Research Articles

The Therapeutic and the Transgressive

Chinese Fansub Straddling between Hollywood IP Laws and Chinese State Censorship[1]

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Abstract

Fansub has played a significant role in recent years in introducing otherwise unavailable foreign AV content to China via file transfer on pirate websites that bypass or play cat-and-mouse games with both regulators and copyright holders. Fansub further provides opportunities for participants to preserve the integrity of the source content that challenges mainstream conventions and values. This article provides an overview of fansubbing in China and discusses the complex issues involving international IP law, China's selective compliance with such laws, and the Chinese government's censorship of media and entertainment content. Specifically, the article traces the evolution of Chinese piracy of Hollywood film and television from counterfeit to fansub to tease out the larger issues of access, advocacy, and copyright infringement. Neither the legal nor the political hazard has deterred die-hard fansubbers from their "transgressions." In discussing fansub motivations, the article further examines both the transgressive and affirmative experiences of Chinese fansub through the lens of the therapeutic effects.

Keywords: Fansub, The therapeutic effects, IP laws, Censorship, Piracy

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Introduction

In February 2021, the Chinese government arrested more than a dozen people affiliated with the largest and most famous and popular Chinese piracy and subtitling site YYeTs.com (a site known domestically as Renren Yingshi), which was created in 2004 by a group of Chinese students in Canada. The arrests caused alarm among a community of people with shared passion for fansubbing (fansub), the process of fans translating via subtitling foreign audiovisual (AV) material without authorization into a local language—Chinese in this case—for free downloads. This article provides an overview of fansubbing in China and discusses the complex issues involving international IP law, China's selective compliance with these laws, and China's censorship of media and entertainment content. Given the popularity of US film and TV shows, the focus will be on Chinese fansubs' relationship with US entertainment content, which provides a case study to unpack some of these complex issues. Specifically, the article traces the evolution of Chinese piracy of Hollywood film and television from counterfeit to fansub to tease out the larger issues of access, advocacy, and copyright infringement. The article will further discuss fansub motivations and examine both the transgressive and affirmative experiences of Chinese fansub through the lens of the therapeutic effects, what I term the *therapeutic experience of fansubbing*.

Fansub has played a significant role in recent years in introducing otherwise unavailable foreign AV content to China via file transfer on pirate websites that bypass or play cat-and-mouse games with both regulators and copyright holders. Well-educated and mostly based in urban centers in and out of China, Chinese fansubbers come from a diverse range of white-collar professions, including engineers, accountants, university students and faculty, lawyers and physicians, as well as housewives.[2] As "self-appointed

2. Chi-hua Hsiao, "The Moralities of Intellectual Property: Subtitle Groups as Cultural Brokers in China," *Asia Pacific Journal of Anthropology* 15, no. 3 (May 2014): 218–41, https://doi.org/10.1080/14442213.2014.913673.

translation commissioners,"[3] fansubbers curate AV content for translation, with the earliest content coming from the United States and Hollywood films and TV dramas, which constitutes a significant portion of pirated material in the Chinese market. In addition to introducing new programs, Chinese fans of American films and TV dramas have also sought to monitor officially translated content and to safeguard the quality and integrity of the source content. There are many instances of staid official translation being outshined by the more vivid and engaging fan translation that utilizes colloquial and vernacular Chinese "to closely render the meaning and register of the source-language dialogue," as enumerated by Dingkun Wang.[4] Fans also go out of their way to provide cultural and historical context in the form of glosses and notes.[5]

Fansub further provides opportunities for participants to preserve the integrity of the source content that challenges mainstream conventions and values. The award-winning film *Bohemian Rhapsody* (directed by Bryan Singer & Dexter Fletcher, 2018), for instance, was heavily reedited for its official China release, with six scenes of gay themes tossed out. But fansub offered a pirated source version, returning the full experience to Chinese viewers and winning grassroots endorsement. In such instances, fansub makes visible the otherwise invisible traces of censorship and its movements. Though winning grassroots support by exposing Chinese viewers to full and diverse viewing experiences, Chinese fansub groups exist in a legal grey zone due to the pirated nature of their practice, causing complaints from foreign copyright holders for the loss of revenue and undermining the Chinese state in its international trade negotiations as the Chinese authorities seek

3. Luis Pérez-González, "Intervention in New Amateur Subtitling Cultures: A Multimodal Account," *Linguistica Antverpiensia, New Series—Themes in Translation Studies* 6 (October 2021): 67–80, https://doi.org/10.52034/lanstts.v6i.180.
4. Dingkun Wang, "Fansubbing in China—with Reference to the Fansubbing Group YYeTs," *Journal of Specialised Translation Issue* 28 (2017): 165–90, https://www.jostrans.org/issue28/art_wang.pdf.
5. Tessa Dwyer, "Fansub Dreaming on ViKi," *Translator* 18, no. 2 (2012): 217–43, https://www.tandfonline.com/doi/abs/10.1080/13556509.2012.10799509

to selectively comply with IP laws. Chinese fansub exists in a political grey zone for its transgressive practice that bypasses Chinese censors who control the inbound foreign contents.

