## **The Illusion of Access**

## The consequences of our shift from physical media to digital modes of content viewing

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**Declaration of Originality** 

This dissertation is submitted by the undersigned to the Institute of Art Design & Technology, Dun Laoghaire in partial fulfillment of the examination for the BA (Honours) Animation. It is entirely the author's own work except where noted and has not been submitted for an award from this or any other educational institution.

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### **Abstract**

This thesis will discuss how DVDs as a medium inherently act as an archival tool and encourage and facilitate the documentation and archivation of the filmmaking process, as well as how the modern shift away from physical media, towards digital content has resulted in a broader economic shift to an access-based model over an ownership based model, and the consequences this has had in regards to media access, attitudes towards engaging with content, and censorship.

Keywords

Archive, DVDs, public access, special features, streaming

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#### Introduction

This work will discuss the importance of physical media as an archival, educational and access tool, through the specific lens of DVD releases and their commonly included bonus content. An emphasis being placed on how the features of this medium encourage the documentation and archivation of the filmmaking process, preserving context and content that may otherwise be lost, and making it accessible to the general public. The relationship between DVDs and streaming services will also be emphasized; touching on the modern discourse of content ownership and the ability of a streaming services and online content distributors to add, remove, censor and alter content on at their own discretion. Streaming services' relationship to bonus content will also be a point of discussion, as a subsequent lack of corporate interest in pushing DVDs in the age of streaming has led to less and less bonus content being produced. In summation, this work aims to explore modern issues surrounding content access and archivation, through the specific lens of video media, physical media and digital content distribution.

This work is divided into three chapters, with the aim of Chapter One being to set the scene; acknowledging the modern shift away from purchasing physical media towards subscribing to streaming services, and how the production of physical media has suffered a decline as a result. From there, the instability of digital content will be highlighted, and the level of ownership one has over purchased digital content will be compared to that of purchased physical content. The pros and cons of streaming on demand will be discussed, as will the potential consequences of content being exclusively accessible through streaming. Public response to content being made unavailable or removed by streaming services will also be explored in this chapter, as well as tactics used by content distributors to encourage consumers to purchase less permanent modes of content viewing. This will lead naturally into Chapter Two, the focus of which will be the features of the DVD and the unsung role it plays in content accessibility and preserving a variety of context surrounding a film,

including insight into to production and the pop culture landscape of the time. DVD Bonus Content and its benefits will be a major point of discussion, notably in how they transform the DVD from being solely a source of entertainment into a valuable educational resource. A list of popular forms of bonus content will be provided in the accompanying appendix, and in the main body of work I will focus in on a few key examples of supplementary and experience-enhancing materials regularly provided with DVDs, such as commentaries and menus, content created exclusively for menus, and the interactivity and immersion they provide; I will compare engaging with content through DVDs to engaging with it via streaming. In Chapter Three, I plan to expand upon the concepts introduced in chapters One and Two through discussing the 'video store' approach to video on demand compared to the current streaming model, using the 'red envelope' era of Netflix vs it's modern era of online streaming as a case study. Concerns regarding content removal, modification and censorship will be raised, and 'born digital' content's heightened potential of becoming lost/inaccessible media will be spoken about. It should be noted that the subject of this thesis as a whole is quite contemporary and, at the time of writing, this area of study is relatively under-represented in academic spaces, which is in part what drew me to this line of inquiry in the first place. An effort has been made to apply as many academic sources as possible, but a variety of alternative sources such as news articles and social media posts have also been considered for the sake of contemporary data.

# **Chapter One**

The Instability of Digital Content and Loss of Trust in the Streaming Service

In July 2023, Walt Disney Studios Home Entertainment announced that they were pulling out of the New Zealand and Australian physical media market, having noticed a decline in sales and deeming the effort to no longer be profitable<sup>1</sup>. Australian collectors of physical media were urged to act fast, as this meant the company would no longer be distributing DVD or Blu-Ray discs to their region, and once current stock sold out, they'd have to resort to online retailers- an inevitably pricier and less convenient affair, where they'd have to navigate issues such as region-locking, international shipping and more.

Demonstrated by what was to be Disney's final Australian physical release, ('Guardians Of The Galaxy; Vol 3') this bad news was not exclusive to the stereotypical 'Disney Classics' catalogue, like 'The Lion King' or 'Cinderella'- it also applied to Lucasfilm, (the 'Star Wars' franchise, 'Indiana Jones') the entire 'Marvel Cinematic Universe', and any title under 20th Century Fox. Disney's reach is broad, encompassing many less obvious titles such as 'The X-Files', 'Die-Hard', 'Alien' and 'The Muppets'<sup>2</sup>, to name a few. Disney has even absorbed Pixar in recent years, meaning that all of their titles would also be affected. Consumers have been rightly upset, with steady concern and discontent also brewing over Disney+'s latest habit of 'content purging', a term which in this context refers to mass-removal of content from streaming platforms. The practice is commonly engaged with by streaming services as a money-saving tactic, to save on tax write-downs and avoid paying writers, actors and other creatives residuals<sup>3</sup>. Unfortunately, this tactic is not exclusive to Disney; content purging is something all major streaming services engage in, and widespread public

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<sup>&</sup>lt;sup>1</sup> Jonathan Doughty, "Disney Announces Permanent Halt to Australian DVD & Blu-Ray Releases in Era-Ending Physical Media Shakeup - WDW News Today," WDW News Today, August 8, 2023, https://wdwnt.com/2023/08/no-more-dvds-or-blu-rays-in-australia/.

<sup>&</sup>lt;sup>2</sup> Wikipedia Contributors, "List of Acquisitions by Disney," *Wikipedia*, last modified March 15, 2020, <a href="https://en.wikipedia.org/wiki/List\_of\_acquisitions\_by\_Disney">https://en.wikipedia.org/wiki/List\_of\_acquisitions\_by\_Disney</a>.

<sup>&</sup>lt;sup>3</sup> R.J Rico, "As Streamers Cut Costs, TV Shows — and Residuals — Vanish," AP News, April 7, 2023, <a href="https://apnews.com/article/streaming-shows-removed-residuals-4be3ac859c766c352e57ef96176fd812">https://apnews.com/article/streaming-shows-removed-residuals-4be3ac859c766c352e57ef96176fd812</a>.

awareness of the trend began with HBO Max's David Zaslav and his mass-removal of content from their site in 2022.

"We did not get rid of any show that was helping us." Said Zaslav, current CEO and president of Warner Bros. Discovery, as reported by the LA Times- the 'us', in question of course referring to the company and not their consumer-base. At the time, Zaslav and HBO were facing backlash for purging a huge amount of Sesame Street content from their platform- a non-profit educational program beloved for decades by children and parents alike. Exemplified by The Sesame Workshop's ethos of 'helping children everywhere grow smarter, stronger, and kinder', it was conceptualized as a free, widely-accessible resource with the goal of making learning fun for children and preparing them for school, as well as teaching them empathy and problem-solving skills . Given the fact that the television show had previously spent the last 45 years free to watch on PBS Kids, geared towards and intended to reach under-privileged and disadvantaged audiences, people were already upset when it began to move behind HBO's paywall in 2015 . Following the removal of a hefty chunk of Sesame Street's catalogue, including all of their specials, consumers took to the internet to voice their concerns, with one user Tweeting, "Warner Bros. Discovery just removed 200 episodes of Sesame Street from HBO Max. It is so sad that a child like my brother may have just lost access to one of their favourite things and there is no explanation that a parent can give them." (Crew, 2022)<sup>5</sup> and another stating, "HBO owning Sesame Street is already a slap in the face to Sesame fans. This show was created to give children from low-income families access to early education they might

<sup>&</sup>lt;sup>4</sup> Ryan Faughnder, "David Zaslav Defends Warner Bros. Discovery Cuts: 'We Did Not Get Rid of Any Show That Was Helping Us,'" Los Angeles Times, November 3, 2022, <a href="https://www.latimes.com/entertainment-arts/business/story/2022-11-03/david-zaslav-on-warner-bros-discovery-cuts-we-are-fundamentally-rethinking-the-company">https://www.latimes.com/entertainment-arts/business/story/2022-11-03/david-zaslav-on-warner-bros-discovery-cuts-we-are-fundamentally-rethinking-the-company</a>.

