

and Simon Groth, *Off the Record: 25 Years of Music Street Press*, St. Lucia: University of Queensland Press, 2010.

- 21 The US tradition of the 'resident' music critic for a respected publication is not as widespread in Australia, though notable exceptions exist. Robert Forster, lead singer of the much-loved 1970s/1980s pop band The Go-Betweens, writes long-form reviews for *The Monthly*; and the *Sydney Morning Herald* employs full-time music journalist Bernard Zuel.

- 22 *FasterLouder* is particularly interesting for its explicit prosumer model in which a large number of readers submit all editorial for free: it is seen as the most basic entry-point into music writing in Australia.

- 23 This is indicative of the small scale of many niche genres: most promoters are deeply embedded in the scene and are avid readers of its key publications, while more than a few readers are involved in the industry themselves, through dabbling with music production, promotions, touring, et cetera. It also reflects the 'symbiotic' as well as osmotic tendencies of many contemporary music scenes. See Keith Negus, *Producing Pop: Culture and Conflict in the Popular Music Industry*, London: Arnold, 1992.

- 24 Angela McRobbie, 'Clubs to Companies: Notes on the Decline of Political Culture in Speeded up Creative Worlds' (2002) 16(4) *Cultural Studies* 520.

- 25 Andrew Ross, *Nine Work If You Can Get It: Life and Labor in Precarious Times*, New York: NYU Press, 2009.

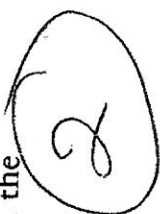
- 26 The exception to this rule is the daily newspaper publishers and their online arms which still pay respectable rates for music-related content (though their treatment of freelancers is frequently criticised).

- 27 Hesmondhalgh's example is the system of unpaid internships. See David Hesmondhalgh, 'User-Generated Content, Free Labour and the Cultural Industries' (2010) 10(3-4) *Ephemera* 278.

11 Swedish subtitling strike called off!

Fan-to-fan piracy, translation and the primacy of authorisation

Eva Hemmungs Wirtén



On February 27, 2010, 'Filippa', the administrator of the Swedish fansubbing site divXsweden ('dXs'), posted the following announcement:

The strike is called off!

As you are all aware of, some of our translators have been on strike for a while. This action has been carried out to protest against the changes that are made in the text files when they are posted on other subtitling sites. The translators on strike have now decided to call off the strike in the hope that their message has been received. We, who only want to watch movies with quality texts from dXs, are of course very grateful for this. DivXsweden is a small subtitling site. Because of this we should not really pose a threat to other subtitling sites. What makes us unique is that we only post texts produced by ourselves and of the very best quality. We therefore have a hard time understanding why we cannot be proud of our work by keeping our texts untouched. Now, however, the strike has been called off and we look forward to many new quality texts from DivXsweden. Welcome back all translators on strike. I have missed you, but understand and support you!!!¹

Striking fansubbers? There's something you don't see every day. In this chapter, I consider the events leading up to the strike and its aftermath, events described in the dXs forum as the result of a 'text war',² in which the three competing sites dXs, Undertexter ('UT') and SweSub, all were embroiled.³ The purpose of such a micro-historical approach is to query some of the implied norms produced in the fansubbing community in respect to the activity of translation, and particularly to consider the repercussions of having these norms challenged from within the community itself. Beyond providing an insight into the rationales of fansubbing, the web-walkout also illustrates the often convoluted and conflicting importance of creativity, ethics and norms involved in fandom more generally.

Two main aspects of the hostilities that ultimately ended in the web-walkout are highlighted. First, I take into account the rationales of what I call 'fan-to-fan' piracy, the conduct unbecoming that provoked the 2009 strike

and a similar action three years earlier. 'Piracy' is an exceedingly familiar term in a context such as this. Yet, our familiarisation rests on tacit assumptions about the relationship between right holders and copyright pirates that are, regardless of the complexities of the ongoing copyright wars, depressingly recognisable and cookie-cutter. Considering piracy that takes place *fan-to-fan* strikes me as a less explored and potentially rewarding terrain that perhaps could tell us something new about the practices of online fan communities. But such lessons are not the only – or perhaps the most important – ones we can draw from this idiosyncratic subbing-strike.

