Copying *Kill Bill*

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Holding a pirated VCD copy of *Kill Bill: Vol. 1* (dir. Quentin Tarantino, 2003) that he found on a Beijing street, U.S. Commerce Secretary Don Evans solemnly warned the Chinese government in his Beijing press conference: "We have been patient but our patience is wearing thin."[1] Evans was on the mission to coerce the Chinese government to further open its markets for American products and services; this economic mission was a crucial item in George W. Bush's reelection campaign, and Evans chose to attract media's attention and solicit the American people's identification by picking up on a pirated Hollywood film as the ultimate symbol of China's disrespect of fair trade in general and the country's robbery of American wealth specifically. The VCD copy, according to Evans, was found all over Beijing, yet the film had begun its first run in movie theaters in the United States just two weeks before and was not available in U.S. stores in video or DVD format. Evans told members of the American Chamber of Commerce in Beijing that "it didn't take long. In the last twenty-four hours, I was able to purchase a CD on the streets of Beijing."[2] As Evans had arrived in Beijing only the afternoon before, his assertion simply implies that hitting the streets of the capital to locate a bootlegged version of a recent big-hit Hollywood film was the first, and probably the most important, task for this high-profile China visit. With a pirated film in hand, Evans could praise American creativity, criticize protectionism, defend globalization, celebrate market liberalization, and curse political authoritarianism all at the same time. The bootlegged *Kill Bill* VCD effectively condensed a basket of capitalist ideology into one sublime object.

Behind this sublime object is the American interest and power governing the current copyright discourse. As Ngai-Ling Sum demonstrates, "New narratives such as the 'copyright story' and new data such as 'piracy statistics' enable the self and the others [of the United States] to be redefined. Once classified as 'copyright partners' or 'copyright enemies' (i.e., pirates), countries then either join the ranks of 'most-favored nations' or are placed on the U.S. 'Watch List.'"[3] While Hollywood—as revealed in *Kill Bill*, which I discuss below—is itself a major pirate of global trends and tropes, it is always the accuser against other countries for violating

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Hollywood works, as it forges a national cinema through the construction of its enemies.

Film scholars have repeatedly stressed the difficulties of conceptualizing the structure and practice of national cinema because of the transnational nature of today's cinema—in terms of financing, production, and reception.[4] Although widely used, the concept of national cinema is often more a convenient hypothesis than a real practice of filmmaking and film viewing.[5] An uncritical use of national cinema is also often accused of being ignorant of "nation" as an illusive and oppressive concept.[6] There is, however, still a legitimate academic use of national cinema: as a hypothetical model against Hollywood.[7] Hollywood, therefore, is always the opposite of national cinema, both in terms of its own transnational nature and its hegemonic position condemned as the enemy of all national cinemas. But relatively few have discussed if Hollywood can be considered a "national" cinema. Focusing on *Kill Bill*, I want to complicate the national-transnational dynamics of Hollywood on two dimensions: its transnational textual appropriation and its global distribution, both of which are protected and complicated by the U.S-centric copyright discourse. To situate the global status of Hollywood textually and contextually, I am interested in exploring how *Kill Bill* is understood as "copy" on the levels of both representation and industrial product; I also want to analyze how the copyright discourse, although a handy and powerful tool for Hollywood to reinforce its global interests, always fails to fully control the global cinemascape precisely because a film is not only an industrial product but also a complex system of representation.

Copyrighting Hollywood

Scholars have reminded us that Hollywood's hegemony is maintained by many industrial mechanisms that regulate its transnational markets, capitals, and labors. Most of its revenue comes from its international markets, which continue to be fed back to the cinematic apparatus to mold the global taste according to a fantasized American standard. The media conglomeration process begun in 1985 also made all the major studios transnational.[8] There has been an exodus of production from Los Angeles to anglophone countries with lower production costs.[9] But Hollywood's "transnationality" describes only its investment and production; the brand name continues to be American. In other words, Hollywood's "transnationality," which traverses both its production and its market, only reinforces the American control. As Toby Miller and others in *Global Hollywood* summarize the contradiction between labor and control:

"There are highly-developed efficiencies available from a skilled working class in places that nevertheless continue to import what is made on 'their' territory—but never under their control."[10]

A major player sustaining the order of this transnational control is the copyright discourse. The underlying logic of the universal application of copyright is its indifference to the nationalities of the products and parties involved, yet both Hollywood as a cultural product and copyright as a global political discourse are filled with national interests. While Americans are bringing legal actions against everybody for copyright infringements, almost no producers outside the United States file lawsuits against the American studios for related matters. In an interview I asked Lawrence Ka Hee Wong, director of film-physical production of Shaw Brothers, about the "Shaw Scope Wide Screen" title card that appeared in *Kill Bill: Vol. 1*.[11] Wong disclosed that Tarantino's Super Cool ManChu production company did contact Shaw for the title card. For similar cases Shaw would need to watch the film before it made the decision; but for the case of *Kill Bill*, Shaw was so honored by this credit that it released the copyright without watching the film beforehand. In fact, as Wong revealed, Shaw originally wanted Tarantino's production company to put the credits in words instead of indirectly through the Wide Screen title card. However, Super Cool ManChu refused the request based on some alleged artistic concerns, and Shaw happily conceded.

Secretary Evans's arrogance and Wong's humbleness reveal one interesting feature in the present copyright discourse governing the film industry: America's dominant position versus the rest of the world. This copyright discourse has a strong national tag: people believe that the United States is the leader of the copyright discourse and thus should be held up as the standard to which all other countries' copyright protection should aspire. Unlike the situation in Hollywood, the increasing global popularity of Hong Kong cinema has not led Hong Kong's major studios, such as Shaw, to seek more copyright of their works. To my surprise, Lawrence Wong revealed that Shaw never seriously investigates if the copyright of its works is being encroached on, particularly by Hollywood's productions. Hollywood, according to Wong, is a trustworthy enterprise, as shown in some previous cases when Hollywood producers properly sought copyright permissions from Shaw.

It does not mean that Shaw has no copyright concepts. In fact, Wong complained that the copyright legal protection in Hong Kong is very weak, so Shaw registers the copyrights of its films not in Hong Kong but in the United States. Wong believes that things related to copyright "always" work properly in the States. According to Wong, the only legal copyright case Shaw has ever launched took place in 1971, when its major rival

The United States is both the leader of world cinema and the owner of global copyright, not only the copyright of products but also the discourse of copyright itself.