<sup>&</sup>lt;sup>5</sup> Crew, B. [@BenjaminCrew1]. (2022, August 19). Sharing this thread again because Warner Bros. Discovery just removed 200 episodes of Sesame Street from HBO Max. It is so sad that a child like my brother may have just lost access to one of their favorite things and there is no explanation that a parent can give them. Twitter. Retrieved December 10, 2024, from <a href="https://twitter.com/BenjaminCrew1/status/1560651751446835200">https://twitter.com/BenjaminCrew1/status/1560651751446835200</a>.

otherwise miss. It should be a free public resource, not something you need a subscription to access." (Pamela, 2022) <sup>6</sup>

The decision to axe content from the HBO catalogue was a fiscal one; Warner Bros had merged with Discovery+ in April of 2022, becoming Warner Bros. Discovery, Inc, and their combined portfolio at the time of writing now contains the Discovery Channel, Warner Bros. Entertainment, HBO, HBO Max, CNN, Discovery+ and Cartoon Network. Since the merger, WBD has been pulling content from streaming, mistreating its workers and axing projects (such as Batgirl 2022) left and right in an attempt to cut costs and pay off its \$55bn debt <sup>7</sup>.

When streaming was in it's infancy, the switch from physical to digital content made perfect sense from a convenience standpoint- on the surface, it eliminated wait times and physical clutter. If a consumer wanted to watch something, they could easily search it up on their streaming service of choice and have access to it instantly- thousands of titles available to watch at any time for an affordable monthly fee. In theory, it's an accessibility goldmine, but in practice, things are a lot more complicated. Times have changed since then. Rather than there only being a small handful of streaming services available, there is now an unfathomable number of platforms to choose from, each with a subscription fee and a limited catalogue of content that constantly changes- with media being removed, vaulted or moved to a different service, one can never make the 'right' choice on what services to sign up for with their limited income.

Now, with the biggest names in streaming like Disney+ and Netflix also choosing to crack down on password sharing among their account-holders, it is getting less and less convenient for consumers

<sup>&</sup>lt;sup>6</sup> Pamela [@BugEyes64]. (2022, August 19). *HBO owning Sesame Street is already a slap in the face to Sesame fans. This show was created to give children from low-income families access to early education they might otherwise miss. It should be a free public resource, not something you need a subscription to access.* Twitter. Retrieved December 7, 2024, from <a href="https://twitter.com/BugEyes64/status/1560646590980841473">https://twitter.com/BugEyes64/status/1560646590980841473</a>.

<sup>&</sup>lt;sup>7</sup> Adam Schrader, "Warner Bros Discovery Merger Completed with Leadership Shakeup - UPI.com," *United Press International, Inc*, April 9, 2022, <a href="https://doi.org/1067400/v1.2">https://doi.org/1067400/v1.2</a>.

to stream their favourite media legally. Netflix began their efforts to prevent password sharing in mid-2023, rolling out a policy that would charge an additional €4.99 a month per account added<sup>8</sup>, in an attempt to deter subscribers from sharing their accounts with friends or family, which they saw as essentially depriving the company of another paying subscriber. Despite complaints from customers and the loss of 1 million users in Spain within the first quarter, the company ultimately maintains that the strategy worked for them in the long run, reporting 9.3million new subscribers overall in their first quarter of the following year<sup>9</sup>, accrediting the increase to their password-sharing crackdown-though they did add that they would no longer be making their subscriber numbers public starting next year, leading some to speculate that the company is anticipating stagnation or decline in the area. Regardless, the situation resulted in a wave of online backlash towards Netflix, notably prompting the most infamous video-rental service they put out of business to tweet from beyond the grave at their expense;

"A friendly reminder that when you used to rent videos from us. We didn't care who you shared it with... As long as you returned it on time. @netflix" (Blockbuster, 2023) 10

"Buy it on Digital Oct 18" is an innocuous enough statement on it's own, until you consider it being immediately followed by "Own it on Blu-Ray Dec 3." On September 26th 2024, the 20th Century Studios YouTube Channel published "Alien Romulus: Bring Home the Terror", a trailer promoting the home release of Alien Romulus<sup>11</sup>, and in doing so subtly acknowledged the modern consumer's

<sup>&</sup>lt;sup>8</sup> Simmone Shah, "What Netflix's Password Sharing Crackdown Means for You," Time, May 25, 2023, https://time.com/6282750/netflix-password-sharing-household-rules/.

<sup>&</sup>lt;sup>9</sup> Mariko Oi and Natalie Sherman, "Netflix: Profits Soar after Password Sharing Crackdown," *Www.bbc.com*, April 19, 2024, <a href="https://www.bbc.com/news/business-68850766">https://www.bbc.com/news/business-68850766</a>.

<sup>&</sup>lt;sup>10</sup> @blockbuster. (2023, May 5). A friendly reminder that when you used to rent videos from us. We didn't care who you shared it with. . . As long as you returned it on time. @netflix. Twitter. Retrieved November 14, 2024, from <a href="https://twitter.com/blockbuster/status/1661844739627581441">https://twitter.com/blockbuster/status/1661844739627581441</a>.

<sup>&</sup>lt;sup>11</sup> 20thCenturyStudios, "Alien: Romulus | Bring Home the Terror," www.youtube.com (YouTube, September 26, 2024), <a href="https://www.youtube.com/embed/aynl3G87F80?si=R1IOjIuLAu5Qk1P0">https://www.youtube.com/embed/aynl3G87F80?si=R1IOjIuLAu5Qk1P0</a>.

biggest problem with buying movies, tv shows and music online- a lack of legitimate ownership of the content they paid for. The shift away from physical media in favour of digital content has resulted in a culture of consumers merely leasing content from distributors as opposed to owning it forever, which in itself could be considered a form of planned obsolescence 12. Previously, in the 'real world' you had a say in whether you were paying to rent or own a film and make a decision based on individual funds and marginal utility and purchase accordingly- did you just want access to the film for a couple days, or could you see yourself re-engaging with the content for years? Now, in the 'digital world', two options are presented to you; renting, or 'buying' the content- and the term 'buying' is this context has taken on a new, deceptive meaning. Unless something is owned physically, the distributor quietly retains the right to repossess the content at any time, for any reason, and take away the consumer's access- an example being than the statement Sony came out with early December 2023, announcing that they'd be pulling all Discovery content from the libraries of PlayStation users by the end of the month;

"As of 31 December 2023, due to our content licensing arrangements with content providers, you will no longer be able to watch any of your previously purchased Discovery content and the content will be removed from your video library." <sup>13</sup>

Over 1000 seasons of TV were removed, including popular shows like Myth-Busters and Shark Week, leading to huge amounts of backlash from their users and demands of refunds on the content they'd purchased. Miraculously, Sony updated their site again later that month, stating that they had renegotiated their licence with Discovery, and that the content would not be removed after all- yet.

<sup>&</sup>lt;sup>12</sup> "Planned obsolescence describes a strategy of deliberately ensuring that the current version of a given product will become out of date or useless within a known time period. This proactive move guarantees that consumers will seek replacements in the future, thus bolstering demand." Will Kenton, "Inside Planned Obsolescence," Investopedia, December 27, 2022, <a href="https://www.investopedia.com/terms/p/planned\_obsolescence.asp">https://www.investopedia.com/terms/p/planned\_obsolescence.asp</a>.