Furthermore, I want to address how the fansubbers implicated in the 'text war' related to the one issue that above all others brought about the strike: authorisation (including its genealogy to *un-authorised* and *authorship*), a cornerstone in the edifice of early international copyright. Largely associated with the world's first multilateral copyright treaty, the Berne Convention for the Protection of Literary and Artistic Works from 1886,⁴ at the end of the nineteenth century the boundaries of authorial authority were inextricably bound up with translation, fansubbers' primary practice and a constant 'stumbling block',⁵ in the evolutionary history of Berne.

My overarching ambition is not only to situate the Swedish fansubbing strike within a general discussion on fandom, but also within a much longer history of translation and copyright which, I believe, offers a complementary, productive and still largely unexplored approach into the persistent authorship/ownership dilemma that is of such interest to copyright scholars.

Fansubbing and the logic of fan-to-fan piracy

Fansubbing has been defined as 'the practice whereby groups of overseas fans of Japanese animated films and TV shows ("anime"), digitise, translate, add subtitles to and make available online unauthorised copies of TV series and films'.⁶ Simply put, the Swedish fansubbers that prefigure in the following write subtitles to popular movies and TV series, text files subsequently posted on fansubber sites such as dXs, 'by fans for fans'. Situated in relation to the two other contributions in this section, the work of the fansubbers can be read and interpreted against the many complex relationships described by David Hesmondhalgh in his overview of the notion of 'creative labour'. Narrowed down from the larger contextual framework of the cultural industries, the amateur practices of fansubbing illustrate well the commitment that goes into cultural practices that straddle the professional and the amateur, and that take place on the border between the legal, illegal and semi-legal. Ramon Lobato and Lawson Fletcher's contribution on popular music writing in Australia is an important reminder that the larger tendencies and structural power-relations embedded in digitisation and globalisation also must be studied empirically, mapped out in the shared norms and codes of conduct of specific communities, be they those of Swedish fansubbers or Australian music writers.

On the topic of the pros and cons of subbing versus dubbing, Tessa Dwyer and Ioana Uricanu bring up the interesting question if the former is not somehow associated with linguistic and cultural cosmopolitanism, whereas the latter comes laden with connotations of cultural chauvinism and even xenophobia.⁷ Being a subbing nation, Sweden frowns upon dubbing. Without having anything more than anecdotal evidence in support of the claim I am about to make, I would still argue that Swedes who travel to 'dubbing countries' such as France or Germany tend to find the voice-overs on familiar US/UK TV series a source of mild ridicule, evidence of an outdated tradition. By the same token, the simultaneous entertainment value that stems from watching the unsynchronised lip movements of a 'right' character speaking in the 'wrong' language, should not be underestimated. The simultaneous comparison between original soundtrack and subtitles has been referred to as a 'double spectatorship',⁸ which, in the case of dubbing, might carry over into another 'double', where sight combines with sound.

However, in order to understand something of the turf upon which the 'text war' was fought, the Swedish fansubbing sites must initially be located on a 'fandom scale' of disinterestedness and commitment. Founded in 2002, dXs is the oldest, most quality-oriented and hardcore 'translation' site. Translations are vetted and controlled carefully, all in line with how administrator Filipa describes the dXs founders as 'happy amateurs', driven by an incentive to 'provide the people with high-quality subtitles'.⁹ This commitment to exclusivity also makes dXs the smallest of the three sites. Swedish is similar to dXs in terms of outlook on translations and ideology and started in 2006 as a breakout operation from UT. Financed by advertising revenue and the largest of the three sites, UT claims to be 'visited daily by 35,000 unique visitors who for the past 6 years have downloaded 56,000,000 subtitles'.¹⁰

A quick glance at the websites reveals designs befitting their respective self-image as non-commercial/high quality/slow versus commercial/low quality/fast. Visually speaking, dXs is pure internet Stone Age. Text centred rather than image focused, old school rather than flashy, it displays all the hallmarks of dedication and seriousness in a sea that overflows with digital dilettantes. With banners, pop-up windows, advertising and a contemporary look-and-feel, Swedish and especially UT, are more immediately accessible. In a response to a posting on the dXs forum that the dXs website design, 'quite frankly, is boring', 'Mephisto' answers that it would of course be possible to develop the site and make it more attractive, but, as he says, 'we work with texts'.¹¹ Period.

