-distribution reflect and contribute to changes in the film industries.

Recognizing self-distributing filmmakers to be well positioned to report on how the practice is evolving, research is implemented through eleven in-depth interviews with twelve U.S.-based filmmakers who have self-distributed films in the last three years. Treating these filmmakers as experts within their particular sub-field, a realist approach is used in analysis to identify shared and contrasting experiences and insights. These are thematically organized according to key concepts for the political economy of the film industries: ownership and rights, recognition and legitimation, changes in the industries, and expenses and revenues. Acknowledging a tension between the macro-orientation of industry analysis and the micro-focus of filmmaker interviews, the paper utilizes the concepts of structure and agency both to theoretically contextualize the research findings as well as to lobby for greater acknowledgement of individual agency within the legacy of political economic analysis.

The study finds the interviewed filmmakers to have been both helped and hindered by new technologies and recent changes in the industries. While online distribution indeed enables some films to reach wider audiences, it does not tend to lead to direct financial profitability. The decline of the home-video market is seen as having a devastating effect on self-distributing filmmakers’ ability to earn revenue. At the same time, there is evidence of filmmakers using innovative strategies to distribute their films outside the traditional routes, providing some support for claims that new social processes enable the disruption of established power relations within the media industries.

In conclusion, this dissertation calls for increased academic attention to and public support of the self-distribution of film. Understanding cinema to be not only an economic but also a cultural product, a plea is made for aiding sustainable development of the independent distribution of cinema in the U.S.

INTRODUCTION

'An invention without any commercial future.'

Louis Lumiere, 1896 (Putnam, 1997: 9)

'The films have fallen into the clutches of business men and art is weeping!

But where aren't there business men?'

Leo Tolstoy, undated (Tolstoy, et al., 1997: 345)

'One way or another, we all turn into businessmen.'

Gregory Bayne, 2010

No one can conclusively answer how many independent films are produced and distributed in the U.S. each year, but some relevant statistics help us into the ballpark. 1,905 U.S. feature-length films (narrative and documentary) were submitted to the 2009 Sundance Film Festival (Hernandez, 2009), the country's premier festival and benchmark for U.S. independent film (Neve, 2002; Turan, 2002). The MPAA reports Hollywood studios and subsidiaries releasing 158 films into theaters domestically that same year (MPAA, 2010). Because many independent films as well as the majority of Hollywood films are not submitted to the film festival, these statistics suggest at least 1,900 U.S. independent feature films are distributed each year independently of Hollywood. If one were to consider these films to constitute their own film industry (and this study does not), it would be the largest in the world, far out-producing Hollywood, Bollywood, and Nollywood (See Appendix I). It would also be one of the fastest growing, suggested by the fact that only about half as many U.S. feature films were submitted to Sundance ten years ago (McInnis, 2000).

This dramatic increase in the production and distribution of independent film in the U.S. over the last two decades supports claims that new technologies have empowered a growing population of filmmakers by lowering production costs. At the same time, many filmmakers bemoan the current state of the independent film industries.

There is a continuing conversation, through practitioner forums and media, regarding the harsh climate for independent film distribution. This perspective finds justification in the increasing competition for independent films to be accepted into premier film festivals, attract traditional distribution deals, or earn profit (Hope, 1995; Christopher, 2008; Gilmore, 2009). For example, only about 3% of feature films submitted to Sundance each year—including all Hollywood fare—are accepted (Hernandez, 2009), and only a fraction of those films are picked up for distribution (Dietz, 2010).

This pessimism is often countered by another familiar discourse surrounding endeavors by innovative self-distributing filmmakers (SXSW, 2010). Particular case studies are recounted of the groundbreaking ways various filmmakers have used new technologies and online services to fund, produce, build audiences for, distribute, and earn profit from their independent films despite their limited means (Hope, 2009). These ‘success stories’ familiar inside independent film circles—including projects by Arin Crumley and Susan Buice, Lance Weiler, Nina Paley, Thomas Woodrow, Jon Reiss, MdotStrange, Tze Chun and Mynette Louie, and others—indeed suggest many opportunities newly available to self-distributing filmmakers. The independent filmmaking communities in general seem torn between extreme optimism and pessimism regarding how the industries are changing.

A look towards academic research and writing finds similar debate regarding what influences new technology and the Internet might have upon the media industries in general. Some describe the key roles new technologies play in disrupting established power relations and increasing opportunities for democratic activism, participation, and competition (Bennett, 2003; Kellner, 1990; Picard, 2000), in challenging the concentration of ownership and media power (Compaine and Gomery, 2000; Negroponte, 1996), and, through emerging ‘horizontal’ distribution networks and the blurring line between mass and self-communications, in offering new opportunities for counter-power (Castells, 2007, 2009).

Others are more dismissive of new technology and the Internet’s ability to bring actual change, freedom, or democratic empowerment (Garnham, 1994; Baker, 2007). These accounts refocus upon the ways economic and social power relations and market dynamics primarily determine how new technologies are introduced and developed and how, historically, they typically lead to greater concentration of ownership and power (Golding and Murdock, 1997; Mansell, 1999). There is evidence of Hollywood’s progress towards creating a closed sphere of innovation regarding Internet distribution (Currah, 2007; Lessig, 2008).

When discussing the film industry/ies specifically, those on all sides of this academic debate tend to highlight Hollywood’s dominating position worldwide. Much of this work is critical of the Hollywood oligarchy, and typically conflates Hollywood with the notion of a U.S. film industry. This conflation neglects the many independent U.S.-based producers and distributors. The general absence of empirical study of U.S. independent film is surprising, especially given the abundance of independent production and distribution, and its relevance to critical investigations of media power and equity.

This study aims to contribute to the empirical analysis of the political economy of the film industries. Aiming to help fill the research gap regarding analysis of the independent production and distribution of cinema in the U.S., this study 1) argues for the need to recognize the roles self-distributing filmmakers collectively play within the industries, and 2) provides evidence of how the industries are changing and what the consequences are for self-distributing filmmakers.

The paper begins with a review of apposite theory and critical study. Next, the research design and methodology is shared. Findings are synthesized and presented according to key themes. The paper is concluded with brief remarks regarding the relevance of the findings.

LITERATURE REVIEW

Analysis of the political economy of the media industries entails investigation of the power relations that determine participation in and ownership of cultural production (Murdock and Golding, 1973; Garnham, 1994; Wasko, 2005). Grounded in a commitment to social totality, the political economy of the media is concerned not only in describing the industries' economic activity, but also in addressing the broader historical and societal contexts in which the industries are embedded (Garnham, 1994; Mosco, 1996). This contextualization corrects the tendency in mainstream economic analyses to reinforce the myth of a 'free market,' ignoring that the inequalities visible in the marketplace are themselves rooted in the imbalanced power relations that constitute society itself (Murdock and Golding, 1973; Compaine and Gomery, 2000; Mansell, 2004). The resulting questions of access and control must be recognized as ethical matters, calling for consideration 'not only for what is, but for what ought to be' (Golding and Murdoch, 1997; p. xvi).

A Marxist vs. institutionalist approach

The two most common frameworks within political economy—Marxist and institutionalist—are neither mutually exclusive nor the only approaches taken by political economists (Hesmondhalgh, 2007). Still, they offer the two most developed legacies by which to investigate an industry.

(Post)Marxist political economists generally train their critiques upon the failures of capitalism itself. Those investigating the media industries have addressed concentration of ownership, the hegemony within global media flows, labor relations and exploitation, and the production of ideology (McChesney, 2008; Baker, 2007; Goodwin and Doyle, 2006;

Bagdikian, 2004; Kellner, 1990; Pendakur, 1990). These studies and others raise important questions about the effects capitalism as a practice has upon the cultural sphere.

Institutionalist political economists tend to focus more upon patterns of partnering and competition *between* and *within* media institutions. They have critiqued the methods by which competition is both created and prevented, the relations between incumbent and insurgent media entities, and questions of access and equity (Golding and Murdock, 1997; Compaine and Gomery, 2000; Gomery, 1993, 1997; Mansell, 1999, 2004). An institutionalist approach does not argue against the Marxist critiques of capitalism so much as view the areas of conflict and transformation *within* the industries as key sites by which industry can best be analyzed.

Though sympathetic to a (post)Marxist dissatisfaction with capitalism's overall affects upon the cultural sphere (including the film industries), this study recognizes the institutionalist approach more appropriate to investigate the changing relations within the current independent film industries.

The political economy of the film industries

It is impossible to define where a media industry begins or ends. Trans-media production and marketing (Jenkins, 2006), the blurring line between personal and mass communications (Castells, 2009), and the continuously shifting geographies of corporate conglomeration and fragmentation (Harvey, 2006) complicate any attempt to define the boundary of any industry. Therefore, the focus here on the U.S. independent film industries should only be considered a theoretical entry point by which to investigate the surrounding industrial activity.

A wealth of critical studies of the political economy of the film industries lays the foundation upon which recent changes might be analyzed. Historical accounts of cinema—the evolution of its technologies, industrial practices, and patterns of global competition and corporate concentration—remind us that it exists firstly by and through the industrial practices that have enabled its production, distribution, and exhibition (Balio, 1985; Wasko, 1994, 2005).