Golden Harvest brought Wang Yu and the Japanese star Shintaro Katsu together to make the film *The Blind Swordsman Meets His Equal* (*Shin Zatôichi: Yabure! Tojin-ken; Dubidao dazhan mangxia*) (dir. Kimiyoshi Yasuda). Shaw filed a suit against Golden Harvest's production, saying that it infringed on Shaw's earlier box-office hit *One-Armed Swordsman* (*Dubidao*) (dir. Zhang Che, 1967), in which the title role is also played by Wang Yu. According to Wong, this is the only legal case Shaw has ever pursued involving copyright matters. The irony is that the image of the one-armed swordsman is so frequently seen in *Kill Bill* that it almost becomes a parody, particularly in the case of the character Sofie, whose arms are brutally chopped away, a violent act that symbolizes the desire of The Bride (Beatrice Kiddo, or Black Mamba) to engineer the castration of Bill.[12] Arguably, Tarantino is consciously using and stealing the image and the symbolization of the one-armed swordsman for his own film, which to Shaw should be as "guilty" as Golden Harvest's borrowing was thirty years ago. But, of course, the reference to Shaw films in *Kill Bill* is read as an honor instead of an infringement.

The underlying assumption is that Hollywood productions are superior to the local ones both in terms of creativity and in the legal sense—only Hong Kong plagiarizes Hollywood, and never vice versa. The United States is both the leader of world cinema and the owner of global copyright, not only the copyright of products but also the discourse of copyright itself. As copyright discourse becomes an American diplomatic tool, the United States as a nation and Hollywood as a culture industry composed mainly of transnational corporations are conflated into one single monolithic power that defines what copyright is. Therefore the current copyright discourse circulating in commercial film industries is highly conscious of nationality, but only in one direction, with American corporations accusing people of other countries of infringing copyright. Under the protection of the globally applicable yet U.S.-centric copyright discourse, the United States is always the victim and, ironically, is legitimated to ask for revenge (similar to The Bride in *Kill Bill*).

However, although today's major cultural conglomerates effectively manipulate copyright for their own interest, the ability of the legal discourse to regulate the order of world cinema is less powerful than what Evans would like it to be. A film is not only a commodity but also a complex system of cultural representation, in which cultural exchanges are so complex that today's copyright discourse can never clearly differentiate between copyright infringement and cultural appropriations, as clearly shown in *Kill Bill*. One interesting example that demonstrates the complexity and contradictions of this "copyrighting" discourse of Hollywood is again the "Shaw Scope Wide Screen" title card seen in *Kill Bill: Vol. 1*, which as

far as I know is included in versions for all regional markets. It is clearly an indication of piracy; or, more correctly, it is against the trademark law. But in this case, Tarantino's piracy becomes an act of honor, because the title card not only is a trademark but also calls attention to a specific representation politics. The card differentiates those Shaw fans, like Tarantino himself, against those, probably the majority of its viewers who are teenagers in the West, who do not know Shaw films. And the film would be read very differently by those viewers who recognize the Shaw title card and those who do not. From Tarantino to Wong and the fans, the title card is a secret code that marks a network of community, something the copyright discourse never addresses or is equipped to understand. In the following, I elaborate on the complexity of Hollywood as a national cinema by focusing precisely on these two levels of cultural circulation in *Kill Bill*: the legal copyright discourse defining and protecting the film's commodity status, as well as its representation politics allowing it to be embraced by viewers all over the world.

Idea Copying versus Product Copying

To understand the complicity between Hollywood and the copyright discourse serving it, I first examine some of the fundamental principles of the current copyright discourse. The present scope of intellectual properties includes patents, trademarks, trade secrets, and copyright. While the first three protect business interests and can more easily be conceptualized within legal discourse, copyright is ambiguous, as it aims to provide incentive to create and distribute creative works, and therefore concerns the complex cultural domain. A major foundation of today's copyright discourse is the "idea-expression" dichotomy, which upholds the universal right to freely access and recycle ideas but prevents anyone from using creative expressions without the consent of the copyright holders. An assumption behind this universal right to access ideas is the limited number of ideas existing, so that everyone should have access to them in order to continue to create new expressions, whose possibilities are infinite. Ideas are considered the taproot of all creativity; restricting them to the ownership of a few people harms the well-being of human civilization in general. But expressions are linked to creativity, which should be protected. However, this idea-expression separation cannot be easily differentiated, and it has created countless debates inside and outside courtrooms. As the copyright legal expert William S. Stone claims, the differentiation between idea and expression is riddled with ambiguities: "Many a court has formulated an all-embracing theory, only to see it discarded by the next court."[13]

Despite their legal complexity, many copyright-related issues about commercial filmmaking could also be comprehended by translating this idea-expression dichotomy to the differentiation between idea copying and product copying. In the case of *Kill Bill*, for example, all the ideas being appropriated, such as the graphic violence and action designs, in general fall outside legal protection, and Hollywood, in this case, can freely use ideas of other cinematic traditions without worrying about being sued. Plagiarism, straightly speaking, is an ethical issue, not a legal one, as long as it concerns the infringement of idea instead of expression.[14] On the other hand, piracy is direct product copying, which suggests no ambiguities in the idea-expression dichotomy. Pirates are clearly parasitic to the existing creative products and processes, as they introduce almost nothing new to the product, with exceptions I discuss in the last section of this article. Hollywood might always incorporate foreign ideas, which, however, are rendered into new expressions, whose reproduction and distribution rights are subsequently fully protected by copyright laws. The Hollywood producers, while continuing to benefit from new ideas of other cinemas, have all the legal and commercial rights they need to stop all kinds of piracy, from video/disc to the Web.