Neither the legal nor the political hazard has deterred die-hard fansubbers from their "transgressions." How does one account for the persistence of fansub in China? In the face of inferior or incomplete translations as the result of either the stilted language of official translation or translations with intentional omissions due to the government's surveillance of sensitive content, fansubbing helps the fan community to bypass the shoddy "official" channels for a more authentic encounter with the source content. But the access fansub offers is not entirely unfettered or undiscriminatory, as the process entails content curation based on a fan's assessment of the worthiness of source contents for translation. How do Chinese fansubbers determine the materials they wish to translate? What motivates them to put in the free labor for such an endeavor? What makes the endeavor pleasurable or therapeutic? One way to understand the motivations of fansubbers is to examine the actual experiences of fansubbing. As described by fansubbers I have encountered, the process of translating and sharing popular entertainment contents can trigger instant and, at times, supercharged corporeal and emotional reactions among the fandom, which are central to our sensory engagement with audiovisual content as well as the world, and which form part of the affective therapeutic experience. The article ventures two possibilities of fansubbing motivation: a deeper understanding of the text through the labor of translation and the recognition and affirmation from the fan community.

Fansub, Piracy, and the Demand for American AV Contents

Fansubbing has become a crucial form of alternative distribution for foreign language AV content all around the world. In China, fansubbing includes media products of diverse national and linguistic origins, from Thai drama

to Ukrainian documentaries, but the most well-known fansubs in China has been those of Hollywood films, English-speaking TV dramas, and Japanese anime and dramas. AV content originating from the United States occupies a large share of the Chinese fansub repertoire. Volunteer subtitle groups emerged as early as the late 1990s, largely to satisfy demand among Chinese youth for an authentic and unadulterated viewing experience of popular US entertainment programs.

Fansubbing of American television series began to snowball in 2003 when the sitcom *Friends* was introduced to China via online streaming and pirated DVDs.[6] In response to the popularity of the series, an online forum, F6, was founded to provide fansubbing, and the term *měi-jù* (美剧, American television series) became a buzzword. Fansubs of American AV content were widespread between 2003 and 2005, causing considerable consternation among the US copyright holders who saw revenues from official distribution dissipate, resurrecting Hollywood's concern for piracy, which was "one of the thorniest issues in the olden days of Sino-Hollywood negotiation."[7] Indeed, prior to the era of streaming, the limited access to Western movies and TV shows had led to burgeoning demand for pirated AV contents, chiefly Hollywood films and TV dramas, making China one of the world's most prolific audiovisual counterfeiters of VHS in the 1980s and VCD and DVD in the 1990s.

As detailed in chapter five of Zhu's book, *Hollywood in China: Behind the Scenes of the World's Largest Movie Market*, the United States began pressuring China to adopt stringent intellectual property laws to protect IP rights as soon as China opened its door to foreign imports, opening a floodgate of pirated Hollywood films while limiting the number of titles in official circulation.[8] In 1988, the US Congress passed Special 301 of the 1988 Trade Act, giving the United States an effective tool to deal with nations that

6. Wang, "Fansubbing in China," 168.
7. Ying Zhu, *Hollywood in China: Behind the Scenes of the World's Largest Movie Market* (New York: New Press, 2022), 160
8. Zhu, *Hollywood in China*.

imposed barriers against US film and entertainment while also forbidding piracy of US audiovisual products. Countries identified by the US trade representative (USTR) under Special 301 could face a variety of retaliatory actions. Those with the greatest potential for adverse impact on US products were designated as "Priority Foreign Countries," which were subject to trade sanctions. In addition to the list of Priority Foreign Countries, "Priority Watch List" and "Watch List" were lesser categories that would not incur immediate trade sanctions. The USTR placed China on the Priority Watch List in 1989 and 1990 consecutively as it coaxed China to pursue intellectual property rights (IPR) legal reform.

Under the pressure, China, in 1990, promulgated the first copyright law under the PRC, which came eighty years after China's last dynasty issued the nation's first copyright law, the "Qing Copyright Code" in 1910.[9] The 1910 Copyright Code of the Great Qing Dynasty was short-lived, as the 1911 Revolution led by Dr Sun Yat-sen soon overthrew the Qing Dynasty. Though the idea of intellectual property was fundamentally at odds with Chinese tradition, the Qing Copyright Code nevertheless influenced copyright laws in China during the Republic era. But the People's Republic during Mao's era had little patience for copyright, and indeed intellectual property protection in general. It was not until 1990 that the Chinese Communist Party (CCP) established China's first copyright law. But the PRC copyright law signed in 1990 did not adhere to the Berne Convention, an international agreement governing copyright adopted in Berne, Switzerland, in 1886. Under the pressure from the United States, China pledged, in January 1991, to join the Berne Convention and adhere to the Geneva Phonograms Convention within the following two years, agreeing to make US products, including Hollywood films, "fully eligible for protection."