<sup>&</sup>lt;sup>13</sup> Wesley Yin-Poole, "Sony Pulls Discovery Videos PlayStation Users Already Own, Sparking Concern over Our Digital Future," IGN, December 4, 2023, <a href="https://www.ign.com/articles/sony-pulls-discovery-videos-playstation-users-already-own-sparking-concern-over-our-digital-future">https://www.ign.com/articles/sony-pulls-discovery-videos-playstation-users-already-own-sparking-concern-over-our-digital-future</a>.

Users were only assured by Sony that they would continue to have access to their content for "at least the next 30 months"; <sup>14</sup> by no means a permanent solution.

Situations like this serve to make the way different formats of films like Alien Romulus are being advertised for purchase, and the order in which they are made available, feel underhanded. Currently, consumers have four options- they can purchase the film on Blu-Ray for a minimum of €29.99, they can rent it for 24 hours for €5.99 on services like Apple TV/Amazon Video, they watch it bundled with a plethora of other content through a subscription to a streaming service (Hulu at €9.99/month, Prime Video €8.99/month) or they can 'buy' it on digital in SD, HD or UHD for €29.99. <sup>15</sup>Digital Purchase was made available to consumers 46 days before the physical release, subtly encouraging the impermanent purchase- this is exemplified by all three digital definitions being reduced to €19.99 in December, further incentivizing consumers to buy digital even after physical becomes available. The film was not made available to watch through subscription to a streaming service until November 21st 2024, when it made it's streaming debut on Hulu to the U.S and Japan only, over 90 days following it's theatrical release, and 34 days after it became available for digital 'purchase'. Noted by whatsondisneyplus.com, this follows a recent pattern of behaviour for Disney to 'give its movies longer in cinemas and to increase digital sales and rentals' 16. According to a survey conducted by Forbes, as of 2024 an overwhelming 99% of American households are subscribed to one or more streaming services<sup>17</sup> - with this in mind, why would someone who wasn't incentivized to purchase a film like Alien Romulus prior to it being made available on streaming be motivated to

<sup>14</sup> Christopher Dring, "PlayStation Will Not Delete Discovery TV Shows after All," GamesIndustry.biz, December 21, 2023, <a href="https://www.gamesindustry.biz/playstation-will-not-delete-discovery-tv-shows-after-all">https://www.gamesindustry.biz/playstation-will-not-delete-discovery-tv-shows-after-all</a>.

<sup>&</sup>lt;sup>15</sup> Justwatch, "Alien: Romulus," JustWatch, August 14, 2024, https://www.justwatch.com/us/movie/alien-romulus.

<sup>&</sup>lt;sup>16</sup> Roger Palmer, "'Alien: Romulus' Coming Soon to Hulu & Disney+," Whatsondisneyplus.com, 2023, <a href="https://whatsondisneyplus.com/alien-romulus-coming-soon-to-hulu-and-disney/">https://whatsondisneyplus.com/alien-romulus-coming-soon-to-hulu-and-disney/</a>.

<sup>&</sup>lt;sup>17</sup> Ana Durrani, "Top Streaming Statistics in 2024," ed. Samantha Allen, Forbes Home, August 15, 2024, https://www.forbes.com/home-improvement/internet/streaming-stats/.

make a physical purchase outside of any of the numerous streaming services its bundled in, that the average household is likely already paying for, given that it wasn't made available for physical purchase until after both digital means of accessing the film had already been made available?

# **Chapter Two**

The Archival Nature of the DVD and the Importance of Special Features

In a 2019 interview with The Moving Image Journal, distributor Kit Parker shared the sentiment "I'm somebody who believes that even the most obscure facts about the film business should be preserved. I feel I owe it to the movies and those who care about them." 18

The medium of the DVD/Blu-Ray is one that is inherently archival in nature- not only in the sense that widespread availability of physical copies of a film aid in preventing the media from becoming lost or shelved from public access, but also in the inclusion of bonus material that has become a staple of the format. This bonus material ranges from the heavily advertised 'special features' that come with the film, to the advertisements on the discs themselves, which unintentionally function as a unexpected window into the pop culture landscape of the time. Unlike online video streaming platforms, like *YouTube* or *Hulu*, DVDs do not 'update'- they, and subsequently their content, remain as they were at the time of distribution, both preserving that particular cut of the film itself, and offering us a unique insight into the year the DVD was originally intended to be distributed. This is in part due to the style and quality of their menus and interface- technology has been advancing so rapidly in the past few decades, an interface designed just five years ago is starkly different to one designed ten years ago, and unless your DVD is a remaster or an anniversary edition, these features generally tend to not be updated for re-release.

We also have un-skippable DVD advertisements to thank- The trailers before each DVD advertise other films coming out around the time that would appeal to a similar audience- for example the original DVD release of Robert Rodriguez's *Planet Terror* (2007) advertises Quentin Tarantino's slasher film *Death Proof* (2007), Japanese Sci-Fi/Action CGI animated film *Vexille* (2007), and black comedy *The Hunting Party* (2007), all of which are PG 13 – R-Rated and generally themed around violence, war and technological advancement; Exactly what one would expect to precede the campy,

<sup>&</sup>lt;sup>18</sup> Goldman, Tanya, and Kit Parker. "'When I Saw My First DVD, I Knew It Was All Over': An Interview with Distributor Kit Parker." The Moving Image: The Journal of the Association of Moving Image Archivists 19, no. 2 (2019): 83–95. <a href="https://doi.org/10.5749/movingimage.19.2.0083">https://doi.org/10.5749/movingimage.19.2.0083</a>.

post-apocalyptic, action-comedy-horror film. In a way, these un-skippable advertisements are evocative of the experience of watching a film in the cinema, mirroring how trailers for upcoming releases will generally match the tone of the film the audience is there to see, or their assumed tastes based on the genre they are engaging with, and transform the viewing of the DVD into an event, or some form of ritual. In an opinion piece written for Cinéaste in 2017, Criterion writer David Hudson suggests that the process involved in playing a DVD (the initial purchase, its retrieval from the shelf, the snapping-open of the case and the insertion of the disc, etc.) allows it to maintain its status as an 'event' like going to the cinema, and audiences are thus less likely to interrupt their own viewing<sup>19</sup>. Despite both streaming on demand and watching a DVD both being more private and freeing than watching a movie in the cinema, one of the draws of streaming is stopping and starting wherever and whenever you feel like, at the whim of your attention span; an individual is more likely to put streamed media on 'in the background' and multi-task than physical media they sat down with the intent to watch.

The term 'special feature' is broad and encompasses a wide variety of content- in the context of DVD and Blu-Ray, it can be defined as any 'extra' audio/visual content or interactive media (such as menus and games) outside of the primary media itself, be it a film, documentary, TV show etc.

Special features are a scarcity in the world of streaming services, rarely included to be watched on a platform alongside the film itself. On the rare occasion special features are available on streaming, only a fraction of the content is provided- particularly disappointing to fans, in cases like the Alien filmography on Disney+, as the franchise has been revered for its extensive and varying bonus content for decades, none of which is provided with the film through the Disney+ subscription. Each film, when distributed on DVD and Blu-Ray, came with hours of bonus content including audio

<sup>&</sup>lt;sup>19</sup> Brody, Richard, Robert Cashill, George Feltenstein, Lorenzo Fiuzzi, Lauren Carroll Harris, David Hudson, Olivia Humphrey, et al. "From Disc to Stream: A Critical Symposium on the Changing World of Home Video." *Cinéaste* 43, no. 1 (2017): 30–40. <a href="http://www.jstor.org/stable/26356824">http://www.jstor.org/stable/26356824</a>.

commentaries with the director, cast and crew, deleted and extended scenes, and, most notably, the isolated theatrical and original scores for the films<sup>20</sup>.