The two poles of the idea-expression foundation of copyright discourse can be further linked to the practice of Hollywood filmmaking in its basic production and distribution industrial structure: that the copyright discourse allows the producers to borrow ideas of other cinematic traditions on the production levels while it strictly prohibits unauthorized distributors (pirates) to make and sell the products. This logic makes much sense in view of the economy of today's culture industry, as most of the investment goes into production rather than distribution, because of high up-front costs and the relatively low cost of duplication. "[Copyright protected] works all have in common what economists call a 'public goods aspect' to them. Creating these works involves a good deal of money, time and effort (sometimes called the 'cost of expression'). Once created, however, the cost of reproducing the work is so low that additional users can be added at a negligible or even zero cost."[15]

Hollywood itself is exploiting this financially uneven production-distribution system, as the major studios are increasingly relying on smaller production houses to make the movies more cheaply, while the major studios still directly control the distribution arms. As is widely known, among the three major sectors of the movie industry—production, distribution, and exhibition—Hollywood's most profitable component is the distribution, specifically the global distribution. While independent producers are responsible for the production of more films than major Hollywood studios, the majors are the only organizations that have a global network

for the distribution of a movie, so that the small production houses must collaborate with the major studios.[16] Distribution, whether legal or illegal, is where the profit is made in the movie business. Because of the weight of profit in distribution, copyright law naturally developed around that area. However, while both the Hollywood major distributors and the pirates engage in the same relatively low-cost section of filmmaking—the distribution—the current copyright is designed to protect the interests of the Hollywood majors against the pirates. Combined with the government's painstaking diplomatic efforts, major Hollywood studios invest lavishly in setting up various copyright enterprises, including the colossal Motion Picture Association of America (MPAA), to chase after pirates, coerce other countries to comply with copyright principles and policy, prove infringement, and sanction copyright violators.

The originally nationality-blinded "idea-expression" principle ends up fitting into and strengthening the present global wealth hierarchy, thus legitimizing Hollywood, as a national cinema, to continue appropriating and thereby reaping the benefits of any new ideas from other cinemas, while piracy—product-expression copying—is criminalized, as most obviously shown in the gesture of Evans equating American interests with *Kill Bill*. However, would there have been any difference if the disc Evans held was a piece of computer software with an American brand rather than a Hollywood film? To Evans and the political ideology he represents, a pirated film and a pirated computer program produce the same political signification: an American product being violated by another country. But as a film, *Kill Bill* is culturally more complex than a piece of computer software, in the way that it is not only a commodity circulated transnationally but also a system of representation itself composed of many transnational "information flows."

An example may help illustrate the point: in 1990 Hong Kong received 9.8 percent of New York's total Federal Express exports, showing the strong tie between the two global cities in the production and exchange of higher order information.[17] Sociologists have insistently pointed out that today's global economy is organized around command and control centers coordinating and innovating the intertwined activities of firms, which, according to Manuel Castells, can all be reduced to knowledge generation and information flows.[18] The global cities, of which Hong Kong is certainly one, play the key role in facilitating transnational flows of knowledge and information, which constitute the bedrock of the new global economy.[19] Using this analogy, *Kill Bill* can be seen as transnational on two levels: that the film itself is one of these Federal Express parcels (as products) circulating between different areas yet is also a creative combination of many of these parcels (as ideas). *Kill Bill* is a uniquely rich text: not only does it

present itself as a hyperpluralistic film with so many origins and sources of influence that a clear remapping of these influences is impossible and meaningless, but it could also be seen as a metacinematic text that self-reflexively comments on the "appropriating" mechanism of Hollywood. To understand the system of transnational circulation of Hollywood films, we cannot just read the film as an inert commodity being thrown around the world, we also need to examine the film text itself, which reflects and manipulates many cultural exchanges simultaneously. It is, I argue, on the level of representation that copyright becomes the least pertinent, although copyright rules precisely cover representations.

The Eternal Problem of Hollywood

The United States has become such a strong cultural power partly because it was a pirate nation in the nineteenth century. Lawrence Lessig reminds his American readers that "our outrage at China notwithstanding, we should remember that before 1891, the copyrights of foreigners were not protected in the United States. We were born a pirate nation."[20] Such active pirating practices were particularly important to the development of Hollywood in the beginning of the twentieth century, allowing it to become the largest film factory in the world. As Siva Vaidhyanathan demonstrates, Hollywood transformed from copyright-poor to copyright-rich during the twentieth century, as it shifted from its free and easy adaptation of works from copyright-rich literary authors to become in itself a global enterprise highly protective of its own works.[21] The thick copyright protection the U.S. government is seeking globally does not mean that the American culture industry need not "consult" the ideas of others. Quite the contrary, Hollywood has always actively appropriated both ideas and expressions of other cinematic traditions. As is well known, the U.S. film industry has always imported cultural workers from around the world for their creative ideas, and it also usurps ideas directly from other cinematic traditions.[22] The rapid and effective appropriation of other cinematic traditions into its own might be, ironically, one major defining feature of Hollywood as a national cinema.

As such a prolific culture industry producing hundreds of feature-length films annually, it is clear that Hollywood cannot afford the doctrine of "originality." Alan Williams identifies an eternal Hollywood problem: "Where to get the basic narratives for the huge number of films to be made each year?"[23] *Kill Bill*, consciously or not, foregrounds this eternal Hollywood problem by stating almost explicitly the film sources that it borrows. In fact, few viewers would miss the "postmodernist" style of *Kill*

Bill, which freely takes and parodies François Truffaut's film *The Bride Wore Black*, blaxploitation films, spaghetti westerns, Japanese samurai, and, of course, Hong Kong action movies. *Kill Bill* is frank about this web of "intertextuality," as shown in the opening titles—one to Shaw Brothers and one to Kinji Fukasaku—and the numerous pilfered soundtrack cues clearly directed to the Japanese and Chinese film traditions to which the film "pays homage."

As many audiences would also notice, Bruce Lee is almost the god of the film, as seen in Uma Thurman's yellow jumpsuit; the "House of Blue Leaves" sequence, which clearly was modeled after the ending scene of *Fist of Fury* (*Jingwumen*, dir. Luo Wei, 1972); the mask of the Crazy 88 team, which resembles that of Bruce Lee in *Green Hornet*; and the character Bill, played by David Carradine, who starred in the U.S. television series *Kung Fu* (1972–75) as Kwai Chang Caine, a series allegedly based on a concept by Bruce Lee. Tarantino is honest about the influence of Hong Kong movies on him. He admits in an interview about the final "House of Blue Leaves" sequence ending *Volume 1* that

> I didn't write it as a stand-alone action scene. It was just like the whole rest of the script. I was kinda working my way through it, you know. But when I didn't have a middle section, what I would do is I'd think of something I'd seen in a cool Kung Fu movie. A cool moment that Samo Hung did in that movie or Yu Wang did in that movie and let that be the space in between. Then over the course of a year I'd constantly rewrite it and rewrite it until all those things I'd take from other movies were gone and it was all filled with original stuff, so that's how I did that.[24]