Piracy of Hollywood films ran so rampant in China by the early 1990s that it posed a major challenge to Hollywood's revenue. The Motion Picture

9. Yiping Yang, "The 1990 Copyright Law of the People's Republic of China," *UCLA Pacific Basin Law Journal* 11, no. 2 (1993), https://doi.org/10.5070/p8112022041.

Association of America (MPAA) eventually opened its Beijing office in 1994, with the twin priorities of ensuring China's effective enforcement of IPR while pressing for greater market access for major Hollywood studios, which Hollywood saw as crucial to combat piracy. In the MPAA's view, Chinese piracy was driven by censorship, quota barriers, and delayed distribution of Hollywood films. The proposed solution was for China to allow greater official distribution of Hollywood productions to mitigate the problem of piracy.

By the mid-1990s, roughly two hundred domestic films and sixty imports were released annually in China, but US films only took up ten slots among the sixty foreign titles despite the popularity of US entertainment products among Chinese audiences, which continued to incentivize piracy.[10] The MPAA took the initiative to directly engage legal and investigative companies in China to track down and carry out raids on pirates. In August 2003, Twentieth Century Fox, Disney, and Universal Studios won a civil lawsuit in Shanghai against two local companies selling pirated DVDs of Hollywood films. Yet film piracy continued to rage in China as Hollywood products became increasingly popular, making the low-capital piracy business an ever more lucrative enterprise—anyone could afford to counterfeit, and no one in China considered the sale of counterfeited goods a serious crime. As pressure mounted from the US side, Wu Yi, then Chinese vice premier and former head of the Ministry of Foreign Trade and Economic Cooperation, announced in 2004 that China would seek to lower the criminal threshold for piracy while also increasing the number of infringing acts that were subjected to criminal penalties. The same year, the Chinese regulator tightened its censorship control by issuing guidelines banning foreign programs deemed offensive to the Chinese sensibilities and disruptive to China's social stability.[11]

10. Ying Zhu, "*Hollywood in China*."

11. For a detailed list, see Dingkun Wang and Xiaochun Zhang, "Fansubbing in China," *Target: International Journal of Translation Studies* 29, no. 2 (2017): 301–18, https://doi.org/10.1075/target.29.2.06wan.

As Hollywood fought hard against tangible counterfeits of optical disks, nontangible piracy quietly emerged online in China in the early 2000s by riding the wave of peer-to-peer (P2P) file-sharing. This new breed would transform the infrastructure of media piracy "from the industry-organized, commercial manufacture of optical disks to user-generated, peer-to-peer content sharing on computer networks."[12] The rapid development of the Internet and the reduction in the price of computers in the early 2000s allowed easier and greater access to foreign AV products. Before the Internet age, fansubbers used a complicated technical procedure to type and record on VHS tapes. A device called Genlock could synchronize two different video signals, enabling the fansubbers to add subtitle translations to the illegally distributed videotapes. Fans would buy these tapes from underground clubs.[13] P2P websites such as eMules.com made it easy for fans to download foreign films and TV dramas.

But fansubbing is illegal under the international IP legal framework, and the US annual "Special 301 Report" on copyright violation makes no exception for fansubbing. Though many foreign media products have circulated in China as pirated versions, some with subtitles translated by TV stations or DVD makers in Taiwan or Hong Kong, only the popular contents from major US production companies have captured widespread media interest. It was the fansubs of popular American TV shows that first attracted media attention during the era of online piracy. In August 2006, the *New York Times* broke a story about Chinese subtitle groups translating and making available to Chinese audiences unauthorized US TV dramas such as *Lost*, *C.S.I.*, and *Close to Home*.[14] Chinese fansubs' sudden US media

12. Jinying Li, "Pirate Cosmopolitanism and the Undercurrents of Flow Fansubbing Television on China's P2P Networks," in *Transnational Convergence of East Asian Pop Culture*, ed. Dal Yong Jin and Seok-Kyeong Hong (Abingdon and New York: Routledge, 2022), 127–46.
13. Marc Shaw, "How VHS Tapes and Bootleg Translations Started an Anime Fan War in the 90s," Vice, April 22, 2017, https://www.vice.com/en/article/pg5gqk/anime-fushigi-yugi-fan-subtitles-nineties-ottawa-cosplay-vhs.
14. Howard W. French, "Chinese Tech Buffs Slake Thirst for U.S. TV Shows," *New York Times*, August 9, 2006, http://www.nytimes.com/2006/08/09/world/asia/09china.html?_r=2&.

attention was partly the result of fansub's encroachment of popular mainstream entertainment programs instead of nonmainstream AV contents that belong to the so-called geek canon with mostly "nerdy" followers, which has been overlooked by the mainstream media.