Many scholars utilize the concepts of 'national' and 'regional' film industries to critique the dominating role Hollywood and U.S. foreign policy aggressively maintain within the global flow of the global cultural industries. Too much of this critical media discourse, however, amalgamates the Hollywood oligopoly—considered by most to be the six major production and distribution film studios and their subsidiaries—and the idea of a U.S. national cinema

into one vaguely imagined entity. While the vast majority of economic activity within the U.S. film industries is indeed brokered by Hollywood, this conflation disregards all cinema that is produced and distributed in the United States ‘independently’ of the Hollywood studios.

The U.S. independent film industries

Most critical academic discussions of U.S. independent film begin by addressing the problematic descriptor: ‘independent.’ Berra (2008), King (2009), Neve (2002) and Holm (2008) track the modern usage within the U.S. to the late 1970s as a signifier of contrariness to Hollywood, either in funding, aesthetic, or spirit. Balio (1985) acknowledges a longer history of independent production since the establishment of the Motion Picture Patents Company, but argues that the term gained significance by Hollywood’s oligopoly control of the industry in the 1930s. Merritt (2000) looks even further back in history to the non-studio film production and distribution present since the birth of cinema. Thomson, a more mainstream film historian, helpfully offers, ‘Sooner or later, ‘independence’ leads to the question of ownership, and that is fundamental’ (2004: 365). Following Balio, Merritt, and Thomson’s question of ownership, this study uses ‘independent’ to signify financial independence from the incumbent studios (today, the Hollywood studios and their subsidiaries), a relationship that has existed longer than the current appropriations of the term. Additionally, ‘independent’ is most helpful as an adjective in describing processes (i.e., production, distribution) rather than things (i.e., films). By this definition, a film that was produced independently of the studios, would inherently lose its ‘independence’ as soon as it is picked up for distribution by a Hollywood studio.

Following Levy, Wasko writes, ‘Independents represent an industry that runs not so much against Hollywood but parallel to Hollywood. In other words, there are two legitimate film industries, mainstream and independent, each with its own organizational structure and its own core audience’ (Wasko, 2005: 78; Levy, 1996). It is appropriate to conceive of the independent film industry/ies as operating alongside (rather than ‘against’) Hollywood. The notion of more than one ‘legitimate film industry’ is also apt as Hollywood does not represent the entirety of U.S. film industry. It is a mistake, however, to so completely differentiate between the U.S.’s mainstream and alternative cinemas’ ‘own organizational structure[s]’ and ‘core audience[s].’ Here the model of Hollywood and independent film industries running ‘parallel’ to each other fails because—through the competition for and sharing of practices, resources, labor, audience development, and capital—the production and distribution of mainstream and alternative cinema intersect, overlap, and converge in countless ways.

Garnham (1994) identifies three sectors of independent film: 1) Hollywood-financed subsidiary production, 2) independent production that is acquired by the Hollywood studios for distribution after completion, and 3) independent production for specialized markets that do not compete with Hollywood within the exhibition sector (for which he offers as examples ‘nature films and soft porn’). Garnham fails to locate the significant majority of films currently produced each year in the U.S.: films that must compete with Hollywood within the exhibition sectors, but are produced *and* distributed entirely independently of the Hollywood studios. Examples of this group include everything from Mel Gibson’s *Passion of the Christ* (2004) to the thousands of films that fail to find exhibition within or beyond the festival circuit each year. These films also represent the significant majority of feature films produced within the United States (Appendix I). Unfortunately, it is rare that critical academia addresses the structures and institutions of the independent film industries.

Film distribution

If critical study of the U.S. independent film industries is lacking as a whole, why begin with distribution here? Murdoch and Golding might remind us, ‘critical political economy continues to insist on the need to begin any analysis with the organization of production’ (2005: 63). Quoting Mosco, they argue that despite the mutually constitutive nature of production and consumption, ‘mutuality does not mean equal influence’ (Mosco, 1996: 5-6), and production, occurring first in the industrial circuit is the most influential stage and is the ‘logical place to start’ (Murdoch and Golding, 2005: 63).

Mosco takes a more nuanced stance towards the set of possibly ‘entry points used to think about political economy’ (1996: 8). Mosco echoes Mattelart and Mattelart’s ‘call for transversality. These [new paradigms] upset the unilateral relations that linear thought had established between cause and effect, source and receiver, center and periphery’ (Mattelart and Mattelart, 1992: 191; quoted in Mosco, 1996: 9). This call to challenge any linear determinism—that processes of production determine processes of distribution and consumption—is especially relevant for the film industries. Too often, a focus on film production (by those working in the field, in the media, or in administrative and critical academia) overshadows and undervalues the decisive—perhaps more decisive—role film distribution plays in shaping the field (Rosen, 1990; Wasko, 2005; Cones, 1997; Compaine and Gomery, 2000).

Since the birth of cinema, struggle for control of the film industries has gravitated around the control of distribution. By 1904, a differentiated role was established for the distributor when a number of filmmakers began the practice of buying other producers’ old films and

renting them around the country to exhibitors in a process called ‘film exchanges’ (Puttnam, 1997; Murdock and Golding, 1973). This effectively freed film producers from having to travel with a film in order to circulate the film and make profit. It is distribution that still determines the potential for both accessing audiences and reaping profit. Distribution, then, entails the ‘most crucial’ component of the industrialized process by which films become products for circulation (Cones, 2007; Moran, 2002). Hesmondhalgh explains circulation to be ‘the stage of cultural production involving getting products to audiences. It involves marketing, publicity, distribution and/or transmission’ Hesmondhalgh, 2007: 309). While agreeing with his overall definition, it is more accurate to swap Hesmondhalgh’s semantic use of ‘distribution’ and ‘circulation,’ clarifying distribution to involve the industrial processes of marketing, publicity, circulation, and/or transmission. Crucially for our approaching definition of self-distribution, this study adds that distribution also entails management, or as Balio would describe it, ‘the sales work—which is in reality the securing of rental contracts’ with distribution partners (1985: 203). Distribution is a non-linear process, all aspects influencing and influenced by each other (see Figure 1).

It is through distribution that we might best examine ‘the real relations of the movie business’ (Garnham, 1994: 183). The process of film distribution—i.e., the commoditization of cinema through industrial practices of management, marketing, publicity, circulation, and/or transmission¹—is the most appropriate entry point for analysis of the film industries as industries.

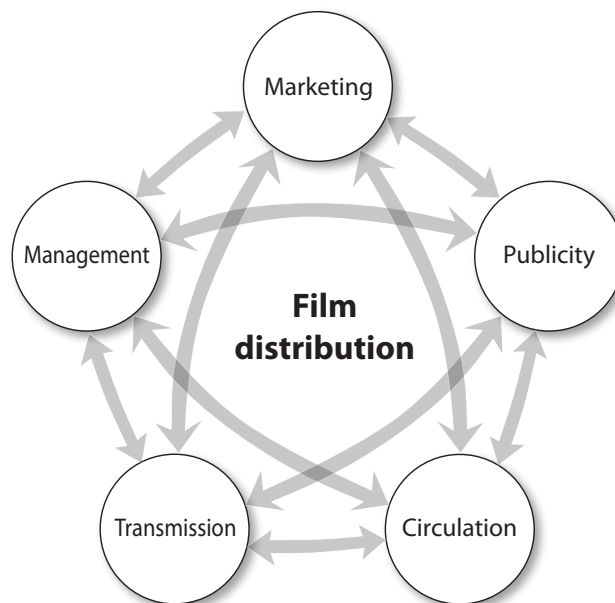


Figure 1

¹ For description of terms, see Appendix II.

Three tiers of distribution

How film distribution processes exist within the U.S. film industries can be conceptualized across three overlapping and competing tiers: Hollywood distribution, independent distribution, and self-distribution.

Hollywood distribution

When only one in five films distributed through Hollywood turn a profit (Berra, 2007), how do Hollywood studios collectively secure their dominating positions in the industries nationally and globally? The distribution practices forged by Hollywood are built to ensure long-term success beyond the performance of any particular film (Wasko, 2005; Compaine and Gomery, 2000) and are *the* primary reason for its global domination (Garnham, 1994). The national and global strategies used by Hollywood distributors has been described by a number of critical scholars, some of the most insightful being Wasko (1994 and 2005), Miller et al. (2001, 2005), Balio (1985, 1996), and Compaine and Gomery (2000). Though a thorough exploration of these accounts is beyond our focus here, Hollywood distribution is relevant to this study in four key ways: 1) how Hollywood studios establish the norms for release and exhibition; 2) how independent distributors must compete for exhibition space, media attention, and audience development; 3) how the possibility for being picked-up and distributed by Hollywood influences filmmakers' distribution strategies; and 4) how Hollywood influences other political and economic institutions that directly affect self-distributing filmmakers.