Extras and Bonus content have been a part of the home video eco-system since its inception, but were much less prevalent in the era of the VHS due to the medium's limited storage capacity and inability to host more complex features<sup>21</sup>, like menu screens. Creation and distribution of bonus content peaked in the late 90s – early 2000s during the rise of the DVD, initially being conceptualized and popularized as a means to incentivize consumers to purchase, own and continuously re-engage with a film instead of merely renting it once or twice from their local video rental shop. Their advent resulted in a phenomenon, the value of which cannot be understated- a boom in broad, diverse, and in-depth documentation of the film-making process, which was then put into the hands of the general public. The average person was now able to see sides of production that, previously, only industry professionals had been privy to, transforming them from a fun bonus to an invaluable educational resource. The number of special features provided with a DVD vary from film to film and edition to edition, with Blu-Rays often offering more due to them generally being the more expensive format, and some directors prioritizing production of special features more than others. Popular forms of DVD bonus content include, but are not limited to deleted/extended scenes, commentaries, documentaries, unique games playable within the menu (referred to as Interactive ROM Challenges), photo galleries, and insights to all areas of production, encompassing aspects of the process from casting, to design, to effects work- see the accompanying appendix for a full list of potential special features<sup>22</sup>.

<sup>&</sup>lt;sup>20</sup> Ridley Scott, director. 1979. *Alien*. Twentieth Century Fox, 2012. 1 hr., 56 min. Blu-ray Disc, 1080p HD.

<sup>&</sup>lt;sup>21</sup> Frederick Wasser, *Veni, Vidi, Video*: *The Hollywood Empire and the VCR* (University of Texas Press, 2002), https://ebookcentral.proquest.com/lib/iadt-ebooks/reader.action?docID=3443189&ppg=1.

<sup>&</sup>lt;sup>22</sup> See Appendix

In the same interview with Moving Image, Kit Parker also shared- "For me, DVD was a complete turning point. It was a method of teaching film studies and satisfying collectors in an affordable way.

DVDs are a dream come true for people who love movies!"<sup>23</sup>

Special features are vital in terms of archiving the 'behind the scenes' process of making a film, preserving context, and preventing aspects of the movies left on the cutting room floor from becoming lost media- their role in archiving the vision, methodology and context of a production cannot be understated. From a cultural and historical perspective, the intentions behind a film, the decisions made throughout the process, and anything that had to be 'cut' or left behind is arguably just as valuable and important as the final product audiences are presented with. Through their special features and menu screens, DVDs also encourage and reward curiosity and learning, and encourage audiences to engage with and process their content. The same cannot be said for streaming services, which not only tend to provide little to no content outside of the works themselves, but also immediately prompt their userbase to begin watching a new title in their catalogue as soon as they've finished the previous title, placing a subconscious emphasis on rapid consumption over meaningful engagement.

As put by Debroah and Mark Parker in their article 'Directors and DVD Commentary: The Specifics of Intention' for The Journal of Aesthetics and Art Criticism 62, no. 1 the wide variety of special features included in the standard DVD release 'enables the production of more serious or scholarly supplementary materials'<sup>24</sup>, resulting in a piece of media that is both fun and interesting for the casual viewer, and full of valuable insight for people studying the film or the industry as a whole. Within supplementary features arguably exists entire sub-genres of their own right- the 'director's commentary', 'script readings' and the 'menu screen', to name a few candidates. All common and popular special features that exist solely as a result of their DVD releases. The Parkers express early in the article that '[the commentary] becomes another text, intimately related to the film, complicating

<sup>&</sup>lt;sup>23</sup> Goldman, Tanya, and Kit Parker. "'When I Saw My First DVD, I Knew It Was All Over': An Interview with Distributor Kit Parker." The Moving Image: The Journal of the Association of Moving Image Archivists 19, no. 2 (2019): 83–95. <a href="https://doi.org/10.5749/movingimage.19.2.0083">https://doi.org/10.5749/movingimage.19.2.0083</a>.

<sup>&</sup>lt;sup>24</sup> Deborah Parker and Mark Parker, "Directors and DVD Commentary: The Specifics of Intention," *The Journal of Aesthetics and Art Criticism* 62, no. 1 (January 30, 2004): 13–22, <a href="https://doi.org/10.1111/j.1540-594x.2004.00131.x">https://doi.org/10.1111/j.1540-594x.2004.00131.x</a>.

the experience of the film, but nevertheless not quite the film.'<sup>25</sup>. DVD Extras are not just promotional materials; the ability of these bonus features to enhance ones overall understanding and appreciation of a film cannot be understated. Once art of any kind is put out into the world its meaning becomes what the individuals who engage with it take away from it, but there is still a lot of merit in knowing the context of certain decisions and hearing things from the perspective of the people who had a hand in all areas of the production. As suggested in the previous quote, the DVD commentary is supplementary, not inherently complimentary; it only adds value, especially for those who wish to study or gain a deeper appreciation for the film. It's important for the resource to be there, for anyone who wants to engage with it.

The DVD menu screen is an artistic medium and storytelling tool of its own right, as a heavily stylized and interactive audio-visual space, designed to immerse the audience in the world of the film before and after watching. It acts as a bridge between our world and the world of the film, preparing audiences to suspend their disbelief and easing them out of the fiction after the fact. This is the industry standard practice, with even the less advanced and lower budget menu screens having fonts, colors and imagery designed to evoke the same feeling as the film you are about to watch- all tools to enhance the content viewing experience and make it more immersive. Watching 'That 70s Show' on DVD is a completely different experience to watching the series on streaming, due to the third space created by the bright, groovy, 1970s-themed menu that matches the lighthearted tone of the sitcom, styled with fitting retro fonts, spinning floral graphics and promotional stills of the cast in character<sup>26</sup>- all completely absent from it's select screen on Netflix, as streaming platform's overall layouts tend to lack personalization and lean towards being as bland and neutral as possible to retain brand recognizability and to avoid clashing with all the different shows, movies and documentaries in their catalogues.

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<sup>&</sup>lt;sup>25</sup> Deborah Parker and Mark Parker, "Directors and DVD Commentary: The Specifics of Intention," *The Journal of Aesthetics and Art Criticism* 62, no. 1 (January 30, 2004): 13–22, <a href="https://doi.org/10.1111/j.1540-594x.2004.00131.x">https://doi.org/10.1111/j.1540-594x.2004.00131.x</a>.

<sup>&</sup>lt;sup>26</sup> Mark Brazill, creator. 1998. *That 70s Show*. Twentieth Century Fox, 2005. The Casey-Werner Company 2005. 9 hr., 0min. DVD Disc, 480p SD.

Menu Screens often contain audio, footage and/or animation recorded solely to enhance the menubrowsing experience for audiences and provide a unique, personal means of engaging with the film. This kind of content can only be found within DVD/Blu-Ray releases. An infamous example is the Main Menu of 'Shrek 2' (2004), which boasts entirely unique animation and dialogue of the animated characters, who begin breaking the fourth wall to interact (and argue) with one another if users idle in the select screen<sup>27</sup>. This form of interactive content is not exclusive to children or family films like Shrek, and is common across DVD releases of a variety of genres and ratings. A similar concept is executed in the menu of Rob Zombie's 'House of 1000 Corpses' 2003 DVD release, with each section of the menu being hosted by one of the three main antagonists through exclusive footage recorded solely to enhance that screen. The Main Menu stars Sid Haig as the icon of the series, Captain Spaulding, who enters the scene, interacts with the viewer as though they are a customer in his shop, and berates them for 4 straight minutes before leaving again, allowing the footage to loop. Between 'Scene Selections' being hosted by Bill Mosley as Otis Driftwood, 'Special Features' starring Sherri Moon Zombie as Baby Firefly, and all three actors coming together to liven up the 'Audio/Subtitles' section, the menu as a whole contains roughly 13 minutes and 40 seconds of footage<sup>28</sup> that cannot be found anywhere else, produced exclusively to enhance the experience of watching the film on DVD and engage with fans. Outtakes and un-used footage recorded for these sections are hidden throughout the menu as easter eggs, encouraging viewers to explore every inch of each section.