Following the *New York Times*'s story, the "underground" circulation of the US serial drama *Prison Break* was reported by the Chinese mainstream media in late 2006, though no legal actions were taken by the Chinese government. While Hollywood complained of copyright violations, the Chinese government had been rather lenient initially at cracking down on fan activities "as long as everything is kept at the material consumption level and within the party line," to quote Weiyu Zhang and Chengting Mao.[15] Chinese copyright law permits personally produced media, which are defined as nonprofit-oriented and are shared only among friends. Fansubs in the name of sharing experience and knowledge of foreign languages was considered legitimate and at times even encouraged, leaving room for Chinese subtitle groups to thrive.

In 2007, two weeks before its official release in the United States of *Spider-Man 3*, subtitled DVDs supposedly containing the latest Hollywood blockbuster movie were spotted for sale on Beijing streets, reigniting Hollywood's call for piracy crackdown.[16] In a trip to Shanghai in June 2009 to attend the Shanghai International Film Festival, Dan Glickman, the head of the MPAA, complained that the growth of film piracy was costing studios billions each year in potential revenue. Glickman lobbied China's domestic content providers for a common effort to swiftly remove pirated online content. Legalization of online media via authorized domestic sites gradually arrived in China throughout the 2010s, the period when foreign producers started to sell rights for online streaming to Chinese media companies,

15. Weiyu Zhang and Chengting Mao, "Fan Activism Sustained and Challenged: Participatory Culture in Chinese Online Translation Communities," *Chinese Journal of Communication* 6, no. 1 (March 2013): 45–61, https://doi.org/10.1080/17544750.2013.753499.
16. See chapger six of Ying Zhu, "*Hollywood in China*."

making Chinese domestic distributors Hollywood stakeholders for shared revenues. Though most fansub content did not have a legal venue to enter the Chinese market, Chinese fansubbed materials were easily accessible to audiences, sometimes even overshadowing legally imported media products. By the mid-2000s, fansubbed foreign films, TV shows, and anime could be found directly on Chinese video streaming websites, including Youku, Tudou, Ku6, ACFun, Bilibili.

Web 2.0 has made it possible for fans to connect directly with content producers, with some even participating in the "official" production process. Fansubbing groups subsequently cooperated with licensed domestic video-on-demand (VOD) websites to translate copyrighted foreign content. YYeTs, for example, was contracted by the video-streaming platform Sohu in 2010 to produce subtitles for the US show *Lost* (2004–2010) (Figure 1). This practice recalls an earlier era when Hollywood used the same tactics to co-opt counterfeiters by recruiting former pirators as their well-connected licensees for local distribution in China. Xianke, a pirated-copy distributor, was sued by the MPAA in the Chinese courts in 1994 and ordered to compensate the MPAA for damages and lawyers' fees as well as court expenses. Two years later, Warner Brothers turned around and appointed Xianke as an official distributor.[17] By converting sophisticated and efficient piracy networks to legitimate distribution channels, Hollywood majors managed to co-opt its illicit competitors, minimize financial costs, and mitigate losses.

Meanwhile, the Chinese government launched numerous anti-piracy campaigns that targeted P2P networks throughout the 2010s.[18] The campaign has continued into 2020s. Curiously, as noted by Li Jingying, the lead agency in cracking down P2P networks in the 2010s was neither the National Copyright Administration (the office responsible for copyright protection) nor the Ministry of Industry and Information Technology (the major administrative body regulating the Internet), but rather the

17. Ying Zhu.
18. Li, "Pirate cosmopolitanism," 128.

Figure 1: YYeTs' original logo and slogan: "Share, Study, Progress."
Source: YYeTs' Sina Weibo

State Administration of Radio, Film and Television (SARFT), the executive branch responsible for censoring media content under the direct order of the Ministry of Propaganda. As Li Jingying succinctly put it, the viral, distributive, and infiltrating online structure of the peer-to-peer network alarmed Chinese censors for its ability to instantly circulate content deemed inappropriate by the Chinese government. What began as a financial and IP issue has now been amplified into a political challenge of unfettered transnational cultural flow. It is worth noting that SARFT was merged with the General Administration of Press and Publication to form the State Administration of Press, Publication, Radio, Film and Television (SAPPRFT) in 2013. SAPPRFT was replaced in 2018 by the National Radio and Television Administration (NRTA) under the direct control of the CCP's Central Propaganda Department, further strengthening content regulations.