Signed by then dXs translator administrator 'Earl of Oxford', the strike was first announced in a long and emotional posting from 12 November 2009, entitled 'Enough is enough NOW!' As a parenthesis, in early 2010, Earl of Oxford announced that he would cease all his subbing activities, ending his slightly downcast sign-off with a call to 'boycott UT'.¹² As I write this, Earl of Oxford's 'membership title' on the dXs forum is 'Translatoradin Emetus', an interesting choice of words that speaks volumes on the dXs discursive environment. In this environment, the rhetorical arsenal draws on a sense of

professionalism and ethical credo which seeks (and finds) legitimization in the old-school textual universe of literary history and in an equally old-school visuality. The less high-tech, the better.

In 2009, Earl of Oxford was still on the barricades, however, and in his call to arms he targeted the infamous 'Eu65', founder of UT and archenemy to dXs and SweSub both:

UT has today only a very marginal production of own subtitles. Net-texts published on the website are to an overwhelming degree taken from SweSub and divxsweden.net (dXs). Despite that UT's survival depends on texts from dXs and SweSub have Eu65 never given an inch of his arrogance towards translators and representatives of these websites. Eu65 and his lackeys make changes in the texts, take out original references and replace these so that it will look like UT produced them. [...] A couple of years ago the translators at dXs and SweSub tired of this bullying and initiated a common strike. The lack of new texts, combined with fears that advertising revenue would go down, made Eu65 back down. In the agreement that followed it was noted that UT would be entitled to publish the texts, only if texts and references would stay untouched.

Earl of Oxford remarked that this agreement has been breached regularly and that UT for a long time 'honoured' it by consistently changing references in texts originating from SweSub. Noting that many qualified translators now began to feel despondent, he concluded:

Having no other means at our disposal a number of translators from SweSub and dXs will limit the public's access to newly produced texts. By doing so, we hope to stop these from reaching UT. This will continue until UT promises to respect the agreement that has been made. [...] We make no complicated demands. All we ask is the right to our own texts, that is, to have our texts unchanged. [...] We understand that this action will hit third party. Direct your anger accordingly. We're not the ones that started the fuss. We're not the ones who slowly suffocate the creative spark of the Swedish net-movement of amateur translators.¹³

Twenty-two minutes later, the SweSub site began a thread entitled 'Action against UT and Eu65', leading off with Earl of Oxford's posting. The thread eventually consisted of 642 postings, many of which were shouts of support in the vein of 'Keep it up folks!' dotted with the familiar iconography of hearts and smiles.¹⁴

Earl of Oxford focused renewed attention on a situation that the dXs and SweSub translators had struggled with for many years. Eugen Archy, the person behind the Eu65 nickname, was seen as the source of the trouble brewing in the fansubbing community since 2003. At that time, Archy launched *www.magic-planet.net*, a gaming website constituting the embryonic beginnings of

what the dXs and SweSub communities in 2009 felt had escalated into rampant fan-to-fan piracy by UT. Archy was the mastermind behind UT ripping subtitles done by the dXs or SweSub subbers, then removing the translators' names and posting them as if they were actually authored by UT.

In 2006, Archy landed the number 3 spot on the tabloid *Expressen's* list of '15 hottest names in Media-Sweden',¹⁵ but he was also the target for the first strike called by the dXs translators, this time announced in a collective posting entitled 'Translatorstrike' signed on 23 March 2006.¹⁶ The arguments given by the dXs translators for their drastic action was the tsarist behavior of Eu65, whose blatant stealing of dXs translators' work, they argued, made them less and less motivated to produce the high-quality subs for which they were known. Three days later, the UT site administrator 'homaNN' posted 'Decision regarding Strike!' on the UT forum, where he stated that '[m]yself & Eu65 have decided that from now on the site will work according to the earlier agreement with dXs. Translated by: 'translator' and source: address (divxsweden) will remain in all forthcoming subtitles originating from dXs.' Just to be on the safe side, he ended with: 'There is no use discussing [sic] this further in the forum, as it is a final decision.'¹⁷ That the March 2006 truce between UT and dXs/SweSub never really materialised is perhaps obvious from the fact that a strike was called again three years later. Speaking about the situation in 2009, SweSub's 'Incubator', was less than impressed with Eu65's track-record so far: 'We hate him. We really do. He's destroyed so much for so many people.'¹⁸ The strike therefore worked as something of a 'shaming' action, once again attempting to disclose just how disloyal Eu65 had been to the informal norms established by the community. 'Incubator', who dedicates three-four working days in order to text a normal feature film, or SweSub devotee 'Sigge McKvack', who spends 15 hours a week on his subtitling,¹⁹ are typical examples of the devoted fansubber. Although there are a few women that take active part in the discussions, most of the fansubbers are male, and it is their submersion into fandom that produces the finely calibrated skills that in turn produces a superior translation. In his contribution to this volume, David Hesmondhalgh raises the issue of how to understand the notion of 'good and bad work', within the cultural industries today. Fansubbers develop the skill to distinguish between 'good and bad work' within their community as a way to determine the quality of good or bad translation. The Australian music writers that prefigure in Ramon Lobato and Lawson Fletcher's contribution, publish in different fora, including those we traditionally associate with a larger public sphere. The Swedish fansubbers, however, remain within a highly specialised community that cannot expand too much, because if it did, it would no longer be a domain of fandom. While the rationales differ between these two groups, both develop tacit expertise that allow them to articulate and develop their views on what constitutes quality (or not) in their respective communities.