If Tarantino is a distinct cult figure representing American cinematic creativity, this confession tells us partly how Hollywood creativity operates. Although Tarantino claims his authorship by asserting his "rewriting" process, the film itself betrays that Tarantino has introduced relatively little new to the sequence. Originality, according to this interview, is nothing but free appropriation and transformation, which are retouched to the point that viewers can no longer identify the originals. But an interesting statement *Kill Bill* made, in relation to Tarantino's comment on the film, is that we do see the originals everywhere in *Kill Bill*. As we all know, the film is choreographed by "Master" Yuen Wo Ping, whose work on *The Matrix* and *Crouching Tiger, Hidden Dragon* drastically redefined the filming of human actions in Hollywood. But Yuen, who himself is also highly influenced by Japanese samurai films and Hollywood westerns, also choreographed many Hong Kong action films, the films to which *Kill Bill* pays tribute and which it copies. Although in *Kill Bill*, particularly in *Volume 1*, many of the actions are supposed to be Japanese samurai fighting

instead of Hong Kong kung fu, the actions are almost all identical to ones seen in Yuen's earlier productions. While Yuen remakes his own works, *Kill Bill* is a Hollywood remake of Hong Kong films, which themselves remade Japanese and Hollywood films: it becomes difficult to differentiate between homage, parody, or simple knockoffs.

Transnational borrowing also helps facilitate Hollywood's global receptions. As many scholars have demonstrated, Hollywood's cultural imperialism is built on an effective appropriation or copying of transnational ideas.[25] The mythologized American nationality portrayed in Hollywood films is made possible through a narrative structure that tends to produce plural meanings to suit different viewers, encouraging diverse populations to read them as though they are indigenous. These narratives have meaning to so many different cultures because they allow viewers in those cultures to project their own values, archetypes, and tropes into the films. Instead of debauching a unified national identity, such diversification of meanings holds a fantasized Americanness together.

Hollywood cannot but continue to copy ideas and expressions from other cinemas in order to maintain its annual output and global domination. However, while Hollywood actively appropriates and benefits from foreign cinematic creations or production environments, the American people watch fewer and fewer foreign films. David Desser illustrates a new cinephilic culture beginning in the 1980s when video stores sprang up around the world, and when new film thugs, like Tarantino himself, watched the many foreign films that in the end turned him and others into a new generation of filmmakers.[26] Tarantino admits that he is heavily influenced by Hong Kong martial arts movies of Angela Mao and Li Hanxiang, both in terms of themes, like female revenge, and film style, like the bird's-eye view, which can both be found in *Kill Bill*.[27] Desser rightly points out that new carriers, including videos and later DVDs, and the new Web culture helped shape a new generation of cinephilists who are able to watch foreign films rather systematically. But in contrast to this cinephilia culture, the American people in general are watching fewer foreign movies, at least in terms of theatrical attendance. In the mid-1970s, foreign films accounted for 10 percent of box-office receipts. Two decades later, the number had fallen to 0.5 percent.[28] As Peter Wollen concluded about Hollywood's global reign, "American dominance . . . [is] harmful not simply to everyone else in the global market but also, above all, to America itself."[29]

Tarantino is definitely one of those self-selected die-hard fans of Asian cinema, and it took him a lot of effort in studying and enjoying many Asian movies to come up with films like *Kill Bill*.[30] But the new cinephilia Desser describes, to which Tarantino belongs, remains the pursuit of a small population. Most American viewers watching Tarantino's films know

little about Asian cinemas in general. Or what they have is a generic image of Asian cinema, composed of speed, violence, and exoticism, for which Hollywood is largely responsible.

If *Kill Bill*, or Hollywood in general, benefits from its free appropriation of foreign cinematic practices, a major problem that results is a cultural conflation among the different cinemas and cultures that it appropriates. People are attracted to *Kill Bill* by its diffused Asianness, in which the Japanese and Chinese filmic traditions merge into an undistinguished whole, although the hilarious Master Pai Mei in *Volume 2* does remind viewers of the racism in Hong Kong cinema against the Japanese. The film is clearly too self-reflexive for us to believe that Tarantino is so confused by the two distinct cinematic cultures to misread one as the other. Instead, working along the Generation X mentality, everything is there to be mocked, including both Hollywood itself and the Asian cinemas to which the film supposedly pays tribute.

As a result, neither the Japanese nor the Hong Kong cinemas being credited in *Kill Bill* remained unified. The climactic Japanese restaurant "House of Blue Leaves" scene in *Volume 1* was filmed in Beijing.[31] According to Tarantino, there are three main advantages of this location: "The Beijing team of master Woo Ping, the Crazy 88; a vividness and invigoration of Chinese cinema that Tarantino aspires to; and shooting in the Chinese way, i.e., lame concept of scheduling."[32] Clearly, Tarantino is attracted to the Hong Kong way of filmmaking, from the skilled labor (Yuen Wo Ping and his crews) to daily logistics (the lame scheduling). But the distinct Hong Kong flavors correspond not only to the production logic behind the scene but also to the general tone of the film. The architecture of this Japanese restaurant is so un-Japanese (despite the few Japanese icons such as flower arrangements) that it resembles less a Japanese restaurant than the traditional Chinese teahouse or motel (*kezhan*) so often seen in Shaw costume pictures, with flying bodies freely tossed away from the second floor to the foyer. Deliberate or not, the film is full of such Japanese-Chinese conflation. It inserts a "Shaw Scope" title card in the film's beginning, while the film is supposed to be an homage to Kinji Fukasaku. Lucy Liu, who is a Chinese American, portrays O-Ren Ishii (Cottonmouth), queen of the Tokyo underworld. Combining Japanese animation (*anime*) and the Hong Kong style of kung fu, *Kill Bill* can be seen as distinguishably American, as it is neither Japanese nor Hong Kong. As James Steintrager claims, for the cult phenomenon of Hong Kong cinema in the United States, "We are led to infer that the fan's biggest crime is really that he does not care for the hermeneutic task of understanding the other at all."[33]

However, I am not condemning this plagiaristic, or parasitic, practice of Tarantino, in the same way that Steintrager reminds us not to use cultural

criticism to legitimize a "right" kind of spectatorship against the "wrong" kinds.[34] It is unproductive and ignorant to hold onto individual cinematic traditions as discrete and independent, as we all know that they, like all national cinemas in the world, mutually influence each other constantly. If *Kill Bill* plagiarizes Hong Kong cinema, Hong Kong cinema has often plagiarized Hollywood and other cinemas. Plagiarism is not only an eternal problem of Hollywood but also an eternal problem of cinema as a culture industry, which always works hard to maintain the pseudo-individualization of its indeed very standardized products. *Kill Bill* is unique largely because it highlights instead of conceals such acts of plagiarism.