Unlike the earlier profit-driven counterfeiters, fansubbers view themselves as modern-day Robinhoods who operate in the spirit of volunteerism and free-sharing with the mission of promoting and making available otherwise censored foreign AV content. Major subtitle groups such as YYeTs run their own website and video-streaming mobile app, accompanied with an e-dictionary to facilitate viewing and enhance Chinese fans' foreign media literacy. Li Jingying's framework of a fansub group identity as "pirate cosmopolitanism" captures well fansubbers' self-image

as sophisticated cultural brokers who subvert both the for-profit capitalist system and the mind-control authoritarian regime.[19] In a similar vein, Chi-hua Hsiao, writing in 2014, deemed Chinese fansub "a moral enterprise" that delivers public goods through "disciplined practice, volunteer work and devotion to the media programs."[20] In availing their language skills and technical know-how, fansubs curate for Chinese viewers what they see as worthy foreign AV content. On World Intellectual Property Day in 2013, Chinese authorities shut down some subtitle websites, leading to online protests by fansubbers who compared themselves to Prometheus, equating pirates with those who steal fires to (en)lighten (盗版者就是盗火者).[21] This view was echoed by many Chinese netizens who perceive fansub groups as rebels with a just cause.

US copyright holders initially ignored fansub, as the US content producers and Chinese distributors saw Chinese fansub during its earlier stage as a testing ground for potential importation through China's official channels.[22] Fansub indeed provided valuable market tests for international content producers, and authorized domestic VOD websites that distributed foreign contents. But Hollywood's initial forbearance eventually gave way to vigilance as Chinese fansubs proliferated. In October 2014, the MPAA singled out YYeTs.com as among the world's most pernicious sources of online DVD piracy for offering Chinese subtitles for unlicensed Western content, many of which were US-made movies and TV shows. YYeTs.com temporarily went offline in November 2014

19. Li, 127.
20. Hsiao, "The Moralities," 220.
21. Hsiao, 226; Chi-hua Hsiao, "The Cultural Translation of US Television Programs and Movies: Subtitle Groups as Cultural Brokers in China" (PhD diss., University of California, Los Angeles, 2014).
22. Lara Farrar, "Found in Translation: China's Volunteer Online Army," CNN, accessed March 30, 2023, http://edition.cnn.com/2009/BUSINESS/06/15/china.underground.translate/.

to "clean up" its content but only to reappear in 2015, at one point moving its servers to South Korea.[23]

China issued a regulation in early 2015 to tighten control over online streaming of foreign movies and TV dramas on authorized VOD websites. Starting from March 2015, all foreign movies and TV shows to be streamed on video sites must register with the media authorities and obtain a license. All content must be screened before broadcast to prevent unexpected stories and dialogues that touch sensitive issues. Quotas were set to cap foreign movies and TV shows to less than 30 percent of the total number of domestic contents the streaming sites broadcast in the previous year.[24] The broadcast time of imports must not exceed 25 percent of each site's daily schedule. With less and limited content, official VOD websites soon lost their advantages to fansubbing websites, prompting calls for legal enforcement from the copyright holders, especially the local representatives of foreign copyright holders who nudged the Chinese regulators to act. The 2020s has seen the shutdown by the Chinese government of over 2,800 websites and apps offering pirated content and the deletion of 3.2 million links.[25] The crackdown would eventually bring down YYeTs, which reportedly offered 32,824 unauthorized film and television shows to an estimated 6.83 million members by 2021. The prosecution of YYeTs under the supervision of China's National Copyright Administration, National Anti-Pornography Office, Ministry of Public Security, and the Supreme Procuratorate revealed that the company collected membership/subscription fees ("donations") while

23. Alexa Olesen, "A Mournful Farewell to Chinese Copyright Pirates," Foreign Policy, November 25, 2014, https://foreignpolicy.com/2014/11/25/a-mournful-farewell-to-chinese-copyright-pirates/.
24. Laney Zhang, "China: Control over Foreign Movies and TV Shows on Online Video Sites Tightened," Library of Congress, September 2014, https://www.loc.gov/item/global-legal-monitor/2014-09-22/china-control-over-foreign-movies-and-tv-shows-on-online-video-sites-tightened/.
25. According to the most recent data available from "NCAC-Top News," National Copyright Administration of China, accessed March 31, 2023, https://en.ncac.gov.cn/copyright/channels/10361.shtml.

Figure 2: Photograph of Liang Yongping's first trial on November 21, 2021, when he was charged with three-and-a-half-year prison sentence and a fine.
Source: Sina Weibo

generating revenue from ads as well as hard-disk sales of unauthorized movies and TV shows since 2018, with the total amount of illegal revenue exceeding RMB 12 million ($1.87 million USD). These profit-making activities were deemed to have violated the Chinese law that prohibited profit-making copyright infringements. It soon followed that the founder Liang Yongping pleaded guilty and was handed a three-and-a-half-year prison sentence and a fine of RMB 1.5 million ($235,000 USD) (Figure 2).

The World of Chinese Fansub and the Therapeutic

One difficulty with many media products, especially of cult fandom and geek canon such as *Lord of the Rings*, is the overt complexity of story settings,

which presents challenges for viewers to master all the historical and culture details in a convoluted story world. Lack of cultural background and widespread misinterpretation further complicate the translation of Western fantasy, which is immensely popular in the Chinese market. While fans consume and digest media and literary products repeatedly with full nerdy enthusiasm, local commercial advertisers and agencies do not share the same incentive to acquire and provide the comprehensive background knowledge in the fictional Middle Earth. Inferior or inaccurate translations by the official domestic distributors have been frequently ridiculed by the fan community with far deeper knowledge, understanding, and familiarity with the source product.