The self-image of dXs and SweSub fansubbers rests on an identity where they constantly repeat that they are motivated, not by money, but by passion

for what they do and peer recognition. It is one of the main points of contention for the striking subbers that the motivations of Eu65 are less 'pure' and that he is a money-grabbing pirate whose setup only exploits translation in order to profit. 'An amateur-translator', on the other hand, 'doesn't get paid, choos[es] their jobs, and seldom works with a deadline, and that is the reason why it becomes better', all in the words of Sigge McKvack.²⁰ However, the question of the economy of fansubbing seems slightly more complex than the simple dichotomy between 'amateur' and 'businessman' that the dXs/Eu65 controversy hints at. Yes, as subber 'Overdrive' says about the dXs amateur-credo, 'we couldn't care less about money'. But at the same time as Overdrive negates money as an incentive, he/she insists that money is the gold standard of comparison: '[M]oney should be compared to downloads instead. We don't lose money but we lose downloads'.²¹

Downloads are the currency with which fansubbers barter. Downloads work like money in the sense that they buy you a more high-ranking position on the fansubbing credometer. But money and downloads are not the same. Because fansubbers invest so much in time – in their own brand (or authorship, if you will), and in what they see as the general well-being of the community – Eu65's behaviour has negative implications for their sense of authorship, their sense of community, but also for their sense of reward and value. The dXs and SweSub translators are incensed when they see their subs ending up on the UT site under another name, where they will generate 10,000 downloads as opposed to the expected 500 on dXs. Cred can thus be calculated and measured in very real numbers as the subbers experience the underbelly of digital excess and speed; the fact that, as one subber put it, '80% of all who download a text from UT or DXS don't give a damn where the text comes from'.²²

In a scenario where fast and so-so always trumps slow and good, it might not help that dXs translators would never let slip the kind of UT translation in which the line 'nobody will see the fucking dailies' from an episode of *Entourage* becomes 'nobody sees more dailies'. This is symptomatic, perhaps, of Eu65's own spelling problems, which are so prolific as to make you slightly suspicious, and which remain a constant source of amusement on the dXs and SweSub forums.²³ For some in the UT-camp, it is the QC (quality control) that dXs have instituted that causes new users to abandon dXs and instead turn to UT.²⁴ It is part of the granularity of fandom that in response to UT's practices, dXs and SweSub both develop their more exclusive, hardcore side. Membership in SweSub's new, blue-colored 'SweSub Group' ('SSG') is by invitation only. Once you are allowed to enter SSG, however, you are part of an exclusive elite of the 'very best of the SweSub translators'.²⁵

The work and its many authors

SSG member Sigge McKvack uses the term 'amateur' in a positive sense, but others definitely feel more comfortable using 'pirate' in conjunction with

fansubbers. Sara Lindbäck at *Svenska Antipiratbyrån*²⁶ has given her take on translation, explaining that '[w]hen you are translating someone's work you need the permission of the rights holder. If not, you are infringing on the copyright'.²⁷ It might seem clear-cut to the Anti-Pirate Bureau today, but to those invested in the making of modern international copyright it was not; translation was a kind of work that seemed to be two things at once, an independent creation and a derivative work. Translation is one of the first instances of transformative uses of cultural works and their treatment in international copyright. Translation made new works out of old. A prerequisite for the continued circulation of texts, at the end of the nineteenth century it was the primary vehicle by which authors multiplied their works; more importantly, it produced new readers. Yet, translation was a double-edged sword, a problem in search of a legal solution. On the one hand, there was the promise of new markets and readers; but, on the other, there was the possibility that unless somehow regulated, the transformation into a new language could result in substandard or even corrupt texts that by extension alienated the author from his or her work.

