

# THE SOCIAL SIGNIFICANCE AND CONSEQUENCES OF DIGITAL PIRACY IN SOUTHEAST ASIA: THE CASE OF INDEPENDENT FILMMAKERS

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This paper looks at the phenomenon of media piracy in Southeast Asia, and outlines some of its consequences for independent film production. In the first part of this essay I will look at the phenomenon of piracy as such and try and outline some observations about how piracy works. In the second part I will address the impact that piracy has on the makers and consumers of independent films, a group that I call the "Generation Piracy" as they have grown up with an unprecedented access to world cinema due to media piracy. At the same time, I will put special emphasis on the fact that both piracy and the recent wave of independent films in countries such as the Philippines, Malaysia, Indonesia etc are a result of the same technical conditions: the easy and cheap access to digital media from cameras to computers to the distribution network of the internet, peer-to-peer networks and video-sharing sites such as YouTube.

*Keywords: piracy, Philippines, independent film*

Jo is a Malaysian student who smuggles Malaysian DVDs into England where he is studying economics. Being a film buff and would-be director, he saves the money he makes selling cheap Malaysian DVDs, in the hope that some day he will have enough to attend a film school in New York. Taking advantage of the fact that pirated DVDs often hit the streets before a movie's cinematic release; Jo has the latest titles before they hit the cinemas in the UK. As he is about to graduate, Jo decides to go big with his last shipment. He wants to smuggle 175 movies into the UK for a buyer, who will pay 50 pounds per DVD. This will cover the tuition for film school, including living expenses in New York. Unfortunately, the Malaysian police kick off a major

operation on the very day Jo is scheduled to pick up his stock of DVDs, and his suppliers are among the victims of the raid. The British film pirates that depend on his wares are threatening to get even with one of his friends. Jo needs to get 175 DVDs with new films in the 24 hours before his plane leaves for the UK.

This is the story of *Ciplak* (2006), the exhilarating film debut of Khairil M. Bahar. Despite having been made with a very low budget, it is a feature length movie that both entertains and moves its viewers. *Ciplak* (Malay for "pariah") is a very self-conscious piece of independent cinema full of clever ideas and endless cinematic innuendos, references and puns. Its wry, sarcastic humor is

reminiscent of films such as Richard Linklater's early works *Slacker* (1991) and *Dazed and Confused* (1993). It makes good use of the very limited means in a way that resembles Kevin Smith's *Clerks* (1994), and at times manages to turn its material shortcomings into filmic virtuosity à la Robert Rodriguez's debut film *El Mariachi* (1993). A potential feel-good and popcorn movie at the same time as a cineaste's tour-de-force, *Ciplak* is a film that is smart, enjoyable and touching in a fashion that one has stopped expecting from Hollywood mainstream movies a long time ago.

This movie is a good starting point because it brings together the topics I want to discuss. Director Khairil M. Bahar writes on the website of the film: "In a country such as Malaysia, piracy is not just common: it's indispensable. Everything from clothes and shoes to CDs and video games are available in bootleg form. Piracy has allowed the underprivileged to afford overpriced sneakers, exposed the ignorant to the wonders of nonstop 40 music and increased the cinema vocabulary of an entire nation through pirated DVDs."<sup>1</sup>

At the same time, the film is also a wonderful example of the new batch of Southeast Asian independent films that has recently emerged. *Ciplak* talks about the way digital media are currently influencing the way films and (pop) culture are produced and distributed in Southeast Asia.<sup>2</sup> While *Ciplak* was a critical success in Malaysia, it did not do exceptionally well in its home market. Yet, its subject matter and its quirky way

of storytelling should appeal to young urban audiences throughout the region – and probably in the rest of the world. That young hipsters in Indonesia, Thailand, Singapore or the Philippines—all countries that border onto Malaysia—will most likely never get to see this film shows the deficiencies in the distribution of film (but presumably also of music, books, art etc.) in the region. The phenomenon of piracy speaks to these deficiencies.