One tendency in recent years is for fansub groups to cluster around a singular object of interest—*Star Trek*, for instance. The major components in the Chinese fan reception of *Star Trek* include (1) the text (or the metatext as envisioned by the fans); (2) the "true" producers (usually referring to Gene Roddenberry and those who truly represent the ideal for the series and the films); (3) the "real" producers, including the director J. J. Abrams, the film studio, the screenwriters, etc.; (4) the domestic (or official, or commercial) representative of the producers, which is the film company that imports the film, the theaters that screen it, and the people who do the translation and the promotional activities; (5) Trekkies in US and other English-speaking countries, who are large in number and assume the position of authority from their celebration of the original creator of *Star Trek*, Gene Roddenberry, and the "spirit" they get from the original series; (6) Trekkies in China, who are in spirit the true companion to US Trekkies; and (7) the average moviegoers who have little idea of either the *Star Trek* universe or the original series. There are two lines that are drawn here: one is between the "official" and the text/fans, the other between English and Chinese. The first is easily discerned: for fans, original texts belong to them; foreign fans are their allies; the "true" producer and his spirit are always on their side (he is dead, anyway); the "real" producers, in this case, are not; the domestic representatives are worse. The second one is interesting, because, on the commercial side,

there are authorities in both the Chinese and English environment, but on the textual side, two distinct figures contend to assume the role that mediates between Chinese and English: Chinese fansubbers and domestic official representatives. They represent two types of translation and intercultural negotiation—one of the fans, the other representing commercial interests.

Chinese Trekkies attain the most authority in the fandom as they interact with the source text directly, much like the US Trekkies do, and have thus become trustworthy representatives of the original text if a new Trekkie in China wants to learn more about the world of *Star Trek*. As noted in Zhang Xiaochun,[26] most Chinese fansubbers consider themselves cultural brokers between China and the world. Both sanitized content due to censorship and incompetence of translation on official channels provoke indignation among fans with abundant knowledge, which only compels fans to continue their practices, never mind the legal or potentially political persecutions.

While analyzing fansubs of Japanese anime, Ian Condry, among others, observes that there is an ethical code in the English-speaking fandom for Japanese anime, which stipulates that fan translators are to remove their translations of the original products once an entity legally imports and translates them.[27] Even though fans believe in the superiority of their translations, they consent to protect the IPR of the original producers and legal importers. Chinese fansubbers, however, largely do not honor the same ethical codes. Chinese fansubs are not incentivized to remove their own translations even after the product is officially imported through legal venues. In fact, many Chinese fansubbers would intentionally, indeed defiantly, retranslate their favorite content as a showcase for better and more sophisticated translations. One explanation points to China's lack of an IPR tradition and awareness, as Chi-hua Hsiao reminds us that China during

26. Xiaochun Zhang, "Fansubbing in China," Multilingual, July 1, 2013, https://multilingual.com/articles/fansubbing-in-china/.

27. Ian Condry, "Dark Energy: What Fansubs Reveal about the Copyright Wars," *Mechademia* 5, no. 1 (2010): 193–208, https://muse.jhu.edu/article/400557.

the Imperial era had a checkered history prioritizing information control at the cost of protection of property rights for individual authors and inventors.[28] This legacy has continued during the PRC era. Pirated and smuggled media products were rampant in the Chinese market before Chinese fansubbers emerged online, nurturing a generation of cinephiles turned fansubbers who are accustomed to free and easy access to foreign content with little consideration for regulatory and ethical issues related to international copyrights. Even as some of the most popular websites were taken down, fansubbing is still operating online, though some do try to abide by IPR by providing subtitles separately from the video, which means that the process of translating and sharing subtitles no longer involves disseminating the unlicensed original videos.

Scholars have argued that fansub subverts state censorship. They see the act of fansubbing as political activism and civic engagement that inspires Chinese viewers to confront state power and official oppression.[29] While contempt for state censorship might be one motivating factor, I'd venture a less explored aspect of fansub in China. I propose that Chinese fansub could be driven equally by the need for personal fulfillment and gratification, particularly and precisely reacting to the squelching of dissent by China's political system. As Laurie Cubbison points out, fans are motivated by the urgency to experience authentic content.[30] Fansubbing can be therapeutic as the process of producing subtitles grants fansubbers an outlet to channel their creative energy with transgressive usages of Chinese terms and phrases in their translation. Some fans actually rewrite the originals in a tongue-in-cheek fashion, appropriating colorful Chinese idioms to inject local issues into the original dialogues. By improvising via localization in translation,

28. Hisao, "The Moralities," 227.
29. Melissa M. Brough and Sangita Shresthova, "Fandom Meets Activism: Rethinking Civic and Political Participation," *Transformative Works and Cultures* 10 (March 2011), https://doi.org/10.3983/twc.2012.0303. Also in Wang and Zhang, "Fansubbing in China."
30. Laurie Cubbison, "Anime Fans, DVDs, and the Authentic Text," *Velvet Light Trap* 56, no. 1 (2005): 45–57, https://doi.org/10.1353/vlt.2006.0004.