How to come to terms with this paradox proved a major challenge for the small group of Old World diplomats, lawyers, and professors who met in Bern during three diplomatic conferences (1884, 1885 and 1886) with the aim of returning home signatories of the first ever multilateral copyright treaty.²⁸ Few problems caused them as much headache as translation. Two nations in particular, France and Sweden, would disagree on whose interests translation served – authors' or readers'? Based on a strong author-centred tradition and as the leading nation in early international copyright, France wanted to subsume translation rights under reproduction. Sweden, by way of contrast, did not. Seeing itself as a developing nation in need of a steady influx of culture and knowledge, Sweden advocated freedom of translation.

Fansubbers argue that one of the main motivating factors behind their unauthorised amateur translations is that they are better than the official, authorised versions. In French as well as in English, 'authorisation' connotes not only a more general authority but also direct legal sanction.²⁹ At the end of the nineteenth century the French argued that it was absolutely necessary to subsume translation rights under the right to reproduction, and that the author was the only trustworthy guardian of the work. A sanction of this kind was perhaps on the French diplomat René Lavollée's mind when he, in 1884, called attention to what he considered the undeniable right of authors to protect their works to avoid the travesty of translation. 'On this last point', he noted, 'the interests of the author are the same as those of the public, which needs to be assured of the fidelity of interpretation given to the original work'.³⁰

Alfred Lagerheim, the Swedish delegate at the same conference, pointed out that any direct analogy between authorisation and quality was tangential at best and 'one has to entertain the possibility that even an authorised translation can be bad'. In such a case, 'the public has a right not to be deprived of all possibility to get to know the original work in a form that corresponds

better to the thoughts of the author, where the author's honour cannot but benefit from the freedom of translation given after a certain period of time.³¹ Advocating freedom of translation was the kind of stance that made Sweden a pariah in the nascent international copyright regime a century before the Pirate Bay. It might seem like a mere parenthesis in international copyright history, and yet up to the present time, freedom of translation would make regular and turbulent appearances in the global governance of copyright.³²

Why? Partly because translation was such an obvious element of international relations, partly because it called into question the nature and stability of the work. Of course, the question of how to define the boundaries of a work has long occupied scholars in literary studies, art history and other branches of the humanities, and it is also an ongoing problematic within copyright law and scholarship. Even the Swedish fansubbers, who regularly consider the legality or illegality of their activity, devote considerable time and energy to questions of this kind. One of the key issues debated by the dXs community during the 2006 strike was the nature of the work they produced. 'Fjodor' even cuts and pastes ten paragraphs from the Swedish copyright law (from 1960 at this juncture) into his post, after which he 'translates' legalese into fansubbing talk, arguing that:

As soon as a work (sub) is published (here on dXs) it is owned by the author (the person who translated the text). To publish in other places (undertexter.se) without the consent of the author (the translator) is a crime according to Swedish law. Making changes in the work (sub) and then publishing it is also forbidden according to Swedish law. [...] So ... to end this posting, translators who have had their texts published on a site other than the one they have authorized can subsequently report that site for copyright infringement and have it closed down ...

Isn't Sweden a wonderful place to live, huh.³³

Fourty-five minutes later, 'Fjodor' receives a reply from 'halm', a subber who understands things very differently:

You cannot copyright something you do not have the right to copyright. This is called legal error. A translator here does not have the right to translate another's work without their permission. Read the law again and you'll see that it is illegal to translate somebody else's work. Yes, to my mind what what's done on this site is illegal. That's why a translator cannot have the copyright on the subtitle.³⁴

According to Fjodor, subbing is legal, an argument he will repeat a few days later when he continues: 'A sub is a work in itself, [...] a sub does not alter the original work because it is a work in itself.' And he continues, 'Hosting a sub approved by its author is not illegal, but hosting a sub somewhere the author has not approved of is an illegal action.'³⁵ Before the thread is closed

down on 22 June, there is no record of halm returning to the discussion, but others step in where he/she left off. 'Pechblände', for instance, raises the issue of translating a book from English and asks Fjodor sceptically, 'are you saying that this would be an independent work?'