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<sup>&</sup>lt;sup>27</sup> Adamson, Andrew, and Kelly Asbury Asbury, directors. *Shrek 2*. Dreamworks, 2004. 1 hr., 33 min.

<sup>&</sup>lt;sup>28</sup> Zombie, Rob, director. *House of 1000 Corpses*. Lions Gate Entertainment, 2003. 1 hr., 28 min.



Fig. 1. Menu still, House of 1000 Corpses, Dir. Rob Zombie, (Lions Gate Films., 2003): Exclusive footage of Sid Haig portraying Captain Spaulding in the Main Menu.

The Lord of the Rings series is one of many DVD releases that contains hidden features in their menus for those who take the time to explore and click around, encouraging audiences to stop and stay a while in their carefully crafted slice of 'middle earth'- a few of these features, created exclusively for the DVD release, have since went viral and become iconic pop culture moments in their own right, such as the 'Do You Wear Wigs?' prank interview with Elijah Wood, recorded for the Return of the King DVD, where his co-star Dominic Monaghan poses as a German interviewer over the phone and asks him increasingly absurd questions to get a reaction out of him<sup>29</sup>.

<sup>&</sup>lt;sup>29</sup> Jackson, Peter, director. 2003. *The Lord of the Rings: The Return of the King*. Warner Bros. Home Entertainment 2004. 3 hr., 13min. DVD Disc, 480p SD.



Fig. 2: Two still frames in sequence, 'Do You Wear Wigs?' prank interview, The Lord of the Rings; Return of the King DVD Bonus Features, Dir. Peter Jackson, Preformed by Elijah Wood, Preformed by Dominic Monaghan, (Warner Bros., 2003). Wood struggles to keep his composure and refrain from laughing while being pranked by his co-star, Monaghan.

In 2004, at the time the Parkers wrote and published The Specifics of Intention, they touched on the fact that special features varied so widely in content because, it being early days, distributors were not entirely sure what general audiences were the most interested in, and wanted to cover as many bases as possible to get DVDs off the shelves and into carts. This resulted in content that could be engaged with by multiple demographics- the young and the old, the casual fan or the academic critic, the historian, the student, or someone who was just curious and wanted to know more. Now, in 2024, the climate is very different- no longer required to push a physical product with multiple selling points outside of the film itself, the aforementioned 'multiple selling points' have declined in both quality and quantity. If most modern films go straight to streaming and aren't focused on

selling physical copies<sup>30</sup>, the production of Special Features isn't seen as 'worthwhile' to most companies from a monetary or commercial standpoint- this has been evidenced for years, an example being a reported 13% slip in DVD sales in the U.S in 2009<sup>31</sup>, declining even further between the years of 2011 and 2018 by a whopping 67%<sup>32</sup>. Factoring all this in, fewer productions are investing time, money and resources into creating new special features, and as a result the production process of these modern films is being documented less and less. With all this in perspective, the decline in DVD production and distribution is an issue not only of public access in regards to the films themselves, but also all the supplementary content and resources that would have been packaged with them.

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<sup>&</sup>lt;sup>30</sup> Bob Ankosko , "Best Buy Will Stop Selling Physical Discs in 2024," Sound & Vision, October 16, 2023, <a href="https://www.soundandvision.com/content/best-buy-will-stop-selling-physical-discs-2024">https://www.soundandvision.com/content/best-buy-will-stop-selling-physical-discs-2024</a>.

<sup>&</sup>lt;sup>31</sup> Ben Fritz, "Dip in DVD Rental Revenue a Worrisome Signal for Hollywood," Los Angeles Times, April 16, 2010, <a href="https://www.latimes.com/archives/la-xpm-2010-apr-16-la-fi-ct-dvd16-2010apr16-story.html">https://www.latimes.com/archives/la-xpm-2010-apr-16-la-fi-ct-dvd16-2010apr16-story.html</a>.

<sup>&</sup>lt;sup>32</sup> Sarah Whitten, "The Death of the DVD: Why Sales Dropped More than 86% in 13 Years," CNBC, November 8, 2019, <a href="https://www.cnbc.com/2019/11/08/the-death-of-the-dvd-why-sales-dropped-more-than-86percent-in-13-years.html">https://www.cnbc.com/2019/11/08/the-death-of-the-dvd-why-sales-dropped-more-than-86percent-in-13-years.html</a>.

# **Chapter Three**

The Rotating Catalogue vs the Expanding Library, and how Censorship Impacts the Archive

There is a degree of permanence that is inherent to DVD/Blu-Ray/CD disc format. Where tapes and vinyl records suffer gradual degradation in quality with every use, media recorded to disc formats will retain the same video and audio standard on their 200<sup>th</sup> play that they had on their first. This characteristic of robustness and reliability applies not only to the literal physicality of the DVD itself, but also to the old rental model that was built around it.



Fig. 3. Hinnosaar, Marit. Netflix Envelope. Photograph. Flickr. July 9, 2008. https://flic.kr/p/53Cefq.

On September 30<sup>th</sup> 2023, Netflix's DVD rental service shut down permanently<sup>33</sup>- to the dismay of many, and the confusion of many others, who had not been aware that the service was still offered by the company due to its lack of advertisement as we entered the streaming age, and Netflix

<sup>&</sup>lt;sup>33</sup> Samantha Murphy Kelly, "Netflix Shutters Its DVD Rental Business, Marking the End of the Red Envelope Era | CNN Business," CNN, September 28, 2023, <a href="https://edition.cnn.com/2023/09/28/tech/netflix-dvd-rental-movies-ending/index.html">https://edition.cnn.com/2023/09/28/tech/netflix-dvd-rental-movies-ending/index.html</a>.

became the posterchild for that industry. Yes, in as recent history as 2023, Netflix's mail-order DVD service was still available, hammering in just how modern the decline of the DVD is- they are not just yet, as people are often inclined to believe, a thing of the past. Dvd.netflix.com, an address which now automatically redirects to Netflix's main site, used to host Netflix's online DVD catalogue. There, users could browse their catalogue and rent titles from their collection, which would then be delivered directly to their doorstep. Shipping and returns were free, and there were multiple plans that allowed you to rent a certain number of DVDs at a time, the highest volume of which being eight- if users wanted to rent new titles, they had to return what they had already rented, incentivizing people to send the discs back, as there were no late fees.

What stands out retrospectively about Netflix's now defunct DVD library is how expansive it was-while Netflix's current streaming service offers 7,000 titles<sup>34</sup> for users to choose from, their old DVD service offered over 100,000 titles<sup>35</sup>- due in large part to the perceived 'right' to the content assumed of a physical media purchase. When video stores like Blockbuster bought VHS/Betamax tapes, and later when young Netflix bought their DVDs from distributors, they were not paying for the kinds of tapes/DVDs the average consumer would buy- they were paying for rental copies that they were legally permitted to rent out from their catalogues for profit<sup>36</sup>. These rental copies were more expensive, but they would easily make the money back through subsequent rentals, because they maintained the right to continue renting those titles indefinitely. Rental copies were not temporary licenses- the distributor would not decide Blockbuster no longer had the right to rent 'Titanic' to people and demand that all their rental copies be returned by x date. The only cases

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<sup>&</sup>lt;sup>34</sup> Matthew Morley, "Netflix Library by the Numbers 2024: 589 New Originals Released and Library Swells to over 7,000 Titles," What's on Netflix, January 1, 2025, <a href="https://www.whats-on-netflix.com/news/netflix-library-by-the-numbers-2024/">https://www.whats-on-netflix.com/news/netflix-library-by-the-numbers-2024/</a>.