Independent distribution

Recalling this study's understanding of 'independence,' independent distribution implies no Hollywood endorsement or partnering. In 1941, Huettig wrote a description still accurate, 'The independent producer is, by definition, one whose pictures are not distributed by the majors. Without such distribution and access to the first-run theaters, his market is extremely limited' (Huettig, 1985: 310). Wasko claims these 'true independent distributors are rare' (2005: 79). In truth, there is a long and diverse legacy of independent distribution, from Thomas Edison's road-show rivals, the early tours of 'race films,' and H. V. George's early experiment in distributing direct-to-consumer 16mm reels in 1944 (Balio, 1995; Merritt, 2000; Puttnam, 1997; King, 2009), to the hundreds of independent distribution companies working today (The Numbers, 2010).

King (2008) and Berra (2009) identify the late 1970s as a period in which the 'infrastructure' for the modern age of independent distribution began to support a relative boom for independent distributors. The growth and increasing prestige of the U.S. film

festival circuit from the early 1960s up through the Sundance Film Festival's establishment in the mid-1980s, alongside the development of home-video technologies and markets are credited with enabling the entry of a number of independent distributors including Samuel Goldwyn, Castle Hill, Triumph, Island/Alive, Cinecom, First Run, Cannon Films, Cinema 5, New Yorker, and Miramax (King, 2009; Merritt, 2000; Berra, 2008). Few of these companies thrived or survived (and the most successful, Miramax, was bought by Disney in 1993). Very little academic attention has been directed towards them or their contemporary equivalents beyond passing reference (Berra, 2008).

Self-distribution

Self-distribution is the management and implementation of a film's distribution by the makers of the film. The challenge facing self-distributing filmmakers mirrors that facing all distributors: 'how to establish a viable linkage between production on the one hand and exchange (exhibition) on the other' (Garnham, 1994: 183). The practice of self-distribution is sometimes recognized (Wasko, 2005; Berra, 2009), but unfortunately, the self-distribution of cinema in the digital age has not received any substantial academic attention. The hope behind this study is to, by its own modest means, call more attention towards the role self-distribution plays within the film industries.

The industry and the self-distributing filmmaker

The concept of individual agency raises important questions for political economy. A key tenet of political economy is a belief in the determining—the influencing or limiting—role social, economic, and political structures play upon industry and society. Even when acknowledging the existence of many overlapping determining structures, political economy maintains 'a hierarchy of determination... such that the possibilities at each succeeding level are limited by the resources made available by the logically preceding level' (Garnham, 1994: 10). For most political economists, economic and class structures live at the top of the hierarchy (though some place gender and race alongside them); individual agency and action, when acknowledged, is inevitably relegated to the bottom.

This prioritization of institutional macro-analysis has been criticized for neglecting the 'role of human agents (other than those at the pinnacle of conglomerate hierarchies) in interpreting, focusing, and redirecting economic forces that provide for complexity and contradiction within media industries' (Havens et al, 2009: 236). This line of critique has lead many, including Garnham (1994) and Mosco (1996), to ask how political economy can better take into account the active roles individuals play not only within the field, but also in reconstituting the field.

Structure and agency

Structuration theory conceptualizes the mutual determination of structure and agency within society. As developed by Giddens, the theory describes the duality of structure: how ‘the structural properties of social systems are both medium and outcome of the practices they recursively organize’ (2001: 25). Structure is comprised of the rules and resources recursively presented through the (re)organization of social institutions. Structure, then, constrains, enables, and—ultimately—is partially reconditioned through human agency and action (ibid.).

Mosco, within his call for political economy’s incorporation of structuration theory, clarifies that ‘structuration addresses agents as social, rather than individual, actors’ (1996: 215). Garnham does not draw as sharp a differentiation between social and the individual action, but proposes instead that individual agency exists *within* and *through* the social, ‘coordinated through space and time within a determinate social structure and process of intergenerational development or breakdown (Garnham, 1994: 9). What is appropriate to remember here is that an investigation of self-distributing filmmakers’ agency within the film industries should not lead towards appraisal or, even worse, aggrandizement of any particular individual’s experience or achievement. Rather, attention to self-distributing filmmakers might uncover social processes of self-distribution that both constitute and are constrained by the institutional structures of the film industries.

Giddens’ structuration theory has been criticized from all sides for—among other things—being too agency oriented (Mosco, 1996), too structurally constraining (Held and Thompson, 1989), neglectful of political and economic relations of power (King, 1999), irrelevant to empirical research (Gregson, 1989), and insensitive to the different natures presented by situated ontology or specific social phenomena (Stones, 2005). It is not the intention of this study to wade into the wide debate regarding structuration theory. Rather, concepts from structuration theory will be used in two limited ways: first, to help us as ‘sensitising devices’ for research purposes (Giddens, 2001; quoted in Stones, 2005: 3) as we investigate and theorize the role self-distribution plays within the industries, and second, to help conceptually bridge existing macro-analyses of the industries with new qualitative micro-level research of filmmakers’ experiences self-distributing their films.

Changes in the industries

So, how are changes in the industry affecting self-distributing filmmakers? In 1979, David J. Londoner, a financial analyst for Wertheim & Co., predicted that Hollywood's domination of the distribution markets would deteriorate 'as innovative developments and new technology break up the stations' oligopolies of directly reaching the home' (1985: 604). Baker is more skeptical that the Internet can live up to this promise of 'eroding bottlenecks' and promoting 'diversity, accessibility, and affordability' (2007, and quoted in Compaine and Gomery, 2000: 574). Garnham (1994) is flat out dismissive of new technology's potential to democratize media opportunity. Historically, new technology might seem more often than not to ultimately lead to increased concentration of media power through the establishment of new entry barriers for insurgent media producers and distributors. Examples can be made of Edison's many patented technologies aimed at threatening rivals (including the filmstrip hole-puncher) (Merritt, 2000), the popularization of 'the talkies' knocking out most independent distributors in the 1930s and contributing to industry consolidation (Gomery, 1985), and 3-D technology threatening independent theaters today (Marche du film, 2010). This study, however, hypothesizing that both Londoner's optimism and Garnham's pessimism are extreme, aims to investigate how changes in the industries are both increasing *and* limiting opportunity for self-distributing filmmakers.

CONCEPTUAL FRAMEWORK

A primary goal of this study is to contribute to the comprehensive and critical analysis of the evolving film industries. While this study remains sympathetic to a more (post)Marxian critique of capitalism's corrupting effects upon the film industries in general, an institutionalist approach is better suited this analysis of the relations between the institutions and agents within the industries.

Regarding the various conceptions of 'independent' film within the U.S. context, this study adopts an economic approach to the term, using it to imply film production or distribution that is managed and financed independently of the Hollywood studios and subsidiaries. This study focuses upon U.S.-based filmmakers to problematize any claim that Hollywood *itself* represents U.S. national cinema. If U.S.-based filmmakers share any characteristic with each other, it is only some variation on a particular insurgent/incumbent relationship to Hollywood. When this relationship—that between independent filmmakers and Hollywood—is addressed in the media and academia, it almost exclusively focuses upon the incredibly small percentage of 'independent' filmmakers whose films have been distributed by

Hollywood studios or the even smaller percentage who have successfully maintained careers outside of the mainstream. Likewise, there is little academic attention turned towards the practices of the vast majority of U.S. filmmakers who have produced and distributed films independently of Hollywood. This study aims to draw attention to this research gap.

Distribution is defined here as the marketing, publicity, circulation, transmission, and management of a film. Self-distribution, a term familiar if not clearly defined within popular media discourse, refers to distribution managed—by choice or necessity—by the filmmakers themselves.

There is a theoretical and methodological tension between a political economy approach to the macro-analysis of the industries and an investigation of the actions and experiences of individual filmmakers. This study utilizes the concepts of structure and agency to couch the research and help analyze the social processes of self-distribution.

This study's understanding of structure follows Mosco's interpretation as the 'constraining rules and enabling resources' that are 'constituted out of human agency, even as they provide the very "medium" of that constitution' (Mosco, 1996: 212-213). Agency is a person's ability to purposively choose between options to commit action (Giddens, 1989; 2001).

Research objectives

The vast majority of U.S. independent filmmaking is consistently overlooked by political economic analysis. Calls from within academia for equity of media opportunity must be strengthened by greater equity of academic attention. Analysis of the political economy of the film industries, then, requires greater study of the significant and growing population of filmmakers who are producing *and* distributing films outside the Hollywood infrastructure.

The primary objective of this research is:

To contribute to the comprehensive analysis of the political economy of the film industries through analysis of current practices of self-distribution of cinema within the U.S.

Assuming a greater awareness of these practices will improve understanding of how the industries are evolving, this study acknowledges the theoretical question regarding the ability of political economy to account for individual agency. So, a second objective of this research is:

To explore, conceptually, how the political economy of the film industries might better address how filmmakers' agency operates within and contributes to the institutional structures of the film industries.

Lastly, but perhaps most importantly, this study hopes to continue the legacy of political economy's moral dedication to praxis:

To consider the ethical implications of the research, to promote normative ideals of equity within the industries, and to engage critically and constructively with the on-going discussions of the film industries both within academia and amongst filmmakers and other stakeholders in the industry.

These objectives all stem from and aim to address this study's research question:

How are current practices of film self-distribution in the U.S. reflecting and contributing to the evolving film industries?