As we know, this question was 'solved' at the Berne Revision Conference in Berlin in 1908. 'Solved', because while translation was completely assimilated under reproduction rights at that time, translators were also given the rights to their translation, 'without prejudice to the original'. This begs Salah Baslamah's question: 'How can the original remain present within the translation, when the change in language constitutes a major change in form, and it is the form alone – the expression – which is protected under copyright?'³⁶ In light of the various takes on the process of translation vis-à-vis the original/new work relationship, the most interesting of 'Pechblände's' suggestions is when he/she counters that a translation does not have to be made from a print-based original, but can actually be made directly from an audio book. This possibility will leave 'Fjodor' puzzled as well as speechless, and the whole thing is just left hanging. It is important to remember that what we tend to think about as 'old' media – for instance the physical book – was never the kind of stable entity it is sometimes made out to be today, just as little as the digital work is completely unstable. As David Hesmondhalgh also notes, we must take great care to remember just how complex the relations between producers and consumers were *before* we found ourselves in the informational/digital present. Translation is one of the first instances of transformative use of cultural works and their treatment in international copyright, but it is not the last. To consider the discussions on the legal and cultural ramifications of translated work in an analogue space could shed light on how we view the instability of digital works and their relationship to authors and readers, or, to use a more updated terminology, 'users'.

Conclusion

In this chapter, I have tried to establish that fansubbing is a new branch on an old tree. So is Google Translate or any other machine translation that allows us to ask old questions in new settings. Many of the issues with which today's fansubbers engage echo a much older discussion in the international copyright community. As 'authors' of a new work that has a value by itself but that simultaneously somehow relates to an underlying work, fansubbers are – for good reason – confused about the way works collide or overlap in translation. Most of us are. Even, as it were, those involved in the global governance of copyright since the end of the nineteenth century.

One of the problems caused by translation in early international copyright had to do with authorship, or rather, the power of the author to authorise, to exercise control of his/her work. Anxieties over the perceived instability of the text in print culture are now exponentially increased thanks to digitisation, and the importance of being identified as the 'author' remains central to

fansubbing. What the striking fansubbers were concerned with vis-à-vis Eu65's behaviour was not that their texts were posted on the UT website, but that this was done under a false pretence, where dXs translators no longer could be identified as authors. There is something fascinating going on when the dXs and SweSub subbers, superficially associated with file-sharing and piracy, express their identity as authors by articulating an almost text-book defence of moral rights and the importance of attribution. Conversely, another group of subbers find authorship irrelevant and argue that real cred attaches not to individuals, but to the UT or dXs site. It is the site or the brand that acts as author, not 'Incubator' or 'Sigge McKrack'. As anyone venturing into the maze of forum postings will know, most of what is out there is actually not that interesting. Yet, in the jungle of snippets announcing the latest subbed episode of *Lost* or that makes fun of Eu65 and his little 'popes', there is also a fascinating debate about translation, authorship, control, piracy and the work.

Finally, the context within which all three contributions in this section find themselves is in the global discourse of the English language, a language which is simultaneously the language of the cultural industries and the language of the critique and interpretation of the cultural industries. It remains an important scholarly challenge to query the consequences of this hegemony on the terrain where object and subject intersect. Although such hegemony is neither all-encompassing nor uncontested within the larger Anglo-Canadian-Colonial-Australian-American family tree – Ramon Lobato and Lawson Fletcher for instance problematise the Australian experience in their contribution – the power relations of language should make us more, not less, willing to engage with comparative approaches. The most worrying effect of a monolingual tendency where all primary sources must be in English, or suffer the consequences of oblivion, is that it produces a mono-epistemological outlook, a skewed history where alternative experiences, told in other languages and offering other interpretative frameworks, remain unaccounted for. Given the historical and theoretical links mobilised by translation in the juncture of language and law, paired with the fact that the story of the Swedish fansubbers must be translated into English in order to be 'seen' at all, tells us something about the rich and untold copyright history that is out there as well as something of the problems we face in telling it.