<sup>&</sup>lt;sup>35</sup> Jim Vorel, "The Former Netflix DVD Library Is a Lost Treasure We'll Never See Again," *Paste Magazine*, March 23, 2023, <a href="https://doi.org/1020806/netflix-dvd-header-678">https://doi.org/1020806/netflix-dvd-header-678</a>.

<sup>&</sup>lt;sup>36</sup> Frederick Wasser, *Veni, Vidi, Video*: *The Hollywood Empire and the VCR* (University of Texas Press, 2002), https://ebookcentral.proquest.com/lib/iadt-ebooks/reader.action?docID=3443189&ppg=1.

where a company like Blockbuster would need to pay for a film more than once would be to replace a degraded tape, or if they wanted order extra copies of the same film due to popularity. The advent of the DVD removed the former from the equation entirely, as discs do not degrade. Now, Netflix and all other streaming services are tied up in 'deals' regarding what content they are allowed to offer at any given time, and their catalogues are smaller and in constant rotation. What you were able to watch one week may not be there the next, regardless of whether you 'bought' it or not. This circles back to our earlier point about content ownership, and audiences seem to becoming more and more jaded with the current streaming model. According to an estimate by TheNumbers.com, 'Friends, the Complete Series' box-set was number 18 on the United States' Blu-Ray/DVD sales chart for December 2023, with an uptick of 19% and 759,993 units sold<sup>37</sup>, ranking it in the top 20 most bought Blu-Rays/DVDs alongside much more contemporary media that had released that year, such as Christopher Nolan's Oppenheimer (2023) and Greta Gerwig's Barbie (2023). Impressive, considering the Friends series ended almost twenty years earlier in 2004. The rise in consumers purchasing physical copies of Friends could plausibly be attributed in part to the instability of popular streaming services catalogues.

"so let me get this straight, Friends has left Netflix, now Big Bang Theory is leaving Netflix!? might as well cancel my fucking subscription what the actual fuck" Riley (2024)<sup>38</sup>

The *Friends* series, alongside other TV classics like *The Office*, are widely rewatched by audiences<sup>39</sup>, but constantly shuffled from platform to platform, leaving consumers with a choice to make; do they give up and go without, follow their favourite show to its new home each time and pay for yet

<sup>&</sup>lt;sup>37</sup> Nash Information Services, LLC, "The Numbers - DVD Sales Chart for Week Ending December 10, 2023," The Numbers, 2023, <a href="https://www.the-numbers.com/home-market/dvd-sales-chart/2023/12/10">https://www.the-numbers.com/home-market/dvd-sales-chart/2023/12/10</a>.

<sup>&</sup>lt;sup>38</sup> Riley [@crypticriley]. (2024, December 27). so let me get this straight, Friends has left Netflix, now Big Bang Theory is leaving Netflix!? might as well cancel my fucking subscription what the actual fuck. Twitter. Retrieved February 21, 2025, from https://x.com/crypticriley/status/1872611444161937879

<sup>&</sup>lt;sup>39</sup> Ele, "The Most Rewatched TV Shows of All Time -," Eatliveescape.com, May 16, 2021, <a href="https://eatliveescape.com/the-most-rewatched-tv-shows-of-all-time/">https://eatliveescape.com/the-most-rewatched-tv-shows-of-all-time/</a>.

another subscription, or make a one-time purchase and own it forever to rewatch without hassle whenever they feel like it?

When discussing the unreliable nature of content provided by streaming services catalogue compared to the 'ever-growing library' approach of the video rental industry, it would be remiss to not acknowledge the role this plays in vaulting and content censorship. When content can only be legally accessed in a handful of places, and it is normalised for the catalogue of these locations to be inconsistent and constantly add and remove content, we begin to enter dangerous territory where actions of censorship may fly under the radar or be swept under the rug, excused as being harmless or unintentional. In January of 2024, Oscar-nominated, multi-award-winning 2011 documentary 'The Square' was taken off of Netflix- the only platform that currently holds it's streaming rights. Directed by Jehane Noujaim and starred Khalid Abdalla, the documentary followed the events of the 2011 Egyptian Revolution surrounding Tehrir Square- Netflix themselves described it as an 'Emmywinning, street-level view of the 2011 Egyptian Revolution [that] captures the astonishing uprising that led to the collapse of two governments'. The documentary also won the Audience Award at Sundance, and was the first film released by Netflix to receive an Oscar nomination. It's removal from the platform prompted writer and essayist Ayan Artan to speak up. "We're losing receipts. It's always our work that gets the chop first. I don't care if you have to pirate it. Watch it. A lot of what the doc covers resembles what we're seeing right now with Palestine. The suppression of vital voices, the media as a mouthpiece to the oppressor etc. We can't let this film be lost." <sup>40</sup>Artan (2024) In October of the same year, Netflix faced further backlash for allegedly wiping the majority of content made by Palestinian directors or about Palestine from their catalogue, with 19 films and documentaries quietly disappearing over the course of a few weeks, when just three years prior they

<sup>&</sup>lt;sup>40</sup> Artan, A. [@artan\_ayan]. (2025, January 17). *Netflix just removed The Square. This is a documentary that was nominated for an Oscar, won multiple Emmys, won the Audience Award at Sundance and the only streamer that had rights to it just removed it. We're losing receipts. It's always our work that gets the chop first.* Twitter. Retrieved February 23, 2025, from https://x.com/artan\_ayan/status/1747573413974065452

had launched a 'Palestinian Stories' collection<sup>41</sup>. Removed titles include the award winning film 'Chronicle of a Disappearance' (1996) by Palestinian director Elia Suleiman and the 15 minute short '3 Logical Exits' (2019) by Danish-Palestinian director Mahdi Fleifel. Netflix received complaints from subscribers and letters from pro-Palestinian organizations such as Freedom Forward urging them to re-instate the removed content, accusing them of censoring Palestinian voices<sup>42</sup>. According to The Intercept, when they reached out to Netflix spokesperson Rachel Racusen, she said that the licensing period for those films would conclude in October 2024, and that was why the films were no longer streaming on Netflix<sup>43</sup>. The Intercept used IP addresses from multiple different countries to see where what little remained of the 'Palestinian Stories' section was still available, and found the section had been erased entirely from both Israel and Korea. It feels appropriate to touch on here is how Hollywood-centric<sup>44</sup> major streaming services can be- streaming services are heavily curated, with sites like Netflix having powerful algorithms that build unique and accurate taste profiles for each of their individual users; while this is a boon it may discouraging the users, subconsciously, from looking elsewhere to find their entertainment. This raises an issue when you take into account the lack of an emphasis on foreign films; as Lauren Carroll Harriss anecdotally states in an article for Cinéaste, "As I write, I can count only 26 Australian films in Netflix Australia's library of 3,326 titles.

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<sup>&</sup>lt;sup>41</sup> Nikita Mazurov, "Netflix Wiped Most of Its 'Palestinian Stories' Collection — and Erased the Whole Thing in Israel," The Intercept, October 25, 2024, <a href="https://theintercept.com/2024/10/25/netflix-palestinian-stories-israel-movies/">https://theintercept.com/2024/10/25/netflix-palestinian-stories-israel-movies/</a>.