While the climactic fighting scene in the Japanese restaurant is distinctly Hong Kong, the Shaw kung fu style developed in the 1960s and 1970s was highly indebted to Japanese cinema. The two most distinct Hong Kong cinematic entities *Kill Bill* refers to are Shaw Brothers and Bruce Lee, which in their own ways are connected to Japan.[35] The 1970s Shaw Brothers Tarantino pays homage to was a quintessential dream factory, which produced a steady output of formulaic films in the most efficient and effective way. If it is famous for Hollywood to recruit foreign talents to support its empire, Shaw ran the same way during its peak. The studio was engaged in elaborate cooperation with Japanese studios, filmmakers, and talents beginning in the 1950s, and the recruits included masters like Mizoguchi Kenji, who directed *Princess Yang Kwei Fei* in 1955, and some less famous but highly talented Japanese directors, such as Inoue Umetsugu, to station in Hong Kong to produce standardized generic works.[36] In fact, it was the Japanese cinematographer Nishimoto Tadashi who patented the Shaw Scope Wide Screen process,[37] whose title card was shown in the beginning of *Volume 1*. The several rapid zoom ins on Pai Mei in *Volume 2* so clearly calling viewers' attentions to Shaw films was also likely a technique Zhang Che and his generation of Hong Kong filmmakers learned from Japanese costume epics (*Jidaigeki*) on film and in television dramas.[38] Li Hanxiang's famous "bird's-eye fighting shot" that fascinates Tarantino, who reproduced it in *Kill Bill*, can also be found in Japanese cinema as early as 1943 in Akira Kurosawa's first film, *Sanshiro Sugata*.

On the other hand, the films of Bruce Lee also have a strong Japanese dimension. As I have mentioned earlier, the "House of Blue Leaves" sequence is modeled after the ending scene of *Fist of Fury*, in which the space—shifting through the Japanese sliding doors—gives both Thurman and Lee different layers of spatial and emotional dimensions. We must notice that while *Fist of Fury* preaches an anti-Japanese sentiment, the film appropriates a lot of Japanese cinematic stylistics, particularly from the samurai films, partly reflecting the practice of Hong Kong cinema at that time. Bruce Lee himself, of whom Uma Thurman's yellow jumpsuit and Asics Tiger shoes

unmistakably remind us, also incorporated Japanese martial arts into his Jeet Kune Do. The yellow jumpsuit allegedly represents no specific style of martial arts, but it gives the wearing subject the freedom and power to adapt to any form of fighting, which might also accurately describe Hollywood as a national cinema. In other words, Thurman's gender-ambiguous Lee look could be seen as the sublimed cultural symbol of "having no style as style." Since Hong Kong cinema always freely appropriates ideas and expressions from other cinematic or cultural traditions, the sources that *Kill Bill* plagiarizes are not "original" as such. When advertising *Volume 1* in London, Tarantino explained to British reporters his favored style of movie making: "I like movies about people who break rules, who are mavericks."[39] The yellow jumpsuit may represent precisely such an attitude of rule breaking. But what are the rules to break? In what ways can cultural appropriation with such elaborate intertextuality be seen as rule breaking, or rule abiding? Or is the question "who is copying whom" still a meaningful one in today's global culture industry, which has to be fed by the rapid recycling of ideas and expressions?

Notwithstanding its diverse sources of appropriation, *Kill Bill*, however, is not a metatextual celebration of Hong Kong and Japanese cinema; the films being appropriated are as honored as defamed. I must emphasize here that such a "dialogic" system of mutual borrowing is not necessarily egalitarian and receptive, as literary critics such as Mikhail Bakhtin would suggest.[40] Instead, violence is often involved in every act of appropriation and alternation, particularly in commercial cinema. According to Thomas Leitch, remakes in the end always deny their originals. "Although remakes by definition base an important part of their appeal on the demonstrated ability of a preexisting story to attract an audience, they are often competing with the very films they invoke."[41] According to Leitch, the fundamental rhetorical problem of remakes is to mediate between two apparently irreconcilable claims: that the remake is just like its model, yet that it is better. Leitch calls this paradox disavowal: the combination of acknowledgment and repudiation in a single ambivalent gesture.[42]

If *Kill Bill* is a remake paying homage to the Asian films it alludes to, it is also an update and a transcultural rewrite of Asian cinema for serving and entertaining a new generation of American and global audience members. The remake, therefore, implicitly criticizes the original as outmoded, which in this case would mean that the white woman Uma Thurman is more relevant to today's film viewers than the Asian male Bruce Lee. In other words, by so stylistically calling attention to Bruce Lee, as shown in the highlighting of his yellow jumpsuit, Tarantino is also calling attention to Bruce Lee's datedness. It is only through Tarantino's remake, or parody, that Bruce Lee can still be "fun." As Leitch comments, many of Hollywood's

remakes of foreign films are imperialistic, as the goal of the remake "is to translate not a language but a culture."[43] The Hollywood remake tries to tame the uncompromising, difficult, and ultimately unresponsive elements of the original films to the demands of American consumers. In the case of *Kill Bill*, despite the same jumpsuit, Thurman is purged of the animalistic nature of Bruce Lee: she kills because her child is killed, while the narcissist Lee kills often for the sake of self-performance and self-mythologization.[44] Although in *Volume 2* Bill reminds The Bride that she is obsessed with killing, at the end she happily recedes to the mother role she has so much desired. In the final scene of *Fist of Fury*, Lee hops into the camera, posing a direct confrontation with the viewers; in contrast, Thurman smiles gently and romantically at the ends of both volumes, a gesture that tames all the previous anger she shows in the films.[45]

Therefore the kind of transnational cinematic appropriation shown in *Kill Bill* is more than a cobweb of intertextuality that few contemporary cultural productions could avoid; it also reveals necessary blending of cultural specificities in the mutual copying of ideas in today's commercial cinema, on which Hollywood as a (trans)national cinema is based. Hollywood cinema constantly borrows elements from other national cinemas, but at the same time the cultural identities of these details are deliberately confused and diffused. These foreign influences, which themselves are not culturally pure to start with, are either concealed by Hollywood packaging or highlighted as cultural gimmicks, which are put back in the market to be consumed by viewers all over the world.