RESEARCH DESIGN AND METHODOLOGY

This study relies upon extensive review of existing body of research surrounding the political economy of the film industries, as well as the researcher's education in cinema studies, film history, and auteur theory, alongside his professional experience working in the fields. The differing perspectives encountered within these orientations (critical, cultural, professional), at times competing for this study's approach, influenced and challenged the strategies for research and interpretation (Weston et al., 2001). While any such 'prestructure' can enable a narrowing of focus, it might also preclude unexpected results and interpretation (ibid.). So, reflexivity on the part of the researcher has been sought at all stages with the hope of preventing the heuristic from coloring the inductive (Berger, 1998; Bourdieu, 1996b).

Rationale of research method

To help gain insight into how self-distributing filmmakers currently fit within the structures of the film industries, original research has been conducted through eleven in-depth interviews with twelve U.S.-based directors and producers who have distributed their own feature-length films through festivals, theaters, DVD sales, and/or online screening within the last three years. Couldry asks, 'How else are we to trace how the legitimacy of media

power is reproduced except by looking very closely for patterns in what people say and do' (2000: 198; quoted in Schlosberg, 2010). This study hypothesizes that patterns emerging across the filmmaker interviews can contribute new insight towards a more comprehensive understanding of how the film industries are organized and evolving.

In-depth interviews allow for flexibility and the sharing of detailed information (Wimmer and Dominick 2006: 135). The personal experiences of the interviewees can provide otherwise obscured information relevant for descriptive and explanatory investigation (Deacon, et al., 2000). A relatively realist approach to the interviews is appropriate for the primary objective of learning about how self-distribution is operationalized. This study understands these filmmakers to be the best positioned to describe the current state of self-distribution. Thus, we 'assume that the accounts participants produce in interviews bear a direct relationship to their "real" experiences' (King, 2004: 12). The interviewees, then, are treated as 'experts' within the field of self-distribution, and while the validity of their accounts cannot go unquestioned, their insight and personal experience identify them as essential to our study (Dorussen et al., 2005).

The method of depth interviews presents a number of limitations and challenges. Qualitative research and analysis as a whole has been criticized as a 'half-formulated' approach (Miles, 1979). Realist, expert interviewing in particular poses questions of validity limited by the 'quality of the experts' (Dorussen et al, 2005) and the biases of the researcher (Berger, 1998). To help address these concerns, findings from the interviews were verified and/or contextualized (whenever possible and appropriate) by analysis of documents obtained from a variety of resources including UNESCO, MPAA, the Sundance Institute, indieWIRE, The Numbers, and email correspondences with three independent film distributors. To help limit the influence of bias in analysis, active 'bracketing' of the researcher's preconceived beliefs (Hycner, 1985) were utilized (though it is more often connected with a phenomenological approach). The commitment to representing a diversity of filmmakers from across the U.S. required that interviews be conducted via video or telephone.

A more methodological question of how to structure and implement the research acknowledges that a 'case studies' approach might offer certain advantages. By researching the distribution of a few individual films as case studies, a triangulation of research methods might more verifiably provide the quantitative details of the film's distribution (exact expenses, sales, views, etc.). A case studies approach might compensate for the limitations and biases of the filmmakers' personal knowledge by using other research methods to strengthen the findings.

In-depth interviews, on the other hand, enable more attention to the filmmakers' careers, which in turn might better illuminate—not only how particular films are being self-distributed now, but—how the industries have been changing over time. Within the scope of this dissertation, a larger number of interviews are feasible compared to case studies, especially when thematically analyzed as realist accounts. This larger number of sources should help ensure the research reflects a broader diversity of experiences and knowledge, and in some occasions, test validity. Taking into account limitations of time and resource, interviews with a diverse group of filmmakers has been selected as the best means to study how the self-distribution of film is evolving within the industries.

The pilot study and topic guide

A pilot study with three filmmakers refocused the topic guide more directly around the filmmakers' experiences (rather than on their general impressions and predictions for distribution) and on the economic analyses of their films' distribution costs, deals and sales (rather than on broader, vaguer questions regarding 'success'). These changes reflect this study's primary political economic orientation.

An interview topic guide was created to identify the areas of investigation used 'to promote an active, open-ended dialogue' (Deacon et al., 1999: 65). The main topic areas are:

- Prior understandings of and expectations for distribution
- Strategy for and experiences on the film festival circuit
- Recognition, legitimation, and prestige (Awards, press, marketing, social networking)
- Distribution deals (contracts, management, IP)
- Expenses and revenue (DVD, theatrical, online, TV, foreign)
- Changes in the industries
- Current challenges and opportunities (rules and resources)

Through the interviews, additional themes emerged:

- Equity (race, gender)
- Concentration of ownership in the industries

Locating and selecting the sample

A lack of data regarding the actual population or demographic breakdown of U.S.-based self-distributing filmmakers prevents an accurate representative sampling. So, a purposive sample of filmmakers reflecting a diversity of age, experience, location, acclaim, film genre, gender, and race was sought with the hope of recognizing a range of perspective. Through a

combination of research and snowball sampling, fifty directors and producers who have distributed their own films in the last three years were contacted via email or Facebook. Of those initially contacted, six filmmakers were in the researcher's personal and professional networks. Two personal contacts along with ten other filmmakers were selected because of their availability and the stated goals for diversity.

Just as online interviews might only be considered representative for a population with access to the Internet (Curasi, 2001), this sample of filmmakers would be inherently biased towards filmmakers whose films are somehow listed publically, whether via website, film festival, or social network. This creates a potential bias towards filmmakers who have been recognized in the media, have taken part in film festivals, or who maintain an active online presence. The researcher found it very challenging to identify or contact filmmakers whose films have not circulated through film festivals, reflecting both the important role film festivals play in a film's publicity as well as a potential shortcoming of this study.

The filmmakers interviewed for the research are:

Name	Age/Ethnicity	Home region	Interview date	Method
Gregory Bayne	36, White	Idaho	July 21, 2010	Web-cam
Anonymous (FM)	Late 50s, White	N.A.	July 13, 2010	Web-cam
Sam Fleischer	27, White	New York City	July 8, 2010	Web-cam
Victress Hitchcock	62, White	Colorado	July 1, 2010	Web-cam
Fay Ann Lee	N.A., Asian-American	New York City	July/August, 2010	Email
Matt Manahan	30, White	Pennsylvania/LA	July 8, 2010	Web-cam
Sassy Mohen/ Matt Stubstad	23, White; 24, White	Los Angeles	July 20, 2010	Web-cam
Matt Porterfield	32, White	Baltimore	July 20, 2010	Phone
Michael Swanson	38, African-American	Los Angeles	July 21, 2010	Phone
Kevin Willmott	51, African-American	Kansas	July 20, 2010	Phone
Tom Quinn	N.A., White	Philadelphia	July 18, 2010	Phone

Conducting the interviews

Six of the eleven interviews were conducted via web-cam and four by telephone. One video-chat interview was with two filmmakers who had worked together distributing their film. Due to scheduling challenges, one interview was conducted via email. While there is some evidence that telephone interviews can facilitate more openness and honesty (Jackle, et al., 2006), the interviewer perceived the interviews that were conducted via web-cam to have felt

more personable though neither more or less informative than the telephone interviews. The interviews ranged in length from 35 minutes to 90 minutes, with the average around 50 minutes. The longer interviews were those with filmmakers who had distributed more films over a longer career.

Thematic coding of interviews

Using a predominantly realist approach, the transcribed interviews were thematically analyzed with focus upon information relevant to original and emerging themes. Following Boyatzis (1998), four stages were recursively implemented: sensing themes, consistent encoding, developing a codebook, and applying the findings to the theoretical framework. As patterns emerged throughout the analysis, thematic codes were reconceived and reorganized. In some cases, additional information was solicited from the filmmakers by email for clarification and feedback (Aronson, 1994).

Ethics

All filmmakers agreed voluntarily to be included in the research and were offered anonymity. Through a consent form and in conversation before each interview, all filmmakers were given a brief summary of the study's research objectives and how their interviews would be incorporated.

RESULTS AND INTERPRETATION

This section summarizes and interprets the findings of the filmmakers' experiences with self-distribution. The filmmakers' accounts were transcribed (see appendix IV) and coded according to key themes. These themes—many originating from theory and the researcher's heuristic knowledge of the field, others emerging out of the interviews—were (re)organized into a codebook in which the umbrella concepts of 'ownership,' 'change in the industries,' 'recognition and legitimation,' 'expenses and revenues,' and 'the bottom line' are used to structure the analysis of the research. In this section, the word 'filmmakers' refers specifically to the sample of twelve filmmakers interviewed by the researcher, rather than to any larger population. Within the analysis, findings will be interpreted to support hypotheses regarding the larger processes and structures of the industry.

Ownership and rights

All filmmakers began the distribution stage with full rights to their films. Recognizing that even festival submissions involve a sharing of rights, all filmmakers at some point had to consider what they were willing to share or sell in order to partner with distribution and exhibition companies so as to reach a wider audience and/or reap greater profits or recognition.