This paper will look at media piracy in Southeast Asia, and it will outline some of its consequences for independent film production. It does not seem unreasonable to label the Southeast Asian filmmakers in the first decade of the 21st century as the "Generation Piracy." Due to the prevalent media piracy in the region, these young filmmakers had access to world cinema in an unprecedented way. While it is still too early to assess the long-term impact of piracy on the contemporary cinema of Southeast Asia, films such as *Ciplak* speak to the fact that there is a growing influence of independent and alternative cinema on local cinema. I will discuss some of the early signs of the changes that this might lead to, while at the same time contrasting it with the way earlier generations of film makers from the region encountered international cinema. Also, I will put special emphasis on the fact that both piracy and the recent wave of independent films in the region are a result of the same technical conditions: the easy and cheap access to digital media from cameras to computers to the distribution network of the internet, peer-

to-peer networks and video-sharing sites such as iFilms, YouTube et al.

## **THE SOCIO-ECONOMICS OF PIRACY**

To discuss the mechanisms of piracy is a tricky matter, since hard and fast data on the subject are difficult to obtain. Despite my research into the piracy culture of the Philippines that included interviews with some DVD dealers (Baumgärtel 2006), there are many open questions regarding the Philippines, not to mention the rest of Southeast Asia. How do these films get on the pirate markets? Who picks the titles that get distributed? Who compiles the DVDs collections of all the Oscar winning films from 1929 to 1965? Why are films by the German Marxist film directors Jean-Marie Straub and Danièle Huillet—that have never been published on DVD in Germany—available in a shop full of pirated DVDs right smack in the middle of Beijing’s embassy area?

In many respects, one has to consider the pirate market as a kind of black box. Research into this field is very difficult, as it is an illegal and therefore very secretive trade. The traders themselves who sell the discs know very little about the way the films are obtained and produced and most people are not prepared to talk about it. There are numbers about the extent of piracy in Southeast Asia, either from local law enforcement agencies or international lobby groups, yet most of these numbers are self-serving and often the way they have been collected are either unclear or biased.<sup>3</sup> The mostly American trade

groups such as the Motion Picture Association of America (MPAA), the International Intellectual Property Association (IIPA) or the Business Software Association (BSA), who publish data on international piracy, are often financed by US media and software companies and therefore have a vested interest in making their alleged losses seem as dramatic as possible. Therefore they try to paint the situation in the darkest colors. Other numbers stem from organizations such as the Optical Media Board (OMB) of the Philippines, which have the task of fighting piracy. These organizations are often predominantly in the business of making their own work look efficient, or keeping their respective countries off international black lists because of consequences for their reputation as business locations. Therefore figures as the following have to be taken with great caution.

According to the Business Software Alliance (BSA), software piracy in the Asia-Pacific region cost manufacturers about \$8 billion in 2004 (<http://w3.bsa.org/germany//piraterie/piraterie.cfm>). Worldwide, losses due to software piracy were estimated at more than \$32 billion in that year. The BSA puts piracy rates in China at 90 percent and Russia at 87 percent. The IIPA puts the level of piracy in the Philippines at 85 percent, and the estimated trade losses at 33 million US dollar in 2004 (<http://www.iipa.com/statistics.html>). According to a report from the website of the MPAA, the percentage of potential market for MPAA member studios lost to piracy in

Thailand (the only Southeast Asian country mentioned) is 79 percent<sup>4</sup> (<http://www.mpaa.org/piracy.asp>, see also Kate 2007). On another “fact sheet” on the same website, the MPAA office in Singapore gives this appraisal: “In 2005, the MPAA’s operations in the Asia-Pacific region investigated more than 34,000 cases of piracy and assisted law enforcement officials in conducting more than 10,500 raids. These activities resulted in the seizure of more than 34 million illegal optical discs, 55 factory optical disc production lines and 3,362 optical disc burners, as well as the initiation of more than 8,000 legal actions.”

Since the methodology that was used to arrive at these numbers is not explained in great detail on the website of the MPAA, it is safe to assume that the numbers from these institutions are mere estimates. Yet, even if the frequency of piracy is substantially lower than the numbers quoted, it is still quite impressive and suggests that the problem deserves closer examination both as an economic and cultural phenomenon.<sup>5</sup> I will however not address the ever-popular question of the moral and legal implications of piracy. While piracy is illegal in all Southeast Asian countries, it is also a fact of life in almost all of them.<sup>6</sup> For the purposes of this paper, I will consider it as something that is very much part of quotidian life, without passing any ethical judgment on it.