Piracy and Its Demystification of Hollywood's (Trans)Nationality

If the eternal problem of Hollywood, as Alan Williams claims, is to find new film expressions, copyright also becomes its eternal problem, as copyright supposedly prevents people's free appropriation of cultural creativities. The biggest irony, of course, is that the current copyright discourse ends up protecting Hollywood but not protecting the sources it appropriates. Despite the extremely complex politics of transcultural appropriations in *Kill Bill*, Secretary Evans is able to resort to the totalizing discourse of copyright to forge the film as a national product. Seeing piracy as an economic crime, the American movie industry is determined to annihilate it as a production and distribution system outside the control of the U.S.-centric cinema order.

We can go back to the pirated disc of *Kill Bill* that Evans held in his hand to discuss why movie piracy is so threatening to Hollywood. I also

picked up a pirated DVD version of *Kill Bill: Vol. 1* in an obscure shopping mall in Hong Kong, which might reveal partly how this Hollywood (trans)national identity works. The visual quality of the DVD was quite satisfactory, and its prompt availability indicated that the version was taken from a screener copy, leaked out during the postproduction process.[46] Despite the good visual and audio quality of the pirated disc that very much resembles official copies, one major element defining the unique pirated-Hollywood-movie-watching experience is the ridiculous subtitles. While the pirates try to invest as little as they can in their businesses, they are the distributors of these pirated films and have to assume one major duty: dubbing or subtitling. The screener copies that serve as the master version usually do not provide subtitles yet. So the subtitles in the pirated copies are interesting on the grounds that, first, they are the most obvious components the pirates add on the product, and, second, they demonstrate how people outside the United States understand Hollywood films.

Predictably, we run into translations of very low quality in pirated films. The results are sometimes incredible, with subtitles suggesting little of, or sometimes meanings opposite to, the real dialogues, thereby subverting the meanings of the story. One interesting mistranslation I found in my pirated *Kill Bill* DVD is in the scene of the kitchen of Vernita Green (Copperhead), when the two fighting women are taking a break after Green's daughter comes back home from school. The dialogue between the two is as follows (copied from the subtitles of the official DVD version):

> Green: "You bitch, I need to know if you will gonna starting more shit around my baby girl."
> The Bride: "You can relax for now, I'm not going to murder you in front of your child, ok?"
> Green: "I guess you are more rational than Bill led me to believe you are capable of."
> The Bride: "It's mercy, compassion, and forgiveness that I lack, not rationality."

But the subtitles of the pirated version translate the dialogue as follows:

> Green: "You bitch, never want to hurt my daughter."
> The Bride: "Can we have a chat? I won't hurt your child."
> Green: "I can't believe you have such a temper."
> The Bride: "That's my way, passion; not nationality."[47]

This set of subtitles, as clearly shown, corresponds little to the real dialogues, and even suggests incorrect information, as The Bride originally says she does not have any passion, while the subtitles of the pirated ver-

This beautiful American lady has been too violent to comply with the stereotypical Chinese reading of the American people. . . . No matter how much *Kill Bill* incorporates features of other cinematic traditions to become a global product, the American tag is always in its global receptions.

sion suggest otherwise. These kinds of subtitling mistakes are everywhere in pirated movies, sometimes to the extent that the story line becomes incomprehensible. But the most astonishing mistake in this clip is the term "nationality" replacing "rationality." The viewers do know that The Bride is an American, and the nationality she refers to would be her American identity. So she is really saying: "Yes, I am a rude person, in spite of my American nationality, which is supposed to make me otherwise." Not grasping the dialogue, the interpreter has to rely on his or her prior cultural assumptions—the American people, at least seemingly, are not rude—to make sense of the scene. In the film, this beautiful American lady has been too violent to comply with the stereotypical Chinese reading of the American people, for which Hollywood is partly responsible. This subtitle translation demonstrates that no matter how much *Kill Bill* incorporates features of other cinematic traditions to become a global product, the American tag is always in its global receptions.

There is another subtitle mistake in the pirated *Kill Bill*. In the ending scene of the "House of Blue Leaves" sequence, The Bride is engaged in the final fight with O-Ren Ishii in the snowy backyard. Ishii hits The Bride in her back, and The Bride is seriously wounded and dying. Ishii says, "Silly Caucasian girl likes to play with samurai sword. You may not be able to fight like a samurai; but you are going to die like a samurai." But the subtitle says: "Like the sun-rising flesh blood, your attack is just like the blazing sun of the summer; because that's your style." Unlike the earlier section, in this scene The Bride's ethnicity/nationality is repressed instead of highlighted in the pirated version. The effect is very different: while the original line presents itself as a self-reflexive metacriticism of the film, or of Hollywood in general, the pirated version maintains a poetic general tone, highlighting not the individuality of The Bride but the general cultural feelings of samurai–kung fu cinema: the "your style" mentioned here can refer to the general style of samurai films. So that while the earlier set of translation mistakes highlights the concealed American identity of the film, this second set of mistakes evades its cultural identity.

But these two sets of subtitling mistakes reveal a common logic of the cultural reception of Hollywood cinema in general—the extremely diversified local readings. Subtitling is in fact a critical component in the global circulation of films, specifically in the context of Hollywood being "properly" received globally. Notwithstanding the increasing weight of spectacles, the story line of a Hollywood film is still largely conveyed through dialogue, which is spoken most of the time in English. Proper and effective translation seems to be intrinsic to Hollywood's global regime, which, however, is the only feature that piracy cannot directly copy. At times when the translator/viewer fails to grasp the exact dialogue, he or

she adds in his or her own interpretation to complete the meanings. In the first set of mistakes shown above, the translator adds in his or her readings of American femaleness; in the second case, while the translator misses the wittiness, or the specific auteur mark, of Tarantino, he or she substitutes for it a general cultural feeling of Japanese–Hong Kong swordplay. In both cases, the translator relies on his or her own imagination to reach the missing meanings of the American product. These subtitling mistakes reveal that diversified readings are always at work in the receptions of Hollywood films. Such diversified local readings are definitely not allowed to be manifested in the official version.

