

Uncharted Media: Vietnam's Exhibition and the Practice of Bootleg Camming

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According to Huu-Tuan Nguyen's industrial report on Vietnam's cinema, between 2011 and 2018, Vietnam was among the fastest-growing markets with 24.9% annual growth.¹ The number of multiplexes grew from twenty-two to one hundred ninety-eight, and screens from one hundred twenty-four to nine hundred fifty. Vietnam's market was labeled as "the next South Korea" in terms of the global film industry.² Foreign investment into the industry has been flourishing with the entrance of Netflix in 2016, as well as the first Hollywood blockbuster shot in Vietnam, *Kong: Skull Island* (dir. Jordan Vogt-Roberts, US/China, 2017). Nguyen argues such movements are the result of the industrial reform of the Cinema Code in 2006 by the government to privatize the industry, allowing individuals to produce films for commercial purposes.³ However, the bootlegging cam is among the most disruptive piratical practices, causing major issues for the exhibition industry and theatrical circulation circuit. This essay investigates the international expansion of American exhibition practices and the development of Vietnam's cinema industry through the lens of the bootlegging cam. The essay looks at how the practice of bootlegging cam transitions into the era of capitalist privatization in the country's cinema, how the domestic industry reacts to this phenomenon, and how foreign platforms affect and are being affected by Vietnam's exhibition norms through the practice of the bootlegging cam. The investigation on the practice of bootleg camming will

end with a case study of *Furie* (dir. Le-Van Kiet, Vietnam, 2019), which has been the tipping point of the practice in Vietnam in recent years.

In his book *Screen Traffic*, Charles Acland demonstrates *felt internationalism* as a structure of feeling, that is, “the potential condition for a global popular.”⁴ Multiple industrial standards arrange these conditions to synchronize the cinematic experience across the globe, in which multi/megaplex designs *Media Fields Journal* no. 17 (2022) have become the central sites to initiate the chain of cinematic events. Despite many challenges throughout history, the venue of the theater still serves as the pantheon of cinema, the industry’s secured institution in the circulation of movies. A typical industrial chain would include secondary releases such as television, VCRs, and DVDs. The theatrical first run is how a film enters its textual discourse, from news publications to the secondary markets of home videos, toys, and theme parks. The institution of the theater is also protected by various agreements among the industry’s unions, allowing it to become standardized. Such standardizations include the duration of the first run, the projection’s frame rate, when to sell access on VHS, DVD, or streaming platforms after the theatrical release, the uniform design of the multi/megaplex to deliver an international exhibition experience, and the synchronization of international release. From cinema’s design to industrial policies, these standard guidelines and practices, are how Hollywood expands its market through the exhibition sector.⁵ However, Acland also notes that this structure of feeling—felt internationalism—is not evenly distributed and has multiple appearances, though it plays a major part in cultural life.⁶ From being the most lucrative source of revenue to a bridge to other forms of content delivery and extra markets, the theater has become a symbolic institution protected by different industrial and cultural discourses rather than the sole option to watch movies. In the age of relentless media, intellectual property has become one of the central frameworks for discourse on exhibition. Consequently, the theater becomes a more controlled public space, where surveillance techniques such as the code of silence are applied to tackle media piracy.

According to Jean-Phillip Vergne, piracy is the direct result of capitalism or capitalist expansion.⁷ Tracing back to the Dutch East India Company, Vergne describes how the Dutch claimed anyone as a pirate who violated the legal system imposed on the discovered sea route. Piracy resides where the legal system has not reached. Vergne points out that piracy particularly concerns the matter of territory. Capitalism expands by the deterritorialization of

space and the normalization of free trade through the legal system. The control of sovereignty extends from the control of lands by the central government to control of the legal system through the rhetoric of free trade. Free trade also comes with rights over properties, from the newly discovered sea routes to abstract intellectual property. With cinema, the property may not be the physical storage of a moving image such as a roll of film, a DVD, or a VHS tape, but crucially, the content of the film. However, as an immaterial good, the film content can be duplicated and travel by many means. Therefore, access to this good is not a matter of resources, but institutions, and through this matter, the theater is at the top of the value hierarchy.⁸

While Vergne refers to pirate organizations in his book, Joshua Neves looks at piracy on the individual level. He argues that some forms of piracy are “prepolitical”—piracy may not have any political and cultural engagement.⁹ According to Neves, “piracy is best described as a ‘global pricing problem’ and should be understood in relation to access and economic concerns, pirates challenge the rule of law upon which democratic life is built; piracy enables short-term inhabitations for subaltern and popular populations but also brings them to the edge of permanent technological visibility: and surveillance.”¹⁰ As Neves points out, piracy is a social symptom reacting to the imposition of capitalism’s monopolistic behavior. Piratical citizenship is the “contested form of urban belonging enacted by illegal but socially legitimate claims on media, infrastructure, and citizenship itself.”¹¹ Bootleg camming is the typical example of how pirates exploit the existing exhibition infrastructure to disseminate media where there is a lack of access.