And what a part of daily life it is: Counterfeit goods are easily available on many street markets as well as in

shopping malls: fake Nike sneakers or DVDs with anything from Hollywood movies to European art house films, illicit copies of Gucci bags or the latest albums of Western pop stars. I have found pirated copies of rare Japanese horror movies such as *Jigoku* next to digital gay art house films from the Philippines such as *Masahista*, William Burroughs’ shorts next to Amir Muhammad’s documentary (The last communist), that has been banned in Malaysia. The neighborhood of Quiapo in Manila, the center for pirated DVDs in the Philippines, is jokingly referred to as “the biggest film archive in Asia” due to the massive number of otherwise hard to get films available there.

In Europe and the USA, piracy is mostly seen as an online phenomenon that takes place via peer-to-peer networks. In contrast, piracy in Southeast Asia takes advantage of the fact that many people do not have access to the Internet or do not even own a computer. Therefore the predominant form of piracy in the region is the sale of counterfeit DVDs and VCDs. Most of them are recent Hollywood movies, often for sale on the streets before they even premiere in theaters. Then there is pornography—loads of it—that is illegal in many Asian countries.

Finally, there are art house films and experimental films. Less common, but still available are movie classics from *Chinese Silents from the Shanghai* of the 1930s to Godard’s *Weekend*, from *Gone with the Wind* to video art by Brian Eno. The majority of these films are not and never were available in regular shops, which predominantly carry mainstream movie

fare. Just one example: Orson Welles' classic *Citizen Kane* was never legally available in the Philippines (and presumably in other Southeast Asian countries), and one had to go to great lengths to see this movie. Now it is easy to find it on pirate markets. For a very long time, being a film fan in Southeast Asia meant one had to limit oneself to the US-American and local offerings in cinemas or video. The alternatives were to pay a fortune for mail-ordering videos from abroad or to have a circle of friends that would swap and copy the latest movies.

These days are over. Examples of rare films on the pirate markets in Manila include a complete retrospective of the works of Rainer Werner Fassbinder on three DVDs and one of *The Cremaster Cycle* films by American video artist Matthew Barney. On the other hand, to find local films is quite a feat in many Southeast Asian countries. Yet, there have been instances, where local films that have been banned or censored but appear on the pirate markets. I will return to this point later.

So the pirates do not just deliver the latest blockbusters and blue movies. Some are ambitious enough to come up with their own boxed-sets. A staple of pirate markets all over Southeast Asia are the collections of all the *Star Wars* films, complete collections of popular Korea soap operas such as *Jewel in the Palace*, and well-presented selections of films by directors such as William Wyler and Kenji Mizoguchi. Many of these collections

have a nerdy tendency towards completeness—all the films with Jackie Chan, all the films by Akira Kurosawa. Sometimes they are even sold in lovingly hand-crafted boxes.

Yet, the cover design betrays the fact that the people who produce these DVDs are not professional designers and writers. Often local graphic artists—using pictures they obtained from the Internet—design these covers and provide the blurb. The practice of using pictures from the web can sometimes lead to amusing results: Recently a version of Akira Kurosawa's Dostoyevsky-adaptation *The Idiot* (1951) was sold in Manila with a cover from Lars Van Trier's independent digital movie *The Idiots* (1998). On the covers of some discs one can find pictures, which are not from the movie in the box, or which have been dramatically enhanced. They show guns on pictures of films that do not have guns, or suggest sexually explicit scenes that are not in the movie.

The English subtitles of pirated DVDs that come from China usually range from Chinese-English to being completely incomprehensible (Pang 2005). The account of DVD covers can read: "The global film is included completely, broadcast the new feeling superstrongly." On the box of another DVD sampler it says: "Unique Color Sensual Desire Cinema." The copyright notice (!) on the same box reads: "The copyright owner of the video disc in this DVD only permits Your Excellency to run the family to show, owner keeps the copyright all one's life relevantly in the right, not listing exhaustively..."