However, no matter how important such diversified local readings are for Hollywood films to access different markets, they are not allowed to be manifested in the official versions. Translations of the dialogues are standardized around the world, and distributors would generally not allow regional markets to include their own taste and values to alter the original dialogues. The "creative" subtitling of pirated movies reveals a nightmare of Hollywood's global marketing, whose main task, among others, is to efface the diversified transnational receptions by forging the unity of the product, so that its major story line and dialogues are the same globally.[48] This homogenizing effect is fabricated not only in Hollywood productions but also in international films whose distribution rights major Hollywood studios acquired. Miramax, for example, both sells American films in other countries and buys the copyrights of foreign films for the U.S. market, very much overseeing and engineering the entire global film flow. While the Hollywood distributors seldom alter their American films to be screened in different parts of the world, they always alter the foreign films they purchase in order to cater to the American market. There has been a Web petition appealing to Disney, which owns Miramax and Dimension Films, to cease altering Hong Kong films that they distribute, particularly in their irresponsible editing. As the petition's statement claims, "The movies often have footage removed by Disney because they consider it objectionable (violence, drug use, etc.), because it contains Chinese/Asian cultural and/or political references which North American viewers may not fully understand, or (most often) simply because they want to make the movie shorter and/or change its pacing."[49] In fact, Disney claims exclusive distribution rights for many Asian films not only in the United States but also in many parts of the world, thus deciding how these Asian films should be watched worldwide.[50] A major rationale behind the alterations done to the original films to be shown internationally is the comprehension ability of the American audience, so that the world is watching the Hong Kong films in the versions supposedly most comfortable for American viewers.

Pirated films might be able to escape this total Hollywood control,

so that global viewers could resort to pirated Hong Kong films to bypass the mediation of U.S. distributors. However, we cannot consider piracy subversive at all. As I have mentioned elsewhere, the cultural meanings of movie piracy are precisely not its implications of (anti-)capitalist will and discipline but its dissemination and disorder. Movie piracy can be seen as the largest crime collectively committed by the people against the authority of both the state and the capital. But this piracy by no means creates a self-empowerment of the people. Piracy demonstrates a lack of authorship, and a lack of authority, rules, and discipline.[51] Producing and watching pirated movies must not be romanticized as guerrilla warfare against media conglomerates; the pirating industry itself maintains many other forms of exploitations. But pirated films might be one of the few cultural products that demonstrate the ineffectiveness of the U.S.-centric global media order. Hollywood constantly copies ideas and expressions of others as its own, forging a national identity composed of transnational influences. The copyright discourse, which is the major guardian protecting Hollywood's global hegemony, chooses to be blind to this cultural traffic and violence; film is seen as just a commodity instead of a system of representation. The complex politics of representations, not surprisingly, resurfaces where copyright fails—pirated films reveal the underlying transnational components the Hollywood film tries to incorporate, tame, and cover up. The flawed subtitles help us see through a national myth, the myth that Hollywood films are global because they are national.

Notes

An earlier version of this article was presented at "Hong Kong/Hollywood at the Borders: Alternative Perspectives, Alternative Cinemas," a conference at the University of Hong Kong in April 2004. I thank Gina Marchetti for her kind invitation to the conference.

1. Don Evans, speech, American Chamber of Commerce, Beijing, 28 October 2003. Quoted in Chow Chung-yan, "China Will Take More Imports from U.S.," *South China Morning Post*, 29 October 2003.

2. Ibid.

3. Ngai-Ling Sum, "Informational Capitalism and U.S. Economic Hegemony: Resistance and Adaptations in East Asia," *Critical Asian Studies* 35 (2003): 378.

4. For some relevant data, see Mark Balnaves, James Donald, and Stephanie Hemelryk Donald, *The Global Media Atlas* (London: British Film Institute, 2001), 33–43.

5. Andrew Higson argues that national cinema can be a real practice, but only on the policy level, in the areas of censorship, state funding, and local economics.

See Andrew Higson, "The Limiting Imagination of National Cinema," in *Cinema and Nation*, ed. Mette Hjort and Scott MacKenzie (New York: Routledge, 2000), 63–74.

6. Paul Willemen, *Looks and Frictions: Essays in Cultural Studies and Film Theory* (Bloomington: Indiana University Press, 1994), 206–19.

7. See, for example, Stephen Crofts, "Reconceptualizing National Cinema/s," *Quarterly Review of Film and Video* 14, no. 3 (1993): 49–55; Ana M. López, "Facing up to Hollywood," in *Reinventing Film Studies*, ed. Christine Gledhill and Linda Williams (London: Arnold, 2000), 419–37; and Chris Berry, "If China Can Say No, Can China Make Movies; or, Do Movies Make China? Rethinking National Cinema and National Agency," *boundary 2* 25, no. 3 (1998): 129–50.

8. Douglas Gomery, "Hollywood as Industry," in *American Cinema and Hollywood: Critical Approaches*, ed. John Hill and Pamela Church Gibson (London: Oxford University Press, 2000), 25.

9. Aida Hozic, *Hollywood World: Space, Power, and Fantasy in the American Economy* (Ithaca, NY: Cornell University Press, 2001), 116.

10. Toby Miller, Nitin Govil, John McMurria, and Richard Maxwell, *Global Hollywood* (London: British Film Institute, 2001), 63.

11. Lawrence Ka Hee Wong, telephone interview with the author, 17 December 2003. This particular title card, together with its famous jingle, was the trademark of Shaw Brothers production in the 1970s.

12. In the American version of *Kill Bill: Vol. 1*, only one of Sofie's arms is chopped away, while both of her arms are lost in the film's Asian version.

13. William S. Stone, *The Copyright Book: A Practical Guide* (Cambridge, MA: MIT Press, 1993), 14.

14. Siva Vaidhyanathan, *Copyrights and Copywrongs: The Rise of Intellectual Property and How It Threatens Creativity* (New York: New York University Press, 2001), 33; Paul Goldstein, *Copyright's Highway: From Gutenberg to the Celesial Jukebox* (Stanford: Stanford University Press, 2003), 8.

15. William M. Landes, "Copyright," in *A Handbook of Cultural Economics*, ed. Ruth Towse (Cheltenham, UK: Elgar, 2003), 132.