As Ramon Lobato points out, informal networks prefer “in general to get the product to consumers as quickly and directly as possible.”¹² A practice like bootleg camming attempts to disrupt the hierarchy of circulation to get the movie out of the theater while it is still in its first-run exhibition, despite the low-grade quality of the bootlegged cam. Piracy decentralizes access to media in places that lack the exhibition infrastructure, attempting to solve the pricing problem or the issue of circulating films no longer on the formal market. Per the industry’s argument, the practice of bootleg camming could cost significant financial damage to a film’s revenue. Nonetheless, this is still debatable, as even the highest-grossing box office releases at the time were subject to bootleg camming, even ranking among the fastest to be pirated due to demand. There are many types of bootleg camming with different definition qualities, done by either the patrons or the projectors. Some forms are professionally processed (but still informal), like Telesync, which has an

original soundtrack recorded through the output of the screening which is filmed with a high-definition camera.¹³ Yet one can still recognize it as bootlegged material by the shadows of the audiences moving about the theater. In an ethnographic study, Ramon Lobato visited a vendor in an informal market in Tepito, Mexico City.¹⁴ Juan, the store owner, said he could get his hands on any film if there was a demand—whether independent productions, foreign, or old films. In the case of Nigeria’s cinema, the industry ran entirely on a straight-to-video model disseminated by street vendors up until a 2012 survey.¹⁵ These examples demonstrate the entanglements and conflicts of interest of the practice of bootleg camming in the industry’s circulation between different actors, from the films, the exhibitors, the patrons, the projectors who record the screening, the street vendors, and their consumers.

Street vendors who circulated bootlegged VHS tapes and DVDs were also the avenue through which the Vietnamese accessed movies. Back when there was a lack of exhibition facilities, going to the theater was a luxury that many Vietnamese could not afford. According to Huu-Tuan Nguyen’s report, there were twenty-two cinemas in the country in 2011.¹⁶ Television and video were the major sources of access to films, with the majority of videos being bootlegged materials and were mostly cam-recorded in the theater. Laws to protect the theater from bootlegging had come into consideration in 2015 and were implemented in 2018, under pressure from private investments.¹⁷ The passing of these laws demonstrates a change in the media’s consuming culture as a part of the economy becomes illegitimate after policy reform supports adopting an industrial model. The installation of privatized exhibition has pushed certain forms of urban inhabitation to the fringe of legality. Nevertheless, as a social symptom reacting to capitalist imposition combined with the cultivated habit of consuming pirated content, bootleg camming still finds a presence in in the digital age through numerous websites and tactics on social media.

The period after 2006 has witnessed a wave of Vietnamese diasporas returning to make films in the country. *The Rebel* (dir. Charlie Nguyen, Vietnam, 2007) was the demonstration of how the Vietnamese diasporas could bring value to the industry with technologies, business models, circulation circuits adopted from Hollywood.¹⁸ The movie became the highest box-office record for a Vietnamese film globally at the time, with many international awards. Despite the theatrical record, the movie was unable to sell secondary release as bootlegged copies in many forms were already

pervasive, as argued by Nguyen Chanh Tin, the producer of the film.¹⁹ In 2014, he declared bankruptcy, citing the movie's unrecovered loss, as the box office record gross was still below half the production cost. The movie failed on its secondary run after its theatrical one due to piracy. Since the early days of opening up the industry, Vietnam's cinema has already faced the inextricable challenge of capitalist privatization of piracy. In this period, media piracy and the diaspora played key roles in the felt internationalism exchange between the Vietnamese film industry and the Hollywood market.

Ngo Thanh Van was one of the pioneers of the diaspora's resurgent wave with her domestic debuts *Saigon Love Story* (dir. Ringo Le, US, 2006) and *The Rebel*.²⁰ She first returned to Vietnam as a model, then switched to singing, and finally landed on a career in the cinema industry. In her cinema career, she has also challenged herself in directing and producing through the formation of her production company, Studio 68. The company has made many commercially successful films through adopting Hollywood standards and operation models but prioritizing Vietnamese elements, such as certain myths, traditions, and popular news stories. The studio's ambition to reach the international market can be explained by Charles R. Acland's assessment of the relationship between the global and local.²¹ Acland argues that the dichotomy between local and global is inadequate to articulate other nuanced contexts, such as how the global becomes the local and the local becomes the global.²² Ngo Thanh Van's agenda is to adopt the Hollywood vernacular paradigm to make the local go global, resulting in a global brand that comes from Vietnam.