The production quality of these discs varies greatly. The “cam rips” of the late 1990s are on their way out.<sup>7</sup> The majority of even the latest films available on the pirate market are usually from “screeners” or other digital sources. The manufacturing quality ranges from films that do not play at all to high quality copies. In Thailand, many of the more off-beat films seem to have been reproduced on an ordinary home computer with the covers reproduced with cheap color copiers or printed out on computer printers with the artwork coming from websites such as cdcovers.cc. The majority of the releases available in Southeast Asia however seems to come out of professional disc pressing plants, complete with titles printed on the discs and covers out of the printing press.

Some customers of piracy markets in Southeast Asia have become very aware of issues of quality. For example, there are a couple of forums on the Internet where buyers of pirated movies from the Philippines exchange tips on where to find rare films and how to distinguish quality DVDs from bad product. In one forum called The Q,<sup>8</sup> buyers frequently bragged about their latest discovery. For example one member wrote: “*Found Day for Night* by Truffaut in Quiapo in the Muslim Barter Center at Stall No. 16. Ask for Benjie!”

## **REGIONAL PIRACY STYLES**

There are notable differences between the “pirate cultures” of different Southeast Asian countries, both in terms of what is produced and what is available

in the respective countries. I have discussed the culture of piracy in the Philippines extensively elsewhere (Baumgärtel 2006), so I would just like to point out a recent development that I was not able to cover in this essay. The whole piracy landscape in the Philippines has been completely changed with the advent of the “8-in-1”-sets. DVDs with only one film on them are on their way out and are already not available at all anymore in certain markets. Since these collections usually focus on popular American mainstream fare, this also means that art house and classic films are much harder to find now than even a year ago.

A majority of “quality” and art house and the increasing number of classic American, European and Japanese movies come from China. A company from Shenzhen by the name of Bo Ying is particularly prolific in producing very sophisticated DVDs—often using as masters discs from the American Criterion Collection, which specializes in topnotch editions of classic films in flawless transfers and with original bonus material. Yet a visit to the website of Bo Ying leads to an “Anti-Piracy Statement!” Emails to both Bo Ying and to the Criterion Collection regarding the copyright situation of these DVDs were not answered. Yet it is safe to assume that Bo Ying did not obtain the rights to these films, since the Criterion Collection points out on their website, that they only distribute their films in the United States. Yet, these Bo Ying titles are easily available in regular stores in Singapore,

which prides itself of having gotten rid of piracy in the last couple of years.

### **PIRACY AS “GLOBALIZATION FROM BELOW”**

It is unquestionable that media piracy has brought an unprecedented access to international cinema to Southeast Asia, a region that has only a very limited infrastructure for art house cinema. Apart from a number of festivals there is little opportunity to get legal access to non-Hollywood films. There are few art house cinemas,<sup>9</sup> the regular stores carry predominantly American mainstream films, and mail ordering from abroad is prohibitively expensive. It is therefore safe to say, that piracy has added to the film literacy and even the quality of media education in the region. I only have to look at the rapid transformation that all the media studies departments that I know in Manila went through in the last two or three years. There is a quickly increasing number of brand-new DVDs on the shelves of many media studies departments, and many professors have started to use topnotch DVD versions of rare and off-beat films in class. This not only exposes students to a much wider variety of movies, but also enables teachers to use more uncommon, contemporary, independent and cult films. Needless to say, all of these films come from the pirate market. In the second part of the paper I will discuss how this new variety has impacted the surge of independent films from Southeast Asia.

I should point out, that these DVDs are not being produced to educate

previously underprivileged film students in Southeast Asia. The cornucopia of blessings that has opened over the region is a very peculiar result of the globalization of both markets and cultures that has started to take place in the last 20 years. The deregulation of many national markets in the wake of the collapse of the Soviet Union paved the way for the kind of globalized media piracy that we see today, where American movies are available on the streets of Manila, Delhi, Beijing and much more remote corners in Asia before they even premiered in the United States. In addition, the Post-1978 reforms of Deng Xiaoping, allowing private enterprise in China, and the economic opening of formerly socialist countries such as Vietnam and Cambodia played their role in furnishing pan-Asian piracy.