<sup>&</sup>lt;sup>42</sup> Freedom Forward, "Netflix: Reverse Deletion of 19 Palestinian Films (Letter)," Freedom Forward, October 25, 2024, <a href="https://freedomforward.org/2024/10/24/netflixpalestinianfilms/">https://freedomforward.org/2024/10/24/netflixpalestinianfilms/</a>.

<sup>&</sup>lt;sup>43</sup> Mazurov, "Netflix Wiped Most of Its 'Palestinian Stories' Collection — and Erased the Whole Thing in Israel," The Intercept, October 25, 2024, <a href="https://theintercept.com/2024/10/25/netflix-palestinian-stories-israel-movies/">https://theintercept.com/2024/10/25/netflix-palestinian-stories-israel-movies/</a>.

<sup>&</sup>lt;sup>44</sup> Brody, Richard, Robert Cashill, George Feltenstein, Lorenzo Fiuzzi, Lauren Carroll Harris, David Hudson, Olivia Humphrey, et al. "From Disc to Stream: A Critical Symposium on the Changing World of Home Video." *Cinéaste* 43, no. 1 (2017): 30–40. <a href="http://www.jstor.org/stable/26356824">http://www.jstor.org/stable/26356824</a>.

The "Classic Foreign Movies" category is no more."45 As Netflix neared the end of providing their mail-order DVD service to focus on their digital service, subscribers watched the number of DVDs offered for delivery begin to shrink as the company began to downsize from their 50 distribution centers to one single facility. According to customers, foreign titles and arthouse films were among the first to be phased out<sup>46</sup>, presumably due to being ordered significantly less than the more mainstream films on offer; a shame, as while DVD Netflix was still intact, it was the one of the only means of accessing a number of obscure, classic and foreign films that were not in the criterion collection. These films could afford to be kept around for those interested in a physical content library at little to no extra cost, but digital storage on such a large scale is a lot more expensive<sup>47</sup>. In 'Copyright, Preservation and Archives; an Interview with Eric Schwartz', David Pierce articulates a major issue with copyright law; the impact it can have on our ability to access and archive material. Pierce writes that "the evolution of copyright from protection of authors to an instrument of international trade has tightened the control of owners and placed archives and archivists in an uncomfortable position"48, going on to say that "a nearly open-ended copyright term undermines the role of archives in long-term preservation and public access to their collections"49. The work, published in 2009, opened a dialogue for several issues we are still facing today, namely

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<sup>&</sup>lt;sup>45</sup> Brody, Richard, Robert Cashill, George Feltenstein, Lorenzo Fiuzzi, Lauren Carroll Harris, David Hudson, Olivia Humphrey, et al. "From Disc to Stream: A Critical Symposium on the Changing World of Home Video." *Cinéaste* 43, no. 1 (2017): 30–40. <a href="http://www.jstor.org/stable/26356824">http://www.jstor.org/stable/26356824</a>.

<sup>&</sup>lt;sup>46</sup> Jim Vorel, "The Former Netflix DVD Library Is a Lost Treasure We'll Never See Again," *Paste Magazine*, March 23, 2023, <a href="https://doi.org/1020806/netflix-dvd-header-678">https://doi.org/1020806/netflix-dvd-header-678</a>.

<sup>&</sup>lt;sup>47</sup> "Maintaining digital data for the long term using today's technology demands perpetual funding. Most organizations want to minimize the total operating costs of a digital storage system." Academy of Motion Picture Arts and Sciences. Science and Technology Council, "The Digital Dilemma: Strategic Issues in Archiving and Accessing Digital Motion Picture Materials" (Pennsylvania State University: Academy of Motion Picture Arts and Sciences, January 1, 2007).

<sup>&</sup>lt;sup>48</sup> David Pierce and Eric Schwartz, "Copyright, Preservation, and Archives: An Interview with Eric Schwartz," *The Moving Image: The Journal of the Association of Moving Image Archivists* 9, no. 2 (2009): 105–48, https://doi.org/10.2307/41164592.

<sup>&</sup>lt;sup>49</sup> Pierce, *The Moving Image* 9, no. 2 (2010): 105–48, https://doi.org/10.1353/mov.2010.0001.

acknowledging that copyright law often has a negative impact on the efforts of archivists to preserve the works that this law was designed to protect. Though they were not yet aware of the more modern discourse of physical distribution being on the decline, and therefore the works today becoming inherently less preserved and at greater risk of being lost, a concern for smaller works falling through the distributional cracks was still echoed by Schwartz, who said, "the major studios, will always keep all their focus on blockbusters first and foremost as the greatest revenue stream. So, the 'other stuff' (and often, to me, 'the good stuff') will never be as economically significant, and any markets that do grow, even for the benefit of the rights holders, will be of secondary importance to the rights holders."<sup>50</sup>

In 'The Digital Dilemma' published by the Academy of Motion Picture Arts and Sciences, the issue of content that is 'born digital' having no physical copies is also raised, with discussion being had surrounding films that were shot and distributed entirely on digital having no physical material to fall back on if there is an archival error<sup>51</sup> in the (at the time) very new economy of the digital archive.

Being written by the Council for people in the industry, the focus of their report was on the distributor's ability to archive and access their content, but this does parallel an issue of public access we face today; 'born digital' content created exclusively for streaming by a streaming service are very rarely given any form of physical release, and when this media is shelved by the service for any reason, it becomes 'lost' to the general public. Despite a successful debut and huge popularity, having even amassed a dedicated fanbase, the Netflix Original animated comedy 'Final Space' (2018-2021) was removed from Netflix on December 16th, 2023, and though it continued limited availability for a while longer in a few European countries (Spain, France, Germany and Belgium), as

<sup>&</sup>lt;sup>50</sup> David Pierce and Eric Schwartz, "Copyright, Preservation, and Archives: An Interview with Eric Schwartz," *The Moving Image: The Journal of the Association of Moving Image Archivists* 9, no. 2 (2009): 105–48, https://doi.org/10.2307/41164592.

<sup>&</sup>lt;sup>51</sup> Academy of Motion Picture Arts and Sciences. Science and Technology Council, "The Digital Dilemma: Strategic Issues in Archiving and Accessing Digital Motion Picture Materials" (Pennsylvania State University: Academy of Motion Picture Arts and Sciences, January 1, 2007).

of March 18th 2024, it has officially been 'locked in the vault'; streaming nowhere, with no official hard-copies having ever been released<sup>52</sup>. The show is entirely inaccessible by any legal means, and countless TV-shows, documentaries and films have suffered the same fate across all major streaming platforms. If any of this content were to be edited and re-released by these distributors, there would be no publicly available record of what had been cut or altered. This is problem faced by films from the VHS era and earlier, when the original copies of films edited for censorship were often lost due to lack of care or inferior storage capabilities of the past, and physical copies prior to the censorship were distributed to the public via mediums prone to degradation, resulting in any remaining copies of the unedited work being significantly lower in quality to the original negatives, impacting future attempts at remastering the content. The horror genre is an excellent case-study of this, as films that fell under its umbrella were regularly cut and altered at the behest of the ever-changing censorship climate. David Gregory, co-founder of Severin Films, described the feeling of finding that original negatives have been cut as "gutting, because rarely are those cuts saved"<sup>53</sup>. Severin is an independent company known for restoring and redistributing cult classic films for DVD, Blu-Ray and digital distribution, and have restored films from all over the world. In their ethos, Gregory expresses "some whisper and others scream, but all deserve to be heard. From the obscure to the infamous, from the thought-lost to the proudly resurrected, Severin is committed to uplifting the most provocative voices in entertainment."54