Notes

- * All URLs were last visited on 15 April 2011.
- 1 'Filippa', *The Strike is Called Off!* [Streiken avbläst] (27 February 2010) <http://forum.divsweden.net/index.php?3=599135&ac=8&st=171&a=9&pc=344&showtopic=23911>.
 - 1 I have decided against including the original Swedish quotes in my notes partly because of space, partly because readers whose language skills include Swedish can consult the original posting via the links and there also check the veracity of my translation.
 - 2 Text war [Textkrig] is the title of a discussion-thread created on the dXs forum by 'Sacti-fullah', on 22 March 2007: <http://forum.divsweden.net/index.php?showtopic=21670&hl=streik&and.eu65&st=0>.

- 3 See *divXsweden*: <http://forum.divsweden.net/index.php?underrester>; *www.swesub.nu*. For a comprehensive introduction (in Swedish), to the fansubbing war, see Magnus Västebro, 'Översättraktigt', *Magnus Filer* (online), 18 March 2009: www.magnusfiler.se/magnus/filer-7-09/film7-09.aspx.
- 4 *Berne Convention for the Protection of Literary and Artistic Works*, opened for signature 9 September 1886, as last revised at Paris on 24 July 1971, 1161 UNTS 3 (entered into force 10 October 1974).
- 5 ('Pierre d'achoppement': Daniel Vignes, 'Aide au développement et Droit D'auteur: Le Protocole de L'acte de Stockholm pour la protection des œuvres littéraires et artistiques' (1967) 13(1) *Annuaire Français de droit international* 722.
- 6 Ian Condy, 'Dark Energy: What Fansubs Reveal about the Copyright War' (2010) 5 *MediaMonia* 194.
- 7 Tessa Dwyer, 'Slashings and Subtitles: Romanian Media Piracy, Censorship, and Translation' (2009) 63 *The Velvet Light Trap* 46.
- 8 *Ibid.*
- 9 'Filippa', *Divsweden – why should we come here?* [Divsweden – Varför ska vi komma hit?] (1 July 2010): <http://forum.divsweden.net/index.php?showtopic=23981>.
- 10 See *www.undertext.se*.
- 11 'Mephiso', *The Strike is Called Off* (2006) [Streiken avbläst] (30 March 2006): <http://forum.divsweden.net/index.php?showtopic=20040&hl=streiken%20avbl%20E5&st=0>.
- 12 'Earl of Oxford', *Tex & goodby* (16 January 2010): <http://forum.divsweden.net/index.php?showtopic=23876>.
- 13 'Earl of Oxford', *Enough is Enough NOW!* [Det är nog NU!] (12 November 2009) <http://forum.divsweden.net/index.php?showtopic=23775&hl=det+%E4+ng+nul>.
- 14 'Incubator', *Action against UT and Eu65* [Åktion mot UT och Eu65] (12 November 2009): <http://forum.swesub.nu/viewtopic.php?f=3&t=8984&st=0&sk=td&st=ad&hlit=streik>.
- 15 '15 hearse nannen i Media-Sverige', *Expressen* (online), 26 September 2006: www.expressen.se/yheter/1.42658715-hearse-nannen-i-media-sverige.
- 16 'Translatorgroup' [Översättargruppen], *Translatorstrike* [Översättrastrejk] (23 March 2006): <http://forum.divsweden.net/index.php?showtopic=20002&hl=%E6+vers%20E4+trastrejk>.
- 17 'homanNN', 'Decision regarding Strike' [Beslut ang Strejk] (23 March 2006): <http://forum.undertext.se/viewtopic.php?f=1&t=17356&p=113430&hlit=beslut+ang+strejk&p=113340>.
- 18 Quoted in Västebro, 'Översättraktigt'.
- 19 Helene Nordgren, 'Passion för att översätta till nätet', *Lokal tidningen* (online), 9 September 2010: <http://lokaltidningen.se/passion-for-att-oversatta-till-natet/20100909/artikler/100909731/1028>.
- 20 Quoted in Nordgren, 'Passion'.
- 21 'Overdrive', *The Strike is Called Off* (2006) [Streiken avbläst] (30 March 2006): <http://forum.divsweden.net/index.php?showtopic=20040&hl=streiken%20avbl%20E5&st=0>.
- 22 'Suwack', *The Strike is Called Off* (2006) [Streiken avbläst] (29 March 2006): <http://forum.divsweden.net/index.php?showtopic=20040&hl=streiken%20avbl%20E5&st=0>.
- 23 Despite his prominent role in the strike, Eugen Archy is not that visible in the discussions. In mid-April 2007, however, he enters into a long discussion with 'Lefte', the translator admin at dXs at the time. Perhaps intended as a defense of his position, many of his postings are nonetheless strikingly filled with spelling errors. See 'Funny email' [Lustigt email] (18 April 2007): <http://forum.divsweden.net/index.php?showtopic=21787&st=0>.
- 24 'halm', *The Strike is Called Off* (2006) [Streiken avbläst] (30 March 2006): <http://forum.divsweden.net/index.php?showtopic=20040&hl=streiken%20avbl%20E5&st=0>.
- 25 'Sigge McKrack' quoted in Nordgren, 'Passion'.
- 26 The Swedish Anti-Piracy Bureau is the most well-known pro-copyright organisation in Sweden.
- 27 Quoted in Nordgren, 'Passion'.
- 28 8–19 September 1884, 7–18 September 1885 and 6–9 September 1886.
- 29 See the second definition of 'authorise' in *The Oxford English Dictionary*, Oxford: Oxford University Press, 2nd edn, 1989: 'to give legal force to; to make legally valid'; and consider