The free movement of capital and data is not only a hallmark of economic globalization, but also of global piracy. The process of economic “liberalization” around the world, the recent process of privatization and business deregulation all around the world has played its part in facilitating piracy. At the same time—and also in the name of a neo-liberal curbing of the power of the state—many countries have cut back on law enforcement and reduced border patrols, which obviously was another advantage to the international pirates.

This process worked in tandem with technological developments such as the proliferation of the Internet and comparatively cheap access to powerful computers, disc burners and scanners.

While economic liberalization provided the means for distributing and paying for illicit goods, these new digital technology supported their production. Moisés Naim writes: "With communication technologies that allow such tasks as warehouse management and shipment tracking to be done remotely, the trader and the goods need never be in the same place at the same time. This flexibility is a crucial advantage that illicit trade has over governments, and is a defining aspect of the problem." (Naim 2005: 19)

In many respects, piracy therefore is the illicit underbelly of globalization. It is a globalization from below, where the participants are not multinational corporations, but illegal outfits. Flexible, nonhierarchical, speedy, highly efficient and organized beyond national boundaries, these illegal traders are in many respects quite representative of globalized businesses. They happily take advantage of the newly deregulated foreign exchange transactions, the financial offshore havens in obscure venues such as Tuvalu or the Cook Islands, or the benefits of the Internet—from the anonymity and convenience of free web mail accounts to running online shops.

The pirate market is paradoxical in the sense that it is the most radically "free" market capitalism, yet at the same time also a corrective of certain traits of capitalism. On one level it is a no-holds-barred competition, without any rules or regulations, where the fastest and most ruthless is usually the most successful. At the same time, it has undone some of the

inadequacies of the legitimate market. The pirates were flexible and perceptive enough to detect a potential market that nobody had noticed before. They discovered that there was an audience for art house and avant-garde films in Southeast Asia, and were quick to exploit it.

While in most of Southeast Asia one of the benefits of piracy is that films come into the countries that otherwise would never be available, in more autocratic countries they have a much more important and libertarian function: They provide an alternative to the regular cinemas and shops as a distribution channel for films that the authorities do not want to be seen—in other words as a way around censorship. The most extensive example of this is obviously China, where only 20 international films get an official permission to be shown per year, yet every American blockbuster and much more is available at every street corner on pirated DVD.

Pirated DVDs can also provide an important distribution channel for banned films. In the Philippines, a television documentary on the former president Joseph Estrada was denied a rating by the Optical Media Board and therefore could not be aired. The film was available immediately on the black market. One of the bestsellers on the pirate market was the so-called "Hello Garci" tapes, an illegal recording of a conversation between President Arroyo and an election officer. To some extent the pirate market can therefore work as an oppositional and Habermasian public sphere.

## **FILMING ON A SHOESTRING**



This finally leads us to the difficult question how this phenomenon of piracy has influenced Southeast Asian independent film. Let us look again at Ciplak as a typical example of a no-budget-indie-film. Director Khairil M. Bahar writes on the website for the movie: "The film was made for less than 10,000 Malaysian ringgit (approximately 3,000 US dollars – T.B.), shot on a single Canon XM2 miniDV camera and edited on a home PC... The movie was shot on weekends between October and December 2005. Everybody working on the movie did so free of charge... Given the non-existence of a budget, we tried to beg, borrow and steal as much as we could to get the movie made. When I bought the camera it came with ten free miniDV tapes, which I used to shoot the film (although it was not enough) so we saved quite a bit on tapes. I had my old tripod from when I was 15 and Ariff had a monopod so that we could be more mobile. Our lighting rig was a borrowed Ikea lamp and a cheap Styrofoam board. Our boom mic was a borrowed stereo directional microphone (which broke down on us)... All the sets and locations were obtained without a single penny spent. Most of the locations were houses or apartments where the cast lived... The only thing I really spent money on for this production was food."