Distribution deals

A number of filmmakers acknowledged distributors themselves to be 'up against the wall' (FM²) in terms of their own financial security. As a result, distributors seem cautious, 'looking for safe movies' (FAL) in which to invest. Larger distributors typically asked for full rights, meaning exclusive rights to all forms of distribution and exhibition, for up to seven years. Despite decreasing guarantees up front, these are the type of distribution deal some filmmakers had hoped would follow a film's premier at a film festival. Concerns regarding their films' commercial viability arose in a number of accounts. Some viewed their films' characters, casting, or subject matter to place them in a vulnerable position with distributors who were described as being scared of taking a chance on anything unfamiliar.

Smaller 'more adventurous' distributors only offer 'small, minimum guarantees' (MP). These companies, however, were sometimes more 'flexible' and 'honest about the hard landscape'

² All interviewees' quotations will be sourced in the text by the interviewee's initials. A list of interviewees can be found in the 'RESEARCH DESIGN and METHODOLOGY' section.

(TQ). Their relationships with established retail and exhibition third-parties like Amazon, Netflix, iTunes, Best Buy, and Hulu, provide the means for a wider distribution unavailable to filmmakers directly. A number of filmmakers also spoke of the importance of trusting a distribution company. A fear of being taken advantage of lead many filmmakers to prioritize finding a distributing partner with whom they felt they shared ethos. With most deals, filmmakers found themselves debating ‘what was important to us in terms of, say, getting it into theaters versus losing the rights to the film’ (TQ).

Self-distribution

While most filmmakers admitted to initially hoping for a more ‘traditional’ distribution deal with an established company, a diverse range of motivations inspired their eventual strategies for self-distribution. Some filmmakers liked holding onto the control over how the film might reach audiences. One spoke about seeing friends who had not made money through traditional deals. Many spoke with excitement about the potential to be creative and try new things to publicize and circulate the film. ‘It’s the Wild West. It’s who’s the most innovative... It’s all on the filmmakers now if they want to accept that challenge. How creative can you be?’ (MM).

All filmmakers spoke of the considerable time and effort required no matter the means of distribution. A reoccurring theme was an insistence that a filmmaker’s efforts cannot be imagined to end with production: self-distributing a film can take as much time, creativity, and money as making the film did in the first place.

Intellectual property and piracy

Besides distribution contracts, intellectual property ownership affect self-distributing filmmakers in two key ways: firstly, through the rights filmmakers must obtain for music and brand names included in the films, and secondly, through the unauthorized sharing, distributing, or exhibiting—the ‘piracy’—of the filmmakers’ own work.

Regarding rights for songs and brands, a few filmmakers spoke of considerable effort spent finding and contacting the right-holders. In most cases, song rights were obtainable and brand names were cleared. In a few instances, inability to afford rights for a popular song required the filmmakers to re-edit a scene in the film. In one instance, a recognizable brand name visible on a character’s shirt prevented a film’s acceptance at a festival.

Most filmmakers recognized that piracy might theoretically threaten their sources of revenue, but because they were not earning much to begin with were not very upset. A few offered that

unauthorized distribution of their film might help generate greater exposure, possibly helping sales and their careers in the future:

I'm flattered if somebody liked the movie enough to put in on there for free. That's still builds word-of-mouth and a fan-base. When I make another one, those people will at least be aware of it and might check it out. (MM)

Others, however, were worried about how their film would suffer aesthetically because of piracy:

How would I feel if there was a bootlegged copy on the Internet? I mean, it would make me feel shitty, ultimately because I want to control the quality of the way in which people see the film. (MP)

It is hard to make a conclusive statement about whether the structures of copyright law are benefiting or hurting the filmmakers' agency. Their stories regarding the difficulties of clearing rights support claims that the stringency of current copyright laws hurt insurgent cultural creators (Lessig, 2006, 2008; Patry, 2009). Their accounts also support claims that piracy does not have a direct negative effect on sales (Smith and Telang, 2008). At the same time, IP protection seems to support filmmakers' desires to control how their films are distributed and exhibited.

Recognition and legitimization

Festivals and awards

For the majority of filmmakers, film festivals were a first step in their distribution strategies. For Hollywood films, publicity gathered through the circuit can save a studio millions of dollars by building buzz and legitimizing the film artistically (Turan, 2002). For most of the interviewed filmmakers, festivals initially seemed the most feasible route into the industries' spotlight. A submission schedule was planned, usually reserving 'premier status' for a few of the top-tier festivals—Sundance, Cannes, Berlin, Toronto, Rotterdam, SXSW, Tribeca, and a few other. If rejected from their first choices, as most filmmakers were, they applied to between 30 and 70 more festivals and were invited to screen at a few over the course of the next year.

We were actually rejected from 35 consecutive film festivals before we got into one. Which was in Wisconsin. Which was crazy. The amount of work you put into something like that. (MM)

Application fees for unsolicited submissions typically run between \$30 and \$70 per festival. Additional expenses can include airfare, room and board, and publicity. Filmmakers report spending between \$1,000 and \$10,000 on all festival costs—attempts to truly compete for publicity at Sundance, SXSW, or Tribeca with Hollywood-backed films would require much more.

Though every filmmaker had some major complaint to make about the film festival circuit, the majority spoke of the benefits as well. Festivals are seen as a good resource for seeing how an audience reacts to a film, for connecting with other filmmakers from around the country or world, and for meeting audiences who otherwise might never hear of the film. For a few filmmakers, screening or winning an award at a key festival led to other invitations. Matt Porterfield, who in 2006 had submitted his first film to 67 festivals only to be accepted at twelve smaller or regional ones, found his new film immediately invited to six other festivals after a Berlin acceptance. Sam Fleischner, whose film won the top prize at the Los Angeles Film Festival, did not pay for a 'single submission fee after that. We just got stream of emails [asking for screeners]' (SF). Still, neither an invitation to, nor audience success at a premier festival ensured obtaining a distribution deal or any income. Fay Ann Lee, whose film gathered sold-out audiences and enthusiastic press at Tribeca, was shocked: 'Hollywood reality hit when we did not get a single offer. The reality of doing well at a festival meant only that—people loved the film at the festival' (FAL). Only a few filmmakers, like Gregory Bayne who is independently taking his film around a 'preview tour,' have eschewed the festival route to find other ways to build audiences and attract attention.

Publicity and endorsement

Most filmmakers describe the critical role publicity plays in distribution: 'to make a picture visible, you need to create some marketing buzz for it.' (FM). A glowing review from a key newspaper or critic is perceived to be able to increase ticket sales or even launch a career, a view supported by evidence that art house audiences rely on film reviews more so than mainstream audiences (Gemser, et al., 2006). A critical review, therefore, can be especially devastating for a small film. Critics are seen to serve as virtual gate-keepers for many in the industry who rely on 'that authorization of a critic, or of a studio, or of somebody who kind of says, "...This is good! This is okay. You can get behind this!"' (KW).

Some filmmakers are finding this sort of 'authorization' from different sources. Matt Manahan noted an increase in attention and sales when a popular YouTube blogger—a friend of his—included one of Manahan's characters in a video compilation of the 'top-ten bad guys ever.' Manahan imagined those seeing his relatively unknown film listed among other genre

classics wondering, “What is this film? I’ve heard of the other movies.”our web traffic increases. We started selling DVDs. He was a fantastic resource’ (MM). Bayne streamed his film for free online for a couple months, generating a number of viewer comments useful as quotes for promoting the film. Many filmmakers built large groups of ‘fans’ and ‘friends’ through online sites like Facebook and Myspace believing a large social network is a most-effective and affordable way for indie-filmmakers to publicize their film even without knowing how to effectively measure the impact these networks have on a film’s fate.

Endorsement from specialized organizations helped reach specific niche audiences. Tom Quinn, whose film is set around the traditional Mummern’s Day Parade in Philadelphia,

...went around to a good chunk of the Mummern clubs, and talked one-on-one with them about how we were going to donate part of the proceeds back to the parade, and the Mummern organization got behind the film doing press as well, which was huge. I think our Facebook fans went from 200 people to 2,300 people in one week. (TQ)

Victress Hitchcock has utilized relationships with Native American communities, peace education groups, and Buddhist organizations to build audiences for her various projects.

Reputation and career

Many of the younger or first-time filmmakers expressed the importance of personal achievement: their status as a filmmaker was legitimized by the fact that they shot on film, that they finished a film when many doubted they could, that their films were on the festival circuit and won awards and were now available in Target and Netflix. These achievements ‘helped us look... legit’ (TQ), and ‘gives you credibility’ (SMS) as a filmmaker. Even if the films themselves did not prove lucrative financially, many filmmakers described ways they have parlayed their reputation as a feature-filmmaker into other jobs, many educators or freelance practitioners in higher profile projects.

Still, filmmakers who have produced and distributed films over a number of years expressed dismay that their track records do not seem to guarantee career stability. FM, whose films have featured household-name movie stars, have won acclaim at Sundance, and have toured profitably, offers,

The bottom line is, is it sustainable? It used to be if you could make two, three feature films, you were solid as a rock. I don’t think that’s true anymore. I don’t feel solid as a rock. (FM)

Changes in the industries

Technology and the Internet

New digital technology allowing for cheaper film production and wide circulation are identified as both enabling independent production while also increasing the competition.