16. Philip McCalman, "Foreign Direct Investment and Intellectual Property Rights: Evidence from Hollywood's Global Distribution of Movies and Videos," *Journal of International Economics* 62 (2004): 111.

17. Ronald L. Mitchelson and James O. Wheeler, "The Flow of Information in a Global Economy: The Role of the American Urban System in 1990," *Annals of the Association of American Geographers* 84 (1994): 99.

18. Manuel Castells, *The Rise of the Network Society* (Maldan, MA: Blackwell, 1996), 409.

19. Saskia Sassen, *The Global City: New York, London, Tokyo* (Princeton, NJ: Princeton University Press, 1991).

20. Lawrence Lessig, *The Future of Ideas: The Fate of the Commons in a Connected World* (New York: Random House, 2001), 106.

21. Vaidhyanathan, *Copyrights and Copywrongs*, 82.

22. See Frederick Wasser, "Is Hollywood America? The Transnationalization of the American Film Industry," *Critical Studies in Mass Communication* 12 (1995): 423–37.

23. Alan Williams, "The Raven and the Nanny: The Remake as Crosscul-

tural Encounter," in *Dead Ringers: The Remake in Theory and Practice*, ed. Jennifer Forrest and Leonard R. Koos (Albany: State University of New York Press, 2002), 151.

24. Matthew Turner, "Kill Bill Interview: With Quentin Tarantino and Uma Thurman," www.viewlondon.co.uk/home_feat_int_killbill2.asp (accessed 1 May 2004).

25. See, for example, M. Mehdi Semati and Patty J. Sotirin, "Hollywood's Transnational Appeal: Hegemony and Democratic Potential?" *Journal of Popular Film and Television* 26, no. 4 (1999): 176–89; Wasser, "Is Hollywood America?"; Scott Robert Olson, *Global Media and the Competitive Advantage of Narrative Transparency* (Mahwah, NJ: Lawrence Erlbaum Associates, 1999).

26. David Desser, "Hong Kong Film and the New Cinephilia," in *Hong Kong Connections: Transnational Imagination in Action Cinema*, ed. Meaghan Morris, Siu-leung Li, and Stephen Ching-kiu Chan (Hong Kong: Hong Kong University Press, forthcoming).

27. Turner, "Kill Bill Interview."

28. Robert W. McChesney, *Rich Media, Poor Democracy: Communication Politics in Dubious Times* (Urbana: University of Illinois Press, 1999), 38.

29. Peter Wollen, "Tinsel and Realism," in *Hollywood and Europe: Economics, Culture, National Identity, 1945–1995*, ed. G. Nowell-Smith and S. Ricci (London: British Film Institute, 1998), 134.

30. There have been many new Web sites set up and numerous dialogues surging on the Web tracing the intertextual cobweb of *Kill Bill*, demonstrating the specific kind of appeal of the film to the cinephilia Desser describes.

31. The ending titles of *Kill Bill: Vol. 1* clearly state: "Produced with assistance of China Film Co-Production Corporation."

32. Turner, "Kill Bill Interview."

33. James A. Steintrager, "An Unworthy Subject: Slaughter, Cannibalism, and Postcoloniality," in *Masculinities and Hong Kong Cinema*, ed. Laikwan Pang and Day Kit-mui Wong (Hong Kong: Hong Kong University Press, forthcoming).

34. Ibid.

35. Bruce Lee did not make any films with Shaw Brothers; he is the Golden Harvest prodigy, although Golden Harvest's boss Raymond Chow had been production manager of Shaw, which shows the unbreakable links between the two companies.

36. Darrell W. Davis and Emilie Yeh Yueh-yu, "Inoue at Shaws: The Wellspring of Youth," in *The Shaw Screen: A Preliminary Study*, ed. Wong Ain-ling (Hong Kong: Hong Kong Film Archive, 2003), 255–71.

37. Ibid., 259.

38. These zoom-in shots are also frequently seen in spaghetti westerns, but the Hong Kong filmmakers more likely pilfered it from the Japanese source, as the new 1970s Hong Kong action films are in general very much indebted to the influence of Japanese cinema and television. Thanks to Darrell Davis for the advice.

39. "Tarantino Defends *Kill Bill* Violence," news.bbc.co.uk/1/hi/entertainment/film/3157596.stm (accessed 1 May 2004).

40. For the concept of dialogic, see, for example, Mikhail Bakhtin, *The Dialogic Imagination: Four Essays*, ed. Michael Holquist, trans. Caryl Emerson and Michael Holquist (Austin: University of Texas Press, 1981).

41. Thomas Leitch, "Twice-Told Tales: Disavowal and the Rhetoric of the Remake," in Forrest and Koos, *Dead Ringers*, 44.

42. Ibid., 53.

43. Ibid., 56.

44. See David Bordwell, *Planet Hong Kong: Popular Cinema and the Art of Entertainment* (Cambridge, MA: Harvard University Press, 2000), 53.

45. This final scene of *Kill Bill: Vol. 1* can be compared with that of *Alien*. See Barbara Creed, "*Alien* and the Monstrous-Feminine," in *Alien Zone: Cultural Theory and Contemporary Science Fiction Cinema*, ed. Annette Kuhn (London: Verso, 1990), 128–41.

46. For a more elaborate discussion about the technologies involved in the making of pirated VCDs or DVDs, see Laikwan Pang, "Mediating the Ethics of Technology: Hollywood and Movie Piracy," *Culture, Theory, and Critique* 45 (2004): 19–32.

47. The subtitles in the pirated DVD have both English and Chinese versions, and this quotation is the English one, on which the Chinese ones are based.

48. Of course, there are always exceptions, which sometimes are more promotional gimmicks than real considerations of cultural differences; for example, the Asian version of *Kill Bill* is advertised as being more violent than the Western version.

49. "Appeal to Miramax: Web Alliance for the Respectful Treatment of Asian Cinema," alliance.hellninjacommando.net/faq.htm (accessed 1 May 2004).

50. In fact, Disney sometimes purchases the distribution rights to certain films for parts of the world with no intention to show the films there, to create a situation where there is less competition for Disney's own productions.

51. Laikwan Pang, "Piracy/Privacy: The Despair of Cinema and Collectivity in China," *boundary 2* 31, no. 3 (2004): 116.