While the budget of 10,000 Malaysian ringgit is extremely low even for local standards, these production methods are not uncommon among many independent film makers in Southeast Asia. It is therefore the easy availability

and the simplicity of use of digital media that facilitates not only the proliferation of media piracy, but also the production of independent films.

In some ways, the pirate market in Asia today has a function similar to the French or the German film clubs of the 1950s and 1960s. Both movements screened classical films, that had often been blacklisted or simply forgotten during the Second World War and started their own magazines, that started the research and criticism of auteurs that are canonical today. In the process, they bred a new generation of filmmakers that were highly conscious of film history and aesthetics. Film movements such as the Nouvelle Vague in France or the Neuer Deutscher Film in Germany are a direct outcome of this grassroots cineastes movement. Today the pirate market seems to have taken on the task of confronting the audience in the region with classical and off-beat films. That is not to suggest that pirated films have taken on the role of the more institutionalized entities of "film appreciation," but they certainly are in the process of laying the ground for a more informed discourse on world cinema and provide material for cinephilia in the region.

The effects of this process need to be studied in greater detail, yet there are already the first signs of the impact of the proliferation of off-beat and art house films in the region. A number of film makers have openly acknowledged their indebtedness to pirated movies for them becoming filmmakers. Malaysia's Amir Muhammad reminisces in an interview

about the influences of his generation of independent filmmaker: "I think we all grew up watching Malaysian cinema to various degrees, but we are also of the generation that was very much exposed to cinema made in other countries. Malaysia always was exposed in that sense, but because we came of age with the pirated VHS in the 1980s and the VCD in the 1990s, I think our range of influences (is) wider. If it were not for these pirated things then we would have been stuck with what was brought here, which is extremely limiting. And probably you would have got the sense that to make a movie you had to make a movie like what you see in the cinema. Perhaps you can say that we (were) damaged in a sense as we were exposed to the hype of independent movies, which you can not deny started in America in the early 1990s. So we then got the romantic idea of doing it our own way." (McKay 2005)

Other filmmakers join him in pointing out the influence that pirated DVDs had an impact on their development. The young Philippine director Raya Martin writes about his first interview at the Festival du Cannes' Cinéfondation: "Here I was, in front of producers and distributors of films I was only familiar with from pirated DVDs, talking about my approach to filmmaking." (Martin 2005) And fellow Filipino John Torres points out in an interview, that "the video pirates have brought us a lot of good films into our country." (Tioseco 2006)

When reading the biographies of other Southeast Asian independent filmmakers, it was often the exposure to avant-garde and art house films from the

West, that got them interested in making their own films. Kidlak Tahimik, arguably the first independent director in the region, started to work on his first film *The Perfumed Nightmare* (1977) after he encountered Werner Herzog and his films in Germany. Raymond Red and other Philippine independent filmmakers, that followed *Tahimik* in the 1980s, were among the regulars at the workshops and film screenings that the Goethe Institute of Manila used to organize in late 1970s and early 1980s. There they encountered films by directors such as Herzog, Harun Farocki, Werner Schroeter and Rosa von Praunheim and other German directors of the Neue Deutscher Film.

More recently, internationally renowned Thai directors such as Pen-Ek Ratanaruang and Apichatpong Weerasethakul have described their filmic eureka moment during their first encounter with foreign art films. Pen-Ek relates in an interview: "Since I was in New York, I was always going to see films. And actually, I discovered cinema there, because before that I had no interest in cinema, in film. And even when I was in New York I was watching normal films, all these Hollywood films, and then one day I went to see 8 ½, just because of the poster... (A)t the end of the film I was completely blown away. I did not understand shit, I did not understand at all "what is this?" you know, but... it was so sexy to me. It was so attractive. That was the first film in my life that actually sort of gave me the idea that—this guy can make films? This is film? Then I started to become interested in

Fellini, so I'd see more films by him. And then that lead to Bergman and Godard. And you know, the usual stuff, Truffaut, and Fassbinder. And, so I discovered this art cinema that I found really to my taste... (Tioseco 2005). In a similar vain, Apichatpong points to the experience of American experimental films by directors such as Stan Brakhage and Jonas Mekas during his studies in Chicago as one of the reasons why he became a filmmaker: "I went to Chicago and discovered experimental cinema. It was something that made me think, 'Oh, this is what I always wanted to do but I didn't know how to explain it.'" [Marlow 2005]