It feels like the entry point is so low now to get into filmmaking. Everybody's making a movie now. You got a lot of crap out there. And that makes it more difficult... There's more crap for the distributors to go through. (MS)

All the new digital tools and services indeed seem to empower filmmakers with limited resources to make and circulate films, but they also have created new rules, expectations, and barriers for distribution. 'If you want to do this, you have to take responsibility across the board. With the whole advent of digital technology, it changes from the ground up' (GB). For some, these changes bring new concerns for how the aesthetic and medium of cinema itself is changing.

I don't think we bring the same attention span to the computers as we do to a movie theater at all. ...That is my biggest concern and just hope that people will pay attention during the duration of the film. Not like multitasking. (SF)

Other filmmakers expressed appreciation for new forms of cinema exhibition (i.e. on a mobile device) viewing them as opportunities for reaching new audiences. All of this evidence suggests new technologies are indeed (re)shaping 'patterns of human association' (Bennett, 2003: 19).

Equity and access

Claims that changes in the industries are democratizing media opportunity are challenged by lack of evidence supporting any increase in gender or racial equity in the film industries. The already small percentage of women directing and/or working in film appears to have declined over the last decade (Lauzen, 2008), and minority filmmakers continue to face barriers to producing and distributing films.

Two of the three women filmmakers interviewed described having to take 'an extra step' (SM) in their distribution efforts compared to male peers. 'I believe women are not allowed into the club as readily as male filmmakers, thus making distribution that much harder' (FAL). Both African-American filmmakers interviewed described facing skepticism from distributors that they could find audiences for their 'black' films, suggesting that opportunities for

minority filmmakers remain comparatively limited for those working both in and outside of the mainstream:

...black films about black people... are very difficult to sell. Without someone telling jokes in there somewhere. That's just one of those marketing things—they're just not real interested in that. And so you're going to miss the top layer of distributors because that's not something they're going to be prone to want to be involved in. (KW)

These challenges echo those faced by Noble B. Johnson, Oscar Micheaux, and other minority filmmakers who had to develop non-traditional routes to distribute their films almost a century ago (Merritt, 2000); the limited opportunities available then for funding and exhibition seem familiar today.

Audiences and marketing

The filmmakers are generally optimistic though unsure about the new opportunities available through online social media to develop and communicate with audiences. This sort of social-marketing frequently starts long before a film is ready for distribution. A number of filmmakers used Internet crowd-funding resources like Kickstarter to raise money for production and distribution. Others began developing a fan site before production even began. These efforts were time-consuming and did not ensure increased sales. Everything from bad weather to competing for audience with a winning sports team prevented previous audience-building efforts from translating directly into ticket sales. Still, it is the development of (and continuing communication with) niche audiences that is identified as being one of the most effective ways to fill theaters, sell DVDs, and build sustainable audiences.

For independent artists, no matter where your career leads, if you're not actively building your own niche audience, it's going to be really hard to sustain [support] in the future. (GB)

Structures of the industries

While younger filmmakers often bring up new technologies when speaking of how the industries are changing, older and more experienced filmmakers tend to speak more about how the industry structures for generating revenue have changed in the last twenty years. The period between the mid-1990s and the early 2000s is identified as a time of increasing difficulty for independent filmmakers previously supported through the home video market.

The second picture was released in 1997, ...and it hit a brick wall in terms of changes in the industry. And those changes can most simply be represented by the fact that at that time

Blockbuster was dominating the video store industry... They way they did that was by declaring unilaterally that, “We will no longer pay \$60 a unit per video for the rental market. We will now pay \$5 a unit.” It was aimed at creating profitability for Blockbuster. It was aimed at eliminating competition. (FM)

Concentration of ownership within the distribution industries has a long history of squeezing out independents. As early as 1907, as noted in the *Saturday Evening Post* (Patterson, 1907; 1997: 349), consolidation of nickelodeon ownership was pushing ‘the little showman’ out of business. Concentration in the video marketplace in the 1980s and 1990s was also accompanied with a perceived change in ethos. Hitchcock, whose background is in educational films, witnessed [a large corporate educational distributor]’s aggressive buy-out of all the independent distributors:

At some point, probably the early 90s, all of these early-on thriving education distribution companies ...started getting bought up. ...By this time it was all under one big conglomerate. ...And then it became a corporate thing—these people came out of business school. (VH)

Established independent distributors, threatened by the diminishing home video market and the cut-throat competition forced by concentration of ownership, became more timid in acquiring films: ‘They weren’t sure they were going to be able to recoup anything. They weren’t giving advances anymore and they were asking for bigger fees and they weren’t guaranteeing as much’ (MS). The loss of up-front guarantees from distributors alongside the diminishing back-end from a dying home-video market has considerable consequence for independent filmmakers.

Expenses and revenues

Theatrical

Outside of the festivals, there are three ways to screen a film theatrically: the film can be booked by the theater or chain in which ticket sales will be split with the theater; a filmmaker can rent out the theater for a fixed-sum (‘4-wallings’) and keep all revenue; or a film can be projected in alternative venues. Filmmakers have found it difficult (though sometimes possible) to convince chains and larger exhibition programmers to take a chance on a film lacking a significant marketing budget. Smaller, independent venues can be more willing. 4-wallings is more expensive and carries the highest initial risks. Setting up non-traditional venues allows for the most flexibility, but is the most labor intensive.

No matter the arrangement, all filmmakers spoke of the considerable effort needed to fill the seats. 'If your movie isn't marketed, and word doesn't get out there, then the theatrical release doesn't help' (KW). Self-distributors must contend with larger distributors for both screens and audiences, and can hardly compete with the average \$37 million spent by the major studios on a film's promotion (Young, et al., 2010).

Most big chains and big independent theatres don't have screens available for indie films. Studios have so many movies rotating in and out that the so-called indie films that make it in most theatres are also supported by the biggest studios. Marketing dollars for even the smallest films (those that make it) are always in the millions. So, if you don't have millions, you don't have a chance. (FAL)

Only about half of the filmmakers earned enough through a theatrical run to cover all rental and publicity expenses. Those whose films did earn revenue usually had to split it with the theater or a distributing partner.

We played a week; I think we made something like \$8,000. For one theater for a single week that isn't bad. We didn't make that, but that's what the total profit was. (MP)

FM has found the efforts and costs needed to set up theatrical and alternative screenings around his regional base paid off:

...this is all expensive. To make a film with no name come alive in a town—you are marketing, you are mailing, you are buying sponsorship on public radio, you are doing whatever. But it does work. (FM)

By screening in alternative venues, engaging with church communities, and reaching out directly to black audiences, Michael Swanson was able to build a profitable thirteen-city tour, spending \$25,000 and grossing double that.

Working with theatres and exhibition spaces directly, filmmakers cut out the costs of a middleman distributor but also gain the financial risks for marketing and publicity. Because of costs and the competition for screens, no filmmaker was able to screen in any one particular theater for longer than two weeks, limiting the potential for word of mouth to build audiences over time.

Home video and merchandise

As noted above, those who had released films in 1980s and 1990s describe home video markets no longer available to filmmakers today. So, even though a few recent films have had considerable home video sales, no filmmaker saw home video revenue comparable to what was possible in previous decades.

Netflix, the premier online rental company, is reported as paying between \$6-10 apiece, buying anywhere between 30 and 2,000 DVDs. While the company does accept submissions directly from filmmakers, the company recommends submissions through a distributor as ‘the best route for having your film considered’ (Netflix, 2010). Consequently, filmmakers working through a distribution company would lose 30% or more of Netflix’s payment. Additionally, the company requires filmmakers to sell higher quality glass DVDs that cost more to produce, creating an additional entry barrier for filmmakers with limited budgets. For many filmmakers, sales done locally at screenings and fulfilled via their own websites are seen as a more rewarding source of generating small but needed revenues.

Television, video-on-demand, and foreign sales

Filmmakers describe a dramatic decrease in television and foreign sales revenues. While some report older broadcast deals for between \$50,000 and \$275,000, recently filmmakers were only been able to secure \$10-15,000 for a three-to-five year license with the major television companies. Starz deals and VoD are ‘typically a back-end thing’ that generates not so much money as ‘really good exposure for the film. It helps us with our own DVD sales’ (KW). Foreign sales are becoming smaller and more difficult to secure, as—according to filmmakers—Hollywood studios become more aggressive in seeking new markets. While most filmmakers have not found great revenue from television, video-on-demand, and foreign sales, these markets require no extra expenses or marketing from the filmmaker. Some consider these markets to essentially serve as ‘a commercial for people to buy the DVD’ (MS).

Online streaming

Most filmmakers described only a vague understanding of how revenue from online streaming is generated.

I have the umpteen-page... agreement that’s about streaming, and I, to this day, with a lot of questioning, have never understood how people calculate what it streamed and how to get money to you. (VH)

Streaming through the key sites—in the U.S., Netflix, iTunes, Amazon, Hulu, and soon, YouTube—usually has to be set up through a partner-company. A typical deal entails 50% of all sales going to the retail site, and remaining profit split 70/30 with the partnering distribution company. Profits might come from download fees (Amazon, iTunes) or from advertising (Hulu). A few sites are beginning to experiment with subscription fees for viewers (Hulu, indieFLIX).