With the ease of which 4K quality releases can now be produced and distributed, this should not be a modern issue, yet due to a lack of physical copies being released to the public or produced at all,

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<sup>&</sup>lt;sup>52</sup> The Feed, "Final Space': Here's Removal Date, Where to Watch, Cast, Storyline and More," The Economic Times (Economic Times, November 19, 2023), <a href="https://economictimes.indiatimes.com/news/international/us/final-space-heres-removal-date-where-to-watch-cast-storyline-and-more/articleshow/105337150.cms?from=mdr.">https://economictimes.indiatimes.com/news/international/us/final-space-heres-removal-date-where-to-watch-cast-storyline-and-more/articleshow/105337150.cms?from=mdr.</a>

<sup>&</sup>lt;sup>53</sup> Michael Gingold, "Joe Spinell's 'the LAST HORROR FILM' Coming to Severin 4K UHD/Blu-Ray - Rue Morgue," Rue Morgue, June 22, 2023, <a href="https://rue-morgue.com/joe-spinells-the-last-horror-film-coming-to-severin-4k-uhd-blu-ray-uncut-at-last-full-details-restoration-comments/">https://rue-morgue.com/joe-spinells-the-last-horror-film-coming-to-severin-4k-uhd-blu-ray-uncut-at-last-full-details-restoration-comments/</a>.

<sup>&</sup>lt;sup>54</sup> David Gregory, "About," Severin Films, 2022, https://severinfilms.com/pages/about.

the integrity of new content in its originally intended form, and its continued existence as a whole, is something that is still very much in jeopardy.

#### Conclusion

In Chapter One, I looked at modern streaming services, investigating how they deliver their content and why they function this way. While exploring this, I found that corporate interest and financial gain were often prioritized by these platforms over that of consumer interest and the accessibility and longevity of the content itself; something we circle back to and expand on more in Chapter Three, through engaging with the opinions and predictions expressed by professionals Pierce and Schwartz in 'Copyright, Preservation, and Archives' for The Moving Image Vol 9, no. 2 in 2009,55 and through our DVD Netflix vs Streaming Netflix case study. An issue that I was aware I would encounter from early stages of this thesis was a lack of academic research pertinent to my line of inquiry, which rung true as the height of the DVD's popularity was so short lived, it was difficult to find discussion of it in traditional publications published after the 2010s. The Moving Image was an invaluable resource, as was Cinéaste, as they both published a broad range of articles on film and occasionally touched on areas like distribution, restoration, video on demand and archival efforts. For more contemporary academic works, I had to broaden my scope to articles and books surrounding the distribution of alternative modes of content, such as writing and music, and then apply that understanding, where applicable, to DVD and film. For example; the chapter 'Copyright, Surveillance, and the Ownership of Music' in the book Music on the Move by Danielle Fosler-Lussier was published in 2020, and helped to shape my understanding of how distribution and rights ownership effect media that can exist both tangibly and intangibly<sup>56</sup>; engaged with through a physical disc or via streaming online, like a song or a film. Considering the similarities and differences between music streaming culture and the culture of streaming film forced me to draw the comparison that there is no 'Spotify' equivalent for video on demand, where almost every film in the world is available to stream on one platform. The existence of something like this would be almost impossible, due to conflicting distribution rights and the sheer fact that mp3 files are so much smaller and more manageable to store and stream online than the huge video and audio files that are inherent to film. Even if it were somehow

<sup>&</sup>lt;sup>55</sup> David Pierce and Eric Schwartz, "Copyright, Preservation, and Archives: An Interview with Eric Schwartz," *The Moving Image: The Journal of the Association of Moving Image Archivists* 9, no. 2 (2009): 105–48, https://doi.org/10.2307/41164592.

<sup>&</sup>lt;sup>56</sup> Danielle Fosler-Lussier, "Copyright, Surveillance, and the Ownership of Music," in *Music on the Move* (University of Michigan Press, 2020), 180–201, <a href="http://www.jstor.org/stable/10.3998/mpub.9853855.16">http://www.jstor.org/stable/10.3998/mpub.9853855.16</a>.

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possible, it would not be a solution; monopolisation can be a huge detriment to film as seen in the numerous

bills and codes that have been lobbied and enforced in attempt to restrict filmmakers and dictate standards of

'acceptable' storytelling, like The Motion Picture Production (or 'Hays') Code<sup>57</sup> in the U.S in the 1930s – 70s, and

the UK's political crusade against 'Video Nasties' in the 90s that called for revisions to the 1984 Video Recordings

Act<sup>58</sup> and almost tore apart the industry, with 'merit' films like 'Schindler's List' (1993) being affected just as

much as violent horror films 'A Bay of Blood' (1971). It would not solve any of the other concerns raised regarding

archival efforts or bonus content either. As touched on in 'Digital Dilemma', there is no one solution to these

issues, but cross-industry collaboration efforts to improve film archivation seems to be the way forward. Neither

digital nor physical modes of content storage should be dismissed, as they both have their own substantial

benefits- the intention of this thesis was not to pit the two against each other, but rather to examine the two

and identify areas with the potential for further investigation. In 'Ambition and Ambivalence: A Study of

Professional Attitudes toward Digital Distribution of Archival Moving Images', an anonymous archivist under the

pseudonym of Emily, when asked her opinion, said that she looked at the internet and platforms like YouTube as

an 'access tool' rather than a 'preservation tool'; an accessible reference copy at a lower quality for people who

wanted to watch the content, where as those who wanted to use the content could reach out to the archive or

distributor. Obviously this would apply to works in the public domain and not to streaming services; distributors

need to make their money somehow, and what I've encountered again and again throughout researching and

writing about this the consumer's lack of an ability to rely on the content they pay for through digital distribution.

How little entitlement they have over the content they have purchased, and the distributor's ability to remove

or edit the content with no repercussions are both pervasive issues with plenty of room to be investigated

further, as neither the archive nor the general public benefit from this access-based model.

Wordcount: 8013

<sup>57</sup> Shurlock, Geoffrey. "The Motion Picture Production Code." The Annals of the American Academy of Political and Social Science 254 (1947): 140–46. http://www.jstor.org/stable/1026152.

58 BBFC, "The Video Recordings Act," www.bbfc.co.uk (BBFC, July 27, 2020),

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### Appendix: Examples of DVD and Blu-Ray Bonus Content

- Deleted Scenes
- Extended Scenes
- Scene/Chapter Access (instead of scrubbing through the film to get to specific scenes like on streaming, you can just select the scene you want and play from there.)
- Storyboards (both for scenes that made the final cut, and scenes that were never even shot.)
- Director's Commentaries
- Behind-the-scenes interviews with cast and crew
- Trailers (Theatrical and otherwise)
- Insights into the casting process
- Screen tests
- Script readings
- Documentaries
- In-depth explanations of stunt-work, cinematography, special effects, etc.
- Photo Galleries (Including production stills, promotional images, photos used for continuity, concept art, wardrobe tests, in-universe posters/advertisements created for the world of the film, etc.)
- Bonus short films
- Previews for future projects
- Unique games playable within the menu / "Interactive ROM Challenges"
- Insights into all forms of design, including but not limited to costume design, sound design, hair/makeup design, VFX design, SFX design, concept-to-final, etc.
- Music Videos
- Full Soundtracks/OSTs
- Tutorials/Educational material for children (like arts and crafts tutorials/'make your owns' related to the film, etc)
- Featurettes on adaptation, if the movie is based on pre-existing source material
- Multiple high-fidelity audio options like DTS, Dolby Atmos and Dolby Digital. (The majority of space on a DVD is usually occupied by DVD-Audio; in most cases the audio on a streaming site will pale in comparison to the quality found on a DVD.)