While these film makers still had to go physically abroad to get to know foreign avant-garde films, less than ten years after these formative experiences of Pen-Ek and Apichatpong it was entirely possible to find the very same films that had made such a lasting impression on them in the pirate markets of Bangkok, Manila, Kuala Lumpur or Jakarta. Filmmakers such as John Torres are among the first filmmakers who have been exposed to this assault of films that have become available out of the blue in their home countries, and his fast and daring work with hand-held digital camera and found footage seems to speak

of this experience. The same goes for the trendy and self-conscious film making of Khairil M. Bahar, that is saturated with film history and movie references.

None of this is, of course, meant to suggest that the filmmakers I mentioned are relying on the ideas and approaches of Western directors in their work. Tahimik, Red, Apichatpong, Pen-ek, Torres and Bahar have all carved out their respective filmic styles very much their own, which in fact differ quite substantially from the films that inspired them to become filmmakers in the first place. Yet, it appears as if the encounter with films outside the mainstream of Hollywood or the film industries of their respective home countries was the needed impetus to develop these personal styles or even to become filmmakers. Now, that international art house and avant-garde films have become relatively easy to obtain in the region, it should inspire even more young filmmakers. Arguably, we will see the full consequences of this assault of film history, that the pirates have brought about, only in the generation of filmmakers, which will come after the generation represented by Amir Muhammad or John Torres.'

## NOTES

- 1 <http://www.ciplakmovie.com/>
- 2 At the same time *Ciplak* has not been canonized in the same way as the films of directors such as more art-house-oriented directors such as Lav Diaz, Apichatpong Weerasethakul or Amir Muhammad and due to its whimsical nature it most likely will never receive the same type of cineastes' blessings.
- 3 For example, the losses of the media and software industry that arise from piracy are obtained by multiplying the alleged number of pirated DVDs, CDs and CD-Roms with the American price. Needless to say most of the people who buy pirated films, music albums or software packages would not be able to buy them for the regular charge.
- 4 In the same report, the profile of a pirate is described like this: "The typical worldwide pirate is 16-24 years old, male and lives in an urban area!"
- 5 Literature that prescribes to the notion of piracy as being a precarious international crime include Naim 2005 and Phillips 2005. For some takes on piracy that are not informed by the perspective of the American copyright industry, see Lascia 2005 and Lessig 2004, for accounts that take Asian socioculture into consideration see Alford 1995; Pang 2006 and Sarai Media Lab 2006. The website for the conference *Asian Edition*, that I organized in November 2006 at the University of the Philippines, contains most of the papers delivered there, as well as ample links to other online resources.
- 6 Even in Singapore, that prides itself to have stamped out piracy, pirated DVDs are still available.
- 7 "Cam rips" are bootlegged versions of films that have been filmed in a theater with a digital video camera during the regular screening of a film. They are typically of poor audio quality, often one can hear the audience cough or laughing and you can even see the silhouettes of people who head for the restroom or concession stand.
- 8 Q stands for Quiapo, the neighborhood in Manila with the biggest black market.
- 9 While there are a number of art house cinemas in cities such as Singapore, Bangkok and others, there is nothing that even remotely resembles the situation in most countries in Europe and the larger cities in the US. Cultural institutions such as the German Goethe Institute, the Alliance Francaise, the British Council or the Spanish Instituto Cervantes, a number of universities and some film festivals such as Cinemanila in Manila or the World Film Festival in Bangkok screen art house films occasionally, but the cinemas of Southeast Asia are still dominated by Hollywood and local commercial movies.

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#### Other online resources

Asian Edition website <http://www.asian-edition.org>

Business Software Association <http://w3.bsa.org/germany/>

Crappy Bootleg Covers <http://www.flickr.com/groups/crappybootlegs/pool/>

Pinoy DVD <http://www.pinoydvd.com>

Website of movie "Ciplak" <http://www.ciplakmovie.com/>