Ngo Thanh Van is also a vocal advocate for intellectual property rights in Vietnam. Most prominent is her issue with bootleg camming, but this is further complicated by the changes of livestreaming presents to the traditional working model of bootleg camming. Before the popularity of social media, the bootlegging cam was still a product after the show. One records a movie in the theatre then makes copies in different forms to sell to the street vendors or the pirate websites. Bootleg cams in the age of social media livestream directly to Facebook by the smartphone, while the patron watches in the theater. This livestreaming period has witnessed the decline of bootleg camming as piratical practices submit more to Facebook's surveillance. In the case of *The Tailor* (dir. Kay Nguyen and Buu Loc Tran, Vietnam, 2017), Ngo Thanh Van caught a patron who was livestreaming on the spot and escorted him to the police station.²³ The story went viral on media outlets, with her following up with other commentaries to assert the

issue. Though this kind of livestreaming had happened many times before, Ngo was the first to catch the violator, emphasize the incident in many press conferences, and pressure the government to implement regulations.

After other similar incidents followed by fellow filmmakers who put pressure against the practice, bootleg camming was gradually terminated from Vietnam’s cinema. The determination of the domestic private sectors gave American platforms the confidence to enter the industry, with Netflix as the typical one in 2016. In 2019, *Furie*, a film produced by Ngo Thanh Van, became the first Vietnamese film to be featured on Netflix’s worldwide access after scoring box-office success in the domestic market. Before the theatrical release, Ngo Thanh Van released a series of publications warning against the practice of bootleg camming, including a behavior-code video disseminated on YouTube and before the screening of her movie, a social-media campaign, news coverage, and press conferences. In an interview with *Saostar*, she stated that the contract with Netflix to release *Furie* in over one hundred countries forced the company to be firm about bootleg camming. With *Furie*, Ngo Thanh Van wanted to set an example for other domestic films to get foreign investment and perform a determined attempt to terminate the practice of bootleg camming. Since then, no bootleg camming has been reported in the industry.

From a country thoroughly depending on pirated media, Vietnam became one of the strictest in fighting infringement on domestic films. Since 2013, there have been no studio DVDs for Vietnamese films in the domestic market, though some films are still sold in the foreign market, as in the case of *Sweet 20’s* DVD circulation in Japan (dir. Phan Gia Nhat Linh, Vietnam/South Korea, 2015).²⁴ Customers are required to pay a premium monthly subscription to access exclusive copyrighted content. Some film distributors sign contracts with domestic platforms that have strict protocols to prevent piracy. For example, to sign up for an FPT Play account (a domestic streaming platform), one must have a domestic phone number, which restricts the access of those outside the country. Although Netflix conditions copyright as a crucial duty for the producer to fulfill, pirates take advantage of Netflix’s loopholes to pirate its accounts and resell access at a lower price. Nonetheless, this account-piracy practice does not apply to domestic platforms as these platforms understand the Vietnamese people’s consuming behavior and negotiate directly with the government for regulations. Finding a bootlegged Vietnamese film is even more difficult than finding Hollywood film bootlegs.



Figure 1. Screen capture (November 2020): Pirated platforms' accounts for sale on Facebook (40k VND, approx. 2 USD a month)

For the industry to develop robustly in a capitalist manner, strict control must apply over intellectual property to concentrate capital for the studios and attract foreign investment. By January 2018, anyone caught livestreaming, or bootleg camming in the theater will be prosecuted with a maximum three-year sentence and a hefty financial penalty, justified by economic loss from the film's producer.²⁵ The event has led to the dramatic decline of bootleg camming in the theater, but piracy continues to flourish in other forms. With the ambition of reaching the global market, movie theaters are better to protect the copyrights of Vietnam's cinema, while foreign platforms like Netflix still struggle to gain market share in Vietnam due to piracy and a lack of Vietnamese content.²⁶ Despite the proliferation of the platform economies, the understanding of Vietnamese people's consuming behavior and the circumstances of media piracy in Vietnam allow the private sector to take a different route from Hollywood in terms of the circulation circuit and emphasize the importance of the theatrical institution.