These online exhibition companies find some similarity with the earliest distributors at the beginning of the twentieth century who toured the country with ‘film exchanges’: long-term success is sought, now as in then, by maintaining a constant supply of films (Puttnam, 1997). These companies view films purely as economic, rather than cultural, products. Netflix and Hulu do not even screen the films they acquire—the only important factors considered by the companies are whether the film might appeal to a mass audience and how widely it has been marketed (Michelena, 2010).

No filmmaker interviewed described more than minimum revenue earned from online streaming services.

I get a check every few months for \$23. ...You hear all kinds of rumors about what, for example, Netflix or iTunes is paying for a single title. But then a lot of times, titles are bundled. So, if iTunes is paying X amount for a big title that [an independent distributor] handles and then as part of that package they’re throwing a lot of little films like ours, I don’t know. So, I have no idea what they’ve sold or how they’ve packaged our film. All I know is I get these little checks based on a percentage of the on-demand viewing. (MP)

The acquirement of bundled titles hearkens back the block-booking of multiple films forced upon exhibitors by the studios in the 1930s. A congressional investigation’s critique of the practice in 1941 is just as apt today: ‘This is the only industry in which the buyer, having no idea of what he is buying, underwrites blindly all the product offered him’ (U.S. Temporary National Economic Committee, 1941: 31; quoted in Balio, 1985: 258). Block-booking in the 1930s primarily created long-term stability for the studios by ‘closing the market to independent producers and distributors’ (Balio, 1985). This newer strategy of what might be called ‘bulk-booking’ creates long-term stability for the exhibitors by expanding their catalogues and attracting wider audiences and advertisers. For filmmakers, however, large viewing figures of an independent film do not necessarily transfer into large revenue for the filmmaker: ‘35,000 people watched the movie. There were commercials in it, so we got a small portion of that... We get 3 parts of a penny for every view on Hulu.’ (MM)

This bulk-booking in essence *opens* the market to independent producers and distributors while at the same time preventing any film without the means to attract an *enormous* online audience from earning significant money through online streaming. ‘Everybody says, “The Internet’s the answer,” but no one’s making any money on the Internet. Any big money’ (MS). Though the Internet offers more options for circulation, the filmmaker’s experiences with online exhibition support claims that intermediary gatekeepers—here, Netflix, Hulu, iTunes, and Amazon—filter and ultimately control this circulation (Mansell, 1999).

The bottom line

Of the filmmakers’ films that were made in recent years ago, only two of the filmmakers have reported earning back most or all production and distribution expenses. One of the films had the lowest budget with production costs of only \$2,500. This film, Sassy Mohen and Matthew Stubstad’s *Happy Holidays*, made its money back primarily through one-off screenings, earning revenue through a mixture of ticket sales, donations, and DVD sales. The other film, Hitchcock’s *Blessings*, a documentary about Tibetan nuns made with a \$60,000 budget, was released in an unconventional manner beginning with DVD sales to a targeted audience through catalogue and retail stores. These two films illustrate two recommendations echoed by nearly every filmmaker: keep production costs as low as possible, and engage directly with a niche audience. This supports Merritt’s claim that, historically, specialized markets present ‘the best avenues for turning a profit outside the studios’ (2000: xiii).

Two more of the discussed films have just recently been released on DVD and are just starting to generate revenue. With one, Sam Fleischner and Ben Chase’s *Wah Do Dem*, the filmmakers hope to break even within three years through a combination of foreign sales, VoD, and DVD sales. Gregory Bayne’s *Person of Interest* is generating initially ‘slow’ DVD sales, but increased exposure through the film’s tour and continuing coverage in the press gives the filmmaker hope to earn back enough to cover the ‘very low-budget... as in like zero dollars’ spent on the film.

The majority of the films earned back less than half of their total expenses. Many filmmakers express an understanding that ‘you shouldn’t go in, with real independent film, expecting to make any money. You’re just kidding yourself’ (MS). Still, frustration is still common regarding the inability of even highly acclaimed and well-selling independent films to break even.

So, [with my recent film], 100,000 units of DVD, nationwide exposure in pay-per-view and in cable television, decent foreign sales to about 23 foreign markets, has recouped about \$182,000 [of almost \$2 million in expenses]. Wow... it just doesn't add up... That should be enough to make the picture successful. Not profitable, necessarily, but close enough. Break even. Make back 70% of its production costs. Even that. (FM)

If each source of profit potentially yields only minimal revenue, the only chance of earning significant profit seems possible through reaching much larger audiences than are available to self-distributing filmmakers. Even *if* contemporary independent filmmakers have more avenues to reach larger audiences than in years past, the per capital revenue generated is so small that 'basically, unless you can reach millions of people, your movie will not be a financial success. That's just how the business is set up' (FAL).

Shortcomings and continuing questions

It is essential to point out a key shortcoming of this research, which is its representative bias towards laurelled filmmakers. Of the twelve filmmakers interviewed, six have had films invited to Sundance, Berlin, Tribeca, SXSW, and Los Angeles film festivals. This proportion does not correspond to the huge percentage of filmmakers who submit to these premier festivals but are rejected. Perhaps this is because, despite the researcher's best efforts to reach out towards a diversity of filmmakers, it was most difficult to find and contact filmmakers who have found little or no publicity. An additional hypothesis, arising from the fact that the larger group of fifty filmmaker initially contacted represent a wider diversity of recognition than the selected sample, is that filmmakers who have received acclaim—through the festivals, the press, among practitioners, or otherwise—might be more inclined to want to share their experiences in a study. This bias is noteworthy because even of this sample of filmmakers, *none* of their most recent films has made significant profit. It is safe to hypothesize that agency is more restricted and revenues more elusive for filmmakers who are working further still outside of the industries' spotlight.

A second shortcoming to this research is the quantitative haziness of much of the financial accounting. Wasko (2005), Vogel (2007), and Huettig (1944; 1985) bemoan difficulties in obtaining verifiable economic information from Hollywood studios. While many interviewed filmmakers did not share exact figures regarding their expenses and revenues, the repeated offer of anonymity along with their overall openness regarding other topics suggests this 'haziness' is due more to the filmmakers not knowing the details rather than any effort to withhold the information. Still, it is likely that some filmmakers were protective about revealing certain financial information. When possible, general structures of financial

agreements were verified with distributing companies. The inexactitude of the financial reporting, however, should not disqualify the general trends noted by the research.

A criticism might be made of the study's alignment alongside the independent filmmaker's ego position within the industries. Further research into independent distributors' and exhibitors' experiences and business strategies would help round out a more complex understanding of the U.S. independent film industries. On a more conceptual level, it might be suggested that by considering the filmmakers to be 'experts' and by thematically analyzing the interviews as realist accounts, this study presupposes the filmmakers' knowledge and agency. The filmmakers' accounts, however, are not suggested to be sufficient evidence of how things definitively *are* in the industry, but rather, are presented as sources of insight as well as perspectives that collectively might contribute to the analyses of the political economy of the film industries.

CONCLUSION

As illustrated by the filmmakers' accounts, the self-distribution of film is in many ways restricted by conditions predetermined by the structures of the industries: by the insurgent position of the distributing filmmakers, by the dominating influence of incumbent companies, by the established norms and paths of recognition and legitimation (Bourdieu, 1996), by technological barriers, by the "boundaries" limiting [the filmmakers'] behaviour across time-space' (Giddens, 2001: 111), and by bottlenecks at circulation and exhibition. At the same time, many of the filmmakers' efforts and actions suggest that the self-distribution of film also has an influencing affect upon the (re)constitution of the film industries as a whole: as an evolving vehicle of economic activity, as innovative appropriation of new technologies and services, as a counter-ideology to 'traditional' conceptions of distribution, and as an unfixed social process orchestrated not only by the structural rules and resources of the industry but also by the creative agency of filmmakers and distributors.

Just because filmmakers are not the most powerful agents within the industries does not negate their collective or, through day-to-day choices, individual agency. Regarding macro-analysis of the industries, it is easy to dismiss the influence any one filmmaker's agency might have; it is more difficult to discount the effect the self-distribution of 1,900 films annually might have upon the reconstitution of the U.S. film industries. Insight into the empirical and normative analyses of the film industries can be gained

through attention to the determining structures of the industries as well as to the opportunity found *and created* by those producing and distributing films despite limited resources. These insights—gained through analysis of what is and what is not available to the self-distributing filmmaker—can help build a deeper understanding of the relations of power that compose the U.S. film industries.

This dissertation's research suggests that new technologies and other changes in the industries are both creating and limiting opportunities for self-distributing filmmakers. Against claims dismissing new technology's ability to promote greater access to cultural production, some filmmakers can be seen to be disrupting the traditional power structures by circumnavigating the established routes for production and distribution. Against claims hailing new technology's ability to dismantle the concentration of media power and broker a new age of opportunity, true equity of opportunity is still elusive and filmmakers are seen to be struggling for sources of revenue today as much as (if not more than) past decades.