Chinese fansub substitutes literary meanings in the source text with colloquial expressions to highlight local issues and to vent their frustration with the translation establishment, both government and corporations.

The widespread phenomenon in fansub of Tu Cao (吐槽), which means to roast or ridicule, allows translation to deviate from the source text, some with added notes and glosses that go beyond explaining cultural references to register the translator's feelings and sentiments on a cluster of social issues, not least of which is censorship, which fansub bypasses with levity and creativity. Among the taboos in Chinese culture, sexually charged words are particularly tricky. While euphemism reigns in translation, fansubbers can get creative. As mentioned in Zhang Xiaochun, "Jack, slow f**k" in *Titanic* was translated in one fansubbed version as "Czechoslovakia," which in Chinese is pronounced as *jié kè sī luò fá kè*, which is phonetically similar to "Jack, slow f**k" (Figure 3).[31] Venting their frustrations by poking fun at taboos and highlighting current events with creative translations, fansub has turned the translation traditionally associated with an elite occupation with stodgy language into a grassroots therapeutic exercise embellished with colloquial expressions and social commentaries. Through individualized self-expression, fansub on streaming has become another social media platform that facilitates emotional relief, transforming the intense labor of translation into a process of self-actualization while also empowering others. Zhang Xiaochun notes further that, while explaining his motivation, a translator known for his work on *Prison Break* said simply, "I love, so I share."

Fansubbers derive pleasure from the action of sharing their free labor for the common good. As Roger Foster puts it, the promise of the therapeutic culture is self-fulfillment rooted in the "search for the 'true' self," or "authenticity."[32] The therapeutic effect is augmented by participating in a

31. Zhang, "Fansubbing in China," 2013.
32. Roger Foster, "Therapeutic Culture, Authenticity and Neo-Liberalism," *History of the Human Sciences* 29, no. 1 (February 2016): 99–116, https://doi.org/10.1177/0952695115617384.

Figure 3: Fansubber's translation of "Jack, Slow Fuck" in *Titanic*. *Source*: Zhihu

networked community of fansub with shared beliefs, behaviors, and missions that provide safety and security for fansubbers to share emotions and translation antics. As Dhiraj Murthy argues, the positive feedback of one's virtual peers is one of the major attributes of the therapeutic effects, which brings recognition and confers social capital, two crucial components in the self-actualization of individuals.[33] In an interview with the Guangzhou-based *Southern Metropolis Daily*, Chinese fansubbers talked about how seeing one's own name appearing in the opening credits of a completed translation work and the wide circulation of such work could bring a sense of pride and accomplishment.[34] There also exists hierarchies among fansub group members based on each individual's language proficiency and fan endorsement, which encourages fansub ranking.[35] Though bringing no monetary rewards,

33. Dhiraj Murthy, "Twitter: Microphone for the Masses?" *Media, Culture & Society* 33, no. 5 (June 2011): 779–89, https://doi.org/10.1177/0163443711404744.
34. Nanfang Dushi Bao, "Zimuzu Fanyi de Dashenmen (the Gods of Fansubbing Groups)," Sohu, August 6, 2014, http://news.sohu.com/20140806/n403155787.shtml.
35. Wang, "Fansubbing in China," 177.

fansubbers can nonetheless accrue social capital by generating followers and expanding their reach, compelling them to engage further in the fansub activity, making fansub an addictive experience akin to the addictive viewing experience of binge-watching via streaming of serial dramas, which the Chinese fans actively translate and share.

As more subtitle groups emerge, the competition for fast and efficient delivery and quality experience has led to parallel bilingual subtitles superimposed at the bottom of the videos, with some providing extensive explanatory notes on idioms, cultural references, and historical practices, all competing for eyeballs. Chinese fan-streaming apps further provide "live-streaming" translation service wherein translation takes place in real time, with only a few minutes' delay, which allows the fan community to enjoy the newly released show with only a short time lapse, leaving room for fans to participate in online discussions. The intense labor and time commitment involved in live streaming attests further to the linkage between the therapeutic and the addictive in the practice and experiences of fansubbing in China, which is not dissimilar to the effects of "morphine drip" in Denise Broe's description of the binge-consumption of serial TV dramas on demand (Figure 4).[36]

Concluding Remarks

Residing in a legal forbidden zone as transgressors of both international copyright laws and the domestic censorship regime, Chinese fansubbers ironically owe the relevance of their very existence to continuing state censorship, which forbids unfiltered foreign content from flowing into the Chinese market through legal channels. While IPR matters to foreign copyright holders and their official Chinese content distributors, for the Chinese government, the loss of cultural control poses an even greater threat

36. Dennis Broe, *Birth of the Binge: Serial TV and the End of Leisure* (Detroit, MI: Wayne State University Press, 2019).