the meaning of 'authoriser' in *Le Grand Robert de la langue Française*, Paris: Dictionnaires Le Robert, 2nd edn, 1992, vol. 1, sid 732: 'autoriser qqch' as 'rendre licite, permettre' as in 'Autoriser l'exécution d'un act'.

30 *Acte de la conférence internationale pour la protection des droits d'auteur réunie à Berne du 8 au 19 Septembre 1884*, Berne: Imprimerie K.-J. Wyss, 1884, p. 48.

31 *Ibid.*

32 For an overview, see Eva Hemmungs Wirtén, *Cosmopolitan Copyright: Law and Language in the Translation Zone* (Meddelanden från Institutionen för ABM, 4, Uppsala University, 2011).

33 'Fjodor', *The Strike is Called Off* (2006) [Strejken avbläst] (30 March 2006): <http://forum.divxsweden.net/index.php?showtopic=20040&hl=strejken%20avbl%20st&st=0>.

34 'halm', *The Strike is Called Off* (2006) [Strejken avbläst] (30 March 2006): <http://forum.divxsweden.net/index.php?showtopic=20040&hl=strejken%20avbl%20st&st=0>.

35 *Ibid.*

36 Salah Basalamah, 'Translation Rights and the Philosophy of Translation: Remembering the Debts of the Original', in Paul Se-Pierre and Prafulla C. Kar (eds), *In Translation: Reflections, Refractions, Transformations*, Amsterdam/Philadelphia: John Benjamins Publishing Company, 2007, p. 122.

12 Have amateur media enhanced the possibilities for good media work?

David Hesmondhalgh

Discussions of amateur media need to pay attention to the meaning of work, and the quality of working life. I begin by arguing that celebrations of the creative possibilities of digital media have unwittingly repeated the sidelining of questions of work in studies of cultural production. I then introduce two strands of analysis that have helped to improve this situation by addressing work in digital and cultural industries. The first is particularly germane to discussions of amateur media: critiques of 'free labour' (unpaid work) in IT and cultural industries. The second has generally been concerned more with paid work and employment in these industries. It points to the fact that, alongside autonomy and relatively good working conditions, these sectors are often characterised by casualisation, precariousness and overwork. In this second strand can be found a welcome emphasis, missing from the first, on quality of working life in media production. But these studies have paid little sustained attention to other, more rigorous conceptualisations of quality of working life in sociology and philosophy. To correct this, the next section then presents a normative framework for what constitutes 'good work' and 'bad work' in modern societies. I then draw on this framework to consider the other case studies in this section of the book. These case studies affirm that amateur media can enhance media production and consumption. But they also, in my view, show how tentative and limited such enhancements may be. Maintaining amateur careers alongside professional ones can lead to people making excessive demands on themselves. In commercial systems, amateur work oriented towards high quality can be exploited by the less scrupulous.

Marginalisation of employment and occupation by digital optimists – and critiques of 'free labour' as a response

Media production has been the subject of thousands of studies. But until recently, only a very small proportion of these studies focused on the creative labour upon which media production depends. The forgetting or devaluation of work in analysis of media production has taken a number of different forms. One, apparent in some arts and humanities studies, is a focus on individual producers rather than on the complex division of labour which, as the