Recalling our interest in understanding not only in how things are, but also in how they ought to be (Golding and Murdoch, 1997; Mosco, 1996), we must distill the ethical implications from this research. In our filmmakers' accounts and in the wider population, we can see the challenges faced even by the most accomplished and acclaimed directors working without the support of the Hollywood studios. Balio, surprisingly, discounts justification for promoting a diversity of participation: 'Unfortunately, having more producers and more distributors in the market place would not change the character of the motion picture' (1985: 447). It is true that it is difficult to measure any direct relationship between diversity of ownership and diversity of content (Picard, 2000; Compaine and Gomery, 2000; Hesmondhalgh, 2007). Still, this study asserts that the normative goal of democratic participation provides its own justification (Baker, 2007; Silverstone, 2007). As Merritt wrote about African-American cinema in the 1920s, self-distribution represents 'an ethic of self-empowerment, of people circumventing an ignorant and ignoble Hollywood to take control of their own stories and their own destinies' (2000: 32). The long list of films and filmmakers throughout the history of cinema who have been unjustly denied access to audiences or revenue-generation (no matter whether because of societal prejudices or the structures of the markets), but who found voice through independent distribution provides strong evidence for the continuing need to promote and support those working independently today.

Many states subsidize local film production, but too much of this support goes directly to the Hollywood studios increasingly mobile in their runaway production (Miller, et al., 2005). This trend negates what should be the primary intention of local support: developing sustainable local cultural production *and* distribution. Providing temporary local jobs while aiding Hollywood's continuing domination of access to audience and profit does nothing to promote longevity of diversity of content or ownership.

New technology has certainly lowered the barrier of entry for making a film. It is unclear if it enables a greater diversity of Americans to participate. Even if it does, it is not sufficient if the resulting films do not have access to the means by which they might reach audiences or earn profit. What is most needed now is support for local, independent film distribution and audience development in order to create long-term sustainability for filmmakers, distributors, and audiences unscreened by the Hollywood studios.

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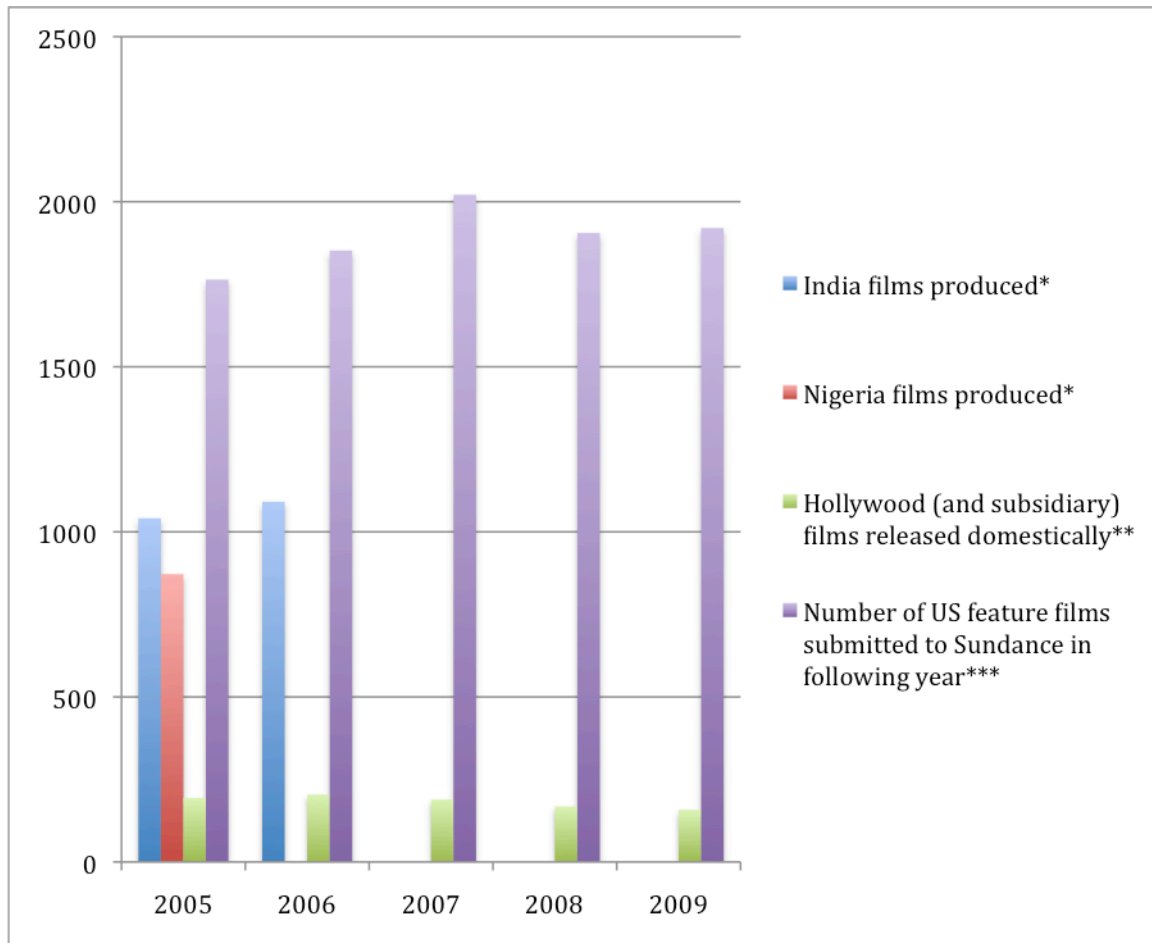
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APPENDIX I – FILM PRODUCTION STATISTICS

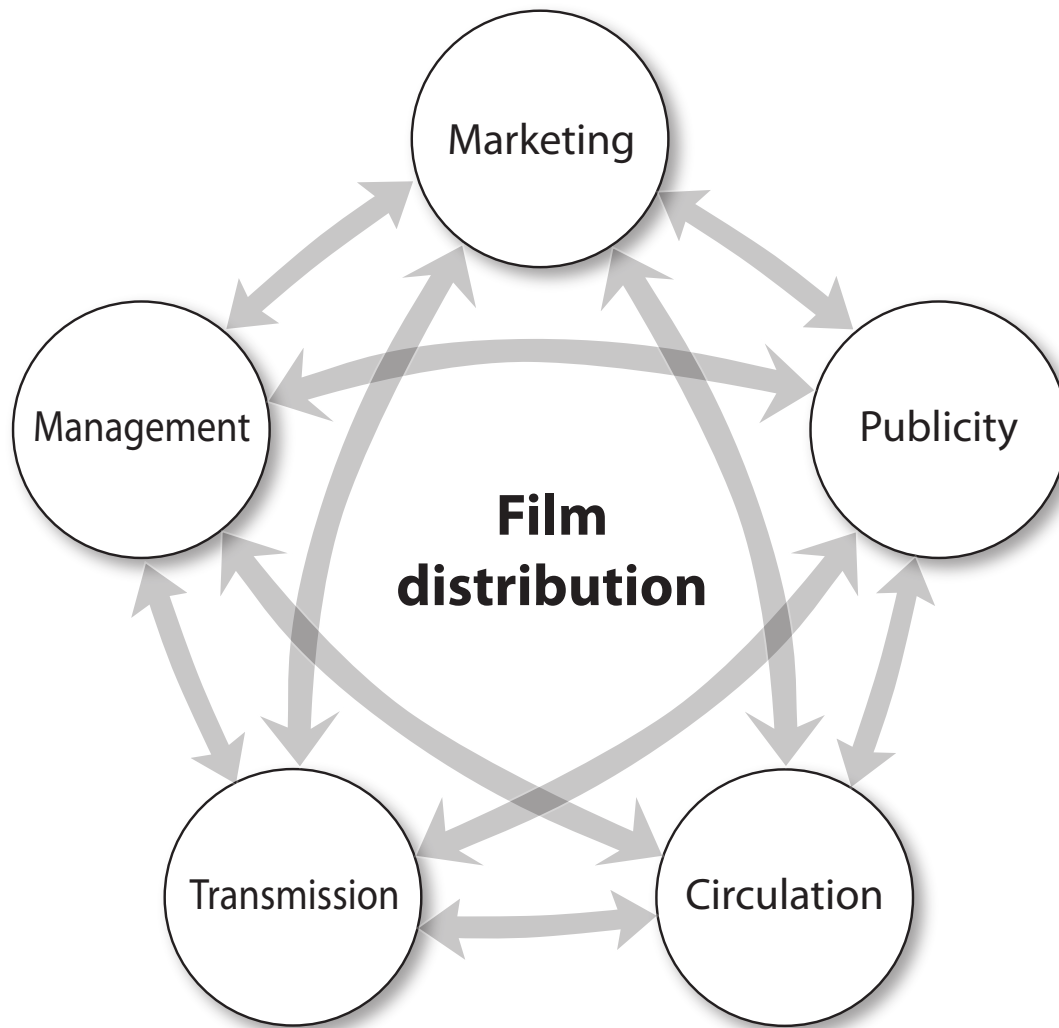


*UNESCO, 2010

**MPAA, 2010

***Hernandez, 2009 (indieWIRE)

APPENDIX II – FILM DISTRIBUTION DIAGRAM



Marketing: The commercial advertising of a film.

Publicity: The efforts to promote awareness of a film; through press, social networks, word-of-mouth outreach campaigns, etc.

Circulation: The shipping, uploading, downloading, and sharing of a film.

Transmission: The delivery, projection, and exhibition of a film.

Management: The strategizing, selling, and sales fulfillment of a film.

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