By looking at piracy through the lens of development of the bootleg cam, this project tries to demonstrate the changing dynamics in Vietnam's cinema

industry. With the privatization of the film industry in 2006, the expansion of the private sectors led to a drastic change in the consuming culture of cinema in Vietnam with an adaptation to international markets; this can be seen in the struggle between exhibition institutions and pirates. Although foreign investments significantly influence how the industry conducts its intellectual property policies, the corporations behind these investments fail to protect themselves from piracy. Therefore, the foreign corporations' investment depends on the domestic private sectors' efforts and the government to curb piracy. Using Charles R. Acland's notion of *felt internationalism*, this project looks at the international expansion of exhibition institutions from the context of Vietnam's cinema industry. The expansion is not just the domination of the American global on the local. The national industry adjusts itself to expand internationally by adopting American vernacular models with national contextual adaptation.

Notes

- 1 Huu-Tuan Nguyen, "Vietnam," *2019 AFiS Film Industry Reports*, December 2019, 288–306.
- 2 Ibid.
- 3 Ibid.
- 4 Charles R. Acland, *Screen Traffic: Movies, Multiplexes, and Global Culture* (Durham, NC: Duke University Press, 2005), 239.
- 5 Acland, "Traveling Cultures, Mutating Commodities," and "Zones and Speeds of International Cinematic Life," in *Screen Traffic*, 23–44, 130–162.
- 6 Ibid., 239.
- 7 Rodolphe Durand and Jean-Philippe Vergne, *The Pirate Organization: Lessons from the Fringes of Capitalism* (Boston, MA: Harvard Business Review Press, 2013).
- 8 Ramon Lobato, *Shadow Economies of Cinema: Mapping Informal Film Distribution* (London: British Film Institute, 2019), 43.
- 9 Joshua Neves, *Underglobalization: Beijing's Media Urbanism and the Chimera of Legitimacy* (Durham, NC: Duke University Press, 2020), 14.
- 10 Ibid., 14.
- 11 Ibid., 10.
- 12 Lobato, *Shadow Economies of Cinema*, 43.
- 13 "Telesync," AfterDawn: Glossary of technology terms & acronymseb.archive.org/web/20120204122737/http://www.afterdawn.com/glossary/term.cfm/telesync (accessed 16 December 2020).
- 14 Lobato, *Shadow Economies of Cinema*, 86.
- 15 Ibid., 22.
- 16 Nguyen, "Vietnam," 288.

- 17 “Livestream Trong Rạp Chiếu Có Thể Bị Phạt Tới 3 Năm Tù,” Luật sư X, 1 January 2020, lsx.vn/livestream-trong-rap-chieu-co-the-bi-phat-toi-3-nam-tu/ (accessed 16 December 2020).
- 18 “Vietnamese Film Draws Record Crowds,” Vietnam News, 3 May 2007, web.archive.org/web/20141006112746/http://vietnamnews.vn/print/164211/vietnamese-film-draws-record-crowds.htm (accessed 16 December 2020).
- 19 Tùng C P, “Nguyễn Chánh Tín Từng Điều Đứng, Mất Nhà, Phải ở Trọ Vì Đốc Hết Tài Sản Làm Phim,” Báo Thanh Niên, 4 January 2020, thanhnien.vn/van-hoa/nguyen-chanh-tin-tung-dieu-dung-mat-nha-phai-o-tro-vi-doc-het-tai-san-lam-phim-1168038.html (accessed 16 December 2020).
- 20 “Ngô Thanh Vân—ELLE Network,” ELLE Vietnam, www.elle.vn/elle-network/star/ngo-thanh-van (accessed 16 December 2020).
- 21 Acland, *Screen Traffic*, 40.
- 22 Ibid., 41.
- 23 Phong Thanh, “Phim ‘Cô Ba Sài Gòn’ Bị Quay Lén: Ngô Thanh Vân Gửi Hồ Sơ Lên Công An,” Báo điện tử VTC News, 15 November 2017, vtc.vn/phim-co-ba-sai-gon-bi-quay-len-ngo-thanh-van-gui-ho-so-len-cong-an-ar363139.html (accessed 16 December 2020).
- 24 Phuc Du, “Phim Việt Bây Giờ Chiếu Xong Là Mất Hút, Muốn Xem Lại Cũng Không Biết Xem ở Đâu!” kenh14.vn, 17 October 2017, kenh14.vn/phim-viet-bay-gio-chieu-xong-la-mat-hut-muon-xem-lai-cung-khong-biet-xem-o-dau-20171017120941617.chn (accessed 16 December 2020).
- 25 “Livestream trong rạp chiếu có thể bị phạt tới 3 năm tù,” Luật Sư X, 19 November 2019, lsx.vn/livestream-trong-rap-chieu-co-the-bi-phat-toi-3-nam-tu/ (accessed 16 December 2020).
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