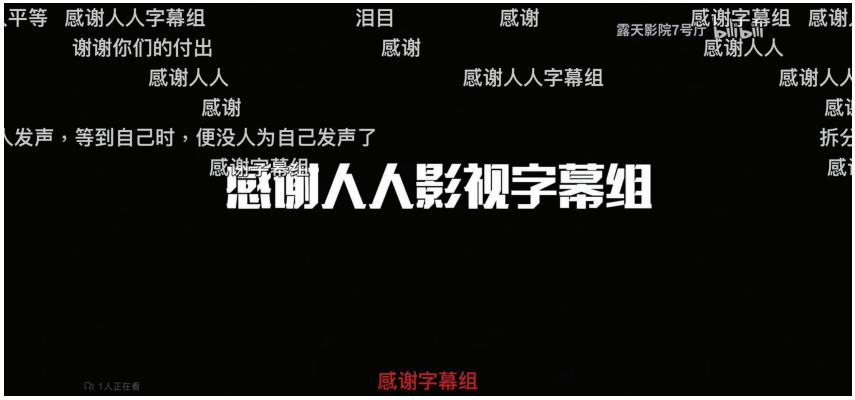

Figure 4: After YYeTs was completely cracked down in February 2021, a fan/Bilibili user made the video, "I am not the God of Dramas" (*wo bu shi jv shen*) to reminisce the disappearance of the platform. Other fans also acknowledged YYeTs in bulletin comments.
Source: Lutian Yingyuan Qihaoting on Bilibili

than copyright infringement. But the notoriously high piracy rate in China brings challenges to China's global standing in the IP industry amid the Chinese government's push to transform "made in China" to "created in China." Piracy is easily understood as a sign of insufficient creativity and originality, two keywords in the hierarchies of a global creative economy. Symbolically linked with knowledge and creativity, the strength of IP has become an indicator of a country's pecking order in the creative economy, which China is eager to harness.[37] It remains to be seen if the Chinese government's twin imperatives of political control and economic ascension might lead to the twilight of fansub in China. But the demand for diverse content and the therapeutic need to share cannot be easily squashed. The availability of foreign contents with a click will continue to offer fans ample

37. Laikwan Pang, *Creativity and Its Discontents China's Creative Industries and Intellectual Property Rights Offenses* (Durham, NC: Duke University Press, 2012), https://doi.org/10.1215/9780822394587.

material for translating and sharing, only if for personal joy, with or without the transgressive aim to subvert established legal and political systems.

Last but not least, when it comes to appropriating/translating contemporary AV content from other languages and cultures, who gets to decide what stories to select and tell, and how? As fansub offers far more lively and relevant interpretation of foreign contents, Chinese audiences have become increasingly averse to the stiff and authoritarian tone of official interpretation, rendering the process of meaning-making via translation a contested arena. Lydia Liu coined the term "translingual practice"[38] in the mid-1990s to encapsulate the role translation played in the dynamic process of meaning-making and culture-building during China's historical encounter with the West (via Japan) during the early Republic era. Such a complex process of linguistic negotiation and interpretive power-jostling came with real world consequences, leading to what Liu calls "translated modernity." Liu's book essentially calls attention to the role of Chinese writers and intellectuals in shaping the course of China's early modernity. How might the politics of translingual practice in the form of vernacular fansubbing play out in contemporary youth's cultural appropriation? Liu argues that the arrival of modern Chinese literature is the result of "a cross-cultural breeding facilitated by translation." And, as such, "what to translate and why" become the key questions. As Liu frames it, "In whose terms, for which linguistic constituency, and in the name of what kinds of knowledge or intellectual authority does one perform acts of translation between cultures?"[39] The ability of grassroots fansub in absorbing and adapting to local tastes is an interesting exercise, to repurpose Liu's phrases in her articulation of an earlier era, in "active transcultural building" or "cultural production through translation," in the popular audiovisual arena.[40] Meanings are thus

38. Lydia He Liu, *Translingual Practice Literature, National Culture and Translated Modernity—China, 1900–1937* (Stanford, CA: Stanford University Press, 1999).
39. Liu, *Translingual Practice Literature*, 1.
40. Liu, 26.

not so much "transformed" as invented within the local environment. In this regard, fansub plays a crucial role in the local construction of networked knowledge and perspective. In a nutshell, the foreign audiovisual contents filtered through Chinese fansub have influenced Chinese youth perception and experience of events, past and future, local and global, and helped to shape their cultural affiliations and identifications. Future research might compare the experiences of the laborious "translated modernity" in China's earlier top-down and elite encounter with Western languages and literatures to that of grassroots youth appropriation of Western popular culture in a more effortless and instantaneous fashion.